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PAKISTAN

3rd ImCoSS

THE THIRD INTERNATIONAL MULTIDISCIPLINARY
CONFERENCE ON SOCIAL SCIENCES

5 - 7 JUNE 2015

BANDAR LAMPUNG UNIVERSITY
INDONESIA

PROCEEDINGS

Hosted by :

- Faculty of Teacher Training and Education
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3rd IMCoSS 2015

**THE THIRD INTERNATIONAL MULTIDISCIPLINARY
CONFERENCE ON SOCIAL SCIENCES**

5, 6 June 2015

**Bandar Lampung University (UBL)
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PROCEEDINGS

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PREFACE

The Activities of the International Conference are in line and very appropriate with the vision and mission of Bandar Lampung University (UBL) to promote training and education as well as research in these areas.

On behalf of the **The Third International Multidisciplinary Conference on Social Sciences (The 3rd IMCoSS) 2015** organizing committee, we are very pleased with the very good response especially from the keynote speaker and from the participants. It is noteworthy to point out that about 112 technical papers were received for this conference.

I would like to express my deepest gratitude to the International Advisory Board members, sponsor and also to all keynote speakers and all participants. I am also grateful to all organizing committee and all of the reviewers who contribute to the high standard of the conference. Also I would like to express my deepest gratitude to the Rector of Bandar Lampung University (UBL) who give us endless support to these activities, so that the conference can be administrated on time

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AN ANALYSIS OF THE INFLUENCE OF AGGREGATE EXPENDITURE REGIONAL GROSS DOMESTIC PRODUCT GROWTH IN THE LAMPUNG PROVINCE

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Abstract- This research is intended for analyzing the influence of aggregate expenditure involving consumption, investment, governmental expenditure, and net export on the growth of Gross Regional Domestic Product in Lampung Province. The research was conducted in six months including design, implementation and reporting on result of the research. The research is conducted through library study and data is obtained from the Central Bureau of Statistics, Bank Indonesia Regional Research and Development Agency, BAPPEDA. Data consist of aggregate expenditure, economic growth. This research uses the methodology of explanatory research with quantitative analysis technique by applying statistic model of causality through double linear regression analysis with the significance of five percent. Result of research indicates that the aggregate expenditure; consumption expenditure investment, governmental expenditure and net export have a simultaneous effect on the growth of PDRB. Partially, the PDRB growth is more positively affected household consumption expenditure, and private investment.

Keywords: Aggregate, Expenditure

1. INTRODUCTION

Background of the Problem

Economic growth in Lampung Province is part of the national economic growth. One of the economic indicators that are commonly used to measure economic growth in the province of Lampung is income statistics regional or better known as gross regional domestic product (GRDP) of Lampung Province. Regional gross domestic product (GDP) of Lampung province is calculated by two approaches - production and income approach presented in the form of GDP data regarding its business fields and expenditure approach presented in the form of GDP in relation to its use.

Based on Lampung Regional Economic Studies (BI, 2009) Regional Income of Lampung Province (GDP) by expenditure approach (according to its use) in 2008 was largely used for household consumption expenditure amounted to 54.88 per cent which was contributed to the GDP growth rate at 0,78 percent. This means that 14.75 percent of GDP in 2008 came from household consumption expenditure and 85.25 percent came from other GDP components.

One of encouraging economic progresses in Lampung province is government consumption (government expenditure) to drive the construction and services sector as well as activities that can stimulate investment and export activities. Government consumption in 2008 reached Rp. 9855.5 billion and contributed 13.23 percent to the GDP. One of variables that is important in trying to develop the regional economy is investment. The amount of investment activity reflected component of Fixed Capital Formation of Gross Domestic (PMTDB). If a PMTDB component is connected to the economy output as a whole, it will obtain a measurement called *Incremental Capital Output Ratio (ICOR)*. From 2004 to 2008, PMTDB Lampung increased from USD 5807.6 billion in 2004 to USD 13548.7 billion in

2008. If constant data are the amount of 2000, it increased from US \$ 4453.3 billion in 2004 to Rp. 5554.5 billion in 2008. Thus, the average growth rate of 3.98 percent shows the highest growth per year. The highest growth occurred in 2005 (10.24 %), and the lowest in 2004 (-2.98 %). From 2004 to 2008, the pattern of export and import growth fluctuates with average growth of 14.3 per cent for exports, and 7.3 percent for imports per year. The highest export growth rate occurred in 2008 (50.38 percent) and the highest import growth rate occurred in 2008 (37.54 percent). The highest contribution of export occurred in 2008 (54.24 percent), and the highest contribution of imports also occurred in 2008 (46.06 percent).

Formulation of the Problem

Based on the background of the problems, the formulation of the problem in this study are as follows.

How does Aggregate Expenditure namely; Household Consumption Expenditure, Private Investment, Government Expenditure, Net Exports on the growth of Gross Regional Domestic Product (GDP) in Lampung Province influence?

Research Purposes

To analyze the dominant influence of Aggregate Expenditure like Household consumption expenditure, private investment, government spending, exports to growth produk Gross Domestic (GDP) in Lampung Province.

Benefits of the Research

The result is expected to be useful

1. To add the knowledge of economicscience, especially on aggregate expenditure such as household consumption, private investment, government expence, net exports which are the most dominant influence on the growth of Gross Domestic Product (GDP) of Lampung Province.
2. To be a reference to do further researches and develop the variables that affect the growth of GDP.

3. To be an input to the Local Government Lampung to Meru muskan discretion to increasing the economic growth in Lampung Province.

2. LITERATURE, REVIEW THEORY, HISTORY RESEARCH ,FRAMEOF THINKING AND HYPOTHESES

Theory of Overview

Economy Growth

According to Djojohadikusomo, Soemitro (1994 , p . 55 , in Economic Growth there are three main characteristics namely: a. The rate of the real income growthper capita. b) Distribution of labor force by production activities sector which are the source of their livelihoods. c) The pattern of population distribution Economic growth rate is affected by consumption, investment changes and government expenditure changes(investment by the government). National income and/or expenditure (Y) is determined by the level of Aggregate Demand (Z) , where $Z = C + I + G$ or $Y = C + I + G$.The component of economic growth can be explained as follows:

Consumption Konsumsi

According to the Case and Fair (2004: 71), in each period like week, month and year, household received a number of aggregate income (Y). In a closed economy conditions, household can only do two things its earnings such as household can purchase goods and services that can consume or save.

In a specific period, the number of aggregate consumption in economy is dependent on some factors covering: a).Household income, b) household wealth, c)interest rate, d) Hoseholdexpectation of the future. These factors work together to determine spending behaviour and house saving, both for individual and aggregation. Household 's wealth and income which is higher tends to spend more than household's incomes and wealth is less . The lower interest ratesdecrease the cost of loan. Thus, lower interest rates tend to encourage expending and higher interest rates raise the cost of loan which tends to decrease expenditures. Finally , positive expectations of the future is probably to increase current expenditures , while hthe future uncertainty tends to reduce the current expenditure .

Investment

Invesmentbasically is the location [of] the amount of fund at the moment in order that in return it can get profit in the future. According to Abdul Halim (2005: 4), invesmentis differentiatedinto 2 (two), that is invesmentoffinancial assetsand invesmentof real assets. Invesmentof financial asset is conducted in money market, whileinvesmentof real asset can be in the form of productive asset purchasing, factory founding, mining opening, plantation opening and so on. According to SadonoSukirno (1998:106), common invesmentrefersto capital investment or capital establishment which is second component determining level of aggregate expenditure. Invesment can be interpreted as expenditure or company expenditure to purchase

capital assets and equipment supply to increase the ability in producing goods and service.

Most of analysis concerning determination of general national revenue assumed as an invesment conducted by all entrepreneurs in the form of autonomous invesment. The highest national revenue will enlarge people'sincome, and later people's highest income will enlarge the demand of good and services. Hence,the company profit will grow high and push to conduct more invesment. Then, if national revenue is higher, investment will grow higher.

Governmental expenditure

According to Sukirno, Sadono (1998:151) taxes received by government will be used to defray various governmental activities. Some of governmental expenditure is to defray the public administration and the others are to defray the development activities. Paying governmental officers' salary, and defraying the system of education andpublic health, armed forces expenditure and various important infrastructure in development. Expenditure development will improve the aggregate expenditure and heighten the level of economy state. The amount of the governmental expenditure will be conducted in a specific period dependent on many factors such as taxes received, targets [of] economic activity in short and long term, political consideration and security.

In each form or economic system, government plays an important part especially in providing public goods and the allocation of either goods productionor consumption and improving distribution revenue, protecting national stability including economiy and also quickening the economic growth. Thegovernmental role is important especially because of public goods, imperfection of market, problem of distribution revenue and effort to keepthe goods allocation efficiently and fairly (RahmanMulyawan, 2002, p. 4,18). Based on the assessment, state expenditure then can be categorized into various type, that is:

- a.Self-liquiditingexpenditure meaning that government gets the payment from people accepting goods/service.
- b. Reproductive expenditure meaning that making economic profit for people to get the acceptance of government for taxes sector increase.
- c. Expenditure adding people's happiness and welfare meaning that through services it can raise national revenue such as the establishment of recreation/tourist place.
- d. Wasting, for example war.
- e. Thrift in the future like safeguarding for homeless children and orphan

Export

According to Sukirno, Sadono(2004:410), in effort to increase the production and profit, some of companies will try to broaden thir marketing abroad. Hence export activitybasically is the effort to sell the goods produced by the international marketing. The sale is usually conductedto othercompaniesabroad.

Efforts to market their goods abroad should be able to create a relationship with the importer abroad and conduct marketing promotion. The company will get great benefit from such efforts. And at the same time the company has made an important contribution to the economic development of the State in the form of increase in exports, foreign exchange, taxes, national income and employment opportunities.

Import

Import, according to Sukirno, Sadono (2004:411), is the company activity that purchases goods produced in other countries.

Import as well as export activities give an effect. The outflow of foreign currency will prevail and decrease available foreign exchange. Imports of goods consumption can compete companies in the country and lower their production as well.

If this is the case, the production, sales and company profits that are affected by the presence of imported goods will decline. In terms of macro description, it may cause a deficit in the balance of flows in and out of foreign exchange, lowering the value of the domestic currency and reducing employment opportunities.

2. FRAME OF THINKING

Calculation of national income (GDP) is the summing of various types of expenses like household expenses (consumption = C), dispensing the company (Investment = I), governmental expense (G), and expenditures for the purchase of import and export products or expenditure by others from abroad (X - M). Based on such matters, the national income (GDP) = $Y = C + I + G + X - M$. The result of the calculation of national income produces the GDP value which are the same as the calculation on the basis of income or output / additional value (YuyunWirasasmita, 2010)

The research models generally aims to analyze the influence of aggregate expenditure including household consumption, private investment, government expenditure, net exports to the Gross Regional Domestic Product (GDP) in Lampung Province.

Thus the aggregate expenditure variables that determine GDP growth consists of the following variables:

- 1). Personal and household consumption expenditure consists of expenditures whether for durable goods or not. Expenditure is usually abbreviated C.
- 2). Capital establishment of private sector is often expressed as an investment (I) meaning that capital expenditure to purchase goods that can increase the production of goods and services in the future. To build offices, establish industries, purchase production tools are the types of expenses classified as an investment. Expenditure was used in producing activities in the future.
- 3). Regional Government expenditure is abbreviated G. Government expenditures are for purchasing of goods especially for the benefit of society.

Governmental expenditure are for education and health facilities, police and army, local government employees' salaries and expenditures to develop the infrastructure.

- 4). Net exports. The value of exports are carried out a country in a given year. Exports of a country usually consist of goods and services produced in the country. It is reduced with the amount of expenditure on imports of goods and services, including technology which is brought or purchased from other countries.

Based on theory, growing phenomenon and the results of relevant research as well, the scheme of research paradigm can be described as follows:

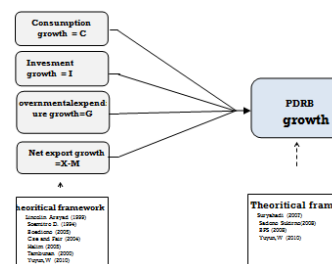


Fig1: Thinking Framework

Aggregate expenditure growth comprising Consumption expenditure (C), Investment expenditure (I), Governmental expenditure (G), Net exports (XM) affect GDP growth of Lampung Province.

Research Hypothesis

Aggregate expenditure such as household consumption, private investment, governmental expenditure, Net export simultaneously and partially influence to the growth of Gross Domestic Product (GDP) in Lampung Province.

The positive influence of the above hypothesis explains there is at least one variable of aggregate expenditure that has positive effect or contribute positively to GDP growth in Lampung Province

3. RESEARCH METHODOLOGY

Time and Place of the Research

Time of the research is planned for 6 months including the planning process such as the step of preparation, assessment, research proposal and research proposal seminar. The implementation process and results of reporting research covers research conduct (collecting data), data processing, compilation and reporting of research results.

The place of the research is Lampung Province covering 10 districts and cities like Bandar Lampung, Metro, North Lampung, central Lampung, South Lampung, East Lampung, Lampung Barat, Tanggamus, Tulang Bawang and Way Kanan.

Data on economic growth and aggregate expenditure are obtained from each district and city and then mixed with the economy data obtained from the Central Statistics Agency (BPS), the representative of Indonesian Bank in Lampung, Regional Research and Development Agency (BAPEDA) of Lampung Province

Research Methodology

The research is *explanatory research*. The causal relationship between variables is the influence of aggregate expenditure-household consumption, private investment, government spending, net exports to the growth of Gross Domestic Product (GDP) of Lampung Province.

Formulation of the research model

Model formulations used in this study is double Multivariate Linear Regression Analysis with the technique of Ordinary Least Square (OLS).

The influence of each independent variable of aggregate expenditure including the growth of household consumption (X₁), Private Investment (X₂), the Government Expenditure (X₃), net exports (X₄) on the growth of GDP (Y_d) can be formulated with mathematical equations by using statistics through multiple linear regression equation set out in the following equation:

Functional Relationship of Equation (Model)

$$Y_d = f(X_1, X_2, X_3, X_4)$$

Regression Equation

$$Y_d = \alpha_1 + \beta_{11}X_{11} + \beta_{21}X_{21} + \beta_{31}X_{31} + \beta_{41}X_{41} + \epsilon$$

Where:

X₁ = Household Consumption Growth (C)

X₂ = Investment Growth (I)

X₃ = Governmental Expenditure Growth (G)

X₄ = Net Export Growth (X-M)

Y_d = GDP (PDRB) Growth

α_i = Constants / intercept (Where α_j)

α_j = Total of *Multi Sector Produktivity*

β_i = regression coefficient which shows the elasticity of each variable

ϵ_i = The influence of other outside variables model set or error /residual. The regression equation in the above model tested with multiple linear regression of coefficient significance, either simultaneously or partially with statistical hypothesis as follows.

4. RESULT AND DISCUSSION

Measurement Result

Results of measurement and comparison among variable elasticity of aggregate expenditure, consumption, investment, governmental expenditure, exports and imports to GDP growth in Lampung province are obtained the following results.

$$Y_d = -454547.3 + 1,089.X_1 + 0.609.X_2 + 1,562.X_3 - 0,363.X_4 + \epsilon$$

In the model, the trend of changes in aggregate expenditure of variable contribution to GDP growth shows the responsive independent variable of aggregate expenditure - consumption, investment, government expenditure, net exports to GDP in detail can be interpreted that:

- 1) The value of the constant is $\alpha = -454,547.3$. Statistically if all independent variables of household consumption expenditure (X₁), investment (X₂), government expenditure (X₃), net exports (X₄) is 0 (zero), the GDP growth (Y_d) will be reduced by Rp. -454,547.3 Million.

- 2) The value of the regression coefficient $\beta_2 = 0.609$, statistically When the growth of investment (Gross Fixed Capital Formation = X₂) increased by 1 unit assuming household consumption, government spending, net exports are considered permanent, it will increase GDP growth (Y_d) of 0.609 units and vice versa.
- 3) The value of the regression coefficient $\beta_3 = 1.562$ is statistically significant. If the growth of government expenditure (X₃) is increased by 1 unit, on condition that the expenditure of consumption, investment, net exports are considered constant it will increase GDP growth (Y_d) amounted to 1,562 units. Then it is similar with the opposite situation.
- 4) The value of the regression coefficient $\beta_4 = -0.363$ shows statistically significant. If net export growth (X₄) is increased by 1 unit, while household consumption, investment, government expenditure considered constant, it will decrease GDP growth (Y_d) amounted to 0,363 units. It is similar with the opposite situation.

Household consumption is very dependent on the amount of income [$C = f(Y)$], meaning that the higher the income is, the higher the level of household consumption expenditure is. Results of regression coefficient is consistent with the results of the t test (partial test) that was obtained $t = 6.922 > t \text{ table } (nk - 1 = 35 - 4 - 1) = 1.697$. It means that H₀ is rejected and H_a is accepted ($t_h > t_t$).

According to Keynes the quotation Case and Fair (2004:272) consumption is a function of income and later consumption will be able to increase revenues. In the theory of national income, the increase in national income will improve public welfare and public/household consumption will increase. The improvement of household consumption will increase national income. In addition, it is similar to Sadono Sukirno's statement (2002:38), "the income received by households is used to buy food and clothes, spend for transportation services, pay for the education of children, rent and vehicles as well. Those are purchased for the household to meet their needs.

The increase of domestic demand to fulfil the need will increase the price and national output. Household expenditures used to consume goods, services and partly for savings (N, Gregory Mankiw Criswan translated by Sungkono, 2006, p.12). The goods and services consumed are production such as manufacturing, electricity, gas and water which is at the discretion of the government in repeated increases as well as building and construction. Thus it can be said that the increase of household consumption expenditure will increase regional revenues.

Investment is needed to improve agriculture and mining/quarry, especially in Lampung Province which has fairly extensive agricultural land further increasing the Regional Domestic Product growth. The proposition is similar with the opinion of Sadono Sukirno (2002:106) that an investment is also known as capital investment or capital establishment. The

improvement of investments will increase aggregate expenditure in economy and is used by companies to buy goods and services in order to increase the ability to produce goods and services which means an increase to national income. Furthermore, additional investment will create greater additional to national income. It is called the dual effect of investment or Multiplier Effect (Yuyun Wirasmita, 2010).

Private investment in Lampung province plays role in increasing agricultural production such as investment in rubber plantations, oil palm and sugar industry. Meanwhile investment in the mining sub-sector is intended to increase the production of coal and rock sides (BPS Lampung, 2010). The role of Investing role in both sub-sectors to GDP Lampung is large enough with an average of 42.06 percent annually since from 1980 to 2009.

Government expenditure based on calculation results of regression coefficient gets 1.561 which means when the government expenditure increases with 1 unit. Meanwhile, if household consumption, investment, net exports are considered constant, it will increase GDP growth (Yd) Lampung at 1,561 units. In relation to the calculation of the regression coefficient, it means that government expenditure contributes to the increase of GDP. An increase in local government expenditure for the development is directed to the improvement of infrastructure such as roads, ports, irrigation and so on. Thus, according to Rahman Mulyawan (2002:4.18), government expenditure does not directly increase the production of various economic sectors.

In any form of economic system, the government plays an important role especially in providing public goods, allocating goods production and consumption, improving the income of distribution, maintaining national stability- stability of the economy and accelerating economic growth as well.

The role of government is considered important especially because of the public goods, the imperfection of the market, the problem of distribution revenue and efforts to maintain the allocation of goods efficiently and equitably. The above explanation shows that the increase of government expenditure in Lampung province is not directly aimed at increasing the value of production of various economy but only acts as a push of agricultural production and mining activities.

Based on BPS (Central Statistic Agency of Lampung) data, Lampung exports are dominated by agricultural products such as coffee, palm oil, pepper and frozen shrimp export whose the value of its export is relatively low due to raw materials and semi-finished materials but contributes to GDP average of 21.91 per year since from 1980 to 2009. For the study of regional economic Lampung (BI Triwilan IV 2009), Lampung imports are in the form of consumer goods and not imported auxiliary raw materials and processing of raw industrial materials to improve the production of agriculture, manufacturing, mining and quarrying sectors. But on the other hand the value of

imports in the second quarter of 2009 amounted to 67.64 per cent largely for the commodity of oil seeds, grain, seeds and fruits and consumer goods. Therefore, increasing the value of imports of consumer goods which were not auxiliary raw materials and processing of raw materials to industry does not contribute to an increase in the production of various economy sectors. It is similar with the report of Lampung Province Regional Economic Studies (BI, 2009:6), which says that the annual Lampung export experiences negative growth, as a result of a decrease in all sectors of agriculture, manufacturing, mining and quarry. Meanwhile Lampung imports from year to year continues to increase especially imports of oil commodities, grain, seeds and fruits that reached 23.96 million kg on average ranges around US \$ 1419.167 since from 2008 to 2009, except imports of other consumer goods.

Thus, the increase of the value of exports which was subtracted with the expenditure for imports does not make a positive contribution to the Gross Domestic Product.

5. CONCLUSION AND SUGGESTION

Conclusion

Based on the results of research and discussion, this study managed to obtain a model that can adequately explain the effect of aggregate expenditure, ie the growth of household consumption, private investment, government expenditure, net exports to the growth of Gross Domestic Product.

GDP growth is largely triggered by the growth of private investment, government expenditure, and household consumption as well. Meanwhile the growth of net exports actually can decrease GDP growth. The inability of net exports in GDP growth is due to the increase of the lower value of Lampung exports when compared with the value of imports. It is because Lampung is dominated by agricultural products such as raw materials and semi-finished materials. On the other hand Lampung has high value imports as imports of finished goods and consumer goods are not imported auxiliary raw materials and raw processing materials for the industry in order to increase the production of the agricultural sector, manufacture, mining and quarry.

Suggestion

Based on the results of research, discussion and conclusions, the suggestions that consider relevant in this study as follows:

1. In order to increase knowledge such as economy, unemployment and poverty in Lampung province, it is suggested to other researchers to expand the scope of research related to the Gross Regional Domestic Product in Lampung Province including expanding the coverage area of research.
2. In order to promote economic growth in Lampung, it is suggested to the Lampung Government to be able to drive economic development policy by paying attention to the relationship among aggregate expenditure variables such as household

consumption, investment, government expenditure. Another suggestion is that there should be a focus on the growth of government expenditure directing to the employment availability, the growth of expenditure improving infrastructures as well as

encouraging household consumption growth. For private investment, there should be a focus on employment availability.

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ANALYSIS OF ECONOMIC STRUCTURE OF REVENUE IN LAMPUNG PROVINCE

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ABSTRACT - Regional autonomy as a form of financial reform and the planned area is able to increase local revenue, but the contribution of the Central Government in Lampung provincial budget funding through revenue sharing, DAU and DAK is still more dominant than the original income (PAD). In fact, the contribution of PAD to the reception is still relatively low. It reflects not yet optimal management of resources revenue (PAD), particularly from the changes in the economic structure, the potential taxes and fees can affect lower acceptance ratio.

Problems in Lampung Province is still low contribution of economic sectors to revenue (PAD). The low original income of PKB, BBNB, PBBB and PAP. Still high dependence on the assistance of local governments from the central government. The ability of local governments to realize the tax revenue / levies not yet optimal. The level of tax compliance is still low.

This research uses explanatory research method that aims to explain the causal relationship between variables and test the hypothesis. The research instrument used secondary data in time series (time series) 30 years. Testing instrument using multiple linear regression analysis (multivariate linear regression analysis) with the technique of Ordinary Least Square (OLS) and use Eviews Program Version 7.0.

The study's findings indicate that Regional Financial Enhancement rely on revenue (PAD) and PAD previous year. While the increase in revenue (PAD) depends on the contribution of changes in the economic structure in Lampung Province.

Keywords: Changes in economic structure, regional revenue in Lampung Province.

1. INTRODUCTION

A. Background Issues

Development of economic and financial resources is a very important factor, the economic empowerment and financial business areas of particular concern since the era of regional autonomy, local government is given authority to manage the source of development financing from both the original income (PAD) and the balance of funds in the form of Tax Revenue and non-tax as well as the general allocation fund. Osborne and Gaebler (2008, h.27) found in autonomy, the government is required to be creative and innovative.

Development in Lampung province that lasted

thoroughly and continuously has improved the economy of the community. The achievement of development outcomes that are felt society is the aggregate development of 15 districts / cities in Lampung province that can not be separated from efforts jointly between government and society. But on the other hand various obstacles in maximizing the potential of human resources and capital resources are still faced by policy makers at the provincial and district / city. So that the achievement of economic growth Lampung is always under national economic growth as shown in Table 1. below:

Table 1. GDP Growth Rate Comparison Lampung province with PDB Indonesia At constant prices

Year	Lampung (%)	Indonesia (%)
006	5,07	5,83
2007	4,02	5,69
2008	4,98	5,50
2009	5,94	6,28
2010	5,26	6,01
2011	5,07	6,20
2012	5,75	6,10
2013	6,38	6,50
2014	5,89	6,17
Average	5,33	6,02

Source: BPS Lampung Province, 2014.

In Table 1. above shows that the growth of Gross Domestic Product (GDP) Lampung province in the period 2006 to 2014 has fluctuated and has always been under the national economic growth, where the period of 2006-2014 the GDP Lampung province

experienced an average growth of 5,33%, below the growth of the national economy average of 6.02%, during the period of 2006-2014 GDP Growth Lampung always increase, but in 2009 the economic growth in Lampung at 5.26%, lower than in 2009

which amounted to 5.94%.

Regional development is an integral part of national development is implemented based on the principle of local autonomy in accordance with the Law on Regional Autonomy No. 32 2004 described implementation of regional autonomy is essentially an attempt to improve the welfare of the community by carrying out development activities in accordance with the will and interests of the community.

Lampung province with the capital city of Bandar Lampung has a relatively wide area, and holds the potential of marine. Lampung is also a port city, because Lampung is the gateway for entry into the island of Sumatra with its main Bakauheni Port, and a

long harbor as harbor with container terminal kemasnya. Masyarakat Lampung mostly coastal fishing, and farming. whereas most of the central community gardening pepper, coffee, cloves, cinnamon, cocoa etc. Furthermore Lampung focus on land development for large plantations such as oil palm, rubber, rice, cassava, cocoa, black pepper, coffee, corn, sugar cane etc. and in some coastal areas, fisheries commodities such as shrimp farms stand out, even for the national and international levels.

Furthermore, the contribution per sector to GDP at constant prices by industrial origin Lampung province with the distribution percentage of GDP of Indonesia Year 2011-2013 can be seen in the following table:

Table 2: Distribution of GDP at constant prices by Industry Lampung province and Indonesia's GDP (in%)

Business Field	LAMPUNG				INDONESIA			
	2011	2012	2013	Average	2011	2012	2013	Average
Agriculture	42,72	42,6	41,63	42,30	14,21	13,83	13,66	13,90
Mining	0,76	2,52	2,36	2,55	9,10	8,73	8,28	8,70
Processing Industry	13,19	13,2	13,29	13,24	27,83	27,41	26,79	27,34
Electricity, Gas, Water	0,35	0,36	0,35	0,35	0,66	0,69	0,72	0,69
Construction	4,95	4,92	4,9	4,92	6,08	6,21	6,28	6,19
Trade, Hotel, Restaurant	15,72	15,5	15,76	15,66	16,92	17,26	17,45	17,21
Transport / Communications	6,01	6,12	6,33	6,15	6,76	7,25	7,98	7,33
Bank/Finance	6,66	7,23	7,82	7,24	9,21	9,36	9,55	9,37
Other Services	7,64	7,54	7,55	7,58	9,24	9,27	9,30	9,27

Source: BPS Lampung Province, 2013

The above table shows that the GDP province of Lampung in 2011 - 2013 was always dominated by the agricultural sector that contributed most with an average of 42.30 per cent while Indonesia is dominated sector of processing industry amounted to

27.34 percent This shows that nationally dominant role there in the secondary sector, while in Lampung province dominates the primary sector and still provide an important role in generating GDP Lampung Province as shown in the following table:

Table 3. Lampung Province GDP and contribution per sector in 2011 - 2013

Sector	2013		2012		2011	
	Million	%	Million	%	Million	%
Agriculture	15.628	38,28	14.759	38,53	14.693	40,57
Mining	742,033	1,82	712,80	1,86	737,977	3,58
Processing Industry	5.430	13,30	5.177	13,52	4.879	13,47
Electricity, Gas, Water	156,52	0,38	1.442	0,38	129,396	0,63
building	1.975	4,84	1.833	4,79	1.767	4,88
Trade, Hotel, Restaurant	6.465	15,84	60,757	15,86	58.000	0,28
Transport / Communications	3.171	7,77	28,032	7,32	24.240	0,12
Bank Finance / Housing	4.122	10,10	39,006	10,18	30.393	0,15
Service	3.137	7,68	28,784	7,57	27.448	0,13
Total	40.829	100	38.305	100	36.211	100
Growth Rate		6,38		5,76		5,07

Source: BPS Lampung Province, 2012

From the table above shows that the GDP from the supply side, the agricultural sector contributed most to the formation of GDP is 40.57 percent in 2011, 38.53 percent in 2012, 38.28 in 2013.

Changes in general economic structure called structural transformation, can also be defined as a series of changes linked to one another. There are several factors that determine the occurrence of changes in economic structure are: 1) labor productivity per sector as a whole; 2) lack of modernization in the process of increasing the added

value of raw materials, semi-finished goods and finished goods; 3) creativity and application of technology with the ability to expand the market of products / services produced; 4) government policies that encourage the growth and development of the sector and commodity; 5) the availability of infrastructure that determines the smooth flow of goods and services as well as supporting the production process; 6) public enthusiasm for entrepreneurship and investing continuously; 7) the existence of new growth centers that appeared in the

local area, as well as 8) the opening of trade outside the region and abroad through export-import.

Here is an illustration PAD and reception area Lampung Province in the period 2000-2013

Tabel.4. Local Revenue and Total Revenue Region Lampung Province-year period 2000-2013

Year	PAD	Growth	Total Revenue	percentage Revenue	Growth
2000	96.934.635	-	180.293.565	42,7%	
2001	178.063.921	51,12%	453.333.296	32,7%	-23,46%
2002	237.011.653	33,11%	661.740.145	35,6%	9,66%
2003	306.859.131	29,47%	818.767.098	37,5%	4,64%
2004	410.682.088	33,83%	997.633.396	41,2%	9,84%
2005	549.673.306	33,84%	1.045.734.783	52,6%	27,69%
2006	631.981.956	14,97%	1.294.948.833	48,8%	-7,15%
2007	674.693.662	6,76%	1.374.096.049	49,1%	0,61%
2008	891.781.561	32,18%	1.723.036.643	51,8%	5,41%
2009	860.357.826	-3,52%	1.742.386.841	49,4%	-4,60%
2010	1.118.340.908	29,99%	2.091.684.131	53,5%	8,28%
2011	1.085.424.022	-2,94%	2.162.168.622	50,20%	-6,20%
2012	1.600.273.135	47,43%	2.809.749.945	56,95%	13,45%
Rata ²	743.535.783	31,12%	1.508.242.072	46,31%	3,20%

Source: Treasury Office of Lampung Province, BPS and Bank Indonesia (2013)

It appears from the table above, the ratio of revenue to total local revenue as a measure of regional financial improvement on average in the period 2000-2013 amounted to 46.31%. As refers to the financial independence of regional autonomy in the area of the World Bank (Zaenudin, 2008), the minimum required percentage of revenue amounted to 20% of total revenues. Factors of financial independence is an important component in assessing the ability of the region to implement regional autonomy. With the improvement of regional finance an average of 46.31% in 2013, it appears that Lampung province have exceeded the minimal increase in the autonomy of local finance. Nevertheless, it appears that the total reception area of Lampung Province, on average, still depend on the balance of funds from the center. Similarly, watching its growth from year to year, the numbers increase in the area of financial growth tends to fluctuate with an average of only 3.20% per year. This shows an increase in the area of financial instability in Lampung province. This condition is also accompanied by revenue growth fluctuating from year to year.

B. Identification of the Problem.

Background Based on the research described above, makadapat identified the problem as follows:

1. The low contribution of economic sectors to revenue (PAD).
2. The low original income of PKB, BBNB, PBBB and PAP
3. The high dependency of local governments on aid from the central government.
4. The ability of local governments in the realization of receipts taxes / levies not yet optimal.
5. The level of tax compliance is still low.

C. Restrictions problem.

From some of the factors identified against revenue (PAD) and the tax revenue / user charges in the factors examined in this study is limited to:

1. Effect of changes in the economic structure either simultaneously or partially to the original local revenue revenue (PAD) as one of the financial reception area is excavated revenue from the region itself.
2. There are four components to the local revenue, but became more dominant as a source of revenue is taxes and levies, while revenues from profit enterprises and other receipts in principle be considered as accessories to accommodate a wide range of possibilities PAD receipt of cash management and wealth separated areas (Hafrizal Handra, 2001).
3. Law number. 32 of 2004 on local government that the sources of income of the area comes from the PAD, balancing funds, and lending area, the third source of revenue is the locomotive of the reception area to finance household reception area, while the types of local taxes Lampung Province as follows: Tax vehicles motor (PKB), transfer tax of the motor (BBNB), motor fuel tax (PBBB), Tax surface water (PAP).

D. Formulation Problems.

This study was formulated as follows:

1. What is the effect of changing economic structure simultaneously and partially on revenue (PAD) in Lampung province?
2. How does the ability of local governments to realize the Local Revenue (PAD) from all economic sectors and each sector of the economy in Lampung province?

2. RESEARCH METHODOLOGY

A. Research Time and Place

When the study was conducted for 3 months starting

in March 2015 until May 2015, which includes the preparation phase, exploratory, research proposal development stage. Process execution and reporting of the results of the research include: data collection, data processing and preparation of research reports.

B. Research Methods

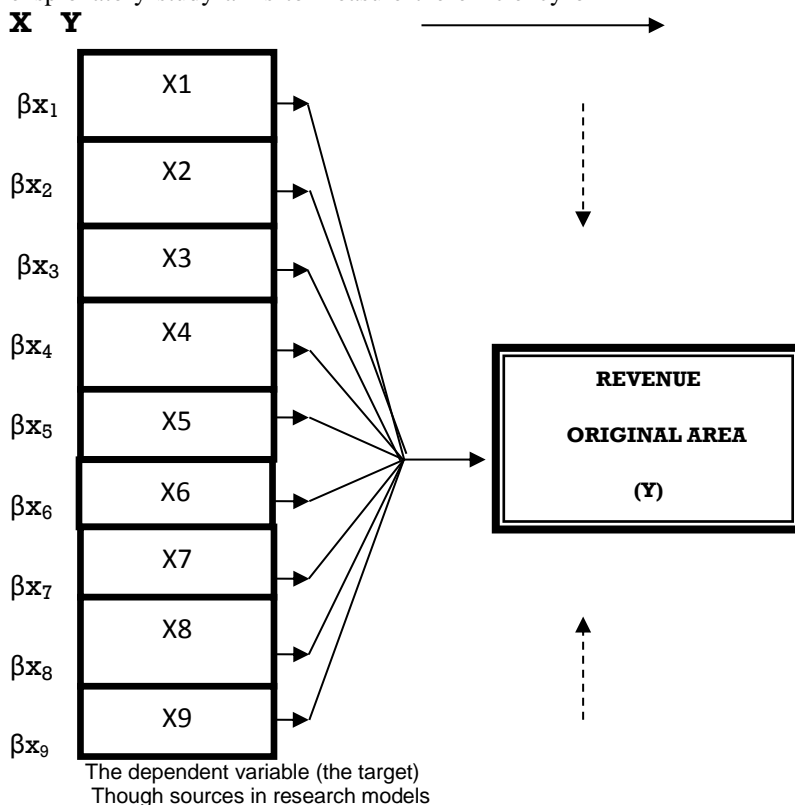
This research uses explanatory research method. As research explanatory bertujuan to explain the causal relationship or between variables and test the hypothesis (Singarimbun M and Sofyan Effendi 1995: h.101). The causal relationship between variables that simultaneously analyzes the economic structure and partially to the PAD, as well as the influence of the PAD to the improvement of local finance. As eksplanatory study aims to measure the efficiency of

the management of the economic potential of the region in the establishment of regional revenue and the ability of local governments in the realization of PAD (as the adjustment coefficient for PAD), both from all economic sectors as well as from each sector of the economy. The data used in this research is secondary data in the form of time series data (time-series) from 1984 until 2014.

Research Methods and Data Analysis

1. Research Model

Based linkage study variables consisting of independent variable (independent variable) and the dependent variable (the dependent variable) may be made in Research Model as follows:



Specification:

X1 = the agricultural sector,
X2 = the mining and quarrying sector,
X3 = the manufacturing sector
X4 = the building sector,
X5 = electricity sector, gas and water supply,
X6 = trade, hotels and restaurants
X7 = transport and communications,
X8 = financial sector, leasing and business services

X9 = services sector

$\beta_i X_i$ = Relations Independent Variables (X_i) with variable (y)

Research models mentioned above can be made Equation Model, the main purpose of the analysis is the model equations to describe the relationship between the constructs Independent or Dependent variables to construct the dependent variable.

a. Changes in the economic structure of the model equations:

1. Simultan : $Y = f (X_1, X_2, X_3, X_4, X_5, X_6, X_7, X_8, X_9)$

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \beta_6 X_6 + \beta_7 X_7 + \beta_8 X_8 + \beta_9 X_9 + \epsilon$$

2. Partial : $Y = f (X_i)$

$$Y = \beta_0 + \beta_i X_i + \epsilon$$

Where $i = 1, 2, 3, 4, 5, 6, 7, 8, 9$

b. Analysis Method

To test the hypothesis is multiple linear regression analysis (multivariate linear regression) with the technique of Ordinary Least Square (OLS)

b.1. Testing hypotheses 1

Simultaneously, to test the hypothesis of the influence simultaneously as follows:

$H_0 : \beta_1 = \beta_2 = \beta_3 = \beta_4 = \beta_5 = \beta_6 = \beta_7 = \beta_8 = \beta_9 = 0$: There are currently no significant effect simultaneously on the economic sector to PAD

$H_1 : \beta_1 \neq \beta_2 \neq \beta_3 \neq \beta_4 \neq \beta_5 \neq \beta_6 \neq \beta_7 \neq \beta_8 \neq \beta_9 \neq 0$: There is a significant effect simultaneously on the economic sector to PAD

The test criteria: reject the null hypothesis (H_0) and receive hypothesis (H_a), if $F_{count} > F_{table}$. or significant $P\text{-value} \leq 0.05$ to examine the effect with the same economic sector as a whole or the simultaneous use Snedecor F test statistics, results Fhitung F-statistic = 23.524 and Prob (F-statistic) with $P = 0.00000$ value of 0.05, while F table with number $n = 30$ and the number of variables (k) = 9 degrees of

freedom in the numerator $k - 2 = 7$ and degrees of freedom in the denominator $n - k - 1 = 30 - 9 = 20 - 1$ using a level significance of 5% (two-way test) results obtained F table = 2.52. Thus Fhitung greater than F table (Fhitung = 23.524 > F table = 2.52), H_0 rejected and thank H_a , meaning that there is significant influence simultaneously from 9 sectors of the economy to PAD.

b.2. Partial test:

Testing the effect of partially variable economic sectors to variable revenue (PAD) as follows:

$H_0 : \beta_1 = 0$ There was no significant effect of the economic sector to PAD

$H_1 : \beta_1 \neq 0$ There is a significant influence of the economic sector to PAD

With hypothesis testing criteria: reject H_0 if $t > t_{table}$ or probability value < 0.05

b.3. Tests Simultaneously:

Based on the hypothesis formulation concurrently / simultaneously following hypothesis testing can be performed as follows:

$H_0 : \beta_1 = \beta_2 = \beta_3 = \beta_4 = \beta_5 = \beta_6 = \beta_7 = \beta_8 = \beta_9 = 0$: There are currently no significant effect simultaneously on the economic sector to PAD

$H_1 : \beta_1 \neq \beta_2 \neq \beta_3 \neq \beta_4 \neq \beta_5 \neq \beta_6 \neq \beta_7 \neq \beta_8 \neq \beta_9 \neq 0$: There is a significant effect simultaneously on the economic sector to PAD

The test criteria: reject the null hypothesis (H_0) and receive hypothesis (H_a), if $F_{count} > F_{table}$. or significant $P\text{-value} \leq 0.05$

3. ANALYSIS AND DISCUSSION

A. ANALYSIS

1. The measurement results of Equation Models, Simultaneous Test Results Effect in the economic sector against the PAD indicated by

- multiple correlation coefficient $R^2 = 91.40$ percent, and the correlation $R = .9560$ positive and very high.
2. Partial.

Table5. Testing the hypothesis of partial economic sectors to PAD (Y)

Effect of Partial	B	t count	t-table	p-value
1. agricultural sector to PAD	0,855	2,642	2,048	0.0285
2. Mining and quarrying sector to PAD	0,752	2,055	2,048	0.0242
3. Manufacturing sector to PAD	0,733	2,933	2,048	0.0421
4. Building sector to PAD	0,702	2,959	2,048	0.049
5. Electricity sector, gas and water supply to PAD	0,679	2,391	2,048	0.0495
6. Trade, hotels and restaurants to PAD	0,821	2,787	2,048	0.0391
7. Transport and communications to PAD	0,144	2,064	2,048	0.0466
8. Financial sector, leasing and business services to PAD	0,134	2,373	2,048	0.0125
9. Services sector	0,317	2,927	2,048	0.0345

Based on the table above the regression coefficient value of nine sectors of the economy (X1-X9) is positive indicates value t count X1 of 2.642 with a significance level (α) = 5% degrees of freedom (degree of freedom) = $n - k - 1$ or $30 - 1 - 1 = 28$ and testing is done with two sides (two-tailed), the agricultural sector in getting t-table is 2.048, so t count > t table (2.642 > 2.048). Similarly, mining and quarrying X2 sector-value 0.0242 P < 0.05, demonstrating the value t count 2.055 > t table 2.048. The manufacturing sector X3, P-value 0.0421 < 0.05 indicates the value of 2.933 t count > t table 2.048. X4 construction sector, showed the value of 2.959 t count > t table-value 0.049 2.048 and P < 0.05. Electricity, gas and water supply X5, showed the value of 2.391 t count > t table 2.048 P-value 0.0495 < 0.05. trade, hotels and restaurants X6 shows the value of 2.787 t count > t table-value 0.0391 2.048 and P < 0.05. Transport and communications sector X7 show t value 2.064 > t table 2.048 and P-value 0.0466 < 0.05. The financial sector, leasing and business services X8 shows the value of 2.373 t-test P-value 0.0125 < 0.05. X9 services sector showed the value of 2.927 t count > t table 2.048 and p-value 0.0345 < 0.05. Of the nine sectors of the economy in the table atasmaka H_0 and accept H_1 meaning: there is significant influence from the economic sectors of the revenue (PAD).

4. CONCLUSION

1. The ability to realize the Local Government Revenue (PAD) simultaneously from all sectors of the economy is quite high, it is measured by the coefficient of adjustment (adjustment coefficient Nerlove $s = k$) that for each year there is a degree of acceptance in the desired PAD, according to the the economic potential that exists, where the value of $k = 0.67$ or 67%, means the ability to realize the Local Government revenue is high enough because the calculation result shows $k > 0.5$.
2. Partially influence of the factors that affect revenue (PAD) in Lampung Province is the first agricultural sector, both the mining and quarrying sector, the third sector, trade, hotels and restaurants, the fourth sector and processing industry, the financial sector and leasing services company, the six electricity gas and water, seventh and processing industry sectors, construction sector eighth, ninth transport and communications.

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ANALYSIS OF EFFECT OF GRÖNROOS SERVICE QUALITY MODEL FOR SERVICE POSPAY AND MAIL SERVICE DELIVERY ON CUSTOMER SATISFACTION (STUDIES AT PT POS INDONESIA CILAKI BRANCH, BANDUNG)

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ABSTRACT - This study aimed to determine the effect simultan or partially between technical and functional quality variables on consumer satisfaction in PT Pos Indonesia Bandung Cilaki branch. Data collection techniques to perform spreader questionnaires to a number of consumers who are in the research sample to respondents Pospay 89 and 77 for the respondent Mail Delivery. The sampling technique used in this experiment was accidental sampling, then the data is processed by multiple regression analysis.

Pospay research results are based on partial and simultaneous test showed that the only independent variable technical quality and functional qualities that do not have a significant effect and the results of research based on the mail delivery and simultaneous partial test showed that the only independent variable quality techniques that do not have significant influence. However, the independent variables significantly influence the functional quality simultaneously. Pospay large coefficient of determination was 2.9%, meaning that the remaining balance of 97.1% is influenced by other variables. And for mailing large coefficient of determination is 10.2%, meaning that the remaining balance of 89.8% is influenced by other variables.

Keywords: Technical Quality, Functional Quality, Satisfaction, Pospay, Mail Delivery.

1. INTRODUCTION

Increasing competition and customers are increasingly selective and knowledgeable requires PT. Pos Indonesia as one of the service providers for the delivery of always improving service quality. And to improve quality of service, it must first be known whether the services have been provided to the customer has been in accordance with customer expectations or not.

Services is a complex phenomenon (complicated) (Gronross, 1990 in Jasfar Farida, 2009). Said the service has a lot of meaning and scope, from the most simple sense, the only form of services from one person to another, it could also be interpreted as the start of the service provided humans, both of which can be seen (explicit service) or which can not be seen, can only be felt (implicit service) up to support facilities that should be available in the sales of services and other objects.

The concept of customer satisfaction is essential for marketing managers in which customer satisfaction can encourage repeat purchases (Fornell, 1992). Customer satisfaction is an important asset for the company because it can be used as an indicator of quality and corporate earnings in the future. Customer satisfaction is the result of a comparison between expectations and reality that the customer received after consuming goods or services.

Therefore, the company PT. Pos Indonesia as a company which is engaged in the distribution of goods and services delivery, it should be oriented to create customer satisfaction which is the marketing concept development effort in the face of changes in the market, because satisfied customers is one important asset for the survival and development of business itself. Management of appropriate strategies to attract customers need to be planned carefully so that customers would use the services produced by the company.

A phenomenon that occurs at this time that the existence of competition from similar companies, while PT. Pos Indonesia remains in place and demonstrate the quality of its services, which has become one of the first companies engaged in mail delivery services and payment services (Pospay). Mail delivery is the product document delivery services in post offices Indonesia (Persero) with two products, namely postal mail special delivery and express mail. In addition to mailing services products PT Pos Indonesia also launched financial products in the field of payment Pospay (Payment) that services the fastest way, easy and practical to conduct savings deposit, payment of electricity bill, telephone, speedy, mobile, finance, taps, channeling bank, tv cable, insurance, taxes and other payments.

**Table1 :Quantitative of Customer(Pospaydan Mail Delivery)
(Period.Juni – November 2014)**

Month	Pospay		Mail Delivery	
	Transaction	Consumer	Transaction	Consumer
June	4022	823	2993	298
July	4012	815	3151	324
August	4001	788	3214	351
September	3998	770	3245	364
October	5102	954	3561	370
November	4301	890	3224	355

Source : Primary Data 2015

The data in Table1 above shows that the number of consumers who make payment spos pay decline in August and September and again increased in October and November. The highest number of consumers took place in October that consumer 954 and the number of consumers the lowest occurred in September as many as 770 customers. The number of consumers who make mail delivery decreased in June and July and again increased in September and October. The highest

number of consumers in October as many as 379 of consumers and the lowest number of consumers in June of 298 consumers and re-occur impairment of quality of services provided by PT Pos Indonesia Cilaki Branch Bandung this can be seen from the increasing customer complaints that occur at the same time. Here is a customer complaint data for the period from June to November 2014

Table2 :Consumer Complaint at PT Pos Indonesia Cilaki Branch Bandung

Month	Pospay	Mail Delivery
	Complaint	Complaint
June	25	15
July	25	16
August	24	17
September	23	18
October	29	18
November	27	17

Source : Primary Data 2014

Based on Table 2 it appears that during the last 6 months seen the level of customer complaints against pospay service and mail delivery service provided by PT. Pos Indonesia. The complaint was visible because every day there are customers who complain about consumer complaints both in terms of network interference unstable, less organized in the queue that impact every consumer wants in the number united for services, from services provided by the employees, as well as sending mail yet up to the recipient.

Customer satisfaction is determined by the quality of the products or services offered (Aryani and Rosinta, 2010). Bahar et al. (2009) expressed the satisfaction of users is a major factor in assessing the quality of services, where consumers rate the performance of services received and which felt directly on the products or services of a service. Munawaroh research results (2005) stated that a good quality service is very important in creating customer satisfaction.

Strauss and Neugaus (1997) in Darsono (2004) suggested that a number of customers expressing satisfaction still switch brands. A number of customers are not satisfied, it does not switch brands. It is commonly noted that quality of service is an important determinant of customer satisfaction (eg, Parasuraman et al 1988 ; Cronin and Taylor 1992; Spreng and Mackoy, 1996). The results showed that

service satisfaction is a function of both technical and functional performance (Grönroos 1995; Yi 1993).

In theory this justice can provide an explanation of the effect on the quality of technical and functional satisfaction. Explanation of the results of the theory of justice and the distribution of the results of some state justice theory states that an unfair relationship can negatively impact (not satisfied) (Greenberg 1990).

(Oliver and Desarro 1988; Oliver and Swan 1988) suggests that consumers are influenced by the results and equity, then a separate evaluation will affect customer satisfaction.

Lind and Taylor 1998 in Greenberg 1990; Konvasky 2000; Pajal et al 1998 suggested that a theory of justice (or process) that finally reached in the procedure that aims to improve cooperation in a productive relationship only between the several parties that have a positive impact on consumer satisfaction.

Based on the description of the background issues and phenomena and facts described above, then on this occasion researchers interested in conducting a study entitled "Analysis of Service Quality Model Grönroos For Pospay Services and Service Delivery Mail on Customer Satisfaction" (Study at PT Pos Indonesia Cilaki Branch Bandung).

2. CONCEPTUAL FRAMEWORK AND HYPOTHESIS

2.1 TECHNICAL QUALITY TO SATISFACTION

Technically that is related to what is acceptable to consumers. Dimension is called the competence of Parasuraman (1985).

2.2 FUNCTIONAL QUALITY TO SATISFACTION

Functional quality related to the way services are delivered or presented. How does the service delivered by the service provider will also affect the service quality assessment. This dimension is concerned with how the moment of truth can be a positive impression when determined by the attention of service companies. So Grönroos (1990) calls this second dimension to the functional quality of the process.

In the study, analyze and understand the consumer needs a framework that is expected to assist in the preparation of a marketing strategy that is applicable to the factual conditions in the field. This framework is based on a blend of consumer behavior models proposed by previous researchers, as well as a variety of other supporting theories related.

2.3. HYPOTHESIS

Based on the theoretical basis and the framework above, the main research hypothesis is formulated as follows:

Pospay Hypothesis

- H1: Technical Quality Pospay positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch
- H2: Functional Quality Pospay positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch.
- H3: Technical Quality and Functional Quality Pospay positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch.

Mail Delivery Hypothesis

- H1: Technical Quality Delivery Mail positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch .
- H2: Functional Quality Delivery Mail positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch .
- H3: Technical Quality and Functional Quality Delivery Mail positive effect on customer satisfaction at PT Pos Indonesia Cilaki Branch .

3. UNIT OF ANALYSIS

According to Malhotra (2009: 215), the unit of analysis is the individual, the company and other parties who respond to treatment or action conducted by researchers in the study. In one study, determine the unit of analysis is required in order that researchers can determine and define the problems of the research. Therefore, researchers should be able to determine whether the unit of analysis used in the study is the individual, group, couples, business or culture.

The unit of analysis used in this study is the consumer. Consumer companies that serve as the unit of analysis in this research is the consumer of PT Pos Indonesia Bandung Branch Cilaki. As for the reason consumer

voting of PT Pos Indonesia Cilaki Branch as the unit of analysis is that the authors have easy access to the data needed to compile this study.

3.1 POPULATION AND SAMPLE

3.1.1 Population

In an activity that is both scientific and social nature, it is necessary to limit the population and how sampling. Samples taken should be representative which means that can represent the whole of the population. Population is the whole object of the research is composed of people and objects or events as a source of data that represents certain characteristics in the study (Sugiyono, 2012: 55).

In this study population is consumers who make a payment services pospay population of 840 people and a population of 344 people mailing in PT Pos Indonesia.

3.1.2 Sample

Samples are part of the population that is used as a data source. In this study the sampling technique used was accidental sampling. Sampling is a process of selecting a number of elements such that the population of the study on the understanding of the respective sample. Accidental sampling technique is a technique in which a subject chosen for convenient access and their closeness to the researcher. The subjects chosen simply because they are most easily recruited.

3.1.3 Sampling Technique

Technique sampling is to determine the sample to be used in research. There are various sampling techniques are used. (Sugiyono, 2012: 116). The method used in this study is accidental sampling technique. In this study, consumers who have been in for two as the respondents are customers of PT Pos Indonesia. The samples used were as much as 840 to consumers pospay and as many as 344 letters to consumers, the method of determining the size of the sample will be using Slovin method.

3.2 DATA COLLECTION

To support the discussion in this study, the data collection techniques used are as follows:

1) Field Study

Data collection techniques in this study using cross-sectional survey techniques or data one time is a set of data to examine a particular phenomenon in one year period only (Husein Umar, 2003: 44) by distributing questionnaires to the respondents whose number corresponding predetermined sample, in order to generate data / information that is diverse from each respondent / individual with a lot of research variables.

2) Study of Literature

All the efforts made by researchers to gather information relevant to the topic or issue that will be or are being investigated. That information can be obtained from scientific books, research reports, scientific, and accompanied by written sources and sum both printed and electronic else. This literature study is also often referred to as secondary data,

because it is data that is not directly derived from the population.

3.3 DATA SOURCE

3.3.1 Data Types

The type of data that will be used in this research is the data subject are the type of research data in the form of opinions, attitudes, experience and character of a person or group of people who are subject to investigation or respondent.

3.3.2 Sources of Data

To support the discussion in this study, the data used are as follows:

- 1) Primary Data
Primary data is data that collected and obtained directly from respondents by using questionnaire. Primary data in this study were obtained by distributing questionnaires to customers who use payment services Pospay and mail delivery services in PT Pos Indonesia Bandung Cilaki Branch .
- 2) Secondary Data
Secondary data is data that is obtained indirectly from the object under study. This data was obtained from the literature, majalah and documents required for the preparation of this study.

3.4 CORRELATION ANALYSIS

Correlation is used to determine the relationship between variables. The formula for analyzing the partial correlation using Pearson Product Moment Correlation formula (Sugiyono, 2012: 228).

As for the testing criteria correlation results using two-sided tests with significance level of 0.05. Testing criteria are as follows:

1. If a significant <0.05 , then there is a relationship between variables
2. If the significance of > 0.05 , there is no relationship between variables

To be able to provide interpretation of the correlation coefficients found large or small effect, it can be guided by the provisions listed in the following table:

Tabel 3: Coefficient Correlation

Interval	Correlation
0,00 – 0,199	Very Weak
0,20 – 0,399	Weak
0,40 – 0,599	Netral
0,60 – 0,799	Strong
0,80 – 1,000	Very Strong

3.5 MULTIPLE REGRESSION ANALYSIS

Analysis of the calculation of the figures obtained from questionnaires distributed to consumers PT Pos Indonesia Bandung Cilaki Branch. Researchers will use the data collected to analyze and measure the Technical and Functional quality. The analysis method used in this research is multiple linear regression. The following multiple linear regression equation cited by Sugiono (2009: 277) for the three predictors are:

$$Y = F30 + f31X_1 + f32X_2 + E$$

Specification:

Y = Satisfaction (Dependent Variable)

X₁ = Technical Quality (Independent Variables)

X₂ = Functional Quality (Independent Variables)

F30 = Constant

F31, F32 = Regression Coefficient

E = Standard Error

In a regression analysis, there are three types of criteria for accuracy (Nugroho, 2005), namely:

1. F Test

F test basically shows whether all independent variables included in the model have influence together on the dependent variable. F test is used to look jointly (synchronously) independent variables, namely Technical quality (X₁) and Functional quality (X₂) to the satisfaction of the dependent variable (Y).

H₀: F31 = f32 = 0 means that together there is a positive and significant influence between independent variables X₁, X₂ on the dependent variable (Y)

H₀: F31 ≠ f32 ≠ 0 means, seccara together (simultaneously) there is a positive and significant influence between independent variables X₁, X₂ on the dependent variable (Y).

2. t test

T test showed how much influence the individual independent variables on the dependent variable. T test using the following steps:

H₀: F31: f32 = 0 means there is no partial positive and significant influence between independent variables X₁, X₂ on the dependent variable Y.

3. The coefficient of determination (R²)

In the correlation analysis there is a number called the coefficient of determination, whose magnitude is the square of the correlation coefficient (r²). This coefficient is called the coefficient determinant, because the variance that occurs in the dependent variable can be explained by the variance that occurs in the independent variable (Sugiyono, 2012: 231). Based on the calculation of the correlation coefficient, its coefficient of determination can be obtained.

$$Kd = R^2 \times 100\%$$

Where:

Kd = Coefficient of determination

R² = Pearson correlation coefficient squared

The greater the value of determination (R^2), it can be said that the significant influence of the independent variables (X_1 , X_2) and the dependent variable (Y) getting bigger, otherwise the smaller the value of

determination, it can be said that the significant influence of the independent variables (X_1 , X_2) and dependent (Y) is getting smaller.

4. DISCUSSION

4.1 MEAN, DEVIATION STANDART AND CORRELATION BETWEEN VARIABLE

Tabel 4: Mean and Deviation Standart

Variable	Pospay		Mail Delivery	
	Mean	Deviation Standart	Mean	Deviation Standart
X1	4,1775	0,31936	4,1727	0,33271
X2	4,1787	0,30766	4,3390	0,78021
Y	4,1944	0,30465	3,9571	0,36578

Sumber : Primary Data, 2015

Based on the above table it is known that the average variable X_1 at 4.1775 with a standard deviation of 0.31936, X_2 at 4.1787 with a standard deviation of 0.30766, the variable Y at 4.1944 with a standard deviation of 0.30465 sebasar. The higher the value the higher the standard deviation shows fluctuations in respondents' perceptions of these variables.

The data processing of the standard deviation here shows that consumer satisfaction variables have a standard deviation value of the most stable, due to having the lowest value compared with other variables. Quality variable functional with the highest standard deviation value, it means that the variable quality of the technique is the most unstable (volatile) or lack of height and lack high and standard deviation values of variables are also relatively high functional quality and relatively unstable.

Based on the table 4 in mind that the average delivery

letter as follows:

Based on the above table it is known that the average variable X_1 at 4.1727 with a standard deviation of 0.33271, X_2 at 4.3390 with a standard deviation of 0.78021, the variable Y at 3.9571 with a standard deviation of 0.36578. The higher the value the higher the standard deviation shows fluctuations perepsi respondents to the variable.

The data processing of the standard deviation here shows that consumer satisfaction variables have a standard deviation value of the most stable, due to having the lowest value compared with other variables. Quality variable functional with the highest standard deviation value, it means that the variable quality of the technique is the most unstable (volatile) or lack pastiannya high and standard deviation values of variables are also relatively high functional quality and relatively unstable.

4.2 CORRELATION BETWEEN VARIABLE

Table 5: Correlation between Variable

Correlations

	Pospay			Mail Delivery		
	X1	X2	Y	X1	X2	Y
Pearson Correlation	1	,371**	,147	1	-0,88	,207
X1 Sig. (2-tailed)		,00	,167		,449	,072
N	89	89	89	77	77	77
Pearson Correlation	,371**	1	-,023	-,088	1	-,261*
X2 Sig. (2-tailed)	,000		,830	,449		,022
N	89	89	89	77	77	77
Pearson Correlation	,147	-,023	1	,207	0,261*	1
Y Sig. (2-tailed)	,169	,830		,071	,022	
N	89	89	89	77	77	77

From the table it can be concluded as follows:

Correlations for Pospay:

Output correlation calculations are presented in Table 5 large correlation coefficient is 0.147 X_1 and X_2 have a positive relationship. Thus sig. (2-tailed) worth 0.167 > 0.05 shows the relationship between the two is not

significant to customer satisfaction.

Output calculations presented correlation coefficient table top 5 X_1 and X_2 is -0.023 have a negative relationship. Thus sig. (2-tailed) worth 0.830 > 0.05 shows the relationship between the two is not significant to customer satisfaction.

Correlations for Mail Delivery:

Output correlation calculations are presented in Table 5 large correlation coefficient is 0.207 X_1 and X_2 have a positive relationship. Thus sig. (2-tailed) 0.072 < 0.05 shows the relationship between the two significant to customer satisfaction.

Output a calculated correlations presented in Table 5 large correlation coefficients X_1 and X_2 is -0.261 have a negative relationship. Thus sig. (2-tailed) 0.022 < 0.05 indicates a significant relationship to customer satisfaction.

4.3 HYPOTHESIS TESTING

To test the hypothesis proposed in the study, which used the regression equation is:

$$Y = a + b_1x_1 + b_2x_2 + e$$

Specification:

Y = Satisfaction (Dependent Variable)

X_1 = Technical Quality (Independent variable)

X_2 = Functional Quality (Independent Variables)

a = constant (the value of Y when $X = 0$)

b = regression coefficient (value increase or decrease

Constants)

4.4 MULTIPLE REGRESSION ANALYSIS

Regression analysis was used to determine predictions of the changes that occur when there is a change of each independent variable that will affect change in the dependent variable.

4.4.1 F test for Mail Delivery**Table6: Regression Output**

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	1,041	2	,520	4,218	,018 ^b
	Residual	9,128	74	,123		
	Total	10,169	76			

Based on the table above, the H_1 is accepted that states there is influence between service quality model of Grönroos namely technical quality (X_1), functional quality (X_2). Therefore it can be two independent variables together (simultaneously) has significant influence on customer satisfaction. With this other wise

Acceptable test, then the test can be performed individually.

With the receipt of the F test, then further research will be done individually (t-test) to determine each variable service quality model of Grönroos like technical quality and functional quality can explain variation in customer satisfaction variable (Y).

4.4.2 t Test**Table 7: Pospay t test**

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	3,848	,523		7,364	,000
	X_1	,172	,109	,180	1,577	,119
	X_2	-,089	,113	-,090	-,787	,434

$$Y = a + x_1 + x_2$$

$$Y = 3,848 + 0,172 - 0,089$$

In the above table, the column (synonymous with) contained figure of 7.364 and the X_1 column sig. figures

Are 0.119 and 0.434 X_2 . Figures stretchers means that regression coefficients significant at $\alpha > 0.05\%$. Therefore, the quality of technical and quality of functional not significant effect on satisfaction, then H_0 is accepted.

Table8: t Test for Pospay and Mail Delivery

Variable	Significant	Criteria	Description
(X_1)	0,119	>0,05	Hereceived H_1 accepted meaning X_1 has no significant influence on consumer satisfaction Y
Functional Quality (X_2)	0,434	>0,05	Hereceived H_1 rejected it means X_2 has no significant influence on consumer satisfaction Y

Source : Primary Data, 2015

From the datatable 8 above t test showed that, the quality of technical (X_1) and the functional quality not significant effect on customer satisfaction (Y). From

the datatable above 7.3t test showed that, the quality of technical (X_1) and the functional quality not significant effect on customer satisfaction (Y).

Table9: t test for Mail Delivery

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	3,607	,574		6,285	,000
	X ₁	,203	,122	,185	1,673	,098
	X ₂	-,115	,052	-,245	-2,218	,030

Significant level $\alpha = 0:05$

- If the probability level of significance > 0.05 , H_0 is not rejected
- If the level of significance probability < 0.05 , H_0 is rejected

$$Y = a + x_1 + x_2$$

$$Y = 3.607 + 0.203 \text{ to } 0.115$$

In the above table, the column t (identical with t - count) there is a figure of 6.285 and the X₁ column sig. figures are 0.098 and 0,030 X₂. Figures stretcher means that regression coefficients significant at $\alpha < 0.05\%$. Therefore, the quality of technical and functional quality have a significant effect on satisfaction, then H_0 is rejected

Table10: t test for Pospay and Mail Delivery

Variable	Significant	Criteria	Description
Technical Quality (X ₁)	0,098	$> 0,05$	Ho received H ₁ accepted meaning X ₁ has no significant effect on consumers Y
Functional Quality (X ₂)	0,030	$< 0,05$	Ho rejected H ₁ accepted meaning X ₂ has asnificant influence on consumer satisfaction (Y) has significant effect on consumers Y

Source : Primary Data, 2015

$$Y = a + x_1 + x_2$$

$$Y = 3,607 + 0,203 - 0,115$$

In the above table, the column (identical with t-count) there is a figure of 6.285 and the X₁ column sig. figures are 0.098 and 0,030 X₂. Figures stretcher means that regression coefficients significant at $\alpha < 0.05\%$. Therefore, the quality of technical and functional quality have a significant effect on satisfaction, then H_0 is rejected.

From the data above show that the test, Technical Quality (X₁) but not significant positive effect on customer satisfaction (Y). Functional quality (X₂) positive significant effect on customer satisfaction (Y).

4.5 COEFFICIENT OF DETERMINATION

How much ability to explain technical quality (X₁) and Functional quality to customer satisfaction (Y) can be seen from the magnitude of the coefficient of determination is presented in the table below:

Table 11: Output for Pospay

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	,169 ^a	,029	,006	,30373

Source : Primary Data, 2015

From table 11 magnitude coefficient is 2.9% that means, change on technical quality variables (X₁) and the functional quality (X₂) While the rest of 97.1% is explained by other factors not examined. While the rest of her was at 97.1% explained by factors other than quality of technical and functional quality such as price, product quality, etc

Table 12: Output for Mail Delivery

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
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1	,320 ^a	,102	,078	,35121
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Source : Primary Data, 2015

Table 12 of the coefficient of determination is 10.2% that is, changes in customer satisfaction variable (Y) amounted to 10.2% can be explained by changes in variable technical quality (X₁) and the functional quality (X₂) While the rest of 89, 8% is explained by factors other than quality of technical and functional qualities such as pricing and product quality.

4.6 SERVICE QUALITY AND SATISFACTION FOR POSPAY AND MAIL DELIVERY

4.6.1 Technical Quality

1. Pospay satisfaction and High-Mail Delivery

Based on the above analysis shows that the quality of technical pospay (X₁) has a score of 370 compared to sending a mail by 312. It can be concluded in pospay higher level of satisfaction than sending a mail.

2. Pospay Service is variable in conveying requests and wishes

Based on the above analysis Pospay total 314 resumes in the category higher than the total mail delivery resumes 321 in the category of high criteria. It can be concluded in the service are variable in demand and higher consumer desires of mailing.

3. Pospay Service and reliable mail delivery and always on appointment

Based on the above analysis Pospay total 367 resumes in the category higher than the total mail delivery resumes 330 in the category of high criteria. It can be concluded in a higher pospay service reliable and precise as the promise.

4. Creative Pospay and act in the interests of consumers.

Based on the above analysis Pospay total 377 resumes with the category of very high compared Delivery

mail total 324 resumes in the category of high criteria. It can be concluded in the service of acting in the interests consumer pospay higher compared mailing.

5. Employees Knowledge of the mail delivery service and Pospay is good

Based on the above analysis Pospay total 377 resumes with the category of very high compared Delivery mail total 324 resumes in the category of high criteria. It can be concluded within the knowledge of employees about good service with higher pospay than sending a mail.

6. Pospay and Mail Delivery Payment can be completed without interruption.

Based on the above analysis Pospay total 374 resumes in the category higher than the total mail delivery resumes 314 in the category of high criteria. It can be concluded in the problem can be solved without more higher impaired pospay than sending a mail.

7. There is no error in inputting Pospay and Mail Delivery

Based on the above analysis Pospay total 365 resumes in the category higher than the total mail delivery resumes 268 in the category of high criteria. Thus we can conclude there is no error in the pospay input data than mail delivery.

4.6.2 Functional Quality for Pospay and Mail Delivery

1. Employees empathy to consumers Pospay and excellent Mail Delivery

Based on the above analysis Pospay total of 369 high compared with the category criteria Delivery mail total 366 resumes with high criteria categories. It can be concluded in employee awareness to consumers pospay very good in the eyes of consumers.

2. Consumers feel comfortable with the attitude of the employees in the service Pospay and Mail Delivery

Based on the chart above Pospay total 375 resumes in the category higher than the total mail delivery resumes 322 in the category of high criteria. It can be concluded in the consumer feels comfortable with the attitude of the employees in the service Pospay.

3. Location, working hours and post office operating system easier for consumers to payment Pospay and Mail Delivery

Based on the above analysis Pospay total 363 resumes in the category higher than the total mail delivery resumes 338 in the category of high criteria. It can be concluded within the location, working hours and post office operating system easier for consumers to pospay payments due to resume high total.

4. Location, working hours and post office operating system easier for consumers to Pospay Payment and Mail Delivery

Based on the above analysis Pospay total 384 resumes in the category higher than the total mail delivery resumes 322 in the category of high criteria. It can be concluded within the location, working hours and post office operating system easier for consumers to pospay payment due location close to the home environment and office.

5. Pospay and reliable Mail Delivery consumers

Based on the above analysis Pospay total 370 resumes with the category of very high compared Delivery letters total 336 resumes in the category of high criteria. It can be concluded in pospay reliable consumers is very high than Mail delivery

6. Pospay and act in the interests of consumers

Based on the above analysis Pospay total 368 resumes with the category of very high compared Delivery mail total 328 resumes in the category of high criteria. It can be concluded in pospay act in the interests of consumers. Mail Delivery

7. Pospay and actively take measures to control the situation and find a solution

It can be concluded from the above analysis Pospay total 373 resumes in the category higher than the total mail delivery resumes 337 in the category of high criteria. It can be concluded in pospay is actively taking measures to control the situation and determine the solution of consumer problems.

4.6.3 Level of Satisfaction for Pospay and Mail Delivery

1. Consumer say positive things about Pospay and Delivery Mail to others

Based on the above analysis Pospay total 370 resumes with the category of very high compared Delivery mail total 312 resumes in the category of high criteria. It can be concluded consumers say positive things about pospay to others or relatives.

2. Consumer will definitely promote Pospay to a friend or someone else

Based on the above analysis Pospay total 384 resumes categorized as very high compared Delivery mail total 306 resumes in the category of high criteria. It can be concluded consumers would certainly promote pospay to a friend or someone else higher.

3. Consumer have the intention to continue to make payments Pospay

It can be concluded from the above analysis Pospay total 374 resumes with high category and Delivery letters total 299 resumes in the category of high criteria. It can be concluded consumers have the intention to continue paying high pospay.

4. Consumer will invite friends and relatives to make payments Pospay and Mail Delivery at post office

Based on the above analysis Pospay total 369 resumes in the category higher than the total mail delivery resume high of 300 in the category criteria. It can be concluded in the consumer-park will invite friends and relatives to make payments pospay high.

5. Consumer will continue to make payments even if the admin more expensive

Based on the above analysis Pospay total 372 resumes in the category higher than the total mail delivery resumes 305 in the category of high criteria. It can be concluded in the admin although payments more expensive.

6. Consumer satisfied with the service Pospay and Mail Delivery

Based on the above analysis Pospay total 347 resumes in the category higher than the total mail delivery resumes 307 in the category of high criteria. It can be concluded in the service pospay consumers were satisfied with the services provided.

7. Employees performance Pospay and Mail Delivery is appropriate consumer expectations

It can be concluded analysis above Pospay total 369 resumes with the category very high compared Delivery mail total 309 resumes in the category of high criteria. Thus we can conclude the performance of employees is in conformity with the expectations of consumers.

4.7 POSPAY AND MAIL DELIVERY ANALYSIS TERMS OF THE RESPONDENTS

4.7.1 Pospay

In Pospay services can be concluded that the consumer can be more comfortable and the service rendered more reliable but the other side of the research that pospay service quality by consumers is less satisfactory in view of the results significance while the service is already as much as possible. Due pospay service is still new and many of its competitors.

4.7.2 Mail Delivery

In the mail delivery service consumer data that comes to PT Pos Indonesia Pospay but less than services from the research that functional quality significantly influence consumer satisfaction.

5. CONCLUSION

Based on the overall analysis that has been done shows that the significance value $0.018 < 0.05$, which means that service quality has a significant impact on consumer satisfaction, PT Pos Indonesia Bandung Cilaki Branch.

From the test results proved that the coefficient of determination Pospay influence engineering quality and functional quality to customer satisfaction is 2.9%. While 97.1% are influenced by other factors such as price and product quality. And the coefficient of determination of test results demonstrated that the effect of sending of technical quality and functional quality to customer satisfaction was 10.2%. While 89.8% are influenced by other factors such as price and product quality. The results showed that for Pospay prove that technical quality and functional quality and not significant and negative effect of customer satisfaction and the results of research Mail Delivery significant effect on satisfaction and can influence customer satisfaction.

In this study it was realized that there are limitations that affect the results of this study. Several limitations of this study include:

1. The difference in perception between each customer in understanding the context of the questions presented in the questionnaire.

2. Respondents' answers were submitted in writing through the questionnaires do not necessarily reflect the actual state
3. Measurement of customer satisfaction variables with just a single item scale or measure the level of overall satisfaction with the services only.

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ANALYSIS OF THE IMPLEMENTATION OF GOOD CORPORATE GOVERNANCE AND SUSTAINABILITY REPORT DISCLOSURE OF BANKING COMPANIES LISTED IN INDONESIA STOCK EXCHANGE IN 2011-2013

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ABSTRACT - This research aims to find out and analyze the implementation of Good Corporate Governance and disclosure of Sustainability Report banking company listed on the Indonesia stock exchange for 2011-2013. This type of research is included in qualitative research in methods of data collection with the study documentation. Data collection is done by looking at the data that is needed, noting, and analyzing sustainability report and annual report corporate banking by 2011-2013.

The results showed that the application of the principles of good corporate governance that encompasses transparency, accountability, responsibility, independency and fairness have been applied very well and growing up from year 2011-2013 by 9 banking company registered at BEI. While the results of the research on sustainability report has been expressed well from year 2011-2013 and growing up by 9 banking company registered in BEI too.

keywords: Good Corporate Governance, Sustainability Reporting, Transparency, Accountability, Responsibility, Independency, Fairness, Strategies and Profiles, Economy, Environment, Social.

1. BACKGROUND

In the current era of globalization, companies require a certain degree of certainty or assurance that can lead to a sense of comfort at a later date, in which rivalry or competition in the industry is so heavy. According Anggarini (2006) the company is not only faced with the responsibility for profit / loss alone (single bottom line), but the company faced with the triple bottom line concept, ie profit, people, planet. Therefore, companies are not only required to make a profit as a way to survive in the competition but also must demonstrate attention to social aspects and environment.

Attention to social and environmental aspects is what lies behind the company on its needs for Good Corporate Governance (GCG). BPKP (2001) mentions that poor corporate governance is suppose to be the cause of the economic crisis in Indonesia in 1997 whose impact is still felt today, as well as the financial crisis in the United States due to financial scandals big companies involving the company's top executives for not the application of the principles of good corporate governance. BPKP (2001) also states that good corporate governance arising in connection with a principal-agency theory, namely the conflict between the principal and his agent, which should be managed so as not to cause harm to the parties involved.

According to the explanation for the regulation of Bank Indonesia No. 8/14 / PBI / 2006 on the Implementation of Good Corporate Governance for banks, banking industry development is very rapid generally accompanied with the increasing complexity of business activities of the bank which resulted in an increase in the bank's risk exposure. Good corporate governance in the banking industry is becoming more important for today and the days to come, given the risks and challenges faced by the banking industry

will increase. In order to improve the bank's performance, protect the interests of stakeholders and improve compliance with legislation and ethical values (code of conduct) which applies in general to the banking industry, banks are required to conduct its operations based on the principles of good corporate governance.

The company's commitment to contribute to the social and environmental aspects were also likely to be a key issue of the need for ongoing reporting (sustainability report) which refers to the transparency of disclosure of information on the activities of social enterprise or social activities of the company. Transparency of information disclosed not only the financial information of the company, but the company is also expected to disclose information on the impact (externalities) social and environmental activities of the company caused.

Therefore, the company must make disclosure of the aspects of economic performance, social, environmental, and sustainability of the company as a form of accountability to investors and stakeholders in the sustainability report. So that the application of the concept of good corporate governance is expected to improve the implementation and disclosure of corporate social responsibility (Daniri, 2008).

This study aims to identify and analyze the implementation of Good Corporate Governance and Disclosure Sustainability Report Banking Companies listed on the Indonesia Stock Exchange for 2011-2013.

2. LITERATURE REVIEW

2.1. Theoretical Basis

2.1.1. Definition of Good Corporate Governance

IICG (Indonesian Institute for Corporate Governance) defines corporate governance as a set of mechanisms

for directing and controlling an enterprise that runs the company's operations in accordance with the expectations of stakeholders (stakeholders). In addition, the Forum for Corporate Governance in Indonesia (FCGI) also explained that the purpose of corporate governance is "to create added value for all interested parties (stakeholders)."

While understanding of good corporate governance according to Bank Indonesia regulation No. 8/14 / PBI / 2006 on the Implementation of Good Corporate Governance for commercial bank is a bank governance that apply the principles of transparency, accountability, liability, independency, and fairness.

Based on the above definitions, good corporate governance is corporate governance run by the company to achieve the expected results and the company also affected stakeholders.

Implementation of good corporate governance in the banking industry should always be based on five basic principles. First, transparency (transparency), namely openness in expressing material and relevant information and transparency in the decision making process. Second, accountability (accountability), namely clarity of accountability organ function and implementation of the bank so that effective management. Third, accountability (responsibility) that bank management conformity with the legislation in force and the principles of sound bank management. Fourth, independence (independency) is a professional management of the bank without the influence / pressure from any party. Fifth, fairness (fairness), namely justice and equality in meeting stakeholder rights arising under the agreement and the legislation in force.

2.1.2. Principles of Good Corporate Governance

Based on the Code of Good Corporate Governance Indonesia, corporate governance has 5 principles, in which every company must ensure that the principles of GCG applied to every aspect of business and in all ranks of the company to achieve the company's sustainability by paying attention to stakeholders. GCG namely:

Transparency

To maintain objectivity in doing business, companies must provide material and relevant information in a way that is easily accessible and understood by stakeholders. Companies must take the initiative to reveal not only the problem that required by legislation, but also it is important for decision-making by shareholders, creditors and other stakeholders.

Accountability

Companies must be able to account for its performance in a transparent and fair. Therefore, the company should be properly managed, measured and in accordance with the interests of the company with fixed taking into account the interests of shareholders and other stakeholders. Accountability is a necessary prerequisite for achieving continuous performance.

Responsibility

Companies must comply with legislation and to implement responsibilities towards society and the

environment that can be maintained in the long-term sustainability of the business and gain recognition as a good corporate citizen.

Independency

To accelerate the implementation of the GCG principles, the company must be managed independently so that each organ of the company not dominate the other and can not be interfered with by other parties.

Fairness and equity

In carrying out its activities, the company must always consider the interests of shareholders and other stakeholders based on principles of fairness and equality.

2.1.3. Understanding Sustainability Report

Global Reporting Initiative (GRI) defines sustainability report as a reporting system that allows all companies and organizations to measure, understand, and communicate information about the economic, environmental, and social as responsibilities to internal and external stakeholders on the performance of the organization in achieving sustainable development goals.

Meanwhile, according to Effendi (2012), sustainability reporting is reporting done by companies to measure, reveal (disclose), as well as the company's efforts to become a company that is accountable to all stakeholders (stakeholders) for the purpose of performance of the company towards sustainable development.

2.1.4. Disclosure standards Sustainability Report

Standard disclosure establishes the basic content that should appear in a sustainability report. Sustainability report based on guidelines issued by the GRI G3 (2006), includes disclosure standards strategy and profile, economic, environmental, and social.

Strategy and Profile

Strategy and Analysis

This section is intended to provide a high-level view of strategies regarding the organization's relationship to sustainability in the context of efforts to provide a more detailed report. The strategy and analysis should contain a statement of official policy makers the most senior in the organization (eg, CEO, chair, or other similar senior position) about the relevance of sustainability to the organization and its strategy. The strategy and analysis should contain a statement about the description of the impact of risks and opportunities.

2.2. Accomplished studies

Research related to GCG has been widely researched by previous researchers. As research conducted by Indrianto (2005) with the title Implementation of Good Corporate Governance At SOE (Study at PT PLN (Persero) Service Area And Network Kediri). The results showed that the application of good corporate governance at PT PLN (Persero) APJ Kediri performed reasonably well although there are still constraints faced.

Research conducted by Nugraha (2009), entitled "Implementation of GCG at PDAM Surabaya (Case Study On Regional Water Company Surabaya)", in

this research use descriptive qualitative research methods. The results obtained are PT PDAM has been applying the principles of good corporate governance is good enough. Although not perfect. But PDAM Surabaya do better by applying and implementing good corporate governance.

Rachmandy (2012) examines the "Analysis of Principles of Good Corporate Governance in PT. State Savings Bank (Persero) Tbk. ", The results showed that the general application of the principles of good corporate governance which include transparency, accountability, responsibility, independence and fairness of the State Savings Bank (Persero) Tbk executed quite well.

Differences of this study with previous studies is that the investigators analyzed the application of GCG in

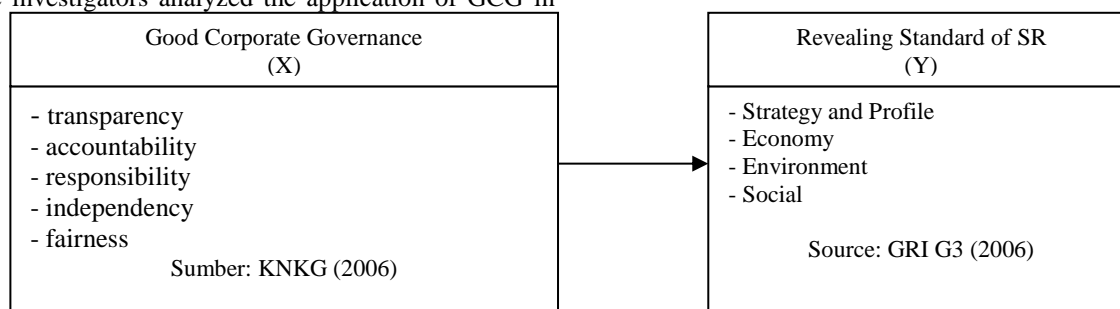


Fig 1. Frame of Thinking

3. RESEARCH METHODS

3.1. Types Of Research

This type of research is descriptive research that aims to provide a systematic overview of scientific information derived from the subject and object of research. In this case the researchers want to analyze the implementation of good corporate governance and disclosure of sustainability report banking companies listed on the Stock Exchange.

3.2. Population and Sample

The population in this study is the banking companies whose shares are listed on the Indonesia Stock Exchange (BEI) in 2011-2013. Long period in this study was 3 years due to get a sufficient amount of data, because the company that publishes sustainability report is still small. Another reason for the last 3 years of data that can reflect the state of the company at this time until the last 3 years so that it can be compared from year to year. Researchers conducted a sample selection using purposive sampling method with the purpose of obtaining appropriate samples in accordance with prescribed criteria. The criteria used to select the sample as follows:

1. The banking company publishes sustainability report separately or incorporated in the annual report for 2011-2013 and can be accessed through the website of each company.
2. The banking company that issued the report GCG in the annual report (annual report) through the official website of Indonesia Stock Exchange and the website of each company during 2011-2013.

the banking company located in the Indonesia Stock Exchange, which has made sustainability report, annual report, or document recording GCG in 2013.

2.3. Framework

Based on the review of the literature and previous studies, researchers used GCG measured from disclosure (transparency), accountability (accountability), liability (responsibility), independence (independency), and fairness (fairness). To help understand the corporate governance disclosure required of a sustainability report framework. From the theoretical basis described above, the theoretical framework is structured as follows:

Then the selected samples are 9 banking companies listed in Indonesia Stock Exchange in 2011-2013.

3.3. Types and Sources of Data

Types and sources of data used in this research are secondary data from GCG report and sustainability report for the data relating to the dependent variable and the independent variables were obtained from the official website of the Indonesian Stock Exchange (BEI) and the official website of each company.

3.4. Method of Collecting Data

Data collection method used in this research is the method of documentation study, by getting the data in the form of GCG report and sustainability report. Data collection is done by looking at the data that is required, record, and analyze the GCG report and sustainability report the company 2011-2013.

3.5. Measurement Variable

The variables in this study consists of two types of variables, namely, good corporate governance (X) and standard disclosures sustainability report (Y). Indicators of each variable in the above as a basis for compiling a list of checklist. Data were collected through a checklist of data is qualitative data which is then converted into quantitative data by providing value on each checklist with two values, namely: 1: Yes 0: No

3.6. Data Analysis Methods

3.6.1. Test Descriptive Statistics

Descriptive statistics were used to analyze the level of implementation of the principles of good corporate governance and sustainability report disclosure of banking companies listed in Indonesia Stock Exchange. In this section we will discuss the results of

research by collecting, processing, and interpreting the data obtained from the GCG report in the annual report and the disclosure of sustainability report. Then describes the disclosure of the studied variables and indicators so as to provide correct and complete information for solving the problems encountered.

4. RESULTS AND DISCUSSION

4.1. Research Result

4.1.1. Research Object Description

In this study, the research object is a banking company that is listed on the Indonesia Stock Exchange. The object of research amounted to 9 banks. Based on this research, it is known that the banks that have issued separate sustainability report in 2011 by 5 banks, the remaining four banks incorporated sustainability report published in the annual report. Whereas in 2012, banks that have been published are of separate sustainability report as many as seven companies and two banks remaining publishes sustainability report incorporated in the annual report. In 2013, a total of

nine banks have published a sustainability report separately. Then in 2011-2013 9 banks have published reports of good corporate governance in the annual report.

4.1.2. Analysis of Implementation of Good Corporate Governance

Analysis of the implementation of good corporate governance can be seen in the GCG report that has been created and released by each of the banks listed on the Stock Exchange.

Therefore, in order to determine the level of implementation of good corporate governance in the banking companies listed on the Stock Exchange, then made the categorization of the calculation results tabulation data into the following 5 criteria:

1. 0% - 20% Not Good
2. 21% - 40% Less Good
3. 41% - 60% Pretty Good
4. 61% - 80% Both
5. 81% - 100% Very Good

Table 1 Analysis of the Application of Good Corporate Governance 2011-2013

2011		
Indicator	Percentage (%)	Category
<i>Transparency</i>	100	Very Good
<i>Accountability</i>	98,15	Very Good
<i>Responsibility</i>	97,78	Very Good
<i>Independency</i>	96,30	Very Good
<i>Fairness</i>	93,33	Very Good
Average	97,11	Very Good
2012		
<i>Transparency</i>	100	Very Good
<i>Accountability</i>	98,15	Very Good
<i>Responsibility</i>	97,78	Very Good
<i>Independency</i>	100	Very Good
<i>Fairness</i>	95,56	Very Good
Average	98,30	Very Good
2013		
<i>Transparency</i>	100	Very Good
<i>Accountability</i>	100	Very Good
<i>Responsibility</i>	100	Very Good
<i>Independency</i>	100	Very Good
<i>Fairness</i>	100	Very Good
Average	100	Very Good

Based on the above table it can be seen that the implementation of good corporate governance in the years 2011-2013 of openness (transparency) is optimal 100%. While the GCG implementation of accountability (accountability) in 2011-2012 respectively equal in the amount of 98.15%, the year 2013 has been optimized 100%. Then for GCG implementation on liability (responsibility) in 2011-2012 respectively equal in the amount of 97.78% and in the year 2013 has been optimized 100%. Likewise GCG implementation of independence (independency) in 2011 amounted to 96.30% of 100% is not optimal, but in 2012-2013 has been optimized 100%. GCG implementation of fairness (fairness) 2011-2013 respectively in the amount of 93.33%, 98.30%, and 100%.

From the table above it can be seen that the implementation of good corporate governance by 9 banking companies listed on the Stock Exchange in 2011-2013 has been applying the principles of good corporate governance very well and has increased from year to year.

4.1.3. Analysis Disclosure Standards Sustainability Report

GRI G3 is organized as a reference for the banking companies listed on the Stock Exchange for a good developing sustainability report. Sustainability report disclosure standards set forth in the GRI G3 course must be adhered properly to the report which has been prepared reliable and easily read by the stakeholders.

Table 2 Standard Analysis of Revealing Sustainability Report 2011-2013

2011		
Indicator	Percentage(%)	Category
Strategy and Profile	74,60	Good
Economy	51,85	Pretty Good
Environment	37,04	Less Good
Social	50,28	Pretty Good
Rata-rata	42,75	CukupBaik
2012		
Strategy and Profile	91,01	Very Good
Economy	69,14	Good
Environment	52,78	Pretty Good
Social	61,95	Good
Average	68,72	Baik
2013		
Strategy and Profile	94,97	Very Good
Economy	79,01	Good
Environment	67,59	Good
Social	75,56	Good
Average	79,28	Good

Based on the above table it can be seen that the standard of disclosure sustainability report on strategies and profiles masing each year 2011-2013 amounted to 74.60%, 91.01%, 94.97% and 100% were not optimal, because in 2011-2013 there are respectively 25.40%, 8.99% and 5.03% did not disclose the standards strategy and complete profile. Likewise with the economic disclosure standards in 2011-2013 each have a percentage of 51.85%, 69.14%, and 79.01%, respectively for the remaining 48.15%, 30.86%, and 20.99% does not reveal the full economic standards. As for the disclosure of environmental standards in 2011-2013 respectively by 37.04%, 52.78%, and 67.59%, respectively for the remaining 62.96%, 47.22%, and 32.41% did not fully disclose environmental standards. Then for social

disclosure in 2011-2013 each have a percentage of 50.28%, 61.95% and 75.56%, which is not optimal because the remaining 100% respectively by 49.72%, 38.05%, and 24, 44% have not revealed the full social standards. From the table above it can be seen that the standard of disclosure sustainability report for the year 2011-2013 has increased.

4.2. Discussion of Results

4.2.1. Implementation of Good Corporate Governance

Based on the findings, note that the implementation of good corporate governance by 9 banking companies listed on the Stock Exchange in the year 2011 to 2013 each had an average percentage of 97.11%, 98.30% and 100%. It can be seen that the application of GCG by 9 banking firms has increased from 2011-2013.

Table 3. Analysis of Transparency in GCG Year 2011-2013

2011				
Item Checklist	Score Real	Score Max	Percentage (%)	Category
1.Punctual	9	9	100	Very Good
2. Sufficient	9	9	100	Very Good
3. Clear	9	9	100	Very Good
4. Accurate & Comparable	9	9	100	Very Good
5. Accessible	9	9	100	Very Good
Transparency	45	45	100	Very Good
2012				
1.Punctual	9	9	100	Very Good
2. Sufficient	9	9	100	Very Good
3. Clear	9	9	100	Very Good
4. Accurate & Comparable	9	9	100	Very Good
5. Accessible	9	9	100	Very Good
Transparency	45	45	100	Very Good
2013				
1.Punctual	9	9	100	Very Good
2. Sufficient	9	9	100	Very Good
3. Clear	9	9	100	Very Good

4. Accurate & Comparable	9	9	100	Very Good
5. Accessible	9	9	100	Very Good
Transparency	45	45	100	Very Good

Source: data got from analysis of GCG 2015

Based on the above table it can be seen that the implementation of good corporate governance disclosure (transparency) on 9 banking company in 2011-2013 has been implemented very well optimally 100%, which means that nine banks had implemented the provision of information in a timely manner because the report has been published in accordance a reasonable time limit, and is available when needed in policy making. Transparency of information has also been described in detail by 9 companies for example; on the financial statements, financial condition, vision, mission, product, business targets, and so forth so that its contents can be understood by stakeholders or stakeholder. 9 banks already convey information accurately and can be compared, it can be seen from the presentation of the financial statements of each bank can be compared from year to year, and this information can be accessed easily via the official website of the company respectively.

4.2.2. Disclosure standards Sustainability Report

The results showed that the standard of disclosure sustainability report by 9 banking companies listed in the Stock Exchange in 2011 to 2013 each had an average percentage of 42.75%, 68.72% and 79.28%. It can be seen that the increased disclosure of 2011-2013 sustainability report.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1. Conclusion

Based on the results of descriptive analysis can be concluded as follows:

1. From 9 banking companies listed on the Stock Exchange in 2011-2013, the overall level of GCG implementation has been implemented very well, in 2011 had an average of 97.11%, and 2012-2013 respectively had average -rata amounted to 98.30% and 100%. It can be seen from 2011 to 2012 increased by 1.19% and from 2012 to 2013 increased 1.70%.

2. From 9 banking companies listed on the Stock Exchange in 2011-2013, the disclosure of sustainability report from year to year increase. In 2011 had an average percentage of 42.75%, in 2012 had an average percentage of 68.72%, and by 2013 had an average percentage of 79.28%. Then from 2011 to 2012 increased by 25.97% and from 2012 to the year 2013 increased by 10.56%.

5.2. Suggestion

1. Sustainability report plays an important role as a medium of information for stakeholders, it should be for the companies listed on the Stock Exchange can make its own sustainability report containing the corporate governance. Sustainability should be made a separate report with the annual report or annual report so that stakeholders can easily understand it.

2. In implementing the principles of good corporate governance with regard to social responsibility

towards society and the environment should be banking companies listed on the Stock Exchange further improve participation in social activities and preservation of the environment.

3. For further research could develop this research , for example by using the GRI reporting standard and the latest version of GCG . In addition, researchers can further develop this research by using companies outside the financial services .

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ASSESSMENT OF PERFORMANCE ORGANIZATION WITH BALANCED SCORECARD MODEL (QUALITATIVE APPROACH)

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ABSTRACT - Performance management organization zakat (OPZ) in Indonesia is still considered not good for either of the governance of the organization and the achievement of the funds raised are still far from expectations. This can be seen from the gap between the potential shakeout large (more than 100 trillion) by the realization of a very small charity (1 trillion). To that end, the assessment of organizational performance for OPZ be done either from the perspective of financial and non-financial. The model used to assess the performance of organizations that already contains two aspects are balanced score card models. This research will discuss the application of the balanced scorecard to assess the organization zakat in particular Zakat Organization (LAZ) in Indonesia. Descriptive analysis method qualitative approach. Data collection techniques were questionnaires, in-depth interviews and documentation. The results showed that the model has been used by the balanced scorecard in Indonesia LAZ well and become the standard of performance appraisal required by the Forum Zakat.

keywords: Organizational Performance, Balanced Scorecard and Zakat Institutions

1. INTRODUCTION

This research is a continuation and a part of the performance assessment of previous research organization that views on the factors that influence it. This paper will explain the application of the balanced scorecard in the organization zakat sect in particular institution in Indonesia with a qualitative approach.

There are several ways or models for the assessment of the various aspects of organizational performance assessed. Nowadays, the demands of the organization's stakeholders increasingly widespread and critical. Especially for organizations primarily skate zakat institutions, its performance to date has not shown good performance. This can be seen from a very large gap between the potential that can be collected socket which is 20 trillion (FOZ: 2011) could even reach 100 trillion (Director Thoha Son Center Semarang: 2009), while the socket funds can be raised still very small at 1 trillion (FOZ: 2011). The data show that the performance is still of stakeholder expectations. Perhaps many factors that lead to good performance yet Amil zakat institutions and become a chore for all Indonesian citizens. To that end, the assessment of performance by looking at not only the financial aspects are assessed, but the claims of non-financial aspects will. Model balanced scorecard is a performance assessment model has four perspectives by looking at the financial and non-financial aspects. For LAZ performance is comprehensive, balanced scorecard model is used. Model balanced scorecard (Rohm: 2004) is a model of performance assessment organizations see the financial and non-financial perspective (Customers and Stakeholders, Internal Business Process and Employees and Organization Capacity).

2. FRAMEWORK AND HYPOTHESES

2.1 DEFINITION OF RESEARCH VARIABLES

A. Assessment Of Performance Organization

Many models were used to assesst the performance of one of the Balanced Scorecard. The balanced scorecard is a system of management, measurement and control quickly, accurately and comprehensively can provide insight to managers on business performance. Balanced Scorecard is a management concept that contemporary performance ranging widely applied in public organizations, including government organizations also applied to the Zakat Management Organization such as LAZ and BAZ. Balanced Scorecard is considered appropriate for public organizations, because of the balanced scorecard is not only emphasizes the quantitative and financial aspects, but also qualitative and non-financial aspects. Kaplan and Norton (1996: 102) give a hint that the balanced scorecard provides executives a comprehensive framework to translate the organization's vision and strategy into a set of integrated performance measures. Meanwhile, according to Kaplan and Cooper (1998: 87) defines the Balanced Scorecard as follows: a measurement and management system that views a business unit's performance from four perspectives: financial, customer, internal business process, and learning and growth. Based on the above quote, it can be concluded that a system of balanced scorecard management, measurement and control quickly, accurately and comprehensively can provide insight to managers about business performance. In the performance measurement will be looking at business units of four perspectives: financial perspective, customer perspective, internal business processes within the company as well as the process of learning and growth.

The assessment is based on the balanced scorecard approach, financial statement data be taken into account in the measurement of performance, but to meet the needs of future development organizations needs to invest in customers, suppliers,

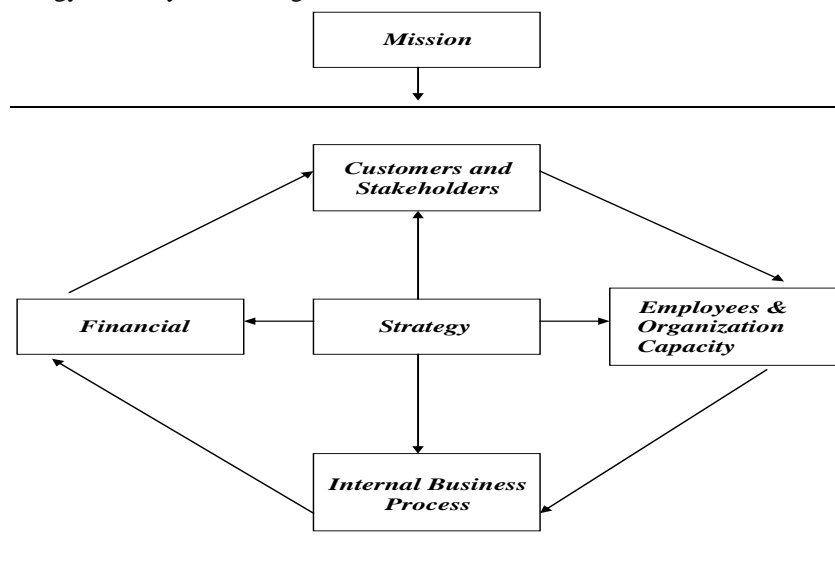
employees, processes, technology and innovation, so that the information provided by the financial data, which only the past data is felt to be insufficient. The balanced scorecard provides additional by providing measurements of the trigger factors of work in the future.

The use of the balanced scorecard has innovative value systems and mechanisms that allow for the strategic learning process. Through the application of balanced scorecard enables organizations and learning process in the executive levels. With the balanced scorecard management organizations can monitor and adjust the implementation of the strategy, and, if necessary, make a fundamental change in the strategy itself. The balanced scorecard is not just a performance measurement system that is operational or tactical, but using the system management strategy, which is to manage the long-term strategy. Objective Balanced scorecard derived from the vision and strategy of the organization so as to allow flexibility. Balanced scorecard compiled by the well should reflect a causal relationship derived from established strategy, which includes the estimation of the time, the response and the magnitude of the relationship between measurements in the balanced scorecard (Sri Fadilah.2012.12). Sometimes, the organization did in the triggering factor, but failed to achieve the desired results. This gives an indication that the theory underlying the strategy set may not be right, so we

need a new strategy to study the relationship between the measurement strategy in the balanced scorecard.

B. Perspectives The Measured In Measurement Of Organizational Performance With the Balanced Scorecard Models

In measuring the success of an organization's performance is based on the balanced scorecard approach is divided into four perspectives (Kaplan and Norton, 1996: 4), namely: (1) Financial Perspective (financial perspective); (2) Customer Perspective (customer perspective); (3) Internal Business Process Perspective (Internal business process perspective); and (4) Learning and Growth Perspective (learning and growth perspective). The relationship of each perspective shows the expansion of the size of the previous performance only focused on financial measures, the balanced scorecard approach, where the size of the expanded performance from the perspective of financial measures to non-financial perspective (Sri Fadilah.2012:11). Of the four perspectives t formulated of strategies that will be done to achieve its mission. The following figure outlines the relevance of the organization strategy, then translated into four perspectives, namely the perspective of customers and stakeholders, financial perspective, internal business process perspective, and the perspective of employees and organization capacity with explanations and drawings as follows:



Source: Rohm. Howard (2004)

Fig 1 : Balanced Scorecard in Public Organization

Explanation of the picture above from call now perspective performance evaluation using the balanced scorecard models will be described as follows:

a. Customers and Stakeholders Perspective

Review from the perspective of customers and stakeholders in the public sector Organizations basically wants to know how customers and stakeholders see the organization. Customers and stakeholders in the public sector are the main community of taxpayers and the public users of

public services, for the organization of charity is Muzaki as the party submitting the socket and mustahik as the party receiving the ZIS. Therefore, customers and stakeholders perspective LAZ organization focused to the satisfaction of the community, especially Muslims. Satisfaction of customers and stakeholders will trigger the perspective of customers and stakeholders can use the following sizes: (1) Citizen satisfaction; (2) Service of coverage; and (3) quality and standards

b. Financial Perspective

Financial perspective in public organizations is to address how organizations increase revenue and reduce the cost of managing and how we look at the tax payers? Financial perspective to explain what is expected by the provider of the main sources of financial funds which the muzaki (for LAZ). Thus LAZ should focus on something that is expected muzaki, namely expecting charity that has been issued it is used economically, efficiently, and effectively, and meet the expectations of the principles of transparency and public accountability. Thus the financial perspective can use the following sizes: (1) Efforts to raise funds collected ZIS and empowered; (2) Effectivity of services; (3) Increasing the amount of funds collected ZIS; and (4) Increasing the number of ZIS-powered.

c. Internal Business Process Perspective

In the internal business process perspective seeks to build organizational excellence by improving the organization's internal business processes on an ongoing basis. Strategic objectives in the internal business process perspective are to support customers and stakeholders perspective and financial perspective. In order to improve the performance of the internal business process perspective of public sector organizations must identify and measure the organization's core competencies, identify the main processes of service, identify key technologies need to be owned and determine performance measures and performance targets. Thus the internal business process perspective can be used, size as follows: (1) The innovation of product and (2) Management Information System.

d. Perspective Employees and Organization Capacity

Internal business process perspective and the perspective of customers and stakeholders in a balanced scorecard, identifies the parameters for building organizational excellence. Targets and measures of success will continue to change with changing times. Therefore, organizations must be able to innovate, be creative and learn. Organizations need to make continuous improvements and create sustainable growth. Strategic goals and objectives set out in the perspective of employees and organization of capacity will affect the other perspective, i.e the internal business process perspective and the perspective of customers and stakeholders. Thus a measure of performance in the perspective of employees and organization capacity can be used measures: (1) Skill coverages; (2) Personnel income and welfare; and (3) Personnel satisfaction.

3. RESEARCH METHODS

Planned research method in this research is research that is the explanation (explanatory research) with a qualitative approach. Data collection techniques used, i.e., questionnaires, interviews and documentation. Measurement of study variables by means of elaborate research variables into the operationalization of variables consists of a variable, the concept of variables, dimensions, indicators and measurement scale described, the following:

Table 1: Operationalization of Research Variables

Variable	The Concept of a Variable	Dimension	Indicator	Scale
performance organization With the Balanced Scorecard (variable Y ₂) Rohm (2004) in R.H.N Imelda (2004: 118)	A. system of management, measurement and control quickly, accurately and comprehensively can provide insight to managers about business performance.	Perspective Customers and Stakeholders (Y _{2,1})	Standardization level of satisfaction by LAZ, with: a. Citizen satisfaction (satisfaction of customers and stakeholders) b. Service coverage (Coverage Service) c. Quality and standards (quality and service standards)	Interval Interval Interval
		Perspective Financial (Y _{2,2})	The level of cost efficiency and utilization management, with: a. Cost of service (service charge) b. Utilization rate (utilization rate) c. Increasing the amount of funds collected ZIS d. Increasing the amount of funds distributed ZIS	Interval Interval Ratio Ratio
		Perspective Internal Business Process (Y _{2,3})	The level of variation in service use zakat management product management information system, with: a. The innovation of the product (product innovation fund raising and distribution of zakat) b. Management Information System (Management Information System)	Interval Interval

Variable	The Concept of a Variable	Dimension	Indicator	Scale
		Perspective Employees and Organizational Capacity (Y _{2.4})	The level of expertise in managing charity that can improve the welfare of LAZ management, with: a. Skill coverage (Coverage mastery) b. Personal income and welfare (income and welfare) c. Personal satisfaction (satisfaction of employees / employee)	Interval Interval Interval

Meanwhile, the test data do is test the validity and reliability testing with the following results:

Table 2 : Results of Test Reliability and Test Questionnaire Research

Questionnaire	The range of values of r	Information	The coefficient of reliability	Information
Organizational Performance	0,431 – 0,869	All valid	0,953	Reliable

The target population in this study is listed in the LAZNAS and LAZDA. So the number of the target Forum LAZ Zakat as active members consisting of population and the sample in this study area:

Table 3 : Target Population and Population Research

No	Information	Quantity (N)	n
1	Institute National Amil Zakat (LAZNAS)	18 LAZ	16
2	Local Amil Zakat Institutions (LAZDA) which has been confirmed	32 LAZ	28
	T o t a l	50 LAZ	44

4. DISCUSSION

4.1 MEASUREMENT OF VARIABLES

Organizational performance measurement using the balanced scorecard can be evaluated using the Composite Reliability (CR) and average variance

extracted (AVE). Organizational performance variables were measured using four indicators, the weight of each indicator factors in shaping organizational performance variables balanced scorecard model can be seen in the following table:

Table 4 : Variable Loading Factor Organizational Performance Indicators Using the Balanced Scorecard Model

Construct	Indicator	Loading	Loading ²	error variance
KO	Y2.1	0.875	0.765	0.235
	Y2.2	0.896	0.804	0.196
	Y2.3	0.937	0.877	0.123
	Y2.4	0.893	0.798	0.202
Composite Reliability = 0,945		AVE = 0,811		

At 4:44 the table can be seen on the indicator weighting factor Y2.3 (internal business process perspective) is greater than the weight factor of 3 other indicators. This means that the internal business process perspective is more dominant in the formation of organizational performance variables than other indicators. Composite Reliability of the five indicators used to measure organizational performance variables of 0.945 and a still greater than the recommended is 0.70. Then the average variance extracted value of 0.811 indicates that 81.1% of the information contained in the four indicator variables are represented in the organization's performance.

4.2 DESCRIPTION OF RESEARCH VARIABLES

Balanced scorecard performance measurement with

the LAZ listed in FoZ as active members will be revealed through respondents' answers to the questions posed in the questionnaire which covers several dimensions. Balanced scorecard performance measurement is measured using 4 (four) dimensions and operationalized into a 15-point question. Here the average score of respondents' assessment of each of the questions in each dimension.

A. Dimensional Perspective Customers and Stakeholders

Application of organizational performance with balanced scorecard perspective customers and stakeholder dimension was measured using a 3 point question. Here recapitulation average score of respondents to the third point of the question.

Table 5 : Summary of Mean Scores of Respondents Rating Regarding Customers and Stakeholders

Instrument	Principal Question	Average Score	Criteria
Question 1	Standardize customer satisfaction	7,61	To do
Question 2	Scope of services	7,93	Extensive
Question 3	Quality of service	8,41	Qualified
Total		7,98	Good

The average total score on the respondents' assessment of the customer and the stakeholder dimension of 7.98 indicates that the assessment of the customer and stakeholder perspectives on most LAZ listed in FoZ has been good. When viewed by the instrument, it is seen that LAZ focus all efforts in order to provide satisfactory services to Muzaki and mustahik. Perspective customers and stakeholders in public sector organizations, basically aim to determine how customers and stakeholders see the organization. Therefore, the perspective of customers and stakeholders to focus LAZ organization to meet mustahik and Muzaki satisfying as well as the wider community. To evaluate this perspective, it can be seen from the following aspects:

1. Consumers will be satisfied when the consumer has been serviced and receive value in accordance with customer expectations. The size of customer satisfaction can be seen from the level of the return of consumers, especially Muzaki. LAZ performance as measured by the rate of return Muzaki to distribute zakat funds from year to year has a tendency to increase.
2. In addition, a measure of satisfaction, it can be seen from the scope of service (Service Coverage) which can be given by LAZ. To determine the scope of services can be seen from the programs offered by LAZ. Broadly speaking, at almost the same, namely the economic, social, health, education, and service is a disaster, but the variation in programs offered (redistributors) is enormous. Based on the research results, almost all LAZ provide the range of services not only locally (about LAZ), but almost reach all parts of Indonesia. Even DompethDhuafa LAZ, LAZ Rumah Zakat Indonesia, LAZ PKPU has conducted international service by donating aid to the countries affected, such as assistance to Japan affected by the earthquake and tsunami. In addition, a broad scope of services for inter faith

mustahik i.e not just Muslim mustahik even non Islam.

3. More than, good quality of service is determined by the standard of services provided LAZ. LAZ trying to make a variety of procedures and services tomuzaki and mustahik to always look at the quality of service. Quality of service can be seen from: (a) the SOP, it turns out almost all LAZ has had and implement the SOP, although the level of presentation is varied; (2) minimize bureaucracy, almost all LAZ committed to serve Muzakias close as possible and mustahik, such as making outlets are easily accessible either Muzaki and mustahik, even DompethDhuafa LAZ uses a network system (networking) with the cooperation and holding private companies and government with a wide range of business fields such as industrial, retail, banks etc.; (3) International standards organization (ISO 9001) on the quality of management, based on the data in the field, although not all LAZ that have been studied have had the ISO, but there are efforts to LAZ who have not obtained the ISO, to achieve and obtain it; (4) other standards organizations external determined as of Foz, Ministry of Religious Affairs of the Republic of Indonesia. LAZ target, especially LAZ who are members of FoZ, certainly has the obligation to comply with and be subject to sanctions if otherwise. This happens LAZ Brotherhood Association Haji, who liquidated because it does not meet the provisions of Foz and the Ministry of Religious Affairs of the Republic of Indonesia.

B. Dimensions Of The Financial Perspective

Application of organizational performance with balanced scorecard financial perspective dimension measured using a 4 point question. Here recapitulation average score of respondents to the fourth point of the question.

**Table 6 : Summary of Mean Scores of Respondents
Regarding Assessment Of Financial**

Instrument	Principal Question	Average Score	Criteria
Question 4	Efforts to increase fund raising ZIS	8,41	Intense
Question 5	Efforts to increase the empowerment of ZIS	8,59	Intense
Question 6	Efforts to improve efficiency	8,24	Intense
Question 7	Efforts to maximize the utilization of the facility	8,46	Intense
Total		8,43	Good

The average total score of respondents rating the dimensions of the financial perspective of 8.43 indicates that the financial perspective in most LAZ listed in FoZ has been good. When viewed by the instrument, it is seen that LAZ as socket management organization which has the role of intimidation through fund raising efforts of Muzaki and empowerment to mustahik. To be able to perform optimally organizational activities and funding programs offered, LAZ should be able to maximize efforts to raise funds and must be complemented by efforts to optimize the empowerment of zakat funds.

Based on the research results, LAZ studied most have a good balance between the funds raised by the fund is empowered good performance. Moreover, in perspective financial, operational cost efficiency efforts into its own performance for LAZ. Muzaki confidence level and mustahik is the main indicator for the support and social legitimacy LAZ. Social legitimacy is much related to the financial performance of LAZ. Transparency of financial reporting, operational efficiency and innovation program, the key factors in forming public confidence in the LAZ.

C. Dimensions Of Internal Business Process Perspective

Application of organizational performance with balanced scorecard internal business process

perspective dimension is measured using a 4 point question. Here recapitulation average score of respondents to the fourth point of the question.

Table 7 : Summary of Mean Scores of Respondents Regarding Assessment of Internal Business Process

Instrument	Principal Question	Average Score	Criteria
Question 8	Variations programs offered	8,05	Varied
Question 9	Utilization of AIS in operation LAZ	7,93	Be used
Question 10	SIA utilization in designing programs	9,00	Be used
Question 11	Adjustment Programs offered by consumer needs	8,24	Intense
Total		8,31	Good

The average total score of respondents rating the dimensions of the internal business process perspective of 8.31 indicates that the assessment of the internal business process perspective on most LAZ listed in FoZ has been good. Based on the instrument, it appears that LAZ has used its resources, especially human resources to be able to do innovation and creativity, especially in designing and building programs offered LAZ good for raising and empowerment product zakat funds. Internal business process perspective for LAZ is how LAZ effort to build excellence through improved internal business processes on an ongoing basis. Strategic objectives in the internal business process perspective are to support customers and stakeholders perspective and financial perspective. In the internal business process

perspective, LAZ will identify key processes that must be managed properly in order to develop good financial condition LAZ. The factors assessed in the internal business process perspective LAZ can be seen from the Innovation of product. Even many LAZ that pay expensive consultants to design an interesting program, an indigenous and have a wide multiplier effect.

D. Dimension Of Employees And Organizational Capacity Perspective

Assessment of organizational performance with a balanced scorecard perspective of employees and organizational dimensions of capacity was measured using a 4 point question. Here recapitulation average score of four respondents to the questions:

Table 8 : Summary of Mean Scores of Respondents Regarding Assessment of Employees and Organization Capacity

Instrument	Principal Question	Average Score	Criteria
Question 12	Efforts to manufacture a wide range of programs	7,76	Intense
Question 13	Efforts to improve the ability to build a network	8,02	Intense
Question 14	Efforts to create the facilities and programs	8,22	Intense
Question 15	Efforts to provide employee satisfaction	8,29	Intense
Total		8,08	Good

The average total score of respondents rating the dimensions of employee and organizational perspective capacity of 8.08 indicates that the assessment of the performance of the employee's perspective and organizational capacity in most LAZ listed in FoZ has been good. Based on the instrument, it is seen that LAZ realize that the competence and capability of socket is the main thing, and then LAZ has made a variety of programs aimed at improving the skills, competencies and capabilities. In addition, LAZ also has designed a variety of policies that will ultimately provide welfare and satisfaction for zakat.

Amil zakat is an important element in the LAZ. In general qualifications should include: Muslim, trustworthy, educational as well as having adequate knowledge of the charity. To achieve these qualifications can be obtained by a variety of efforts ongoing basis. Amanah is a moral attitude that must be owned zakat institutions in performing their duties properly, honestly and in accordance with the

provisions. This moral attitude must be built with the amyl Islamic values as their spiritual nourishment or lectures given at regular intervals in week call now, even for LAZ DPU-DT spirituality activity is the basis of performance assessment as required and Sunna prayer, fasting Sunna, tadarus and other.

Aspects of education, usually Obtained from formal education (college) both undergraduate diplomas, undergraduate and even graduate (S2 and S3) in accordance with the field being studied by the socket call now, Reviews such as accounting degree, bachelor of communication and so forth. Furthermore, the socket is given a further education related to the management of zakat. Institutions usually provide scientific about socket management in Indonesia, Indonesia Magnificence of Zakat (IMZ). IMZ provides a variety of educational programs or graduate diploma programs, as well as short-term education. BMI provides a wide range of curriculum specified in the Event Unit Class (SAP)

in accordance with the requirements associated with the management of zakat.

Another aspect that is measured from the perspective of Employees and Organization Capacity is a personal income and welfare. This aspect will be directly proportional to the demands of amyl professionalism. The more professional the zakat, the higher the income and welfare that should be accepted socket. Based on the research results, generally LAZ has appreciated zakat profession together with other professions that exist in the profit organization. Aspects to be considered in determining salaries for a socket is: work ethic, long work, experience, capabilities and skills of zakat.

5. CONCLUSION

1. Composite Reliability (CR) of the five indicators used to measure organizational performance variables of 0.945 and dimensions of the internal business process perspective is more dominant in the formation of organizational performance variables than other indicators.
2. The average variance extracted (AVE) of 0.811 indicates that 81.1% of the information contained in the four indicators are represented in performance variable organization.
3. All dimensions of organizational performance with balanced scorecard models categorized nice views of the average, respondents in each indicator of dementia research variables.

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BUILDING ENTREPRENEURIAL INTEREST BASED ON PERSONALITY – ENVIRONMENT INTEGRATION

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ABSTRACT - The purpose of the research is to build interest in entrepreneurship for students of the State University of Surabaya based on integration of personality and environment. The paper used a descriptive qualitative research methods. The sample is students who have passed entrepreneurship subjects in the fourth semester. Personality indicator consists of need for achievement, locus of control, and self-efficacy, while environment indicator consists of access to capital, business information, and social networks. The results showed that both personality and environment affect the interest of student to entrepreneurship. This means that by integrating personal abilities of students and the role of universities such as help students get access to capital (bank partners, PMW and CSR), make business information available to the students and building social networks that support marketing activities, so that the numbers of new entrepreneur born from universities will be increase.

Keywords: Entrepreneurial, Personality, Environment

1. INTRODUCTION

Currently, the development of business, industry and advances in communications technology plays an important role to increase the intensity of competition among higher education in providing services to the students. Current public awareness towards study in higher education level get increased. The results of the 2012 survey conducted by Master Card showed that 37% of Indonesian people aged 18-24 intend to continue their education after high school, while 12% of all participants choose to follow the short course (Puspitarini, 2012). This in line with government's programs to increase the number of state universities as well as to optimize filtration ability of students in Indonesia. Building universities barnd can influence prospective students decisions on choosing universities even at the level of the course (Muntean et al, 2009).

Therefore, it becomes a challenge for higher education to improve the competitiveness of graduates to be able to enter the labor market in accordance with competence. One indicator of the success of the management of higher education is a waiting time periode of graduates to get job in the labor market so that more and quickly got a job then it will reflect the success in the learning process. However, based on the data showed that the unemployment rate of graduates of higher education in East Java of 362 880 people (BPS, 2013).

Daniel Rosyid in the online newspaper Republika (2013) explains that the high unemployment rate is due to learning in higher education only theoretically oriented, less emphasis on practical meaning, easiness to get the highest score, easiness passed a higher education, standards are rising user demands not only hardskill yet softskill support and lack of assistance activities in practice. This opinion, according to survey results from East Java Manpower on the number of graduates of higher education can not be

readily absorbed in the labor market due to, among other fresh graduates who are still not ready to work, the skills are still lacking support, capacity limited job market, intense competition, the threat of layoffs, and lack of entrepreneurial spirit.

This phenomenon is a challenge for the State University of Surabaya to make corrections in constructing back service both in academic and non-academic in order to result in graduates who are independent and competitive, in line with the vision of higher education in guarding the whole Indonesian human development growth. The diversity of student backgrounds can optimize existing curriculum in each school and can reduce the gap between the labor market by learning on campus, thus reducing the growth rate of unemployed intellectuals in East Java. Curriculum which many are pouring soft skill learning entrepreneurship courses. Nowadays, entrepreneurship is a subject which must be given in higher education, both public and private according to the direction of the director general of higher education that has always appealed to the importance of this course to make the graduates independent.

Environment is an important point to make students have the entrepreneurial spirit so that in the long term will be able to open the mindset of graduates of higher education that are not always oriented to be job seekers but could become job creators. The results of research which explains that the results of entrepreneurship education in higher education will be able to develop the invention of new business ideas that can be implemented in the business [4].

Entrepreneurship courses in the faculty of economics given in four semesters with the number of credits 3. The course has a standard of competence, to make graduates have the entrepreneurial spirit by learning methods in-class and out-class. In-class learning done from management theory, business, business opportunities, entrepreneurship, managing the

business so that the purpose of in-class learning that students are able to make a business plan as a group. Furthermore, out-class learning that makes a business plan that has been made over 2 months and every week carried out an evaluation of its business progress report

From the evaluation results of this study can be seen the extent to which the interest of students to conduct business, which, according to Kotler (2005: 226) that a person's behavior is strongly influenced by internal factors which consist of cultural, social, and psychological personality. External factors: environment and marketer stimuli. In this study used only internal factors of personality, with the assumption that during the learning process, the cultural, social and psychological conditions of the students are the same. Furthermore, external factors used in the study is a marketer stimuli such as entrepreneurship curriculum designed for higher education, access to capital, business information, and the social network, while the other variables being equal.

Personality is a psychological characteristic that each person in the act that causes relatively consistent response and remained on the environment [12]. The concept of personality in this study was measured by indicators of need for achievement [14], locus of control [21], and self-efficacy [5] [17] [34] [37]. Narendra research CB. Handran (2006) and Patrick Legoharel (2004) showed that personality affects the interest in entrepreneurship is done by the time they graduate student also at the time they were still a student.

The role of the campus environment for entrepreneurship interest evidenced by Charles R Duke (1996) that students are very interested in the environment both formal and in the form of courses. This is supported by Jayne Louise (2005) that the higher education environment needs to be communicated formally and informally in order to increase the desire of students in business development. Besides, the study also concluded that the model Iriani environment designed in-class and out-class stimulate student interest in doing self-employment in the future.

Therefore, this study is to explore the integration of personality and environment to build student interest in entrepreneurship. Interest in entrepreneurship is one of the amplifier in creating new employment. The purpose of writing to analyze models of interest in entrepreneurship students were affected by the integration of personality and environment.

2. RESEARCH LITERATURE

2.1 ENTREPRENEUR

Entrepreneurs are often used in the attributes and resources that help people to start new businesses and is sometimes used in interpreting business promotion and part of a small business, an activity which also means "entrepreneurship" [4]. As according to the Northern Ireland government's "entrepreneurship and education action plan" shows that entrepreneurship is

"the ability of individuals, processing circuit capability and each attribute, to create unique, innovative and creative contribution in the labor market to create jobs or entrepreneurship [4].

Entrepreneurship is a dynamic process for the creation of additional wealth. Wealth is created by individuals who are willing to take major risks with the terms of fairness, time, and or career commitment or providing value for a wide range of goods and services [13]. So it can be concluded that entrepreneurship are things or effort related to the creation of activities or business or business activities on the basis of their own accord or establish new businesses or businesses with a willingness and or ability independently.

The function of entrepreneurship is to make important decisions and take risks on corporate goals and objectives, define business areas and markets that will be served, calculate the desired business scale, determine the desired capital with favorable composition . Moreover, can market their goods and or services to satisfy customers and can simultaneously acquire and maintain the maximum benefit.

Profile entrepreneurs to succeed by David E. Rye (1966) among high-achieving person, risk-taking, problem solvers, search status, have a high level of energy reserves , have high self-confidence, avoiding the emotional level, requiring personal satisfaction. So it can be concluded that the entrepreneur is someone who is concerned with the achievements and the need to believe that they should be able to master their own destiny.

2.2 CHARACTERISTICS OF SUCCESSFUL ENTREPRENEURS

David E. Rye (1996) to formulate the characteristics of success for an entrepreneur, self-control, seeking terselesainya affairs, directs himself, manages to target, analyzer opportunity, personal control, creative thinkers, problem solvers and thinkers objective

Researchers showed that the most influential is the self-efficacy [2] [22]. Several studies of interest shows the impact on personality traits is the need for achievement [14], locus of control [21], and self-efficacy [5] [17] [34] [37] of the interest in entrepreneurship.

Need for Achievement. The fact that an individual with an increased desire for success can be defined as ownership of an increased need for achievement and can be interpreted [22]. As the desire of an entrepreneur. An individual with a high need for achievement, to have an appreciation of individual responsibility, which is defined as an unresolved problem solving, risk-taker, and has a high interest in the results of operations or decisions they have. One needs to start with a greater achievement significantly influence the way a situation in taking opportunities and the best achievement [16]. A low requirement for an award associated with lower performance expectations, and an increase in mistakes [24]. Found that students with a great need for achievement, also have a higher level of interest in entrepreneurship [14].

Locus for control. Locus of control is a personality trait that affects the interest in entrepreneurship [13]. Locus of control is an attribute that shows the individual control of the results, awards, success, or failure of their lives; but it is different to one's beliefs to control their lives [32]. The concept for the first time and suggested that the locus of control internal and external is as two opposite poles of the same phenomenon [26]. While, some studies have suggested that Locus of control related to the interest in entrepreneurship and that people with an internal locus of control have a high interest in entrepreneurship [21] [33].

Self-efficacy. Self-efficacy, derived from social learning theory Bandura which describes an individual's belief in their ability to succeed in a given task. As a factor - a specific domain, it is associated with interest in entrepreneurship and the so-called "entrepreneurial self-efficacy" (ESE). Self-efficacy beliefs and the impact on a person's interest in a different way for their success in achieving personal goals [7]. Subsequent research showed that self-efficacy is a significant factor in the decision to pursue entrepreneurship action. Researcher have shown that an increase in self-efficacy will generate greater interest in entrepreneurship [3] [5] [14] [34].

In addition to personality traits, environmental impact on the interests of individual entrepreneurship. The environment is often reviewed as "gapfillers" in the relationship between personality traits and entrepreneurial interests [19]. Due to the impact of personality traits on the entrepreneurial interest is not linear and the findings on the importance of the effect of the properties of the often conflicting interests of entrepreneurship, many authors have discussed the impact of a particular environment (Franco et al, 2010). Previous research has found that significant environmental antecedents of entrepreneurial interests include access to capital [19] [27] [36], knowledge about the potential business sector [14], social networks [5], and education in the school system [6] [25] [31]. The environmental antecedents herein after be an indicator in this study.

Access to capital. One important factor in building a new business is access to capital (Kim *et al*, 2006) [14]. Some research suggests the number that many people have embarked on a new career in the field of entrepreneurship failed due to the inability to access capital (Marsden, 1992; Meier and Pilgrim, 1994) . Capital required to start a new business can be obtained from personal savings , family , friends, and even bank loans, or through partnerships with investors [35]. In Turkey, a study of the entrepreneurial interests of students indicate that students' first choice for the capital is personal savings, followed by family support and bank credit [36]. Regardless of gender, capital is an important factor for any subsequent entrepreneurial activity [35]. Business Information. Very importantly, the availability of business information to start new businesses and achieve sustainable growth [14]. An individual in need of information about the market

before starting a business in order to determine the competitive advantage. In a study conducted in India, Singh and Krishna (1994) found that the desire to look for information is the main characteristic of entrepreneurs. In fact, in the study [14] identified a significant and positive relationship between the availability of business information and interest of student entrepreneurship.

Social Networking. In this context, social networks play an important role in obtaining resources. The results showed that individual's social network has a significant impact on their entrepreneurial interests [14]. The empirical findings have suggested that, if the employer feels that he / she will be able to access capital and business information within their social networks, the idea of starting a business is more likely to be true [5]. Employers can join different social networks to sustain new business (Huggins, 2000) and healthy tissue can ensure a regular flow of capital and information, and act to reduce uncertainty (Kristiansen and Ryen, 2002). The social network because it may look like having a strong and positive impact on the interests of individuals to become an entrepreneur [5] [14].

2.3 LEARNING ENTREPRENEURSHIP

Entrepreneur in college is no longer about "how to teach entrepreneurship?" But "what is required of students?" Because "the enterprise for new venture creation" to "enterprise for life". The more students in need then create a new business would be able to be easily constructed [4]. Research results shows that students who assess the university environment as a form of feasibility or negativity in encouraging entrepreneurship has a low impact on the interest in entrepreneurship than those who have a positive perception. The educational environment has a significant impact on the interest in entrepreneurship [27]. The entrepreneurial learning is an important factor in an individual's decision to act on their interest in entrepreneurship [6] [25]. Finally, the entrepreneurial learning in British universities, that entrepreneurial learning must be embedded in a university program [30].

2.4. INTEREST IN ENTREPRENEURSHIP

Simamora (2002: 131) states that interest is something that is personal and relates to individuals who are interested in the attitude of an object that has the power or the urge to do a series of behavior to approach or get the object. Interest in entrepreneurship can be interpreted as a form of individual interest to start an independent business (Drennanetal, 2005; [15] [31]. Interest in entrepreneurship consistently reviewed in accordance mental formation process-oriented planning and implementation of a business plan [3] [11] [19].

Several previous studies which conducts research on entrepreneurship interest. Like, who used Shapero's (1982) SEE models, Ajzen's (1991) TPB model, and LFM [19]. The third difference is that the model of SEE and TPB focused on the internal factors of entrepreneurship, but LFM has been coordinated by exogenous factors. LFM related to personality,

attitudes, and some external aspects. This shows in perspective LFM career has developed into personality factors and environmental factors as well as offering a model that shows the antecedents interest in entrepreneurship (Prophet *et al*, 2010).

This study uses a model of LFM because the model developed using environmental factors. In this case, the exogenous factors used are entrepreneurial learning in higher education, and personality using indicators Need for achievement, locus of control, and entrepreneurial self-efficacy (ESE).

Table 1: Previous Research

Researchers	Title	Results
Sesen (2013)	Personality or environment? A comprehensive study on the entrepreneurial intentions of university students	Predictor in shaping the students entrepreneurial intentions are influenced by personality or environment .
Bridge, Hegarty, dan Porter (2010)	Rediscovering enterprise: developing appropriate university entrepreneurship education	Mind - set current students want to start a business after graduating from college even the most hesitant to immediately start a business because of limited access to capital and lower confidence in managing the business .
Edwards dan Muir (2005)	Promoting Entrepreneurship at The University of Glamorgan through Formal and Informal Learning	Higher education has a function to introduce entrepreneurship programs through formal and informal learning to support the development of a network of partnerships
Littunen (2000)	Entrepreneurship and the characteristics of the entrepreneurial personality	Entrepreneurial activity is part of a business start-up phase and initial activities as an entrepreneur is part of the learning process of entrepreneurs
Kristiansen and Indarti (2004)	Entrepreneurial intention among Indonesian and Norwegian students	Internal factors were most instrumental in this regard is the personality that consists of need for achievement , locus of control , and self-efficacy
Luthje dan Franke (2003); Ozen Kutanis et al (2006); Schwarz et al (2009)	Fostering entrepreneurship through university education and training: Lessons from Massachusetts Institute of Technology	significant environmental antecedents of entrepreneurial interests include access to capital, knowledge about the potential business sector , social networking and education in the school system

3. METHODS

Approach to research conducted quantitative descriptive to explain concretely the purpose of this study and performed by statistical tests.

Techniques of data collection is done through focus group discussions, questionnaires, interviews and documentation. The information obtained subsequently tabulated to obtain the condition of any information contained in the questionnaire. Further descriptive analysis of a number of quantitative data has been tabulated on student interest in entrepreneurship. As for the instruments to be used is

- personality factors (need for achievement, locus of control, and self-efficacy),
- environment (social networks, business information, access capital, and environment),
- interest in entrepreneurship (desire entrepreneurship, and a description of the business opportunities that will be executed).

This model of development research is explorative. All data were collected through questionnaires, focus

group discussion, and evaluation of model testing were analyzed using descriptive analysis techniques. Data collected later described herein after drawn conclusions about each component on the basis of predetermined criteria. The description will demonstrate the effectiveness of business communication model of the integration of personality-environment, so it can be inferred about the readiness of students to entrepreneurship before graduating.

This research was conducted at the State University of Surabaya area, Ketintang streets, Lidah streets, and Teratai streets. The population is composed of students of the Faculty of Education (FIP), Faculty of Social Sciences (FIS), the Faculty of Language and Arts (FBS), Faculty of Mathematics and Science (Science), Faculty of Engineering (FT), Faculty of Science Kelolahragaan (FIK), and the Faculty of Economics (FE), State University of Surabaya, which shall take entrepreneurship courses.

Table 2: Instrument

Variable	Indicators	Statement
Personality	Need for achievement	<ul style="list-style-type: none"> • Pengalaman latihan mengelola usaha membuat saya mandiri • Pengalaman latihan berwirausaha memberi saya keterampilan yang cukup untuk memulai usaha • Jika saya lulus nanti saya juga akan tetap berwirausaha walaupun saya bekerja • Dunia usaha merupakan kegiatan yang menantang sehingga saya harus ulet, sabar, dan berani menghadapinya
	Locus of control	<ul style="list-style-type: none"> • Percaya diri saya meningkat dengan bekal pengetahuan berwirausaha. • Saya sudah memiliki membayangkan usaha yang akan saya lakukan • Saya optimis mampu mengembangkan usaha sesuai dengan keahlian • Saya sudah merencanakan masa depan terutama dengan membuka usaha sendiri • Saya senang mempelajari hal-hal yang baru • Kerja keras merupakan kunci utama berwirausaha • Saya termasuk orang yang suka tantangan
	Self efficacy	<ul style="list-style-type: none"> • Saya termotivasi untuk belajar banyak di bidang dunia usaha • saya bersedia untuk bersaing dengan orang lain melalui cara-cara yang sehat untuk meningkatkan kemampuan diri • Saya tertantang terhadap dunia wirausaha, karena orang berwirausaha memberi banyak peluang • Walaupun risikonya besar, saya berani meminjam uang di bank untuk mulai berwirausaha jika diperlukan • Saya senang menjalin kerja sama dengan orang lain dengan prinsip saling menguntungkan
Environment	<ul style="list-style-type: none"> • the flexibility of capital access • business information • social networks 	<ul style="list-style-type: none"> • Mitra perbankan, Perguruan tinggi, mitra perusahaan or BUMN melalui program CSR • Mitra binaan UKM, perusahaan mitra, alumni bisnis • Komunitas sosial yang ada di perguruan tinggi,
Intention in entrepreneurship	the need for entrepreneurship quickly	<ul style="list-style-type: none"> • Hasil pelatihan berwirausaha mendorong saya untuk membuka usaha sendiri setelah selesai kuliah • Saat ini, saya mulai merintis berwirausaha

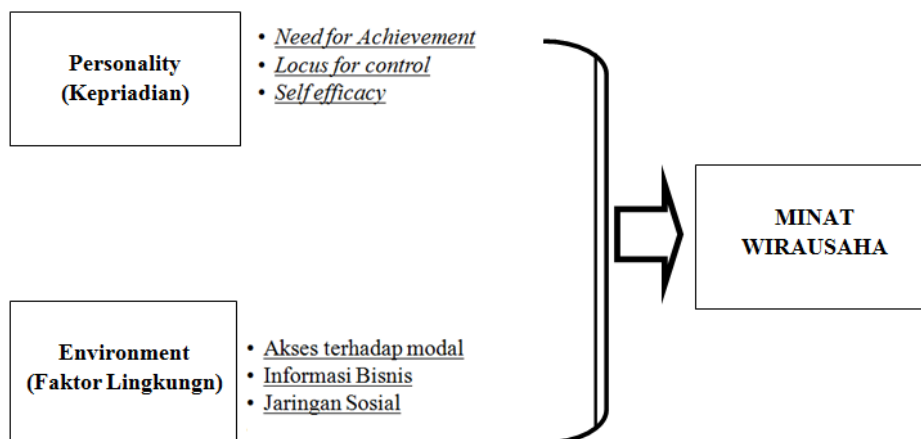


Fig 1: Research Model

Instrument open questions, there are five questions for five indicators.

1. Personality (X1)

- Need for Achievement : what is the meaning of success ?
- Locus of Control : what it means after college? Is work / looking for a job?

- Self -efficacy : Dare you become an independent entrepreneur after graduation? Why?

2. Interest in Entrepreneurship (Y) : Do you intend to run the entrepreneur ? When?

Participants in the study were selected using random sampling techniques purposive and cluster sampling. The criteria for the sample is a student Surabaya State

University 4th semester courses that have been through Entrepreneurship. The number of participants is 200 students. Methods of data collection using observation, interviews, and questionnaires. Analysis techniques used in this research is multiple linear regression.

4. RESULTS AND DISCUSSION

The test results demonstrate the significance below 0.05 validity and reliability testing obtained Cronbach alpha values above 0.6 so that we can conclude this research data is validity and reliability. Classical assumption of this study is to test for normality test shows the data located around the diagonal line graph, shows the number of significance heteroscedasticity 0.000, and multicollinearity are under 10. It can be concluded this research data normal, multicollinearity, and free from heteroscedasticity.

This study aims to discuss and analyze the integration of the personality and environmental factors in building student interest in entrepreneurship. Collecting data using a questionnaire containing five questions open and 21 closed statements.

The model indicates that without the influence of personality then the respondent will have no interest in entrepreneurship. The model can also be explained further using the results of the F test, t test, and test the feasibility of the model (adjusted R-square)

Table 3: Regression results

Regression	Value	Sig
Adjusted R square	0,542	-
F test	126,321	0,000
t test (X_1)	7,372	0,000
t test (X_2)	3,279	0,001

The results showed that personality significantly affect the interest of students to entrepreneurship. Based on t test showed that personality has a greater influence than the environment. The influence of this study explained that the model is able to explain the phenomenon by 54.2%, the research model can be used in other similar studies.

Based on the answers to the open question, 76 participants have started an online business such as selling pulses, selling fashion clothes, and of 76 participants only 10 participants who have a parent with an entrepreneurial background. This indicates that the 66 students who had started a business is not dominated background but more older people receive stimuli from the environment of higher education such as the interaction and social environment.

Stimuli interest received by students is evidenced by the desire of students to learn the concept of entrepreneurship in detail, able to explain the business opportunities that can be done and in general each student gets a different experience of understanding the characteristics of the entrepreneur. In addition, the participants own interest in entrepreneurship by 196 people, but only 75 participants who claimed to have

started a business and want to immediately start a business.

Regression results indicate that personality significant effect on student interest in entrepreneurship. This is supported by the meaning of success and interest in becoming an entrepreneur participants who received positive appreciation. Participants understanding the meaning of success as the ability of participants in through targets and obstacles, achievement of goals, get yourself well-being, can make others happy, and can make employment. The meaning indicating also the courage to dare entrepreneurship students.

Personality possessed by students is certainly influenced by family background of participants. the majority of participants (87%) who have started businesses do not have the background work of parents as entrepreneurs. So courage entrepreneurship, meaning it was not in line with the pass. most participants choose to work after graduation. In addition, the atmosphere of Surabaya in which the majority of participants still charged education make bermindset become job seekers.

Participants have the awareness of individuals in supporting interest in entrepreneurship. The locus of control of participants indicated the confidence of participants, an image of a business that is interested participants, as well as awareness about entrepreneurship character (optimistic, like a challenge, hard work, willing to learn is the average lowest participants. However, these indicators able to describe information entrepreneur realized and demand by participants. in addition, need for achievement as indicated by business management, training experience, for example, out-class environment, and a desire to be entrepreneurial people. Participants also understand that improving entrepreneurial spirit needs to study harder and have the ability to manage risks such as establishing cooperation and make loans

Currently, the availability of capital as a means of supporting student interest in entrepreneurship proved to have a significant impact, given that most students have learned to start a business even though the scope of such sales microliter pulses, selling clothes on line and even as re-seller because it was not yet available capital enough to develop the business. Contributions are interesting in this study is the mediation in helping college students who have entrepreneurial intentions can through banking partners, which is already a partner college. Besides, concern banking partners strongly support entrepreneurial Higher Education grant program known as the Student Entrepreneurial Program that has lasted for six years but still not optimal results in realizing the entrepreneurial student. Results of this study support the notion which explains that the intention of students to start new businesses need funding that can be obtained from family, friends and bank loans [35] [36].

Supporting the realization of student interest in entrepreneurship is also influenced by the availability of business information for business opportunities to the future and the role of higher education in helping

business information is something simple because of higher learning have trained partners of small businesses, medium and large that can further assist and be a student internships. Diverse variants of small medium enterprise will target further strengthen student interest in entrepreneurship. This is in line with the opinion [14] which explains that there is a significant and positive relationship between the availability of business information and interest of student entrepreneurship.

The ability to do business networking further strengthen the achievement of business goals, so that student interest in entrepreneurship is strongly influenced by the existence of social networks or communities that already exist in colleges and communities. Within the scope of higher education is very much the number of social networks and will facilitate market access of business and will accelerate business communications. But it also must be supported by the student personally desire to develop themselves into entrepreneurs by having good communication through the development of existing networks. These findings strongly support the idea of who explains that an entrepreneur can join different social networks to sustain new business and expand its business [5].

5. CONCLUSION

Personality and environment significantly affect the interest of students to entrepreneurship both simultaneously (F test) or partially (t test). Based on t test showed that personality has a greater influence than entrepreneurial learning.

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DEVELOPING FINANCIAL REPORTING MODEL WITH SOFTWARE BASED ON INDONESIAN GAAP

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ABSTRACT - Accounting software application has its own unique According to the product home made. Most have been used to do the transaction roomates finally the make financial reports for decision making. This paper discusses the role of the Indonesian GAAP (SFAS) arranged for computerized preparers of financial statements to meet the interests of the audit. As a responsible party in making financial reports that faced with the use of software applications accounting, management companies need to conduct an analysis of the policy and reporting standards in accordance with generally accepted accounting, which is based on international financial reporting standards IFRS. With the existence of this paper, the application programmer can get help in modifying the program to financial reporting work becomes more professional and reliable.

Keywords: financial reporting model, software, IFRS, Indonesian GAAP.

1. INTRODUCTION

1.1. PROBLEMS BACKGROUND OF SOFTWARE APPLICATION

Some efforts to strengthen the global financial architecture and the search for lasting solutions to the lack of transparency of financial information, making the International Accounting Standards Boards - IASB to accelerate the harmonization of international accounting standards, especially the International Financial Reporting Standards - IFRS made by the IASB and the Financial Accounting Standards Boards (Body Builder Standard accounting in the United States) [1]. IFRS Impact On [2]:

1. Accounting Software Systems - Most likely your current accounting software system is not set up to collect and generate reports that will be required by the new standards. As a Microsoft partner through our technology affiliate, BCG Systems, Inc.
2. Loan Covenants - IFRS will likely impact your company's loan covenants due to differences in the recognition of revenue and financial reporting. We have been working to educate financial institutions on how IFRS will impact their client relationships. When entering new agreements or restructuring your old ones, it will be important to reflect the new standards or place wording into pre-existing loan agreements that stipulate compliance with standards as they are written today.
3. Revenue Recognition - GAAP allows for variances in the way revenue is recognized across industries. IFRS applies a more broad approach to recognizing revenue which may be beneficial for certain situations. In certain cases reporting under IFRS now can be beneficial.
4. Lease Accounting - This is one area where U.S. GAAP and IFRS has significant differences and stands to impact a wide range of organizations. This will impact all organizations that lease everything from real estate to office equipment. One of the major changes will be the requirement to recognize all lease obligations on your balance sheet.
5. Tax Reporting - These new rules will not only have and effect on your financial statements, it will also

have a impact on tax accounting methods. It will be important for your tax team to understand the differences in reporting methods to ensure proper treatment for tax reporting.

6. Mergers and Acquisitions/Business Valuations - Business valuations done using IFRS financial statements versus GAAP will likely change the valuation of a company.

1.2. ISSUES AROUND IFRS NEW REGULATION

Hot issues were much discussed in today's business environment are: convergence Statement of Financial Accounting Standards (SFAS) to International Financial Reporting Standard (IFRS). It is the first IAS standards used for financial reporting in Indonesia. IAS is used as a guideline accountant to prepare financial statements. Unfortunately SFAS valid only in Indonesia. For guidance on the preparation of the financial report globally accepted the IFRS (International Financial Reporting Standards) is a major requirement. A clear convergence of GAAP to IFRS will have an impact in the field of accounting, taxation and other business process. One of the impacts of IFRS is in the tax report. If the Basic Concepts of Financial Accounting Cost hysterical familiar with the term, which means that on a purchase of an asset it will be recorded at cost, which we exhale when purchasing the asset. Whereas in the IFRS is not known hysterical Cost / price of this acquisition, the only known IFRS Fair Value / Value today. This difference will greatly affect the financial statements of a company that ends will have an impact on the company's tax payments[3] Unfortunately, not many companies in Indonesia who know the impact of IFRS. And if you have to use IFRS as the global accounting standards, the company Indonesia will be ready and able to trade, including mergers and acquisitions (M & A) in cross country. IFRS also allows foreign companies to sell shares in these countries or vice versa. So the readiness of Indonesian companies to adopt IFRS will be competitiveness at a global level. This is the advantage of IFRS. [3].

1.3. INDONESIA GOES FOR IFRS

Indonesia itself finally decided to apply IFRS beginning January 1, 2012, both within the company and government. Indonesian accounting convergence to IFRS needs to be supported to Indonesia to get the maximum recognition from the international community has long embraced this standard. The application of IFRS itself internationally as part of efforts to strengthen the global financial architecture and the search for lasting solutions to the lack of transparency of financial information. According to IFRS Implementation Team Leader-Indonesian Accountants Association (IAI) Dudi M Kurniawan, by adopting IFRS, Indonesia will gain benefits at the same seven items, namely: a). Improve the quality of financial accounting standards (GAAP), b). Reducing the cost of SAK, c). Enhance the credibility and usefulness of financial statements, d). Improve the comparability of financial reporting, e). Improve financial transparency, f). Lowering the cost of capital to fund opportunities through the capital market, g). Improving the efficiency of financial statements. [1].

2. LIBRARY RESEARCH

2.1. ACCOUNTING INFORMATION SYSTEMS IN GENERAL VIEW

The first operational stage in AIS is the data collection. Its objective is to ensure that the data entering are valid, complete and free from material error. This stage promotes relevance and efficiency. The system must only capture relevant data and collects them only once. Data sources can either be from Internal or external sources. After the data have been collected it will then be stored in the database management and will be processed into information. Tasks which pertain to data processing varies from simple to complex, this includes algorithms, statistical techniques, sales forecasting, and summarizing procedures used in accounting. The information generated will then be forwarded to the external end users and the internal end users. External end users include creditors, stockholders, investors, regulatory agencies, suppliers and customers. On the other hand, the internal end user is the management at every level of the organization. Feedbacks are then sent back to the entity so that they would know what things to retain and what things to improve. [4]

2.2. FRAMEWORK AND COMPARISON OF PSAK AND IAS

FRS goal is to ensure that the financial statements and interim financial statements of companies for the periods referred to in the annual financial statements, contain high quality information that a). Transparent for users and comparable throughout the periods presented, b). Provide an adequate starting point for accounting based on IFRS., C). Can be generated at a cost that does not exceed the benefits to users.[1].

Table 1: The Framework of PSAK and IASB [5].

(PSAK 1)	(IAS 1, IAS 32)
Generally an entity presents the balance sheet classified between current and non-current.	Similar with INA GAAP.
While certain items are required to be presented on the face of the balance sheet, there is no prescribed format.	Similar with INA GAAP.
A liability that is payable on demand because certain conditions are breached should be classified as current.	Similar with INA GAAP.
Some assets and liabilities that are part of working capital should be classified as current even if they are due to be settled more than 12 months after the balance sheet date.	Similar with INA GAAP.
Assets and liabilities shall not be offset unless required or permitted by a standard or interpretation.	Similar with INA GAAP. Specific discussion about offsetting financial asset and liability is provided in IAS 32. A financial asset and liability are offset and reported net only when the entity has a legally enforceable right to offset and it intends either to settle on a net basis or to settle both amounts simultaneously.

Table 2: One of Many Examples of PSAK and IAS Issues[6]

(Framework, PSAK 25)	(IASB Framework, IAS 8)
DSAK uses its conceptual framework, which is a translation of the IASB framework, as an aid to drafting new or revised PSAKs in general. In addition, there is also a Syariah conceptual framework that is specifically referred to as an aid to drafting new or revised PSAKs related to Syariah accounting.	The IASB uses its conceptual framework as an aid to drafting new or revised IFRSs.
The Framework is a point of reference for preparers of financial statements in the absence of specific guidance.	Similar to INA GAAP
INA GAAP does not apply to items that are immaterial.	Similar to INA GAAP
Transactions should be accounted for in accordance with their substance, rather than only their legal form.	Similar to INA GAAP
Transactions with shareholders should be considered carefully in determining the appropriate accounting.	Similar to INA GAAP

2.3. THE ACCOUNTING PROCESS

Figure 1 shows the general flow of the accounting process. The four basic steps involved are analyze transactions, record the effects of transaction, summarize the effects of transactions and prepare records. This procedure is neutral; this means that the steps involved can be applied both in manual and technology based. The first step is the analyzing of transactions, the transaction must be known to be financial in nature, recordable and non-recordable transactions are separated. In this step the transaction is being analyzed on how it affects the accounting equation. Source documents such as invoices, orders, checks are helpful in this stage. The second step is to record the effect of the transactions. [4]



Fig1: Accounting Process [4]

Transactions are recorded using journal entries. These journal entries are the accountant's way of recording the effect of both simple and complex business transactions. Journals provide a chronological record of all transactions of a business. They show the dates of the transactions, the amounts involved, and the particular accounts affected by the transactions. Sometimes a detailed description of the transaction is also included. It is also known as the books of original entries. The third step is to summarize the effects of transaction, under this step, the journal entries will be posted to the ledger and a trial balance will then be prepared. Once transactions have been analyzed and recorded in a journal, it is necessary to classify and group all similar items. This is accomplished by the bookkeeping procedure of posting all the journal entries to appropriate accounts. [4].

All accounts are maintained in an accounting record called a ledger. A ledger is also referred to as the book of accounts. The next step is to determine the total balance of each account. After the account balances have been determined, a trial balance is usually prepared. A trial balance lists each account with its debit or credit balance. The fourth step is the preparation the reports, this includes adjusting entries, preparation of financial statements and closing of the books. There will be recording and posting of the some adjusting entries that is applicable for the period. Then the trial balance will again be recomputed. From the data in the trial balance, the financial statements are then prepared. This includes the statement of financial position, income statement, cash-flow statement and the notes. The last procedure will be the closing of the books. In manual systems, journals and ledgers are paper based. Today, most business entities use computers and electronic technology as an integral part of their accounting systems. Computers helped business to make millions of calculations per second. The time spent in manually accomplishing the steps is far compared to the time spent in computerized systems. [4].

3. SYSTEMS APPROACH DEVELOPMENT

The proposed systems approach in developing models of financial reporting with SFAS based software is prototyping. This is caused by, the accounting application software that is now widely used in industrial scale, trade and services simply adjust by adding or reducing features required by GAAP.

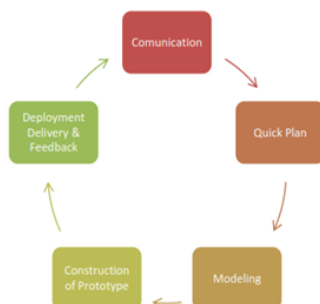


Fig 2: Some Steps In Prototyping Model [7]

Prototype target outline is as follows: a) Reducing time before the user (user) see something concrete from the business systems development, b). Provide quick feedback from the user (user) to the developer (system developer), c). Helps illustrate the need for the user (user) with fewer errors, d). Increase understanding of the developer (system developer) and user (user) against targets that should be achieved by the system, e). Making the involvement of users (user) is very meaningful in the analysis and design of systems. [7]

4. ANALYSIS OF FINANCIAL REPORTING FEATURES

Depending on SEO of the website and popularity of the software in the internet world, here are 10 Top (most popular) Accounting Software in Indonesia. 1). Zahir Accounting (<http://zahiraccounting.com/>), 2). Accurate Accounting Software (<http://cpssoft.com/>), 3).MYOB, 4).MyBiz, 5).Abipro (<http://www.abipro.co.id/>), 6).Akurasi, 7). SIMAK Accounting Software (<http://www.talagasoft.com/>), 8).Intelegentexpert, 9).Quickbooks (<http://quickbooks.intuit.com/>), 10). Peachtree. [8].

02:31 PM, Mei 24, 2012

Penjualan Salesmen
Laba Rugi
Februari 2012

	Balance	
	Nilai	%
	ICR	
Pendapatan		
Pendapatan Usaha		
4100-00-010 Penjualan Produk 1	180.000,00	100,00
Total Pendapatan Usaha	180.000,00	100,00
Total Pendapatan	180.000,00	100,00
Biaya atau Pendapatan		
Biaya Produksi		
5100-00-010 Biaya 1	100.000,00	55,56
Total Biaya Produksi	100.000,00	55,56
Total Biaya atau Pendapatan	100.000,00	55,56
Gross Margin	80.000,00	44,44
Pengeluaran Operasional		
Total Pengeluaran Operasional	0,00	0,00
Operating Profit	80.000,00	44,44
Pendapatan Lain		
Total Pendapatan Lain	0,00	0,00
Pengeluaran Lain		
Total Pengeluaran Lain	0,00	0,00
Net Profit	80.000,00	44,44

Catatan:
% = Kontribusi dalam Prosesnya Nilai ke Nilai Total Penjualan

02:15 PM, Mei 24, 2012

Penjualan Salesmen
Neraca
Februari 2012

	Balance	
	Value	Cost
	ICR	%
Harta		
Piutang Dagang		
1300-00-02 Piutang Usaha	180.000,00	16,67
Total Piutang Dagang	180.000,00	16,67
Persediaan		
1400-00-01 Persediaan 1	900.000,00	83,33
Total Persediaan	900.000,00	83,33
Total Biaya Dibayar Dimuka	0,00	0,00
Total Investasi Jangka Panjang	0,00	0,00
Total Harta Tetap Bervujud	0,00	0,00
Total Harta Tetap Tidak Bervujud	0,00	0,00
Total Harta Lainnya	0,00	0,00
Total Harta	1.080.000,00	100,00
Kewajiban		
Hutang Lancar		
2100-00-02 Hutang Usaha	1.000.000,00	92,59
Total Hutang Lancar	1.000.000,00	92,59
Total Pendapatan yang diterima di muka	0,00	0,00
Total Hutang Jangka Panjang	0,00	0,00
Total Kewajiban	1.000.000,00	92,59
Modal		
Laba		
3200-00-02 Laba Tahun Berjalan	80.000,00	7,41
Total Laba	80.000,00	7,41
Total Modal	80.000,00	7,41
Total Kewajiban and Modal	1.080.000,00	100,00

Fig 3: Fiture Sample of Financial Reporting From Zahir Accounting Software [9]

Some of the advantages ZahirAccounting application program are: a). Invoices and Reports can be designed, b). Easy to use by non-accountants, c). User Interface Design Attractive and Easily Understood, d). Emailed and reports can be exported to various formats, e). Various Graphics and Interactive Business Analysis, f). Reports can be Clicked to View Transaction Detail (Audit / Drill-down) [9].

5. INTEGRATING PSAK INTO COMPANY SOFTWARE APPLICATION

5.1. PSAK

PSAK 1-The financial statements present information: Assets, Liabilities, Equity, Income and expenses, including gains and losses, Contributions from and distributions to owners in their capacity as owners; and Cash Flow. Complete set of financial statements consisting of: a). Statements of Financial Position (balance at end of period); b). Comprehensive Income for the period; c). Statement of Changes in Equity for the period, d). Statement of Cash Flows for the period, e). Notes to the Financial Statements contain a summary of information of significant accounting policies and other explanatory information, f). Statement of Financial Position at the beginning of the earliest comparative period when an entity applies an accounting policy retrospectively or make posts restatement of financial statements or when the entity reclassifies items in its financial statements, g). Entities present all components of the financial statements complete with the same virtue, h). The management entity responsible for the preparation and presentation of financial statements Business continuity financial statements have been prepared on the going concern basis, disclose the facts in case of violations of the assumptions, Accrual basis, Materials and aggregation, Offsetting -> Not allowed unless required or permitted an IAS, reporting frequency -> annual, Comparative Information -> the previous period, Consistency of presentation -> presentation and classification

1. Statements of Financial Position (Balance Sheet) a). Name to Statements of Financial Position (Balance Sheet), additional balance sheet for synchronization with the regulations in Indonesia, b). Changes in definitions such liabilities become liabilities and minority rights become non-controlling interests (non-controlling interest), c). Penyajian non-controlling interests as part of equity and net income rather than as a deduction from profits -> LK consolidated, d). Preliminary financial statements for the period retroactive presentation, e). Presentation of the balance sheet line item minimum, include: Investment Property, Provisions, Investment using the equity method, assets held for sale, and so on, f). Minimal information presented in the financial statements may be added if they are relevant additions, g). Differentiation current and non-current assets and liabilities are short-term and long-term, h). Deferred tax should not be classified as short-term[10]

2. Post in the Report a). Presentation of current and non-current asset and a liability of short-term and

long-term as short and long-term classification as a separate classification, unless presentation based on liquidity provides information that is more relevant and reliable then use the sequence liquidity, b). Financial companies based on liquidity, c). Separation of the amount expected to be recovered or settled after more than twelve months for each postal assets and liabilities, if the value is merged.[10] 3. Current assets Classification of current assets, if: a). expects to realize the asset, or intends to sell or intend to use, in the normal operating cycle, b). have assets for trading purposes, c). expects to realize the asset within 12 months after reporting, d). cash or cash equivalents (IAS 2: Statement of Cash Flows) unless the asset is restricted the exchange or use to complete a liability at least 12 months after the reporting period, e). Entities that do not classify assets include such categories as non-current assets.

4. A current liability Classification of current liabilities, if: a). expects to resolve the liability in its normal operating cycle, b). has such a liability for trading purposes, c). The maturing liabilities to be completed within 12 months after the reporting period; or d). does not have an unconditional right to defer enyelesaian liability for at least 12 months after the reporting period, e). Entities classifying a liability which does not include such categories as long-term liabilities. Liabilities a). Refinanced financial liabilities that will mature within 12 months after the reporting period are classified as current liabilities, if the entity does not have the unconditional right to refinance. b). Debt covenant violations that resulted in the creditor requesting accelerated payment, then a liability are presented as current liabilities, although lenders allow deferred payment for 12 months after the reporting date but such consent was obtained after the reporting date [10]

Comprehensive Income Statement [10]

Presentation of income statement to include elements of comprehensive income, income allocated to minority and majority shareholders. Minimum requirement item in the income statement. Load classification based on the functions and properties, if no disclosure is presented by function based on the nature Presentation of "extraordinary items / extraordinary items" are not allowed lagi. Minimum line items: income, financial costs, tax expenses, income, comprehensive. Minimum Line Item L / R Comprehensive : Income, finance costs; part of income from associates and joint ventures are accounted for using the equity method; the tax burden; a single amount covering a total of: income after tax from discontinued operations; and gains or losses after tax recognized by the measurement of fair value less costs to sell or on the disposal of assets or groups which are released in order to discontinued operations; profit and loss; each component of other comprehensive income in accordance with nature (other than the amount in letter (h)); part of other comprehensive income of associates and joint ventures are accounted for using the equity method; Information in L / R Comprehensive. When items of

income or expense worth of material, it shall disclose the nature and amount separately.

Classification Expenses–Nature. Selection of the classification based on historical and industry factors, classification based on the nature easier because it does not need to load allocation by function Classification Expenses – Function. Minimal cost of sales based on the method functions separately from the burden of other costs, if the classification is based on the functions it must disclose additional information about the nature of the load, including depreciation and amortization and employee benefits & Statement of Changes in Equity Shows the total comprehensive income for the period period attributable to owners of the parent and non-controlling party, for each component of equity, the effects of retrospective application, reconciliation between the beginning and end of the period attributable to post earnings of comprehensive income and transactions with owners, Total dividend attributable to the owners and the value of the dividend per share, disclosed in the notes to the financial statements. [10].

5.2 IFRS STANDARD

This standard applies where a company applies IFRS for the first time through an explicit unconditional statement of compliance with IFRS. The aim is to ensure that the company's financial statements are the first under IFRS (including the interim financial statements for the reporting period specified) provide adequate starting point and is transparent to users and can be compared throughout all periods presented. Reporting date (reporting date) is the date of the balance sheet for the first Financial Report explicitly states that the report in accordance with IFRS (for example, December 31, 2006). The date of transition (transition date) was the date of the initial balance sheet for the previous year comparative financial statements (for example, January 1, 2005, if the reporting date is December 31, 2006). Exceptions to retrospective application of IFRS related to the following matters: a). Business combinations prior to the transition date, b). Fair value revaluation amount that can be considered as the elected value, c). Employee benefits, d). The cumulative differences on translation (translation) of foreign currency, goodwill (goodwill), and fair value adjustments e). Financial instruments, including hedge accounting (hedging).[1]

6. CLOSING

Some important points need to be spelled out explicitly to determine how the Indonesian GAAP should be noted that the applied software can provide features for managing transactions, especially for companies that can be audited. The best application software today, especially locally made has sought to adjust to the standards defined by Statement of Financial Accounting Standards (SFAS) issued by the Indonesian Institute of Accountants professional organizations, as the basis for assessment preparation

of financial statements to obtain an unqualified opinion.

Of course the rules of SFAS also follow the latest regulations of the International Financial Reporting Standards are also set general policies and technical standards of financial reporting in particular on the use of accounting software applications. The positive thing that supports this is the cooperation between software makers with accountants that the financial statements resulting from the accounting application program will memenuhi criteria based on generally accepted accounting principles.

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DO PRICE TO EARNINGS GROWTH (PEG) PREDICT FUTURE RETURNS BETTER THAN THE PRICE TO EARNINGS (PE) RATIO?

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ABSTRACT - This study aims to provide empirical evidence regarding the ability of Price to Earnings Ratio and PEG Ratio in predicting future stock returns issuers. The samples used in this study are stocks that go into LQ45. The main contribution is to assign empirical evidence if the PEG Ratio can provide optimum return compared to Price to Earnings Ratio. This study used a sample of the entire company into the group LQ45 with the period of observation.

The data used is limited to the financial statements of a company incorporated in LQ45 period July 2013-July 2014, using the financial statements and the position of the company's closing stock price at the end of 2010 as a reference benchmark for the growth of the company's stock price compared to the closing price of 2013.

This study found that the method of PEG Ratio can outperform the method of PE ratio in predicting future returns on the stock portfolio of LQ45.

keywords: price to earnings growth, price to earnings ratio, future returns

1. BACKGROUND

Investors are required to have adequate ability to choose what company shares to be purchased in order to invest. The error in determining the choice and step in making investments through the purchase of shares that have performed less well in the market may result in the investor that must bear the loss which is not impossible to require a very long time to be able to recover back to their original values.

In determining the choice of the shares to be purchased, the investor can take advantage of various kinds of analysis. Broadly speaking, there are two (2) types of analysis that can be done before investors make decisions of financial statement analysis, namely technical and fundamental analysis. Technical analysis is generally done to make short-term investments (*Trading*), whereas fundamental analysis method is used to determine the valuation of a company in the long-term investment by utilizing a financial statement analysis and financial ratios specifically. There are various kinds of financial statement analysis based on the ratio used. In order to get the results and maximum value growth investing, investors must be precise in determining the method of analysis and ratios which are used in order to obtain an accurate picture of the condition of the company.

In Fundamental Analysis itself, there are various methods of fundamental analysis and financial ratios that can be obtained by utilizing available financial statements. Once again, investors are faced with the challenge to be able to use the exact ratio, easy to understand and most importantly, reliable in selecting stocks and portfolio when investing in the stock market. Among them is the *PE Ratio (Price Earnings Ratio)* which is the ratio of Fundamental Analysis that is very popular in use. *PE Ratio* is assessed practical and able to provide an overview of the financial situation of a company quickly. However, there are

few who doubt the accuracy of the *PE ratio* in determining the valuation of a stock. Therefore, in his book "*One Up on Wall Street, How to Use What You Already Know to Make Money in the Market*", Lynch (1989), a young Investment Manager, develops a new method known as the *PEG Ratio (Price / Earnings Growth Ratio)*. Further development of the existing *PE Ratio* is of course open the eyes of the world with an alternative method of analysis and valuation that is increasingly diverse. However, it can certainly have a negative impact, especially for investors in Indonesia who feel confused to choose which method is most appropriate to apply to JCI.

Rapid technological development strongly supports the development of the capital markets of the world, especially in Indonesia. This is reflected in the growth of JCI (Joint Stock Price Index) in Indonesia, which managed to record an increase of 57.23% over the last 5 years, ie since the close of December 28, 2007 at position 2745 to position 4316 at the close of December 28, 2012. This of course does not necessarily reflect the benefit of all investors equally. Proficiency in selecting methods of Fundamental Analysis and stock valuation becomes a very important determinant factor.

Reliable Investors should thoroughly master the proper method to be used in selecting stocks and portfolio when investing in the capital market in Indonesia. The method used should not only provide advantages compared with other methods, but also provide a level of return that can exceed the performance achieved by JCI itself.

This study aims to provide empirical evidence regarding the ability of *Price to Earnings Ratio* and *PEG Ratio* in predicting future stock returns issuers. The samples used in this study are stocks that go into LQ45. The main contribution is to assign empirical evidence if the *PEG Ratio* can provide optimum return

compared to *Price to Earnings Ratio*. This study used a sample of the entire company into the group LQ45 with the period of observation.

This research studies on the relationship between the analyses of financial statements in accordance with the *PE ratio*, *PEG ratio* compared to the growth of company's stock price incorporated in LQ45. The data used is limited to the financial statements of a company incorporated in LQ45 period July 2013-July 2014, using the financial statements and the position of the company's closing stock price at the end of 2010 as a reference benchmark for the growth of the company's stock price compared to the closing price of 2013. In this study, researchers used the annual financial statements to determine the profit/loss as well as the number of outstanding shares of a company that will be used to search for the current year EPS of the company, and it will be continued by searching the *PE Ratio* and *PEG Ratio*.

2. THEORETICAL FRAMEWORK AND HYPOTHESES DEVELOPMENT

2.1 EFFICIENCY MARKET HYPOTHESIS

Efficient market concept was first proposed and popularized by Fama (1970). In this context, the market is *the capital market* and the money market. A market is said to be efficient if there is none, both individual investors and institutional investors, able to earn *abnormal returns*, after adjusting the risk, using existing trading strategies. That is, prices are formed in the market is a reflection of the existing information or "*stock prices reflect all available information*". In general, the efficiency of the market is defined by Beaver (1968) as the relationship between the prices of securities with information. Definition of Efficient Capital Markets (*Efficient Market Hypothesis/EMH*) is a securities market that *quickly and fully* reflects all relevant information available.

2.2 COMPOSITE STOCK PRICE INDEX (CSPI)

Composite Stock Price Index was first introduced on 18 April 1983 as a joint stock price movement indicators are listed. Day basis of calculation of the index is set at August 10, 1982 with a base value of 100. At that time the number of shares registered as many as 13 companies / issuers. JCI value calculation is done by using the following formula:

$$IHSG = \frac{\text{Nilai Pasar}}{\text{Nilai Dasar}} \times 100$$

where:

Market Value = Number of shares x price recorded last

Basic Value = Number of shares x price recorded premiere

2.3 INDEX LQ45

LQ45 Index is an index of the stock prices of 45 companies selected based on the level of trading liquidity and adjusted every six months of the year (the beginning of each February and August), so the index is always changing based on announcement refers to the *Indonesia Stock Exchange (Jakarta Stock Exchange)* No.: Peng-114 / BEJ.I / U / 1997 dated

February 6, 1997, concerning "the Jakarta Stock Exchange Liquidity Index (Index LQ45). According to Sundjaja and Barlian (2003) there are criteria for the selection of stocks included in the index LQ45, namely:

- It is included in the order of 60 largest shares of the total transactions in the regular market (the average is for the last 12 months).
- The sequence is based on the market capitalization (the average market capitalization over the past 12 months).
- It has been listed on the Stock Exchange for at least three months
- Financial condition and growth prospects of the company, the frequency and the number of transactions in the regular market.

2.4 EPS RATIO

EPS Ratio is the basic ratio that is used both to calculate *PE Ratio* and *PEG Ratio*. Literally, the *EPS (Earnings per Share) Ratio* means the earning that is contained per share. Therefore, the value of this ratio is obtained by dividing the company's net profit (*Earnings After Tax* or *EAT*) with the number of shares spreading in the community. *EPS ratio* can be calculated by using the formula:

$$EPS = \frac{\text{Earnings}}{\text{Shares}}$$

Where:

EPS = *Earnings Per Share Ratio*

Earnings = The company's net profit after tax, retained earnings and dividends

Shares = The number of shares outstanding and traded in public

2.5 PRICE /EARNINGS RATIO (PE RATIO)

PE Ratio is one of the methods in the analysis of fundamental that reflects whether a firm's stock price is too high (*Overvalue*) or too low (*Under Value*). *PE Ratio* is obtained by dividing the market price of its shares with EPS ratio. After obtaining the ratio of EPS, then the next step is to calculate the *PE Ratio* that can be calculated by using the formula:

$$P / E = \frac{P}{Eps}$$

Where:

P/E = *Price / Earnings Per Share Ratio*

P = The market price per share

EPS = *Earnings Per Share Ratio*

Parahita (2012) describes that the stock at 10x *PE Ratio* gives us information that if investors buy the stock, it would take 10 years for the costs incurred can purchase BEP (break-even).

Meanwhile, according to Widodoatmodjo (2012) one of the methods in determining the price of a stock is to use the first *Graham criterion* that only stocks with a *PE Ratio* below 15 that are still considered cheap and worth to be included in the portfolio.

2.6 PEG RATIO

PEG Ratio (Price to Earnings Growth Ratio) is a ratio used to do a valuation on the market price per share of a company to the earnings/loss per share of that

company. In his book "*One Up on Wall Street*" (Lynch; 1989), Lynch stated that:

"The *P / E ratio of any company that's fairly priced will equal it's growth rate.*"

In other words, Lynch asserts that the ratio between the Ratio Price/Earnings (*PE Ratio*) and the growth of average earnings should directly proportional, that is worth no more than 1.

PEG Ratio itself is a derivative or further development of existing *PE Ratio* and it is popular before. Therefore, before calculating the *PEG Ratio*, there are several steps that must be performed to find out some other financial ratios such as *Earnings per Share (EPS)* and the ratio *Price/Earnings per share (P/E)*.

After obtaining a second ratio of EPS and P/E, then the *PEG ratio* can be calculated using the formula:

$$PEG = \frac{PE}{G}$$

Where:

PEG: = *Price / Earnings to Growth Ratio*

P/E = *Price / Earnings Per Share Ratio*

G = *Annual EPS Growth*

Annual EPS Growth is calculated using the average corporate profit growth for 3 (three) years.

2.7 PREVIOUS RESEARCH AND HYPOTHESIS DEVELOPMENT

There is a wide range of literature on *PE Ratio* and *PEG Ratio* that are successfully collected by the writer. Most of the literature describes and examines the application of *PEG Ratio* compared to *PE ratio* in the valuation share price and its relation to the growth potential of the stock price as compared to the application of other financial ratios.

One of the literatures that examines the application of *PEG Ratio* was conducted by Hodgskiss (2012). The study compared the growth of value stocks selected based on the *PEG ratio* compared with the value of

stocks selected based on the conventional *PE Ratio*. According to the research, Hodgskiss argued that *PEG Ratio* method is able to describe the complete and simple valuation of a stock compared with *PE Ratio* method. *PEG Ratio* can be calculated easily and represents *PE Ratio* to assess the growth of future earnings expected by the company.

Another study conducted by the author was found by Estrada (2004). Estrada did not only compare the conventional *PE Ratio* with *PEG Ratio*, but also tested against *PERG Ratio* which considered *Risk* factors in determining the estimated earnings growth of companies that have impact on the growth of the company's stock price. Estrada found that *PEG Ratio* was able to affect the valuation of a stock compared to *PE Ratio*.

Subsequent research was found by the author in an economic journal Parahita. Parahita used *PE Ratio* and *PEG Ratio* in determining the calculations of the future highest return using both methods, and told that the highest return results were obtained by using the method of calculating the *PEG Ratio*, and provided a comparison of different calculation results that were significant based on growth factor in the calculation method of the *PEG Ratio*.

In accordance with the problems and research objectives above, then a hypothesis proposed in this study is arranged as follows.

Hypothesis: ***PEG Ratio* outperform *PE Ratio* in predicting future returns on the stock portfolio of Indonesia LQ45**

This hypothesis states that predicting future stock portfolio returns using the *PEG Ratio* method has a better performance to the LQ45 compared with portfolio using the *PEG Ratio*.

2.8 RESEARCH MODEL

In conducting this study, the authors used a model that can be illustrated in the following diagram:

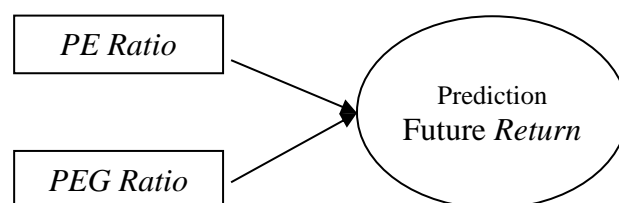


Fig 1: Model hypothesized relationship between *PE Ratio*, *PEG Ratio* and portfolio selection results

3. RESEARCH METHODOLOGY

3.1 SAMPLE DAN RESEARCH DATA

In conducting this study, researchers used stock companies incorporated in LQ45 as a company sample to be investigated. This is because the researchers found that the share of firms incorporated in LQ45 has proven to have a consistent level of liquidity as well as the No. 60 of the total stock transactions in the regular market. The author also placed restrictions on the population of the research object that includes companies incorporated in the calculation of the Jakarta Composite Index (JCI), by

taking shares in companies incorporated in LQ45 in the period of July 2013-July 2014 as the sample studied.

The data used are secondary data, qualitative data in the form of a stock's *closing price*, which is obtained by researchers through a data source from Indonesia Stock Exchange. The data used are in the form of publications, documentation, literature and relevant reference to this study, namely:

1. The annual financial statements of each company incorporated in LQ45 July 2013-July 2014 period.

2. Data on the closing stock price on each year during the study period, that is from 2009 to 2013.
3. Graph of stock price movement, LQ45 and JCI index.

The data are obtained from institution of Indonesia Stock Exchange (IDX) that is the Capital Market Information center (PIM) or through the website: www.idx.co.id, www.chartnexus.com, www.bloomberg.com, www.reuters.com, dan www.yahoofinance.com.

3.2 DATA COLLECTION

Documentation is a method of data retrieval studying the records of a written documentation. In this study the method of documentation is done to learn information about the abnormal return. The data is derived from documents contained in the library and the internet site of Indonesia Stock Exchange and literatures related.

3.3 RESEARCH VARIABLE

In this study, researchers set the independent variable (X1) as the *PEG Ratio* and (X2) as the *PE Ratio*. The dependent variable (Y) is a price index of LQ45.

4. TESTING THE HYPOTHESIS AND DISCUSSION

4.1 DESCRIPTION OF DATA

The selection of LQ45 as samples in the study is based on the criteria of stocks grouping into LQ45 that accommodates transaction liquidity of these stocks as well as most major market capitulation. Thus the movement of transactions that occur in these stocks can represent the overall activity in JCI. After determining the research sample, share price growth is calculated for 3 years using the closing end of 2013 as the point of t+0 with the following procedure. Taking 54 closing stock price data samples to the end of 2010 (t-3) until the end of 2013 (t-1).

4.2 DESCRIPTIVE STATISTICS ANALYSIS

Descriptive Statistics is used to see an overview of the data used. The table below shows the descriptive statistics on the variables that exist in the modeling of data panel of this study. In this study, researchers will examine the influence of the independent variable X1 (*PE Ratio*) and X2 (*PEG Ratio*) on dependent variable Y (Closing Price Index LQ45). Samples totaling 146 data consist of 54 companies that have affiliation in LQ45 period of July 2013-July 2014 with the observation period of 3 years that is 2010-2013.

Table 1: Descriptive statistics on the variables

Descriptive Statistics						
Variable	N	Minimum	Maximum	Mean		Std. Deviation
				Statistic	Std. Error	Statistic
IHS_LQ45	146	151.00	74000.00	6882.1370	931.72221	11258.04232
PER	146	-1.90	305.88	21.4816	2.29109	27.68334
PEG	146	-751.40	6597.87	83.0879	52.72922	637.12960
Valid N (listwise)	146					

Test of Classical Assumptions

The results of *Jarque-Bera* probability that show values 0.0543 is greater than 0.0359 (the test result of the research model of eviws) has the sense that the problem does not occur in the data. The data is distributed well and has met the assumptions of normality. The test result of heteroscedasticity using the *White HeteroskedsticityTest* is generating a probability value worth 0.9699. The value is greater than the limit of error criteria (P = value 0.05) so that the data inferred are homogeneous and there is no problem of homogeneity.

The test of autocorrelation aims to determine whether there is a correlation between the bully in period t with an error in period t-3 (previously) in a linear regression model or not (Ghozali, 2001). *Breusch-Godfrey Serial Correlation LM Test* is a tool used to test the auto-correlation. The results obtained is a value of 0.3260 that is greater than 0.05. This value means that the data is going well and there is no auto-correlation. Multicollinearity test aims to test whether a correlation between the independent variables (independent) is found in the regression model. A good regression model is a model where the

correlation between the independent variables does not happen (Ghozali, 2001).

Ramsey RESET Test is used to test the linearity of the data. The test resultsthe P-value of 0.3884 that is greater than 0.05. This value also indicates that the data that is used is linear. Meanwhile the multi-collinearity test that uses value estimation generates figures of R-square of -0.5988 which is smaller than the R-Square model, 0.045438. This value also indicates that there are no problems of multikol in the data.

All tests of classical assumptions are met and show that the data used in this study are good and qualified to use the tool of *ordinary least squares (OLS)*.

4.3 HYPOTHESIS TESTING

The result of data test by using eviws shows that X2 that is PEG has a greater influence or more able to explain the stock price index of LQ45 (variable Y) compared with the variable X1 (PER). The value of regression equation obtained is as follow

$$Y = 708874.7 - 23.57833X_1 + 3.609384X_2$$

The above equation means that *PEG Ratio* has a coefficient value that is greater than the coefficient of which is owned by the *PE Ratio*. The coefficient of

PEG Ratio is 3.609384 with 0.0136 significance while the coefficient of PE Ratio is -23.57833 with 0.4791 significance. These results show that PEG Ratio can outperform PE Ratio in predicting future returns of the stock portfolio on LQ45, and the research hypothesis is accepted.

Table 2: Remarks of the hypothesis testing result

Test	Value	Remarks
R-Squared	0.045438	It shows the ability of the model, the Independent Variables able to explain as much influence of 0.045438 on the dependent variable
Adjusted R-squared	0.032088	Adjusted R2 value.
S.E. of Regression	1107595.	The standard error of the regression equation
Sum Squared Resid	1.75E+14	The number of squared residual values.
Log likelihood	-2237.634	Log likelihood values that are calculated from the value of the estimated coefficient
F-Statistic	3.403499	Simultaneously test the influence of all the independent variables (x1, x2) of the dependent variable (y)
Prob(F-Statistic)	0.035973	The probability value of the F-statistic test
Mean dependent variable	688213.7	The mean value of the average dependent variable (y)
S.D dependent variable	1125804.	The standard deviation of the dependent variable (y)
Akaike info criterion	30.69361	It is used to test the feasibility of models besides using the F test. The smaller the AIC, the better the model. However, this value can only be compared if there is another model that also has its AIC calculated.
Schwarz Criterion	30.75492	Just like AIC, SIC is used to test the feasibility of the model. The smaller the HQC, the better the model.
Durbin-Watson stat	1.822718	Durbin Watson value is used to determine whether there is autocorrelation or not.

4.4 THE CALCULATIONS OF PORTFOLIO RETURN

From the calculation of the PE Ratio and PEG Ratio, then samples of the company's stock that has a PE Ratio with the average of 3 years under 15 that is grouped into "PE stock portfolio" while the shares sample with positive PEG and smaller than 1 are

grouped into "PEG stock portfolio" and each is assumed to have 1 lot of shares for each stock that goes into the portfolio. This step is performed to calculate the total return generated during the 3 years of the respective portfolios.

Stock return assessment is done by the following formula:

$$\text{Total Return of 3 Years} = \left[\frac{\text{Total Price 2013} - \text{Total Price 2010}}{\text{Total Price 2010}} \right] \times 100\%$$

JCI's performance is measured according to the study period that is since the end of 2010 until the closing end of 2013. Based on the period, the growth of JCI is at 570.67 points, or by 15.41% from 3703.5120 at year-end closing date of December 30, 2010 until 4,274, 1770 in the year-end closing date of December 30, 2013.

The same treatment should be done in order to measure the performance of LQ45 to get more accurate results. Based on the period, the growth of LQ45 amounted to 43.745 points or by 6.61% that is 661,378 from the year-end closing date of December 30, 2010 to 705,123 in the year-end closing date of December 30, 2013.

From the results of additional analysis the researchers can develop a conclusion that PEG Ratio method can be used to predict the highest future returns of stock portfolio which has the performance to surpass the performance of LQ45 and the performance of JCI

itself. This is evidenced by the results of the additional analysis, which in 2013 experienced a growth return of 15.41% and to stock index of LQ45 in 6.61%. The calculation using PE Ratio method is able to provide a return of 42.41% and using the calculation of PEG Ratio method the obtained return is 43.62%.

5. CONCLUSION AND SUGGESTION

5.1 CONCLUSION

Based on the results of the analysis conducted in chapter four, and refers to the formulation of the problem and research objectives to be achieved in the first chapter, it can be concluded that the hypothesis is accepted. This study found that the method of PEG Ratio can outperform the method of PE ratio in predicting future returns on the stock portfolio of LQ45. This is evidenced by the results of the regression analysis views test that has been done in

this study, taking into account the results of the calculation method of the *PE Ratio* and *PEG Ratio* to the closing price of the year of the research of company's samples to LQ45. *PEG Ratio* has a greater coefficient value than the coefficient of which is owned by the *PE Ratio*. The coefficient of *PEG Ratio* is 3.609384 with 0,0136 significance while the coefficient of *PE Ratio* is -23.57833 with 0.4791 significance.

With additional analysis of the research results, it is proven that the application of portfolio selection with *PEG Ratio* method in Lynch standard is able to predict future returns of stock portfolio more optimal at JCI and LQ45 and has a higher return than using *PE Ratio* method with the standard of *Graham* portfolio theory that is simply to pick stocks with a positive *PE Ratio* and below the value of 15.

Financial Statement Analysis by *PE Ratio* Method and *PEG Ratio* on LQ45 stocks is worth to be considered in choosing a portfolio. This is evidenced by the performance of 3-yearly portfolio of stocks based on the analysis of *PE Ratio* and *PEG Ratio* which far surpasses the performance of stock index itself, that is equal to 42.41% and 43.62% compared to the performance of JCI and LQ45 which only amounted to 15.41% and 6.61%.

5.2 SUGGESTION

After considering some previous conclusions, the followings are presented some suggestions that are expected to provide benefits that can be considered, namely:

1. For investors and academia, the use of Financial Statement Analysis with *PEG Ratio* method can be considered its use as a measuring tool before making decision to invest.
2. There are still many shortcomings in the application of *PEG Ratio* method, especially in this study, limitations in the study periods, the observation period, the number of samples, the use of assumptions as well as the level of accuracy of the use of the method and results may still require repairs, adjustments, and improvements in subsequent research.
3. The application of *PEG Ratio* analysis needs to consider several things, especially company's *Corporate Action* which affects issued shares significantly as the *Initial Public Offering*, *Stock Split*, and *Reverse Stock* to be able to obtain more optimal results.
4. In this study, the risk factor (R) is not taken into account. Thus it allows the inaccuracies so that further research needs to be done

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EFFECT OF TOTAL QUALITY MANAGEMENT IMPLEMENTATION ON STUDENT SATISFACTION AND THE IMPACT ON PERFORMANCE OF MANAGEMENT DEPARTMENT

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ABSTRACT - This study purpose is to describe the effect of TQM practice on performance. More specifically, the purpose is to examine and explaining the role of student satisfaction as mediation the relationship between Total Quality Management practice and performance of Management Department. Research design approach is explanation research. Data is collected through a survey method. The study populations are all 28 management departments at private universities in Yogyakarta. Population criteria are Department with minimum C accreditation and accreditation status is still valid (26 departments are qualified). Respondents are chairman or secretary, lecturers and students of management department. Each management department select 3 to 5 students. Data analysis method is Generalized Structured Component Analysis (GSCA). This study result indicate that Total Quality Management practice has a significant effect on department performance (Sig 0.005 <0.01). TQM practices significantly affect on student satisfaction (Sig 0.041 <0.05). Student satisfaction significantly affect on department performance (Sig 0.082 <0.10). Therefore, student satisfaction is proven as partial mediation of relationship of Total Quality Management practices and management department performance.

Keywords: TQM Practice, Performance departments, student satisfaction,

1. INTRODUCTION

Indonesia experienced a decline in performance of higher education. This is shown by number of Indonesian students in Malaysia and Singapore are larger than number of Malaysian and Singapore students in Indonesia [1]. This happens because there is a presumption that quality of higher education in Indonesia has decreased due to lower performance. This decrease is also shown by lower of college student satisfaction in Indonesia.

Lower performance of Private Colleges are also occurred in Yogyakarta, Indonesia. In 2013 there are 116 Private Colleges with 534 departments listed in Kopertis Region V in Yogyakarta, but the quality is not accompanied by an increase in performance. This is shown during the last five years of accreditation from the National Accreditation Board of Higher Education in Indonesia that expired department has increased.

Director General of Higher Education Circular No. 470/D/T/1996 stated that accreditation status of college is a reflection of college performance and describing the quality, efficiency, and relevance of department. Based on data from BAN PT until February 2013, expired department accreditation is 26%, while 18% department has C accreditation. The condition decrease prospective students interest who will study in Private Colleges at Yogyakarta.

Phenomenon of department with C accreditation and not accredited indicate that performance of Private Colleges is low. Empirical facts at national level also show the same condition. Lower colleges performance are caused by lack of resources and facilities, new departments, weak curriculum design, bad building,

poor working environment, inappropriate systems and procedures, unplanned work schedule, inadequate staff development, and department has a weak quality management [2]. These problems show that most of department performance in Indonesia is still low both at national and at regional level.

TQM is very popular in profit organization, particularly in various entities or manufacturing company, which has proved very successful in maintaining and developing the existence in a competitive business environment. Such conditions have prompted various parties to practice in service organization, including college [3].

Successful application of Total Quality Management (TQM) in higher education should consider two fundamental areas. First is to assess the culture of higher education institutions and introduce changes in attitudes, increase the value and confidence, increase knowledge of TQM and leadership commitment. Second, academic institutions must recognize the institution as a system, and see institutions as a system of interconnected parts, must be proactive in self-evaluation system at level of institutions and departments, initiatives to grow and thrive. TQM practice is something strategic and comprehensive that must be supported by system and quality culture to enhance the quality of higher education [4].

Some literature has provided evidence that TQM has become a strategic tool to achieve superior performance. Empirical evidences prove that TQM implementation improve efficiency, both internally and externally. Internal efficiency includes company processes improvement, productivity, employee morale, management and labor relations. Externally

efficiency includes customer satisfaction improvement, cumulative cost saving effect of competition, innovation of products and services, increase market share, high reputation, and improve the effectiveness of organization's performance [5]. To achieve operating efficiencies, company needs to implement Total Quality Management to have a positive effect on business performance [6]. Moreover [7] and [8] has explained the concept of TQM, they stated that TQM implementation proved to be effective and efficient in improving organizational performance.

Empirical facts of several researchers who study measurement of TQM practices suggest that there is a positive relationship between TQM practices on performance, as in [6]; [9]; [10]; [11]; [12]; [13]; [14]. [15] states a positive relationship between TQM practices with organizational performance. In addition, some researchers who studied the effect of TQM on business performance generally suggests that there is significant relationship between TQM practices on performance of manufacturing company, as in [16]; [17]; [18].

Some researchers who study the effect of TQM on business performance show that TQM practices do not affect on performance of manufacturing company [19]. [20] found that TQM practice does not affect on business performance. [21] stated that TQM practice does not affect the financial performance of services companies. Inconsistent findings the effect of TQM on performance by [20] due to customer satisfaction that delivers the company to achieve superior performance is not listed.

TQM philosophy emphasizes on three principles to achieve a level of process quality and higher performance. This principle relates to customer satisfaction, employee involvement, and continuous improvement in performance [22]. According [23] in order to achieve the objectives of organization, top management must be committed to customer satisfaction and creating an organizational climate to emphasizes on customer satisfaction. Generally, the top management commits to seek job satisfaction of employees to achieve higher performance. Indicators of customer satisfaction in empirical studies have no standard agreement. [24] found that TQM practice has a strong effect on consumer satisfaction compared with effect of TQM on company performance.

Studies above shows that there is a contradiction and differences opinion about the effect of TQM practices on business performance both in manufacturing and Services Company. This gap research is interest for further investigation. This study aims is to fill the gap and to clarify the effect of TQM on performance using customer satisfaction as a mediation variable the relationship between TQM practices and performance. In addition, this study also confirms research of [20]; [19] which states that contradiction findings the effect of TQM on performance due to customer satisfaction

is not included company to achieve superior performance. Therefore, this research is increasingly important to prove that TQM practices can improve the performance of organizations with customer satisfaction as mediation variable.

Inconsistent results the effect of TQM on performance is caused by different measurement indicator, inconsistency of TQM measurement concept. [13] conducted a study on health industry in Turkey using TQM measurement with 4 indicators. [25] conducted a study on higher education in Turkey with 10 indicators to measure TQM.

TQM measurement variation encourages researchers to reexamine the effect of TQM on performance using 11 indicators. In addition to using indicators from the previous investigators, researchers added a new indicator that is different namely Institution partnership in department TQM measurement. This indicator is important because a department can easier to implement a comprehensive quality management if having partnership with other agencies.

The research is conducted in Yogyakarta as a center of higher education in Central Java with 534 departments. Private Colleges in Yogyakarta is very much, but not accompanied by an increase in performance. This condition shows that many private universities in Yogyakarta not been able to improve the performance of organization. Based on research results of [26] on effect of services quality to student's satisfaction in private universities in Yogyakarta, it found that Private Colleges is not optimal in providing quality educational services to students as consumers. This study focuses Management department at almost every higher education both in Yogyakarta.

This study purpose is to examine and explaining the effect of TQM practices on performance of management department as well as to examine and explaining student satisfaction variable as mediation the effect of TQM practice on performance of management department. Theoretical contribution of these empirical findings is to enrich the literature on concept or theory of quality management, particularly the strengthening of integrated quality management or TQM. These findings can be present on results achieved from the application of Total Quality Management practices. Development of measurement indicators, identification, and explaining the relationship between variables are expected to become useful for the development of quality management in operational management. Practical contribution is the research results can useful for chairman, secretary and professor of management department in providing information to improve and enhance the quality and determine the factors that need special attention and considered important in implementing TQM practices. It can also provides input to leadership of private universities in providing and facilitating the process of high quality education for students.

2. BASIC THEORY, HYPOTHESES, AND CONCEPTUAL MODEL

2.1 Effect of Total Quality Management practices on performance and satisfaction

Total Quality Management (TQM) is a new paradigm of doing business to maximize organizational performance through a focus on customer satisfaction, involvement of all employees, and continuous improvement of products quality, services, people, process and organizational environment [27]. TQM practices success in framework of continuous quality improvement will increase the profitability of company and in turn will ensure the sustainability of company. [28] recommend that if TQM applied correctly, then the organization can cope with dynamic environment change and provide continuous improvement. TQM puts the onus of quality to all employees, proactive, and use the embedded control system, detecting damage first time, so that product meets customer expectations and free of defects. To achieve operational process efficiency, company needs to implement Total Quality Management since the positive effect on business performance [6].

TQM contribute effectively to achieve organizational effectiveness. TQM can minimize costs through a single procurement. If only concentrate on few suppliers and provide the training and technology as well as to monitor their performance, variability in supplier products can be reduced, product quality can be improved, costs incurred by delays and rework can be minimized [29]. TQM practices can be implemented to produce better performance. Furthermore, [29] stated that increase in quality can make the elimination of waste, reduction of cost and increase the financial performance. [2] stated that core principles of TQM are (a) focus on customer's satisfaction, (b) strive for continuous improvement, and (c) involves the entire workforce or employees. [30] has conducted research on effect of TQM on financial performance of a sample of 108 companies that started the TQM implementation between 1981 to 1991. Their study indicated that corporate performance, as measured through financial data and accounting data are publicly available, has increased for companies that implement TQM. [31] examined the effects of TQM practices on performance of 20 companies in United States who have won awards MBNQA. The study found that TQM practices have a strong relationship with quality and productivity. [32] use a single construct with secondary data to measure financial performance. They found that if effectively implemented, TQM program will be able to improve performance. [6] show that TQM has a significant relationship with various measures of performance, and this finding is consistent with empirical research [31]; and [17] who also showed that there is a positive relationship between TQM practices and organizational performance.

Some researchers have tried to use a customer satisfaction to assess the success of TQM practices,

but indicators of consumer satisfaction have no standard agreement. [24] found that TQM practice has a strong effect on consumer satisfaction compared with effect of on company performance. [33] found that TQM practice has a positive effect on customer satisfaction. [34] found that TQM practice affects on customer satisfaction. Based on these descriptions, hypothesis can be formulated as follows:

H1: TQM practices affect on performance.

H2: the TQM practice affect on satisfaction.

2.2 Effect of consumer satisfaction on organizational performance

Core principles of TQM are (a) focus on customer's satisfaction, (b) strive for continuous improvement, and (c) involves the entire workforce or employees [2]. Customer focus will move corporate activity to present the best efforts that ultimately will satisfy customers. Efforts to achieve better quality, more cost-efficient, shorter production process cycle's makes customers more satisfied. It is the responsibility of all workers or employees. [35] in context of TQM explained that customer satisfaction is the driving factor for organization to improve its performance. Orientation to consumer is how much attention and effort to improve customer satisfaction. Survey of [36] stated that customer satisfaction is the most important thing that will drive the organization towards improvement. Customer satisfaction has a great effect on TQM implementation to increase in quality of products and services [37]. Based on these descriptions, hypothesis can be formulated as follows:

H3: Customer Satisfaction affect on organizational performance.

2.3 Customer Satisfaction as a mediation the effect of TQM practices on performance.

TQM success is determined by organization seriousness to make changes and companies use customer satisfaction as a measure of success. Empirical studies of [33] found that TQM practices have a positive effect on customer satisfaction. Customer satisfaction is an important variable and became one of main objectives of company. [24] stated that TQM practice has a very strong effect on customer satisfaction. [38] found that TQM practice has a strong effect on consumer satisfaction. [39] found that TQM has significant and positive effect on customer satisfaction. [40] found that TQM practice positively and significantly relate to customer satisfaction.

Customer focus will move corporate activity to present the best efforts that will ultimately satisfy customers. Efforts to achieve better quality, more cost-efficient, shorter production process cycles make customers more satisfied it is the responsibility of all workers or employees. [35] in context of TQM explained that customer satisfaction is the driving factor for the organization to improve its performance. Orientation to consumer is seen as how much attention and effort to improve customer satisfaction organization. Survey of [36] stated that customer

satisfaction is the most important thing that will drive the organization towards improvement. Customer satisfaction has a great effect on TQM implementation to increase in quality of products and services [37]. Empirical studies the relationship of TQM practice and customer satisfaction is driving factor for the organization to improve performance. [6] found that TQM has a positive effect on customer satisfaction, employee relations, operating procedures and financial results. Some criteria for the Malcolm Baldrige National awards program Quality Award (MBNQA), such as process management criteria, have a direct effect on customer satisfaction and financial performance. [41] found that there is a positive correlation between quality and customer satisfaction,

customer satisfaction and profitability. Research result at major companies headquartered in Netherlands with its operations across Europe [42] shows that there is a positive relationship between customer satisfaction with Business performance. [20] also found that there is a positive relationship between customer satisfaction and business performance. Customer satisfaction has a great effect on TQM implementation to increase in quality of products and services. Based on these descriptions, hypothesis can be formulated as follows:

H4: Customer satisfaction mediates the effect of TQM practices on performance.

Based on description above, conceptual framework of research model can be described in Figure 1 below.

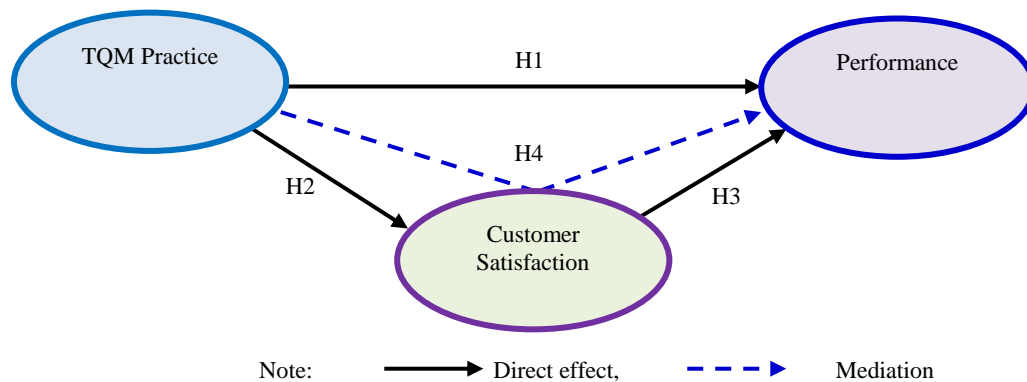


Fig1: Research Framework

3. RESEARCH METHODS

3.1 Research type

This study examined the effect of TQM practices on performance with student satisfaction as the mediation in management department at private colleges in Yogyakarta. This is explanatory research to explain causal relationship between variables through hypothesis testing.

3.2 Population and sample

These research populations are all 28 management department at private colleges in Yogyakarta. Total populations in this study are observed by using saturated sample. Population criteria are Department with minimum C accreditation and accreditation status is still valid (26 departments are qualified). Respondents are chairman or secretary of management department that is considered capable to assess TQM implementation practices and performance. Next respondents are student with minimal management 4th semester and considered able to assess the student's satisfaction to academic activities of management department. Each department selects 3 to 5 students

Data collection

Data collection in this study is a survey method, which uses a questionnaire containing item measurement the variables used in research. Measurements used is 5-point Likert scale, starting from 5 = strongly agree to 1 = strongly disagree. This method is aimed to obtain information based on questionnaires. Data is collected directly by asking the willingness of respondents to between path coefficient. Structural model testing is done after the relationship model is built in

fill out a questionnaire about TQM practices, performance and student satisfaction according to their perception. After data is analyzed, unclear data finding will be added with additional information through in-depth interviews from some respondents selected as informants.

3.3 Data analysis

Technical analysis of data in this is Generalized Structured Component Analysis (GSCA). GSCA was developed by Heungsun Hwang, Hec Montreal and Yhoshio Takane in 2004. This analytical method is based on variance. Assumptions that must be met in GSCA analysis related to structural modeling, namely: (1) the relationship between the latent variables is linear and additive, test can be performed with SPSS software through Ramsey approach test or curve fit (using the principle of parsimony) and (2) sample size in GSCA is based on resampling (bootstrapping) and does not require a large sample and can use non-probability sampling techniques.

4. DATA ANALYSIS AND RESULTS

GSCA analysis approach uses least squares method in parameter estimation process. GSCA is a component-based SEM method. It is very important and can be used for the calculation of score and can also be applied to a very small sample [43]. Structural model is evaluated by looking at value of relationship accordance with data observation and goodness-of-fit model overalls. Structural relations model aims to

determine the relationship between the variables designed in this study. Structural models and hypothesis testing is done by looking at value of estimated path coefficients and critical point (CR *) that significant at $\alpha = 0.05$. Mediation test is aimed to detect position of intervening variables in model.

Mediation test is conducted to determine the mediation relationship between variables (complete, partial or non mediation). GSCA test can be done through the coefficient difference. Coefficient difference approach uses inspection methods to perform the analysis without involving the mediation variables. Table 1 shows the mean value, estimate loading, AVE and alpha of each indicator. Measurement models for all latent variables showed

that estimate value loading >0.60 and there are some near 0.60 still be accepted. CR values for all indicators are significant $\alpha = .05$. It reflects that all indicator relationship is positive valid to measure latent variables, namely the TQM practice, student satisfaction and department performance.

AVE (Average Variance Extracted) for all latent variables is greater than 0.50 [43]. It means all latent variables have good discriminant validity. Research instrument can be used to measure all latent variables. Furthermore, all latent variable has alpha value greater than 0.70. IT means that entire instrument has a high composite reliability. It can be concluded that instrument used to measure all latent variables have high compatibility and reliability.

Table 1: Mean, Estimate Loading, AVE and Alpha

Constructs	Indicators	Mean	Loading		AVE	Alpha
			Estimate	CR		
TQM	Leadership	4,22	0.770	14.85*	0,622	0,943
	Measurement and Evaluation	3,93	0.843	19.17*		
	Process Control and Development	4,15	0.887	25.46*		
	Benchmarking	3,90	0.728	13.37*		
	Curriculum design	4,37	0.814	16.71*		
	The quality of management system	4,02	0.849	25.74*		
	Involvement of lecturers	4,06	0.870	42.99*		
	Recognition and Awards	3,77	0.599	8.37*		
	Education and training	3,91	0.817	15.24*		
	Focus on student	4,39	0.673	6.55*		
	Partnership agencies	3,95	0.775	9.66*		
Customer Satisfaction	Learning process	4,07	0.966	26.05*	0,719	0,789
	Student Academic Services	3,59	0.880	34.58*		
	Grading	3,77	0.669	11.8*		
Department Performance	Trends of Registrants Number	3,50	0.577	7.5*	0,545	0,791
	Timeliness of students graduate program	3,93	0.882	18.78*		
	Cumulative Performance Index Values	3,97	0.819	11.77*		
	Waiting period to work	3,70	0.622	9.17*		
	Tendency to resign	4,14	0.704	2.09*		

Note: CR * = a significant at $\alpha = .05$, AVE $> .05$ and Alpha $> .70$

Evaluation of GSCA models in this study begins with a measure of fit for measurement model with aims to examine validity and reliability of research tool to explain or reflect the latent variables. Examination of measure of fit in overall model is a measure of goodness of fit which combines the measurement model and structural model with FIT test, Afit, GFI and SRMS. Afit of 0.535 is adjusted FIT from almost the same FIT value. Variables to affect department performance in this research have two variables namely TQM practices and student satisfaction. It is better if the interpretation accuracy of model use corrected FIT or Afit (Adjusted FIT). Afit value is always lower than FIT due proportion increased to adjust the variables that have been corrected. When viewed from the value Afit, diversity of TQM practices, department performance and student satisfaction variables can be explained by this research model by 53.50% and remaining 46.50% is explained by other variables. Therefore, Afit have accuracy or

precision of a good model because the value is above 50%. GFI and SRMR proportional to difference between the sample covariance and covariance estimation parameters produced by GSCA. GFI value of $0.991 \geq$ cut-off point of 0.90, model can be said to have the appropriate form. However SRMR value of $0.139 > 0.1$, it can be said as poor fit (less appropriate models). This is because of direction indicators measure between variables is not known, but it still can be tolerated because SRMR value close to zero [43]. NPAR value of 41 indicates the number of free parameters which include loading coefficient (c), weight coefficient (w), and path coefficient (b) of this study. Based on goodness-of-fit of structural model and overall model with FIT test, Afit, GFI and SRMS, it can be concluded that model in this study can explain 53.50% of variance that has been corrected. Similarly, value of GFI = 0.991 and SRMR = 0.139 which indicates a good model fit, as shown in path diagram Figure 2.

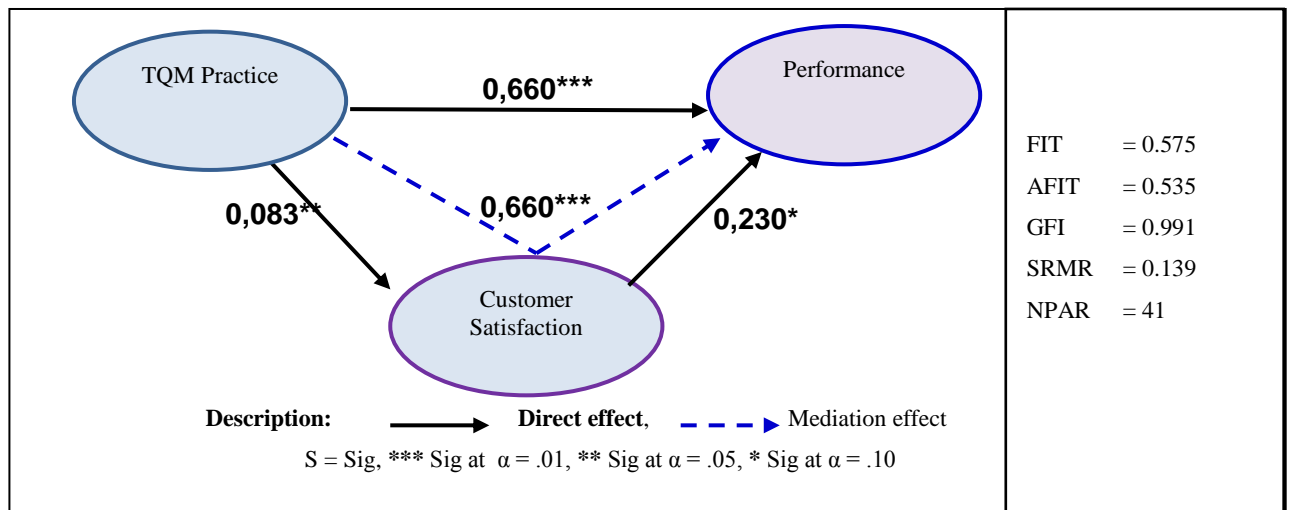


Fig 2: Path Coefficient Diagram and Hypothesis Testing

Test result at Figure 2 and Table 2 explains that direct effect of TQM practices on department performance is a significant. Effect of TQM practices on student satisfaction is significant and student satisfaction on

department performance also significant. In addition, indirect effect between TQM practices on student satisfaction and department performance also significant

Table 2: Testing hypotheses and Path Coefficient of GSCA

Direct Effect		Path Coefficient	C.R	P-Value	Result
H1	TQM Practice → Department Performance	.660	5.3*	.00 ***	Significant
H2	TQM Practice → Student Satisfaction	.083	5.05*	.04 **	Significant
H3	Student Satisfaction → Department Performance	.230	1,42	.08 *	Significant
Hypothesis test for mediation variable					
Indirect effect		Path Coefficient	Mediation Type		Result
H4	TQM→Satisfaction→Performance	.660	Partial Mediation		Significant

Note: CR * Sig at $\alpha = 0.05$ *** at $\alpha = .01$ Sig, ** Sig at $\alpha = .05$, * $\alpha = .10$ Sig on

4.1 Effect of TQM Practices on Department Performance Department

Effect of TQM practices on performance of management department show estimated value of path coefficient of 0.660 with a positive direction. Path coefficient is positive. It means the relationship between TQM practices and department performance is unidirectional. This result can be proved with critical value (CR) of 5.3 * with a probability value (p-value) of 0.00 $< \alpha = 0.01$. The tests produced the better TQM practice, higher performance of management department. This means that results of this study supported empirically that TQM practices has unidirectional and significantly effect on performance improvement of management departments, thus the first hypothesis (H1) is accepted.

4.2 Effect of TQM Practices on Student Satisfaction

Data analysis show that value of estimated path coefficients the direct effect of TQM practices on

student satisfaction has value of 0.083 at critical point (CR) of 5.05 and probability value (p-value) of 0.04, $p\text{-value} < \alpha = 0.05$. This shows empirical evidence that TQM practice affect on student satisfaction. This analysis can be explained that department management has given full attention to TQM practice, so that TQM practices in management department are able to contribute significantly to improvement of student satisfaction. Therefore, second hypothesis (H2) is accepted.

4.3 Effect of Student Satisfaction on Department Performance.

Data analysis show that value of estimated path coefficients the direct effect of student satisfaction on department performance has value of 0.230 at critical point (CR) 1.42 and probability value (p-value) of 0.08 $< \alpha = 0.10$. This means that test results of student satisfaction empirically proven to increase performance of management department. Therefore third hypothesis (H3) is accepted.

4.4 Student Satisfaction as mediation the effect of TQM Practices on performance

Data analysis show that value of estimated path coefficients of TQM practices on student satisfaction is 0.083 with a path coefficient value of critical point (CR) of 5.05 and probability value (p-value) of $0.04 \leq 0.05$. It means TQM practice has significant and positive effect on student satisfaction. Student satisfaction affect on department performance with path coefficients of 0.230, value of critical point (CR) of 1.42 and probability value (p-value) of 0.08 is smaller than $\alpha = 0.10$. It means significant. Therefore, forth hypothesis (H4) is accepted. $\alpha = 0.10$ is acceptable, it can be concluded that student satisfaction variables proved to become partial mediation variables.

5. DISCUSSION

Measurement model of TQM practices is adopted from measurement indicators of [13]; [25]; [44]; [45]; [5]. Testing results the effect of TQM practices on performance of management department is positive and significant. It means that better TQM practice increase performance of management department. Table 1 shows that timeliness of graduate students, value index cumulative of students grade is assessed quite good by respondents because the average value of indicator close to 4. In addition, student's tendency to withdraw from a department management can be decreased and has been assessed by respondents with a mean value above 4. It can be concluded that TQM practices can improve student graduation time, increase the value index and cumulative grade of students, can reduce students who withdraw from a management department. This condition can reflect the performance improvement of management department.

These findings also reflect B accreditation ratings of management department of Private Colleges at Yogyakarta. It can be concluded that TQM practices can improve the department performance that reflected by better accreditation ratings by National Accreditation Board. In addition, inspection result of Quality Assurance Agency in each Private Colleges shows performance improvement of management department. Quality Assurance Agency Contributions is able to improve the quality of cultural institutions with TQM implementation practices and assessed by respondents as good so TQM practices can improve performance of management department. This study result reinforces the quality that also called Chain Reaction Theory of [29] who said that "good quality can lead to higher productivity, which in turn can build long-term competitive strength". The results also reinforce the TQM philosophy of [46] which says that "Total Quality Management seeks to make improvements on an ongoing basis to provide a set of practical tools to any educational institution to meet the needs, desires, and expectations of its customers, current and for the future ". This study results also reinforces [28] that if "TQM applied correctly, it can

enable the organization to cope with dynamically changing environment and provide continuous improvement in overall business activity that focused on customer".

These study findings reinforce the notion of [2] that " TQM implementation is a way to improve performance on an ongoing basis at every level of operation in each functional area of an organization". In addition, these study findings are consistent with opinion of [7] and [8] which states that " TQM application is effective and efficient in improving organizational performance". These results are also consistent with findings of several previous researchers [44]; [5]; that high TQM practices can directly improve organizational performance.

The research found that TQM practice has significant effect on student satisfaction at $\alpha \leq 0.05$. This means that better TQM implementation practices can increase student satisfaction. Furthermore, student satisfaction affect on performance of management department with significant results at $\alpha \leq 0.10$. It can be concluded that student satisfaction become partial mediation variables.

Analysis of Quality Assurance Agency contribution can be explained that establishment of a quality culture is reflected in establishment of Quality Assurance Agency to realize TQM practices in management department for a long time, above 15 years. Management department with BPM over 15 years shows better results, namely better TQM practice increase student satisfaction to affect on higher performance of management department.

The conclusions are the TQM practice in management department can run rightly within cultural quality reflected in establishment of Quality Assurance Agency over 15 years to establish a culture of better quality in management department. Perceptions, knowledge, mental, and attitudes as well as the chairman and secretary of entire faculty and staff in department already well established and already there is a willingness and awareness of quality culture that TQM practices can improve student satisfaction that subsequently leading to higher performance of management department. These results are consistent with criteria in Malcolm Baldrige National Quality Award (MBNQA). It is also consistent with research results of [41], [42], and [20].

6. CONCLUSIONS, LIMITATIONS AND FURTHER RESEARCH

These research conclusions are follows: TQM practices directly have significant effect on performance of management department and student satisfaction. This study result showed that higher TQM practice increase performance of management department and student satisfaction. In addition, variable TQM practices significantly affect on student satisfaction, student satisfaction significantly affect on performance of management department. This study results indicate that student satisfaction becomes partial mediation the relationship between TQM

practices and performance of management department. Measurement of TQM practices is reflected by indicators of process control and development as the most dominant indicators to contribute to TQM practices in management department. Measurement of student satisfaction indicators is reflected by learning process as the most dominant to measure student satisfaction. Indicator of student graduation timeliness is the most important indicator to measure performance of management department. TQM practices can be implemented in management department with assumption that quality culture is reflected Quality Assurance Agency is over than 15 years.

This study object is limited to management department. It makes the result cannot be able to generalize to other colleges. In addition, respondents in this study is limited to chairman or secretary of department and a senior lecturer to assess the TQM practice, so less describe the actual conditions.

Accuracy of models in this study is only 53.50%, therefore the subsequent researchers can develop a research model by adding other variables such as: the quality of organizational culture, organizational competitiveness, facility ownership, ownership of resources or develop the measurement model of department performance as amount of research and dedication, department spending, lecture halls and laboratories and library services.

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EFFECT ON THE QUALITY OF PASSENGER SATISFACTION (STUDY IN RADIN INTEN II AIRPORT SOUTH LAMPUNG)

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ABSTRACT - Radin Inten II airports managed by PT Angkasa Pura 2 is one example of a company that offers its services in the field of aviation. To face the competition in the business environment services, airports are required to always improve the quality of care services by considering what the needs and expectations of service users. Problems in this study is: Does Quality Service Passenger Satisfaction Influences on Radin Inten II Airport South Lampung? The purpose of this study was to analyze the effect of quality of service to the airport passenger satisfaction In Raden nten II South Lampung. Methods of data analysis in this study using simple linear regression. Based on test results obtained R^2 value of 0.380, which means that 38% of passenger satisfaction (Y) aircraft flight services are located in airports Radin Inten II influenced by the variable quality of service. While the remaining 62% is influenced by other variables not examined in this study. Based on test results obtained statistics is positive constant value of 2.858 states that if there is no activity of the independent variables (quality of service) which affect passenger satisfaction, the satisfaction of passengers is positive. X marked positive regression coefficient of 0.895 states that if the variable quality of service increased by 1 point, then the passenger satisfaction will be increased by 0.895 points. So it is suggested should aerodrome Radin Inten II continues to improve the quality of services to improve passenger satisfaction. Things can be done by airports Radin Inten II is to further improve the quality of services that focus on aspects of the airport authorities friendliness and speed of flight information to the passengers, so the aircraft passenger satisfaction has increased. In addition to safety from crime to passengers carried by road adds to the officer - security officer at the airport location and access road exit - entry airports.

keywords: Quality of Service, Passenger Satisfaction

1. INTRODUCTION

1.1 . Background Of The Problem

In recent years, many airlines are springing up and offering cheap prices. This is certainly an impact on increasing the users of air transportation today . With

increasing air transportation users, the service continues to be improved, one of the airports . Data are shown in Table 1.1 Passenger activity Radin Inten II airports managed by PT Angkasa Pura 2 during the last five years.

Table 1.Number of Passengers of Radin Inten II Airport Year 2009 s/d 2013.

Tahun	JumlahPenumpang			
		Perubahan (%)		Perubahan (%)

Source ; RadinInten II Airport, 2015

In Table 1 it can be seen a decline in the number of passengers at the airport Radin Inten II in 2013 decreased -0.25 % from the year 2011 to the passengers who came , in 2013 decreased -2.32 % from 2012. The decline that occurred in the last year may be due to the quality of existing services at the airport RadinInten II is still not good. Good service quality can not be separated from the number of employees or employees serving customers, data on

the number of employees existing services at the airport Radin Inten II in 2014 can be seen in Table .2 Based on Table 1.2 it is seen there are still at least employees serving passengers , look for the part of passenger services amounted to only 46 , it was felt slightly when compared to the average number of passengers sekitar1,635 people every day who have served in Radin Inten II Airport .

Table 2. Number of Employee RadinInten II Airport per July 2014.

	Position	Number of Employee
	Chief of Service Unit	1
	Staff of Service Unit	3
	Supervisor of planning and administration	1
	Supervisor operational service	1
	Executing Service	5
	Junior coordinator of Operations Planning	5
	Executing coordinator of planning and business administration services	5
	Executing service coordinator unloading	5
	Executing junior operator loading and unloading equipment	5
	Executing Coordinating Tools	5
	Junior executive Equipment	5
	Executive coordinator of loading and unloading equipment operator	5
		46

Source ; Radin Inten II Airport, 2015

Each passenger aircraft aerodrome definitely expect clean with adequate facilities and provide a sense of comfort for the passenger aircraft while awaiting the arrival of the aircraft. However, based on the results of interviews with employees and passengers, obtained information that the problems that occur in the field related to the loyalty of passengers at the airport Radin Inten II are as follows:

1. In general, there still exists the interests of passengers on public transport such as travel or bus in addition to the aircraft from the airport Radin Inten II.
2. The lack of facilities to serve passengers effectively and efficiently, the facility in question is a parking area and a lounge area are narrow, causing the passenger or passengers feel uncomfortable.
3. Delay frequent flight schedule, besides computerization problems that are often disrupted thus slowing down the activity of a freight passing through the airport Radin Inten II. As well as employees who are sometimes less friendly in serving passengers.

1.2. Issues

The research problem is formulated as follows: Is the Impact of Service Quality Satisfaction Passengers on RadinInten II Airport South Lampung?

1.3. Research Purposes

The goal of researchers doing this study is: To analyze the effect of service quality on passenger satisfaction in Raden Inten II Airport South Lampung.

1.4. Contributions Research

1. For Company

Provide additional useful information for consideration in improving passenger satisfaction.

2. For circles Academics

Provide an overview for those who will carry out further research on service quality and its effect on passenger satisfaction.

1.5 Framework Theory

1.5.1 Theory of Marketing Services

According Yazid (2009), marketing planning services are moving from a focus on transactions into long-term relationships with customers. Meanwhile,

according Lupiyoadi (2008), the marketing service is offered every action by one party to the other party, in principle, intangible and does not cause any transfer of ownership. Meanwhile, according to Umar (2005), services marketing is marketing that is intangible and immaterial and done at a time when consumers are dealing with producers.

1.5.2 Theory of Service Quality

According to Lewis & Booms in Tjiptono and Chandra (2008), quality of service as a measure of how well a given level of service capable accordance with customer expectations. Meanwhile, according Tjiptono (2007), quality service is the expected level of excellence and control over the level of excellence to meet customer desires. To facilitate the assessment and measurement of service quality developed a service quality measurement tool called SERVQUAL (Service Quality). Which includes five dimensions (Zeithami, 2005), namely:

1. Tangibles (direct evidence); ie the ability of a company to demonstrate its existence to external parties. Appearance and capabilities of physical infrastructure companies and the state of the surrounding environment is tangible evidence of services provided by the company.
2. Reliability is the ability to provide the promised service with immediate, accurate and satisfactory. Performance should be in accordance with customer expectations, which means punctuality, the same service to all customers without error, sympathetic attitude and high accuracy.
3. Responsiveness is the ability of the airline to assist and provide fast service (responsive) and the right to its customers with clear information delivery.
4. Assurance, the certainty that knowledge, kesopan benefits and capabilities of the employees of the company to develop a sense of trust of the customers to the service of the company.

5. Empathy, which gives genuine concern and is a private individual or given to customers by striving to understand the desires of consumers.

1.5.3 Theory of Customer Satisfaction

Consumer satisfaction is a condition where consumer expectations be met by products (Kotler& Armstrong,

2007). According to Lupiyoadi (2008), there are five main factors that must be considered by the company in determining the level of customer satisfaction, namely: 1) Quality of products; 2) Quality of service; 3) Emotional; 4) Price; 5) Cost:

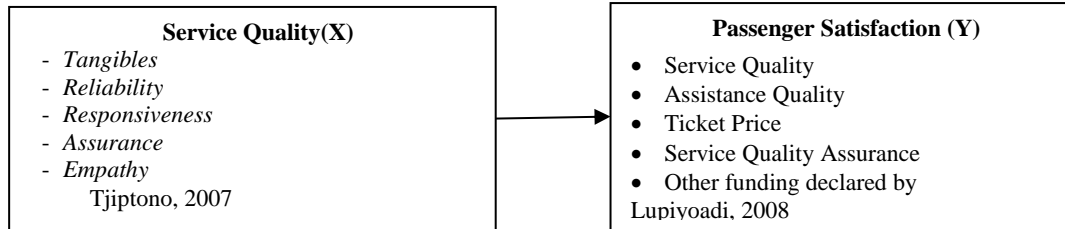


Figure 1. determining the level of customer satisfaction

1.6 Hypothesis

The hypothesis in this research is “Service Quality has an Influence towards Passenger Satisfaction at Radin Inten II Airport South Lampung”

2. RESEARCH METHOD

2.1 Research Operational Variable

Table 3. Operational Variable

Variable	Variable Definition	Indicator	Scoring Scale
Service Quality (X)	How much difference between reality and expectations of the customer for the services they receive. Quality of service can be seen from a way to compare the perceptions of customers for the services they actually receive	<ul style="list-style-type: none"> • Tangibles • Reliability • Responsiveness • Assurance • Empathy (Zeithaml et al, 2005) 	Lickert Scale
Passenger Satisfaction (Y)	Rating assigned by customers based on interest rates.(Kotler, 2009)	<ul style="list-style-type: none"> • Service Quality • Assistance Quality • Ticket Price • Service Quality Assurance • Other Expenses 	Lickert Scale

Data Collection

2.2.1 Data Types

The data used in this study consisted of primary and secondary data.

2.2.2 Population and Sample Research

The population in this study was the total number of passengers arriving at the year 2013 in the amount of 592.751 passengers then averaged it for 1 month in the amount of 49.395.

The sampling method used in this study is Non-Probability Sampling, using purposive sampling, determination of samples taken by research purposes (Sugiyono, 2009: 122). Determination of the number of samples is done by estimating the proportion (Nazir, 2005: 344) with the following formula:

Bound of error used is 0.1 at the 90% confidence level. In this survey, researchers do not know the p, p generally is known from previous survey results. If this also does not exist then p is considered 0.5 (Nazir, 2005: 344). The formula is based on the size of the sample is:

$$n = (49.395 (0.5) (1-0.5)) / ((49.395-1) 0.0025 + 0.5 (1-0.5)) = 99.512 \text{ respondents}$$

So the amount of sample that can be representative of the population to be studied is as much as 99.512 then rounded to 100 respondents sample to be studied.

Data Analysis Methods

To answer hypothesis in this study, an analysis tool used is a simple linear regression, using the formula:

$$Y = a + B1X + et$$

(Source: Supranto, J, 2007: 209-210)

3. RESULTS AND DISCUSSION

3.1 Test coefficient of determination (R2)

Accuracy test Estimates Model (goodness of fit) made to look suitability models, or how much ability of independent variables in explaining the variation of the dependent variable.

Table 4. Test Results of The coefficient of determination (R²) Model Summary^b

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Durbin-Watson
1	.617 ^a	.380	.374	4.092	1.304

a. Predictors: (Constant), Kualitas Layanan

b. Dependent Variable: Kepuasan Penumpang

Based on Table 3.6 above can be interpreted that the value of R square (R²) were obtained by 0.380 , which means that 38 % of passenger satisfaction (Y) aircraft flight services are in RadinInten II Airport is influenced by the variable quality of service, while the

remaining 62 % is influenced by other variables not examined in this study.

3.2 Test Statistic F

Results of testing the feasibility of the model with the F statistic in this study :

Table 5. Feasibility Model Test ANOVA^b

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	1007.195	1	1007.195	60.138	.000 ^a
	Residual	1641.315	98	16.748		
	Total	2648.510	99			

a. Predictors: (Constant), Kualitas Layanan

b. Dependent Variable: Kepuasan Penumpang

From these test results in Table 3.7 it can be seen that in the significant value of 0.000 is smaller than 0.05 . By looking at the significance level, then this model

can be used to predict passenger satisfaction (Y) , thus the equation of this model is fit or fit for use .

3.3 t-Test

Table 6. Score of Hypothesis Test

Variable	Coefficient Value	Significance Score	t-count	Hypothesis Test
Service Quality	0,895	0,000	7,755	Accepted

Source: Attachment, output score of SPSS.

Provisions hypothesis testing

If > 0.05 (df = n - 2) , then Ho is rejected

If < 0.05 (df = n - 2) , then Ho is accepted

Seen that amounted to 7.755 while the dk (100-2 = 98) is 1,662.Jadi 7.755 > (1.662) . In this test using a

Comparison with . In the above table shows that the value 7.755 > (1.662) It so Ho rejected Ha accepted , meaning Impact of Service Quality Satisfaction Passengers On Radin Inten II Airport South Lampung

3.4 Simple Linear Regression Analysis

Table 7. The score of Simple Linear Regression Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.858	4.926		.580	.563
	Kualitas Layanan	.895	.115	.617	7.755	.000

a. Dependent Variable: Kepuasan Penumpang

Source: Attachment, output score of SPSS.

Based on the table above can be made simple linear regression equation as follows :

$$Y = 2,858 + 0,895X_1 + e_t$$

Marked positive constant value for 2,858menyatakan , that if there is no activity of the independent variables (quality of service) which affect passenger satisfaction (Y) , then the passenger satisfaction (Y) is positive . X marked positive regression coefficient

of 0.895 states that the variable quality of service (X) by 1 point, the passenger satisfaction (Y) will change by 0.895 points .

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

Based on the results of data analysis and hypothesis testing is done, then the conclusion in this study is the

Impact of Service Quality Satisfaction Passengers On Radin Inten II Airport South Lampung, this is based on the following explanation:

1. Based on the results of testing the value of R square (R^2) were obtained by 0.380, which means that 38% of passenger satisfaction (Y) aircraft flight services are located in airports Radin Inten II influenced by the variable quality of service, while the remaining 62% is influenced by other variables.

2. Based on test results obtained statistical value of the constant is positive for 2,858, stating that if there is no activity of the independent variables (quality of service) which affect passenger satisfaction, the satisfaction of passengers is positive. X marked positive regression coefficient of 0.895 states that the variable quality of service, has a positive effect on passenger satisfaction.

4.2 Suggestions

Preferably Radin Inten II Airport South Lampung continue to improve the quality Service to increase passenger satisfaction. Things to do by Radin Inten II Airport South Lampung are to further improve the quality of services that focus on aspects of the hospitality of workers at the airport and speed in flight information to passengers, in addition to the security of the passengers is done by adding a security officer at the airport location.

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EMPOWERING TOURISM HOST THROUGH FUN HELSING IN FACING ASEAN ECONOMIC COMMUNITY (AEC) 2015

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ABSTRACT - In the era of the ASEAN Economic Community (AEC) in 2015, the interaction between people by using foreign language will be more intensive. Indonesian workers who aren't able to communicate in English will lose their business opportunities in where they worked. One of them is an opportunity to expand markets and consumer segments for Tourism Industry sector. The foreign language skill is needed by all level of people and worker. This research is motivated to see the extent of the readiness of the tourism industry in Surabaya in facing AEC which is going to be officially implemented by December 31th, 2015 by taking samples of 8 tourism objects which are potentially being visited by foreign tourists, they are: Submarine Monument (Monkasel), Kenjeran Park, Surabaya Zoo (KBS), Bungkul Park, Kia-kia, Sunan Ampel, Mirota Souvenir Center, and Juanda Airport. This is a descriptive research with qualitative approach. The research instrument used was a questionnaire which was named as "Fun Helsing" in the form of frequently asked questions by foreign travelers to the tourism industry hosts in Surabaya. The results showed that the foreign language skills of all samples Surabaya tourism industry is still not fully prepared in terms of mastery a foreign language in order to meet AEC 2015. Based on the analysis, the percentage Monkasel showed value of 63.33% (good), Kenjeran Park amounted to 40,00% (sufficient) Surabaya Zoo showed 41,67% (sufficient), Bungkul Park showed 48,33% (sufficient), kya-kya showed 28,33% (bad), Sunan Ampel 51,67% (sufficient), Mirota Souvenir Center showed 58,33% (sufficient), and Juanda Airport showed 52.50% (sufficient)

Keywords: AEC, Tourism, Foreign Language, Surabaya City, Communication Skill

1. INTRODUCTION

Language is a communication tool. Communicating means to express thoughts, opinions, and feelings directly or orally not only in the form of writing. The better of someone's language skills, the better of the communication skills, which in turn can be used as capital to acquire or work in certain place. Nowadays, the interaction which requires communication with the foreign language is increasing. Indonesian workers who are unable to communicate in English can lose their business opportunities in which he worked. The capability needs, not merely required by high-ranking company alone, but on a technical level were also required a smooth communication

This is because our society is now going to welcome the Era of Free Trade that we are familiar with the ASEAN Economic Community (AEC) 2015. The effects of the era is the globalization of trade in goods, services, and labor that makes human movement becomes more intense. In addition, foreign tourists coming to Indonesia has the potential to increase the interaction which requires communication with foreign languages especially English will be higher ^[1]

One of some potencial cities in Indonesia to obtain a positive impact of ASEAN Economic Community (AEC) in 2015 is Surabaya City. As the second largest city in Indonesia with a population number of 8.458 million people in 2010^[2]. It is now become one of the favorite destinations of foreign tourists (tourists). Based on data from Department of Culture and Tourism Surabaya, the number of foreign tourists

reached 250 thousand people in 2012 and increased to 300 thousand foreign tourists in the year 2013 ^[3].

This fact shows that tourism is one of the most important sectors in Surabaya that will be directly affected from the era MEA 2015. Moreover, City of Heroes has many locations visited by many foreign tourists like: Submarine Monument (Monkasel), Kenjeran Park, Zoo Surabaya (KBS), Bungkul Park, Kia-kia, Sunan Ampel, and souvenirs Mirota center. In addition, Surabaya also has had 26 taxi operator with a fleet of 4250 units in 2011^[4].

Surabaya City Government has actually opened a special program called Rumah Bahasa (Home Language). The program is intended for people, especially those engaged in the transportation sector and the trade to learn a foreign language. However, the home language program is only done in one place that is in the Youth Center complex is almost impossible to improve the ability of society to the maximum foreign language. In addition, the Home Language has a very limited number of volunteers, so there is no classification system in their teaching methods. Though every person has the ability and needs foreign language are not the same

The consequences of the AEC 2015 is, actors who are involved in the tourism industry should have foreign language skills if they want to reach an increasingly broad market potential and do not want to lose potential customers. This is due, to master a foreign language they can provide the best service and deals to potential customers who come from abroad.

However, foreign language skills in Surabaya tourism industry is still questionable.

According to Kresnayana (2014), many workers in Indonesia who can not communicate in English. Moreover, according to First English Proficiency Index study conducted on more than two million people in 44 countries in 2007-2009, Indonesia was ranked 25th far below Malaysia^[5]. Here is a table showing the rankings of our country in terms of English proficiency, 2013. For those reasons the authors conducted this research by utilizing Fun Helsing Media Card in order to determine the extent of the foreign language ability of the tourism industry host in Surabaya in order to face AEC 2015. Therefore, researchers wanted to know how the foreign language skills of tourism industry host to use the media that we named Fun Helsing. This card is designed to be an educational product with use frequently ask the question in accordance with the job description of each tourism hosts, which is expected later this card could be a model of learning by tourism hosts to improve the quality of their human resources.

2. MATERIAL AND METHOD

The Importance of English

English serves as a communication tool professionals in the fields of science, technology, business, computer, transportation, and for personal communication in traveling. English is the official language throughout the world are used for various activities absorption and development of science and technology in the world globally.^[6]

By the increasing of community interaction in the ASEAN region, the importance of english as the international language will be more than before. Beside that it will give an enormous impact on the economic conditions of society, especially for the people of Indonesia. This is due, Indonesia is one of the largest share in ASEAN because 40% of the total population of 617.68 million people of ASEAN are Indonesia^[7].

The Method of Card as an English Learning Media

Method is a chosen way to implement the plan which has been drawn up in real activity so that the goal can be achieved optimally^[8].

There are a variety of techniques use the card as a medium of learning a foreign language. One is a card that contains the technical vocabulary of right and wrong word, outboard word, select the word. The results showed that at the time of learning by using vocabulary cards progresses, students become excited and interested^[9].

Tourism Industry

Tourism is a wide range of tourist activities and is supported by a wide range of facilities and services provided by the public, employers, government, and local governments^[10].

The tourism industry proved capable of supporting the economy of the community and its existence is very necessary at this time and is one of the important sectors to earn foreign exchange and increase of

central and local government revenue beyond oil and gas. The products produced by the tourism industry, among others: hotel services, transportation services, entertainment services, services of organizing the tour and so on.

The Impact of Asean Economic Community (AEC) 2015

ASEAN Economic Community (AEC) is an agreement among the countries in Southeast Asia that is intended to safeguard regional stability and security of ASEAN, and boost economic growth, reduce poverty and improve the life of the population satandar ASEAN member countries. MEA is a form of economic integration of ASEAN which is planned to be achieved by December 31th, 2015.

Surabaya is the second largest city in Indonesia with a turnover of up to 20 trillion per year and a population of nearly 3 million inhabitants. This led, Surabaya would become one of the major cities in ASEAN which will be the purpose of trafficking.

In addition, the number of foreign tourists who visit the city of Surabaya is predicted to increase so stretched transportation and trade. However, most of the tourism industry still can not speak English. Yet the ability of the public service is very good Surabaya. But when dealing with customers Caucasians, they suddenly become unfriendly and directly clumsy as experienced by the majority of taxi drivers in Surabaya^[11]. In fact, Surabaya has 362 448 Small and Medium Enterprises. Thus, many products will be produced at once offered to foreigners.

Behaviorism Theory

Behaviorism is a theory of behavioral development, which can be measured, observed and produced by a person's response to stimuli. Stimulus response can be reinforced with positive or negative feedback on behavior chill conditions. Stimulation is what happens encourage activities, such as thoughts, feelings, or other things that can be captured through the sensory organs. While the response was the reaction of a person raised in the form of thoughts, feelings, or movement^[12].

Behaviorism theory can be applied in an effort to empower and improve the ability of the tourism industry in the use of foreign languages, especially English. This is due, this theory supports the acquisition of skills requires practice and habituation which contains elements such as: speed, spontaneity, flexibility, reflexes, durability and so on. These elements are very compatible with the foreign language conversation.

3. RESEARCH METHOD

This research used qualitative descriptive method. The author used qualitative methods as the main data used are primary data. While, the population that will be examined is the entire tourism industry host in the city of Surabaya. Tourism industry covering workers at tourist sites, hotels, transportation, commerce, and entertainment services. While the sample in this study

is 8 potential locations visited by tourists by using purposive sampling technique or a sample that has a purpose. These samples may be chosen because they have a lot of knowledge and informative about the phenomenon that is being investigated by the author.^[13]

Selected samples have certain criteria for that: It has been working for at least 2 years as a frontline tourist spot is (for the category personnel). As for category criteria taxi drivers must possess is already working as a taxi driver for a minimum of 2 years and a taxi driver who is assigned or a place or base around the tourist sites sampled. The following tables about the location and number of samples:

Table 1: Sample and Research Location

Location	Job		Amount
	Front Liner	Taxi Driver	
Submarine Monument	2	1	3
Kenjeran Park	2	1	3
Surabaya Zoo	2	1	3
Bungkul Park	2	1	3
Kya-kya	2	1	3
Sunan Ampel	2	1	3
Mirota Batik Center	2	1	3
Juanda Airport		4	4
Total			25

The instrument used in this study is Fun Card Helsing and Documentation. Fun Helsing is a media card in the form of a card that contains images and vocabulary in English that is tailored to the type of work the object of research. Fun card Helsing is based Frequently Asked Question (FAQ) or questions that are frequently asked by visitors. This question is compiled based on the results of observations and a survey of visitors and the tourism industry.

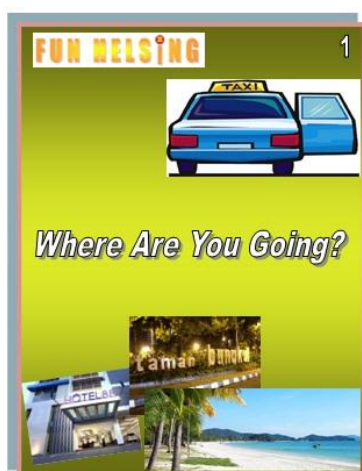


Fig 1: The Example of Fun Helsing Card "Taxi Edition"

In this study, the data will be described in terms of right or wrong answers using Fun Helsing Card. The pattern of of analysing percentage of category is:

$$\frac{\text{Correct answer} \times 100\%}{\text{Total Question}}$$

Tabel 2: Measurement system

Qualitatif Measurement	Value	Interpretation
Very Good	5	81%-100%
Good	4	61%-80%
Sufficient	3	41%-60%
Bad	2	21%-40%
Very Bad	1	0%-20%

4. RESULTS AND DISCUSSION

In this study, the author used Fun Helsing card as the media to classify the ability of tourism hosts in Surabaya. The result percentage of correct answers are: Monkasel showed value of 63.33% (good), Kenjeran Park amounted to 40.00% (sufficient) Surabaya Zoo showed 41.67% (sufficient), Bungkul Park showed 48.33% (sufficient), kya-kya showed 28.33% (bad), Sunan Ampel 51.67% (sufficient), Mirota Souvenir Center showed 58.33% (sufficient), and Juanda Airport showed 52.50% (sufficient). The result are shown in the table as follow:

Location	Correct Answer (%)	Category
Submarine Monument	63,33%	Good
Kenjeran Park	40,00%	Bad
Surabaya Zoo	41,67%	Sufficient
Bungkul Park	48,33%	Sufficient
Kya-kya	28,33%	Bad
Sunan Ampel	51,67%	Sufficient
Mirota Batik Center	58,33%	Sufficient
Juanda Airport	52,50%	Sufficient

Tabel 3: The Result of Fun Helsing Card to The Tourism Host in Surabaya

Based on the finding in table 3, it can be seen that most of the tourism industries, exactly 5 of 8 samples sites are in "sufficient" category. They are: Surabaya Zoo, Bungkul Park, Sunan Ampel, Mirota, and Juanda Airport. While two other places that Kenjeran and Kya-Kya was in "bad" category in the mastery of a foreign language by the usage of Fun Helsing Card. While only one tourist spot is categorized as "good" that is Submarine Monument (Monkasel).

The "bad" result for Kya-Kya and Kenjeran in mastering foreign language caused by the absence of their preparation to welcome the ASEAN Economic Community, especially in mastering foreign language. This is very contrary to what has been done by the manager of Submarine Monument (Monkasel). They provide English language skills or frontline officers in place to be able to answer most of the questions posed by researchers.

Meanwhile, the ability of the taxi drivers in mastering foreign language especially english is sufficient. This is because they are taught little about matters relating to their work when gathered at the taxi pool as expressed by one of the taxi driver named Prasojo

who is always standby in Juanda Airport. This what made most of the taxi driver in sample location were able to answer frequently asked question about taxi and passenger.

5. CONCLUSION

The result of this study shows that most of tourism objects in Surabaya, the second largest city in Indonesia, is not ready yet to face Asean Economic Community 2015. It is because of the lack of preparation especially in mastering english as the international language. Fun Helsing Cards were able to represent the frequently asked question of people or foreign tourists who usually visit a certain tourism objects. The findings of this study also contribute to the study of english education to create media which is able to improve english skill according to every different job. Specifically for the government who has responsibility to prepare the citizen in facing Asean Economic Community 2015.

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FACTORS THAT AFFECT LONGEVITY OF BUSINESS RELATIONSHIPS

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ABSTRACT- *Globalization has brought changes to all aspects of economic life, socio-cultural, and human lifestyle. Globalization results in many emerging multinational corporations, varieties of food and restaurants from other countries that exist in Indonesia. The Serba Food Restaurant is the object of this study, in which it is a new comer in the restaurant business that is widely-known in the Jabodetabek area. This study intends to examine whether there is any effect of service quality on customer satisfaction, trust, interpersonal connectedness, and longevity of business relationships. A statistical test was conducted on the 103 respondents from the university students who have once eaten in the Serba Food Restaurant. This study uses the PLS-SEM method as a statistical tool.*

This study has found that service quality has a positive influence on customer satisfaction, customer satisfaction has a positive influence on trust, trust has a positive influence on customer satisfaction, customer satisfaction has a positive impact to longevity of business relationships, and trust has a positive influence on longevity of business relationships. However, service quality has no positive influence on trust, and interpersonal relationships have no positive influence on trust. This study has provided a valuable contribution to the Serba Food Restaurant in order to create its longevity of business relationships.

Keyword: service quality, customer satisfaction, trust, interpersonal connection, business longevity

1. INTRODUCTION

Globalization has brought changes to all aspects of life, such as economic, social cultural, and technology. As a consequence, globalization increases the number of multinational corporations, varieties of foods, and also types of restaurants that exist in Indonesia. Currently in Indonesia, especially in the Jabodetabek area, we can easily find various restaurants serving local cuisines, other Asian cuisines such as Malaysian, Singaporean, Thai, Vietnamese, Japanese, and Western cuisines.

A restaurant is a place that is commercially organized and serves foods and beverages to its guests with its best services (Marsum, 1994). In 2010, the number of medium and large size restaurant companies in Indonesia was 2,916 companies, which has increased by 7,84 percent compared to that in 2009, indicating an increase of 212 new companies (BPS, 2010).

DKI Jakarta is a province in Indonesia with the highest number of restaurants, followed by West Java. According to their business network, 50,83% of medium and large restaurants are branches, 42,85% are independent restaurants, and 6,32% are headquarters, showing that the respective companies have branches or auxiliary units elsewhere (BPS, 2010).

Many people perceive that getting into the restaurant industry is easy but also easy to be abandoned if it is not managed properly. Thus, a manager should be able to coordinate planning, controlling, and adjusting the operations of these restaurants well. Beside serving tangible products, such as foods and beverages, the industry also serves intangible products such as customer service, cleanliness, health, hospitality, and comfort. Thus, the quality of services rendered is

related closely to customer satisfaction and trust.

Oliver (1987) and Nyer (1999) stated that dissatisfied customers tend to complain and ask for compensations in order to alleviate the cognitive dissonance and failure of consumption experiences (Andaleeb & Conway, 2006). According to a study by Andaleeb and Conway (2006), dissatisfied customers in extreme cases would even spread negative words of mouth to others. Furthermore, dissatisfied customers also tend to be saboteurs, which could influence potential customers to stay away from certain services. Hence, providing a quality service is an important strategy for one's success in today's competitive environments (Parasuraman et al., 1985; Parasuraman, Zeithmal, and Berry, 1994).

We use the Serba Food Restaurant which is located in the Benton Junction, Karawaci as the object of this study. The Serba Food Restaurant offers the Asian-food concepts and serve organic tea in every meal. This restaurant also emphasizes that there is no MSG nor pork used in their meals.

There are a few studies that examine whether service quality and interpersonal connections could result in satisfaction and trust in order to create longevity of business relationships in various types of industries, such as beauty salons (Tendean, 2011) and raw food ingredients industry (Inggar, 2010). So far, no study has been conducted to investigate whether service quality and interpersonal connections could result in satisfaction and trust in the restaurant industry. Based on the current phenomenon and previous studies, this study has examined how service quality and interpersonal connections are related to satisfaction and trust, in which they might generate a longevity business relationships in the restaurant industry.

2. LITERATURES' REVIEWS AND HYPOTHESIS

Service Quality

According to Gronroos (2001) "Service is an activity or a series of intangible activities that occurs as a result of interaction between consumers and employees or any other thing that is provided by suppliers in order to solve customers' problems". The SERVQUAL model developed by Parasuraman et al. (1988) consists of 5 dimensions: tangibles, reliability, responsiveness, assurance, and empathy. The tangibles dimension includes physical facility and personal appearance. The reliability dimension is the ability to fulfill the services based on what was promised. Moreover, the responsiveness dimension is the willingness to assist and provide fast services while giving clear information to customers. The assurance dimension contains knowledge, courtesy, and the ability of the company's employees to foster a sense of trust from the customers toward the company. Last, the empathy dimension is giving a sincere and personal approach in the hope of better understanding of the customer's wants.

Customer Satisfaction

According to Rabaweera and Prahbu (2003), customer satisfaction is an important factor to the company because it brings positive impacts to the company itself. Oliver (1997) stated that, customer satisfaction is defined as a response to customers' fulfillment, which is the assessment of features of the products or services themselves that gives a joyful sense on the consumption (Andaleeb & Conway, 2006). In other words, it is related to all levels of satisfaction with product or service experiences.

Furthermore, Zeithaml and Bitner (2003) stated that satisfaction is an evaluation of the products / services in terms of whether the products / services have met customer satisfaction or expectation. According to Gerson (2004), customer satisfaction is a perception of fulfilled or exceeded expectation. In this study, we will focus on Gerson's definition in order to support our research.

Trust

In business, trust is an important criterion in building and maintaining long-term relationships (Rousseau, Sitkin, Burt, & Camerer, 1998; Singh & Sirdeshmukh, 2000). Trust leads to reciprocation of information that both parties' believed (Moorman, Deshpande, & Zaltman, 1993). If one party trusts the other party, it will lead to positive behavioral intentions towards the other party (Lau & Lee, 1999).

Ganesan (1994); Mayer, David and Schoorman (1995), as cited in Sideshmukh et al. (2002) explained that some authors conceptualize trust in terms of cognitive and attitude. By focusing on attitude, trust can be defined as a desire to rely on other people where one of them has self-confidence (Moorman, Zaltman, & Deshpande, 1992 as cited in Sideshmukh et al., 2002).

According to Mayer et al. (1995), trust is the willingness of a party to be vulnerable to the actions of another party based on the expectation that the other will perform a particular action important to the trustor, irrespective of the ability to monitor or control

that other party. Trust is the extent to which one party is willing to depend on somebody, or something, in a given situation with a feeling of relative security, even though negative consequences are possible (McKnight & Chervany, 2001).

This study will use a definition from Hoffman and Baterson (2006) explaining the consumers' opinions on the providers' ability to deliver services.

Interpersonal Relationships

People cannot establish a relationship if they only meet once. However, if people slowly try to build a relationship, there is a chance that both parties can establish a relationship (Inggar, 2010). An interpersonal connection can be defined as a grown relationship with another party that is resulted from a conversation that takes place (Beebe & Redmond, 1996). In this study, we will use the definition of interpersonal connection raised by Beebe and Redmond (1996).

Longevity of Business Relationships

Longevity of business relationships (and part of organizational mortality) can be defined as the length of an organization which exists (Mayfield et al., 2007). Furthermore, Sabote and Roman (2009), as cited in Inggar (2010) said that longevity of business relationship can also be defined as a relationship where the customers could have direct relationships with the producers as product/ service providers (Inggar, 2010). According to Papadoopoulou et al. (2011), the orientation of long-term relationships is the desire or ability of each party to establish and maintain long-term relationships in order to achieve the effectiveness and efficiency of each party's business (Fernandes & Ihalauw, 2006). In this article, we will focus on Sabote and Roman's definition of longevity in business relationships.

Connection between Service Quality and Customer Satisfaction

One of the important factors that support satisfaction is service quality (Andaleeb & Conway, 2006). Zeithaml et al. (2009) also stated that service quality is one component to create customer satisfaction. In this study, service quality can be defined one company's ability to fulfill customer expectation (Payne, 1993). There are several studies emphasizing that there is a relationship between service quality and customer satisfaction (Sureshcander et al., 2003), Spreng and Mackoy (1996), Olive (1997). In a study conducted by Ribbink et al. (2004), the connection between service quality and customer satisfaction existed in e-commerce industry. Moreover, service quality also has a positive impact to beauty salon industry (Tendean, 2011). Zeithaml, Berry, and Parasuraman (1996) stated that customer satisfaction could be created though a high service quality. Based on the findings from these previous studies:

H1: Service quality has a positive influence on customer satisfaction.

Connection between Service Quality and Trust

In the beauty salon industry, perception and trust are two most important things to measure customer

satisfaction. Widjaja (2009), as cited in Tendean, (2011), and service quality has a positive influence on trust (Tendean, 2011).

Based on the findings from these previous studies:

H2: Service quality has a positive influence on trust.

Connection between Customer Satisfaction and Trust

Widjaja, (1999), as cited in Tendean (2011) stated that customer satisfaction is important in the service sector because when customers are satisfied then they would give their trust to the providers. According to Tendean (2011), research in the beauty salon industry revealed that both trust and customer satisfaction are positively related to each other.

Based on these findings from the previous studies:

H3: Customer satisfaction has a positive influence on trust

H4: Trust has a positive influence on customer satisfaction.

Connection between Trust and Interpersonal Relationships

According to Edvardsson, Thomasson, and Ovreutveit (1992), as cited in Tendean (2011), the relationship between staff and customers is an important element because it defines the commitment that is originated from the customers' trust to the business. Trust is useful and vital in relationship building, even though being the trusted party is not an easy task. Babin and Haris (2011), as cited in Tendean (2011) stated that trust can be unconsciously formed when there is a continuing purchase transaction. Through trust and comfort from knowing each other, both customers and staff would be able to create a business relationship (Tendean, 2011). Based on the findings from the previous studies:

H5: Interpersonal relationship has a positive influence on trust.

Connection between Customer Satisfaction and Longevity of Business Relationship

Satisfaction is the beginning of building loyalty or longevity of business relationships (Tendean, 2011). Satisfaction is an important key in marketing strategy, such as marketing concept and business relation, which leads to loyalty that implies the longevity of business relationships. Moreover, Reicheld and Cook (1996) stated that customer satisfaction is a key to loyalty and long term relationships. According to Shin and Elliot (2001), one's business could be categorized as a success and profitable if the companies could satisfy its customers.

Based on the findings from the previous studies:

H6: Customer satisfaction has a positive impact to longevity of business relationship.

Connection between Trust and Longevity of Business Relationship

According to Sheth and Mittal (2004), as cited in Tendean (2011), trust is an important component in forming a relationship in the context of social and business. If there is no trust, there would not be any commitment that leads to the longevity of business relationship (Tendean, 2011). Arnould et al. (2005), as cited in Tendean (2011) stated that trust creates a commitment which leads to loyalty and business relationships. Tendean (2011) found on his study that trust has a positive influence to the longevity of business relationships in the beauty salon industry.

Based on the findings from the previous studies:

H7: Trust has a positive influence on the longevity of business relationships.

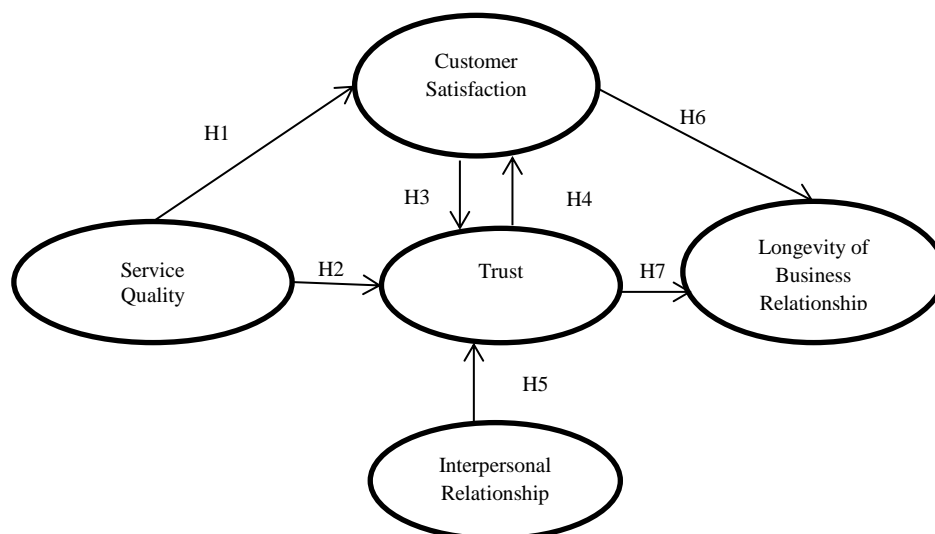


Fig 1: Hypothesis

3. RESEARCH METHODS

The survey method was conducted in this study in order to get the data. The survey was in the form of a questionnaire with a sample consisting of Business School students in Karawaci with a total of 103.

“Convenience sampling” was utilized due to its simplicity. The PLS-SEM model in SmartPLS program was used for the statistical analysis.

The items in the questionnaire on variables service quality, customer satisfaction, interpersonal

relationship, and longevity of business relationship use the 5 points in the Likert Scale, in which 1=Strongly Disagree up to 5=Strongly Agree. The items that construct the service quality use SERQUAL developed by Parasuraman et al. (1988), which consists of tangibles, reliability, responsiveness, assurance and empathy. The items on customer satisfaction were adopted from Ishaq (2012), Sweeney and Soutar (2001), Oliver (1997) and Ryu et al. (2008). The items on trust were adopted from Svensson (2004) and Tendeau (2011). The items on interpersonal relationship were adopted from Inggar (2010) and Tendeau (2011). We were developed scale for items on longevity of business relationship.

A validity test was conducted by taking into considerations the convergent validity, average variance extracted (AVE), and discriminant validity. A reliability test was conducted by measuring the composite reliability. In order to pass the validity test, there are several requirements which should be followed. According to Ghazali (2014), the convergent validity has to have an outer loading value of more than 0.7. Then, the minimum value of AVE

should be greater than 0.5 and the composite reliability should be greater than 0.6.

4. RESULTS

Profile

Table 1 shows the profile of the respondents. This study has shown that the number of male respondents (53.40%) is slightly higher than the female respondents (46.60%). About 69.90% of the respondents have indicated that they visited the restaurant between 1-2 times in a month, while only 6.80% have indicated that they visited the restaurant more than 4 times in a month. In terms of money spent during their visit to the Serba Food Restaurant, 67.9% indicated that they spent between Rp 50,000 and Rp 100,000 while only 1.94% indicated spending of more than Rp 200,000. About 87.38% of respondents stated that they visited the restaurants with friends and only about 1.94% visited it with their parents. About 30.10% of the respondents visited the restaurants just to have a meal, while 31.07% of the respondents visited the restaurant to have a meal during their waiting-time for classes.

Table 1: Respondents Profile

Statements	Total	Percentage (%)
<u>Gender</u>		
Male	55	53.40
Female	48	46.60
<u>Monthly patronage frequency to "Serba Food" Restaurant</u>		
1-2 times	72	69.90
3-4 times	24	23.30
> 4 times	7	6.80
<u>Average customer spending in "Serba Food" Restaurant</u>		
<Rp 50 ribu	8	7.77
Rp 50 ribu until <Rp 100 ribu	70	67.9
Rp 100 ribu until <Rp 150 ribu	17	16.50
Rp 150 ribu until <200 ribu	6	5.83
≥ Rp 200 ribu	2	1.94
<u>Visitor's companion in Serba Food" Restaurant</u>		
Alone	5	4.85
With girlfriend/boyfriend	6	5.83
With friend	90	87.38
With parents	2	1.94
Others.....	0	0
<u>Purpose of visit to "Serba Food" Restoran</u>		
Eating in only	31	30.10
Eating while waiting for classes	32	31.07
Hangout	21	20.39
Eating while discussing class material	19	18.45

Validity dan Reliability

Table 2 shows that the outer loading values ranging from 0.711 to 0.910 and significant at $\alpha = 5\%$. The convergent validity test has been met since all items have outer loading values greater than 0.7. The

Average Variance Extracted (AVE) for each construct is greater than 0.5 (ranging from 0.641 to 0.910). From the results, the minimum value for the Average Variance Extracted (>0.5) and Composite Reliability (>0.60) has been met.

Table 2: Validity and Reliability Measurement

Construct & Items		Outer Loading	P Value
Customer Satisfaction (CA= 0.809, AVE=0.636)			
CS1	The Serba Food Restaurant is the right restaurant to choose.	0.788	0.000*
CS2	The Serba Food Restaurant treats me fairly.	0.832	0.000*
CS3	The Serba Food Restaurant meets my expectations.	0.771	0.000*
CS4	I always go to the Serba Food Restaurant.	0.797	0.000*
Trust (CA= 0.641, AVE=0.601)			
T1	The Serba Food Restaurant is reliable to provide a good service.	0.812	0.000*
T2	The Serba Food Restaurant is honest in running their business.	0.764	0.000*
T3	The Serba Food Restaurant is expert in its field.	0.747	0.000*
Interpersonal Relationship (CA=0.866, AVE=0.800)			
IR1	I feel happy when I interact with the Serba Food Restaurant's employees.	0.892	0.000*
IR2	I believe in the Serba Food Restaurant's employees.	0.910	0.000*
IR3	I know the Serba Food Restaurant's employees well.	0.880	0.000*
Longevity of Business Relationship (CA= 0.910, AVE= 0.586)			
LB1	I am willing if asked to engage in the marketing activities organized by the Serba Food restaurant.	0.713	0.000*
LB2	I want the Serba Food Restaurant to exist forever	0.741	0.000*
LB3	I like the concept of the Serba Food restaurant to be consistently forever	0.780	0.000*
LB4	I am willing to become members if the Serba Food Restaurant holds a member club program.	0.770	0.000*
LB5	I will give constructive feedback without being asked so that the Serba Food Restaurant can compete with others	0.788	0.000*
LB6	I want to be a regular customer of the Serba Food Restaurant all my life.	0.721	0.000*
LB7	I think the Serba Food Restaurant is the best so far.	0.804	0.000*
LB8	Though there is some negative talk about the Serba Food Restaurant, it has completely unaffected to me.	0.806	0.000*
LB9	I want to establish mutually beneficial relationships with the Serba food Restaurant.	0.761	0.000*
Service Quality (CA=0.828, AVE=0.596)			
SQ1	The Serba Food employees are ready to help their customers	0.711	0.000*
SQ2	I can trust the Serba Food employees	0.716	0.000*
SQ3	The Serba Food employees prioritize their customers	0.799	0.000*
SQ4	The Serba Food employees understand their customers needs.	0.809	0.000*
SQ5	The Serba Food Restaurant has convenient operational hours.	0.819	0.000*

Notes: CA= Cronbach Alpha; AVE= average variance extracted, *significant (two tailed test, $p < 0.05$)

Source: Results of data processing

The discriminant validity test was conducted by comparing the correlation value between the constructs that has to be less than the root square of the AVE for each construct (Ghozali, 2014). Table 3 shows that all the requirements for the discriminant validity test have been met.

Table 3: Discriminant Validity

	Customer Satisfaction	Trust	Interpersonal Relationship	Longevity of Business Relationship	Service Quality
Customer Satisfaction	0.797				
Trust	0.674	0.775			
Interpersonal Relationship	0.586	0.495	0.894		
Longevity of Business Relationship	0.634	0.665	0.750	0.766	
Service Quality	0.677	0.482	0.498	0.515	0.772

Source: Results of data processing

Hypothesis Testing

Table 4 shows the hypothesis testing of using a one-tailed test with $\alpha=0.05$. The results describe that two hypotheses are not significant because the p-value is greater than $\alpha=0.05$ (H2: Service quality has a positive

influence on trust and H3: Customer satisfaction has a positive influence on trust). The results show that the other hypothesis is significant because the p-value is less than $\alpha=0.05$.

Table 4: Structural Models Results

Hypothesis	Path	Standardized Coefficient	P value	Result
H ₁	Service Quality -> Customer Satisfaction	0.459	0.000*	significant
H ₂	Service Quality -> Trust	0.019	0.424	Not significant
H ₃	Customer Satisfaction --> Trust	0.573	0.000*	significant
H ₄	Trust -> Customer Satisfaction	0.452	0.000*	significant
H ₅	Interpersonal relationship -> Trust	0.149	0.088	Not significant
H ₆	Customer Satisfaction -> Longevity of Business Relationship	0.341	0.002*	significant
H ₇	Trust -> Longevity of Business Relationship	0.435	0.001*	significant

Note: *= significant (one-tailed test, $p<0.05$)

Source: Results of data processing

5. DISCUSSIONS

The results from the hypothesis testing show that service quality is positively correlated to customers' satisfaction. This finding is consistent with the study on the beauty salon industry and e-commerce found by Tendeau (2011) and the fast food restaurants by Aryani and Rosinta (2010). Aryani and Rosinta (2010) found that the higher the service quality is, the higher customers' satisfaction will be. Based on the finding in this study, it is crucial for the Serba Food Restaurant management to keep its service quality given to its customers to keep the customers' satisfaction.

This study has also confirmed that service quality is not positively correlated with trust. This finding is consistent with what was found by Tendeau (2011) in the beauty salon industry. Through the distributed questionnaire, only one assurance dimension is valid ("I can trust the Serba Food Restaurant services"), while the other four questions are not valid ("I feel safe doing transactions with the Serba Food servers, The Serba Food servers gave mannerful services, The Serba Food servers have enough knowledge in answering the customers' inquiries).

After that, the hypothesis of customer satisfaction that has a positive impact towards trust is significant. This result is in accordance with Tendeau's previous research on the beauty salon industry (2011), Adelia et al.'s research on the café industry (2014), and Yieh et al.'s research on the automobile industry in Taiwan (2007). According to Mattson (2009), customer satisfaction is the main key of forming customers' trust. Thus, in order to increase trust, a company should also increase their customer satisfaction. For example, the restaurants should treat their customers fairly, or the company should be able to meet their customers' expectations and be chosen by the customers when they do purchase the products/services.

The Forth hypothesis reveals that trust has a positive impact on customer satisfaction. This hypothesis also goes along with Tendeau's research. According to Widjaja (2009), trust can be created when people feel satisfied towards the products or services. Connecting the idea to this journal, it is really important for the Serba Food Restaurant to increase the customers' trust by giving them good services, maintaining the honesty of the restaurants, and the ability of the company to run the business in order to establish customer satisfaction. The fifth hypothesis proves that interpersonal relationship has no positive influence on trust. This finding is not consistent with the previous study conducted by Tendeau (2011) in the beauty salon industry. In his study, Tendeau (2011) found that in general if customers are already comfortable with their hairdressers/hairstylists, then the customers rarely switch to other hairdressers/hairstylists. However, this is not the case in the restaurant industry. There are several factors that cause the lack of interpersonal connectedness and trust. First, the relationship between the customers and servers is not as close as that in the case of the customers with their hairdressers/hairstylists because hairdressers/hairstylists are individuals who have their own skills, while servers are those with no specific skills. Second, servers are mostly employees, not owners of the restaurant. If the customers were to be served directly by the owners, there might be a different result. Third, the high turnover of the Serba Food Restaurant's employees may result in unfamiliarity of the customers towards the servers. Therefore, the Serba Food Restaurant should give better services and consistent quality to its customers in order to develop interpersonal connectedness.

The result of the sixth hypothesis is that customer satisfaction has a positive influence on the longevity of business relationships. This hypothesis goes along with the previous research that was conducted by Inggar (2010) in the trading industry. Moreover,

Aryani and Rosita (2010) observed that customer satisfaction is an important parameter for long-term business. Satisfied customers will be reflected in the behavior of repurchase. However, dissatisfied customers will not necessarily return to purchase again. Thus, when there are many dissatisfied customers, it will decrease the turnover or sales which will finally also affect the company's profits and longevity of the business.

Furthermore, the seventh hypothesis confirms that trust has a positive influence on longevity of business relationship. According to Gabarino and Johnson (1999), trust is generally viewed as an essential ingredient for a successful relationship. Berry also supports this idea by explaining that customers who develop trust in service supplier based on their experiences will have a good reason to remain in this relationship. As for Gambetta (1988), trusting someone means "the probability that he will perform an action that is beneficial or at least not detrimental to us is high enough for us to consider engaging in some form of cooperation with him". Thus, when a restaurant wants to create longevity of business relationship with the customers, there should be a connection and conviction between the customers and the restaurants.

6. CONCLUSIONS

The results based on the hypothesis testing have produced the following conclusions:

1. Service quality has a positive influence on customer satisfaction.
2. Service quality has no positive influence on trust.
3. Customer satisfaction has a positive influence on trust
4. Trust has a positive influence on customer satisfaction.
5. Interpersonal relationship has no positive influence on trust.
6. Customer satisfaction has a positive impact to longevity of business relationship
7. Trust has a positive influence on longevity of business relationship.

7. LIMITATIONS AND RECOMMENDATIONS.

The first limitation of this study is the sampling method of using the non-probabilistic sampling known as the convenience sampling. The findings obtained through this method are not suitable for generalization. Therefore, the next research is advised to use another nonp-robabilistic sampling method, such as random sampling. The second limitation is the relatively small number of the sample of only 103. The larger the sample is the more significant the test results on the relationships between the constructs will be. For the next research, it is recommended to increase the number of the sample used.

The third limitation is the statistical tool used to analyze the model, which is Partial Least Square (PLS) – SEM that is not able to test the fitness of the model. As a result, the recommendation for the next

research is to use Covariance Based (CB) – SEM, since this statistical tool is able to test both the hypotheses and the fitness of the model.

The fourth limitation is the lack of the question in the questionnaire asking whether the respondent is currently in the Accounting or Management major. This piece of information is useful in the analysis since there is a difference between Accounting and Management students in terms of their decision-making processes. Based on prior observations, Accounting students in general are more detail-oriented compared to the Management students. If there had been any information on the respondents' major of study, a more elaborate analysis on the hypothesis testing could have been generated.

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MILLENNIALS GREEN CULTURE: THE OPPORTUNITY AND CHALLENGE (A CASE STUDY OF HIGHER EDUCATION STUDENT)

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ABSTRACT - Culture can be defined as a strong sense of an action, behavior, or way of thinking is understood to specific values; one of which is a green reduce, reuse, and recycle waste. Unfortunately, modernization, instant lifestyle, and lack of understanding or indoctrination of the family, the external environment and formal education institutions make the application of green with millennial Indonesia is relatively low. Millennial growing community that cared for in particular green waste management not only provide positive solutions for environmental management, but also the business and revenue opportunities candidate or beneficial to the family, the environment and local residents. The literature research is intended to sharpen the issue of the importance of the application of green culture in the millennial generation. The effectiveness of the application of green to the millennial culture requires active encouragement of formal educational institutions, companies and governments; thus providing a positive impact to inspire young people care more about the environment, and the rise of social-preneur generation participating improve the welfare of society.

Keywords: Challenge, Green Culture, Millennials, Opportunity

1. INTRODUCTION

As a great nation with a total population of about 250 million people, Indonesia is the fourth most populous country in the world after China, India and the United States. But unfortunately, the number of productive age population (15-64 years), which reached 66.8% Indonesia has not been able to compete in the economy with other neighboring countries in ASEAN which has the potential of human resources (HR) is smaller such as Singapore, Brunei Darussalam and Malaysia. HR population of childbearing age who should be able to function as a lever economic progress in Indonesia in fact has not been able to demonstrate a positive contribution to the advancement of the nation. Proven still large numbers of unemployed who are expecting a helping hand of governments, companies, and businesses to provide a formal opportunity to work as an employee or a freelancer for the people of productive age.

Refers to the phenomenon that occurred, today more and more young people are challenged to make a difference for Indonesia, one of which is to increase awareness of entrepreneurship (entrepreneurship). Related entrepreneurial spirit of courage to pioneer the business (business start-up) is now becoming an important issue for the younger generation, especially students because it is one of the important capital potential to achieve progress; both for individual students or young people, for the surrounding environment, and also for the development of Indonesia's economy more broadly. By having more entrepreneurs or business people who are actively engaged in the management of the business, then a country will be more likely to progress economically. This is due to the growing job opportunities that can be created from every unit of business activities carried on in the community.

Reflecting these conditions, it is necessary to think about the ways and methods are effective from the academics (teachers and professors), CSR team of

commercial companies and local government to be able to define a useful activity while providing entrepreneurial experience to the younger generation which is currently millennial This is still in the school age range. It is intended that the young potentials that would later become the nation's next high spirit to not only to bring up self-employment opportunities, increase knowledge and skills of individuals for the benefit of society; but also has a high concern for protecting and maintaining the environment through the implementation of actions that are environmentally friendly and pro-green environment.

It is considered very important, because young people who belong to the millennial generation is one of the groups that dominate Indonesia's current population. With the exposure of cultural and moral education as well as environmentally sound intensively to class millennial generation, it can be created by a mindset that is uniform in this generation of action related environmental concerns. One way that is effective in penetrating green environmental care culture is through education and teaching in schools. Through education, students are not only made aware of the facts about the importance of maintaining a healthy lifestyle, and how good ways to maintain the preservation of nature; but also introduced to some of the real action were productive in managing and processing waste household consumption results into things that have beautiful appearance, while providing financial benefits for the students and the surrounding community.

2. MATERIAL AND METHOD

2.1 Definision of Culture

Culture is a way of life that developed and shared by a group of people and passed down from generation to generasi. Budaya made up of many complex elements, including religious and political system, customs, languages, tools, clothing, buildings, and works of art. Language, as well as culture, an integral part of

human beings that many people tend to think of genetically inherited. When someone tried to communicate with people of different cultures and adjust differences, proving that culture is learned.

Culture is a holistic lifestyle. culture is complex, abstract, and spacious. Many cultural aspects also determine the communicative behavior. Elements of socio-cultural spread and include many social activities of man. Some of the reasons why people have difficulties when communicating with people from other cultures is seen in the definition of culture: Culture is a complex device values polarized by an image containing a view on its merits alone. "The image of the force" that take different forms in various cultures such as the "rugged individualism" in America, "the individual harmony with nature" in Japan and "collective compliance" in China. Image coercive culture is to equip members with guidelines on proper behavior and establishes a logical world of meaning and value that can be borrowed members of the most understated to gain a sense of dignity and affinity with their lives. Thus, a culture that is providing a coherent framework for organizing the activities of a person and allow predict the behavior of others.

Culture is closely connected to the community. Melville J. Herskovits and Bronislaw Malinowski argued that everything contained in the society is determined by the culture which is owned by the community itself. The term for it is the opinion of Cultural-determinism.

Herskovits looked at culture as something handed down from one generation to another, which is then referred to as superorganic. According to Andreas Eppink, cultures containing the overall sense of social values, social norms, knowledge and overall social structures, religious, and others, in addition all the intellectual and artistic expression that characterizes a society.

According to Edward Burnett Tylor, culture is a complex whole, which has in it the knowledge, belief, art, morals, law, customs, and other abilities from any person as a member of society. According Selo Soemardjan and Soelaiman Soemardi, culture is a means of work, taste, and creativity of society.

From the various definitions, can be obtained an understanding of the culture is something that will affect the level of knowledge and covers a system of ideas or the ideas contained in the human mind, so that in everyday life, the culture is abstract.

While the embodiment of culture are objects created by man as cultured, in the form of behaviors and objects that are tangible, such patterns of behavior, language, equipment life, social organization, religion, art, and others, are all of which is intended to help people in the hold of the life of society.

2.2 Form and cultural components

According to J.J. Hoenigman, a form of culture can be divided into three: ideas, activities, and artifacts.

1. Idea (ideal realization)

Ideal form of culture is the culture in the form of a collection of ideas, ideas, values, norms, rules, etc.,

that are abstract; can not be felt or touched. This culture form located in heads or in the nature of thinking citizens. If the community expressed their ideas in written form, then the location of the ideal culture are in essays and books of the work of writers such citizens.

2. Activity (action)

Activity is a form of culture as a pattern of human action in that society. This form is sometimes called the social system. The social system is composed of human activities that interact, make contact, as well as associating with other human beings according to certain patterns are based on customary code of conduct. Concrete nature, occurs in everyday life, and can be observed and documented.

3. Artifacts (works)

Artifacts is a form of physical culture in the form of the results of activities, actions, and the work of all men in the community in the form of objects or things that can be touched, seen, and documented. The most concrete nature of the third form of culture. In fact the life of society, between culture form one inseparable from the other culture form. For example: the ideal culture form organize and give direction to the action (activity) and work (artifacts) in humans.

Based on his form, the culture has some elements or components, according to anthropologists Cateora, namely:

1. Culture material

Culture material refers to all the community creations real, concrete. Included in the material culture are the findings resulting from an archaeological dig: a bowl of clay, perhisalan, weapons, and so on. Culture material also includes items, such as televisions, airplanes, sports stadiums, clothing, skyscrapers, and a washing machine.

2. Nonmaterial culture

Nonmaterial culture is abstract creations are passed down from generation to generation, for example in the form of fairy tales, folklore, and traditional song or dance.

3. Social institutions

Social and educational institutions provide many roles in the context of relating and communicating in the nature of society. Social system which is formed in a state will be the basis and concepts that apply to the social fabric of society. Example In Indonesia in towns and villages in some areas, women do not need a high school let alone worked on one agency or company. But in the city - a big city it is upside down, choose a career fair woman

4. Belief systems

How communities develop and build the system of trust or confidence in something, it will affect the existing assessment system in the community. This belief system will affect the habit, how to look at life and the life, the way they consume, to the way how to communicate.

5. Aesthetics

Related to the art and artistry, music, stories, fairy tales, tales, drama and dance -tarian, prevailing and evolving in society. As in Indonesia every society has its own aesthetic value. This aesthetic value needs to be understood in any role, in order to convey the message that we will be able to achieve the objectives and effectively. Suppose in some areas and are stricken, each will membangu buildings of any type SAJ should put yellow coconut and fruit - fruit, as a symbol that every daerah different meaning. But in big cities like Jakarta rarely may not look the way people use.

6. Language

Language is a tool pengatar in communication, language for every Walayah, countries have different parts and very complex. In the science of language communication is a communication component that is difficult to understand. Language has a unique and complex eel, which can only be understood by users tersebu language. So the uniqueness and complexity of this language should be studied and understood in order to better and effective communication by obtaining the value of empathy and sympathy from others.

2.3 Green Culture

Environment and health have a reciprocal relationship. Environmental conditions affect human health. Instead lifestyle can impact the health of the environment. Eg dirty environment causes diarrhea or selection of the foods consumed to cause environmental impacts.

Human lifestyles according to FAO has led to at least 1.3 billion tons of food is wasted. In fact, 1 out of 7 people in the world still affected by famine and more than 20,000 children under five die every day of starvation. The impact of food waste in addition to financial loss is also bad for the environment. The more the rest of the wasted food also means greater waste of chemical use, water resources, as well as fuel. The bigger food waste to landfills will also make a significant contribution to global warming.

The study Ministry of Environment (MOE) in 2012 showed that the index of Conduct Environmental Concern (IPPL) still revolves around the figure of 0.57 (out of absolute figures 1). This indicates that our society is a new half-behaved half a caring environment in performing daily life. Care or environmentally friendly should continue to be pursued, including food consumption. It's important to encourage human behavior and lifestyle for efficient and environmentally friendly in terms of food.

Efforts to maintain a healthy environment is not just a physical affair, but more on cultural aspects. As well as any physical facility which was initially clean and healthy without the support of keeping the culture, it will quickly turn into unhealthy. For that in order to maintain a healthy environment needs the application of a green culture. Green culture can simply be interpreted as an environment-friendly culture. Sustainable environment automatically becomes a healthy environment. Green culture is the application of understanding human consciousness and

implemented consistently in creating and maintaining a sustainable environment.

Mengadirkan strategy cultured generation of green can be pursued through the social sectors of education and culture. Environmental education must be present in school or college, both normative and applicative. Environmentally friendly school program (Adiwiyata) or kayak eco-friendly campus developed more intensively.

Families and communities is important to create a conducive atmosphere and opportunities for young people to take part in environmental action. It is time for young children given the task of serving the house to sweep, manage waste, plant, or caring for a garden. Young children may also be invited in voluntary work programs in the village. Youth clubs, youth mosque, or other community media can be a good organization to implement it.

The young child or school student high school level has its own style and taste. His approach must be appropriate socio-cultural. Model relaxing activity and slang important pursued in its implementation. Young children can be invited to see the progress as Ronaldo. Care for the environment as part of the evidence should be appointed jocks be stigmatized together. Young children should be aware that a green lifestyle (care environment) it is also slang or in other words "not slang if not green".

Parents should be role models and pioneers in building a green culture in the family. For example, with the division of roles maintain cleanliness, managing and sorting garbage, taking care of plants, and others.

The next green culture should be grown in a social community. Culture of mutual cooperation can be a medium to jointly maintain cleanliness and environmental health. For example, with communal work canal cleaning, the volunteers monitoring mosquito larvae, making the park the village green, manage waste banks, and others. If the green culture has grown up and running optimally, then the effort will become a necessity keeping together.

Strategy of building a green culture can also be performed with local wisdom approach. Human adaptation to the environment has stimulated the diverse behaviors and actions. This is where culture emerged in the people's life. The culture of a community identifier other than trying to survive on the shaft orisinalitanya also required to develop without there should be recast. Thereof is formed into a pattern of community life ideas and behavior inherent in every individual. Therefore between culture and morality have a reciprocal relationship that can not be separated.

As the concept of ideas and human behavior, culture go hand in hand with the historicism of human civilization. In an effort to defend the values luhurnya, the culture of a community to proceed through inheritance between generations. For example Javanese culture kept many physical heritage (tangible) and non-physical (intangible).

Physical heritage which can encourage green culture is the existence of the palace. Kraton Java all shady

with trees. In addition to philosophical value, the tree proved capable of functioning as an environmentally friendly greening. Beringgin (*Ficus benyamina*) as an absorber of carbon dioxide (CO₂) and manufacturers of Oxygen (O₂) and its bush canopy as an effective air filter, Asem (*Tamarindus indica*) as an absorber Lead (Pb), Gayam (*Inocarpus edulis*) that can save water and maintain springs and Tanjung (*Mimusops elengi*) which is able to absorb dust.

In addition to the above tangible heritage, Javanese culture also still have intangible heritage in the form of noble values (value) and beliefs (beliefs) that guide or behavior plan and solve basic problems prevailing between generations. Value is still attached to the lives of the people of Yogyakarta is hamemayu Hayuning Bawono. This value has been laid out as a vision of Javanese society by the lane I, which implies a commitment to make the earth beautiful and sustainable (sustainable). Vision harmony with environment lane span the 'hierarchy in the mission, which literally means to care for the earth or the environment.

Local wisdom expected to effectively stimulate green culture society. Green culture is also important instilled through education, both formal, non-formal, and informal. Keeping the environment for health is a cultural movement. The key has been the presence of

culture is consistency of behavior and lifestyle as well as providing living facilities. Green cultural significance, starting from small things, from ourselves, and from now on as well.

2.4 Millennials

Millennials were born between the years 1982-2000. Initially will be popularized as generation Y because it is the next generation of generation X, but develop resistance. Given this generation marks the arrival of the new millennium that is millennial 21, then the mention of millennial generation is more accepted and more popular than the generation Y.

Social researchers often classify the generation born between the 1980s and 2000's as the millennial generation. So to say the millennial generation is the young generation of today who currently dikisaran aged 15-34 years.

Studies on the millennial generation in the world, especially in America, have been done, including the study conducted by the Boston Consulting Group (BCG) together with the University of Berkley in 2011 with the theme of American Millennials: Deciphering the Enigma Generation. The previous year, 2010, the Pew Research Center also released a research report titled Millennials: A Portrait of Generation Next; as shown in the table 1: Uniqueness of Generation below.

Table 1: Uniqueness of Generation

What Makes Your Generation Unique?			
Millennial	Gen X	Boomer	Silent
1. Technology use (24%)	Technology use (12%)	Work ethic (17%)	WW II, Depression (14%)
2. Music/Pop culture (11%)	Work ethic (11%)	Respectful (14%)	Smarter (13%)
3. Liberal/tolerant (7%)	Conservative/Trad'l (7%)	Values/Morals (8%)	Honest (12%)
4. Smarter (6%)	Smarter (6%)	"Baby Boomers" (6%)	Work ethic (10%)
5. Clothes (5%)	Respectful (5%)	Smarter (5%)	Values/Morals (10%)

Note: Based on respondents who said their generation was unique/distinct. Items represent individual, open-ended responses. Top five responses are shown for each age group. Sample sizes for sub-groups are as follows: Millennials, n=527; Gen X, n=173; Boomers, n=283; Silent, n=205.

2.5 Indonesian Millennials Opportunity and Challenge

In Indonesia, a study and a study of the millennial generation has not been done, whereas the number of Indonesian population aged between 15-34 years is now very large, 34.45%. Years ago there was a major business magazine editorial discusses the millennial generation, but unfortunately liputanya coverage is still limited to the millennial generation relation with the world of marketing, in substance not yet entered into the scope of their life as a whole.

Compared to the prior generation, the millennial generation is unique, results released by the Pew Research Center, for example Research clearly explain the uniqueness of the millennial generation than previous generations. What is striking from this millennial generation than the previous generation is about the use of technology and pop culture / music. Millennial generation's life can not be separated from technology, especially the Internet, entertainment / entertainment has become a staple for this generation

In the Indonesian context, the same thing happens, the results of a survey conducted Alvara Research Center in 2014 showed the younger generation, 15-24 years favored topic related to music / movies, sports, and technology. While the generation aged 25-34 years are more varied in topics like they were saying, including social, political, economic, and religious. Consumption internet population age group 15-34 years was also significantly higher than the group of older residents. This shows their dependence on Internet connections are very high.

When we talk and try to dissect portrait of the millennial generation in Indonesia as a whole then there are at least five major issues that need to be studied more in depth, namely:

1. Religious views, Religion Beliefs

Number of Muslim population in Indonesia is the largest in the world, however it appears that Indonesia would prefer democracy as a system bernegaranya than the state system based on

religion. This principle firmly held by the founders of this republic, that as a nation we need to base it on the principles and basic state protects every citizen of any origin and background, and we agreed on the basis that the state is the Pancasila. It is therefore important to photograph how the youth's religious views are conservative, moderate, or secular, what a view of youth views about the relationship between religion and state. Is there a shift in religious outlook than the youth of previous generations.

2. Ideology and Political Participation, Ideology and Politics Participation

There is a general view that always tickled that the values of patriotic and nationalism have been lost and faded from our youth. What is the case? If we see the spirit of football mania at the Bung Karno each team compete even indicate otherwise. Also when we see them in the social media response when we abused symbols neighboring countries, they are very active and persistent defense of the dignity of the nation and the country. So it is important for us actually to see actually what they mean for the millennial generation's nationalism, Is only a primordial aspect, any trend or there are more substantial. Associated with the world of politics in Indonesia, it is important also to see how youth see any political process state that occurred in Indonesia, large seberepa level of youth participation in any political process in Indonesia. Surveys conducted Alvara Research Center in 2014 showed younger voters Indonesia is dominated by swing voters / voters upset, and apathetic voters / voters ignored.

3. Social Values, Social Values

How youth interpret the meaning of a family is also important to be dug, how they view the relationship between children and parents, whether the parents are the role models for them, or even their preferred role model other than family relationships. Such questions are important to measure linked to the social values among youth, many also argued begin a shift of social values among youth orient us, because they are more liberal-minded, they are also easily adopt social values more modern western

4. Education, Employment and Entrepreneurship, Education, Work, and Entrepreneurship

The most important issues facing the youth from the beginning until now is the issue of education and employment, because of two things is the most influential and determine their future. Kesuksesan their future level of adult and old age is determined by the education and employment they received in their youth. Besides entrepreneurs today have become an alternative young people in work, start-up businesses have sprung up in many cities. Once they pass no more hunting jobs, but seek business opportunities and making business opportunities as the entrance to the entrepreneurial world.

5. Lifestyle, Technology, and the Internet, Lifestyle, Technology, and the Internet

Lifestyle of young people who tend to be hedonistic especially in big cities it is common knowledge, they have their own way to vent their expressions, their living world can not be separated from the entertainment and technology, especially the Internet.

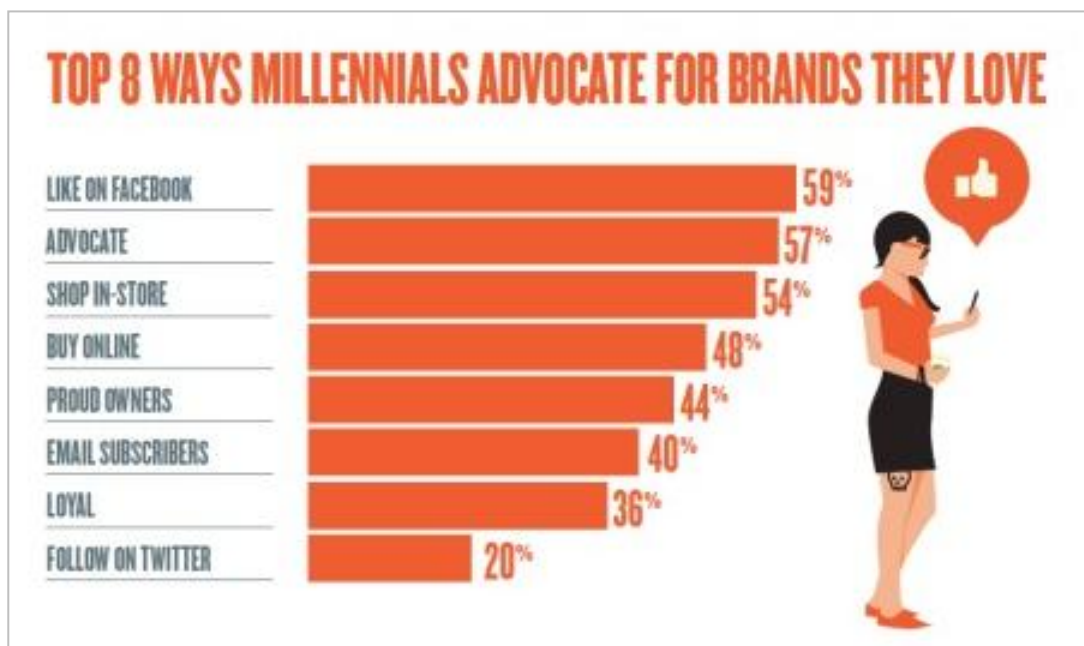


Fig 1: Top 8 Ways Millenials Advocate for Brands They Love

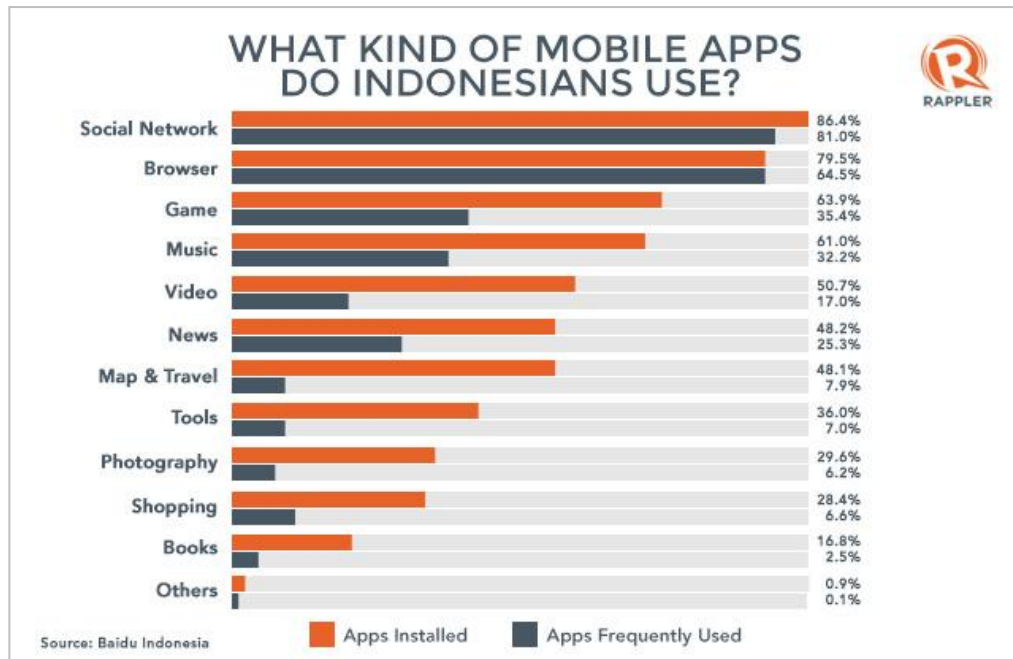


Fig 2: What Kind of Mobile Apps Do Indonesians Use?

According to research conducted by Rappler.com, in general, Indonesian millennial (84.2%) said that their online habits to access social networks, and search applications such as Google, Baidu, and others. This is bad news for application developers, though, such as mobile phone browser seems still preferable to open the application; nearly 40% of Indonesian millennial say they only use 1-2 applications on a regular basis, and the remaining 78.3% said that they use the browser several times a day - including access to social networks and read the news.

Online habits of this generation is done at the time after lunch, and at 19:00 pm is the next peak hours to use the mobile Internet - when stuck in traffic on the way home. Interestingly, 95.2% of respondents said they use mobile internet when they are not really mobile but only at home.

Finally with a full comprehension of the millennial generation portrait in Indonesia then we have a picture of the views, aspirations and their perspective on all aspects in their lives, so it appears logical whole human development can be targeted, because in the end this is the millennial generation later to the fate and future of the nation and the state is determined.

3. RESULT/DISCUSSION

Millenials and Green Culture

Millennial Generation, also known as Gen Y sooner or later will show their dominance in the company and become a leader in the various sides of modern life. Unfortunately, not many formal and non-formal feel responsible for positive efforts to prepare for the millennial to become future leaders capable, advanced vision and love of balance and preservation of the environment; Good for productive ventures that are formal (concern for green culture), encouragement to participate actively in the activities of green-entrepreneurship, as well as the 3R campaign (reduce,

reuse, recycle) waste that could be developed in order to utilize recycled materials for a better life.

Every day more than 10 thousand Baby Boomers are entering the age of 65 years. This fact will continue to occur over the next 18 years. This fact gives a challenge to the whole society that sooner or later the millennial generation will be the determinant of the direction of the nation. Engagement of the younger generation inevitably become an important agenda, is much more important than ever. Important issues in managing millennial, particularly in the application of and education about the importance of green culture is very challenging; but there are plenty of opportunities if we can learn how to work with them.

Brad Karsh, president of JB Training Solutions provides 9 notion of best practices for academics and human resource professionals who want to maintain and continue to develop the great potential for the millennial, among others:

1. Socialize

First and foremost is to have a solid foundation by educating all parties about the importance of awareness and environmental awareness for all students intensively. According to the Nolan Norton Institute study published Harvard Business Review, more than 75% of the company's market value is determined by intangible assets (intangible assets) as talent. Depth understanding of the millennial owned by their influence in the success and sustainability of the implementation of green culture as one of the actualization of the modern lifestyle can only be achieved with a socialization program to get the commitment of all people would together change, and realizing a better environment. To do this socialization, Karsh proposed holding a luncheon casual or informal agenda other activities to help all sections of

- society understand the dynamics of life are constantly changing.
2. **Identify Potential Student**
Millennial need to feel that they are special and important to the family, schools, colleges, companies and communities. Identify the potential students and let them know that they are potential students for the college, so that they realize the long-term impact that they provide to families, schools, companies and the environment in which they are located. This generation greatly appreciate the personal and professional development and expect the company to help them learn and grow. When they know that the school or company even governments invest in them for the long term, they will be more involved (engaged). Not infrequently, if schools want to tell someone that he is a high-performance, then he will become high performers. In this case the notion that Karsh give school leaders or companies who appreciated willingly greet, discuss or invite lunch students to share the burden positive for common progress.
 3. **Connect Them With The Big Picture**
Millennial also always ask "why," because it's in their workplaces to question the reasons behind the decisions. Management should explain the big picture behind the processes and procedures of the organization. This generation has always wanted to make an impact, because it show how the jobs and responsibilities they have an impact in the big picture. The notion of Karsh is, appointed several leaders / activists with experience in green popular culture for the millennial students sitting together and doing interactive and productive discussions with the millennial.
 4. **Provide A Map Of The Future (Goals)**
Millennials longed for flexibility at the stage everyday life, but also want the flexibility of a long-term basis. When in college or the professional world they can switch majors or different profession if you want to try something new, then at school they want the same flexibility. Because it is important for senior high school to show them the options available goals. By applying green culture, academics and schools are obliged showed positive things of what can be achieved by each student, for school institutions and their environment. Not infrequently the lure of financial reward and achievement awards at the local, provincial and national becomes a goal that is quite effective for increasing motivation green culture for all students.
 5. **Give An Emphasis On The Importance Of Soft Skills**
Emphasize the importance of soft skills in the green culture. Soft skills are very important for the sustainability of green culture in the spirit of family and school environment, but milenials often weak in this regard. For that, it helps the academia and schools disseminating the basic things soft skills such as ethics green-business, waste management counseling communication, conflict and others.
 6. **Give Them A series of Experience**
Offer to students could potentially experience, experience, experience. Millennial tend to have a great curiosity for different experiences. For that we need for school, or too CSR companies and governments to encourage participation in the implementation of green millennial culture at the level of professional and industry organizations to enrich their experience; eg visits and periodic training related to culture and practice green.
 7. **Invest Started Now**
Long-term success of the organization is located entirely in the hands of students millennial high potential. This group will shape the future landscape of success or failure of the program green culture. So considerable investment is absolutely necessary for the training and development as well as positive guidance related to green culture which can only be harvested at the times ahead.
 8. **Build Mentoring Program**
Millennials want someone who is their role model. Give them a figure that will be appreciated and respected in implementing and running the program green culture. When Millennial trust authority, the mentoring program can be done as a way to connect them with the organization's program.
 9. **Develop Culture Feedback And Recognition**
Millennial may have a confidence that high, but it does not mean they do not want to be better. Tell them about the achievement of their performance, as often as possible. This millennial group wants to learn, grow, and thrive. Unlike baby boomers are just waiting for an annual review. They want to get feedback (feedback) on a daily basis. Develop a culture of feedback and get used to the leaders and academics to be open, honest and direct in sharing their management style and philosophy.
- #### 4. CONCLUSION
- Various activities are socialization, education and productive competition-related issues of green culture among schools; especially at the high school level belonging to the millennial generation, is one of the effective ways of cultural investment for the future generation. Deep understanding and awareness of the importance of youth in maintaining cleanliness, sustainability and balance of nature in ways that truly make a positive contribution to the progress and welfare of the nation in the future.
- This effort is not only the responsibility of the formal school, but also involves the active participation of all parents, educators (academics), the support of companies (CSR Program) and government policies in ways attractive, interactive and creative. The practice of green culture can continue to be encouraged by the school to which the student millennial can be realized through a variety of actions, among others: green planting (choose a good plant and how to plant good), green waste (care for the sorting and environmentally sound waste management),

green energy (making solar panels, and conduct research and seek alternative renewable energy and environmentally friendly) and green water (make biopori that serves as a water catchment holes in order to cope with the flood).

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PREFERENCES PROSPECTIVE STUDENTS IN CHOOSING THE STUDY PROGRAM (University X In Bandar Lampung)

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ABSTRACT - The existence of a material consideration or reference in taking decisions be important for management; where one of them is to bridge between supply manufacturers to match consumer demand. Many factors behind a prospective students in choosing courses be quite important for the management of the University in preparing the draft strategy right. Factors election so many courses that need to be grouped, in addition to ease, as well as to structuring elements such varied. AHP, or the Analytical Hierarchy Process Model is a model that can be used to provide structuring a good direction, so that the complexity of factors will become more structured and taken into consideration in the decision.

keywords: Consumer behavior, preferences, Analytical Hierarchy Process, Purchase Decision Making, Management Decision Making

1. INTRODUCTION

The development of technology, business and market characteristics change, making a lot of factors for consumers in making purchasing decisions. Competition in various ways, making the business strives to provide all that is needed by the consumer. Sometimes the availability requirements for a product to confuse consumers and producers in making decisions. As with other businesses, universities also have the concept and strategy of its own if you want to survive and thrive, one of which is trying to find models or patterns of thinking of consumers in choosing the products offered, so that the gap in supply is not too far from the request. One of which can be observed by the College is to know the preferences of prospective customers when deciding to purchase. Universities which have a number of faculty even study program should define the preferences of prospective students towards product offerings, so that some of the concepts and strategies can be appropriate. Consumer preference is consumer behavior which has an output or output is action, so that when the preference has been formed in the minds of potential customers, then the election will be a product of action will occur. Consumers in the selection of a product, is influenced by several factors, including cultural, social, personal and psychological (Kotler, 2011). Observing the phenomenon of the number of prospective students and interest in the election program of study at the University of X, Bandar Lampung; thus required a study to define the reasons prospective students in deciding to enter or choose one of the courses. This study using Cochran Q test and Analytical Hierarchy Process (AHP) to determine what factors are a priority in the selection of courses at the University of X, Bandar Lampung.

2. MATERIALS AND METHOD

2.1 Consumer Preferences

Consumer preferences are part of the consumer behavior behind the actions in decision making. According Sunyoto (2012), consumer behavior can be defined as the activities of individuals directly involved in the obtaining and use of goods or services, including the decision-making process of preparation and determination of the activity.

Consumer preferences according to Porteus (1977), is part of the decision-making of individual components, with the components in it, among others, perceptions, attitudes, values and tendencies. Porteus also explained that the study of individual behavior can be used to assess the desire of users to an object to be planned, so as to see the preference it can provide input to the form of participation in the planning process

2.2 Cochran Q Test

Cochran Q test was used to obtain the similarity of the respondents about the factors considered in determining the choice of purchase.

Cochran test will be carried out continuously until the value obtained $\chi_{count} < \chi_{table}$, if not then testing is done continuously by removing the attributes that have the answers "yes" at least.

Step in determining factor with the Cochran Q test:

a. Determine the assumptions

In determining assumptions, is obtained based on the factors raised by the respondents as a reason to choice of a product. The reactions were expressed by one of the "success" or 0 for "failed". The results of these observations can be exhibited in a table kotingensi with Xij which states 0 or 1.

b. Determine hypotheses

c. Determining the real level (α)

d. Statistical calculation formula

$$Q = \frac{\left[c(c-1) \sum_{j=1}^c C_j^2 \right] - ((c-1)N^2)}{cN - \sum_{j=1}^c R_j^2}$$

Cochran Q test showed that with increasing r the distribution Q approaching kadrat chi distribution with degrees of freedom $c - 1$, then the critical values for Cochran Q test can be obtained using the table values for the degrees of freedom chi kadrat $c - 1$ ($\chi^2_{1-\alpha; c-1}$). Reject H_0 , if Q is greater than or equal to $\chi^2_{1-\alpha; c-1}$ (Sugiyono, 2001).

2.3 Sampling

Due to population size is unknown, and sampling will be carried out at the time of prospective students to register, then the calculation of the number of samples by using Bernoulli calculation on a significance level of 10% and $\alpha = 0.1$ then obtained a total sample of 79 people. Data collection techniques using accidental sampling method (Sugiyono, 2001)

2.4 Analytical Hierarchy Process (AHP)

Analytical Hierarchy Process (AHP) is a decision support models developed by Thomas L. Saaty. According to Saaty (1993), the hierarchy is defined as a representation of a complex problem in a multi-level structure, where the first level is the goal, which is followed by the level of factors, criteria, sub-criteria, and so on down to the last level of the alternatives. By hierarchy, a complex problem can be decomposed into their groups are then arranged into a form of hierarchy so that the problem would appear more structured and systematic.

AHP is often used as a method of solving problems compared with other methods for several reasons, namely:

- The structure of the hierarchy, as a consequence of the chosen criteria, sub-criteria until the deepest,
- Taking into account the tolerance limit of validity until the inconsistency of various criteria and alternatives are selected by decision makers,
- Taking into account the durability of the sensitivity analysis output decision.

Besides the reasons mentioned above, AHP also has some advantages in systems analysis, namely:

- Unity: make extensive problems and unstructured become a model that is flexible and easy to understand,
- Complexity: solving complex problems through a system approach and the integration of deductively,
- Inter Dependent: can be used on the system elements mutually bebsa and does not require a linear relationship,
- Hierarchy Structuring: represents the natural thoughts that tend to classify elements of the

system to the different levels of each level contains similar elements,

- Measurement: providing measurement scale and the method to get priority,
- Consistency: consider logical consistency in the assessment used to determine the priority,
- Synthesis: leads to an overall estimate of how he wanted each alternative
- Trade Off: mempertimbangkan relative priority of the factors in the system, so that people are able to choose the best alternative based on their goals
- Judgement and Consensus: it does not require the existence of a consensus, but combining the results of different assessment,
- Process Repetition: the filter is able to make the definition of a problem and develop assessment and understanding them through the process of repetition.

But as proper analysis system, AHP also has the disadvantage of:

- AHP model dependence on its main input. The main input in the form of an expert perception that in the case involving subjectivity.
- Only using mathematical methods without any statistical testing so no confidence limits of the truth of the model is formed.

According to Suryadi, et.al (1998) there are several steps in conducting AHP, namely;

- Defining the problem and determine the desired solution.
- Make a hierarchical structure that begins with the main goal.
- Make a pairwise comparison matrix that describes the elements of the relative contribution or influence of each element of the destination or the criteria level above it.
- Perform defining pairwise comparisons in order to obtain the number of votes as much entirely $n \times [(n-1) / 2]$ pieces, where n is the number of elements being compared
- Calculate the eigenvalues and test consistency.
- Repeat steps 3, 4 and 5 for all levels of the hierarchy.
- Calculating the eigenvectors of each pairwise comparison matrices.
- Check the consistency of the hierarchy.

3. RESULT/ DISCUSSION

3.1 Cochran Q Test: Determination of the whole factor

From the results respondensi to 79 students, obtained the 27 items that factor into consideration prospective students in choosing a college (Table 3.1).

Table 1: Factors in selecting courses

No	Factors
1	Accreditation
2	Pass Speed
3	Tuition fee
4	Other Costs
5	Join the Friends
6	In accordance with the Department of SMA / SMK
7	Own's dream
8	Parents's dream
9	Job Prospects
10	Reputation of Studies
11	Reputationof Students
12	Reputation of Lecturer
13	Number of Cooperation in Studies
14	Reputation of Graduates
15	Recommendations of Others
16	Activities Program
17	Competition when the entrance test
18	In accordance with interests and talents
19	Availability of information about the Program
20	Prestige or pride when entering the course
21	Time Lecturing
22	Admissions Procedure
23	Building Program
24	Laboratory Building
25	There is a friend in the study program objectives
26	There is a sibling in the study program objectives
27	Availability of Scholarships

3.2 Cochran Q Test: Phase IV, retesting

In accordance with the nature of the Cochran Q test models, then made a number of attempts to equate making respondensi with consideration in the form factor of the selection factors consistency study program, and after going through 4 times of testing and found 17 factors in the selection of study programs (Table 2).

Table.2: Repetition factor in Level 4

No	Factors
1	Accreditation
2	Pass Speed
3	Tuition fee
4	In accordance with the Department of SMA / SMK
5	Own's dream
6	Job Prospects
7	Recommendations of Others
8	There is a friend in the study program objectives
9	There is a sibling in the study program objectives
10	Join the Friends
11	Parents's dream
12	Reputation of Study Program
13	Number of Cooperation in Study Program
14	Activities Study Program
15	Availability of Scholarships
16	Competition when the entrance test
17	Other Costs

3.3 Cochran Q Test: Determination of Factors and Sub-Factors

To make the structure factor in table 2 into a hierarchy, then make into 4 factors with 17 sub factors therein so as to provide an overview of the main factors and sub-factors in them (Table 3.3)

Table 3: Factors and Sub-Factors Selection Program

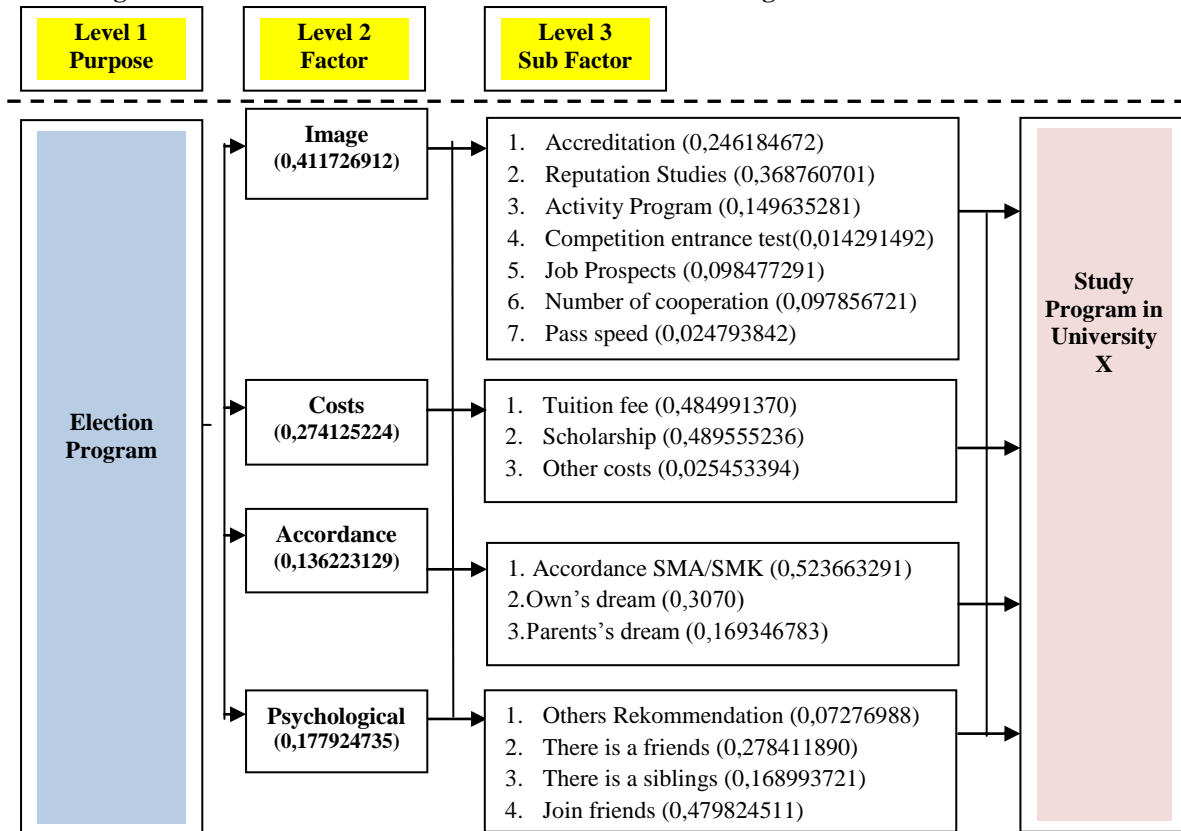
No	Faktor	Sub Faktor
1	IMAGE	1. Accreditation 2. Reputation Studies 3. Activity Program 4. Competition entrance test 5. Job Prospects 6. The number of co-operation in the Program 7. Pass Speed
2	COSTS	1. Tuition fee 2. Scholarship 3. Other costs
3	ACCORDA NCE	1. In accordance with the Department of SMA / SMK 2. Own's dream 3. Parents' dream
4	PSYCHOLO GICAL	1. Recommendations of Others 2. There is a friend in the study program objectives 3. There is a sibling in the study program objectives 4. Join the friends

3.4 Analytical Hierarchy Process (AHP)

Measures undertaken in AHP are: geometric mean calculation, priority weighting calculation, calculation consistency, compiling a priority weighting all factors and sub factors and calculate the ratio of consistency

at each level of hierarchy that can be described as follows:

Fig. 1: Struktur Hirarki hearts Pembobotan Pemilihan Program Studi di Universitas X



From the above results can be seen AHP priority structures at every level with the following description:

- Level 1 (factors in choosing a course of study)
Of the 27 items on the result of factors response, pursued to 17 items and return factors grouped based on similar assumptions to only four factors. All four of these factors is the image, costs, and psychological suitability.
- Level 2 (factor in choosing a course of study)
From the results obtained AHP priority consideration for choosing a course at University X Bandar Lampung, in 4 major factor in the order (1) image, (2) costs, (3) psychological and (4) suitability.
- Level 3 (sub-factor of a factor in choosing a course of study)
In the image factor, sub factor has priority (1) the reputation of the study program, (2) accreditation, (3) the activity of the study program, (4) employment prospects, (5) the amount of co-

operation, (6) the speed of pass and (7) the current competition entrance test.

On the cost factor, sub factor has priority (1) scholarship, (2) tuition fee and (3) other costs.

On the psychological factor, sub factor has priority (1) joined friends, (2) there has been a friend studying in the study program goals, (3) there who had been studying in the study program objectives and (4) the recommendation of others.

While the suitability factor, sub factor has priority (1) according to the majors in SMA / SMK, (2) represents the ideals themselves, and (3) represents the ideals of their parents.

- Level 4 (alternative priorities in choosing a course of study)

In this level is expected to discovery of alternatives factors and sub-factors were taken into consideration from prospective students in choosing courses. Where the AHP model above there are a few main alternative, by looking at the

dominance of the sub factors in the existing factors, namely:

1. The first priority in choosing a course of study on factors sub-image with a dominant factor in the reputation study program,
2. The top priority in selecting a course at factor cost by sub dominant factor in their scholarship offers,
3. The main priority in choosing a course of study on psychological factors with sub dominant factor in the follow friends to jointly choose a course of study,
4. There is a top priority in choosing a course of study in conformity with sub-factor dominant factor in conformity with a major course of study at the time of prospective students in the level of SMA / SMK.

The dominance of the sub factor actually not be the most important thing to be done by the university management, in an effort to determine the consideration of prospective students in choosing courses. This is more of an alternative by considering the greatest value in an effort to sort the items sub factor. Basically all sub factors can contribute (although small) in consideration of a prospective students in choosing a course at University X in Bandar Lampung.

5. CONCLUSION

From all the discussion above, it can be concluded that:

- a. Priority factor in the decision of prospective students choose courses at University X, Bandar Lampung is:
 1. Factors of image of the courses
 2. The cost factor of the study program
 3. psychological factors
 4. Factors suitability of courses
- b. Priority sub factor in taking decisions of prospective students choose courses at University X, Bandar Lampung is:
 1. Sub reputation factor courses that are included in the image factor of the study program
 2. Sub factor for the scholarship offers courses in cost factors.
 3. Sub factor in the selection of a friend follow a course on psychological factors
 4. Sub conformity with a major factor when prospective students at SMA / SMK suitability factors.

So that when viewed from both these conclusions it is suggested at University X Bandar Lampung, in an attempt to generalize the interest and the number of students on existing courses, then:

1. Improve imaging study program with the effort to improve the reputation of the study program in accordance with the field and the expertise fields of study, so that prospective students will increase confidence,
2. Promoting the offering scholarships or the like by offering both the type and the amount and terms of interest and pride impact for prospective scholarship recipients,
3. To educate the students, that the choice of study program must be tailored to the interests, talents and abilities of each prospective students, to avoid compulsion and ultimately be a failure in reaching the future.
4. Maintaining compliance with current majors in SMA / SMK to prospective students, to give confidence that the level of knowledge acquired in school / vocational school will provide a lot of convenience to pass on higher education.

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SHARIA GOVERNANCE AND PERFORMANCE OF ISLAMIC FINANCIAL INSTITUTIONS: FIRM SIZE AS MODERATING

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ABSTRACT- *The study looked at the relationship between the application model of the principles of governance Shari'ah with performance of Islamic financial Institutions in Riau moderated by firm size. In this study the performance of Islamic banking financial institutions measured by using Balanced Scorecard. From the results of hypothesis testing, this study shows that sharia governance capable of affecting the performance of Islamic financial institutions as evidenced by a coefficient of 5.880 with a significance level of 0.000 is much smaller than the value of α (0.05). This suggests that sharia governance capable of affecting the performance of Islamic financial institutions. In the regression test results, firm size can not strengthen the relationship between sharia governance on performance Islamic Financial Institutions. Evidenced by the coefficient t of -1.933 with a significance level of 0.071 is greater than the value of α (0.05). This means that more number of employees of company gives a signal that company is financially strong. However, the size of the company which is proxied by the number of employees may not be able to strengthen sharia governance and enhance corporate value, it gives a signal of agency problems. This needs to get the attention of Islamic banks.*

Keywords: Banking, Sharia Institutions, and Governance Syariah

1. INTRODUCTION

Survival ability of Islamic banking in the era of crisis proves that Islamic banking is able to save most of the economic community. Islamic banking through the intermediation activities of the collection and distribution of funds and the provision of other financial services, based on the principles of sharia has a strategic role in improving the welfare of the people. It is also the appeal of many of the conventional bankers who then opened branch offices sharia. During the year 2013, the Indonesian Islamic banking experience is one of the highest growth period, the market share of Islamic banking in the banking map achieve ± 4.8 per cent in October 2013, with the number of accounts in Islamic banking accounts achieve ± 12 million or 9.2 percent of the total national banking accounts as well as the number of branch network reached 2,925 offices. Especially Europe and America still overshadowed slowing growth, Bank Indonesia expects the Indonesian economy in the next year is still experiencing high growth in the range of 6.3% - 6.7%. Thus the expected impact of the economic crisis on Islamic banking growth rates tend to be minimal, especially with not many portfolio of Islamic banking assets in foreign currency or abroad. (Sharia Banking Outlook, 2013).

Evidence that Islamic Bank has a greater role in the intermediation function is also evident from the increase in Islamic banking in Indonesia from year to year than the general banking, banking intermediation function continues to perform well with FDR above 100%. Financing productive (working capital and investment) continues to increase beyond 70% of the total financing extended by the Islamic banking. Instead of consumer financing slowed along with the increase of productive financing. In the future, the possibility of corruption and irregularities in the bank Shariah is not impossible, although there is no Shariah

Supervisory Board, as the perpetrators are not angels. Especially this time of Shariah banking more and more, then the bankers Shari'ah was growing much anyway. In connection with that the executives and bankers, even including the commissioner must be extra careful in managing the Islamic banking institutions are always rated as "holy", because it comes from the divine principle. It is necessary for the implementation of good corporate governance (GCG) in accordance with the learning of Islam.

The development of Islamic Banking which so greatly in recent years demanding the immediate implementation of the practices of Good Corporate Governance (GCG) in the management of banks in order to provide maximum protection to all interested parties in the stakeholders, especially the customer or depositor. Besides the implementation of GCG can help minimize the Islamic banks financing is not good quality, improve the accuracy of assessment of banks, infrastructure, quality of business decision-making, and has an early detection system for high-risk business areas, products, and services.

The Indonesian Institute for Corporate Governance (IICG), defines the concept of corporate governance as a set of mechanisms for directing and controlling an enterprise that runs its operations in accordance with the expectations of stakeholders (stakeholders). When compared with the conventional banks, the Shari'ah bankers supposed to be superior and lead in the implementation of GCG in banking institutions, considering Shariah banking institutions to bring religion into the name of the business organization. Strictly speaking, bankers Shari'ah must play its role as a pioneer in the GCG enforcement of banking institutions. If the bankers Shari'ah do irregularities and moral hazard, it not only has implications for the institution but also to the image of the Shari'ah. Although people know that it is the fault of certain

elements. But people will quickly assess that sharia institutions only do moral hazard, and special of conventional institutions.

Problems that occur when the application of the principle of governance in Islamic Banking equated with the principle of governance in Conventional Banking. According Lewis and Algoud (2001) governance issues in Islamic banking was very different from conventional banking. This is caused by the Islamic banks have an obligation to comply with Sharia principles (Shari'ah compliance) (Lewis and Algoud, 2001), the possibility of very high information asymmetry for Islamic banking (Archer and Kareem, 1997). Abdussalam Mahmoud Abu-Tapanjeh (2009) examined concerning the nature, application and comparison principles of governance (governance) Islamic company with the principles of corporate governance proposed by the OECD (The Organization for Economic Co-operation and Development) are conventional. The study concluded that the dimensions of the Islamic perspective that corporate governance has a broader horizon and can not be boxed roles and responsibilities, in which all actions and obligations under the jurisdiction of the divine law of Islam, but still applying the principles of OECD different issue and obligation

Nofianti, et.al (2012) explore and develop the principles of Good Corporate Governance (GCG) which can reflect governance Sharia , with reference to the leadership of the Prophet Muhammad and Khulafahul Ryashidin. Islam is far predates the birth of the GCG is become reference for good corporate governance in the world, there are some principles that are considered important for researchers in applying Good Corporate Governance Sharia . To implement GCG in Islamic banking, it is not enough just to governance principles set forth for conventional banks. There are several principles that should be attached to the sharia. In the next study, researchers (Nofianti, et.al: 2013) proved that there is a relationship between the application of the principles of the Shariah governance performance of Islamic financial institutions in Riau.

In this study the principles of sharia governance that has been observed in previous studies, the researchers tried to continue the research to include other factors such as firm size (the size of the company) as a moderating variable in Islamic financial institutions. Large companies supported by large capitalization requires good governance (good governance) to achieve good performance. Darmawati (2004) states that large companies basically have greater financial strength to support the performance, but on the other hand, the company faces a larger agency problems.

The Problem

Based on the above background, the problem can be formulated as follows:

1. Is there a influence sharia governance with the performance of Islamic financial institutions in the province of Riau?

2. Does firm size able to moderate between governance and performance sharia Islamic financial institutions in the province of Riau?

Objectives and Benefits Research

The objectives of this research are:

1. To analyze the influence of sharia governance with the performance of Islamic financial institutions in Riau.
2. To analyze apakah firm size able to moderate between sharia governance and Islamic financial institutions performance in Riau.

The benefits of this research are:

1. For Islamic financial institutions, can solve the problems faced related to the application of sharia governance.
2. As the material of science development, namely the integration of economics science conventional with Islamic science , especially regarding sharia governance.

2. THEORETICAL FRAMEWORK AND DEVELOPMENT OF HYPOTHESES

Some of the principles that are considered important in implementing Sharia governance, and implementation in Islamic banking as follows: [1]. *Siddiq* (Honesty) is correct in his words and deeds. That the *Rasolullah* in words and deeds as stated in Surah An-Najm 4-5 "There is not that saying it (the Qur'an) according to the willingness and lust. His remarks were nothing but a revelation revealed to him [2]. *Amanah* (trust Fulfillment) means to really be trusted. If the matter submitted to it, undoubtedly believe that the matter will be carried out with the best. "I convey to you the messages of my Lord and I'm just giving you reliable advice." (Al-A'raf: 68. [3]. *Tabligh* (Transparency and Openness) means to convey. Nothing is hidden even if it offends. [4]. *Fathonah* (Intelligence) is smart in presenting, explaining, organize and manage something. [5]. *Tawazun* (balance) is balance in all things, and this is the character of *ahlusunnah-wal-jama'ah* who always taught by the Prophet Muhammad and his Companions. [6]. *Mas'uliyah* (Accountability) is a principle of leadership accountability. [7]. *Achlaq* (Morals and Integrity) is an action that encourages a person to act as well. [8]. *'Adalah* (Justice) is justice in attitude. Of the basic mechanisms of Shariah finance will be able to mewujudkan kegiatan economy fairer and more transparent. [9]. *Hurriyah* (Independence and, Responsible Freedom) is an attitude that assumes that human beings are created by God and have a responsible freedom. [10]. *Ihsan* (Professional) is the perfection or the best, professional in performing their duties [11]. *Wasathan* (Fairness) is the fairness in all things. [12]. *Ghirah* (spirit) is in defense of the true spirit. [13]. *Idarah* (Management) is able to manage all things well. [14]. *Khilafah* (Leadership) is leadership in Islam, able to lead overall. [15]. *Aqeedah* (Belief and Confidence) is the trust and confidence that is unshakable. [16]. *Ijabiyah* (Positive Thinking) is to think positive and do not assume something is not important. [17]. *Raqabah* (Supervision) is the

principle that assumes that every action was being watched. [18]. *Qira'ah* And *Ishlahyaitu* learning organization and always make improvements). [19]. *Ascetic* (avoid worldliness) is to assume that the world is not everything but there is eternal afterlife. (Nofianti et al, 2012).

Must emergence of Shariah as a pioneer banker GCG than conventional enforcement, according Algaoud and Lewis (2009) because of the problems of governance in Islamic banking was very different from conventional banks. First, Islamic banks have an obligation to adhere to the principles of sharia (sharia compliance) in running the business. Therefore, Sharia Supervisory Board (DPS) plays an important role in the governance structure of Islamic banking. Second, because of the potential for very high information asymmetry for Islamic banking agency theory, the problem becomes very relevant. This is related to issues of accountability and transparency of the level of customer funds and shareholders. Therefore, the problem of representation of investment account holders in good corporate governance mechanisms become a strategic issue that should also receive attention Islamic banks (Archer and Karim, 1997).

Risks faced by Islamic banking is credit risk (non asset-sharing, and asset systems for results), market risk (equity price risk, foreign exchange risk, commodity price risk, liquidity risk, operational risk, legal risk, reputation risk and other. Risk in Islamic Banking is one of the factors that can encourage the implementation of corporate governance in Islamic banks.

Abd Mahmoud Abu-Tapanjeh (2009) examined concerning the nature, application and comparison of corporate governance principles of Islam with the principles of corporate governance proposed by the conventional OECD. The study concluded that the dimensions of the Islamic perspective of corporate governance has a broader horizon and can not be boxed roles and responsibilities, in which all actions and obligations fall under the jurisdiction of the divine law of Islam but still applying the principles of the different OECD and liability issues. Zulkifli Hasan (2009) concluded that Sharia governance is unique when compared to conventional.

Aznan (2002) discusses the Models of Shariah Governance in some countries such as Malaysia, Pakistan, UAE, Bahrain, Kuwait and Qatar. Maria Bhatti and M. Ishaq Bhatti (2010) proposed a model of Islamic Corporate Governance (ICG) that unite the goals of sharia law with the stakeholder model of corporate governance. It argues that this might be worth the great emphasis put sharia law on the property and contractual rights of Islamic finance. Then Setyani (2010) examined the government's policy on the implementation of Good Corporate Governance for Commercial Banks in the practice of Islamic banking in Indonesia and assess the implementation of good corporate governance for banks in the management of Islamic banking in Indonesia. Hutagalung (2004) proved that the application of the principles of good corporate

governance have a significant impact on the financial performance of SOEs in Indonesia. In addition, the application of the principles of good corporate governance affects the internal and external sources of advantage of SOEs. In this study, Hutagalung using 63 SOEs as a sample and its financial performance seen from the growth rate of ROA (return on assets) of his. Research Che Hat et al (2008) found that the application of good corporate governance has a significant influence on the performance of the company. By using a proxy sharia governance, Leny Nofianti et al (2013) may prove that there is a relationship between the application of sharia governance with the performance of Islamic financial institutions in Riau. Thus, the application of sharia governance increasingly owned by Islamic financial institutions, the performance can be improved. Then the hypothesis is:

H1: Sharia governance affect the performance of Islamic financial institutions in the province of Riau

Hesti (2010) and Uyun (2011) in his research found evidence that the size of the company significant positive effect on the company's financial performance. Companies with large assets will usually get more attention from the public. This will cause the company to be more careful in their financial reporting. The company is expected to always maintain the stability of their financial performance. Reporting good financial condition is certainly not necessarily can be done without going through the good performance of all the lines of the company. Large companies that have good governance will have a large capitalization so that the performance of Islamic financial institutions, the better. Then the hypothesis is:

H2: When the larger firm size will be able to moderate between governance and performance sharia Islamic financial institutions in the province of Riau

3. RESEACH METHOD

3.1. LOCATION RESEARCH AND DESIGN RESEARCH

This research was conducted at the Islamic banking institutions in Riau, both Islamic Banks (BUS) and Sharia Business Unit (UUS). Later this study was designed to gain an overview of the relationship between governance models with the performance of sharia Islamic financial institutions. The method used in this study is a survey method, the research took a sample of the population and using the questionnaire as a data collection tool that principal (Masri Singarimbun and Sofian Effendi, 1995).

3.2. POPULATION AND SAMPLE

The population in this study are all Islamic financial institutions in Riau. Researchers chose the district contained the highest Islamic Banking Institutions in several areas in Riau, among others, the city of Pekanbaru, Kampar Regency, Bengkalis and Indragiri Hilir. Of the 35 questionnaires distributed in four selected districts, obtained 18 questionnaires were

returned and can be processed. The names of the Institute of Islamic Banking in the Riau are as follows:

Table 1: Islamic Bank in Riau

1. PT Bank Syariah Mandiri	8. PT Bank Syariah Mandiri
2. PT. Bank Syariah Muamalat Indonesia	9. PT BCA Syariah
3. PT Bank Syariah BNI	10. PT. Bank Permata Syariah
4. PT Bank Syariah BRI	11. BPRS Sari Madu
5. PT. Bank Syariah Mega Indonesia	12. BMT Bina Swadaya
6. PT Bank Panin Syariah	13. Koperasi Syariah BMT Al-Ittihad
7. PT Bank Syariah Bukopin	14. Bank Syariah Berkah
	15. KKJS BMT UGT Sidogiri Kampar

3.3. METHOD OF COLLECTING DATA

This research is the primary data and secondary data. Primary data obtained by distributing a questionnaire or questionnaires to respondents, while secondary data derived from reports of Indonesian banks

3.4. OPERATIONALIZATION OF VARIABLES

The variables measured in this study are as follows:

1. Independent Variables (X), namely: Good Corporate Governance (GCG) Sharia. GCG Sharia is a corporate governance that apply the principles of sharia. Variable Sharia GCG is measured with an instrument developed by nofianti et al (2011). with dimensions: Siddiq (honesty), Amanah (trust Fulfillment), Tabligh (Transparency and Openness), Fathonah (intelligence), tawazun (balance), Mas'uliyah (accountability), Akhlak (Morals and Integrity), 'Adalah (Justice), Hurriyah (Responsible Independence and Freedom), Ihsan (Professional), Wasathan (Fairness), ghirah (spirit), Idarah (Management), the Khilafah (Leadership), Aqeedah (belief and Confidence), Ijabiyah (Positive

2. Thinking), Raqabah (Supervision), qirâ'ah and Ishlah (The Organization of Learning and Always Keep Repairs) and zuhud (avoid worldliness)
3. Dependent Variable (Y), the performance of Islamic financial institutions. Performance of Islamic financial institutions in this study was measured with instruments used by Rohm (2004), later developed by Dikdik Tandika (2009) which has been tested for validity and reliability. Furthermore, the instrument adapted to the real conditions in the Islamic financial institutions. Organizational performance measurement used dlaam research is the balanced scorecard approach. As judged from four perspectives, namely: Financial, Customers and stakeholders, Internal bussiness process, and Emploeyess and organization capacity
4. Moderation variable, is a variable that is strengthen or weaken the independent variable on the dependent variable. In this study moderation variable is the size of the company Islamic financial institutions, as seen from the proxy "number of employees"

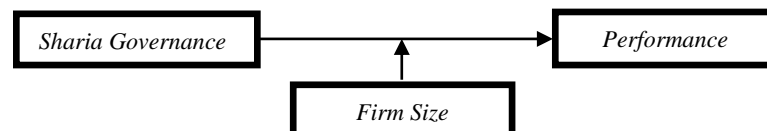


Fig 1: Reseach Model

3.5 DATA ANALYSIS TECHNIQUES

The data analysis involved testing instrument (validity and reliabitas), testing the data (classical assumption), and hypothesis testing is done with SPSS for Windows. Testing the hypothesis of this study is done by multiple regression analysis with the following models:

$$Y = a + b_1 X_1 + b_2 X_2 + b_3 X_1 * X_2 + e \quad (1)$$

Specification

Y : Performance Islamic Financial Institutions

X1 : Sharia Governance (GGG Sharia)

X2 : Firm Size

4. RESULTS AND DISCUSSION

Based on the data test , using the first, validity and reliability, then the all test can be met. Testing reliability was done by using Cronbach alpha. A reliable instrument when alpha reliability coefficient of (a)> 0.50 (Ghozali, 2005). Reliability test results above 0.50 is for Sharia governance variables (X1) with a Cronbach alpha 0.938 and for variables Islamic Financial Institutions Performance (Y) with Cronbach alpha 0.951. Furthermore, the validity test is valid if item of statement on the variables studied is if r count > r table. In this research, all item of statement is valid. Secondly, based on the classical assumption, in which the criteria in this test can be met. (see table 2).

Table 2: Classical Assumption Test

Classical Assumption Test	Governance sharia	Moderating firm size
Data Normalitas	0,850	0,946
Heterocedastisity	0,734	0,170
Multicollinearity	Tolerance=1,000, VIF=1,000	Tolerance=1,000, VIF=1,000
Autocorrelation	1,450	1,635

4.1.EFFECT OF SHARIAH GOVERNANCE FOR ISLAMIC FINANCIAL INSTITUTIONS PERFORMANCE.

The results of this study indicate that sharia governance capable of affecting the performance of Islamic financial institutions in the province of Riau as evidenced by a coefficient t of 5.880 (t) with a significance level of 0.000 is much smaller than the value of α (0.05). This suggests that sharia governance capable of affecting the performance of Islamic financial institutions. Therefore, hypothesis 1 is acceptable.

These results are consistent with theories as well as the results of previous research which states that the higher the implementation of good corporate governance, more increase the company's performance. Research Labelle (2002) mentions corporate governance is positively related to performance of the company in the eyes of investors.

The results of this study confirm that the application of Shariah governance in Islamic banking is more directed to Islamic principles, and in contrast to the application of governance in conventional banking. According Lewis and Algoud (1999) governance issues in Islamic banking was very different from conventional banking. And the implementation of corporate governance of sharia (Good Governance Sharia) will improve the performance of the sharia company.

Sharia governance is a system that regulates and controls the manager in order to provide and enhance the value of Islamic banking financial institutions to shareholders and stakeholders. The application of sharia governance practices can help investors or stakeholders to know that the manager has acted to manage Islamic banking as it should be. Sharia governance can also provide a good signal to investors and companies with a higher value.

By using sharia governance dimension, the more Islamic banking can describe the state of the Shariah in Islamic banking management. It can be seen and analyzed from each dimension of the sharia governance, as follows:

1. Siddiq (Honesty).
2. Amanah (trust Fulfillment).
3. Tabligh (Transparency and Disclosure).
4. Fathonah (Intelligence)
5. Tawazun (Balance)
6. Mas'uliyah (Accountability)
7. Akhlaq (Morals and Integrity)
8. 'Adalah (Justice)
9. Hurriyah (Independence and Freedom Responsible)

10. Ihsan (Professional)
11. Wasathan (Fairness)
12. Ghirah (spirit)
13. Idarah (Management)
14. Khilafah (Leadership)
15. Aqeedah (Belief and Confidence)
16. Ijabiyah (Positive Thinking)
17. Raqabah (Supervision),
18. Qira'ah and Ishlah (The Organization of Learning and Always Keep Repairs)
19. Zuhud (avoid worldliness)

4.2. EFFECT OF SHARIAH GOVERNANCE FOR SHARIA FINANCIAL INSTITUTIONS PERFORMANCE MODERATED BY FIRM SIZE

This study predicts the influence of variables Sharia governance (independent) to variable of performance Financial Islamic Institutions (dependent), moderated by firm size. There are a variety of proxy which is usually used to represent the size of the company, ie the number of employees, total assets, sales, and market capitalization (Dini and Djoko, 2012). In this study, firm size is proxied by the number of employees. The size of the firm (Firm size) is important in the financial reporting process. Darmawati (2004) states that large companies basically have greater financial strength to support the performance, but on the other hand, the company faces a larger agency problems.

In the regression test results, firm size can not strengthen the relationship between sharia governance on performance Islamic Financial Institutions. Evidenced by the coefficient t of -1.933 with a significance level of 0.071 is greater than the value of α (0.05). Simultaneous test results (F) obtained a value of 0.071 is greater than the value of α (0.05). Value determinant coefficient (R^2) of the moderating variables on the relationship between firm size and performance of Shariah governance of Islamic banks amounted = 0.189 or 18.9%.

Thus, moderating variables Firm size is not able to strengthen or affect the relationship between the independent variables and the dependent variable either partially or simultaneously. Meanwhile Hesti (2010) and Uyun (2011) states that the size Firm significant positive effect on financial performance. Therefore, hypothesis 2 can not be accepted.

Based on the results, in which the firm size variable is proxied by the number of employees can not moderate the relationship between the shariah governance and performance of Islamic banks. This means that the more the number of employees of the company, gives

a signal that company has strong financially. However, the size of the company which is proxied by the number of employees may not be able to strengthen the Shariah governance and enhance corporate value, it gives a signal of agency problems. This is reinforced by the value of the determinant coefficient (R²) of 18.9%. Meaning: the moderating variable gives contributes to the relationship between the Shariah governance and performance of Islamic banks amounted 18.9%, and 81.1% the remaining is influenced by other variables.

The agency problems that could occur in banking is if the bankers (employees) do fraud to sharia bank and moral hazard done with structured and many employees involved to meet the interests of a particular party, it not only has implications for the governance of the institution but also to the bank's performance and image of Shari'ah. Although people know that it is the fault of certain elements, but people quickly assess that sharia institutions do moral hazard, especially institutions conventional. This needs to get the attention of Islamic banks.

5. CONCLUSION

From the results of hypothesis testing, this study shows that sharia governance capable of affecting the performance of Islamic financial institutions in the province of Riau as evidenced by a coefficient of 5.880 with a significance level of 0.000 is much smaller than the value of α (0.05). This suggests that sharia governance capable of affecting the performance of Islamic financial institutions. Therefore, hypothesis 1 can be accepted.

In the regression test results, firm size can not strengthen the relationship between sharia governance on performance Islamic Financial Institutions. Evidenced by the coefficient t of -1.933 with a significance level of 0.071 is greater than the value of α (0.05). Therefore, hypothesis 2 can not be accepted. This means that the more the number of employees of the company gives a signal that the company is financially strong. However, the size of the company which is proxied by the number of employees may not be able to strengthen the sharia governance and enhance corporate value, it gives a signal of agency problems. This needs to get the attention of Islamic banks.

6. RECOMENDATION

Based on the research results, the greater the banking company which indicated by the number of employees that much, then the greater the problems faced by the company, especially with regard to the behavior of people who work at the company. It is necessary to evaluate banking company and assessment of employees, because how good corporate governance system that was built when performed by people who have the deviant behavior in the long term will affect the performance and image of the bank, especially banks Islamic.

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THE EFFECT OF CAPITAL STRUCTURE PROFITABILITY AND MARKET RATIOS ON STOCK PRICE IN THE PROPERTY SECTOR

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ABSTRACT - The aim in this study is to investigate each of these factors, especially in the property sector and make it an experience, in the field of investment, especially in assessing the company's stock is heavily influenced by a variety of both internal and external aspects of the company. The method used in this research is descriptive to illustrate the data obtained, and verification which aims to determine causal relationships between variables a statistical hypothesis test. Samples taken as 32 companies using purposive sampling technique that has passed through various predetermined criteria. Results of the study found that partially ROA and has a significant relationship to the stock price, while the DER and BVS were not. While simultaneously concluded that the DER, ROA, and BVS jointly significant effect on stock price.

Keywords: Capital Structure, Profitability, Market Ratios, Stock Price

1. INTRODUCTION

Velnampy & Niresh (2012) state the capital market is seen as an effective means to raise funds from the public, it is possible because the capital market is a vehicle that can raise long-term movement of investment funds from the community to be channeled into business sectors. Gitman (2006), the conditions such as these the role of financial manager to be very important in running three functions, namely (1) determine the optimal sources of funds to finance various investment alternatives, so as to maximize the value of the company is reflected in the market price of its shares. (2) making investment decisions that include fund allocation decisions, whether the funds come from within the company or outside the company on various forms of investment. (3) running dividend policy which determines the proportion of profits to be distributed to shareholders and which will be used to fund investment in the future. Investment is the allocation of funds in the hope of benefit in the future. Various forms of existing investments, one of which is an investment in securities (Booth, Aivazian, Demirgüç, Kunt, and Maksimovic 2001).

Gitman (2006) and Brealy & Myers (2006) which states that the investment decision is very important because it will affect the core of the entire financial analysis which ends with the value of the company. The value of the company can be measured by its market price. Market price shows the price investors are willing to pay. Kabajeh, Nu'aimat, and Dahmash (2012) The market price may be higher or lower than its book value. Myers (1984) Comparison of market value to book value of the shares higher indicates investors' assessment of the company, the better. It was also the desire of shareholders, because the high value of the company which indicates prosperity shareholders also high. The market value can be seen through the company's stock price that occurred in the stock at a given moment is determined by the market participants (Salehi, Talebnia, and Ghorbani, 2011).

Frank & Gayol (2003) found that funding decisions, investment decisions and dividend policy partially positive effect on the value of the company. Dividend policy directly affects the value of the company and indirectly affect investment decisions corporate value through dividend policy and funding decisions (Hall, Hutchinson, and Michaelas, 2004). Decisions are interrelated to one another so that we must consider the joint impact of all three of the company's stock market price.

Modigliani and Miller (1963) which states the value of a company is determined by the earning power of the assets of the company, the higher the earnings power higher profit margins from the company thereby increasing the value of the company. Investors are willing to pay a higher stock price if there is a safety capital or the value of the net assets of the claims are higher. Variables book value is the ratio of equity capital book value by the number of shares outstanding. The higher the expectations, the book value of the stock market value is also high (Natarsyah, 2000).

Representing the book value of the company's physical assets. Investing in property is generally long term and will grow in line with economic growth (Babalola, 2012). But had fallen during the economic crisis of 1998, and re-emerged in 2004, estimated the property business will experience a heyday as 1996. In 2007 an estimated property peaked and headed turning point so that the developer had anticipated the possibility of risks that arise in the coming period (Ciputra 2001)

Based on the thought and the phenomenon arises the question in this study is a significant difference between capital structure, profitability, and market ratio on stock prices in the property sector in Indonesia Stock Exchange either partially or simultaneously? So that readers know the effect of each of these factors, especially in the property sector and make it an experience, increase knowledge,

expand knowledge in the field of investment, especially in assessing the company's stock is heavily influenced by a variety of both internal and external

aspects of the company. Moreover as reference material for individuals/ companies who are interested to invest.

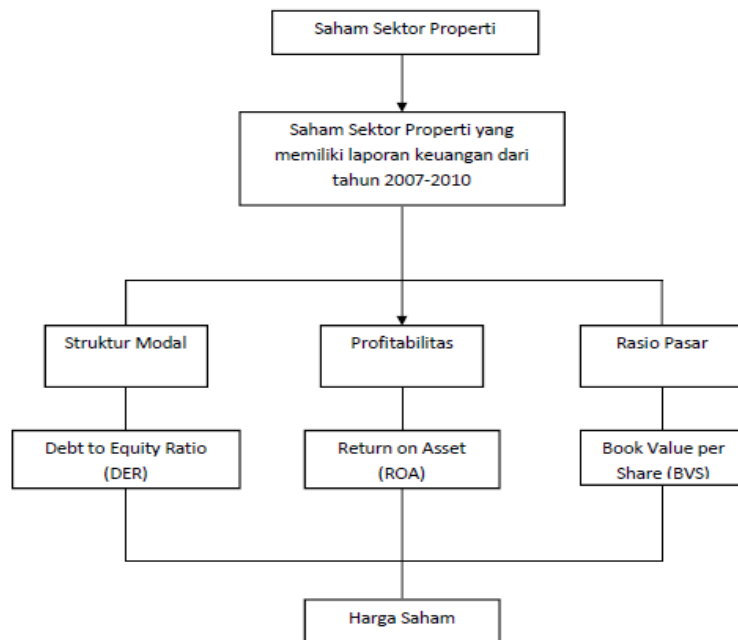


Fig 1: Research Framework

Hypothesis

Based on the framework above it can be arranged hypothesis as follows:

- H1 : Debt to Equity Ratio significant influence on stock price of the property sector
- H2 : Return on Assets Stock Price terhada affect the property sector
- H3 : Book Value per Share significantly affect the stock price property sector
- H4 : Debt to Equity Ratio, Return on Assets, Book Value per Share is jointly significant influence on stock price property sector

2. LITERATUR REVIEW

2.1 THE RELATIONSHIP OF CAPITAL STRUCTURE MEASURED BY DER ON STOCK PRICE

Ong (2011), the capital structure is a mix or the proportion of long-term loans, preferred stock and common stock. Then Azhagaiah and Gavoury (2011), that the capital structure is measured by Debt to Equity Ratio (DER), which was formulated by the amount of long-term loans divided by equity capital. So in general that the capital structure provides an overview of how the financing companies is done by using a source of long-term funds, own capital in the form of common stock, preferred stock and retained earnings which can be measured by the level of Debt Equity Ratio (Ross, 1977). Miller (1977) DER showed a comparison of funds provided by the owner or management company derived from the company's creditors. Yuniningsih (2002) The higher DER showed a high dependence on external capital company so that the company is also increasingly heavy burden. Surely this will reduce the rights of

shareholders (in the form of dividends). The high DER will further affect investor interest in a particular company's stock, since investors are definitely more interested in stocks that do not bear too much of the burden of debt. In other words, DER affect the company's performance Salehi, Talebnia, Ghorbani (2011).

2.2 THE RELATIONSHIP OF PROFITABILITY RATIOS MEASURED BY ROA ON STOCK PRICE

Shubita (2013) Profitability is the relationship between revenues and costs generated by using the firm's current and fixed assets in productive activities. In other words that profitability is a corporate profits derived from the sale or investment companies (Amarjit, Nahum, Neil, 2011). The company's profit can be measured as one of the indicators that influence stock prices. Modigliani and Miller (1958) which states the value of a company is determined by the earning power of the assets of the company, the higher the earnings power higher profit margins from the company thereby increasing the value of the company. Titman and Wessels (1988) Assets of an enterprise funded by shareholders and creditors, so that these assets will be working capital for the company to do business. While the Company's operating results expressed in terms of net profit or earnings after tax (EAT). Thus the ratio between the EAT against the assets as a whole will show the size of the productivity of assets in providing returns to capital penamam (Sawir, 2001).

Nimer, Warrad, Omari (2013) The higher this ratio indicates that the company is more effective in using assets to generate a net profit after tax. Thus, the higher the ROA, the more effective the company's

performance. This in turn will increase the attractiveness of the company to investors. Increased attractiveness of the company to make the company more attractive to investors, because the rate of change will be even greater (Ang, 1997). It will also have an impact that stock prices of these companies in the capital market will also increase. In other words ROA will affect the company's stock price (Salehi, 2011).

2.3 THE RELATIONSHIP OF MARKET RATIOS MEASURED BY BVS ON STOCK PRICE

Harvey, Lipson, and Warnock (2008) An investor would expect to earn profits from its investments. Therefore, before deciding to buy a stock, an investor needs to know the burden of shares to be purchased, as stocks with a lighter load levels will certainly be more attractive to investors, as it will provide greater profit. Ratio to measure the value of shareholders' equity for any shares referred to as the ratio of the market (Ang, 1997), the Book Value per Share, which describes the ratio of total capital (equity) to the number of shares.

According Natarsyah (2000) The higher the expectations, the book value of the stock market value is also high. Representing the book value of the company's physical assets, other than that the greater the ratio of BVS, then the shares will be more attractive to investors so that the stock price will rise. Azhagaiah and Gavoury (2011) Thus, the BVS affect stock prices. The real value of a stock is determined by the fundamentals of a company. Investors made the decision to plant his money by buying shares after consideration of the issuer earnings, sales growth, and assets during a certain period of time. In addition, the prospect of this company in the future is very important to consider is the PER, DPS, PBV, ROA, ROE Weber and Rosenow (2014).

3. RESEARCH METHODS

3.1 SAMPLE AND DATA COLLECTION

This study uses a public company's stock price listing in BEI period 2007-2010. Samples were taken by purposive sampling techniques with certain criteria, namely (1) the companies listed on the Stock Exchange in the property sector (2) Companies whose financial statements have been audited by an independent company (3) The Company is not an outlier in the testing sample data, Data collection techniques in this study include (1) Library Research, studied literature, articles and results of previous research directly related to the matter to be investigated. (2) Field Research is doing research by way of spaciousness.

3.2 TYPES AND SOURCES OF DATA

The data used by the authors are secondary data, among others, (1) The closing price of the stock price is incorporated in the property sector (2) Summary of financial sector issuers property (3) Other data were obtained from literature sources, magazines, financial journals and research previous relevant.

3.3 DATA ANALYSIS TECHNIQUES

The method used in this paper is to carry out the descriptive method to describe phenomena of data captured (Cooper, 2003) and verification method to determine the causal relationship between variables. Data obtained during the research process are then analyzed and interpreted further by using Multiple Linear Regression and Correlation Analysis

4. RESULTS/DISCUSSION

4.1 RESULTS

Classical Assumption

On normality test to obtain the results that the whole level of significance on the research variables are normally distributed, it can be seen from the level of significance that happens all the variables ranging over $\alpha = 0.05$. Which indicates that the sample normal distribution. Autokorrelasi test shows that there is no autocorrelation, where the value of the Durbin-Watson (DW) of 1.399 which is in the interval $-2 < DW < 2$, thus assuming non autocorrelation met. Based on a scatter diagram above, shows that the spread of residuals is not homogeneous. This is because the plots are spread out and do not form a particular pattern. With such results proved that no symptoms of the regression equation homoskedastis or meet the assumption of non heteroskedastis. At multicollinierity test computed VIF value smaller than 5 so that it can be concluded that there is no multicollinearity among variables freely. Based on all the classic assumption test results above, it can be concluded that the above regression analysis model meets all the classic assumption or meet the test validity.

Regression equations

statistical calculation results obtained by the research model as follows:

$$Y = 233,708 - 48,176 X_1 + 58,041 X_2 + 0,051 X_3 + \varepsilon$$

From the results of the equation shows that the constant of 233.708 states if ROA (X_2) is constant then the stock price is Rp. 233.708. From the calculation of ROA regression coefficient analysis was 58.041 states that any additions (positive value) ROA of 1% would raise the stock price of 58.041. So every ROA increased value high, it will raise the price of shares and if the value of a low ROA it will lower the stock price, nor with the BVS (X_3), but inversely proportional to the DER (X_1).

Hypothesis Testing

The result test of simultaneously obtained that Sig. 0,000. It means that H_0 is rejected because the Sig < 0.05 then simultaneously DER, ROA and BVS significant effect on stock prices. The partially obtained the following results:

1. DER not significantly affect the stock price, because sig > 0.05 is 0.310 > 0.05.
2. ROA significantly influence stock prices, because the sig < 0.05 is 0.000 < 0.05.
3. BVS not significantly affect the stock price, because the sig > 0.05 is 0.429 > 0.05.

Partially results that the variables that significantly influence the stock price is Return on Assets (ROA), while the Book Value Share (BVS) and Debt to Equity Ratio does not have a significant impact on the stock price the property sector.

4.2. DISCUSSION

The development of the capital structure as measured by the DER that has an average DER property company is 0.95891 times the period 2007-2010. DER value difference is due to the greater use of foreign capital chosen by the company, the company's financial behavior tends to be on risk taker or risk takers. Whereas the opposite, in companies that tend to use their own capital is referred to as risk averter.

Based on the results of research conducted in the ROA development company property sector that the period 2007-2010 the average ROA property companies 2007-2010 period is 2.59484%. The average ROA of Property sector fluctuated year to year, is caused by the difference in performance of the company which produces the profitability of the company are achieved as a result of the use of assets owned by the company to achieve profits or maximum profit.

Based on the research conducted, the development of Book Value per Share company property sector that the 2007-2010 period the average property company BVS 2007-2010 period is Rp 294.648,- average BVS from year to year the varied sectors of property value due to the difference the amount of own capital (equity) and the number of shares outstanding in each company. The higher the value the better the BVS, the expectations of stock market value is also high because the book value represents a company's physical assets.

The development of the property sector, the company's stock price period 2007-2010 that the average price of property companies 2007-2010 period is Rp 353.234,-. The diversity of the stock price due to differences in the number of requests and offers for shares of a company. If the demand for shares banyak maka harga saham akan naik namun apabila permintaan saham rendah sedangkan penawaran saham naik atau tetap maka harga saham akan menurun.

5. CONCLUSION

Overview DER property sector fluctuated from year 2007-2010, the company ROA average property sector is positive with an average ROA of 2.59484%. BVS property sector has always increased and the average BVS in the study period Rp 294.648,-. And the property sector stock prices have always increased with the average in the study period Rp 353.234,-.

The effect of capital structure, profitabilitas and the ratio of market to simultaneously affect the stock price significantly and give the effect of 54.9% while the remaining 45.1% is influenced by other variables not examined in this study. The results showed that the coefficient of adjusted R^2 of the regression model can explain the variation of stock returns of 54.9%. And partially that have a significant impact on stock prices is the effect ROA of 72.8%. While DER and BVS

does not have a significant influence on stock prices and only give the effect of 1.4% and 47.7%.

Investors can invest more wisely by observing the performance of the company based on financial statement information, and analysis of shares traded in the capital market. For more property sector companies improve corporate performance, especially fundamentals become investors in deciding their investment ratings. To further study the many factors that must be considered in examining the condition of a company's stock or market conditions as well as the company objects to be studied more broadly, in order to illustrate the general condition and represent the whole.

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THE EFFECT OF GROWTH, PROFITABILITY AND LIQUIDITY TO BOND RATING OF THE BANKING FIRMS LISTED ON THE INDONESIAN STOCK EXCHANGE (PERIOD 2009-2013)

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ABSTRACT - This study aims to identify and analyze the effects of growth, profitability and liquidity on bond ratings of the banking firms listed on the Indonesia Stock Exchange (Period 2009-2013). Measurement of growth using sales growth and Earnings per Share growth, profitability is measured by Net Profit Margin (NPM), Return on Assets (ROA), Return on Equity (ROE), while liquidity is measured by the Loan to Deposit Ratio (LDR). The sample in this study is the banking firms listed in Indonesia Stock Exchange 2009-2013 and ranked by PT. PEFINDO. Sampling using purposive sampling in order to obtain a total sample of 7 banking firms that meet the criteria of the study sample set. The technique of the data analysis in this study is using ordinal regression with SPSS 18.0 for Windows.

The results showed that growth with sales growth of measurement has a positive influence on bond ratings while EPS growth measurement has no effect on bond ratings. Profitability with NPM and measurement ROA has a positive influence on bond ratings, when using ROE measurement has a negative influence on bond ratings. Liquidity with LDR of measurement has no effect on bond ratings.

keywords: Growth, Profitability, Liquidity, Bond Ratings, Ordinal Regression

1. BACKGROUND

Investments in general is an activity to invest hope to get profit in the future. People who have excess funds will tend to allocate it into investment. Bond is one of the products in the capital market in the form of a waiver of debt which indicates that the bond issuer borrows some funds from communities (bondholders) and has an obligation to pay periodic interest and repay the principal at a predetermined time to the bondholders. From this bond ratings information, an investor will be able to determine the level of expected return and risk of the bonds. In general, bond rating by Pefindo Ltd is divided into two investment grade (AAA, AA, A, BBB) and non-investment grade (BB, B, CCC, and D).

A phenomenon that occurs on the rating of the bonds, is that some issuers defaulted while their bond rating is investment grade. There are some differences in the results of research on the factors that affect the bond ratings such as Almilia's and Devi's (2007) research. Winardi's (2013) statement about the factors that affect the bond ratings on manufacturing companies found that profitability does not affect the bond ratings, while Agus and Daniel (2013) in their research on the ability of financial ratios for bond ratings in the consumer goods company found that the profitability has a significant effect on bond ratings; Sejati (2010) in the analysis of accounting and non-accounting factor for bond ratings in manufacturing states that growth has significant effect on bond ratings; Adrian's (2011) research concluded that the liquidity has significant effect on bond ratings and research of Magreta and Poppy (2009) concluded that liquidity does not affect the bond ratings.

2. THEORETICAL REVIEWS

2.1 Bonds

Manurung, et al (2009) state that a bonds is a valuable document issued by the issuer for investors

(Bondholder), where the publisher will provide a return in the form of coupons paid periodically with the capital when the bonds meets its maturity. In investment there would be advantages and risks that will be received by an investor. According Rahardjo (2004), some of the risks faced by an investor to invest in bonds are:

- Interest Rate Risk, the higher interest rates, the higher the bond price will increase.
- Liquidity Risk, How to measure liquidity is to see a big difference (spread) between the demand and supply price posted by the broker. The greater the difference the greater the liquidity risk is faced.
- Risk Maturity, bonds that have long maturity more than 10 years will have a higher risk because at the time of buying the bonds, it would be difficult to predict the condition of the company and the country's economy in the long term.
- Default risk, If the publishing company went bankrupt, then the bond would not have value.
- Inflation risk, If economic conditions weaken and inflation increase, it will result in the purchasing power of the bond or other investment products will decrease.

According Kuljeet and Rajinder (2011) bond rating is an indicator symbol of the opinion of rating agencies regarding the relative ability of the issuer of debt securities to implement the obligations under the contract. Ranked bonds are expected to be used as guidelines for investors who want to invest on quality bonds they are interested. Low bond rating indicates that the security level of the bonds is also low. This can be avoided by investors to choose bonds that are rated higher (Sundjaja, et al., 2010). Bond ratings were measured using an ordinal scale ranked by PEFINDO Ltd.

Table 1. Category Bond Ratings

Skala	Peringkat	Kategori
8	AAA	Obligasi berkualitas bagus dan berisiko rendah
7	AA	Kemampuan obligor sangat kuat dan tidak mudah dipengaruhi perubahan keadaan
6	A	Kemampuan obligor kuat, namun cukup peka terhadap perubahan yang merugikan
5	BBB	Kemampuan obligor memadai, namun dapat diperlemah dengan perubahan keadaan bisnis dan perekonomian yang merugikan
4	BB	Kemampuan obligor peka terhadap keadaan bisnis dan perekonomian yang tidak menentu dan merugikan
3	B	Obligasi masih memiliki kemampuan melunasi, namun dapat diperburuk dengan perubahan kondisi bisnis dan perekonomian
2	CCC	Obligasi sudah tidak mampu memenuhi kewajiban, hanya bergantung perbaikan kondisi eksternal
1	D	Obligasi macet

Source: Pefindo, Maharti (2011)

2.2 Company's Growth

The company's growth is its ability to increase the size (the size of the company). The more the company grows, the greater the need of funds is to be expanded. Expansion requires funds that are not few in number, so the need for funds in the future financing will increase. Greater funds are needed. This results the company to hold its earnings. Profit obtained will be used in financing the expansion so that the profits are not distributed as dividends. This growth potential can be measured from the magnitude of the cost of research and development. The greater the R & D cost he company then it means that there are prospects for

growth (Sartono, 2001).

Pottier and Sommer (1999) state that the stronger the growth of a company is positively associated with decision-grade rating and the rating given by bonds. In general, with the company's growth viewed as good means that the company's performance is also good, thus, that the company issuing the bond will have a good bond rating. Therefore, company's growth effects positively to the bond rating. The company's growth can be measured by sales growth and its EPS growth (Cashmere, 2010), a formula to measure the sales growth is:

$$\text{Company's growth} = \frac{\text{current year's sales} - \text{previous year's sale}}{\text{Previous year's sales}}$$

$$\text{EPS Growth} = \frac{\text{current year's EPS} - \text{Previous year's EPS}}{\text{Previous year's EPS}}$$

2.3 Liquidity Ratio

Liquidity ratio is the ratio that measures the company's ability to pay short-term financial obligations on time by looking at the company's current relative assets to current debt (Hanafi and Halim, 2012). Company's ability to meet their financial obligations on time means that the company is in a liquid state and has current assets outweigh its current debt (Almalia and Devi, 2007).

Burton (1998) states that a high level of liquidity will demonstrate strong financial condition that would financially affect the bond ratings predictions. Therefore, company's liquidity affects positively to the company's bond rating. Tools used to measure liquidity to the banking company according Taswan (2013) are to use the Loan to Deposit Ratio (LDR). LDR is a ratio that describes the bank's ability to repay its obligations to customers who invest the funds with which credit has been given to the debtors. LDR can be measured by:

$$\text{LDR} = \frac{\text{Credit}}{\text{Third party's cost}}$$

2.4 Profitability Ratios

Hanafi and Halim (2012) state that profitability is a ratio that measures a company's ability to produce a profit at the level of sales, assets, and certain share capital. This profitability provides an overview of how effective the company operates so as to provide benefits to the company. Burton, et al., (1998) says a high level of profitability can reduce the risk of insolvency (inability to pay debts) which results to higher bond rating of the company issuing the bond, so the profitability affects positively on bond ratings. Profitability ratios in this study were measured by NPM (Net Profit Margin), ROA (Return on Assets), ROE (Return on Equity).

$$\text{NPM} = \frac{\text{Net Profit}}{\text{Sale total}}$$

$$\text{ROA} = \frac{\text{Net Profit}}{\text{Asset total}}$$

$$\text{ROE} = \frac{\text{Net Profit}}{\text{Capital money}}$$

2.5 Hypothesis

From the theoretical reviews, previous studies, and the framework described above, it can be stated that temporary answer to the existing problems, are:

- Company's growth affects positively to bond ratings.
- Profitability ratios affects positively to bond ratings.
- Company's liquidity affects positively to bond ratings.

3. RESEARCH METHODOLOGY

The type of research used in this research is the study of causality and data used are secondary data derived from the company's financial statements which published in the Indonesia Stock Exchange in between

2009-2013 and bond ratings data are issued by PEFINDO. Its population is banking companies listed in Indonesia Stock Exchange and rated by PEFINDO Ltd. The sampling technique used is purposive sampling technique with the following criteria:

- Banking companies listed in the Indonesia Stock Exchange.
- They Issued bonds during the study period and listed in bond ratings issued by PEFINDO.
- Has a complete set of financial statements during 2009-2013.

There are 39 banking companies listed on the Indonesia Stock Exchange. Of the criteria mentioned above, there are 7 companies that meet these criteri.

4. RESULTS AND DISCUSSION

Table 2. Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation
P. Penjualan	35	-.16	.29	.1486	.10500
P. EPS	35	-9.16	1.59	-.2480	2.09084
ROA	35	-.0200	.0350	.016829	.0113332
ROE	35	.0020	.2300	.121343	.0511405
NPM	35	-.16	.20	.1211	.07899
Peringkat Obligasi	35	5	8	6.69	.796
Valid N (listwise)	35				

Source: Data processed by SPSS, 2014

Based on the results of descriptive statistics in Table, 2 it can be seen that the lowest bond rating owned by Bank ICB Bumiputera during 2009-2013 with BBB ratings and the highest ranking is owned by Bank OCBC NISP in 2012-2013 with AAA bond rating. It

means that the Bank ICB Bumiputera's bond rating does not increase during 2009-2013 and it has the lowest rating of the bonds of other companies. However, during the 5-year bond ratings remain stable.

Table 3. Bonds Rating

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	BBB+	BBB+	BBB+	BBB+	BBB+
2	BBTN	AA-	AA-	AA	AA	AA
3	BDMN	AA+	AA+	AA+	AA+	AA+
4	BJBR	A+	AA-	AA-	AA-	AA
5	BNLI	A+	A+	AA	AA	AA+
6	NISP	AA-	AA-	AA+	AAA	AAA
7	PNBN	AA-	AA	AA	AA-	AA

Source: www.pefindo.com

Company's growth in this study is measured or represented by sales growth and calculation growth of EPS (Earnings per Share). The lowest value of sales growth based on table 2 that is equal to -0.16 owned by Bank ICB Bumiputera in 2012 shows that sales of the company has decreased and become less efficient

to make the sales. The highest value sales growth amounted to 0.29 occurred in Bank of West Java and Banten in 2009 and at Bank Permata in 2011 and 2013. This means that the two companies are good enough to make a sales.

Table 4. Sales Growth

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	0.09	0.11	-0.02	-0.16	0.01
2	BBTN	0.25	0.26	0.07	0.17	0.23
3	BDMN	0.10	-0.01	0.18	0.12	0.08
4	BJBR	0.29	0.25	0.18	0.15	0.21
5	BNLI	0.24	-0.01	0.29	0.18	0.29
6	NISP	0.19	0.09	0.15	0.19	0.22
7	PNBN	0.27	0.16	0.24	0.07	0.07

Source: www.idx.co.id

The company's growth by using measurements of the EPS (Earnings per Share) has an average of -0.2480 with a deviation standard of 2.09084. The highest value of 1.59 EPS growth contained in Bank ICB

Bumiputera in 2009 has meant that the company is efficient in increasing EPS, but in 2011 the Bank ICB Bumiputera became less efficient in increasing EPS thus declined in 2011 with the lowest value of -9.16 EPS growth.

Table 5. Growth in Earnings per Share (EPS)

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	1,59	1.20	-9,16	-1,01	-7,55
2	BBTN	-0,18	1.25	-0,08	0,13	0,13
3	BDMN	-0,40	1.20	-0,14	0,23	-0,01
4	BJBR	0,27	-0,19	0,08	0,24	0,16
5	BNLI	0,43	0,40	0,17	0,02	0,17
6	NISP	0,36	0,01	0,41	-0,07	0,29
7	PNBN	0,43	0,26	0,57	0,13	-0,02

Source: www.idx.co.id

Profitability measured using the ROA has an average of 0.16829 to the level of data variation of 0.0113332. The highest value of 0,035 ROA contained in Bank Danamon in 2012 that signalled the company is quite efficient in utilizing its assets to generate earnings or

profits for the company. The lowest ROA value of -0.02 which is owned by Bank ICB Bumiputera in 2011 means that the company is less efficient in utilizing its assets to generate profits.

Table 6. ROA (Return On Assets)

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	0,002	0,002	-0,02	0,001	-0,009
2	BBTN	0,013	0,018	0,017	0,07	0,016
3	BDMN	0,024	0,034	0,032	0,035	0,03
4	BJBR	0,030	0,028	0,024	0,021	0,025
5	BNLI	0,014	0,017	0,015	0,014	0,014
6	NISP	0,017	0,011	0,017	0,015	0,016
7	PNBN	0,018	0,018	0,022	0,021	0,02

Source: www.idx.co.id

Profitability as measured by ROE in table 2 shows that the average ROE value is equal to 0.121343 with a deviation standard of 0.0511405. The highest value of ROE is owned by Bank of West Java and Banten in 2009 in the amount of 0.23 means that the company

utilizes its equity efficiently and the lowest value of ROE is owned by Bank ICB Bumiputera in 2012 of 0.002 means that the company is less efficient in utilizing equity in generating profits.

Table 7. ROE (Return On Equity)

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	0,009	0,02	0,164	0,002	0,163
2	BBTN	0,09	0,17	0,14	0,132	0,125
3	BDMN	0,097	0,183	0,129	0,142	0,129
4	BJBR	0,23	0,178	0,179	0,199	0,205
5	BNLI	0,101	0,126	0,13	0,11	0,116
6	NISP	0,105	0,075	0,114	0,096	0,077
7	PNBN	0,096	0,087	0,103	0,108	0,117

Source: www.idx.co.id

Profitability measured using the NPM (Net Profit Margin) in Table 2 shows that the average NPM value is 0.1211 with a deviation standard of 0.07899. The highest value of NPM is 0.20 which is contained in Bank Tabungan Negara

in 2012 meaning that the company is quite efficient in controlling costs used in operational activities and the lowest value that is equal to -0.16 NPM is contained in Bank ICB Bumiputera in 2011 reflects that the company is less efficient in controlling costs used in its operational activities.

Table 8. NPM (Net Profit Margin)

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	0,01	0,01	-0,16	0,01	-0,09
2	BBTN	0,12	0,17	0,19	0,20	0,19
3	BDMN	0,08	0,18	0,15	0,17	0,17
4	BJBR	0,17	0,17	0,15	0,17	0,16
5	BNLI	0,07	0,15	0,14	0,13	0,12
6	NISP	0,11	0,10	0,16	0,15	0,15
7	PNBN	0,12	0,13	0,16	0,17	0,16

Source: www.idx.co.id

Liquidity in this study uses the size of the LDR (Loan to Deposit Ratio). Results of Table 2 show that average value of LDR is at 0.8666 with a deviation standard of 0.10204. The highest value of LDR is at 1.07 which is owned by Bank Tabungan Negara in 2010 means that the bank's ability is low to repay its

obligations to customers with loans and the lowest value of LDR contained in Bank of West Java and Banten in 2010 at 0.69 indicates that the bank's ability to repay its obligations to customers with loans that have been granted is high.

Table 9. LDR (Loan to Deposit Ratio)

No.	Kode Perusahaan	2009	2010	2011	2012	2013
1	BABP	0,87	0,84	0,82	0,78	0,80
2	BBTN	1,00	1,07	1,01	1,00	1,03
3	BDMN	0,87	0,92	0,99	1,01	0,95
4	BJBR	0,71	0,69	0,71	0,73	0,94
5	BNLI	0,86	0,88	0,86	0,89	0,89
6	NISP	0,70	0,78	0,85	0,85	0,91
7	PNBN	0,74	0,77	0,86	0,89	0,86

Source: www.idx.co.id

4.1 Assessing Feasibility Regression Model (Goodness of Fit Test)

If the value of Goodness of Fit Test > 0.05 then the

model is said to be fit or fit for use. Goodness of Fit Test value is seen from the significance of Pearson and Deviance (Yamin & Kurniawan, 2009).

Table 10. Goodness-of-Fit

	Chi-Square	df	Sig.
Pearson	28.478	96	1.000
Deviance	23.784	96	1.000

Link function: Logit.

Source: Data processed by SPSS, 2014

Based on table 10 it can be seen that the value of chi-square (Pearson) is equal to 28.478 and the value of Chi-Square (Deviance) is 23 784. The significance of Pearson and Deviance is equal to 1.00 > 0.05, it can be said that the model fit the data.

4.2 Pseudo R-Square

Pseudo R-Square is used to explain the variation of the dependent variable and can be explained by the independent variables indicated by the value McFadden (Ghozali, 2012).

Tabel 11. Pseudo R-Square

Cox and Snell	.669
Nagelkerke	.804
McFadden	.619

Link function: Logit.

Source: Data processed by SPSS, 2014

Pseudo R-square value can be seen in Table 11 above. McFadden shows values of 0.619 or 61.9%. This means that the variability of the dependent variable

that can be explained by the independent variable in this study is 61.9%, while the remaining 39.1% can be explained by other variables outside the research.

4.2 Hypothesis Testing

Parameter Estimates

		Estimate	Std. Error	Wald	df	Sig.
Threshold	[PeringkatObligasi= 5]	.347	5.656	.004	1	.951
	[PeringkatObligasi= 6]	3.035	5.830	.271	1	.603
	[PeringkatObligasi= 7]	16.582	7.956	4.344	1	.037
Location	P.Penjualan	24.777	9.822	6.364	1	.012
	P.EPS	-3.440	2.164	2.528	1	.112
	ROA	318.766	152.288	4.381	1	.036
	ROE	-142.356	54.626	6.791	1	.009
	NPM	131.083	49.479	7.019	1	.008
	LDR	-1.346	6.639	.041	1	.839

Link function: Logit.

Parameter Estimates

		Estimate	Std. Error	Wald	df	Sig.
Threshold	[PeringkatObligasi= 5]	.347	5.656	.004	1	.951
	[PeringkatObligasi= 6]	3.035	5.830	.271	1	.603
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Location	P.Penjualan	24.777	9.822	6.364	1	.012
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	ROA	318.766	152.288	4.381	1	.036
	ROE	-142.356	54.626	6.791	1	.009
	NPM	131.083	49.479	7.019	1	.008
	LDR	-1.346	6.639	.041	1	.839

Source: Data processed by SPSS, 2014

Based on the table 12 as it can be seen above it can be analyzed that the independent variables that affect the bond rating is the company's growth as measured by growth in sales and profitability variables measured by ROA, ROE, and NPM. Each increase of 1 unit sales growth will raise the odds ratio (exp 24.777) amounted to 5.761123 bond ratings. Then every increase of 1 unit ROA will raise the odds ratio (exp 318.766) of 2.742974 bond ratings. Increase of 1 unit ROE will decrease the odds ratio (exp -142.356) amounted to 1.498361 bond ratings, and every increase of 1 unit NPM will raise the odds ratio (exp 131.083) amounted to 8.483670 bond ratings. Each of this increases on the condition that the other independent variables considered 0. The value of exp (exponential) is equal to 2.71828.

4.3.1 The Effect of Company's Growth to Bond Ratings

Hypothesis 1 in this study states that the company's growth effects positively to bond ratings. Based on the results of regression testing using a sales growth, it has a positive coefficient of 24 777 with a value of 6.364 and wald statistical significance level of 0.012. Significance value of 0.012 indicates that the value is smaller than 0.05 which means that there is influence. While the calculation of company's growth which uses growth measurements of EPS with a negative coefficient value 3.440 and a significance level of 0.112 states that there is no influence due to the significant value higher than 0.05. Research hypothesis is supported when measuring the growth of companies using sales growth.

High sales indicate that the cash flow received by the company becomes better so that the possibility of the company to pay principal and interest of the bonds in time becomes higher. While the company's growth with EPS growth did not affect the bond rating because the EPS is used often to measure the amount of the dividend distribution, so EPS goal is to attract investors who invest in stocks instead of investing in bonds. Therefore, in improving the bond rating, the company should see growth and increase the sales.

Research on the growth of the company according to research conducted by Almilia & Devi (2007) and Sejati (2010) resulted in that the company's growth

(growth) effects to bond ratings.

4.3.2 Profitability Effect on Bond Ratings

Hypothesis 2 in this study states that the profitability effects positively on the bond ratings. Profitability in this study was measured by using ROA (Return on Assets), ROE of (Return on Equity) and NPM (Net Profit Margin). Results of regression testing ROA produces a coefficient positive value of 318.766 with a value of 4.381 and wald statistical significance level of 0.036 which indicates that $0.036 < 0.05$ means ROA effects positively on bond ratings. The test results ROE produce a negative coefficient value of 142.356 with a significance level of $0.009 < 0.05$, which indicates that the ROE negatively affects bond ratings. So NPM regression testing results shows a positive coefficient value of 131.038 with a significance level of $0.008 < 0.05$ means that the NPM effect positively on bond ratings. Based on the results of the hypothesis 2 regression testing received by the measurement of the profitability of using ROA and NPM which states that they effect positively on the profitability of bond ratings.

Therefore, companies should be able to raise the value of ROA and NPM to improve its bond rating. Companies should increase ROA and NPM value to be able to get high profit. The assumption is that companies that produce high profits indicates that the profit generated will be used to satisfy the obligations of the company so that the company will reduce the risk of failure to pay principal and interest of the bonds. The test results are consistent with the results of tests performed by Agus and Daniel (2013) which suggests that the ROA affects the bond ratings, as well as Magreta's & Poppy's (2009) research which suggests that profitability affects the bond ratings.

4.3.3 Effect of Liquidity of the Bond Ratings

Hypothesis 3 states that the liquidity affects on the bond ratings. Regression testing for liquidity as measured by the LDR (Loan to Deposit Ratio) produces a negative coefficient value of 1,346 with a value of 0.041 and wald statistic significance level of 0.839. Where significance value of is greater than the value of 0.05, it states that the liquidity of the LDR measurement does not affect the bond ratings. Therefore, hypothesis 3 is rejected.

Liquidity in this study was measured by using the Loan to Deposit Ratio (LDR) which is calculated by dividing the bank's loans to the public by the third party funds received from the public to see the bank's ability to repay its obligations to the people who invest their funds in the form of demand deposits, time deposits, certificates of deposit, savings or other similar forms, so the LDR here measures the ability of the bank not to repay the bond obligation but more to its obligations to customers.

Another study supports that liquidity does not affect the bond rating is the research conducted by Sejati (2010) and Magreta & Poppy (2009). Sejati (2010) states that the management should provide information regarding the company's liquidity and ability so that that bond agents can pay attention to the quality of the company's operational activities and investors can decide correctly about the bond ratings. Maharti (2011) gives an opinion that liquidity does not affect the bond ratings because PEFINDO may assess the management of assets and liabilities more according to which the cash flow it provides more detailed information in providing bond ratings.

5. CONCLUSIONS AND SUGGESTIONS

5.1 Conclusion

Based on the results of the study as described in chapter IV, it can be summed up as follows:

1. The results for the company's growth variables show that company's growth affects positively on bond ratings measured using the sales growth, while the results show that the EPS growth did not affect the bond ratings.
2. The results of the profitability variable in this study shows that the profitability affects positively on the of bond ratings by using measurements of ROA (Return on Assets) and NPM (Net Profit Margin). Profitability measured using ROE (Return on Equity) results in a negative impact on bond ratings. Therefore, the company should be able to increase ROA and the value of NPM by increasing corporate profits.
3. The results of the liquidity variables indicate that liquidity measured by using the LDR (Loan to Deposit Ratio) does not affect the bond ratings.

5.2 Suggestions

The researcher can suggest banking companies issuing the bonds should enhance the company's sales growth further, also ROA and NPM company to increase their bond ratings.

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THE INFLUENCES OF INVESTMENT TOWARDS REGIONAL GROSS DOMESTIC PRODUCT (RGDP) IN LAMPUNG PROVINCE

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Abstract- *This study examines the effect of investment to RGDP. Problems in Lampung province is RGDP growth and investment that fluctuates. It has not been known yet how the contribution of investment to RGDP. By knowing the contribution of these factors, policies can be formulated to attract investors to invest in Lampung Province. This research used explanatory method that aims to explain the causal relationship between variables and test the hypotheses. This research used secondary data in the form of time-series data for 33 years using simple linear regression analysis with the technique of Ordinary Least Square (OLS) by using the Eviews program version 7.0. The research findings showed that the increase in RGDP relies on investment. Furthermore, this study also found out that increasing the investment is a strategy to increase the RGDP in Lampung Province.*

Keywords: Investment, RGDP in Lampung Province

1. INTRODUCTION

In order to achieve the national goals, the Government has done all programs in all fields that one of its objectives is to achieve economic development progress as measured by Gross Domestic Product (GDP), per capita GDP or per capita Income, and per working hour income. The development in Lampung province lasted comprehensively and continuously is an aggregate development of 15 districts / cities in Lampung province that can not be jointly separated from efforts between government and society. However, on the other hand, various obstacles in maximizing the potential of human resources and capital resources are still faced by policy makers at the provincial and district / city so that the achievement of economic growth in Lampung was always under the National economic growth. RGDP in Lampung province faced an average growth of 5.33 percent below the national economic growth of an average of 6.02 percent (BPS Lampung Province, 2014).

Theory of Neo Classical Economic Growth stated that economic growth in the region as measured by GDP growth depends on the development of the factors of production, namely; capital, labor and technology (Sukirno, 2004). Keynes Multiplier Theory states that an increasing number of investments will expand output and manpower employment. Therefore, investment is one part of the GDP so that if one part increases, the entire section will also increase (Samuelson And Nordhaus W., 2004). From the data, it is seen that the investment in Lampung Province has fluctuated in the period 2006 -2013 for both foreign and domestic investment. In Total Value of Investment also fluctuated but very high investment growth occurred in the year 2011 reaching 74.16 percent compared to the year 2010. This growth mainly occurred in Domestic Investment which increased up to 102 percent (BPS Lampung Province in 2014). Once the importance of investment for a region in an effort to boost GDP, by looking at the empirical data it is showed that the investment growth fluctuates and so does GDP growth. Based on

previous statements, the researchers wanted to analyze the influence of investment to GDP.

Problem Identification

Problem Identification as follows:

1. RGDP Lampung province fluctuating period of 2004 until 2013
2. RGDP growth in the period 2004 until 2013 for annual average of 5.33 percent of RGDP which is still below the national average of 6.02 percent.
3. Investment in Lampung Province always fluctuates both in foreign investment and domestic investment.

Problem Formulation

Formulation of the problem: How does the investment influence Regional Gross Domestic Product?

Objectives and Research Benefits

This study aims to find and analyze the influences of investment towards Regional Gross Domestic Product (RGDP). It is expected that this study will be useful as an input to the Government of Lampung Province as policy makers to increase investment in the region as an effort to increase the RGDP of Lampung Province.

2. THEORETICAL FRAMEWORK AND HYPOTHESES

Theoretical Framework

One of the indicators that are considered important to know the condition of the regional economy is Regional Gross Domestic Product, both at current prices and at constant prices. RGDP is the value added generated by all economic units in a particular area. RGDP at current prices illustrates the added value of goods and services calculated using prices prevailing at each year, while the RGDP at constant prices shows the added value of goods and services calculated by the price prevailing at a particular time as the base year (Central Bureau Statistics, 2013). The development of RGDP at current prices from year to year describes developments caused by changes in the volume of production of goods and services produced and the changes in price levels and shows revenues that can be benefitted by the residents of an area as

well as illustrate the t-value of added goods and services calculated by using annual price.

A high level of national income would increase public revenue and will further increase the demand for goods and services. Corporate profits will grow and encourage more investments. Investment levels will inevitably impact output production (GDP) or the increase in investment will give a multiplier effect on GDP, it is reinforced by the Theory of Neo Classical Investment (Sukirno, 2004). According to Adam Smith, there are four factors that affect economic growth, namely: the total population, the number of stock of capital goods, land area and natural resources, and applied technology. He further explains that the growth has a cumulative process that occurs if prosperity as a result of the success of the investment increases output then it will increase GDP as well. Based on the description above, it can be drawn into the Framework theory as follows :

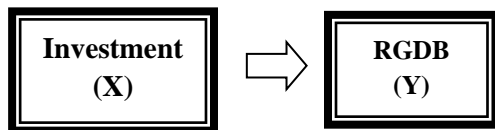


Fig 1: Research Paradigm

hypothesis

Formulated Hypothesis: There is a significant influence between the investment towards RGDP.

3 . RESEARCH METHODOLOGY

Place and Time Research

This research was conducted in Lampung Province for 3 months starting in March 2014 until May 2014 which includes the planning process including the preparation, assessment, and research proposal arrangement. Implementation process and reporting the results of research include the data collection, data processing and arrangement of research reports.

Methods

This research used explanatory research method that aims to explain the causal relationship or between variables and to test hypotheses (Singarimbun and Sofyan Efendi, 1995). The causal relationship between variables described is the Influence of Investment towards RGDP. The data used in this research is time-series secondary data in 1980 until 2013 which was obtained from the Central Statistics Agency (BPS) Lampung Province, Bank Indonesia (BI) Lampung, Regional Development Planning Board (BAPPEDA) Lampung, and other references related to the issues discussed in this study.

Operational Variables

Table 1: Operational Variable of Research

No.	Variables	Indicator	Unit	scale
1	X = investment	Realization Value in domestic and foreign investment in total	Billions rupiah	Ratio
2	Y = RGDB	constant price by RGDP Production approach	Million s rupiah	Ratio

Source: Data processed

Research Model and Data Analysis Methods

Research Model

Based on the research variables relevance, the research model can be formulated as follows.

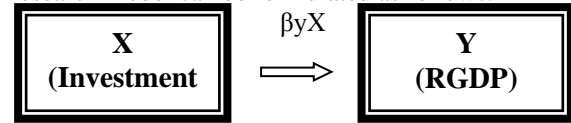


Fig 2: Research Model

Specification:

X = Investment

Y = RGDP

βX = Relationship between Independent Variables (X) and Dependent variable (Y)

Based on the research model, the Structural equation can be made. The main objective of equation model analysis is to describe the relationship between construct independent variables and construct dependent variables.

Structural model:

The influences of Investment towards RGDP

$Y = f(X)$

$Y = \beta_0 + \beta X + \epsilon$

Specification:

Y = independent variable RGDP

X = dependent variable Investment

β_0 = parameter

ϵ_i = error (the irritant error)

Method of Analysis

The analytical methods used to test the hypotheses is simple linear regression analysis with the technique of Ordinary Least Square (OLS).

hypotheses Testing

Hypotheses testing between variable X towards variable Y

$H_0 : \beta_y = 0$: There is no influence of variable X towards variable Y

$H_1 : \beta_y \neq 0$: There is the influence of variable X towards variable Y

Test criteria : reject the hypothesis (H_0) , if $t_{count} > t_{table}$, or $P_{value} < 0.05$

4 . ANALYSIS AND DISCUSSION

4.1 ANALYSIS

Descriptive analysis

investment

From the data in total investments, both domestic and foreign investments from 1980 to 2013 have fluctuated. The total annual average investment is 1974.65 billion and the average growth is 15.42 percent. Domestic capital investment has also fluctuated with the average amount of investment is 1201.60 Billion per year and the average growth is 13.32 percent. Foreign investment has also fluctuated with the average amount of investment is 773.05 billion per year and the average growth is 48.84 percent. Furthermore, the presence of Regional Investment Agency of One-Stop Cohesive Licensing Services in Lampung Province applied in 2009 had a positive effect by increasing the investments in 2010

to 2012 with an investment in 2012 amounted to Rp 943.05 billion.

Regional Gross Domestic Product

RGDP is one of the indicators of economic growth which describes the economic development of the region. With high economic growth rates, productivity and community incomes are expected to rise through the creation of employment opportunities and the chance to endeavor (Central Bureau of Statistics, 2012). Economic growth in Lampung province in 1980 - 2012 is shown by the RGDP which tends to rise gradually by an average growth of 11.82 percent. The economic structure of Lampung province is dominated by Primary sector. It is seen that the role of the primary sectors (Agriculture, mining, and fishery) dominate in contributing to RGDP, followed by the tertiary sectors (trade, hotels and restaurant, and other services) and lastly the secondary sectors (manufacturing, construction, electricity, gas, and water).

The Inductive Analysis

The Results

The measurement results of Structural Model

The influences of Investment towards GDP are presented in the following table

Table 1: The Result of Test Influences of Investment towards RGDP

The influence	Coefficients	
	B	R ² y.X
The influences of investment towards RGDP	1.116724	0.910429

The results of RGDP regression coefficient amounted to 1.116724 is sufficient to contribute to the RGDP and the level of influence is 91.04 percent and the remaining 8.96 is influenced by other variables.

Interpretation

The results of Regression Coefficients Analysis of the influences of Investment towards RGDP.

The regression coefficient value of investment is $\beta = 1.1167$. It means the RGDP elasticity value of the investment is equal to $E = 1.1167$. $E_{\text{value}} > 1$, thus, it indicates that RGDP growth is elastic on investment. The elasticity of 1.1167 indicates that the increase of 1 unit in investment is followed by an increase in RGDP amounted to 1.1167 units. Conversely, the decline in investment of 1 unit is followed by a decline in RGDP amounted to 1.1167 units. Elasticity (E) > 1 indicates a condition that is elastic or increasing returns to scale (the result of a larger increase). Hypothesis testing of the influences of investment towards RGDP significantly is done using t-test. Based on the results

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of test calculations it is obtained that p-value = 0.0000 which is less than the significance level $\alpha = 0.05$. Thus, H_0 is rejected and H_a is accepted, meaning that the research hypotheses regarding the significant influences of investment towards RGDP is acceptable.

Based on the results of the regression coefficient, it can be said that the investment in Lampung province has been able to increase RGDP. This is in line with Boediono (1999) that The Classic considers capital accumulation as an absolute condition for economic development. It can be indirectly said that by doing so it can increase the RGDP. In line with the theory of the multiplier, Keynes said that increased investment will expand output and employment. Therefore, investment is one part of the GDP so that if one part increases, the entire section will increase as well (Samuelson And Nordhaus W., 2004).

In line with Wirasasmita (2009), it is said that increased investments will increase aggregate spending in the economy and will be used by companies to buy capital goods and services in order to increase the ability to produce goods and services which means an increase in national income.

5. CONCLUSIONS AND SUGGESTIONS

Conclusions

This study managed to find a model influenced by Investment RGDP, whereas, the increase in RGDP relies on an increase in investment. Based on the problem formulation, research objectives, analysis and the interpretation, conclusion can be formulated as follows.

The Increased investment is highly potential to boost the increase of RGDP. Increased investment is effective to increase RGDP which shows that the economic growth in Lampung Province is getting better.

Suggestions can be presented as follows.

1. To invent RGDP growth, the government needs to do effort to increase the value of investment by keeping the investors and granting fiscal incentives to local and foreign investors, and also by providing 'tax holiday' incentives for the industrial pioneers to encourage the flow of investment in priority sectors.
2. Investment and RGDP provide benefits for economic growth of Lampung Province on the sector and sub-sector of the economy to determine the selection of economic sectors priority for the short term according to the excellence of agribusiness sub-sector, while for medium-term and long-term need to be organized with extensive agro-industry. (derivatives).

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THE EFFECT OF TURNOVER INTENTION AND ORGANIZATIONAL COMMITMENT TO ACCEPTANCE OF DYSFUNCTIONAL AUDIT BEHAVIOR BASED ON THE THEORY OF PLANNED BEHAVIOR

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ABSTRACT: *This study aims to examine the effect of turnover intention and three organizational commitment dimensions that is a normative, continuence and affective commitments to the acceptance of dysfunctional audit behavior. The respondents in this study were auditors who work in Public Accounting Firms in Indonesia. The analysis instrument in this research was the multiple regression. The results show that the turnover intention had a positive influence on the acceptance of dysfunctional audit behaviors. This study also found that the continuence and normative commitments had negative effects on the acceptance of dysfunctional audit behaviors. Affective commitment does not affect the acceptance of dysfunctional audit behaviors.*

Keywords: acceptance of dysfunctional audit behaviors, turnover intention, organizational commitment, theory of planned behaviors.

1. INTRODUCTION

Acceptance of dysfunctional audit behaviors are an action that is not desirable in an audit because this behavior will have a direct or indirect effect on it. The behaviors that directly influence the audit includes the premature completion of audit steps without completing the whole procedure [1], changing the procedures established in the audit [2,3,4], inaccurate processing [5], and errors in the audit stages [6,7].

The behaviors that have an indirect influence on the audits is that the time required for auditing is shorter than the actual one. This behaviors resulted in the pressure of time to audit in the future [1].

The acceptance of dysfunctional audit behaviors are an inappropriate action by the auditing standards. There are several factors that influence the auditor's receiving a dysfunctional audit behaviors. One of them is the turnover intention. Turnover intention is a voluntary and conscious intention to leave the organization where a person is currently working [8]. This behavior will lead to the dysfunctional audit behavior because auditors are not afraid to accept sanctions for such actions. There are several studies that examined the effect of the turnover intention against the acceptance of dysfunctional audit behaviors, among others: [1,9,10,11]. Other factors that affect the auditors to accept the dysfunctional audit behaviors are the organizational commitment. [12] The organizational commitment is defined as a relative strength of individual identification to an organization and their involvement in a particular organization. Several studies that examined the effects of organizational commitment to the acceptance of dysfunctional audit behaviors were carried out in: [1,10,11,13].

2. MATERIAL AND METHODS

2.1 THE THEORY OF PLANNED BEHAVIOR

This behavior is developed by [14] Fishbein and Ajzen since 1969. This theory explains that to change the intention to be behavior, then the individual attitudes towards that behavior is strongly influenced by subjective norms in their environment. It can be concluded that the intention to decide a particular behavior will be influenced by the person's subjective norms in the environment.

2.2 HYPOTHESIS FORMULATION

The influence of the turnover intention to the acceptance of dysfunctional audit behaviors

The turnover intention in a voluntary manner has been frequently regarded as bad habits in the public accountant profession. This condition brings about the client or partner's complains because the remaining work will be carried out by less experienced new employees [14].

The effects of employees' turnover intention from an organization needs an understanding and attention, because their intention may give a negative effect on the organization's existence and will impact on the acceptance of dysfunctional audit behaviors. An auditor who has turnover intention from the company may show a behavioral problem. Their intention is more likely to involve the acceptance of dysfunctional audit behaviors because they are not afraid of sanctions if their behavior is detected [15]. An auditor who intends to leave the company is not concerned with the adverse impact of such conduct on performance appraisal and promotion [1].

H1: The turnover intention has a positive influence on the acceptance of dysfunctional audit behaviors

The influence of affective commitment on the acceptance of dysfunctional audit behaviors

Affective commitment is related to the employees' emotional connection with their organization, organization identification, and their involvement in the organizational activities. Organization members who have a high affective commitment will always try to maintain their membership in the organization because they want it [12] (Meyer and Allen, 1997). The affective commitment is closely related to the presence and pleasure to work in the organization. Auditors will reflect the psychological attachment to their organization through high loyalty. Auditors who have a high affective commitment will be motivated to contribute significantly to the organization so they would not accept the dysfunctional audit behaviors.

H2: Affective commitment has a negative effect on the acceptance of dysfunctional audit behavior

The influence of a continuous commitment to the acceptance of dysfunctional audit behaviors

A continuous commitment refers to awareness among the organizational members that they will experience disadvantages if they leave the organization. They will always maintain their membership because they need to be a member of the organization [12]. Auditors with high continuous commitment will maintain his membership in the organization because he is conscious that leaving the organization will cause him a great disadvantage. The auditor, therefore, will not be involved with the acceptance of dysfunctional audit behaviors in order to avoid the disadvantages if the behavior is detected by the organization.

H3: Continuous Commitment has negative effects on the acceptance of the dysfunctional audit behaviors

The influence of normative commitment to the acceptance of the dysfunctional audit behaviors

The normative commitment describes the bond to keep being in the organization. Individuals with high normative commitment will always try to maintain their membership in the organization because the feelings of obligation or duty [12]. This feeling will motivate auditors to behave well and take the appropriate actions for the organization, so the auditor would not accept the dysfunctional audit behaviors in order to fulfill their obligations properly.

H4: Normative commitment has negative effects on the acceptance of dysfunctional audit behaviors

2.3 POPULATION AND SAMPLE

The populations in this study were the auditors who worked at the Public Accounting Firms in Semarang. To determine the samples taken in this study, purposeful

sampling method was used; under the condition that the auditors had been working for the Public Accounting Firms (KAP) for at least 1 year. The reason for this criterion is used because the auditors who worked for less than one year may not have the authority for making decisions yet because, in general they served as assistants, and all decisions were determined by their supervisors.

2.4 DATA AND DATA SOURCES

The data used in this research were primary data obtained from the distribution of questionnaires among auditors based on pre-determined population and sampling. The data collection was conducted through the distribution of questionnaires obtained directly addressed to the auditors by visiting the Public Accountant Firms' offices.

2.5 OPERATIONAL DEFINITION OF THE RESEARCH VARIABLES

Turnover intention

Turnover intention variable was measured using questions developed by [1]. High scores illustrate the subjects' intention to quit, while lower ones show that the subjects were eager to move.

Affective Commitment

Organizational Commitment Variable was measured using questions developed by [12]. The measurement technique used 1-7 point from Likert scale. Higher scores describe a high Organizational Commitment.

Continuous Commitment

Organizational Commitment Variable was measured using questions developed by [12]. The measurement technique used 1-7 point Likert scale. Higher scores describe a high Organizational Commitment.

Normative commitment

Organizational Commitment Variable was measured using questions developed by [12]. The measurement technique used 1-7 point Likert scale. Higher scores describe a high Organizational Commitment.

2.6 THE ACCEPTANCE OF THE DYSFUNCTIONAL AUDIT BEHAVIORS

This variable was measured using questions developed by [1]. The measurement technique used 1-7 point Likert scale. Higher scores describe that the acceptance of the dysfunctional audit behaviors are high.

2.7 ANALYSIS INSTRUMENTS

Data were analyzed using regression to test the hypothesis. The test toward the model in this study included coefficient determination test and simultaneous test effect (F test). Prior to the tests, validity and reliability tests to the questionnaires were performed. Then, normality and heteroscedasticity tests were also performed accordingly [16].

Table 1: City Dstination and Questionnaire Return

No	City Destination	Returned Questionnaires
1.	Medan	10
2.	Jakarta	21
3.	Bandung	9
4.	Semarang	40
5.	Yogyakarta	18
6.	Solo	8
7.	Surabaya	12
8.	Denpasar	3
9.	Mataram	2
10.	Makassar	8
11.	Manado	5
Total		136

Source: Processed Data

Table 2: Details of Received and Returned Questionnaires

Total shipments of questionnaires	852
Total number of questionnaires used	136
The rate of return $136/852 * 100\%$	15,96%

Source: Processed Data

Table 3: Respondents' Profile

Information	Sum	Percentage
Gender: Male	84	61,76
Female	52	38,24
Educational level: D3/ Diploma 3	30	22,05
S1/ Undergraduate	98	72,05
S2 Graduate	6	4,41
S3 Postgraduate	2	1,49
Lenght of service: 1-3 years	93	68,38
4-6 years	36	26,47
7-10 years	3	2,20
> 10 years	41	2,95
Positions at Public Accountant Firms:		
Partner	4	2,95
Manager	6	4,41
Senior/ Supervisor	14	10,29
Junior	112	82,35

Source: Processed Data

**Table 4: Normality Test
One-Sample Kolmogorov-Smirnov Test**

		Unstandardized Residual
N		126
Normal Parameters ^a	Mean	.0000000
	Std. Deviation	1.40586910
Most Extreme Differences	Absolute	.198
	Positive	.089
	Negative	-.198
Kolmogorov-Smirnov Z		2.228
Asymp. Sig. (2-tailed)		.105
a. Test distribution is Normal.		

Table 5: Validity dan Reliability Test Result

Variabel	Number of Items	Validity		Reliability
		KMO	Loading faktor	Cronbach Alpha
Turnover intention (Ti)	3	0,726	0,867 – 0,924	0,888
ContinuousCommitment (ConCo)	2	0,570	0,814 – 0,871	0,835
Affective Commitment (AffCo)	3	0,744	0,894 - 0,922	0,893
Normative Commitment (NormCo)	4	0,721	0,795 – 0,881	0,853
Dysfunctional Audit Behavior (dys)	11	0,940	0,861 – 0,951	0,966

Source: Processed Data

Table 6: Heteroscedastisity Test

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	.985	.611		1.614	.109
	Ti	.050	.056	.094	.893	.374
	ContCo	-.068	.104	-.109	-.655	.514
	AffCo	-.002	.114	-.002	-.015	.988
	NormCo	.066	.146	.086	.453	.651

a. Dependent Variable: ABS_RES

Table 7: ModelTest

Model Summary					ANOVA ^b	
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	F	Sig
1	.254 ^a	.065	.034	1.42891	2.627	.000 ^a

Table 8: Hypothesis Testing Coefficients^a

Model		Unstandardized Coefficients		Standardized Coefficients	T	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.455	1.154		2.127	.035
	Ti	.165	.105	.161	1.571	.019
	ContCo	-.416	-.196	-.345	-2.125	.036
	AffCo	-.156	.216	-.114	-.724	.471
	NormCo	-.011	-.276	-.007	-.039	.049

3. RESULTS AND DISCUSSION

H1 test results showed a significant level of lower than 0.05. This processing results find that the turnover intention of the organization has a significant influence on the acceptance of the dysfunctional audit behaviors. The findings of this study prove and provide supports for the theory of planned behaviors (TPB) which states that in order to transform intentions into action, it requires a strong influence from the subjective norms in the environment. The results of this study is able to prove that the decision of an auditor to accept the dysfunctional audit behaviors are determined by the subjective norm referenced environment used by the auditors. Auditors will observe their colleagues' behavior as guidelines for the acceptance of the dysfunctional audit behaviors. When other auditors who have a turnover intention in their environment tends to accept a dysfunctional audit behaviors, it is likely that the auditor will perform similar

behavior. The test on H2 showed that auditors who have a high continuous commitment tend to reject the dysfunctional audit behaviors. The auditors choose this actions because they observe their colleagues' behavior around them. By the time the auditor see another auditor accepted the dysfunctional audit behaviors got a major disadvantage because of being expelled from the organization, then he will avoid the behavior. The auditors refuse such behavior to avoid disadvantages when the dysfunctional audit behaviors are detected by the company. Findings of the H3 test showed that the auditors who have a high affective commitment are not affected by the acceptance of the dysfunctional audit behaviors. These findings suggest that even though the auditors have a high emotional relationship with the organization, but when the environment in which they work tend to accept the dysfunctional audit behaviors, so the auditors will also tend to accept such dysfunctional

behaviors. The results of the H4 test showed that auditors who have a high normative commitment will tend to refuse the dysfunctional audit behaviors. These findings support the theories planned behaviors (TPB) which states that a person's decision will be influenced by the subjective norms of the persons' environment. Before deciding to accept the audit dysfunctional behaviors, an auditor would definitely look around him to get a norm of reference. When those around him with the full of responsibility carrying out their duties and refusing the dysfunctional audit behavior, the auditor would also feel obliged to refuse the dysfunctional audit behaviors.

4. CONCLUSION

Based on the data analyses that above, it can be concluded that an auditor's decision to accept the dysfunctional audit behaviors is definitely determined by the norms of the immediate environment. By the time an auditor sees other tend to accept the dysfunctional audit behaviors and he does not get any punishment/sanction from the organization, the auditor will plan to do the same actions. The norms referred to by the environment play a big role to determine an auditor's decision to accept the dysfunctional audit behaviors. This study found that turnover intention has a positive influence to accept the dysfunctional audit behavior. The higher the turnover intention, the more likely the acceptance of the dysfunctional audit behavior increases. This phenomenon is heavily influenced by the person's surrounding behaviors. Another result in this study also shows that continuous and normative commitments have negative influences on the acceptance of dysfunctional audit behaviors. This behaviour is favored by auditors with regards to their immediate environment. Auditors decide to reject the dysfunctional audit behavior in order to avoid the disadvantage and because they have the obligations to reject the dysfunctional behaviors. This research, however, fails to draw the evidence that affective commitment has a negative influence on the acceptance of the dysfunctional audit behaviors. This result indicates, when an auditor is emotionally connected to his organization, it is considered normal so it has no influence on the acceptance of the dysfunctional behaviors.

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THE EFFECTIVENESS OF LEAN MANUFACTURING PRACTICES ON OPERATIONAL PERFORMANCE

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ABSTRACT - Lean manufacturing is a concept of process improvement in production management which focuses on waste elimination. This paper explores relationships between lean manufacturing practices and operational performance. Using data collected from 55 manufacturing companies in Tasikmalaya city. Lean manufacturing were measured by five dimensions: production flow management, customer focus, process management, workforce management, and supplier management. Operational performance comprises four dimensions: cost, quality, lead-time, and flexibility. The findings are that all dimensions of lean manufacturing are significantly related to on operational performance. Production flow management has a higher level of significance in large enterprises compared with SMEs, whereas for customer focus there is a higher level of significance in SMEs compared with large enterprises. Process management, supplier management and workforce management have much lower level of significance for both SMEs and large enterprises.

Keyword: Lean Manufacturing, operational performance, manufacturing companies, SMEs, Large enterprises.

1. INTRODUCTION

The increasing strength of competition in the global market and the customer demand are threatening and challenging companies in the international market. Because of that, companies are exploring practical methods to increase their competitiveness by using advanced manufacturing system[1]. Particularly salient among these is the concept of lean manufacturing. Since the publication of 'Japanese Manufacturing Techniques' lean manufacturing with its origin from the Toyota manufacturing system has received attention from practitioners and researchers since its introduction [2][3][4][5]. The core thrust of lean manufacturing is that these practices can work synergistically to create a streamlined, high quality system that produces finished products at the pace of customer demand with little or no waste[6][7].

By applying lean manufacturing principles, organizations can increase value for customers while improving their profitability alongside citizenship behavior by employees[8][9]. Lean manufacturing has been widely applied in the manufacturing industry around the world and is considered as one of the most effective methods in improvement operational efficiency[10][11][12].

The challenge facing organizations that wish to implement lean manufacturing is to demonstrate that implementation of lean manufacturing is correlated with improvements in operational performance [13][14][15][16][17]. This paper examines the relationship between the lean manufacturing and operational performance.

2. MATERIAL AND METHOD

2.1 Lean Manufacturing

Lean manufacturing practices were measured by five dimensions, namely production flow management, customer focus, process management, work force management, and supplier management based on studies[18][19][20]. Lean manufacturing practices are measured on a five-point scale (1) no implementation; (2) little implementation; (3) some implementation; (4) extensive implementation; (5) complete implementation

2.2 Operational Performance

Operational performance comprises four dimensions, namely cost, quality, lead-time, and flexibility [18][19][20]. To measure operational performance, we asked the respondents to rate their firm's performance against its primary competitor in the industry on a five-point Likert scale from "much worse" (1) to "much better" (5).

2.3 Method

The method used is a survey method, a method that uses primary data collection by using questionnaires from selected samples[21]. Judging from the goals, this research is intended to get a picture/description of the lean manufacturing practices and correlation with operational performance of the manufacturing industry in Tasikmalaya.

2.4 Sample

The samples in this study are all companies in the formal industrial manufacturing sector in Tasikmalaya. Based on the data in the *Tasikmalaya city*, published by the Central Statistics Agency (BPS

–Biro Pusat Statistik) of the Tasikmalaya City until 2012, there are 55 companies, such as in table 1.

2.5 Procedure

Data collection methods used in this research is the questionnaire, namely a structured questionnaire that is addressed and delivered directly to all managers

/leaders of the company's top researchers to obtain data of the lean manufacturing and operational performance. The literature study is also conducted by studying the journals and reports from relevant agencies.

Tabel 1: Formal Industry of 2012 in Tasikmalaya City

Nr.	Sub-Districts	Industrial Category				Total
		Crafts	Chemical & Buildings	Food and Beverages	Clothing and Leather	
1	Kawalu	27	1	-	-	28
2	Tamansari	1	1	2	-	4
3	Cibeureum	2	-	-	-	2
4	Purbaratu	-	-	-	-	-
5	Tawang	2	-	1	-	3
6	Cihideung	2	-	1	-	3
7	Mangkubumi	3	2	-	-	5
8	Indihiang	1	-	-	-	1
9	Bungursari	3	-	-	-	3
10	Cipedes	3	2	-	1	6
TOTAL		44	6	4	1	55

(Source: BPS Kota Tasikmalaya, 2013 processed)

3. RESULT

3.1 Scale validity and reliability test

In total, 25 lean manufacturing practices, the result are shown in table 2. The factor loadings of the scales exceed the 0.5 limit indicating that the scales are valid[22]. Lean manufacturing practices produced five dimensions. These are production flow management (five scales), customer focus (five scales), process management (five scales), supplier management (five scales) and workforce management (five scales). The reliability analysis shows that the Cronbach's alpha value for five dimensions is above the threshold value of 0.6 (production flow management = 0.739, customer focus = 0.769, process management = 0.805, supplier management = 0.610, workforce management = 0.750). Thus, these dimensions are reliable[23]. The result of operational performance measure is valid and reliable, shown in Table 3.

3.2 The relationships between lean manufacturing practices and operational performance

The responding companies were categorized into two categories – small and medium enterprises (SMEs) and large enterprises. Companies with number of employees ≤ 200 is SMEs than companies with number of employees > 200 is Les. Out of 55 manufacturing companies in Tasikmalaya City, 44

(80%) are SMEs and 11 (20%) are LEs. The relationship between implementation of lean manufacturing practices and operational performance were analyzed separately for these two categories of manufacturing companies. The relationship was investigated using multiple regression analysis.

3.3 Small and medium enterprises

The regression analysis was conducted using data from 44 manufacturing companies. The R^2 value (0,266) indicates that overall there is a positive relationship between lean manufacturing practices and operational performance. The results of ANOVA show that this relationship is significant (0.002). Further, the results show that all five dimensions of lean manufacturing impact operational performance. These relationships are significant.

3.4 Large enterprises

The regression analysis was conducted using data from 11 companies. The R^2 value (0.330) indicates that a positive relationship exists between lean manufacturing practices and operational performance and the relationship is significant (0.001). However, compared to SMEs, the relationship is higher in case of large enterprises. The results of the regression analysis show the relationship all five dimensions of lean manufacturing practices are significant.

Table 2: Dimensions of lean manufacturing

Lean Manufacturing Practice	Production Flow Management	Customer Focus	Process Management	Supplier Management	Workforce Management
<ul style="list-style-type: none"> We use a Kanban pull system for production control We have a small amount of work-in-process inventory The layout of the shop floor facilitates low inventories and fast throughput Employees practice set-ups to reduce the time required We usually complete our daily schedule as planned 	0.655 0.880 0.674 0.644 0.656				
<ul style="list-style-type: none"> We actively and regularly seek customer inputs to identify their needs and expectations. Customer needs and expectations are effectively disseminated and understood throughout the workforce We systematically and regularly measure customer satisfaction. We have an effective process for resolving customers' complaints. We always maintain a close relationship with our customers and provide them an easy channel for communicating with us. 		0.821 0.510 0.843 0.779 0.760			
<ul style="list-style-type: none"> We design processes in our plant to be "fool-proof" (preventive-oriented). We have clear, standardized and documented process instructions which are well understood by our employees. We make an extensive use of statistical techniques (e.g., SPC) to improve the processes and to reduce variation. The concept of the "internal customer" (i.e., the next process down the line) is well understood in our company. We emphasize the continuous improvement of product quality in all work processes. 			0.869 0.856 0.623 0.747 0.641		
<ul style="list-style-type: none"> Our suppliers are certificated, or qualified, for product quality. We have long-term arrangements with our suppliers. Our suppliers deliver to us on short notice. We can depend upon on-time delivery from our suppliers. Our suppliers are linked with us by a pull system. 				0.602 0.749 0.505 0.293 0.701	
<ul style="list-style-type: none"> Employees receive training to perform multiple tasks. Employees are cross-trained at this plant so that they can fill in for others if necessary. During problem solving sessions, we make an effort to get all team members' opinions and ideas before making a decision. Problem solving teams have helped improve manufacturing processes at this plant. Employees inspect the product quality of their own work. 					0.689 0.713 0.714 0.718 0.722
Cronbach's alpha	0.739	0.769	0.805	0.610	0.750

Table 3: Constructs of lean manufacturing

Operational Performance	Cost	Product Quality	Lead-time	Flexibility
<ul style="list-style-type: none"> Low production cost. Competitive pricing. Production efficiency. 	0.762 0.790 0.654			
<ul style="list-style-type: none"> Product reliability. Product performance. Over all product quality a perceived by the customer. Conformance to specifications. 		0.585 0.555 0.552 0.661		
<ul style="list-style-type: none"> Procurement lead time. Manufacturing lead time. Delivery speed/customer lead-time. 			0.905 0.868 0.849	
<ul style="list-style-type: none"> Easily change the production volume of a manufacturing process. Build different products in the same plants at the same time. Change over quickly from one product to another. Easily modify products to a specific customer need. 				0.668 0.885 0.790 0.861
Cronbach alpha	0.559	0.551	0.842	0.808

Table 4: Relationship between lean manufacturing practices and operational performance

size	R2	F/significance	β	t-value	Significance
SMEs	0.266	4.610 / 0.002			
<ul style="list-style-type: none"> Production flow management Customer focus Process management Supplier management Workforce management 			0.263 0.313 0.141 0.118 0.124	2.089 2.730 1.930 1.780 1.858	0.004 0.002 0.016 0.044 0.040
Large enterprises	0.330	4.830 / 0.001			
<ul style="list-style-type: none"> Production flow management Customer focus Process management Supplier management Workforce management 			0.590 0.182 0.115 0.200 0.295	4.547 1.779 1.730 1.903 2.090	0.000 0.013 0.017 0.012 0.004

4. CONCLUSION

This research examined the extent to which lean manufacturing practices are adopted by manufacturing companies and their impact on operational performance. The responding were categorized as small and medium enterprises (SMEs) and large enterprises based on number of employees. Using multiple regression models the effect of lean manufacturing practices on operational performance were investigated.

Lean manufacturing practices produced five dimensions. These are production flow management, customer focus, process management, supplier management and workforce management. Production flow management included five item namely: use a Kanban pull system for production control, have a small amount of work-in-process inventory, The layout of the shop floor facilitates low inventories and fast throughput, Employees practice set-ups to reduce the time required, usually complete daily schedule as planned. Customer focus included five items namely: actively and regularly seek customer inputs to identify their needs and expectations, Customer needs and expectations are effectively disseminated and understood throughout the workforce, systematically and regularly measure customer satisfaction, have an effective process for resolving customers' complaints, always maintain a close relationship with our customers and provide them an easy channel for communicating with us. Process management

included five items namely: design processes in plant to be "fool-proof" (preventive-oriented), have clear, standardized and documented process instructions which are well understood by employees, make an extensive use of statistical techniques (e.g., SPC) to improve the processes and to reduce variation, The concept of the "internal customer" (i.e., the next process down the line) is well understood in our company, emphasize the continuous improvement of product quality in all work processes. Supplier management included five items namely: suppliers are certificated, or qualified, for product quality, have long-term arrangements with our suppliers, suppliers deliver on short notice, can depend upon on-time delivery from our suppliers, suppliers are linked by a pull system. Workforce management included five items namely: Employees receive training to perform multiple tasks, employees are cross-trained at this plant so that they can fill in for others if necessary, during problem solving sessions, we make an effort to get all team members' opinions and ideas before making a decision, problem solving teams have helped improve manufacturing processes at this plant, employees inspect the product quality of their own work.

The result show that all five dimensions of lean manufacturing dimension are significantly related to operational performance. Production flow management has a higher level of significance in large enterprises compared with SMEs, whereas for

customer focus there is a higher level of significance in SMEs compared with large enterprises. Process management, supplier management and workforce management have much lower level of significance for both SMEs and large enterprises.

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THE INFLUENCE OF BANK PRODUCT SOCIALIZATION AND ELECTRONIC PAYMENT SYSTEM QUALITY ON INTENTION TO USE E-MONEY IN INDONESIA

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ABSTRACT: *This research aims to provide empirical evidence that bank product socialization and electronic payment system quality positively influence intention to use e-money. This research is important to be done for the sake of The Bank of Indonesia and all of Indonesian people because there are a lot of benefits would be acquired by a massive using of e-money. The population of this research is all of Indonesian people and the sample that taken for this research are 209 respondents from the college/ university students in Indonesia. The independent variables which are used in this research are bank product socialization and electronic payment system quality. Meanwhile, the dependent variable which is used in this research is intention to use e-money. The survey result which showed that the using level of e-money is very low which only 26% from all of the respondents indicates that The Bank of Indonesia have to increase the effort of bank product socialization and control the quality of electronic payment system.*

Keywords: bank product socialization; quality of electronic payment system; intention to use e-money; The Bank of Indonesia

1. INTRODUCTION

Technologies evolution these days have influenced various sectors including the payment system in Indonesia economy sector. Conventional payment system is decreasing as the modernization of payment system by electronic payment system launched for the first time. One of the latest bank products which was launched in Indonesia in 2007 was e-money.

The launching of e-money product in 2007 actually was too late if we compare it with the launching of e-money in another country in Asia. Malaysia and Thailand which are still included in ASEAN, similar with Indonesia, have launched e-money product since 1996. Where as, Hongkong, India and Singapore launched it since 1997, 1999 and 2000 (CPSS Survey of Electronic Developments, 2001) [1].

Rosmaya Hadi as The Head of Policy and Supervision Department in The Bank of Indonesia stated that the use of e-money still based in Java (bisnis.news.viva.co.id) [2]. An interactive discussion between stakeholders in industry sector, 'New Wave of Less Cash Society: Indonesian Chapter' concluded that the trend of e-money would be difficult to adopt by Indonesian people, especially for the people who live in countryside [3].

In 2013, MARS Indonesia did a survey on customer's awareness toward e-money product in 5 modern cities in Indonesia. They found that only 23.8 of the population who do aware of e-money product, which means there are still 76.2 of the population who doesn't aware of e-money product [4].

Based on the fact, the distribution of e-money user still focused in Java which has more modern lifestyle [5]. One of the purpose from issuing e-money is to decrease issuance of cartal money. However, if e-money isn't massively used, the demand of cartal money is still as high as before. This condition would result inefficiency

because the expense for cartal money issuance is as high as the initial budget and even higher with the expense for e-money system enforcement.

One of the benefits if e-money system could be massively used is decrease in cartal money demand which would increase Less Cash Society lifestyle and the implementation of paperless transaction as well. Therefore, The Bank of Indonesia could cut their expense for cartal money issuance which is relatively expensive (around 3 billions Rupiah each year) [6]. Besides, money counterfeiting could be minimized because the use of cartal money has been decreasing. On the other hand, the use of e-money also could build a modern country image for Indonesia.

From the explanation above, this research is so important to be done for the sake of Indonesian people in using bank product, especially e-money. It's also important for The Bank of Indonesia to support their plan which is expanding the use of e-money across Indonesia, not just focusing on Java.

Based on the research background above, then the problems can be identified from this research are:

1. Does the bank product socialization have any influence on intention to use e-money?
2. Does the electronic payment system quality have any influence on intention to use money?

The purposes of this research from the problems above are:

1. To know and analyze the influence of bank product socialization on intention to use e-money.
2. To know and analyze the influence of electronic payment system quality on intention to use money.

2. THEORITICAL REVIEW AND HYPOTHESIS

2.1 THEORITICAL REVIEW

2.1.1 E-Money

Bank for International Settlement (BIS) stated in

Implications for Central Banks of the Development of Electronic Money (1996), e-money is stored-value or prepaid products in which a record of the funds or value available to a consumer is stored on an electronic device in the consumer's possession [7].

2.1.2 Mass Communication

According to Macbride (1983), the function of mass communication in social system are [8]:

1. Information to make the right decision.
2. Socialization to have adequate knowledge to be active in society.
3. Motivation to do individual and group activity.
4. Debate and discussion to provide the fact and opinion to solve problems.
5. Education to develop intellectuality, character and skill.
6. Advance the culture by increasing creativity.
7. Entertainment by publishing music, art, sport, drama, etc.

Integration to exchange message each other to achieve unity.

2.1.3 Socialization

From Macbride's mass communication functions, this research emphasize the socialization function because it is one of The Bank of Indonesia's role to disseminate information or knowledge about e-money product.

There isn't much previous research about product socialization, so this research use a similar research about tax socialization as the preference. Ariyani (2009) stated that tax socialization (informal education, interactive dialogue and advertisement from radio) is quite effective to increase the number of tax reporting. The number of tax reporting increase 208% from 2007 until 2008 [9].

2.1.4 Product Knowledge

Alba & Hutchinson (1987) in Baker *et al* (2002:47) stated that product knowledge is a complex, multidimensional construct that is characterized by the structure and the content of information stored in memory [10]. While Zeithaml (in Candraditya, 2013) stated product knowledge is intrinsic reference which is used by costumer to consinder whether to buy the product or not [11].

2.1.5 Payment System

According to The Bank of Indonesia, payment system is a system which includes policy, institute and mechanism which are used to transfer fund in order to fulfill economy activity obligation. It includes the payment tools and clearing mechanism until the settlement of the transaction [12].

According to the information system quality concept which is similar to payment system concept, there are 5 indicators of information system quality (DeLone and McLean, 2003). They are ease of use, system flexibility, response time, reliability and security [13].

2.1.6 Customers (Users) Satisfaction

Zeithaml and Bitner (2003:86) stated satisfaction is the customers evaluation of product or service in terms of whether that product or service has meet their needs and expectations [14]. If product performace below customer's expectation, customer would not satisfied. Conversely, if the product performance

meets or even higher then customer's expectation, customer would satisfied with the product.

2.1.7 Relation between System Quality and Customers (Users) Satisfaction

Researches about payment system quality are still rare, so this research used a common system quality research as the preference. A previous research by Saleh et al. (2012) found that information system quality influence software users satisfaction by 45.16% [15]. It means there is significant positive influence between information system quality and users satisfaction. The other research by Fendini et al. (2013) which similar is a survey in PT PLN (Persero) Malang about the performance of Centralized Customer Service Application (*Aplikasi Pelayanan Pelanggan Terpusat* or *AP2T*). They found that the system quality influence the users satisfaction by 57.9% [16].

2.2 HYPOTHESIS

With reference to the formulation of the problem and the results of previous studies, the hypothesis of this research are:

- H1: Bank product socialization positively influence intention to use e-money.
H2: Electronic payment system quality positively influence intention to use e-money.

3. RESEARCH METHOD

3.1 DATA TYPE AND DATA RESOURCES

This research use primary data from the survey by online questionnaire using Google Forms Application. The questionnaire were distributed to college students across Indonesia by attaching the online questionnaire link through social network, sent the link by e-mail to the head of college student in every province and left a message at the university's website.

The online questionnaire was available to be access for 8 days, from 13 August until 20 August 2014. There were 216 respondents in 8 days. But, there were 7 of 216 responses that invalid because there was improper answer for several questions in the questionnaire.

3.2 POPULATION AND SAMPLE

According to The Bank of Indonesia (2006), the potential users of e-money are [12]:

1. Cellphone users with prepaid card
2. College students and high school students
3. Medium to upper class society
4. Public transportation, highway and gas station users or consumers

From that 4 categories, this research restrain the respondents just from one category which is college students. We assume that college student have adequate knowledge about the use of e-money and potential to use it in daily transaction. So, the population in this research is all of potential users of e-money in Indonesia. Meanwhile, the sample that we used is the college students across Indonesia.

3.3 IDENTIFICATION VARIABLES AND OPERATIONAL DEFINITION

In this research, the dependent variable (Y) is intention to use e-money. Where as, the independent variables (X1 and X2) are bank product socialization an electronic payment system quality.

3.31 Bank Product Socialization (X1)

The indicators for bank product socialization variable are as follow:

1. Information about e-money
2. Socialization from media about e-money
3. Education from The Bank of Indonesia about e-money
4. Knowledge about product characteristic and attribute
5. Knowledge about maximum satisfaction which acquired after using the product

3.3.2 Electronic Payment System Quality (X2)

According to the information system quality concept which is similar to payment system concept, there are 5 indicators of information system quality (DeLone and McLean, 2003) as follow:

1. Ease of use
2. System flexibility
3. Response time
4. Reliability
5. Security

3.3.3 Intention to Use E-Money (Y)

The measurement used for intention to use e-money is referring to the indicators from previous study by Rahmatsyah (2011) which are as follow [17]:

1. Motivation to use e-money
2. Consideration to try using e-money
3. Plan to use e-money in the next transaction

3.4 DATA ANALYSIS TECHNIQUE

Data analysis in this research is using SPSS and EVIEWS software. Validity and Reliability test are using SPSS software. Whilst, the classic assumption and the regression test are using EVIEWS software. Variable validity was tested with Pearson correlation using SPSS 18 software and it showed that all of the variables were valid. Reliability test with Pearson correlation using SPSS 18 software showed Cronbach's Alpha at 0.911 which is reliable. Classic assumption test to avoid bias in the regression model was done by using EVIEWS software.

3.5 HYPOTHESIS TESTING

The first hypothesis testing showed t-score of 1.97 which is higher than t-statistic (1.67). Besides, the test result revealed the probability value at 0.05. It means that bank product socialization influence intention to use e-money for the sample used in this research. Based on the test result, we can conclude that the first hypothesis proved or supported by the fact.

The test result indicates that the higher level of bank product socialization, the higher intention to use e-money. Survey result showed that only 26% of total respondents who used e-money. It proves that the intention to use e-money in Indonesia is still at low level category.

According to the first hypothesis testing, this low level intention to use e-money is still related with the poor bank product socialization. Indonesian people need more knowledge and information about e-money, so they don't have any wrong perception about e-money. The negative perceptions that make Indonesian people unwilling to use e-money would be discussed more later.

From this phenomenon, Indonesian people definitely need bank product socialization from various sources, especially The Bank of Indonesia as the banking institute who has the higher authorities. Bank product socialization could be started first from the intellectuals, which are the college student or the scholars. College students or scholars were assumed already have adequate knowledge to receive education from bank product socialization and they're also potential users of e-money. If the use of e-money has been massive or popular among the college students, it will spread easily across Indonesia.

Next, the second hypothesis testing results t-score by 3.02 which is still in alternative hypothesis reception area. With the significant level at 0.00 which is lower than the error acceptance limit (0.05), we could conclude that electronic payment system quality positively influence intention to use e-money.

This result means the higher level of electronic payment system quality, the higher intention to use e-money would be. If we link it with the survey result which showed only 26% of total respondents who used e-money, it shows that the electronic payment system quality is still in a low level category.

A system was built to facilitate human works, including the electronic payment system. The electronic payment system certainly built to make transaction easier and faster. If the transaction could be easier and faster with electronic payment system, Indonesian people should tend to use e-money than using cartal money. But, the fact is 74% of total respondents don't use e-money, even it would be more efficient for the transaction. This fact should be questioned. There is an offer to make the transaction becomes more efficient, but why most of Indonesian people unwilling to take this offer.

The second hypothesis test indicates Indonesian people unwilling to use e-money probably caused by the poor electronic payment system quality. The offer to use e-money is very high, but it isn't supported by the electronic payment system quality. This problem becomes one of the reason why the intention to use e-money is very low in Indonesia.

3.6 ADDITIONAL ANALYSIS

From total 155 respondents who don't use e-money, 44% of them stated that they don't need e-money. Another 26% don't use e-money because they don't know well about e-money product, while 9% of them have a perception that using e-money need extra charge. The other 8% of the respondents said that there isn't any facility for e-money transaction nearby. The last 7% and 6% have a perception that e-money procedure is too complicated and transaction using e-money is not safe enough.

The main reason why Indonesian people don't use e-money which reflected from these 155 respondents is they believe that they don't need it for daily transaction. Indonesian people believe they don't need e-money because they still don't know there are a lot of benefits from using e-money. Indonesian people not aware enough about e-money product, especially for the people who lived outside Java. This issue could be

settled by giving bank product socialization to the people who lived outside Java. By building people awareness about importance of using e-money and the benefits of it, people's perception would change.

For another reasons, bank product socialization also could be the solution. Indonesian people's low level knowledge about e-money, the perception that extra charge on e-money is very high, perception that e-money procedure is complicated and perception that transaction using e-money isn't safe could be vanished by bank product socialization. The Bank of Indonesia should have a big role for this socialization. They should associate with e-money publisher to make a socialization program about e-money.

The Bank of Indonesia should pay more attention to provide facility for e-money transaction. If Indonesian people already have adequate knowledge about e-money but there isn't any facility nearby, the intention to use e-money wouldn't increase either. Therefore, The Bank of Indonesia need to supervise the distribution of the facility for supporting e-money transaction equally in every province across Indonesia.

4. CONCLUSION AND SUGGESTION

4.1 CONCLUSION

Based on the data analysis and statistical test, this research has found results as follow:

1. Bank product socialization positively influence intention to use e-money.
2. Electronic payment system quality positively influence intention to use e-money.

4.2 SUGGESTION

According to the analysis and the discussion before, there are some suggestion we could give as follow:

1. The Bank of Indonesia should more intense in giving bank product socialization to the society, especially to the college students.
2. The Bank of Indonesia could associate more with e-money publisher in giving bank product socialization to the society in every province in Indonesia.
3. The Bank of Indonesia should think again carefully either the electronic payment system and the users are ready or not to use e-money for transaction.
4. The Bank of Indonesia should increase the periodically evaluation of electronic payment system quality in Indonesia.
5. The Bank of Indonesia could make a policy to give an equally distribution of e-money facilities across Indonesia, especially for public facilities such as public transportation and gas station.

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THE INFLUENCE OF INFLATION, GDP GROWTH, SIZE, LEVERAGE, AND PROFITABILITY TOWARDS STOCK PRICE ON PROPERTY AND REAL ESTATE COMPANIES LISTED IN INDONESIA STOCK EXCHANGE PERIOD 2005-2013

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Abstract This study aims to identify and analyze the effect of inflation, GDP growth, firm size, leverage and profitability towards the stock price on the property and real estate sectors listed in Indonesia Stock Exchange 2005-2013. The first hypothesis is the inflation rate influences negatively on the stock price, the second hypothesis is GDP growth influences positively on the stock price, the third hypothesis is the firm size influences positively on the stock price, the fourth hypothesis is leverage influences negatively on the stock price, and the fifth hypothesis is profitability influences positively on the stock price. Stock prices measured by the Annual Closing Price are seen in the company's annual financial statements.

The sample of this study is the industrial property and the real estate listed in Indonesia Stock Exchange in 2005-2013. The sampling technique used is purposive sampling in order to obtain a total sample of 10 companies and real estate properties that meet the criteria established for research sample. Inflation is measured by the consumer price index rate, GDP growth is seen from the changes in nominal GDP, the size of the Company is measured by total sales, leverage is measured using the Debt Equity Ratio (DER) and profitability is measured by Return on Assets (ROA). Data analysis techniques is performed with the classical assumption, hypotheses are tested using multiple linear regression analysis using SPSS 18.0 for windows. The results showed that in partial inflation, GDP growth, and leverage have no effect on stock prices, while the size of the company and profitability have positive effect on the stock price on the company property and real estate sectors listed in Indonesia Stock Exchange.

Keywords: Inflation, GDP Growth, Company Size, Leverage, Profitability, Stock Price

1. INTRODUCTION

The development of a country's capital markets cannot be separated from the development of the country's economy. Economic growth and business conditions are factors that affect the stock market reaction. The reaction of the stock market in this case reflected in the stock price is heavily influenced by economic growth and business conditions of a company. Both high economic growth and good business conditions are expected to impact on the stock price. Stocks are investments that can generate high profits, but the risk is also high. Investors' ability to understand and forecast the macroeconomic conditions in the future will be useful in making profitable investment decisions. Investors should undertake appropriate analysis of stocks that generated greater gains than obtained risks. The establishment of stock prices cannot be separated from accounting information, although the actual stock price formation is a present judgment from the seller or buyer. One of factors that affects the interest of investors to invest in stocks is reflected in the condition of the company's financial statements. Property companies and real estate are business organizations that experience rapid growth in recent years. The views of investors about stock investments in this business will provide a return that is promising because Indonesia is the fourth most populous country in the world, so the daily needs will be more attractive and land prices will also increase. Unfavourable conditions do not always make a

company's stock price fell, but in fact, it is the opposite. External factors that reflect a country's economy do not always make stock investments to be pessimistic, when unfavourable economic conditions do not always cause the stock price fell.

2. REVIEW OF LITERATURE

2.1 THEORY

Signaling Theory

Hartono (2000) in his book "Teori Portofolio dan Analisis Saham" mentioned that information published as an announcement would give a signal to investors in making investment decisions. If the announcement contains a positive value, it is expected that the market will react when the announcement is received by the market. At the time the information was announced and all market participants have received such information, market participants must first interpret and analyze that information as either good signals (good news) or poor signal (bad news). If the announcement of such information is a good signal for the investors, there is a change in the volume of stock trading. All investors need information to evaluate the relative risk of each company so that they can diversify the investment portfolio and the combination of risk preferences as desired by investors in investing.

Random Walk Theory

Random walk is a term that first appeared in the correspondent in Nature that discussed how the

optimal strategy finds drunken people abandoned in the middle of the field. The trick is to start looking in the first place where drunken people are placed and the person will walk in the direction that is not predictable and random (Pratikno, 2009).

This theory states that the change in price of a stock or the overall market that has occurred cannot be used to predict movements in the future. In other words, this theory states that stock prices move in the direction that is random and unpredictable. So, an investor may not be able to obtain returns exceeding the market return without more risking. It means that the difference between the price at a certain period and a price in the other periods is random. The difference is the stock return, which in a certain time period is zero. This means that volatility will not have any significant trend in the long enough period of time.

Elliott Wave Theory

The Wave Principle was Ralph Nelson Elliott (1938) research about a mass social behavior or trend that follows certain patterns. His research found that price changes in the stock market have a certain structure. Elliott noted that the pattern of price movements or waves is repetitive. Another thing to note is that although these patterns are repetitive but it is unnecessarily to recur with time and the same wave height. In addition, he presented the pattern is part of a larger pattern, which in turn is part of a larger pattern again and so on (Pratikno, 2009).

Elliott wave gives the impression that the volatility of the stock price can be different between one wave to another. In addition, this theory also provides the possibility that there is a trend of stock price return volatility appears from these patterns. Trend is a general direction which happens in the market. This direction can move horizontally, up or down. Horizontal trend occurs when peak and through successive horizontal lines. Uptrend occurs when a series of peaks and through which is exceeding the previous peak and through, while in the down is when peak and through are lower than the previous peak and through (Murphy, 1999).

Stocks

Stock is a sign of ownership in incorporated company which has been known that investors buy Stocks for the purpose of obtaining income from these Stocks. Public investors are categorized as investors and speculators. Investors here are the people who buy stocks to have a company in the hope of getting dividends and capital gains for the long term, while speculators are people who buy Stocks to be sold back when the most favourable exchange rate situation is considered. Stocks provide two kinds of income, namely dividends and capital gains.

According to Hartono (2003), the stock price at stock market in the appropriate time is determined by the market participants. The market value is determined by the demand and supply of the relevant Stocks on the stock market. The stock price is the market price recorded every day at closing time (closing price) of a stock. The financial statements may present relevant

information to the decision models used by investors to make decisions to buy, hold, or sell Stocks. Stock prices that occurred in the capital market always fluctuate from time to time. Fluctuations in the price of a stock will be determined by the forces of supply and demand.

The Analysis of Stock Price

In general, there are two kinds of analysis; they are Fundamental Analysis and Technical Analysis. Both have different approaches in determining the value of the shares at the future. Fundamental analysis attempts to predict stock prices in the future by: (1) estimating the fundamental factors that affect stock prices in the future, and (2) applying the relationship of these variables in order to obtain the estimated stock price. The fundamental company is influenced by many things. Warren Buffet splits it into four basic principles in analyzing companies, namely business tenant (whether a business is easy to understand, whether the business has a consistent operating history and whether it has long-term prospects), management tenant (whether rational management or management style collide with the wishes of the shareholders), financial tenants (focus on Return on Equity, has a higher profit margin than others, whether the company adds to the prosperity of its shareholders) and market tenants (whether the value of the business, whether the business can be purchased for a significant discount to the intrinsic value of fundamental company) (Reilly and Brown, 2003).

Technical analysts use charts that show the usual historical data and some technical indicators such as moving the average line to help finding the intersection of the lines that will sign them to act. Often people say that technical analysis is art.

The Inflation

Various definitions of inflation in the economy have been proposed by the experts. But in general, inflation is a symptom of rising prices on an ongoing basis (continuing) to a number of goods. The temporary increase is not called inflation and price increases on the type of commodity is not also called inflation.

Gross Domestic Product

GDP is defined as the total value of all goods and services produced in the region within a specified period (usually a year). GDP differs from gross national product by introducing factor income from abroad who works for the country. Thus the GDP only counts the total production of a country regardless of whether the production is done by using a factor of production in the country or not, instead, paying attention to the origin of the PNB production factors being used. Nominal GDP Prefers to the value of GDP without regard to the effect of the price. While real GDP (GDP at constant prices) corrected nominal GDP figures by including the effect of the price.

Company Size

According to Ferry and Jones, the size of the companies describes the size of a company represented by total assets, number of sales, average total sales and average total assets (Sujianto, 2001). In

this study, the size of the company is the size or magnitude of sales obtained by the company. State desired by the company is the net profit after tax because it is adding its capital. The operating profit can be obtained if the amount of the sale is greater than the sum of variable costs and fixed costs. So that net income had a desired amount then the management will conduct a thorough sales planning, as well as the right to control, in order to achieve the desired amount of sales.

Leverage

Leverage is the use of assets and resources by companies that have fixed costs (fixed load), the source of funds from the loan has fixed the interest as an expense to increase the potential benefit of shareholders (Sjahrial, 2007). The leverage ratio shows how much a company uses external debt to fund operations and expansion. Leverage is often interpreted as a performance booster and a company identical with debt. Debt can improve the company's performance results than if you rely on the strength of its own capital. Financial leverage ratio measured by Debt Ratio, Debt to Equity Ratio (DER), Time Interest Earned Ratio, Fixed Charge Coverage Ratio, and Debt Service Ratio (Sutrisno, 2003).

Profitability

Profitability is the company's ability to generate profits. Profit analysis is usually based on information contained in the income statement. Benefit ratio calculations use data from the balance sheet. Profitability ratio is the ratio that aims to determine the company's ability to generate profits for a certain period and provide an overview of the effectiveness of management in carrying out its operations. The effectiveness can be seen from the profit generated on sales and investment companies. Profitability ratios can be measured by Net Profit Margin, Return on Assets, Return on Equity, and Basic Earning Power (Brigham and Houston, 2010).

2.2 PAST RESEARCH

Patriawan (2011) analyzed the influence of the independent variable EPS, ROE and DER to the stock price. EPS resulted in this study has significant positive effect on the stock price changes; ROE negatively affected the stock price changes, while DER has no significant effect on stock price changes. Rinati (2012) examined the effect of independent variables namely NPM, ROA, ROE on stock prices. The research shows that the NPM, ROA and ROE have a significant effect on stock prices if tested simultaneously, whereas only partially ROA has significant effect on stock prices. Suryanto and Kesuma (2013) examined the effect of financial performance, the rate of inflation and GDP to the stock price of food and beverage companies. PER and EPS significant positive effect but the ROE, the rate of inflation, and GDP growth has no significant effect on stock prices.

Viandita, et.al. (2012) investigated the influence of Debt Ratio (DR), Price to Earnings Ratio (PER), Earning per Share (EPS), and Size on stock prices.

Debt Ratio (DR), Price to Earnings Ratio (PER), Earning per Share (EPS), and Size have a significant influence on stock prices. While a partial analysis showed that earnings per share (EPS) has a significant influence on stock prices.

2.3 BUILDING HYPOTHESIS

Relation between Inflation and Stock Price

Inflation is characterized by the increase in the price of the goods. The inflation rate effect on stock prices, according to the results of research done by Efni (2009) showed that the rate of inflation affect stock prices. At the time of rising inflation marked goods prices rise, the cost of production is higher than company's revenue and profitability will decrease. The decline in stock prices affects the investor to think that they are less competitive.

From these arguments we construct the hypothesis that the inflation rate negatively affects the share price.

Relation between Gross Domestic Product Growth and Stock Price

GDP measures the value of goods and services produced in the territory of a State regardless of the nationality of a particular time. The research done by Suryanto and Kesuma (2013) showed that GDP does not affect the stock price, but GDP is a macro-economic factor that indicates the level of production of a country that could affect investors' expectations. So that the higher rate of GDP growth will be indicated on the high rate of growth of consumption of the residents in the country, which will affect an increase in the level of demand for goods to the company that provides the needs of the community. Increased demand will increase the amount of its profit from the increase in the number of sales, which will increase the company's stock price, and vice versa. From these arguments we construct the hypothesis that GDP rate positively affect the share price.

Relation between Size and Stock Price

The size of the company which is measured by total sales will cause a greater amount of information about the company available throughout the year so that the size of the companies will have an effect on stock prices. Viandita, et.al (2012) showed that the size significantly influence stock prices. With the increasing large size of the company, then there is a tendency that more investors are paying attention to the company. This is because large companies tend to have a more stable condition. The stability attracts investors to own the shares of the company. That condition was the responsible of the company to increase the stock price in the capital market. Investors have great expectations for large companies. Expectations of investors are in the form of dividends from the company's acquisition. Increased demand may spur the company's shares on the stock price increases in the capital market. Such increase shows that the company considered having a greater "value". Due to the effect that the company had a great amount of total sales with a huge advantage is considered

competitive in the capital market. From these arguments we construct the hypothesis that size positively affects the share price.

Relation between Leverage and Stock Price

Leverage as measured by debt-to-equity ratio, the ratio of corporate debt to the amount of capital. In general, the greater the numbers are considered the more dangerous financially DER Company is. The greater the number of DER for a company then the management must work harder to keep the company's cash flow. Deviant Badjra (2014) showed DER has significantly negative effect on stock prices. The higher the risk the higher profits are expected to provide. High Risk affects High Return. This the fundamental stock investors are counted as a consideration when buying or selling stocks. With a higher level of risk, investors will bid fundamentally the lower price of its shares. Conversely, the lower the figure DER the higher a fundamental investor company will appreciate due to a lower level of risk. Investors would be more willing to buy shares at higher prices to record all same conditions. From these arguments we construct the hypothesis that the leverage negatively affects the share price.

Relation between Profitability and Stock Price

Profitability as measured by return on assets (ROA) reflects the company's ability to generate profits after tax by using existing and total assets (the cost of which is used to fund assets) which are excluded from the analysis. Return on Assets (ROA) positively indicates that of the total assets used for the operation of the company is able to provide profits for the company, and investors will be interested in the shares so that the share price will rise, and vice versa. If the announcement contains a positive value, it is expected that the market will react when the announcement is received by the market. At the time the information was announced and all market participants have received such information, market participants must first interpret and analyze that information as good signals (good news) or poor signal (bad news). If the announcement of such information is considered as a good signal for investors, then there is a change in the volume of stock trading. From these arguments we construct the hypothesis that size positively affects the share price.

3. RESEARCH METHOD

3.1 SAMPLE, DATA AND COLLECTION PROCEDURES

The sampling technique used in this research is the purposive sampling method. 10 out of 44 companies are taken as the samples of this research. The criteria used in determining the sample includes: a) property company and real estate in Indonesia, which consist properties and real estate companies listed in the Stock Exchange in the period of 2005-2013. b) Property and real estate companies that operate continuously during the study period. c) Property and real estate companies that publish the complete financial reports during the study period, which was in the period of 2005-2013.

Data collection techniques used in this study is documentation of annual report of property and real estate companies from 2005 to 2013 which are listed in the Indonesia Stock Exchange and inflation data as well as GDP growth from BPS (Central Bureau of Statistics) in the period of 2004-2013.

3.2. MEASUREMENT OF VARIABLES

Dependent Variable

Measurement of stock price is the closing share price (closing price) of each company obtained from the share price at year-end period.

Independent Variables

Inflation Rate

The inflation rate is a measure of economic activity that is used to describe the condition of the national economy (about an increase in the average price of goods and services produced by the economy system). This variable was measured by recording the data rate of inflation of annual national consumer price index published by BPS.

Gross Domestic Product Growth

Economic growth is generally defined as an increase in real GDP per capita. GDP (Gross Domestic Product) is the market value of the total output of a country, which is the market value of all final goods and services produced over a given period by the factors of production located within a country.

$$\text{GDP growth} = \frac{\text{GDP} - \text{GDP the previous year}}{\text{GDP of the previous year}}$$

Size

Company's size describes the size of a company represented by total assets, number of sales, average total sales and average total assets (Sujianto, 2001). Thus, the size of the company is the size or magnitude of total sales which is owned by the company. In this study, the size of the company expressed total assets and total sales in the property and real estate company which has been listed on the Stock Exchange. $\text{Size} = \Sigma \text{Revenue}$.

Leverage

Financial leverage can be defined as the extent to which funding strategy through the use of debt to invest in increasing production, and generate profitability which is unable to cover interest and income taxes (Harmono, 2009). The ratio used in this study is the Debt to Equity Ratio (DER). This ratio is the ratio between the company's debts to the amount of capital. In general, the greater the numbers achieved, the more dangerous DER Company financially is. Thus it does not mean if DER has larger numbers it will hurt the company. During cash flow companies may cover expenses and could generate greater corporate profits meaning that DER large numbers do not matter.

The greater the number of DER in a company, then the harder the management must work to keep the company's cash flow. The higher the risk, the higher the profits are expected, High Risk affects High Return. This is the basis of stock investors counted as a consideration when buying or selling stocks. With a higher level of risk, investors will bid fundamentally

the lower price of its shares. Conversely, the lower the figure of DER a fundamental investor company will appreciate higher due to a lower level of risk. Investors would be more willing to buy shares at higher prices to record all same conditions. Companies that can grow without long-term debt can be considered as a healthy company because it can grow with operational activities.

$$\text{DER} = \frac{\text{Total Debt} \times 100\%}{\text{Total Equity}}$$

Profitability

Profitability is the company's ability to generate profits. The ratio used in this study is Return on Assets (ROA). This ratio is used to measure the ability of management to gain (profit) as a whole. The greater the ROA, the greater the level of profit achieved by the company and the better the company's position in terms of the use of assets.

ROA is the ratio used to measure a company's ability to produce a net profit after tax on total assets (Brigham and Houston, 2010). In other words, the higher this ratio, the better the productivity of assets in getting net income. This in turn will increase the attractiveness of the company to investors. Thus, it is needed to increase the attractiveness of the company to make the company more attractive to investors, because the rate of return or dividend will be even greater. It will also have an impact on stock prices of these companies in the capital market which will increase so that the ROA will affect the company's stock price. ROA can help companies that have run well the accounting practices to be able to measure the overall efficiency of capital use, which is sensitive to any matter affecting the company's financial condition so that we can know the position of the company against the industry.

$$\text{ROA} = \frac{\text{Net profit} \times 100\%}{\text{Total Assets}}$$

3.3 Analysis Tools

The analysis used to assess the influence of inflation rate, GDP, size, leverage, and profitability to stock price is multiple regression.

$$Y = a - b_1X_1 + b_2X_2 + b_3X_3 - b_4X_4 + b_5X_5 + e$$

4. RESULTS AND DISCUSSION

4.1. ASSUMPTIONS OF CLASSICAL TEST

a) Normality. Kolmogorov Smirnov Test results obtained asymptotic significance value 0.540. This value is greater than the value α (0.50), which means there is no problem of normality in data used in this study. Residual data is normal, so that the data used are in normal distribution.

b) Auto-correlation. Auto-correlation test used on Durbin Watson Test results 2.010 which is between du and 4-du. This result shows that there is no problem of auto-correlation in the model.

c) Homo scedasticity. The test used is Glejser Test. The results show that significance value of each independent variables are greater than 0.05, so that we can conclude that there is no problems heteroscedaticity. Inconsistent data.

d) Multicollinearity. Multicollinearity test value shows tolerance value of each independent variable is greater than 0.1 and VIF value smaller than 10.

From the whole classical assumption, we can conclude that our secondary data is good and we can do further testing.

4.2 HYPOTHESIS TESTING

The Test results of Variable Inflation on Stock Price

Based on the results, it is obtained the t number for variable inflation rate of 1.487 with a significance level of 0.141 which indicates that the inflation rate does not significantly influence the stock price of the property and real estate industries listed on the Indonesia Stock Exchange so that the alternative hypothesis proposed in this study was rejected.

These results are similar to studies conducted by Suryanto and Kesuma (2013) in his research obtained results indicating that the inflation rate has no significant effect on stock prices. Rising inflation will cause the cost of the company increased, these costs will then automatically make the company rise selling prices to maintain profits and if it constantly occurs in the short and long term it will increase the probability of buyers to switch to competitors and this information will be soon circulated widely and affect the perception of investors that the company's current performance and its prospects are less well so that it will respond to the release of shares held and there was a negative correction in stock prices. However, it is not done by all investors, investors who see long-term gains and Investors who see business prospects for property and real estate sectors, will either buy stocks whose prices have dropped and the share price will perform positive corrections, so that inflation does not significantly influence the stock price in this sector.

The Test Results of Variable GDP Growth on Stock Price

Based on the results it is obtained that t number for the variable GDP growth is 1.428 with a significance level of 0.157, this means that GDP growth variables do not significantly influence the stock prices on the real estate property industry and listed on Indonesia Stock Exchange so that the alternative hypothesis proposed in this study was rejected.

These results are similar to studies conducted by Suryanto and Kesuma (2013) in his research obtained results which indicated that GDP growth does not significantly influence stock prices.

GDP growth was not influential on stock prices and the real estate property sector indicates that the increase and decrease of Indonesia's gross domestic product is less influential for the investors to invest in the shares of the company. Increased GDP is a good signal (positive) for investment and vice versa. GDP increase has a positive influence on consumers' purchasing power; thereby it is needed to increase the demand for the company's products. There is an increasing demand for the company's products which will later increase company profit and can ultimately

increase the company's share price. But in this case, Indonesia's per capita GDP has been increasing since 2000s until present. Originally, the World Bank estimates that Indonesia will reach approximately USD \$ 3,000 in 2020 but Indonesia managed to reach the figure of a decade earlier. Achievement of USD \$ 3000 level is considered as an important step because the impact is the acceleration of development in various sectors (such as retail, automotive, and property) because of the increase in consumer demand so that it becomes a catalyst for economic growth. The Indonesian government set a target to achieve a level of USD \$ 5000 in 2015, so investors will be optimistic about stock investments in the property sector and real estate which thus causing stock prices to be stable, although the rate of growth of GDP fell.

The Test Results of Variable Size on Stock Price

Based on the results, it is obtained t number for the variable size of 2.845 with 0.006 significance level which indicates that it is below 0.05, this means that the variable size has a positive effect on the stock price on the property and real estate industries listed on the Indonesia Stock Exchange so that the alternative hypothesis proposed in this study is accepted. These results are similar to studies conducted by Vianditaet, et.al. (2012) in his research obtained the results which indicate that size have a significant effect on stock prices.

In the financial aspects, the sale can be seen from the planning and the realization that measured in dollars. Companies that are in the high sales growth require the support of the organization's resources (capital) is greater, and conversely, the company's sales growth rate of the low demand for the organization's resources (capital) is also getting smaller. Companies with larger size have greater access to sources of funding received from various sources; so as to obtain funds from investors it will be easier for companies with large size to have a greater probability to win the competition or to survive in the industry. The operating profit can be obtained if the amount of the sale is greater than the sum of variable costs and fixed costs. So that net income had a desired amount then the management will conduct a thorough sales planning, as well as the right to control, in order to achieve the desired amount of sales. So, the greater sales gained the more the stock price.

The Test Results of Variable Leverage on Stock Price

Based on the results, it is obtained t number for the variable leverage as measured by DER amounted to 1.276 with a significance level of 0.206, this means that leverage variable has no significant effect on the stock price on the property and real estate industries listed on the Indonesia Stock Exchange so that the alternative hypothesis proposed in this study is rejected. These results are similar to studies conducted by Patriawan (2011) in which his research obtained the results showing that leverage as measured by DER has no significant effect on stock prices. In general, the greater DER number is considered more

dangerous company's financial. The greater the number of DER in a company then the harder the management must work to keep the company's cash flow. The more risk, the higher profits are also expected. High Risk affects High Return. With a higher level of risk, investors will bid the lower fundamental stock price, and vice versa. Like a booster tool, on the one hand, the debt can make a company's growth to be faster when compared to only relying on their own capital, if too large value of debt can make a company's financial condition becomes unhealthy. DER in some companies that have more than one, it disturbs the growth of his company's performance which also disturb the growth of the share price, and because it is mostly the investors who avoid companies that have more than DER amounted to 2. Therefore, some investors may not pay much attention to the increase in the numbers of DER if it does not exceed the number 2. So that leverage levels has no significant effect on the price of property and real estate companies.

The test Results of Variable Profitability on Stock Price

Based on the results, it is obtained t number for the variable profitability as measured by ROA 2.854 with 0.005 significance level that indicates it is below 0.05, this means that the variable profitability significantly influence the stock prices on the real estate property industry as listed on the Indonesia Stock Exchange so the alternative hypothesis proposed in this study is accepted.

These results are similar to studies conducted by Rinati (2012) in his research obtained the results indicating that profitability as measured by ROA has significant effect on stock prices.

Return on Assets (ROA) is positive which indicates that of the total assets used for the operation of the company is able to provide profits for the company, it shows the efficiency and effectiveness of management to manage the assets so it can obtain large profits, and investors will be interested in the shares so that the share price will be rise, and vice versa.

5. CONCLUSION AND RECOMMENDATION

Conclusions

- a) The inflation rate does not significantly affect the company's stock price.
- b) GDP growth does not significantly affect the company's stock price.
- c) The size of the company has positive and significant influence on the company's stock price.
- d) Leverage does not significantly affect the company's stock price.
- e) Profitability has positive and significant influence on the company's stock price.

Research Implications

- a) The Company's Property and Real Estate Sector
Companies should consider the independent variables that significantly influence the stock price; the company size and profitability as a

material planning consideration in the future financial performance.

b) Subsequent research

1. Adding the number of samples so as to increase the predictive power of the study.
2. Future studies may add independent variables associated with stock prices as reserves,

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dividend policy, the ratio of the market and others.

3. Future studies need to consider the use of other media report that is used to determine the stock price.

THE INFLUENCE OF INVESTMENT OPPORTUNITY SET (IOS) AND PROFITABILITY TOWARDS STOCK RETURN ON PROPERTY AND REAL ESTATE FIRMS IN INDONESIA STOCK EXCHANGE

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ABSTRACT- *The objective of this research is to examine the influence of investment opportunity set (IOS), return on asset (ROA), return on equity (ROE) toward stock return on property and real estate firms listed in Indonesia Stock Exchange period 2011-2013. This research is classified as associative research. The used method is descriptive statistic. This research is using classical assumption test and double linear regression run with SPSS 20.0 software. The samples are taken from property and real estate firms listed in Indonesia Stock Exchange period 2011-2013 using purposive sampling method with total of 34 samples. The independent variable in this research are Market Value to Book of Asset (MKTBASS), Market Value to Book of Equity (MKTBEQ), Earning per Share/ Price Ratio (E/P), Capital Expenditure to Book Value of Asset (CAPBVA), Return on Asset (ROA), Return on Equity (ROE). Stock Return as dependent variable. Based on this research, the result are all of the independent variables are simultaneously significantly influence on stock return. As of partially, MKTBKASS, MKTBKEQ, ROE are significantly influence on stock return, and CAPBVA, E/P, ROA are not significantly influence on stock return*

Keywords: Market Value to Book of Asset (MKTBASS), Market Value to Book of Equity (MKTBEQ), Earning per Share/ Price Ratio (E/P), Capital Expenditure to Book Value of Asset (CAPBVA), Return on Asset (ROA), and Return on Equity (ROE), stock return

1. INTRODUCTION

Judging the performance of the company's current focus is not only on the financial statements, many who believe that the value of a company is also reflected in the value of investments that will be issued in the future [1]. [2] introduced a set of investment opportunities (investment opportunity set) in relation to achieving the company's goals. According to Myers, Investment Opportunity Set gives instructions broader in which the value of the company as the main objective depends on corporate spending in the future. Investment Opportunity Set (IOS) is a combination of owned assets (assets in place) and the choice of investment in the future with a positive net present value.

Another yardstick used to measure the performance of the company in addition to a set of investment opportunities (investment opportunity set) is the ratio of profitability. Profitability ratio is the ratio used to measure the effectiveness of management based on the returns from the sale of investments and the company's ability to generate profits (profit) which will be the basis of a dividend companies. The most common ratios used to measure profitability is ROA (Return on Assets) and ROE (Return on Equity).

The purpose of this study was to examine the effect of Market to Book Value of Assets Ratio (MKTBKASS), Market to Book Value of Equity Ratio (MKTBEQ), Earnings per Share / Price Ratio (E/P), Capital Expenditure to Book Value of Assets (CAPBVA), return on Assets (ROA), return on Equity (ROE) as a proxy indicator of the Investment Opportunity Set (IOS) and the profitability ratio on stock returns and

real estate property companies listed on the Indonesia Stock Exchange (IDX).

Term investment opportunity set or Investment Opportunity Set (IOS) appears after proposed by [2] who see the value of a company as a combination of owned assets (assets in place) with a selection of tangible investment (investment options) that is intangible in the future. [3] in [1] describes the value of the investment option (investment options) depends on discretionary expenditures incurred in the future manager is currently the investment options that are expected to generate returns greater than the cost of capital and can generate profits, while the assets owned (assets in place) does not require such an investment [4]. Investment options in the future it became known as the investment opportunity set or investment opportunity set (IOS).

In general it can be said that the investment opportunity set illustrates the breadth of opportunities or investment opportunities for a company, but is highly dependent on the choice of the company for the benefit of the expenditure will come. Thus the investment opportunity set is not observable, so that should have been a proxy that can be associated with other variables in the company. From various studies about the investment opportunity set, it can be proven that the investment opportunity set serve as the basis for classifying the company as a category of companies to grow and do not grow, as well as the investment opportunity set also has relationships with a variety of company policy variables [1]

According [5] in [6], a proxy for the investment opportunity set is classified into four types: proxy-based price, based investment, based variant.

1. Proxy-based price (price-based proxies)

Set a chance based on price is a proxy that states that the company's growth prospects partly expressed in market prices. Proxy based on the assumption that the company's growth prospects partially expressed in the prices of stocks, and companies that grow will have a higher market value is relative to assets owned (assets in place) than companies that do not grow [6]. Investment opportunity set is based on the price will be in the form of a ratio as a measure of assets held and the market value of the company [7].

2. Proxy-based investment (investment-based proxies)

The idea of the investment opportunity set proxy based investment reveals that a large investment activity is positively related to the value of a company's investment opportunity set. Companies that have a high investment opportunity set should also have a higher level of investment in the form of assets placed or invested for a long time in a company. The shape of this proxy is a ratio that compares a measurement of investment that has been invested in fixed assets or an operating results produced from assets that have been invested.

3. Proxy-based variance (variance measures)

Proxy for the investment opportunity set based variants revealed that an option will be more valuable if it uses to estimate the magnitude of variability measure growth options, such as return variability underlying the increase in assets. This proxy is based on the premise that the investment options become more valuable when the variability of asset increases [5]. This proxy is used to observe the variability of the size and variability of returns. Variability measure is used to see the growth of the company's assets, while the variability of return is used to observe the growth of the company returns.

According [8] in [9], the performance is the output generated by functions or indicators of a job or a profession within a certain time. While financial performance is a view of another financial condition as a supporting character. Information useful for predicting the performance capacity of the enterprise to generate cash flow from existing funding sources.

One way to measure the financial performance through the analysis of financial statements using financial ratios. [10] expresses the ratio of profitability or profitability (profitability ratio) was used to measure the effectiveness of management in managing the company. Effectiveness may include functional activities consists of financial management, marketing, human resources and operations. The effectiveness of these factors will lead to an increase or decrease in the income of the company. Are classified in this ratio is: Net Profit Margin, Return on Assets, Return on Equity. Profit decline ongoing will lead to bankruptcy of the company. Size that is widely used is the Return on Assets and Return on Equity [9]. Return on Assets (ROA) is a measurement tool used to measure the ability of management to generate profits based on the use of corporate assets. In other words, if a company has a Return on Assets (ROA) is

high then the company has a great opportunity to increase their own capital growth, but if the total assets used by the company does not provide profit, the company will suffer losses and will inhibit the growth of own capital [11].

Return on Equity is a measure of investment return earned on common shareholders in the company. This ratio indicates the rate of return generated by the management of capital provided by the owner of the company [12]. This ratio is a measure of profitability from the perspective of shareholders. The greater the return on equity reflects the company's ability to generate high returns for shareholders.

The rate of profit (return) is the ratio between investment income over the period by the amount of funds invested. In general, investors expect high profits with the risk of loss as small as possible, so that the investors sought to determine an adequate level of investment gains. This concept is important because the expected profit rate can be measured. In this case the rate of profit is calculated based on the difference between capital gains and capital losses. The average stock return is usually calculated by subtracting certain period stock price with the previous period stock price divided by the stock price before [7].

1.1. RESEARCH HYPOTHESIS

Market Value to Book of Assets Ratio (MKTBASS)

The ratio of market value to book of assets is a proxy IOS based price. This proxy is used to measure the growth prospects of the company based on the amount of assets used in the operations. For investors, this proxy into consideration in the assessment of the condition of the company. Indication of a company that is growing is information that can be used by investors to earn returns and abnormal returns. The higher the greater MKTBKASS company assets used in the business, the more likely the company to grow, so that the share price will rise, and eventually return shares acquired will increase shareholder [4].

According to the study of [4] showed that the ratio of IOS MKTBKASS proxy has a positive and significant effect on stock returns manufacturing company. This is in line also with [13] that is represented by proxy IOS MKTBASS have a significant positive effect on stock returns. Based on the theoretical concept, it can be proposed that the first alternative hypothesis (H1) as follows:

H1: Market Value to Book of Assets Ratio (MKTBASS) has a positive and significant impact on the return on company property and real estate.

Market to Book Value of Equity (MKTBEQ)

The ratio of market value of equity to book a proxy based on the price. This proxy illustrates a company's capital. For investors who will purchase shares of the company, an assessment of the company's ability to obtain and manage capital is an important thing. If a company can leverage its capital well in running the business, the more likely the company to grow, the company's stock price is expected to increase, and ultimately also increase the returns obtained [4].

Results of research conducted by [14] states that MKTB EQ ratio has a significant correlation with the general factor. Positive and significant correlation between MKTB EQ and stock return is the result of research conducted by [4]. Similar results were obtained from studies conducted by [13] which states that the proxy IOS represented by MKTB EQ have a significant positive effect on stock returns. Based on the theoretical concept, it can be submitted to the two alternative hypothesis (H2) as follows:

H2: Market to Book Value of Equity (MKTBEQ) has a positive and significant impact on the return on company property & real estate

Earnings per Share / Price Ratio (E/P)

The ratio of earnings per share ratio, or the ratio of earnings per share of the stock market price is the size of the IOS to describe how much earning power of the company. When E / P companies rose consistently (not volatile), can be interpreted company is growing. The greater the level of the company's ability to generate profits, the more attractive the investment in that company [4].

This will have a positive impact on stock prices, and ultimately return obtained will be higher. Based on the theoretical concept, it can be proposed alternative hypothesis to three (H3) as follows:

H3 : Earning per Share (E / P) has a positive and significant impact on the return of company property and real estate .

Capital Expenditures to Book Value of Assets (CAPBVA)

This ratio is used to see the magnitude of the additional flow of capital stock of the company. With the addition of the share capital of the company can use it for additional productive asset investment, potentially as a company grows. The greater the additional flow of capital stock, the greater the company's ability to use it as an additional investment, so that the company has an opportunity to be able to grow. Thus will lead to an increase in the company's stock price and in turn will increase the return received by the shareholders [4].

Research conducted by [5] in [13] states that the existence of a significant correlation between variables CAPBVA the company's growth. CAPBVA ratios were correlated with the growth of the company's assets grew conducted by Rokhayati (2005) in [13] resulted in a significant correlation between the two variables. The results were the same correlation between the ratio CAPBVA as one of the proxy IOS with abnormal stock carried by [1]. Based on the theoretical concept, it can be submitted hypothesis alternative to four (H4) as follows:

H4: Capital Expenditures to Book Value of Assets (CAPBVA) has a positive and significant impact on the return of company property & real estate

Return on Assets (ROA)

Return on Assets (ROA) is a measure of how much net income that can be obtained from the entire wealth (assets) of the company. With the increase in ROA means the better performance of the company and as a

result the company's stock price has increased. With the increase in the stock price, the stock returns of the company concerned has also increased. Thus ROA positively related to stock returns.

According to the research results [15] Return on Assets have results positive and significant effect on stock returns. The greater Return on Assets shows the better performance so as to provide profits for the company and will invite investors to buy shares will be high. Chozaemah (2004) in [16] showed that the ROA has a significant effect on stock returns and consumption goods company which went public on the JSE. Based on the theoretical concept, it can be submitted hypothesis fifth alternative (H5) as follows:

H5: Return on Assets (ROA) has a positive and significant impact on the return of company property & real estate

2. STATISTICAL MODEL AND ANALYSIS

2.1 POPULATION AND SAMPLE

The population in this study is a service company, property and real estate sectors listed in Indonesia Stock Exchange (IDX) with the observation period of 2011-2013. Sampling methods judgment sampling or purposive sampling deliberate sampling for specific purposes are selected based on the following criteria:

1. The Company's property services and real estate sectors listed in Indonesia Stock Exchange period 2011-2013
2. The company must have sampled more than 5 years of age in the year of observation.
3. Company sampled publish annual reports and financial statements 2011-2013 period and is expressed in units of currency IDR
4. The company does not have sampled a total negative equity and profit for the year of observation
5. Company sampled may not have stock return = 0 during the year of observation.
6. complete enterprise data with the variables studied
7. The financial statements of the company is sampled with period financial statements at December 31,

2.1. DATA COLLECTION TECHNIQUES

Data collection methods used in this research is the study of literature. The data used in this research is quantitative data consist of annual financial statements services company property and real estate sectors were obtained from the Indonesian Capital Market Directory and the official website of the Indonesia Stock Exchange (www.idx.co.id). This study uses data from the annual reports of public property and real estate in the time period from 2011 to 2013

2.2. DEFINITION AND MEASUREMENT OF VARIABLES

The dependent variable in this study is the stock return. Stock return is the ratio between investment income over the period by the amount of funds invested (Hartono, 2000). To determine variable stock returns , it can be measured by the formula :

$$R_{it} = \frac{P_{it} - P_{it-1}}{P_{it-1}}$$

Description:

R_{it} : Stock Return year t
 P_{it} : Closing Stock Price on year t
 P_{it-1} : Closing Stock Price on year t-1

Independent variable that used in this research is *Investment Opportunity Set* (IOS).

Proxy - proxy that represents the value of the IOS and then used as the independent variable is MKTBKASS, MKTBKEQ, CAPBVA, E/P, ROA, ROE.

1. Market to book value of asset ratio (MKTBKASS)

$$MKTBA = \frac{\text{Total Asset} - \text{Total Equity} + (\text{Number of Outstanding Stock} \times \text{Closing Stock Price})}{\text{Total Asset}}$$

2. Market to book value of equity ratio (MKTBEQ)

$$MKTBEQ = \frac{\text{Number of Outstanding Stock} \times \text{Closing Stock Price}}{\text{Total Equity}}$$

3. Capital expenditure to book value of asset ratio (CAPBVA)

$$CAPBVA = \frac{\text{Additional Fixed Asset in a year}}{\text{Total Asset}}$$

4. Earning per Share/ Price Ratio (E/P)

$$E/P = \frac{\text{Earning per Share}}{\text{Closing Stock Price}}$$

5. Return on Assets (ROA)

$$ROA = \frac{\text{Net Income}}{\text{Total Asset}} \times 100\%$$

6. Return on Equity (ROE)

$$ROE = \frac{\text{Net Income}}{\text{Total Equity}} \times 100\%$$

2.3. DATA ANALYSIS METHODS

Data analysis methods used in this study consisted of descriptive statistical analysis and multiple regression analysis. Data analysis was performed with the help of Statistical Package for Social Science (SPSS) using a 95% confidence level and fault tolerance level (alpha) of 5%.

2.4. ANALYSIS DESCRIPTIVE STATISTICS

Descriptive statistics provide a picture or a description of the data that is visible from the average value (mean), standard deviation, variance, maximum, minimum, sum, range, kurtosis, and skewness (kemencangan distribution)[17]. The data have been obtained were processed using statistical analysis is then presented in table form proportions.

2.5. REGRESSION ANALYSIS

This analysis aims to determine how much influence the independent variable on the dependent variable. The relationship between the dependent variable and several independent variables can be written in the following linear equation[17]:

$$RETURN_{it} = \alpha_0 + \alpha_1 MKTBASS_{it} + \alpha_2 MKTBEQ_{it} + \alpha_3 EPS_{it} + \alpha_4 CAPBVA_{it} + \alpha_5 ROA + \alpha_6 ROE + e$$

Description:

RETURN : Stock Return
MKTBASS : Market to Book Value of Asset Ratio
MKTBEQ : Market to Book Value of Equity Ratio
E/P : Earning per Share/ Price Ratio
CAPBVA : Capital Expenditure to Book Value of Asset Ratio
ROA : Return on Assets
ROE : Return on Equity
e : Standard error

Subscript i,t : Identification on company i, on year t

2.6. EVIDENCE HYPOTHESIS

Testing the hypothesis in this study is done by using multiple regression analysis model (multiple regression analysis), which is conducted through the determination coefficient test, a significant test of the individual parameters (test statistic t), and the simultaneous significance test (test statistic F)

2.7. CLASSICAL ASSUMPTION TEST

To avoid distortion, it is necessary to test the classical assumption. The classical assumption required is the normality test, autocorrelation, multicollinearity test and heteroscedasticity test.

3. RESULT AND DISCUSSION

This research was conducted by using the population service company property and real estate sectors listed in Indonesia Stock Exchange (BEI) in the period 2011 to 2013 with sampling using purposive sampling method. The data used are secondary data derived from the financial statements in 2011, 2012, 2013 through access in Indonesia Capital Market Electronic Library (ICaMEL) and look at the official website of the Indonesia Stock Exchange website address www.idx.co.id. On Table 1 shows the details of the acquisition sample service company property and real estate sector with the criteria determined in accordance with the needs analysis. Table 2 also shows the descriptive analysis result.

3.1. NORMALITY ANALYSIS

Table 3 shows the result of normality test. The residual based on this research is distributed normally as described with significant value [Asymp. Sig. (2-tailed)] above 0.05 or 5%, this means the regression

model are decent to be used for it fulfill the normality criteria.

3.2. CLASSIC ASSUMPTION ANALYSIS

Multicollinearity Analysis

Table 4 shows the result of multicollinearity test. The result shows $VIF \leq 10$, and $Tolerance \geq 0.10$ therefore all of the variables are free from multicollinearity issue which means there is no correlation between independent variables and therefore fulfill the multicollinearity criteria.

Autocorrelation Analysis

Table 5 shows the result of autocorrelation test. The result shows value of D-W is 2.125. The value are located between -2 dan +2 thus this research are free from autocorrelation issue.

Heteroskedasticity Analysis

Figure 1 shows the dots are distributed randomly above 0 on axis Y therefore this regression are free from heteroskedasticity issue.

3.3. HYPOTHESIS ANALYSIS

Individual Parameter Analysis (Test Statistic t)

t test are used to determine the influence between independent variables individually toward dependent variable on significance level 0.05.

Following analysis of partial test for table 6

1. Market Value to Book of Asset Ratio (MKTBKASS) has a positive and significant impact on stock returns.
2. Market to Book Value of Equity (MKTBEQ) has a positive and significant impact on stock returns.
3. Capital Expenditures to Book Value of Assets (CAPBVA) has no significant negative effect on stock returns.
4. Earnings per Share (E / P) has no significant negative effect on stock returns.
5. Return on Assets (ROA) has no significant negative effect on stock returns.
6. Return on Equity (ROE) has a positive and significant impact on stock returns.
7. Based on the partial test, obtained a regression equation which is caused by the impact of the independent variable on the dependent variable. The following regression equation

$$\begin{aligned} \text{Stock Return} = & 0.335 + 0.264 \text{ MKTBASS} \\ & + 0.182 \text{ MKTBEQ} \\ & - 0.201 \text{ CAPBVA} - 0.865 \text{ EPS} \\ & - 2.920 \text{ ROA} + 2.146 \text{ ROE} \\ & + 0.134 \end{aligned}$$

Interpretation:

1. Constant value (α) of 0335 states that if the independent variables held constant (fixed value), then the rate of Stock Return for 0335
2. The value of the regression coefficient MKTBASS (X1) is positive for 0264. It shows if there is an increase in the variable 1 unity MKTBASS the Stock Return to appreciate by 0264 with the assumption that the other variables remain valuable

3. The value of the regression coefficient MKTBEQ (X2) is positive for 0182. It shows if there is an increase in the variable 1 unity MKTBEQ the Stock Return to appreciate at -0182 with the assumption that the other variables remain valuable
4. The value of the regression coefficient CAPBVA (X3) is negative at -0201. It shows if there is an increase in the variable unity CAPBVA 1 then return Shares will depreciate at -0201 with the assumption that the other variables remain valuable
5. The value of the regression coefficient E / P (X4) is negative at -0865. It shows if there is an increase in the variable unity 1 E / P then Return Shares will depreciate at -0865 with the assumption that the other variables remain valuable
6. The value of the regression coefficient of ROA (X5) is negative at -2920. It shows if there is an increase in the variable ROA 1 unity then return Shares will depreciate at -2920 with the assumption that the other variables remain valuable.
7. The value of the regression coefficient ROE (X6) is positive for 2146. It shows if there is an increase in the variable unity ROE 1 then return Shares will appreciate by 2146 with the assumption that the other variables remain valuable

3.4. SIMULTANEOUS SIGNIFICANCE ANALYSIS (TEST STATISTIC F)

F statistic test used to determine whether all the independent variables included in the model have jointly influence on the dependent variable.

The results of statistical tests yield F for 3803 F with a significance level of 0.002. The significance level of less than 0.05 (<0.05), which can be concluded that the variables Market Value to Book of Asset (MKTBASS), Market Value to Book of Equity (MKTBEQ), Earnings per Share / Price Ratio (E / P), Capital Expenditure to Book Value of Assets (CAPBVA), Return on Assets (ROA) and Return on Equity (ROE) simultaneously and significant effect on Stock Return .

3.5. ANALYSIS OF COEFFICIENT OF DETERMINATION

Coefficient determination test is performed to measure the ability of the independent variables in explaining the dependent variable. Table 8 shows test results coefficient of determination

The test results demonstrate the value of the coefficient of determination of Adjusted R Square (Adjusted R²) of 0194, or 19.4 %. This value indicates that the variable can be explained Stock Return of 19.4 % by variable Market Value to Book of Asset (MKTBASS), Market Value to Book of Equity (MKTBEQ), Earnings per Share / Price Ratio (E / P), Capital Expenditure to Book Value of Assets (CAPBVA), Return on Assets (ROA) and Return on Equity (ROE). The remaining 80.6 % (100 % - 19.4 %) is explained by other factors that are not included in the regression model of this study.

Table 1: Details on Sample

KRITERIA	JUMLAH
Property and real estate company listed in Indonesian Stock Exchange periode 2011-2013	54
Company age less than 5 years	(10)
Company with stock return = 0	(5)
Company with negative equity and net income	(5)
Total property and real estate company used as samples	34

Table 2: Statistic Descriptive Analysis Result

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
Return_Saham	102	.000	2.158	.43005	.463260
MKTBKASS	102	.000	3.959	1.27548	.615615
MKTBKEQ	102	.000	3.838	1.40989	.996764
CAPBVA	102	.000	.338	.03534	.061020
E/P	102	.003	.502	.09293	.076921
ROA	102	.005	.254	.06536	.041973
ROE	102	.008	.524	.13699	.094503
Valid N (listwise)	102				

Source: output SPSS 20.0

Table 3: Normality Test
One-Sample Kolmogorov-Smirnov Test

		Unstandardized Residual
N		102
Normal Parameters ^{a,b}	Mean	.0E-7
	Std. Deviation	.41598739
	Absolute	.155
Most Extreme Differences	Positive	.155
	Negative	-.130
Kolmogorov-Smirnov Z		1.565
Asymp. Sig. (2-tailed)		.015

Table 4: Multicollinearity Test

Coefficients^a

Model	Unstandardized Coefficients		Standardized Coefficients	T	Sig.	95.0% Confidence Interval for B		Collinearity Statistics	
	B	Std. Error				Lower Bound	Upper Bound	Tolerance	VIF
(Constant)	.335	.134		2.494	.014	.068	.601		
MKTBKASS	.264	.084	.351	3.158	.002	.098	.430	.687	1.455
MKTBKEQ	-.182	.055	-.392	3.334	.001	-.291	-.074	.613	1.631
CAPBVA	-.201	.771	-.026	-.260	.795	-1.732	1.331	.822	1.217
E/P	-.865	.812	-.144	-1.066	.289	-2.476	.746	.467	2.139
ROA	-2.920	2.117	-.265	-1.379	.171	-7.123	1.283	.231	4.335
ROE	2.146	1.058	.438	2.029	.045	.046	4.246	.182	5.485

a. Dependent Variable: Return_Saham

Source: Output SPSS 20.0

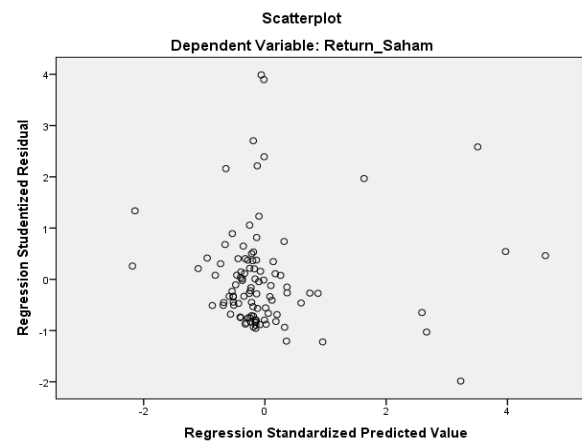
Table 5: Autocorrelation Test

Model Summary^b

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Durbin-Watson
1	.440 ^a	.194	.143	.428923	2.125

a. Predictors: (Constant), ROE, CAPBVA, MKTBKASS, MKTBKEQ, E/P, ROA

b. Dependent Variable: Return_Saham
Source: Output SPSS 20.0



Source: Output SPSS 20.0

Fig 1: Graph Scatterplot

Table 6: t Test Analysis

Coefficients^a

Model	Unstandardized Coefficients		Standardized Coefficients	T	Sig.	95.0% Confidence Interval for B		Collinearity Statistics	
	B	Std. Error	Beta			Lower Bound	Upper Bound	Tolerance	VIF
(Constant)	.335	.134		2.494	.014	.068	.601		
MKTBKASS	.264	.084	.351	3.158	.002	.098	.430	.687	1.455
MKTBKEQ	-.182	.055	-.392	3.334	.001	-.291	-.074	.613	1.631
CAPBVA	-.201	.771	-.026	-.260	.795	-1.732	1.331	.822	1.217
E/P	-.865	.812	-.144	-1.066	.289	-2.476	.746	.467	2.139
ROA	-2.920	2.117	-.265	-1.379	.171	-7.123	1.283	.231	4.335
ROE	2.146	1.058	.438	2.029	.045	-.046	4.246	.182	5.485

Dependent Variable: Return_Saham

Source: Output SPSS 20.0

Table 7: F Test

ANOVA^a

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	4.198	6	.700	3.803	.002 ^b
	Residual	17.478	95	.184		
	Total	21.676	101			

a. Dependent Variable: Return_Saham

b. Predictors: (Constant), ROE, CAPBVA, MKTBKASS, MKTBKEQ, E/P, ROA

Source: Output SPSS 20.0

Table 8: Coefficient Determination Test Result

Model Summary^b

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Durbin-Watson
1	.440 ^a	.194	.143	.428923	2.125

a. Predictors: (Constant), ROE, CAPBVA, MKTBKASS, MKTBKEQ, E/P, ROA

b. Dependent Variable: Return_Saham

Source: Output 20.00

4. DISCUSSION

After some testing, the results of these tests can be summarized as follows

Effect of Market Value to Book of Assets Ratio (MKTBKASS) of the Stock Return

The ratio between the market value to book value of assets (MKTBKASS) reflects the company's investment opportunities (Norpratiwi, 2004). This can

be explained by the relationship that the lower MKTBKASS the higher value of Investment Opportunity Set (IOS) company. [14]also found that the higher the ratio of market value to book value of assets, the higher the value of the IOS, thus able to provide information to investors. The results of this study proved that the market value to book value of assets (MKTBKASS) has a significant effect on stock

returns on company property and real estate in IDX. This is in line and support the research that has been done by [1][13][4] which has been proved that the ratio MKTBKASS have a significant influence on stock return variables.

Effect of Market Value to Book of Equity Ratio (MKTBEQ) of the Stock Return

The ratio of market value to book value of equity (MKTBEQ) reflecting the investment opportunities for a company. [18]prove that the difference in the market value of equity to book value reflects the investment opportunities [1]. This proxy can be explained also that the magnitude of returns from existing assets and investments are expected in the future may exceed the return of the desired equity[4]. The results of this study proved that the ratio of market value to book value of equity (MKTBEQ) has a significant effect on stock returns on company property and real estate in IDX. This is in line and support the research that has been done by [4][13][1] which has been proved that the ratio MKTBKEQ have a significant influence on stock return variables.

Effect of Capital Expenditure to Book Value of Assets (CAPBVA) of the Stock Return

The ratio of capital expenditure to book value of assets (CAPBVA) using real investment as the size of the book value of fixed assets and additional fixed assets. This ratio is proxied as the ratio reflecting investment opportunities for a company with an opportunity for additional capital through real investment in the form of fixed assets [1]. For a company, the value of the investment opportunities can also be analyzed through the addition of fixed assets invested in one or more periods. If the company is categorized as a company grows, the direct investment opportunities can be evidenced by the presence of additional capital through additional fixed assets [4].

The results of this study proved that the ratio of capital expenditure to book value of assets (CAPBVA) does not have a significant effect on stock returns on company property and real estate in IDX. This is in line and support the research that has been conducted by [4][13] which has been proved that the ratio CAPBVA has no significant influence on stock return variables. But not in line and support the research that has been done by [1] which has been proved that the ratio CAPBVA have significant influence on stock return variables.

Effect of Earnings per Share / Price Ratio (E / P) of the Stock Return

Ratio of Earnings per Share / Price Ratio (E / P) or the ratio of earnings per share of the stock market price is equal to the size IOS ratio of book value to market value [1].[19]in[1] model the value of the equity in the amount of income from assets in place.

The results of this study proved that the ratio of earnings per share / price ratio (E / P) does not have a significant effect on stock returns on company property and real estate in IDX. This is in line and support the research that has been done by [4][1]

which has been proved that the ratio E / P does not have a significant influence on stock return variables. But not sehalan and support research [13]which has been proved that the ratio E / P has a significant influence on stock return variables.

Influence Return on Assets (ROA) of the Stock Return

Return on Assets (ROA) is a profitability ratio that is used to measure the effectiveness of the company in generating profits by exploiting its assets. The larger the value of ROA shows the better performance of the company because of the greater stock return. This demonstrates the ability of the invested capital as a whole can be used to generate profit [20]

The results of this study proved that the return on assets (ROA) does not have a significant effect on stock returns on company property and real estate in IDX. This is in line and support the research that has been done by [21]which has been proved that the ROA does not have a significant influence on stock return variables. But not in line and support the research that has been done by [22][20] which has been proved that the ROA has a significant influence on stock return variables.

5. CONCLUSION

1. Market Value to Book of Assets Ratio (MKTBKASS) positive and significant effect on stock returns. These results support the research of [4][13][1].
2. Market Value to Book of Equity Ratio (MKTBEQ) positive and significant effect on stock returns. These results support the research that has been conducted by [4][13][1]
3. Capital Expenditure to Book Value of Assets (CAPBVA) negative effect and no significant effect on stock returns. These results support the research that has been conducted by [4][1]
4. Earnings per Share / Price Ratio (E / P) and a negative effect on stock returns are not significant. These results support the research that has been done [4][1]
5. Return on Assets (ROA) and a negative effect on stock returns are not significant. These results support the research that has been done by [21]
6. Return on Equity (ROE) is a positive and significant effect on stock returns. This study is in line with [20][22]

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THE INFLUENCE OF ORGANIZATIONAL CULTURE AND JOB COMPETENCY TO THE ORGANIZATIONAL COMMITMENT AND IT'S IMPLICATION TO EMPLOYEE PERFORMANCE IN OPERATIONAL UNITS OF PT. BUKIT ASAM (PERSERO) TBK IN SOUTH SUMATRA AND LAMPUNG

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Abstract- *The research aim is to know the influence of organizational culture and work competency either partially or simultaneously to the organizational commitment and its implication to employee performance in operational units of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. The methodology in the research is explanatory with sample around 352 respondents taken from a population of 2953. Data analysis used in the research is Structural Equation Modeling (SEM). Based on the research, there is finding which shows that the organizational culture is influential and significant for organization commitment. Both the organizational culture and job competency simultaneously contribute to the organization commitment. Partially, job competency is more dominant in effecting the organization commitment. The organizational culture as well as work competency is influential and significant to employee performance. Therefore, the organizational culture, work competency, and organization commitment simultaneously contribute to employee performance. In this case, organization commitment is more dominant in effecting employee performance.*

Keywords : The Organizational Culture, Job Competency, Organization Commitment, Employee Performance

1. INTRODUCTION

PT. Bukit Asam (persero) Tbk or PTBA is one of mining companies in Indonesia. Based on its statutes, article 3, the purpose and objective is to develop the field of mining material especially coal mining in accordance with appropriate legislation in relation to the principles of limited company. In the operational implementation, PTBA involves 2953 employees with different levels of education such as 976 (33, 05 %) primary and junior high school graduates, 1441 (48,80 %) senior high school graduates, 207 (7,01 %) diploma graduates, 317 (10, 73 %) bachelor graduates, and 12 (0,41 %) post graduates. The condition can be an indicator that the PTBA employees' job competency is poor. It is because job competency needs an employee's job skill and intellectual ability. In PTBA annual report of 2013, the organizational culture in PTBA is not good because there is no job performance or excellent culture. The situation is seen in work implementation done by employees. They still do not support PTBA vision, they are lack of innovation, and are not brave to take risks. The main thing is that they work without thinking about the quality and quantity of job. Lack of organizational commitment from PTBA employees is seen when their work implementation must be instructed and sometime a work must be repeated many times to be completed by them. The condition may become as an indication of the descent of employee's organization commitment. The problem is from PTBA employees' job performances which are low. The indication of the lowness of PTBA employees' job performance is based on the data showing that there is no achievement for the target of employees' job performance in every operational unit of mining and for the selling which is decided by PTBA. The

achievement of employees' job performance productivity in operational units of mining from 2010 to 2012 only achieved 84,15 %. Meanwhile, the achievement of employees' job performance productivity in an operational unit for coal selling from 2010 to 2012 is 88,55 % from selling target decided by PTBA. The achievement of employees' job performance in an operational unit of coal selling, faces decline from 2010 to 2012. Specifically, in 2012 it shows that the achievement of employees' job performance in a operational unit of coal selling is only 81,88 % from total target decided by PTBA. Based on the problem above, it can be arranged the formulation of the problems such as:

- Are there influences to the application of organizational culture and job competency model partially and their contributions to employees' organization commitment of coal mining company in South Sumatra and Lampung areas?
- Are there influences of the implication of organizational culture, job competency and organization commitment model and their contributions to the employees' job performance of coal mining company?

2. LITERATURE REVIEW

The Organizational Culture

According to Robbins, P Stephen (2003: 525), the organizational culture is a general perception thought by members of organization i.e. a system about togetherness. This organizational culture is concerned with the way how an employee feels the characteristics of an organizational culture. For Kreitner, Robert dan Angelo Kinicki (2001: 68), the organizational culture is the value and belief based on company identity. Regarding some statements of the

organizational culture by experts above, it can be concluded that the organizational culture is basis, value or belief which is protected and preserved by organization in running their work in order to survive in facing the environment change. Thus, the functions of organizational culture is (1) Showing identity, (2) showing the clear role, (3) showing collective commitment, (4) constructing the stability of social system, (5) building a good and logical thought, and (6) clarifying behavior standard.

Competency

According to Dessler, (2003: 297) "Competency is a knowledge or know how for doing an effective job". For Davis (2002:299): "Competency is a capability perspective and people knowledge, especially to impact on ability for need in a business via minimize cost and optimalization services to customer more for less". Then, for Mathis & Jackson (2001: 241), competency is a base characteristic that correlation of individual or team performance achievement. Job competency is a basic characteristic which has a correlation with the achievement of individual and team performance. The categorization of competency consists of knowledge, skill, abilities. As stated by Robbins (2009:140) that competency has an influence to the level of performance and one's performance. However, an employee has a great motivation but unless it is supported with an appropriate ability, the performance will be low. It is similar with Prihadi's statement (2004:105) that competency results an effective or superior performance.

3. ORGANIZATIONAL COMMITMENT

Luthans (2006: 147) says that the definition of organization commitment is "a strong desire to remain a member of a particular organization; a willingness to exert high levels of effort on behalf of the organization; and a definite belief in, and acceptance of, the values and goals of the organization". Newstrom (2007: 207) then states that organization commitment is a level of self employee identification with organization and their will to keep participating actively in organization. Attitude in organization is considered as an important thing because it influences to the behavior. Organizational commitment has an important part which influences the various important attitudes in order that an organization functions effectively. The importance of employee commitment is strengthened with many researches showing the strong correlation between organizational commitment and job performance (Luthans, 2006 : 237). According to Gibson (2003:315), organization commitment involves three behaviors such as (1) identification for the organization aim, (2) the feeling involvement in organization tasks, and (3) the feeling of loyalty to organization. Meanwhile, according to Ivancevich, M. John (2007: 234), commitment to organization involves three behaviours such as (1) the sense of identification in the organization aim, (2) the feeling involvement in organization tasks, (3) the feeling of loyalty in organization. According to Meyer and Allen cited in Umam (2010:259), there are three

dimensions in commitment - *affective, continuance* and *normative*. They can be stated as a component or dimension in organizational commitment but the types of organization commitment.

Performance

According Mathis, L Robert (2006: 378), *performance* is about what the employees do or don't. Generally, employee performance covers elements such as the result of quantity, the result of quality, the exact timing of result, attendance, and team work ability. Armstrong and Baron (2008: 66) think that *performance* means the result of work or work achievement and the process of working. Performance talks about what is done and how to be done. In relation to the perceptions of performance and work achievement, it shows that the definition of either performance or work achievement consists of the substantiation of someone's work achievement. Therefore, either performance or work achievement reflects achievement reached by a person or group of people.

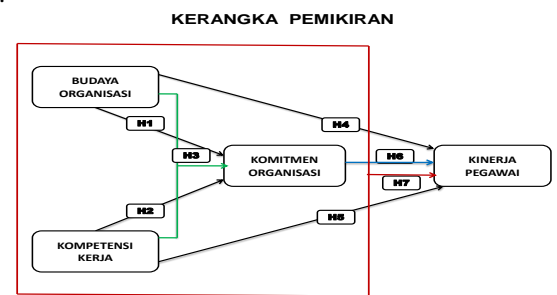


Fig1: Framework

4. RESEARCH METHODOLOGY

Research aim of the paper is descriptive and verified. Observation units are the operational unit employees of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. The definition of operational variables is to explain variables identified in the research. The main problems in the research are:

Organizational culture (ξ_1) as independent variable

Competency (ξ_2) as independent variable

Organization commitment (η_1) as intervening variable

employee performance (η_2) as dependent variable

In the research, population taken is from the operational unit employees of PT. Bukit Asam (persero) Tbk. It is around 2953 respondents. The research uses random sampling technique. Meanwhile, sampling technique uses the formulation from Taro Yamane or Slovin (Riduan, 2011: 45). The number of sample is 352 respondents from Tanjung Enim unit, Kertapati unit and Tarahan unit.

Frame of Analysis

Organizational culture is measured with four dimensions, and competency is measured with three dimensions. Then, organization commitment is measured with three dimensions and competency is measured with six dimensions. After completed path diagram, the next step is to convert path diagram into equation for measurement of latent exogenous variables, endogenous latent variables, and structural

equation. Testing the suitability of the model is done by using some measure of the suitability of the model (Goodness of Fit Test, GOF) Interpretation of the model is basically a discussion or statistical discussion of the results that have been obtained.

Hypothesis Testing and Discussion

Tabel 1: Goodness of Fit Index (GOFI) Structural Equation Model

GOFI Measure	the value of the results	standard values	conclusion
p-value	0.78	p-value ≥ 0.05	suitability
RMSEA	0.00	RMSEA ≤ 0.08	suitability
NFI	1.00	NFI ≥ 0.90	suitability
NNFI	1.00	NNFI ≥ 0.90	suitability
CFI	1.00	CFI ≥ 0.90	suitability
IFI	1.00	IFI ≥ 0.90	suitability
RFI	0.99	RFI ≥ 0.90	suitability
SRMR	0.02	SRMR ≤ 0.05	suitability
GFI	0.98	GFI ≥ 0.90	suitability
AGFI	0.95	AGFI ≥ 0.90	suitability

Suitability test results of structural equation model in Table 1 indicate that all the criteria Goodness of suitability better than compatibility with Normal value Weighted Least Squares Chi-Squares (probability $0.78 \geq 0.05$) and *Root Mean Square Error of Approximation* (RMSEA) $0.00 \leq 0.08$ and AGFI $0.95 \geq 0.90$ has met the eligibility requirements models.

Analysis of model estimation with the technique of a full analysis models. The results of structural equation model estimation in this study is shown in the picture below.

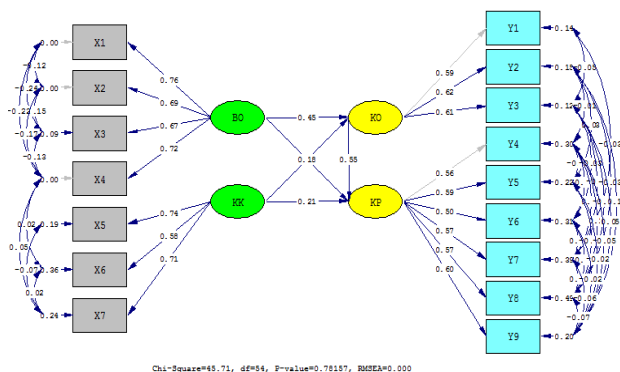


Fig. 2: The Structural Equation Model of Organizational Culture, Work Competency and Organizational Commitment to Employee Performance

Note:

BO = Budaya Organisasi (Organizational culture)

KK = Kompetensi Kerja (Work Competency)

KO = Komitmen Organisasi (Organizational commitment)

KP = Kinerja Pegawai (performance)

The Influence of Organizational Culture and Work Competency to Organizational Commitment .

Based on the hypothesis, The results obtained for structural equation model shows that organizational culture significantly influences organizational

commitment. It means Hypothesis 1 is accepted. The direct influence of organizational culture variable on organizational commitment is equal to 0.45, while the organization of work competency significantly influences organizational commitment. It means that Hypothesis 2 is accepted.

The direct influence on organizational commitment is about 0.49. Then, organizational commitment and work competency simultaneously contribute to organizational commitment. Thus, **Hipotesis 3 is accepted.** Contribution of both organizational commitment and work competency variables is around 68 %. The residue is 32 % from other factors.

The Influence of Organizational Culture, Job Competency and Organizational Commitment on Employee Performance .

Based on the proposed hypothesis, the results obtained for structural equation model, is partially significant influence of organizational culture on employee performance, meaning that the better the culture of the organization is, the higher the performance of employees is. It means that the hypothesis 4 is accepted / proven. The direct influence of organizational culture on employees performance is about 0.18. Then work competency shows significant influence to work performance. Thus, Hypothesis 5 is accepted/proven. There is big influence of work competency variable on work performance which is about 0.21. Therefore, **Hypothesis 6 accepted/proven.** The influence of organizational commitment on job performance is around 0.55. Organizational culture, work competency, and organizational commitment simultaneously contribute to job performance. So, **Hypothesis 7** is accepted/proven. The contribution of organizational culture, job competency, organizational commitment variables are 73% and the residue is 27% from other factors. Therefore, operational unit employee's performance of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung is influenced positively with organizational culture, work competency and organizational commitment.

5. CONCLUSION

1. Organizational culture influences either positively and significantly to the employees' organizational commitment in operational units of PT. Bukit Asam (persero) in South Sumatra and Lampung. It is similar with Greenberg's theory (p. 518).
2. Work competency influences positively and significantly to employees' organizational commitment in operational units of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. It is similar with Mathis and Jackson's theory (2001:84).
3. Organizational culture and job competency contribute 68% employees' organizational commitment in operational units of PT. Bukit Asam (persero) in South Sumatra and Lampung.
4. Organizational culture influences positively and significantly to employee performance in operational units of PT. Bukit Asam (persero)

- Tbk in South Sumatra and Lampung. It is similar with the theory of Terrence and Allan (2000:25).
5. Job competency influences positively and significantly to employee performance in operational units of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. It is similar with the theory of Mathis & Jackson (2001:241).
 6. Organizational commitment influences positively and significantly to job performance in operational units of PT. Bukit Asam (persero) in South Sumatra and Lampung in South Sumatra and Lampung. It is similar with Colin's theory (2004:594).
 7. Cultural Organization, job competency, and organization commitment contribute is 73% to work performance in operational units of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. It is similar with the research done by Chen (2004:432).

The Managerial Implication

Based on the above research, the finding is that job performance especially personal quality in operational unit employees of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung will increase through organizational commitment which is the dominant variable and job competency by developing knowledge through either educating and training the employees in order that they have the standard of performance achievement and own an interest in work efficiency and quality.

Suggestion for the further research

1. There are many factors influencing operational unit employees' performance of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung instead of variables such as motivation, leadership, career development and other factors which are for the further research.
2. The result of the research can be applied for coal mining employees in other region of Indonesia. Therefore, the research is expected to be developed.
3. The result is only done for operational unit employees of PT. Bukit Asam (persero) Tbk in South Sumatra and Lampung. Thus, the next research can be done in other minings in Indonesia.
4. The research uses an analysis of SEM (Structural Equation Modeling) technique with organizational commitment variable as intervening variable. For further research, it can be done with same variables but by using organizational commitment variable as moderating variable or additional variables there will be the different research for the result.

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THE INFLUENCE OF PROSPERITY AND FINANCIAL PERFORMANCE WITH RESPECT TO EQUALIZATION FUNDS OF THE GOVERNMENT DISTRICT/CITY IN ALL SOUTHERN SUMATRA REGIONS

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Abstract - The prosperity of the local governments will only be realized if local governments are able to generate revenue (PAD) areas of the original and does not rely on Central Government relief funds in financing the activities of local governments. This study aims to test and prove empirically the influence of prosperity and financial performance with respect to equalization funds of the Government district/city for all Southern Sumatra regions. The Data collection is from a data Report i.e. Secondary Budget Realization of the district/city government for all south Sumatra regions in 2012 which is in www.djpk.depkeu.go.id. The prosperity of local government is measured by the amount of equalization funds measurable by generate revenue (PAD) areas or pendapatan asli daerah (PAD), with the amount of funds for Public allocation of Funds, the Results and the allocation of Special Funds, while the financial performance is measured by the ratio of the independence, the ratio of effectiveness, and efficiency ratios. The analysis used was qualitative analysis through descriptive statistics and quantitative analysis through multiple linear regression, hypothesis testing and coefficient of determination. The test results showed that the prosperity of local government positive effect on the performance of the financial performance of local government and the Fund balance of negative effect on the financial performance of local government performance while simultaneously the prosperity of local governments and equalization funds the positive effect of the financial performance of local government performance.

Keywords: Prosperity, balance fund, the financial performance of local government

1. BACKGROUND

The implementation of autonomous area which emphasizes at regency and town marking with the transfer of a number of authorities from central government to local government. This matter affirms that local government has their authority to determine and improve their people's prosperity. Prosperity constitutes the capability of fulfilling the need of primary, secondary, and tertiary as well. Prosperity of local government will only be implemented if the local government are able to reach generate revenue areas (PAD) which is high and are not dependent on the relief fund of central government. Dependency on central government shows that local government autonomy is low. Its lowness of the local government autonomy shows the lower performance of local government finance because in financing operational activities, the local government are dependent on the central government (Kusumawardani, 2012)

In fact, the local or city government in Indonesia is still dependent on the relief fund of central government. It is seen in the report evaluation of revenue plan of state expense for regency or city in 2012 submitted by Directorate General of Financial Balance, Treasury Departement of the Republic of Indonesia. It mentions that the fund of balance still predominates the source of earnings of local government that is around 6,41% or equal to Rp. 369,908 trillion, while generate revenue areas (PAD) is equal to 9,88% or equal to Rp. 47,815 trillion and other legal generate revenue is 13,2% or equal to Rp. 66, 414 trillion. The condition also happened in regency/town government in Southern Sumatra regions. Based on report submitted by Directorate

General of Financial Balance, Treasury Departement of the Republic of Indonesia for revenue plan of state expense of 2012 toward regency/town government in Southern Sumatra showing that financial balance still predominates the source of local government's revenue that is around 90,69% or equal to Rp. 33,554 trillion while the generate revenue area (PAD) is only 6,8% or equal to Rp. 2,541 trillion and other legal regional revenue is 2, 44% or equal to Rp. 901,312 billion.

The measurement of performance is one of ways used by local government in achieving good government (Halacmi, 2005). It also represents the important component because there will be feedback for the plan which have been implemented (Chow, Ganulin, Haddad, and Wiliamson, 1998). Wood (1998) states that function from performance measurement can explain about (1) Evaluation of how the program runs; (2) comparison instrument of services which are given; (3) public communication means.

In Indonesia, research concerning performance of local government finance was conducted by Hamzah (2009) which talked about local government finance in East Java. Its result indicates that the finance performance effects positively to jobless and poverty. The other research was conducted by Sumarjo (2010). It talks about influence of measure of local government, prosperity, legislation, leverage, and financial balance to local government finance in Indonesia.

Its result indicates that the finance performance had an effect positively and it shows that measure of local government, legislation, leverage, and financial balance influence positively and significantly to the

finance performance of local government in Indonesia while prosperity does not influence to the finance performance of local government in Indonesia.

Kusumawardani (2012) indicates that measure of local government and legislation have an effect on the performance of finance of local government in Indonesia, while prosperity and leverage do not have an effect on performance of finance of local government in Indonesia.

However, the results of research conducted by Manik (2013) show that prosperity and equalization funds directly influence the economic growth of local government in Indonesia, where economic growth is also a form of improved financial performance (Tambunan, 2001).

2. LITERATURE REVIEW

2.1 LOCAL GOVERNMENT FINANCE REPORT OR LAPORAN KEUANGAN PEMERINTAH DAERAH (LKPD)

Statement of Government Accounting Standards (SPAP) No. 1 illustrates the definition of the financial statements as a structured report on the financial position and transactions undertaken by a reporting entity. Financial statements become a means used to demonstrate the performance achievement and implementation of the accountability function in one entity (Choiriyah, 2010). Therefore, disclosure of information in the financial statements should be sufficient to be used as a basis in making careful and appropriate decision (Almilia and Retrinasari, 2007). Seeing the benefits of the financial statements, the central government issued a regulation regarding the obligations of President and Governor / Regent / Mayor to submit reports accountability of revenue plan of state expences (APBN) or revenue plan of local government expence (APBD) in the form of financial statements set forth by Law No. 17 in 2003. Based on the PP RI No. 24, 2005 financial statements at least include :

- a) Based on the PP RI No. 24, 2005, expence realization report presents revenue, expenditure, transfer, surplus/deficit, financing, the rest is more/less financing budget managed by the central/local government in one reporting period.
- b) Balance showing the financial position of an entity's reporting of assets, liabilities, and equity funds on a specific date (PP No. 24 of 2005).
- c) Cash Flow Statement provides information about the source, use, changes in cash and cash equivalents for the accounting period, and the balance of cash and cash equivalents on the reporting date.
- d) Notes on the Financial Statements include a narrative description or details of the numbers listed in the Budget Realization Report, Balance Sheet, and Cash Flow Statement.

2.2 LOCAL GOVERNMENT FINANCIAL PERFORMANCE

Bastian (2006) defines performance as the achievements of the organization in a certain period.

Performance is the attainment of what is planned, either by personal or organization. Research conducted Azhar (2008) reveals that performance is defined as the measured activity of an entity during a certain period as part of a measure of success in the job. Performance measurement is the process of continuous monitoring and reporting of outcomes of activities, particularly progress on the planned destination (Westin, 1998).

Great attention to the measurement of performance caused by the opinion that performance measurement can improve the efficiency, effectiveness, economimizing and productivity in the public sector organizations (Halacmi, 2005). Research conducted Mandell (1997) revealed that the measurement of performance, local governments obtain information that can improve the quality of decision-making in order to improve the service provided to the public. One of tools to measure the financial performance of local government is to carry out the ratio analysis toward revenue plan of local government that has been defined and implemented (Hamzah, 2009). Results of financial ratio analysis is then used to be benchmark in : (1) Assessing local financial independence in budgeting the implementation of local autonomy; (2) Measuring the effectiveness and efficiency in the realization of local revenues; (3) Measuring how far the activities of local governments are in the region to expend revenue (4) Measuring the contribution of each source of income in the formation of local revenue (5) Seeing the growth or development of the revenue and expenditure made during a specific time period. According to Halim (2007), some financial ratios that can be used to measure the financial performance of local governments are: independence ratio, the ratio of effectiveness, efficiency ratio, the ratio of the growth and activity ratios. According to Article 2 of Regulation No. 108 of 2000, parties with an interest in local government financial ratios are regional parliament, the Executive Board, investors, creditors and benefactors, Economic Analysis and Observer Regional Government, the People, the Central Government.

2.3 Prosperity

According to the General Indonesian Dictionary (2006) prosperity is the fulfillment of life such as the need for primary, secondary needs, and tertiary needs for humans. Prosperity (wealth) of local government can be expressed by the amount of revenue (Abdullah, 2004). Consideration prosperity measurements with generate revenue (PAD) is because although generate revenue (PAD) gives small contribution to Indonesia's local governments (about 1% -16%), It is the only source of genuine financial originating from the region (Suhardjanto et al., 2010).

In addition, research conducted by Adi (2006) revealed that the area has a high amount of generate revenue (PAD) which has the financial resources to organize the administration so that the quality of public services provided to the public will be better and people's prosperity will also increase.

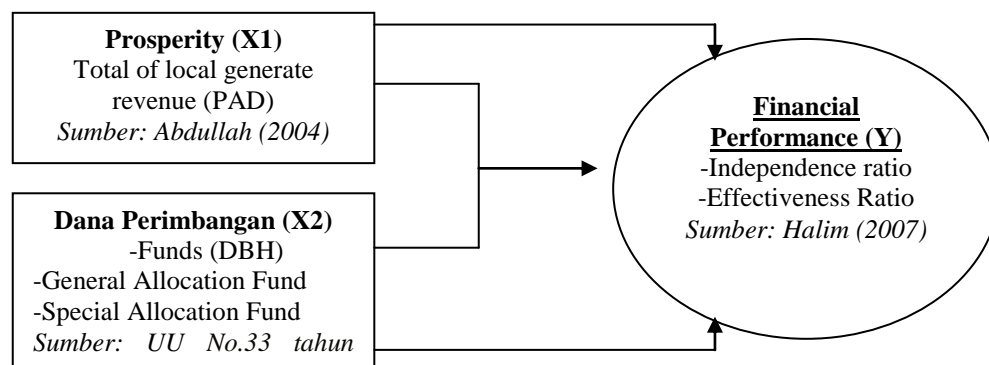
According to Law No. 33 of 2004 on Financial Balance between Central and Local Government and Law No. 28 of 2009 on Local taxes and levies stating that the Local Generate Revenue (PAD) is a local earned income levied by local regulations in accordance with the legislation. Meanwhile, according to Mardiasmo (2002) Local Generate Revenue (PAD) is revenue which is an acquired reception area sourced local tax sector, regional retribution, and the yield of regional wealth management is separated from other legal income. Local Generate Revenue (PAD) aims to give authority to local governments to finance the implementation of regional autonomy in accordance with the potential of the area as the embodiment of decentralization are sourced from local taxes, levies,

the yield of separated wealth management area and other legitimate revenue in a region.

2.4 EQUALIZATION FUND

On Financial Balance between the Central Government and Local Government, equalization fund is a fund sourced from revenue plan of state expence of APBN allocated to the regions in order to finance the needs of the region in the implementation of decentralization. Balance Funds includes Funds or Dana Bagi Hasil (DBH), General Allocation Fund or Dana Alokasi Umum (DAU) and Special Allocation Fund or Dana Alokasi Khusus (DAK) which is fund transfer from central government to local government aiming at reducing the fiscal gap between the central government and local governments , and among local governments.

2.5 THEORETICAL FRAMEWORK



2.6 HIPOTHESIS

H1: Prosperity positively effects on the performance of Local Government Finance

H2 : Fund balance negatively affects on the performance of Local Government Finance

3 RESEARCH METHODOLOGY

3.1 THE TYPE OF RESEARCH

This type of research aims at causality research to analyse the cause and effect between the dependent and independent variables.

3.2 POPULATION AND SAMPLING TECHNIQUE

The population in this study is the region and City government in all Southern Sumatra regions including Lampung , South Sumatra , Bangka Belitung , Jambi and Bengkulu. The total population is 57 from both regions and Cities in all Southern Sumatra (DJPK RI , 2013). The determination of the number of samples in this research refers to the opinion of Arikunto (2004) which states that the measuring of the sample in the reseach is " If the subject is less than 100 , it is better taken all that the research is the study of population. Based Arikunto (2004) , the samples used in this study is saturated sample, so this study is a population study. The sampling criteria are

1. LKPD in 2012 which was audited by BPK - RI .
2. LKPD region and City Government in all Southern Sumatra in 2012 presented have complete information to be processed.

3.3 THE TYPES AND SOURCES OF DATA

The data used in this research is secondary data , such as Budget Realization Report (LRA) in all Southern Sumatra regions in 2012 retrieved from the site - www.djpk.depkeu.go.id.

3.4 METHODS OF COLLECTING DATA

Collecting data in this study using the methods of documentation which is done by collecting data derived from existing documents , of the Directorate General of Financial Balance documentation, Ministry of Finance of Indonesian Republic.

3.5 VARIABLE OPERATIONAL DEFINITION AND MEASUREMENT OF PROSPERITY

Prosperity is the fulfillment of life which is material. Human needs covering the primary need, secondary needs ,and tertiary need. According to Abdullah (2004), the prosperity of local governments can be measured by the amount of revenue (PAD) . Considerations of prosperity measurements with PAD is because although the small contribution of PAD to local governments in Indonesia (around 1 % -16 %) , PAD is the only financial source which comes from those regions. (Suhardjanto et al., 2010).

Financial Balance

Financial Balance is fund which is from APBN earnings which is allocated for financing the needs of regions in the implementation of decentralization. According to Law no. 33 of 2004 about financial balance between central government and local government, it covers Funds or Dana Bagi Hasil (DBH), General Allocation Fund or Dana Alokasi

Umum (DAU) and Special Allocation Fund or Dana Alokasi Khusus (DAK).

Finance Performance

Finance performance of local government is ability of an area to discover and manage the real finance source of area in fulfilling its needs in order to support the process of governmental system, service to society and its area development in order not to be dependent on central board and it has the facility to use fund for the sake of people in accordance with law and regulation (Susantih, 2009). According to Halim (200) local financial performance can be measured with Independence ration and effectiveness ratio.

Local Independence Ratio

Local Independence Ratio in this research is the ability of an area to finance its governance activity, development and service to its society. According to Halim (2007) the formulation of local independence ratio is:

$$\text{Independence ratio } i = \frac{PAD \ i}{\text{Total of regional revenue } i} \times 100\%$$

Note : *i* = All regencies/cities in Southern Sumatra
Relation pattern between central government and local government in implementing regional autonomy can be seen in table 1

Table 1: Relation Pattern and local indepenence level

Regional ability	Indepence (%)	Relation Pattern
Very low	0 – 25	Instuctive
Low	25 – 50	Consultative
medium	50 – 75	Participated
High	75 – 100	Delegated

Source : SK Mendagri (the Decree of Home Affairs Minister)No. 690.900.327 of 1996 (cited in Halim, 2007)

Local Financial Effectiveness Ratio

Effectiveness Ratio describes the ability of local government in realization of generate revenue area (PAD) planned and compared with PAD target regulated. The formulation of effectiveness by Halim (2007) is:

$$\text{Effectiveness ratio } i = \frac{PAD \ Realization \ i}{PAD \ Acceptance \ Target \ i} \times 100\%$$

Note: *i* = All regions/cities in Southern Sumatra

Table 2: Effectiveness Criteria of Local Finance

% Financial Performance	Criteria
Above 100	Very effective
90 – 100	effective
80 – 90	Effective Enough
60 – 80	Less Effective
Under 60	Not Effective

Source : SK Mendagri (the Decree of Home Affairs Minister)No. 690.900.327 of 1996 (cited in Halim, 2007)

Technique Analysis

Analysis technique used in this research is qualitative and quantitative analysis. Qualitative analysis is in the form of descriptive statistic and Quantitative analysis consists of regression, doubled linear, hypothesis testing, and coefficient determination. Quantitative analysis.

4 RESULT AND DISCUSSION

4.1 DESCRIPTIVE STATISTIC

Based on the result of data processing, descriptive statistic of prosperity, financial balance and local performance government in Southern Sumatr in the year of 2012 as follows:

Table 3: Result of Descriptive Statistic

Explanation	Mean	Min	Max	Standard Deviation
Prosperity	54,08	5,74	518,85	83,93
Financial balance	713,91	357,93	2.310,60	350,39
Financial performance (Independence)	4,99	1,12	23,16	4,13

Source: Processed Data, 2014

Based on descriptive statistic table, it shows that average value (mean) of local government in all of southern Sumatra regions of 2012 equals to Rp. 54,00 billion. The value of high prosperity from Palembang government of South Sumatra Province is around Rp. 518,59 billion and the value of lowest prosperity from the local government of middle Bengkulu, province of Bengkulu is around Rp. 5,74 milyar.

If it is compared with the total of regional revenue, the value of prosperity (PAD) of local government in Southern Sumatra in 2012 is still low (under 25 %). It is because local government in Southern Sumatra through its regional regulation is not able to increase local taxes revenue, local levies and performance of BUMD as a source of PAD.

Mean value of financial balance of local government in southern Sumatra in 2012 is around Rp. 13,91 billion. the value of the highest financial balance is from regional government of Musi Banyuasin government, South Sumatra with 2, 310 trillion and the lowest financial balance is from the local government of Bengkulu, Province of Bengkulu amounted to 35,93 billion. It shows that fund source of local government in Southern Sumatra is obtained more from financial balance which is transfer of central government than from PAD as a source of generate revenue areas. The average value (mean) of local financial independence government in southern Sumatra in 2012 amounted to 4.99 % . Value of the highest financial independence is from Palembang government of South Sumatra Province of 23.16 % and the lowest financial independence is oned Tulang Bawang Regency of West Lampung in Lampung

province by 1.12 % . This shows that the local government's financial independence in southern Sumatra is very low and at the same time it shows that the local government in southern Sumatra is still heavily dependent on central government fund in financing the activities and local government expenditure. Based on the Decree of the Minister of Home Affairs No. 690 900 327 1996 on Guidelines for Assessment and Financial Performance, saying that financial independence is very low if the value of financial self-sufficiency ratio of 0% - 25 % .

4.2 DOUBLE LINEAR REGRESSION

Based on the results of data processing, it is obtained regression coefficients for the variables of wealth and equalization funds as follows:

Tabel 4 : Regression Coefficients

information	Unstandardized Coefficients
	B
Constant	50.853
Prosperity	2.422E-5
Financial Balance	-1.780E-6

Source: Processed Data, 2014

Based on the regression coefficient table, it can be formulated double linear regression equation as follows:

Tabel 5: The Result of Hypothesis Testing ($\alpha=5\%$)

	Hypothesis	P_value	Result	Conclusion
H ₁	<i>Prosperity effects positively on financial performance</i>	0,001	0,001<0,05	Hypothesis Proven / accepted
H ₂	<i>Financial balance negatively effects financial performance</i>	0,041	0,041<0,05	Hypothesis Proven/accepted

Sumber: Data Diolah, 2014

Prosperity effects positively on financial performance

Hypothesis testing results show that the prosperity has a positive effect on the financial performance of the District/city Government in southern Sumatra. The results are similar with the research results of and Firiayanti and Pratolo (2009) and Manik (2013) which state that prosperity have a positive effect on financial performance. Prosperity influences positively on the financial performance of local governments due to the prosperity of the local government and reflects the value of PAD , as stated by Abdullah (2004) that the prosperity of the local government can be expressed by generate revenue areas or PAD . The value of PAD indicates a high autonomy of local governments, so that local governments can finance its own activities and regional expenditure without having much to rely on external sources of income. Prosperity of local governments expressed by the amount of PAD also reflects both the success (effectiveness) of local governments realizing the PAD of the target set and the success of local governments in providing an understanding of the importance of revenue for local governments. Thus , a large of generate revenue area (PAD) would describe the prosperity of local

$$KK = 50.853 + 2.422K - 1.780DP$$

The regression equation can be interpreted that prosperity has a positive influence on the financial performance , while the financial balance has a negative effect on the financial performance Prosperity of positive influence on the financial performance can be seen in the regression coefficient (beta) is +2422 . Prosperity of regression coefficient values indicate that each increase of 1% to prosperity will be followed by improvement of the financial performance of 2.42% assuming other variables considered constant and vice versa. Meanwhile the negative effects of equalization funds on financial performance can be seen in the regression coefficients (beta) of -1780. Regression coefficient value of equalization funds showed that every increase of the balance funds of 1% will be followed by a decrease in financial performance of 1.78 % assuming other variables held constant (unchanged) and vice-versa.

4.3 HYPOTHESIS TESTING

Testing the hypothesis in this study uses t_statistik test at 95% confidence level or ($\alpha = 5\%$) . Based on the results of data processing, p_value was obtained for each hypothesis testing as follows.

governments as well as describe the good financial performance of local governments.

Financial Balance Negatively Effects Financial Performance

Hypothesis testing results indicate that the Financial balance negatively affects the financial performance of the District/City government in southern Sumatra . The results are similar with Kusumawardani's results of research (2012) which states that the financial balance has no effect on the financial performance of local governments in Indonesia.

Negative influence on the financial balance financial performance due to the equalization fund is a fund sourced from APBN allocated to the regions to finance the needs of the region in the implementation of decentralization. Financial balance includes revenue-sharing (DBH) , General Allocation Fund (DAU) and Special Allocation Fund (DAK) which is the transfer of funds from central government to local government aimed at reducing the fiscal gap between the central government and local governments , and among local governments. According to Julitawati (2012) ,equalization funds received by local governments from the central government will show stronger local governments relying on the central government to fulfil regional needs, so it will make

the financial performance of local governments declined.

4.4 COEFFICIENT OF DETERMINATION

Based on the results of data processing (Appendix 2), it is obtained that R_Square value to influence the prosperity and financial balance on the financial performance are as follows:

Tabel 6: Coefficient of Determination (R_Square)

Information	R_Square
The effect of prosperity and financial balance on the financial performance	0,256

Source : processed Data, 2014

As seen in table 6, the value of R_Square is 0.256 or 25.6 %. It shows that the amount of donations or contributions to prosperity and financial balance to changes in the financial performance of 25.6 % while the remaining 74.4 % is influenced by other factors not examined in this study, such as regional expenditure, area, and compliance community to pay local taxes and levies.

5 CONCLUSION AND SUGGESTION

5.1 CONCLUSION

Based on the results of research and discussion, we can conclude as follows.

1. Prosperity has a positive effect on the financial performance of the District / City government in southern Sumatra . This is proved by the results of regression and hypothesis testing, where the regression coefficient indicates a positive value and the prosperity of hypothesis testing results indicate that p_value is smaller than the value of alpha.
2. Financial balance negatively affects the financial performance of the District /City Government in southern Sumatra . This is evidenced by the results of regression and hypothesis testing , where the value of the coefficient regression of equalization funds showed a negative value and hypothesis testing results indicate that p_value is smaller than the value of alpha.

5.2 SUGGESTION

Based on the research conclusions , the suggestions are proposed for the next study are:

1. Local governments should be able to increase the prosperity of the region through raised value of PAD, including by intensifying the implementation of the local taxes collection and levies as well monitoring and controlling through a computerized system of taxation and levies integrated and connected by on-line. In addition, local governments can increase the value of revenue through the addition of other types of
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local taxes and levies which are certainly not going to cause problems in the community.

2. Use of financial balance should be clear and in the manner intended , that should really be able to provide direct benefits to society in the form of improved services and social welfare . In addition , local governments should be able to reduce its dependency on equalization funds by improving the quality and quantity of local taxes and levies as a source of local revenue.

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THE INFLUENCE OF THE FINANCIAL PERFORMANCE AND MACROECONOMIC FACTORS TO STOCK RETURN

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ABSTRACT - The aims of the study are to determine the effect of the company's financial performance with Return on Asset (ROA) and Return on Equity (ROE) indicators. The macroeconomic factors with the indicators of Indonesia interest rate (SBI) and exchange rate on stock returns of non-financial companies listed in IDX. The results of this study indicate that the variable of ROA has negative effect on stock returns, ROE has a positive effect on stock returns, and the variable interest rate and exchange rate of SBI has positive effect on stock returns. From the analysis data by using regression model, independent variables ROA, ROE, SBI interest rate and the exchange rate very significant (p value < 0.01). Thus, the above all variable can be used as the basis for investment decision making for investment in Indonesia Stock Exchange (IDX) mainly for shares in the non-financial companies.

keywords: ROA, ROE, Interest Rate, Exchange Rate, Stock Return

1. BACKGROUND

The financial performance is one of the factors seen by potential investors to determine stock investment. For a company, maintaining and enhancing financial performance is a must so that the shares still exist and attractive for investors. Investments can be interpreted simply as an attempt to gain profit. The investments can be taken place through a variety of media, such as money markets, capital markets, mutual funds, and the other investments.

The capital market is the long-term various financial instruments (securities) that can be traded, either in the form of debt (bonds) or equity (shares) issued by the government and the private companies. *Bapepam* (Stock Exchange) is formed with the purpose of establishing the Indonesian capital markets is to allow the efficient allocation of funds from the investors to those who lack the funds (the issuer).

The financial performance in the capital market can be affected by many factors, especially economic factors and economic variables. The research found a phenomenon that the changes in security prices always occur prior to changes in economic indicators variables. This is based on two main reasons. First, the formed of stock price reflects investors' expectations on earnings, dividends and interest rate that will happen. The estimation results of the investor against these three variables will determine the appropriate share price. Secondly, the performance of the capital markets will react to the changes in macro economic variables. Thus, securities prices are a reflection of investors' expectations on future economic conditions rather than a reflection of the current economic conditions.

The investment obtained return. If there is a high return, the level of risk is high. The market risk is closely related to changes in the stock price of certain types or groups caused by the changes in the expected rate of return. The company's return influenced by the

internal conditions and the macro-economic factors, which is as an indicator of the stability of a country. The macro economic factors have a direct relationship with the development of capital markets are: national income, economic growth, interest rate, inflation rate, foreign exchange rate, and so forth. The macro economic policies are related to efficiencies in the production sector, the performance of the employees, especially the performance of directors.

Indonesian stock exchange has a significant experienced recovery from the financial crisis in the late 1990s. The projection of economic growth in the next few years seems to be more promising with a GDP growth of at least 6.0 percent. Since 1999, Indonesia Stock Exchange (IDX) as a primer indicator of the performance of the financial markets. In 2010 IDX has the best performance index in the Asia Pacific Region with an enhancement of 44 percent.

2. REVIEW OF LITERATURE

2.1 THE THEORY OF FINANCIAL PERFORMANCE

The financial performance is a picture of the financial condition of a company, which can be used to know the financial company that reflects the performance in a particular period. The financial performance can be interpreted as accomplishments of an optimal work (task), which are in the form of report of income statement, balance sheet and statement of changes in capital at a given period (Darmadji, 2001). Financial performance assessment is a one of ways that can be done by the management in order to meet its obligations to investor and also to achieve the goals set by the company.

2.1.1. Financial Statement Analysis

The financial statements issued have the benefit for making a decision. According to Fahmi (2011: 1) the investors need to have a comparative process, evaluation, and analysis that can help the investors to

predict what will happen in the future. Results from financial statements, which have been analyzed implicitly explain the financial condition of a company. The goal is to improve the company performance.

2.1.2. Financial Ratio Analysis

The financial ratios is important for investors to know the condition of the company in determining which companies can pay dividends, and the results of the financial ratios analysis can be used as a reference in analyzing the performance in the short or long term (Fahmi, 2011:107).

Fahmi (2011:108) said that: "Financial ratio analysis is an instrument of change of achievement analysis that describes the company's achievements that describes various relationships and financial indicators, which is intended to reveal the changes in the financial condition or operations of the past achievements and helps illustrate the trend of the pattern of these changes, and then show the risks and opportunities inherent in the companies. Sutrisno (2009: 214) state that: "Financial ratio analysis is linking elements which are in the financial report.

2.1.3. Macroeconomic Factors

The economic analysis is one of the analyze that need to be taken by investors in their investment in decision making (Tandelilin, 2010:339). This stage is important because of the tendency of a strong connection between what happens on the macro-economic environment and the performance of a capital market. A capital market reflects what is happening in the macro economy because the value of the investment is determined by the expected cash flow and required rate of return on that investment, and both factors are highly influenced by the macroeconomic environment.

2.1.4. Stock Return

The advantage is something that is expected by investors. The advantage can be a reward for courage investors bear the risk (Tandelilin, 2010:102). Stock return is the income received by shareholders in the form of dividends paid by the company, and the capital gain is the difference between the sale price and the purchase price of the stock.

2.2 RESEARCH HYPOTHESIS

Putra (2012) in his study by using multiple linear regression analysis explain there is a relationship between the independent variables: LTDtER, ITO, NPM, EPS, and PER, and dependent variable of the stock return. Adystya (2013) in his study by using multiple linear regression analysis explain the relationship between the independent variables: PER, ROE, and EPS, and dependent variable is the stock return. The result of this study shows that there is a significant effect of PER, ROE, and EPS to the stock

returns. The partial test shows the only variable ROE has a significant effect on stock returns and while the other variables do not significantly effect on stock returns.

In a similar study conducted by Prasetyo (2012) in his study by using multiple linear regression analysis explain the relationship between the independent variables inflation, ROA, DER, and CR jointly have significant effect on return stock.

While the hypotheses in this study areas follows:

H1: There is the influence of the financial performance of companies with stock returns.

H2: There is the influence of macroeconomic factors with stock returns.

3. RESEARCH METHOD

3.1 SAMPLE SELECTION

The sampling techniques is *purposive sampling* where the sample is selected used specific criteria in conducting the sampling on a population with a view to achieve the representative sample. The following criteria were used in determining the sample.

1. The companies listed in Indonesia Stock Exchange;
2. The company does not in the category of financial institutions and the banking industry;
3. The company published the audited financial statements in the period of 2010-2012 on the official website of Indonesia Stock Exchange;
4. The Companies that conduct an IPO of at least 3 years;
5. The company does not in cur a loss during the sampling period.

Data used in this study were secondary data. The data obtained through the internet, journals, textbooks, or a variety of media supply without the need to ask directly to the companies which were selected in the sampling. In this study, secondary data were taken as financial reports, companies' profiles, as well as a variety of information related to this research.

3.2 MODELAND STATISTICAL ANALYSIS

Before we analyze the data, first we check the normality and multicollinearity, Heteroscedasticity and autocorrelation.

In this study the model is

$$SR_i = \beta_0 + \beta_1 ROA_i + \beta_2 ROE_i + \beta_3 IR_i + \beta_4 ER_i + \varepsilon_i$$

Where:

SR : Stock Return

ROA : Return of Asset

ROE : Return of Earning

IR : Interest Rate

ER : Exchange Rate

4. RESULT AND DISCUSSION

4.1 DESCRIPTION ANALYSIS

The Description of the data is given below:

Table 1: Descriptive statistics

Descriptive Statistics					
Variable	N	Minimum	Maximum	Mean	Std. Deviation
ROA	399	.00030	.65630	.10516	.09851
ROE	399	.00050	1.84100	.22603	.21929
Interest Rate	399	4.80000	6.26000	5.36667	.64004
Exchange Rate	399	8823.42683	9427.21951	9126.89018	246.81678
Stock Return	399	-.40000	.99300	.04845	.11491
Dividen	399	0.83	11.000.00	6.950.00	10.500.00
Capital Gain	399	50	740.000	359.000	840.291

From the Table above, the minimum value for the stock return is -0.0004, maximum is 0.993, the average is 0.04845 and the standard deviation is 0.11491. The company with the highest stock returns is PT.Kimia Farma in 2012 and the value is 0.993 while the lowest stock return is PT. Sampoerna Agro in 2011 with the value is -0.0004.

The financial performance variables are measured using ROA and ROE. The ROA has a minimum value is 0.0003, maximum value is 0.6563, average value is 0.105, and the standard deviation is 0.0985. The highest value of ROA is PT. Natural Resource Indonesia Company in 2011 the value is 65.63% while

the lowest value is PT.METRODATA Electronics in 2012 the value is 0.03%.

The ROE the minimum value is 0.0005, maximum value is 1,841, average value is 0.2260, and standard deviation is 0.2193. The highest value of ROE is PT. Multi Bintang Indonesia in 2012 the value is 184.1% while the lowest value is PT.Suryamas Duta Makmur Tbk in 2012 the value is 0.05%. Variable of macroeconomic factors can be measured using SBI rate, and exchange rate. The minimum interest rate is 4.8, the maximum is 6.26, average value is 5.37, and standard deviation is 0.64, the highest interest rate took place in 2010.



Fig 1: Graph of Indonesian Inflation

Based on the above figure, Indonesia has experienced of highest inflation in 2011. The increment of the inflation in a country affected by the policies which are taken by government. This is in line with the Bank Central of Indonesia (BI) where if inflation increase the BI will take a policy to increase the interest rate. Based on the data, the highest interest rate took place

in 2010. But Indonesia has experienced the highest inflation in 2011.

Exchange rate as an indicator of macroeconomic have a minimum value is Rp. 8,823.42 maximum value is Rp 9,427.22, average value is Rp 9,126.89 and the standard deviation is Rp. 246.82. The highest value of rupiah took place in 2012, and the strength of rupiah supported by the economic growth of Indonesia.

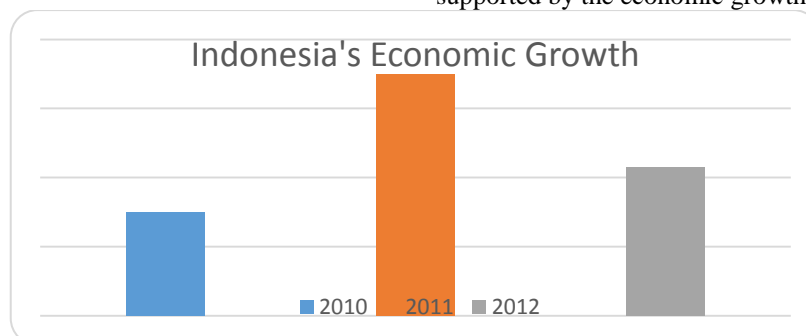


Fig 2: Graph of Indonesia's Economic Growth

Based on the above figure, Indonesia can be categorized as a stable country in its growth which has an effect on the strength of rupiah against the US dollar. Even though the economic growth of Indonesia decrease in 2012 compared to 2011, but the rupiah

strength against the US dollar in 2012. This is due to the economic crisis in Europe which has a direct effect to Asia which has improvement in 2011.

The distribution of the data given below, from the graph it shows that the data normally distributed.

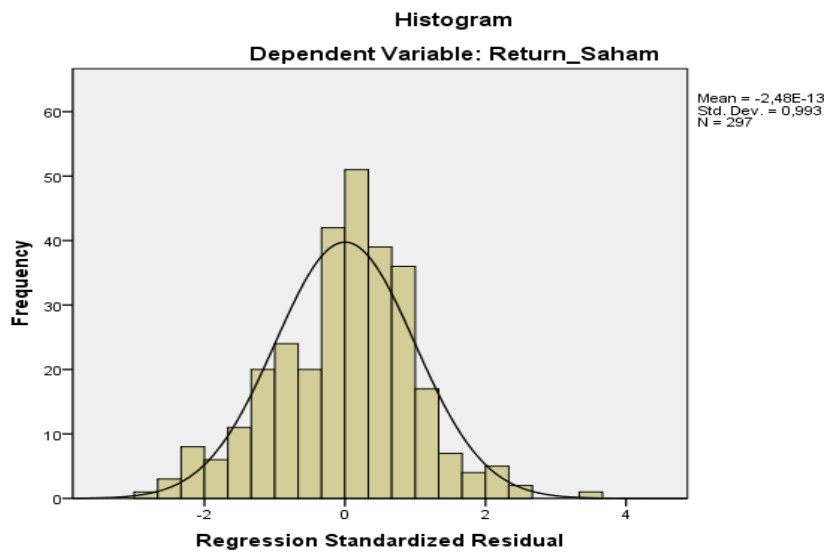


Fig 3: The distribution of data

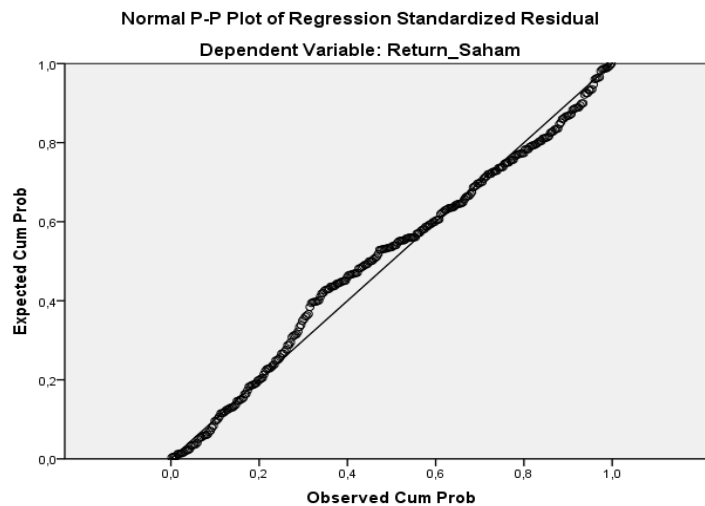


Fig 4: Graph of Normal Plot

Table 2. Statistic Analysis One-Sample Kolmogorov-Smirnov Test

		Return_Saham
N		399
Normal Parameters ^a	Mean	1,4455
	Std. Deviation	,59520
Most Extreme Differences	Absolute	,180
	Positive	,180
	Negative	-,080
Kolmogorov-Smirnov Z		1,385
Asymp. Sig. (2-tailed)		,063

Test distribution is Normal.

Based on the results in table 2, it indicates that the data are normally distributed. This is indicated by the *Kolmogorov-Smirnov* test value of 1.385 and

significance at 0.063 which is greater than 0.05. This means that the residuals data are normally distributed because the significance value is greater than 0.05.

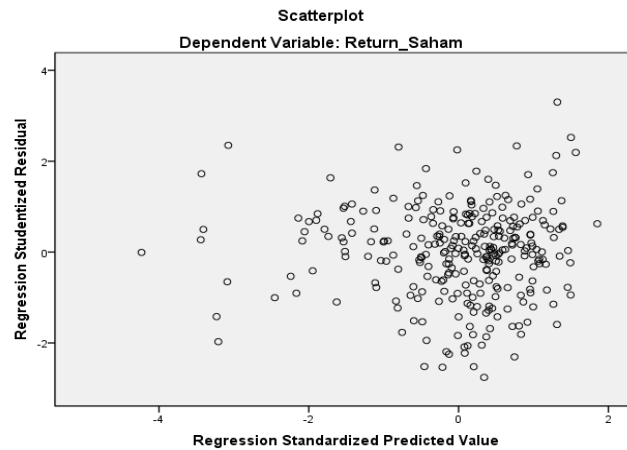


Fig 5: Heteroskedasticity Test

Table 3. The Result of Glejser Test

Unstandardized Residual	Correlation Coefficient	Sig.	Conclusion
ROA	-0.229	0.068	Heteroskidastity does not occur
ROE	0.327	0.080	Heteroskidastity does not occur
Interest Rate	0.140	0.094	Heteroskidastity does not occur
Exchange Rate	0.060	0.222	Heteroskidastity does not occur

Based on the Glejser analysis result that the regression model does not contain heteroscedasticity.

Table 4. The Result of Multicollinearity Test

Variable	Tolerance		VIF	Conclusion
ROA	0.326		3.068	Multicollinearity does not occur
ROE	0.325		3.081	Multicollinearity does not occur
Interest Rate	0.992		1.008	Multicollinearity does not occur
Exchange Rate	0.989		1.011	Multicollinearity does not occur

Based on the result of multicollinearity test the data does not contains multicollinearity.

Table 5. The Results of Autocorrelation Test
Coefficients^a

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
1 (Constant)	-0.158	22.717		-0.007	0.994
ROA	0.025	1.195	0.002	0.021	0.983
ROE	-0.001	0.537	0.000	-0.002	0.999
Interest Rate	0.130	3.076	0.002	0.042	0.966
Exchange Rate	0.038	5.733	0.000	0.007	0.995
RES_2	-0.021	0.051	-0.021	-0.407	0.685

Dependent Variable: RES_1

Based on the result of the test above there is no autocorrelation.

4.2 MULTIPLE LINEAR REGRESSION ANALYSIS

Linear regression test is performed on the variable

ROA, ROE, SBI (interest rate), and the exchange rate on stock returns presented in the table below:

Table 6. The Result of Multiple Linear Regressions

Variabels	B	Sig
Constant	-30.325	0.182
ROA	-2.368	0.047
ROE	1.764	0.001
Interest Rate	12.128	0.000
Exchange Rate	7.569	0.187

Based on the analysis, the parameters estimate are the constant is -30.325, the ROA is -2.368, the ROE is 1.764, the interest rate is 12.128, and the exchange rate

is 7.569. Thus, the linear regression model is the following:

$$\text{Stock Return} = -30.325 - 2.368\text{ROA} + 1.764\text{ROE} + 12.128\text{IR} + 7.569\text{ER} + et$$

4.2.1. ROA on Stock Return

The partial test, by using t-test, for ROA has the t -value = -1.992 with p -value = 0.047, then H_0 is rejected. Based on partial test it can be concluded that ROA negatively affects the stock return rate. The same conclusions as Tandililin (2010) where the investor only needs to look at the performance of the company. A company that has a high level of ROA can be conclude that the company has good financial conditions. This is because the ROA measures how a company is able to generate profits from the assets owned.

The higher ROA it means that the company has effectively and efficiently manage its own assets to be profitable, so ROA significantly influences on a company's performance appraisal. But in the above it is described that ROA negatively affect stock returns because some investors no longer see ROA as an absolute indicator of performance evaluation. The economic crisis factor and the high level of corporate profitability followed by a high level of debt ratio makes many company's performances collapsed.

4.2.2. ROE on Stock Return

The partial test, by using t-test, for ROE has the t -value = 3.296 with p -value < 0.001, then H_0 is rejected. Based on partial test it can be concluded that the ROE has a positive effect on the level of stock returns. In addition to ROA, investors need only look at the ROE (Tandililin, 2010). Due to the high level of ROE the company is able to choose or to benefit from investment activities conducted.

4.2.3. Interest Rate on Stock Return

The partial test, by using t-test, for Interest Rate(SBI) has the t -value = 3.961 with p -value < 0.0001, then H_0 is rejected. Based on partial test it can be conclude that the interest rates has a positive effect on the level

of stock returns. This is the indication that if there are more people to invest, it will have an impact on stock prices (Tandelilin, 2010:343). The role of the interest rate according to Sunariyah (2004:81) are: (a) as the appeal for savers who have more money to invest; (b) the interest rate can be used as a monetary tool in order to control the supply and demand of money circulating; (c) the government can take advantage of interest rates to control the money supply.

The interest rate is essentially acting as the main driver that investors are willing to invest. Total investment will be determined by the level of interest rates. The higher the interest rate, the higher the investors to invest.

4.2.4 Exchange Rate to Stock Return

The partial test, by using t-test, for Exchange rate has the t -value = 1.323 with p -value = 0.187, therefore H_0 is do not rejected. Based on partial test it can be said that the exchange rate has a positive influence but not has a significance on the level of stock returns.

It is also supported by study of Viva (2012) that the value of currency ore change rate can affect of trade balance. Export-import activities in Indonesia from year to year increase, particularly in the 2010 to 2011 where Indonesian exports increased significantly. It is also supported by the fact that in 2011 the value of the Indonesian rupiah strengthened in the level 8,823.427 against the US Dollar. Mean while, in 2012 Indonesia, when the exchange rate weakened in the level 9,427.22 against the US Dollar had a deficit due to the export activity lower than the import activity.

4.3. Coefficient of Determination

The test is conducted to determine the ability of the independent variables explain the variation of dependent variable and the result given below:

Table 7. Coefficient Determination Testing

Dependent Variable	R	R-Square	Adjusted R Square
Stock Returns	0.272	0.074	0.061

Based on tests performed the R-Square is 7.4%. This indicate that the independent variables (ROA, ROE, SBI, and Exchange Rate) explains 7.4% of the variation of the dependent variable (stock returns). Check in R square

5. CONCLUSIONS

Based on the analysis data, tests performed, there are several conclusions that:

1. Variables of financial performance with indicator ROA negatively influence stock returns because some investors are no longer seen ROA as an absolute indicator of performance assessment of a company whether the performance is good or not. The cause of ROA no longer be an absolute indicator of performance evaluation. The economics' crisis factor and the high level of corporate profitability followed by a high level of

debt ratio makes many company's performances collapsed. Meanwhile ROE has positively influence on stock returns. This condition occurs because the investors have noticed that the fundamental aspects influence the stock returns when they make investment decisions on Indonesia Stock Exchange.

2. The macro economic factors (SBI interest rate and the exchange rate) has positive effect on stock returns. This happens because SBI interest rates are in as table conditions. Mean while the exchange rate is in the less stable as a result of the rise and fall of the rupiah against the dollar. However, the exchange rate effect is quite large in export activity, and directly impact on the increment on the exports every year.

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THE INFLUENCE OF WALL'S ICE CREAM MAGNUM LINE EXTENSIONS UPON BRAND IMAGE OF MAGNUM MINI IN BANDAR LAMPUNG

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ABSTRACT- *Currently all manufacturers competing in creating a product that is most in demand by the consumer market. One innovation in marketing is Line extension, way to introduce a brand that already exist with the product in new flavor variants or in size, in this case Magnum expanding a new product line with the Magnum Mini. The difficulty of entering the market with new products that have not made the image of Magnum made manufacturers use this strategy. Previous product that Magnum is expected to have a positive impact is Magnum Mini so that the image become as well as the image of Magnum. Results from brand image product research and line extension will be beneficial to Unilever as inputs when going back to using line expansion strategy in the future because the purpose of this study was to determine the influence of the parent product to the product image expansion. Variable of lines studied are based on similarity, reputation, perceived risk, and innovative attitude towards the image of ice cream brand Magnum Mini in Bandar Lampung, the hypothesis of this study is the expansion of products made from the parent product will have a positive and significant impact on the image of the product brand extension. Purposive sampling technique with a sampling of 100 people who only know or consumed Magnum Mini in Bandar Lampung. Test instruments performed by validity and reliability testing. The analysis technique that used is multiple regression analysis. The most impact on brand image (Y) is Reputation (X2) and the smallest effect is Innovative Attitudes (X4).*

Keyword: Similarity, Reputation, Perceive disk, Innovative attitude, Brand Image.

1. INTRODUCTION

The activity marketers about goods and services along with technology, and lifestyle changes of modern humans, then the type and level of the needs and desires of consumers also evolve dynamically over time. Its company purpose to be able to fulfill what the consumer wants and needs. A marketer can create goods about consumer needs through innovation or through education marketing activities, so as to create behaviors to purchase goods and services.

PT Unilever Indonesia Tbk is one of the leading Fast Moving Consumer Goods in Indonesia. This series of products which include Home & Personal Care Products and Foods & Beverages marked with trusted brands and renowned in the world, such as Wall's, Lifebuoy, Vaseline, Pepsodent, Lux, Pond's, Sunlight, Rinso, Blue Band, Royco, Dove, Rexona, Clear, etc. PT Unilever Indonesia Tbk only have one ice cream brand, Wall's Taste Joy. Ice cream Wall's have many variant of ice cream like Paddle Pop, Magnum, Wall's Buavita, Wall's Dung Dung, etc.

PT Unilever Indonesia Tbk about to expand the product line for the Magnum ice cream. Magnum has eleven different flavors namely Golden Hazelnut, Chocolate Strawberry, Chocolate Brownies, Choco Cappucino, Classic, Almond, Chocolate Truffle, Gold, Infinity, Pink, dan Black. Consumers have own perception that the expansion of the product Magnum mini will have similarities with its parent product, therefore similarity is an important factor in influencing the perception of consumers to receive product expansion with ease and also will build a positive attitude towards the brand extension and with the positive attitude shown by

consumers, indirectly or directly will also affect the brand image of product origin.

The problem in this research are how the origin product impact brand image of Magnum Mini line product, as we know if company want to use this strategy the must have strong origin product or strong parent brand. Brand image is a representation of the overall perception is formed of information and knowledge on the brand. Brand image is closely related to the attitude of conviction and choice to a brand. In this discuss we will discuss how expansion of the product lines carried the parent will have a positive influence on product brand image expansion.

2. MATERIALS AND METHOD

Line extension is one strategy for introducing an existing brand on its products in one variant or a new measure in a situation of business competition is becoming increasingly stringent. The purpose of the implementation of the expansion of this line is a company that is already well-known brand expects to encourage and increase sales and that consumers do not feel strange anymore to new products offered so that its presence quickly accepted by consumers. In line extension we use four dimension that almost look alike to brand extension they are similarity, reputation, perceived risk, and innovative attitude.

Image according to Kotler (2009: 272) is a number of beliefs, ideas, and impressions held by someone on an object. While the brand image are perceptions and beliefs held by consumers, as reflected associations are embedded in consumer memory. So that the image can be embedded in the minds of consumers, brand identity must be shown through all means of communication

and contact brands available. Martinez (2004 : 39-49) reveals the dimensions of brand image , namely , knowledge (knowledge) is knowledge of the brand and the consumer will match brands (fit to the brand) as a consistency point is obtained the consumer between a brand new product with the product origin.

Consumers' perception about the product both positive and negative will indirectly affect the image of the parent brand products. In the consumer's mind there is a perception that the product is good and has a popular name, not risking his reputation by creating new products with the same name but have a poor quality. Product expansion has a good image in the minds of consumers, it can be said of this successful strategy, and the result of the expansion of the product can reach a wider market, but if the product expansion resulted in a negative image in the minds of consumers, the negative image will also harm the credibility that has been built previously by the parent product. The product loses its existing leading to a decline in brand image.

The data used in this study are primary data and secondary data. Primary data is data obtained directly from the original source (without intermediaries) that consumers who ever bought Magnum Mini ice cream. Primary data in this study was obtained from the results of questionnaires on samples specified, in this case those who never consume products from Magnum expansion . Research will also use the secondary data is data taken from previous research, internet and literature.

The population studied were those who never make purchases of Magnum ice cream and its extension product that Magnum Mini. The sampling technique used is non-probability method with purposive sampling technique , namely the sample selection is based on ratings or views of researchers based on the object and purpose of research or researchers choose a sample based on certain criteria. In this case the 100 samples used are those that exist in the region Bandarlampung who ever made purchases of Magnum ice cream and extension products, Magnum Mini.

Test instruments performed by validity and reliability testing with alpha cronbach>0.7 for both validity and reliability. The analysis technique that used is multiple regression analysis with four independent variable (similarity, reputation, perceived risk, and innovative attitude) and one dependent variable (brand image).

$$Y = a + b_1X_1 + b_2X_2 + b_3X_3 + b_4X_4 + \epsilon$$

Y = Brand Image

X₁ = Similarity

X₂ = Reputation

X₃ = Perceived Risk

X₄ = Innovative Behavior

bX = Coefficient of Line Extension Regression Variable

a = Constanta

ε = Standard Error

A statistical calculations can be said to be statistically significant when the value of the test statistic is within the critical areas (areas where Ho is rejected) . In contrast, so-called insignificant if the value of a statistical test to be in the area where Ho is accepted . In a regression analysis, there are three types of criteria that provision should be made , namely: F test (simultaneous), t test (partial), and R² test.

3. RESULT AND DISCUSSIONS

Test questionnaire was conducted to determine the validity of the measuring instrument . This test is done to the 30 respondents who had made a purchase in Bandarlampung Magnum ice cream . Validity test is valid if r count> R table , for this study r tables used is equal to 0.361 . Calculations can be seen in the table1.

Reliability test using Cronbach 's Alpha coefficients with SPSS 17. Reliability testing carried out in stages namely by comparing the value of the Cronbach 's Alpha variable with values in the Cronbach's Alpha if Item Deleted. If there is a statement that has a value of Cronbach 's Alpha if Item Deleted greater than Croanbach 's Alpha then the statement is not reliable. Reliability test conducted on 30 respondents. Reliability test results with Cronbach 's Alpha value > 0.7 = Reliable.

Table 1: Validity Test

Variable	Item	Anti-image Correlation	KMO Measure of Sampling Adequacy	Conclusion
Similarity(X ₁)	1	0.747	0,770	Valid
	2	0.805		
	3	0.763		
Reputation (X ₂)	1	0.732	0,714	Valid
	2	0.704		
	3	0.744		
Perceived Risk (X ₃)	1	0.898	0,848	Valid
	2	0.779		
	3	0.868		
	4	0.869		
Innovative Attitude (X ₄)	1	0.818	0,830	Valid
	2	0.766		
	3	0.873		
	4	0.895		
Brand Image (Y)	1	0.839	0,830	Valid
	2	0.775		
	3	0.879		
	4	0.841		

Table 2: Reliability Test

Variable	Item	Cronbach's Alpha if Item Deleted	Cronbach's Alpha	Conclusion
Similarity (X1)	1	0.898	0,940	Reliabel
	2	0.927		
	3	0.909		
Reputation (X2)	1	0.783	0,832	Reliabel
	2	0.720		
	3	0.795		
Perceived risk (X3)	1	0.913	0,925	Reliabel
	2	0.883		
	3	0.907		
	4	0.909		
Innovative attitude (X4)	1	0.858	0,894	Reliabel
	2	0.834		
	3	0.873		
	4	0.889		
Brand Image (Y)	1	0.947	0,948	Reliabel
	2	0.914		
	3	0.926		
	4	0.938		

Table 3: t Test (Partial)

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
1	(Constant)	3,545	2,171	1,633	,106
	x1	,307	,113	,227	,008
	x2	,562	,144	,334	,000
	x3	,326	,114	,240	,005
	x4	,244	,106	,227	,023
	(Constant)	3,545	2,171	1,633	,106

Table 4: F Test (Simultaneous)

ANOVA^b

Model	Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	786,295	4	196,574	24,083
	Residual	775,415	95	8,162	,000 ^b
	Total	1561,710	99		

a. Dependent Variable: y

b. Predictors: (Constant), x4, x3, x1, x2

Table 5: R² Test Model Summary^b

Model Summary^b

			Model	Model	Model
Model	R	R Square			
1	,710 ^a	,503	,483	2,857	1

a. Predictors: (Constant), x4, x3, x1, x2

Model Summary^b

			Model	Model	Model
Model	R	R Square			
1	,710 ^a	,503	,483	2,857	1

a. Predictors: (Constant), x4, x3, x1, x2

b. Dependent Variable: y

Multiple regression formula :

$$Y = a + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + e$$

From formula above we can conclude:

$$Y = 3.545 + 0.227 X_1 + 0.334 X_2 + 0.240 X_3 + 0.227 X_4 + e$$

The variable regression coefficients of similarity (X1) is 0.227 means that if each an increase in one variable value similarity, it will affect the brand image of 22.7%. Coefficient is positive, it means there is a positive relationship between the variables with variable Brand Image Similarity, the rising value of similarity (X1) then the rise the value of brand image (Y).

Reputation variables for the regression coefficient (X2) is 0.334 means that if there is an increase one value each variable affects brand image Reputation 33.4%. Reputation variables have the most impact among other variables.

Perceived risk variable for the regression coefficient (X3) is 0.240 means that if there is an increase one value every style variable then the variable perceived risk affects brand image by 24%. Coefficient is positive, it means there is a positive relationship between the variable perceived risk with variable Brand Image, the rising value of Perceived risk (X3) followed by Brand image (Y).

For variable regression coefficient Innovative attitude (X4) of 0.227 means that if each an increase in the value of the variable 1 Innovative attitude Innovative attitude variables affect the brand image by 22.7%. Coefficient is positive, it means there is a positive relationship between the variables with variable Innovative Attitude Brand Image, the rising value of Innovative attitude (X4) then followed by Brand image (Y).

Based on the data of test results are obtained some similarities with studies such as former research like Harry (2010: 32-46), Nijssen (1999: 27-55), and Barthelo (2005: 55-77). All independent variables in previous studies have partial effect on the dependent variables as well as the results of this study were all variable independent have a simultaneous effect on the dependent variable. Difference emerge from where the most influential variables in the formation of brand image, the results of this study indicate if the reputation (X2) is the most influential variable among the three other variables. Variable sequences based on which has the most powerful influence that reputation, Perceived risk, similarity, and Innovative Attitudes.

Results of this study is inversely proportional to the results of Martinez research (2004: 39-49) that the extension line of products can weaken the brand image

and consumer confidence will change the product, this may be because the study had a different perspective to the research Martinez (2004 : 39-49), which focuses on the parent product brand image. Magnum Mini ice cream research is more focused on the resulting impact on the parent product brand image expansion or can be reversed so there is a difference of opinion in these two studies.

4. CONCLUSION

From the analysis we can conclude Line Extension (X) consisting of similarity (X1), reputation (X2) , perceived risk (X3), and innovative attitude (X4) which has the most impact on brand image is reputation in the amount of 3,893 and the smallest influence is innovative attitudes (X4). Line Extension influence on brand image Magnum Mini in Bandar Lampung is $R^2 = 0.503$ or based on variable factors Line Extension (X) consisting of similarity, reputation, perceived risk, and innovative attitudes affect brand image variable (Y) of 50.3 %, and the remaining 49.7 % are influenced by other variables not examined in this study.

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THE INFLUENCES OF LEADERSHIP, ORGANIZATIONAL CULTURE AND JOB SATISFACTION TOWARDS WORK MOTIVATION AND ITS IMPLICATIONS ON TENURED LECTURER PERFORMANCE

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ABSTRACT - Lecturers' performance is the main focus of the Tridharma implementation in university. This study aims to examine and analyze in order to obtain empirical data on the influences of four variables: leadership, organizational culture, job satisfaction, and work motivation on the performance of permanent lecturer at a private university in the province of Lampung. This research is important in addition to review the influences of the four variables above and to solve the complexity of the causes of backwardness and low performance of lecturers at private universities in Lampung province.

The results of this research would be useful to improve the knowledge of lecturers associated with the variables studied, especially in the environment of private universities in Lampung Province.

keywords: Leadership, Organizational Culture, Job Satisfaction, Work Motivation, Lecturer Performance

1. INTRODUCTION

1.1 Background

In general, formal education in Indonesia, especially higher education is divided into two (Article 1 point 8 of the Law 12/2012) state universities (PTN) and private universities (PTS). Data show that in Indonesia there are about 2,647 colleges in the form of academies, polytechnics, colleges, institutes, and universities. 212 of them (8.009%) are public universities, while private universities amounted to 2,435 (91.99%)

There are 391 (87.66%) higher education in Indonesia which in the form of universities which 391 (87.66%) of them are private universities while 55 (12.33%) are state universities. (Www: sevaluasi.dikti.go.id (data processed), 2013). Similarly, in Kopertis Region II, which coordinates the university where the research was conducted, the dominant of higher education is in form of College of 100 (49.26%), followed by higher education in form of university 24 (11.82%) (Kemendikbud RI, [www: Kopertis wil 2 go.id](http://www.kopertis.wil2.go.id) (data processed), 2013).

In Lampung, there are 54 (91.53%) private universities and 5 (8.47%) state universities. Of these 8 are in form of college (Kemendikbud RI, [www: Kopertis wil 2 go.id](http://www.kopertis.wil2.go.id) (data processed), 2013). Educational qualifications for lecturers in private universities in Lampung is dominated by lecturers with Master Degree amounted of 48.76% and lecturers with Undergraduate Degree amounted of 30.73% while those qualified with Doctoral Degree amounted to only 5.96%. (Kemendikbud RI <https://forlap.dikti.go.id/> of data processed, 2013). This indicates that the level of education of lecturers at private Universities in Lampung is still low.

Qualification for academic position of private university lecturers in Lampung Province is still dominated by those who do not have academic positions amounted to 51.29%, while those who are in academic position of expert assistants are amounted to 22.02%, those who are in academic position of lector are amounted to 19.30%, while in the position of

associate professor are amounted of 6, 60% and those who are already Professors are amounted to 0.77% (Kemendikbud RI, <https://forlap.dikti.go.id/>, data processed, 2013). This indicates that the hierarchy of academic position of private university lecturers in Lampung Province is still low.

The initial data the research obtained is data about the activities of *Tri Dharma* done by some private universities located in the Lampung Province in 2013 in the field of education and teaching (377 / 48.83%), research and development (148 / 19.17%) and in the field of community service (108 / 13.98%) so that it can be said that the performance of lecturers remain private university in the province of Lampung is still low.

1.2 Research Objectives

This study was conducted to analyze and obtain empirical evidence on:

1. The influences of leadership variable, organizational culture and job satisfaction partially towards work motivation;
2. The contributions of leadership variable, organizational culture and job satisfaction jointly towards work motivation;
3. The influence of leadership variable, organizational culture, and job satisfaction partially towards the performance of permanent lecturer
4. Determining the influence of work motivation towards the performance of permanent lecturer
5. Contributions of leadership, organizational culture, job satisfaction and work motivation jointly towards the performance of permanent lecturer.

2. LITERATURE REVIEW

2.1 Leadership

Robbins & Judge (in Teguh Sriwidadi and Charlie Oey, 2011) mention that leadership is the ability to influence a group in order to achieve a vision or set of goals set. According to Robbins and Stephen P. (2008), leadership is the ability to influence a group in striving for the achievement of the target. According Rival and Mulyadi (in True Sriwidadi and Charlie

Oey, 2011), leadership is a process of directing and influencing the activities which had connection with the work of the group members.

According Veithzal Rival (2004), leadership is a process of a leader influencing or giving examples to his followers as an effort to achieve organizational goals. According to Ordway Tead in Kartono, Kartini (2010), leadership is the activities to influence the people so that they would work together to achieve the desired goal.

2.2 Organisation Culture

Experts give varied definitions of organizational culture. Gordon and Ditomaso (in Baird, 2004) for example, state that organizational culture is a stable pattern of beliefs and shared values which are developed within the organization at all times. Meanwhile, Schein (in Dwyer, 2003) defines that organizational culture is assumptions and basic beliefs which are shared with members of the organization and is the consistent solution that can work well for a group in facing the external and internal problems, so it can be taught to new members as a perception, thinking, and feeling the relationship with those problems.

According to Schein, (2009) organizational culture is defined as follows: "The pattern of basic assumptions which were discovered or developed by a group of people when they learn to solve problems, adapt to the external environment, and integrate with the internal environment. The basic assumption has proven to be well applied to solve a problem that it faces and is considered valid. Therefore, it is taught to new members as the right way to perceive, think, and have a strong understanding of the problem in the relationship."

Jones (1995), as quoted by Wirawan (2007), defines organizational culture as a set of shared values that control the interaction of each member of the organization, also with suppliers, customers, and other parties outside the organization."

2.3 Job Satisfaction

Job satisfaction is an individual thing. Every individual has a level of varied satisfaction, as defined by Kreitner & Kinicki (2005), that job satisfaction is considered as the effectiveness or emotional response to various aspects of the job. This definition implies that job satisfaction is not a single concept, otherwise one can be relatively satisfied with some aspects of the job and not be satisfied with one or several other aspects.

Robbins and Judge (2009) define job satisfaction as positive feelings about work as a result of the evaluation of characters of such work. Likewise, Noe, et.al (2006) define job satisfaction as a pleasant feeling as a result of the perception that the work meets the values in important work. Sharing similar views, Nelson and Quick (2006) state that job satisfaction is a positive and enjoyable emotional condition as a result of someone's job assessment or job experience.

2.4 Work Motivation

Certo, SC, and Peter, PJ, 1991 (in Ismuhadjar : 2006) discusses several theories concerning on motivation, which is divided into two basic groups, namely the theory of a process that includes the needs- goal theory, expectancy theory of Vroom, the equity theory and the Porter - Lawler theory, and the theory of satisfaction that includes a hierarchy of needs theory of Maslow, ERG theory of Alderfer, maturity - immaturity continuum theory of Argyris and acquired needs theory of McClelland. Motivation is one of the four activities of managers (i.e. leading, motivating, considering groups, communicating) to perform the function of Influencing to guide the behavior of members' organization towards the achievement of organizational goals (Certo, SC 1997 (in Ismuhadjar : 2006).

2.5 Lecturer Performance

Lecturers' performance is the result of a lecturer's work. When associated with the work to be performed, then the performance of lecturers can be interpreted as the result of a series of activities of the lecturer in carrying out basic tasks assigned to him in the form of *Tridharma* activity which includes the implementation of educational activities and teaching, research and development, community service and support activities.

In more detail, to determine the duties and responsibilities of the lecturer, a benchmark that can be used is a Lecturer Workload Guidelines for the Evaluation of *Tridharma* Implementation in universities issued by the Directorate General of Higher Education Ministry of National Education in 2010. In Chapter II of Workload and Main Tasks of The lecturer is implementing *Tridharma* College with a workload of at least commensurate with the 12 (twelve) credits and a maximum of 16 (sixteen) credits in each semester according to the academic qualification.

3. RESEARCH METHODS

3.1 Research Design

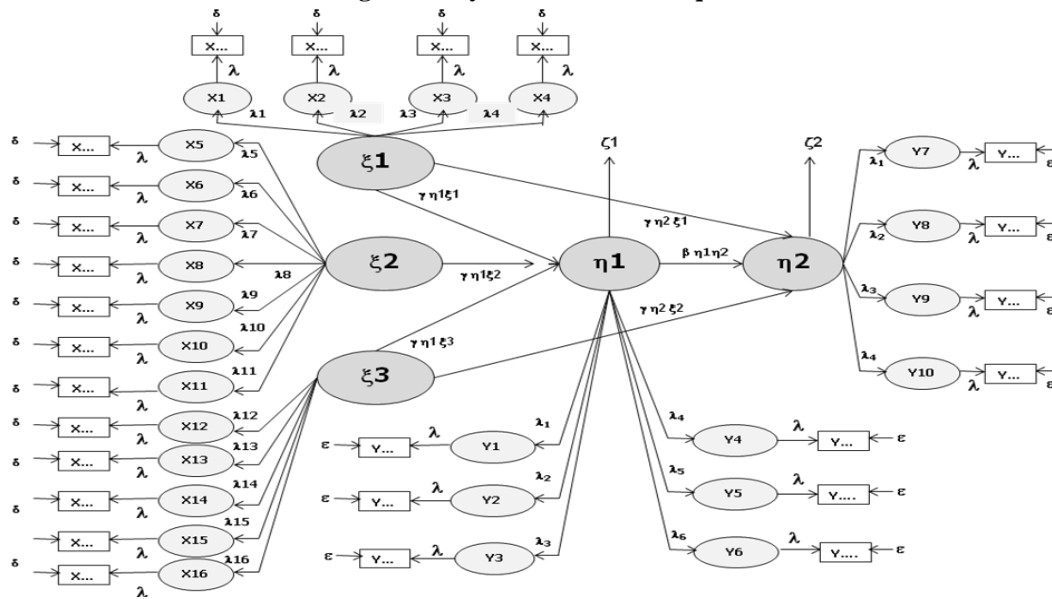
This research is a descriptive and verification study. The method used is descriptive survey and explanatory survey methods. Type of investigation in this study is causality. The research unit is the individual such as the permanent lecturer at a private university in Lampung Province. Time horizon in this study is cross-sectional, that the information of most of the population (sample of respondents) were directly and empirically collected from the site of the research, with the aim to know the opinion of the majority population towards the object being investigated. The approach used in this study is the quantitative approach.

Target population in this study is the tenured lecturers representing each of as many as 772 persons from Private Universities. The samples were taken by proportional random sampling method to obtain a sample of 397. The method of data collection is survey methods.

3.2 Data Analysis

3.2.1 Analysis of Structural Equation Model

Fig. 1: Analysis of Structural Equation Model



Each of the causal relationships in research can be seen below.
Structural Equation Model 1

$$\text{Work Motivation } (\eta_1) = \gamma_1 \xi_1 + \gamma_2 \xi_2 + \gamma_3 \xi_3 + \zeta_1$$

Structural Equation Model 2

$$\text{Lecturer performance } (\eta_2) = \beta_1 \eta_1 \eta_2 + \gamma_1 \xi_1 + \gamma_2 \xi_2 + \gamma_3 \xi_3 + \zeta_2$$

3.2.2 . Evaluation of Measurement Model

1) Compliance Testing Model (model fit)

Table 1: The Standard of Feasibility Model

Goodness Measurement -of-Fit Index	Compatibility levels of acceptable
p-value	$\geq 0,05$
Rood Mean Square Error of Approximation (RMSEA)	$\leq 0,08$
Normet Fit Index (NFI)	$\geq 0,90$
Non Normet Fit Index (NNFI)	$\geq 0,90$
CFI	$\geq 0,90$
Incremental Fit Index (IFI)	$\geq 0,90$
Relatif Fit Index (RFI)	$\geq 0,90$
Standardized Root Mean Square Residual (RMR)	$\leq 0,05$
Goodness of Fit Index (GFI)	$\geq 0,90$
Adjusted Goodness of Fit Index (AGFI)	$\geq 0,90$

2) Significance Testing

Evaluating the significance of parameter estimation is done by comparing the value of t_{count} with the critical value (t_{value} at 95% level of confidence or $\alpha = 5\%$).

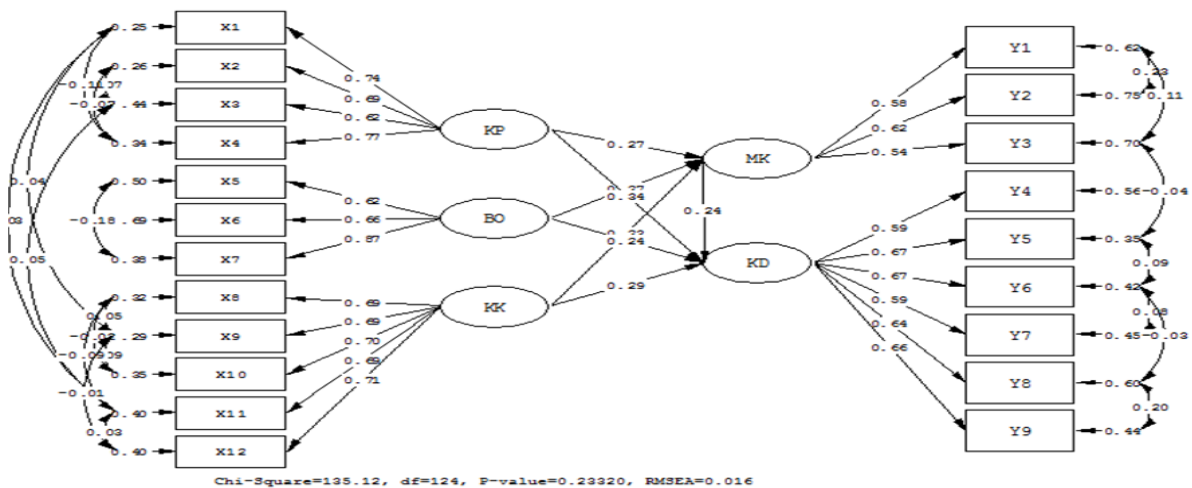
4. RESULTS AND DISCUSSION

4.1 The Analysis of Structural Equation Model

4.1.1 Structural Equation Model Estimation

The estimation results of the structural equation model in this study is shown in Figure 1 below.

Fig 1: Structural Equation Model Estimation



The estimation results of the structural equation model in Figure 1 above, is divided into two sub- structural. The First is the causal relationship of leadership (ξ_1), organizational culture (ξ_2), and job satisfaction (ξ_3) towards work motivation (η_1). The second is the

causal relationship of leadership (ξ_1), cultural organizations (ξ_2), and job satisfaction (ξ_3) towards the performance of permanent lecturer (η_2), as illustrated below.

Table 1 . Estimation Model of Structural Equation Model

Equation Sub 1					
Work motivation= 0,27 ξ_1 + 0,27 ξ_2 + 0,23 ξ_3 Errorvar = 0,54, $R^2 = 0,46$					
	(0,13)	(0,13)	(0,11)		(0,11)
	2,10	2,01	2,08		2,95
Equation Sub 2					
Lecturer Performance = 0,24 (η_2) + 0,34 ξ_1 + 0,24 + 0,29 ξ_1 Errorvar = 0,11, $R^2 = 0,89$					
	(0,095)	(0,078)	(0,067)	(0,074)	(0,035)
	2,54	4,40	3,49	3,95	3,16

Based on structural equation above, it can be interpreted as follows.

- 1) Estimation model of structural equation model on the first sub-structural showed that leadership variables (ξ_1), organizational culture (ξ_2) and job satisfaction (ξ_3) influence work motivation (η_1) with a coefficient of determination (R^2) of 0.46. It means that simultaneously, leadership variables (ξ_1), organizational culture (ξ_2) and job satisfaction (ξ_3) are able to explain work motivation variable (η_1) by 46% with the parameter estimate (error variance) by 54%. Significance level of leadership variables (ξ_1) towards work motivation (η_1) $t_{count} \geq 2.10$ than t_{table} of ± 1.645 , which means there is a partial positive and significant influence between the variables of leadership (ξ_1) towards work motivation (η_1). While the organizational culture

variable (ξ_2) towards work motivation (η_1), the t value ≥ 2.01 t_{table} of ± 1.645 , which means there is a partial positive and significant influence between the variables of organizational culture (ξ_2) towards work motivation (η_1). For job satisfaction variable (ξ_3) towards work motivation (η_1), $t_{count} \geq t_{table}$ of 2.08 ± 1.645 , which means there is a partial positive and significant influence between the variable of job satisfaction (3) towards work motivation (η_1) at a significant level $\alpha = 0.05$.

- 2) Structural equation model is estimated at second sub-structural showed that the leadership variable (ξ_1), organizational culture (ξ_2), and job satisfaction (ξ_3) influence the performance of tenured lecturer (η_2) with a coefficient of determination (R^2) of 0.89. it means that simultaneously, leadership variables (ξ_1),

organizational culture (ξ_2) and job satisfaction (ξ_3), are able to explain the variable performance of tenured lecturer (η_2) that is equal to 89% with the parameter estimate (error variance) of 11%.

- 3) Significance level of leadership variable (ξ_1) towards the performance of permanent lecturer (η_2) where $t_{\text{count}} 4.40 \geq t_{\text{table}}$ of ± 1.645 ; which means there is a partially positive and significant influence between the variables of leadership (ξ_1) towards the performance of tenured lecturer (η_2). Variable of organizational culture (ξ_2) towards

the performance of permanent lecturer (η_2), where t_{count} of $3.49 \geq t_{\text{table}}$ of ± 1.645 ; which means there is a partially positive and significant influence between the variable of organizational culture (ξ_3) towards the performance of tenured lecturer (η_2). Variable job satisfaction on the performance of tenured faculty (η_2), where t_{count} of $3.95, \geq t_{\text{table}}$ of ± 1.645 , which means it partially contained a positive and significant influence towards the performance of tenured faculty (η_2) at significant level $\alpha = 0.05$.

4.1.2 The Suitability Structural Equation Model

Tabel: 2 Goodness of Fit Index (GOFI) of Structural Equation Model

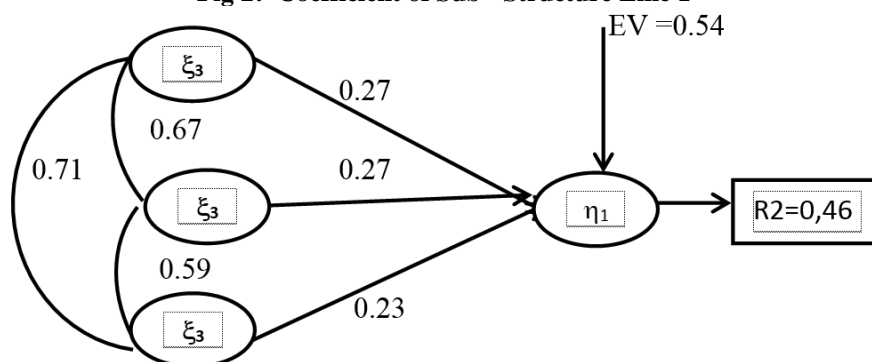
Size of GOFI	Result value	Standard value	Conclusion
p-value	0,23	$\geq 0,05$	Good compatibility
RMSEA	0,02	$\leq 0,08$	Good compatibility
NFI	1,00	$\geq 0,90$	Good compatibility
NNFI	1,00	$\geq 0,90$	Good compatibility
CFI	1,00	$\geq 0,90$	Good compatibility
IFI	1,00	$\geq 0,90$	Good compatibility
RFI	0,98	$\geq 0,90$	Good compatibility
SRMR	0,03	$\leq 0,05$	Good compatibility
GFI	0,97	$\geq 0,90$	Good compatibility
AGFI	0,94	$\geq 0,90$	Good compatibility

Suitability test results of structural equation model in Table 2 shows that all criteria of Goodness of Fit (GOFI) achieved good compatibility and have qualified the eligibility of the requirement model.

4.1.3 . Path analysis

a. Path coefficient of Sub - Structure 1

Fig 2: Coefficient of Sub - Structure Line 1



Path coefficient of sub - structure 1 on the influences of ξ_1 , ξ_2 and ξ_3 towards η_1 is expressed into structural equation as follows.

$$\text{Working motivation } (\eta_1) = 0,27 \xi_1 + 0,27 \xi_2 + 0,23 \xi_3 + 0,54 \zeta_1$$

Structural equation above shows the direct influence of leadership variables (ξ_1) towards work motivation (η_1) is amounted to 0.27; direct influence of organizational culture variable (ξ_2) towards work motivation (η_1) is amounted to 0.27, and the direct influence between the variables of job satisfaction (ξ_3) towards work motivation (η_1) is amounted to 0.23. Contributions of donation from leadership variable (ξ_1), organizational culture variable (ξ_2) and job

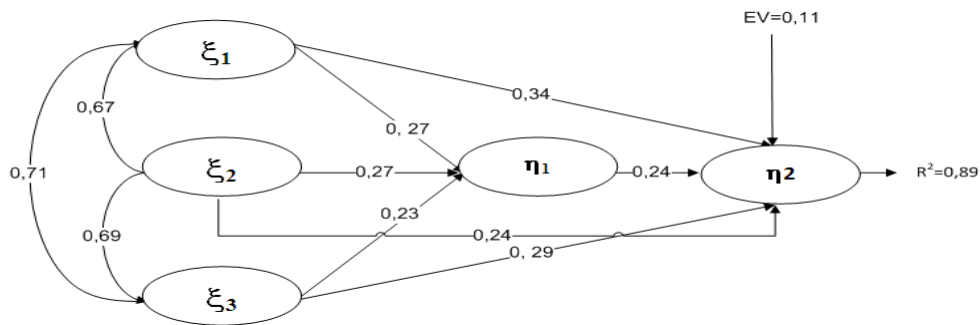
Path coefficient of sub - structure 1 on the influence of leadership (ξ_1), organizational culture (ξ_2) and job satisfaction (ξ_3) towards work motivation (η_1) can be drawn into the sub- structure as follows.

satisfaction (ξ_3) jointly towards work motivation (η_1) as the dependent variable can be seen from the coefficient of determination (R^2) where the total of R^2 effect (ξ_1), (ξ_2), and (ξ_3) towards (η_1) is amounted to 0.46 or 46 %. While the influence of other variable by 54 % is a variable which is not incorporated into the model.

b . Path coefficient of Sub - Structure 2

Testing for the path coefficient of sub - structure 2 on the influence of leadership (ξ_1), organizational culture (ξ_2), and job satisfaction (ξ_3) towards the performance of tenured lecturer (η_2) can be described in the following sub- structure.

Fig.3 : Coefficient Path of Sub - Structure 2



Path coefficient of sub - structure 2 on the influence of leadership (ξ_1), organizational culture (ξ_2), and job satisfaction (ξ_3) towards the performance of tenured lecturer (η_2) is expressed into the following structural equation.

$$\text{Performance of tenured Lecturer } (\eta_2) = 0,34 \xi_1 + 0,24 \xi_2 + 0,29 \xi_3 + 0,24 \eta_1 + 0,11 \zeta_2$$

4.2 Discussion

The influence of Leadership towards Work Motivation is measured by the 4 dimensions namely contingent rewards, management by exception, intellectual charisma, and inspirational professionalism which give contribution of 0.27 meaning that the leadership variable is able to explain the work motivation variable (η_1) of 27 % while the remaining 73% is the influence of other variables.

The influence of Organizational Culture towards Work Motivation is measured by three dimensions , those are vigilance and engagement , credibility and accountability , as well as dimensions of empowerment , encouragement and options that provide a contribution of 0.27. It means that the variable of organizational culture can explain the variable of work motivation (η_1) of 27 % while the remaining 73% is the influence of other variables.

The influence of Job Satisfaction towards work Motivation is measured by five dimensions namely satisfaction with salary, satisfaction with the promotion, satisfaction with co-workers, satisfaction with supervisor and satisfaction with the work itself that contributes 0.23. That is, job satisfaction variable can explain the motivation variable work (η_1) by 23% while the remaining 67% is the influence of other variables.

The variables of Leadership, Organizational Culture, and Job Satisfaction jointly contribute to Work Motivation. The value of R2 for variable of latent Leadership, Organizational Culture, and Job Satisfaction towards Work Motivation is 0.46 or contributed by 46%. This shows that the variable of latent Leadership, Organizational Culture, Job Satisfaction jointly contribute to the work motivation (η_1), while 54% are influenced by other factors. The significance of the test results, obtained $F_{\text{count}} 10.22 \geq F_{\text{table}}$ at significant level $\alpha = 0.05$, that is equal to 2.6293, which means there is a significant and positive contribution between Leadership, Organizational Culture, Job Satisfaction towards Work Motivation.

The influence of Leadership towards performance of tenured lecturer still contributed to 0.32. That is, the variable of leadership can explain the variable performance of tenured lecturer (η_2) of 32 % while the remaining 68% is the influence of other variables.

The influence of Organizational Culture towards the Performance tenured Lecturer still contributed to 0.33. That is , the variable of organizational culture can explain the variable of performance towards performance of tenured lecturer (η_2) of 33% while the remaining 67% is the influence of other variables.

The influence of Job Satisfaction towards the Performance of tenured Lecturer still gives a contribution of 0.37. That is, job satisfaction variable are able to explain the variable of performance of tenured lecturer (η_2) by 37 % while the remaining 63% is the influence of other variables.

4.2.8. The influence of Work Motivation towards Performance of tenured Lecturer still contributes to 0.24. That is, work motivation is able to explain the variable of performance of tenured lecturer (η_2) of 24% while the remaining 76% is the influence of other variables.

Contributions of leadership, organizational culture, job satisfaction and work motivation altogether towards the performance of tenured lecturer, of the value of R2 for leadership, organizational culture, job satisfaction and work motivation towards the performance of the tenured lecturer is 0.89 or contributed by 89%. This shows that the latent variables of leadership, organizational culture, job satisfaction and work motivation (ξ_1, ξ_2, ξ_3) towards (η_1) are jointly contributing to the performance of tenured lecturer (η_2) by 89%, while 11% is determined by other factors. From the significance of the test results, it is obtained $F_{\text{count}} 74.16 \geq F_{\text{table}}$ at significant level $\alpha = 0.05$ which is equal to 2.3964, which means there is a significant and positive contribution among leadership, organizational culture, job satisfaction and work motivation towards the performance of the tenured lecturer.

5. CONCLUSION AND SUGGESTION

5.1 Conclusion

- 1) Variables of leadership, organizational culture, and job satisfaction influence partially positive and significant towards work motivation;

- 2) Variables of leadership, organizational culture, and job satisfaction jointly contribute positively and significantly towards work motivation;
- 3) Variables of leadership, organizational culture, and job satisfaction influence partially positive and significant towards the performance of tenured lecturer;
- 4) Variable of work motivation influences partially positive and significant towards the performance of tenured lecturer;
- 5) Variables of leadership, organizational culture, job satisfaction, and motivation jointly contribute positively and significantly towards the performance of tenured lecturer.

5.2 Suggestions

- 1) In addition to leadership, organizational culture, job satisfaction and work motivation, there are many other factors that can affect the performance of lecturers, for example, compensation, education and training, organizational commitment, competency, career development and others. These variables are not examined in this study. It is likely that these factors possibly contribute more dominant on the performance of lecturers.
- 2) The results of this study can also be applied to other educational unit, therefore, it is expected that this research can be continued with different objects, so that there will be many people could benefit from this research;
- 3) The study was done only on tenured lecturers in private university in Lampung Province, therefore, it is expected that this study can be continued in larger area or other provinces in Indonesia;
- 4) This study uses SEM analysis techniques (Structural Equation Modeling), therefore, it is expected that this study can be followed by other analytical techniques.

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THE SENSITIVITY OF EXTRACTIVE SECTOR STOCK RETURN TO THE ECONOMIC FACTORS IN BULLISH AND BEARISH CONDITION AT INDONESIAN CAPITAL MARKET

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ABSTRACT - This study aims to explain the sensitivity of extractive sector stock return consisting of agriculture and mining sector to several economic factors in bullish and bearish conditions at the Indonesian capital market.

This study used a multi-factor asset pricing model with *ekstraktif* sector stock return as the dependent variable and stock market return, interest rates, exchange rate and crude price as independent variables. The Identification of stock market condition by using a Markov Switching Models, which are also used as the basis for segmenting the data into bullish and bearish conditions. Estimates of the model used the robust least square method. This study used data from Indonesian Stock Exchange and Bank Indonesia to the observation period from January 1996 to December 2013.

The results of this study were (1) Simultaneously, stock market return, interest rates, exchange rate and crude price affected the sectoral stock return in bullish and bearish condition. (2) Partially, the stock market return positively effect and is as a main factor in determining the *ekstraktif* sector stock return in all industries in either bullish condition or bearish condition, while the effect of the interest rates, exchange rate and crude price do not consistently affect the *ekstraktif* sector stock return indifferent industries and market conditions.

Keywords: Market Condition, Multi Factor Asset Pricing Model, Markov Switching Model, Robust Least Square

1. BACKGROUND

There is a widespread belief among the investors, policy makers and academicians that the low-frequency trend exists in the stock market. Traditionally, the positive and negative trends of low frequency have been known respectively as bullish and bearish. If these trends exist, it is important to extract them from the data, analyze their characters and consider their uses as the input for investment decision and risk assessment (Maheu et al, 2012).

Bullish is generally understood as a long period of gradual price increases while Bearish is characterized by falling prices. Stock market volatility tends to be higher when prices are falling. It provides another difference between bullish and bearish. Besides, asset prices behave quite differently during the period of bullish and bearish, then the investment risk varies depending on market sentiment (Kole et al, 2012).

Based on the belief that the behavior of stock prices in a bullish condition is different from the bearish condition, a lot of researches have been conducted as it is done by Fabozzi et al. (1977); Kim et al. (1979), Chen, (1982), Khalid et al. (2013). These researches use a simple method based on the cut-off point in the determination of bullish and bearish conditions to the use of more sophisticated econometric methods such as using a Markov switching model conducted by Hamilton (1989), Schwert (1989) and Hamilton and Susmel (1994) Turner, et al (1989), Ang and Bekaert (2002) and Guidolin and Timmermann (2004), Ismail, et al, (2008), Martin P.H. Panggabean (2010) and Kole et al. (2012).

Several studies have been conducted in determining bullish and bearish regime by referring to some

previous researchers such as, Fabozzi et al. (1977); Kim et al. (1979) and Chen, (1982) which defines a simple bullish and bearish. This definition does not reflect the dependencies of the stock price in the long term and ignores the information about trends in the level of stock prices (Lunde et al., 2004).

Financial time series data, especially the stock price, has always had an episode in which the behavior of series seems to change quite dramatically due to the economic crisis and finance. This phenomenon refers to regime shifts or structural breaks and can not be modeled by the linear time series model of a single equation, and this condition is motivating the use of regime switching models

The stock market condition is very closely related to the economic conditions of a country. Changes in economic conditions will affect the stock market that make an uncertainty for investors to invest their funds. Some researchers tried to connect the stock return with some common risk factors, such as the stock market return (Sharpe, 1964; Butt et al, 2010), interest rate, (Maysami et al., 2000; et al., 2004; Gan, et al 2006), the exchange rate (Maysami et al., 2000; Gan, et al, 2006) and crude price ((Jones et al., 1996; Gan et al., 2006). Based on these studies, these variables are associated with stock returns and used to predict stock returns.

In connection with an investment in the common stock, the investors will be exposed to a wide selection of industrial sectors. An analysis of sectoral investment is important to be conducted to make it easier for investors in determining the investment option (Jones, 2007).

All listed the issuers on the Indonesia Stock Exchange (IDX) are classified into extractive sector (agriculture

and mining), manufacturing sector (basic industry, miscellaneous industry, consumer goods), and the non-manufacturing sector (property and real estate, infrastructure, finance, trade and service). In this paper the author restricts only on the extractive sector, consisting of agriculture sector and mining sector

2. LITERATURE REVIEW

Arbitrage pricing model (APT) is a theory developed by Stephen A. Ross in 1976. The APT model is also called a risk factor model. APT states that the expected return of certain assets is based on the sensitivity of the assets on one or more systematic factors (Megginson, 1997)

Bodie et al. (2009) states that it explicitly indicates the possibility of a different sensitivity to systematic risk and different stocks. Therefore, models that allow the multiple factors or multi-factor models can give a better description for stock returns

The linkage between stock returns with economic factors is based on two reasons. The stock price is a reflection of the expectations of profits, dividends and interest rates. Therefore, the investors are trying to estimate this variable. The second, capital markets react to various major indicator sets or leading indicators, so that the investors are trying to adjust the stock price with the expectation of leading indicators variety (Brown and Reilly, 2009).

The selection of these factors is based on the consideration that these factors can affect directly or indirectly on cash flow and discount rate of investment activities as well as investment interest investors. These variables are as follows: stock market return (MR), interest rates (IR) exchange rate (ER) and crude price (CP).

The previous research has seen the stock price as the dependent variable on the market return only when it tries to explain about the effect of the up and down market and at ordinary stock price (Fabozzi et al. (1977). This research has been carried out using the single factor CAPM modifications to the model to be separated exposures of individual stocks in both market trends, up market and down market

Fabozzi and Francis (1977) reached the conclusion that the level of market optimism did not significantly affect either the intercept and the slope of the regression coefficients, this study found that the null hypothesis of did not have any interaction with the type of market was correct.

Khalid, et al (2013) conducted research on the Stock Exchange Karachi, Pakistan, by using the model formulated by Fabozzi and Francis (1977). Their research results concluded that all stocks in the oil sector showed a significant beta difference between bullish and bearish conditions, while in banking sector, the three out of eight stocks refused showed no difference. The results of this study indicate that stock returns might have the different response to factors affecting the different stock market conditions.

In this paper, the author uses multiple factors asset pricing model to see the determinant factor of sectoral

stock return in different market conditions. They are bullish stock market condition and bearish stock market condition.

The determination of the factors that affect stock returns is based on some of the researchers who try to connect the stock return with some economic factors, such as the stock market return (Sharpe, 1964 and Lintner, 1965, Butt et al, 2010), interest rates (Maysami et al., 2000; Maysami et al., 2004; Gan, et al, 2006), exchange rate (Maysami et al., 2000; Gan, et al, 2006) and crude price ((Jones et al., 1996; Gan et al., 2006). From these studies, these variables are associated with stock returns and used to predict stock returns.

Turner et al (1989), Maheu, et al (2000), Ismail, et al (2008), Martin PH. Pangabea (2010) and Kole et al. (2012) can capture non-linear structure in the mean and variance of return by using a Markov-switching models. The model returns sorting into two conditions, namely high returns and stable condition, and low and volatile returns condition, which are then labeled as bullish conditions (high returns and low volatility) and bearish conditions (low returns and high volatility).

3. METHODOLOGY

Parametric method which is based on Markov Switching Model (MSM), was introduced in finance by Hamilton (1989). Hamilton and Lin (1996); Turner et al. (1989), Maheu et al. (2000), Ismail, et al. (2008), Chen (2009), Martin PH. Pangabea (2010), Kole et al. (2012) to identify the regime of bullish and bearish on the stock market.

r_t = stock market return at t time, is calculated from the logarithmic change of $IHSg_i$ (Y_{it})

$$r_t = 100 \cdot \ln(Y_{it}/Y_{it-1})$$

$S_t = i$, is variable market conditions, $i = 1; 2$

$S_t = 1$, bullish condition

$S_t = 2$, bearish conditions

Then the Markov-Switching Model with two conditions (two-state Markov Switching Model), which describes the evolution of the data $r_t = \{r_1, r_2, r_3, \dots, r_t\}$ is as follows:

$$R_t = \mu_1 S_t + \mu_2 (1 - S_t) + [\sigma_1 S_t + \sigma_2 (1 - S_t)] \varepsilon_t$$

Where ε_t is the error term, and $\varepsilon_t \sim i.i.d. N(0, \sigma^2)$

Variable Conditions S_t is assumed and governed by the first order Markov chain process with transition probabilities, p_{ij} , given by

$$P\{S_t = j \mid S_{t-1} = i\} = p_{ij} \quad i, j = 1, 2$$

In particular, $p_{11} = P\{S_t = 1 \mid S_{t-1} = 1\}$ indicates the possibility of starting in a bullish condition and ended up in the same condition and $p_{22} = P\{S_t = 2 \mid S_{t-1} = 2\}$ is the probability of a bearish condition considering that previous condition is also bearish. Parameters and the probability are estimated by maximum likelihood.

Furthermore, the identification results of the stock market conditions by using a Markov switching models will estimate the influence of stock market return, interest rate, exchange rate and crude price

to sectoral stock return either bullish or bearish condition.

$$\varepsilon_t \sim N(0,1)$$

Where:

Bullish Condition :

$$[r_{it}]_{bullish} = \beta_{i,0} + \beta_{i,1}MR_t + \beta_{i,2}IR_t + \beta_{i,3}ER_t + \beta_{i,4}CP_t + \varepsilon_t$$

r_i = Sectoral stocks return
 MR = Stock market return
 IR = Interest rate
 ER = Exchange rates
 CP = Crude price

$$\varepsilon_t \sim N(0,1)$$

Sector 1 = Agriculture sector

Sector 2 = Mining sector

Bearish Condition :

$$[r_{it}]_{bearish} = \alpha_{i,0} + \alpha_{i,1}MR_t + \alpha_{i,2}IR_t + \alpha_{i,3}ER_t + \alpha_{i,4}CP_t + \varepsilon_t$$

Operational Variables

Fully operational variables are as follows:

Table 1: Variables Operationalization

Variable	Variable Concept	Indicator	Unit
Sectoral stock return (r)	Yields in general of sectoral stock in the Indonesian capital market	$r_i = (\ln SSI_{it} - \ln SSI_{it-1}) * 100$ SSI _i = sectoral stock index i	%
Stock market return (MR)	Yields in general from the investment in the Indonesian capital market	$MR = (\ln IHSG_t - \ln IHSG_{t-1}) * 100$	%
Interest rate (IR)	The interest rate of Bank Indonesia Certificates (SBI) in one month.	$IR = (\ln(SBI_t) - \ln(SBI_{t-1})) * 100$ Proxy increase of Indonesian interest rate for one month	%
Exchange rates (ER)	The exchange rate of rupiah against US dollar	$ER = (\ln(kurs_t) - \ln(kurs_{t-1})) * 100$ Proxy increase in the exchange rate rupiah against the US dollar	%
Crude Price (CP)	Indonesian crude price in US dollar per barrel	$CP = (\ln(ICP_t) - \ln(ICP_{t-1})) * 100$ Proxi increase of Indonesia crude price	%

Data source is taken from Indonesia Stock Exchange (Indonesia Stock Exchange) and Bank Indonesia with the observation period from January 1996 through December 2013.

4. RESULT AND DISCUSSION

4.1 RESULT

Bullish and Bearish Identification

The Identification of bullish and bearish conditions is based Indonesian stock market returns which use the Markov regime switching models. Based on the proposed model, the values of model parameters have been obtained as follows:

**Table 2 : The Parameter of Markov Regime Switching Model Indonesian Stock Market Return
Period of January 1996 - December 2013**

Parameter	Coefficient	Error Standard	Z statistic	Probability
μ_1	1,7007	0,5004	3,3987	0,0007
μ_2	-1,7708	2,2046	-0,8032	0,4218
S_1	5,7973	0,0632	27,793	0,0000
S_2	14,1327	0,1229	21,551	0,0000
P_{11}	0,9860	0,7637	5,5710	0,0000
P_{22}	0,9437	0,7385	-3,8179	0,0001

Source: Results of data processing

Based on the data results in Table 1, it can be seen that the 6 parameters which are estimated almost significant at the 1 percent level. Only μ_2 is insignificant either at the 1 percent or 5 percent level. Although there is insignificant from these parameters model, however the interpretation of this model remains attractive. This model shows that we can divide the Indonesian stock market conditions into two regimes. The State 1 showed the average monthly return is positive (1.70% per month or equivalent to 20.40% profit per year). In contrast, the state 2 showed an average negative return month (-1.77% per month, equivalent to 21.24% loss per year). The standard deviation of state 1 is 5.80%, while the standard deviation of state 2 is 14.13%. It means that

means in terms of the state 1 volatility is considered to have a lower volatility than the state 2.

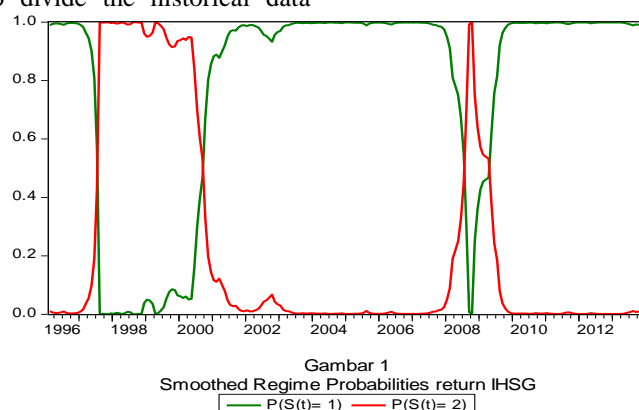
Based on the data results in table 1, μ_1 value is significant at 1 percent significance level, however, μ_2 value is not significant. The value of S_1 and S_2 are both significant at the 1 percent significance level. Under these circumstances, we can conclude that the regime switching occurred in the Indonesian stock market is due to the difference in volatility.

Thus, the first regime is characterized by positive returns with low volatility (low risk) and the second regime is characterized by a negative return with high volatility (high risk). The author refers to previous studies such as Turner, et al (1989), Maheu et al. (2000), Ismail et al. (2008), Martin PH. Pangabeau

(2010), Kole et al. (2012). Then the state1 was identified as the bullish condition and the state 2 was identified as the bearish conditions.

The results of the estimation using Markov switching models, can be used to divide the historical data

observations into bullish and bearish periods as shown in Figure 1. Figure 1 shows the smoothed regime probabilities return IHSG during the period of February 1996 to December 2013.



Source: Results of data processing

Fig 1: Smoothed Regime Probabilities return IHSG

**Table 3 : Bullish and Bearish period Indonesia Stock Exchange
February 1996 - December 2013**

Bullish Period		Bearish Period	
February 1996 – July 1997	18 months	August 1997 – September 2000	38 months
October 2000 – July 2008	94 months	August 2008 – April 2009	9 months
May 2009 – December 2013	56 months		
78%	168 months	22%	47 months

Source: Results of data processing

Based on figure 1 and table 2, it can be concluded that during the observation period of February 1996 to December 2013 (215 observations), Indonesian stock market experienced a 78 percent (168 observations) bullish conditions and 22 percent (47 observations) bearish conditions.

**Table 4: Descriptive Statistical Study Variables
Period of February 1996 - December 2013**

Parameter	R_Sektor1	R_Sektor2	MR	IR	ER	CP
Bullish Condition (168 observations)						
Mean	2,57	2,01	1,68	-0,303	0,174	1,237
Std Dev.	9,83	9,66	5,72	3,161	2,999	7,1520
Bearish condition (47 observations)						
Mean	-3,24	-1,62	-1,76	-0,144	2,933	-0,739
Std Dev.	18,80	17,83	14,52	14,073	16,886	12,056

Mean stock returns sector 1, stock returns sector 2 and stock market returns have an average higher point during the bullish than bearish period. The interest rate experienced an average greater reduction in bullish period. It indicates that the interest rate is relatively lower during the bullish condition. exchange rate rupiah against the US dollar on average experienced a larger increase in the bearish period which indicate more rupiah needed for every dollar that is required, crude oil prices experienced an average rise was greater in bullish times. In general,

the bearish period shows the variables standard deviation is higher than the bullish period, which means that in the bearish period, all variables have higher volatility.

Stationarity Test and Normality Data

The stationarity testing data of stock market return, interest rate and exchange rate used the Augmented Dickey Fuller (ADF) and Phillips-Perron test (PP) test. While the data normality testing used the Jarque Bera (JB) test. The test results of stationarity and normality of data are shown in table 2.

Table 5 : The Result of Stationarity and Normality Data

Variabel	JB Test		ADF Test		PP Test	
	Jarque-Bera	Prob.	t-stat	Prob	Adj. T-stat	Prob
MR	215,894	0,000	-12,270	0,000	-12,270	0,000
IR	2263,584	0,000	-6,562	0,000	-6,600	0,000
ER	15060,730	0,000	-12,857	0,000	-12,771	0,000
CP	90,117	0,000	-10,479	0,000	-10,476	0,000

Table 5 shows the ADF test and PP test are significant at the 1 percent level for all variables. It means that the data stock market and macroeconomic variables as a research variable are in a stationary condition. The data test normality shows that the JB test of stock market and macroeconomic variables did not meet the normality conditions. This condition prompted the authors to use robust least square.

Robust Regression analysis provides an alternative to the least squares regression when the underlying assumptions are not fulfilled by the nature of the data (normality assumption). The most common general method of Robust Regression is M-estimation, which was introduced by Huber (1964), which is almost as efficient as OLS (Alma, 2011).

Table 6: Regression results using robust least square

Parameters	Financial Sector	Mining Sector
Bullish Condition		
β_{MR}	***0.763049	***0.971153
β_{IR}	0.220865	-0.008051
β_{ER}	-0.099480	0.005543
β_{CP}	***0.240555	***0.228307
R_w^2	0.358338	0.479015
R_N^2 Statistic	***68.14915	***115.5563
Bearish Condition		
α_{MR}	***1.095129	***0.939894
α_{IR}	0.028457	0.074145
α_{ER}	0.019384	***0.253919
α_{CP}	0.008187	***0.448838
R_w^2	0.698734	0.763116
R_N^2 Statistic	***87.70846	***106.5826

***) significant at 1% level**) significant at 5% level

4.2 DISCUSSION

The data processing results using a robust least square method can produce the R_w^2 value, which indicates

the goodness of fit. The value of R_w^2 indicates the ability of independent variables in the model to explain the variation of dependent variable. Renaud and Victoria-Feser (2010) proposed the R_w^2 statistics.

They provide simulation results that show the R_w^2 become a measure of goodness of fit better. For a simultaneously hypothesis test, the R_N^2 statistics is used which is a robust version for *Walt test*.

The value of R_N^2 statistic for the agriculture sector and mining sector are significant at 1 percent level, both on the bullish and bearish condition of the stock market conditions. This condition indicates a strong rejection from the null hypothesis that all the coefficients of non-intercept are equal to zero, thereby, stock market return, interest rate, exchange rate and crude price, affect together on sectoral stock returns in bullish and bearish condition.

These results are consistent with research done by Mysami et al., 2004; Gan et al., 2006, and Butt et al., 2010, which concluded that the economic variables affect the stock price or stock return. These results proved that the Indonesian capital market investors generally consider the economic factors in deciding to invest in common stock. In general, the changes in the

stock price index, interest rate, exchange rate and crude price still become determinants of extractive sector stock returns in the Indonesian capital market. Investors still consider the economic factors can affect cash flow, discount rate and the investors interest in order to invest the stock in Indonesian capital market.

Based on this research, the stock market return positively affect the stock returns of agriculture sector and mining sector both in bullish and bearish conditions. The results of this study are in line with the theory developed by Sharpe (1964) and Litner (1965), which implies a positive linear relationship between the stock market return or market risk and stock returns. The results of this study also supports the findings of Butt, et al (2010) which have been influenced by positive stock market return to the examined sectoral stocks return.

The positive influence from the stock market return on sectoral stock return either in bullish or bearish condition reflects a favorable investment climate in the stock market, so investors will respond positively to the capital market. Thus, investors will tend to perform buying and selling action of the traded stocks based on stock market index occurred. These results also confirm that the stock market return factor is the main factor in determining the sensitivity of stock returns of agriculture sector and mining sector, in the Indonesian capital market.

Based on this research the interest rate does not affect significantly to the return of the shares in agriculture and mining sector at the bullish and bearish condition. These results are broadly in line with the research

conducted by Butt, et al (2010) who found that the effect of the risk-free interest rate is not significant in most of the stocks in different sectors. This condition can occur because the companies that engaged in these sectors (companies engaged in agriculture and mining) is long-term oriented, so that changes in short term interest rates does not significantly influence on the performance of the issuer.

The influence of currency exchange rates on the return of agricultural sector stocks in bullish and bearish conditions is not significant and in mining sectors at a bullish condition. While in mining sector, the currency of exchange rate positif and has a significant effect on the bearish stock market conditions, this condition can occur due to investor's shares considers the rising exchange rate of the US dollar against the rupiah is rising corporate earnings in this sector is greater than the increase in costs due to increase in the exchange rate. Mining commodities, such as coal and metal are exports commodities, the value rise of rupiah against the US dollar make more number of dollars that could be produced by the company.

In bullish condition, the effect of crude oil prices is positive and significant on the shares return of mining and agricultural sector. It is in line with the results of Jones and Kaul (1996), which states that the oil shock impacts can be positive and negative depending on the level of consumption (Related with costs) and production levels (linked to income). In bullish stock market condition, the oil prices increase at the average. The investors see the rising price of crude oil will push up the price of agricultural commodities and mining. The rising price of agricultural commodities and mining is expected to increase the revenue expectations of issuers engaged in agriculture and mining sectors.

This could push up the price of the shares in agriculture and mining sectors, which finally will increase the return of the stocks in these sectors. At bearish time, Indonesia crude oil prices tend to fall, which will push down the price of other mines commodities, resulting in decreased mining sector revenue expectations. The Investor pessimism towards the expected revenue will cause a drop in stock prices of mining sector, which finally will reduce the returns of the stocks.

5. CONCLUSION

By using Markov switching models, the stock market conditions can be divided into two conditions, namely bullish and bearish conditions. The difference of conditions is due to the difference in market volatility. The stock market return, interest rate, exchange rate and crude price are the factors that jointly affect the stock return in agriculture sector and mining sector in Indonesian capital market either in bullish or bearish condition. Partially, the stock market return is a major factor in determining the return of shares of agriculture and mining sectors. In bullish condition, the interest rate and currency exchange rate are not a significant factor to be taken into consideration for investors to invest in agricultural and mining sector in

Indonesia's capital market, while the crude oil price is a significant factor in determining the sensitivity of stock returns in both sectors. In bearish condition, factors of interest rates, exchange rates and crude oil prices had no effect on stock returns in agricultural sector, but the factors of exchange rate and crude oil prices are also the factors that need to be taken into account by stock investors in mining sector.

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TIME SERIES MODELING AND FORECASTING OF THE CONSUMER PRICE INDEX BANDAR LAMPUNG

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ABSTRACT- *The aims of this study are to find the best Time Series model and use it to forecast the Consumer Price Index (CPI). To find the best model, first we evaluate the stationarity of data by using time series plot, Autocorrelation Function (ACF), and Unit root Test. Then the Time Series model was found by using ACF and Partial Autocorrelations Function (PACF). The best model was found by using the criteria: Mean Squares Error (MSE), Akaike Information Criteria (AIC) and Bayesian Information Criterion (BIC) and best model is ARIMA (1,1,0) compare to ARIMA (0,1,1), and ARIMA(1,1,1). The best model are used to forecast the future CPI.*

Keywords : Time Series Modelling, CPI, Forecast, ARIMA, ACF, PACF.

1. INTRODUCTION

Consumer Price Index (CPI) may be regarded as a summary statistic for frequency distribution of price relative. It is the weighted arithmetic mean of the distribution of successive months or years. CPI number measures changes in the general level of prices of a group of commodities. It thus measures changes in the purchasing power of money [1, 2]. Mendenhall [3] states that CPI is a weighted aggregate index that is computed and published monthly. In American experiences Boskin, et.al [4] explain that the CPI program focuses on consumer expenditures on goods and services out of disposable income. Hence, it excludes non-market activity, broader quality of life issues, and the costs and benefits of most government programs.

The CPI data commonly in the form of time series data ordered based on time sequence. Forecasting on data time series is a prediction by using the pattern of the relationship among variables based on time [5, 6, 7, 8].

One of the methods that commonly used for forecasting time series data is *Autoregressive Integrated Moving Average* (ARIMA) [5, 6, 7, 9, 10]. The ARIMA model was developed by George Box and Gwilym Jenkins [11] and it is called time series method of Box-Jenkins. In their book, Box and Jenkins [11] strongly recommend that forecasts of ARIMA processes be made using the Difference Equation form because it is the simplest approach. Many studies have been done to analyze data CPI. Subhani and Panjwani [2] study about monthly government bonds response to announcements of CPI. Adam, et.al [12] studied CPI in Nigeria by using ARIMA model. Hamid and Tej [3] studied about analyses the seasonality in the monthly consumer price index (CPI) over the period January 1913 to December 2003. Fengwang, et.al [13] study to analyze time series data of CPI in China from January 1995 to May 2008 by ARMA model. In this study the ARIMA model will be used to analyze time series data and forecasting for the CPI in Bandar Lampung City from 2009-2013 by using ARIMA model.

2. METHODOLOGY

Model Specification

The model used in this study is the ARIMA. To test for the stationarity of data we used time series plot, autocorrelation function (ACF), and unit root test. After the stationarity of the time series was attained, ACF and PACF (partial autocorrelation function) of the stationary series are employed to select the order of the Autoregressive (AR) process and the order of the Moving Average (MA) process of the ARIMA model. Integrated (I) process, which account for stabilizing or making the data stationary. In practice, one or two level of differencing are often enough to reduce a nonstationary time series to apparent stationarity [14, 15, 16, 17]. The data used in this study are from the Central Bureau of Statistics Indonesia, Lampung Province from 2009 to 2013. It is the monthly data of Consumer Price Index (CPI) of Bandar Lampung City from 2009 to 2013.

ARIMA Methodology

Step 1 : The plot of the stationary data, the data will move fluctuation which are fixed or constant and with no trend. But if the data move fluctuated and not constant, we call the data not stationary in variance. To make the data stationary in variance we can use Box-Cox transformation [14, 9, 16]. If the stationary in variance of the data have been attained, but there is still a trend in the data, then we can apply differencing to attain the stationary in the mean. [4]

Step 2 : If the stationary of the data have been attained then we can continue to estimate the order of AR and MA which can be found from the graph of Autocorrelation Function (ACF) and Partial Autocorrelation Function (PACF) so that we can find the ARIMA model. If the ACF decay exponentially and PACF significant after lag p , then the process has $AR(p)$. Moreover, if PACF decay exponentially and ACF significant after lag q , then the process has $MA(q)$ [15, 16]

Step 3 : Estimation of model: This deal with estimation of the ARIMA model identified in step 2. The estimation of model parameters can be done by the conditional least square method.

Step 4 : Diagnostic checking: The model is checked by analyzing the residual. If the residual are white noise, then we accept the model.

3. EMPIRICAL ANALYSIS AND RESULT

Identification

The first step in modeling a series is to check the structure of the data in order to obtain some preliminary knowledge about the stationarity of the series. The stationary of the data can be found from time series plot, ACF graph and unit root test.

Time series plot

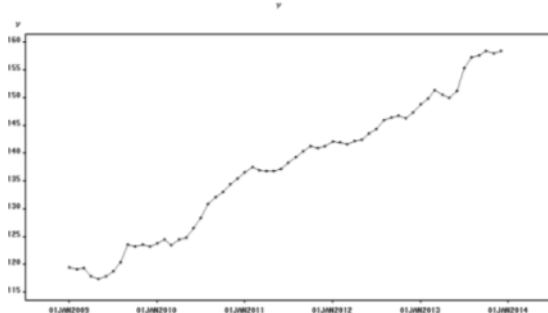


Fig1: Time series plot of CPI series

Figure 1 shows that the plot of data has stationary in variance, but the data not stationary in mean (there is a trend in the series).

ACF graph

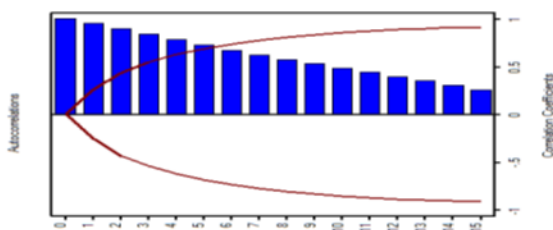


Fig 2: ACF of CPI series

Figure 2 shows that at lag 0, 1, 2, 3, 4, and 5 the bar beyond the significant line, so there are significant autocorrelation at lag 0, 1, 2, 3, 4, and 5. Beside that at lag 5 and 6, the bar still far from zero, so we can conclude that the CPI is not stationary.

Unit root test



Fig. 3. Unit root test of CPI series

Hypotheses :

H_0 = CPI not stationary

H_1 = CPI stationary

Figure 3 show that tha bar at lag 0,1, 2, 3, 4, and 5 in the graph of the unit root test are below the significant line at $\alpha = 0,05$. The p-value at lag 0, 1, 2,

3, 4, and 5 are greater than 0,1 even very close to 1. Therefore we do not reject the null hypotheses and we conclude that the data are not stationary.

After we identified the data it is known that from the time series plot the data are stationary in varianc, but not stationary in mean. To make sure that the data satisfied the stationary in variance, we check by Box-Cox transfor-mation.

The Box-Cox transformation conducted by first we we find the value of the best λ which will be used in the transformation. The following table is the output from output *software* SAS 9.0 to find the best value of λ .

Table 1. The value of λ

Transformation Information for BoxCox(y)			
Lambda	R-Square	Log Like	transformation
-1.000	0.99	-32.4740	$\frac{1}{Z_t}$
-0.500	0.99	-4.2136	$\frac{1}{\sqrt{Z_t}}$
0.000	1.00	35.2074	$\ln Z_t$
0.500	1.00	102.1001	$\sqrt{Z_t}$
1.000 +	1.00	Infy <	Z_t
< - Best Lambda			
* - Confidence Interval			
+ - Convenient Lambda			

The best vau of λ from Table 1 above is $\lambda = 1$, therefore by Z_t transformation or since $\lambda = 1$ we can say that we do not need to conduct a transformation. So by using 95% level of significant we can say that the data are stationary in variances.

The next to make the stationary in the mean, we do the differencing on the data which has been transformed by Box-Cox transformation with $\lambda = 1$, after the first differencing on the data than we check the stationary through the time series plot, the ACF plot and the unit root test.

Time series plot



Fig 4:Time series plot of first differencing Box-Cox(1) CPI

Figure 4 show that the time series plot of CPI which has been transformed by using Box-Cox transformation with $\lambda = 1$ and first differencing show that the data are stationary.

ACF graph



Fig 5: ACF of first differencing Box-Cox(1) CPI

Figure 5 show that the bar at lag 0 and 1 beyond the significant line, so we can say that there is autocorrelation at lag 0 and 1. At lag 5 and 6 the bar around 0, so the data are stationary.

Unit Root Test

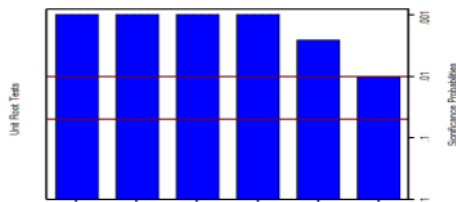


Fig 6: Unit root test of first differencing Box-Cox(1) CPI

Hypotheses :

H_0 = first differencing Box-Cox (1) CPI not stationary.

H_1 = first differencing Box-Cox (1) CPI stationary.

Figure 6, shows that the bar on lag 0,1, 2, 3, 4 and 5 are above the significant line of the unit root test. We see the p-value at lag ,1,2,and 3 are close to 0.001, while at lag 4 and 6 the p-value are between 0.01 and 0,001. So we conclude that we reject the null hypotheses and the data are stationary.

Identification of ARIMA model

Since the data are stationary, then the assumption of the ARIMA model are satisfied, to find the best ARIMA model for the data, we see the ACF and PACF graphs.

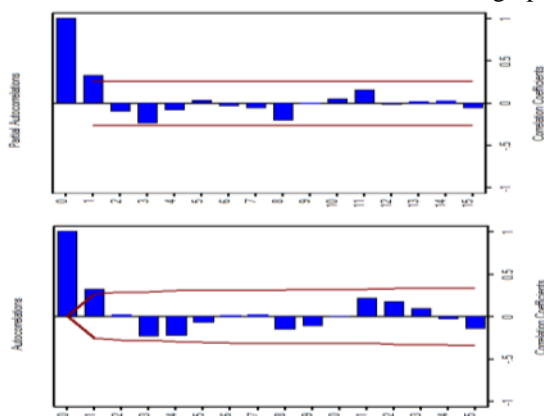


Fig 7: ACF and PACF of first differencing Box-Cox(1) of CPI

Figure 7, shows that the CPI data which has been transformed by Box-Cox transformation with $\lambda = 1$ and first differencing, at the ACF bar shows non significant at lag 1, so it is assume that the data were generated from MA(1). From the PACF graph, the bar at lag 1 nonsignificant, so it is assume that the data

were generated from AR(1), with differenced series = 1, we find the initial ARIMA (1,1,1) model. This ARIMA model will be compared with other ARIMA models: ARIMA(1,1,0) and ARIMA(0,1,1) as the other best candidate model for the data.

ARIMA (1,1,0)

$$\Phi_1(B)\nabla^1 = C + \theta_0(B)a_t$$

$$(1 - \Phi_1 B)(1 - B)^1 Z_t = C + a_t$$

$$(1 - B - \Phi_1 B + \Phi_1 B^2)Z_t = C + a_t$$

$$Z_t - BZ_t - \Phi_1 BZ_t + \Phi_1 B^2 Z_t = C + a_t$$

$$Z_t - Z_{t-1} - \Phi_1 Z_{t-1} + \Phi_1 Z_{t-2} = C + a_t$$

$$w_t - \Phi_1(Z_{t-1} - Z_{t-2}) = C + a_t$$

$$w_t - \Phi_1 w_{t-1} = C + a_t$$

$$w_t = C + \Phi_1 w_{t-1} + a_t$$

ARIMA (0,1,1)

$$\Phi_0(B)\nabla^1 = C + \theta_1(B)a_t$$

$$(1 - B)^1 Z_t = C + (1 - \theta_1 B)a_t$$

$$Z_t - BZ_t = C + a_t - \theta_1 B a_t$$

$$Z_t - Z_{t-1} = C + a_t - \theta_1 a_{t-1}$$

$$w_t = C - \theta_1 a_{t-1} + a_t$$

ARIMA (1,1,1)

$$\Phi_1(B)\nabla^1 = C + \theta_1(B)a_t$$

$$(1 - \Phi_1 B)(1 - B)^1 Z_t = C + (1 - \theta_1 B)a_t$$

$$(1 - B - \Phi_1 B + \Phi_1 B^2)Z_t = C + a_t - \theta_1 B a_t$$

$$Z_t - BZ_t - \Phi_1 BZ_t + \Phi_1 B^2 Z_t = C + a_t - \theta_1 B a_t$$

$$Z_t - Z_{t-1} - \Phi_1 Z_{t-1} + \Phi_1 Z_{t-2} = C + a_t - \theta_1 a_{t-1}$$

$$w_t - \Phi_1(Z_{t-1} - Z_{t-2}) = C - \theta_1 a_{t-1} + a_t$$

$$w_t - \Phi_1 w_{t-1} = C - \theta_1 a_{t-1} + a_t$$

$$w_t = C + \Phi_1 w_{t-1} - \theta_1 a_{t-1} + a_t$$

The next steps are to estimate the parameters in the models.

The estimation of parameter for ARIMA (1,1,0) model we used *software* SAS 9.0. The following are the results.

Table 2: The Estimation of Parameter for ARIMA(1,1,0)

The ARIMA Procedure				
Conditional Least Squares Estimation				
Parameter	Estimate	Error	t Value	Pr > t
MU	0.64704	0.17926	3.61	0.0006
AR1,1	0.32177	0.12549	2.56	0.0130
Constant Estimate	0.438843			
Variance Estimate	0.889145			
Std Error Estimate	0.942945			
AIC	2.750553			
BIC	2.821603			
Number of Residuals	59			

The coefficient value for C is 0,646704 , and t-test=3.61 with p-value=0.00061 and we conclude that C is difference from 0. The estimate for the coefficient of AR(1) is 0,32177 t-test=2.56 with p-value=0.013 which is significant. Therefore the AR(1) in the model is significant. So the estimation of ARIMA (1,1,0) model is:

$$w_t = 0,646704 + 0,32177w_{t-1} + a_t$$

Based on the estimation above, the parameter AR(1) is significant, so we an used the ARIMA (1,1,0) model to explain the series data.

The estimation of parameter for ARIMA (0,1,1) model we used *software* SAS 9.0. The following are the results.

Table 3: The Estimation of Parameter for ARIMA(0,1,1)

The ARIMA Procedure				
Conditional Least Squares Estimation				
Parameter	Estimate	Error	t Value	Pr > t
MU	0.65364	0.15920	4.11	0.0001
MA1,1	-0.30006	0.12671	-2.37	0.0213
Constant Estimate		0.653636		
Variance Estimate		0.892929		
Std Error Estimate		0.944949		
AIC		2.779794		
BIC		2.886369		
Number of Residuals		59		

The coefficient value for C is 0,65364 , and t-test=4.11 with p-value=0.0001 and we conclude that C is difference from 0. The estimation for the coefficient of MA(1) is -0.30006 t-test =-2.37 with p-value=0.0213 <0.05 which is significant. Therefore the MA(1) in the model is significant. So the estimation of ARIMA (0,1,1) model is:

$$w_t = 0,65364 - 0,30006a_{t-1} + a_t$$

Based on the estimation above, the parameter MA(1) is significant, so we an used the ARIMA (0,1,1) model to explain the series data.

The estimation of parameter for ARIMA (1,1,1) model we used *software* SAS 9.0. The following are the results.

Table 4: The Estimation of Parameter for ARIMA (1,1,1)

The ARIMA Procedure				
Conditional Least Square Estimation				
Parameter	Estimate	Error	t Value	Pr > t
MU	0.64936	0.17534	3.70	0.0005
MA1,1	-0.12574	0.40953	-0.31	0.7599
AR1,1	0.21230	0.40300	0.53	0.6004
Constant Estimate		0.511499		
Variance Estimate		0.901528		
Std Error Estimate		0.949488		
AIC		2.753297		
BIC		2.823722		
Number of Residuals		59		

The coefficient value for C is 0,64936, and t-test=3.70 with p-value=0.0005 and we conclude that C is difference from 0. The estimate for the coefficient of AR(1) is 0,21230 with t-test=0.53 p-value=0.6004 which is nonsignificant. Therefore the AR(1) in the model is not significant. The estimate for the coefficient of MA(1) is -0,12574 with t-test=-0.31 and p-value=0.7599 which is nonsignificant. Therefore the MA(1) in the model is not significant.

The estimation of ARIMA (1,1,1) model is:

$$w_t = 0,64936 - 0,12574w_{t-1} - 0,21230a_{t-1} + a_t$$

Based on the result above the parameters of AR(1) and MA(1) are not significant in the model, therefore the ARIMA(1,1,1) is not a good model to explain the series data.

The Model Checking

After we estimate the significant and candidate for the best model, namely the model ARIMA (1,1,0) and ARIMA (0,1,1). Next we will test for the residual whether they are satisfied the process *white noise* and satisfied the homoscedasticity[16].

ARIMA(1,1,0)

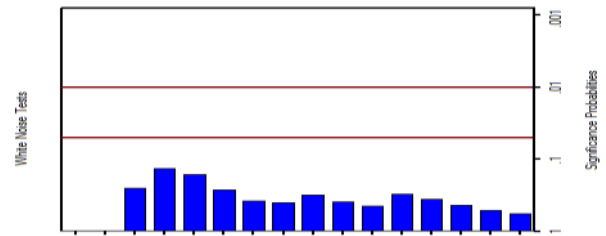


Fig. 8. Graph of white noise ARIMA (1,1,0)

null hypotheses and the residual satisfied the white noise process.

Hypotheses :

$H_0 = \rho_1 = \rho_2 = \dots = \rho_k = 0$ (residual satisfied the white noise process).

$H_1 = \exists \rho_k \neq 0, k = 1, 2, \dots, K$ (residual is not satisfied the white noise process).

Figure 8, shows that the bar at lag 0 to lag 15 at the graph of white noise process laid below the significant line. From the graph, the p-value for lag 0 to lag 15 are greater than 0.05. Even the lag 0 and lag 1 the p-value are close to 1. So the p-values > $\alpha=0,05$, therefore we do not reject the null hypotheses and the residual satisfied the white noise process.

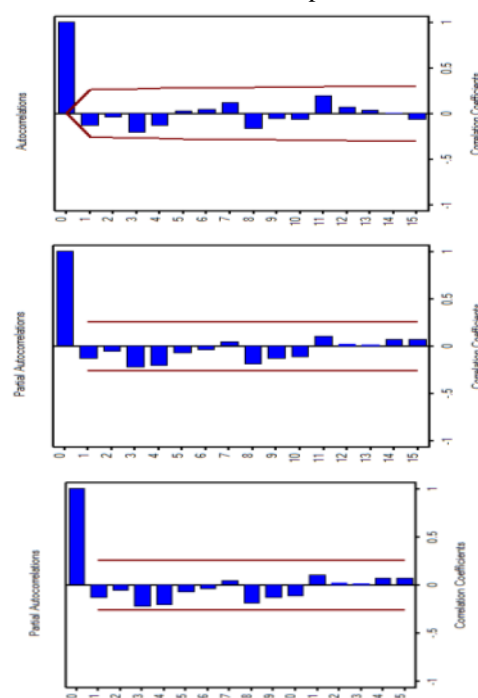


Fig 10: ACF and PACF of residual ARIMA (1,1,0)

In Figure 10 , the graph of ACF and PACF residual model ARIMA (1,1,0) shows that all the bar at lag 1 to lag 15 laid in the significant line, therefore we conclude that there is no autocorrelation and the data shows homoscedasticity.

The equation of the ARIMA (1,1,0) model satisfied the *white noise* process and homoscedasticity, therefore the ARIMA (1,1,0) model can be used.

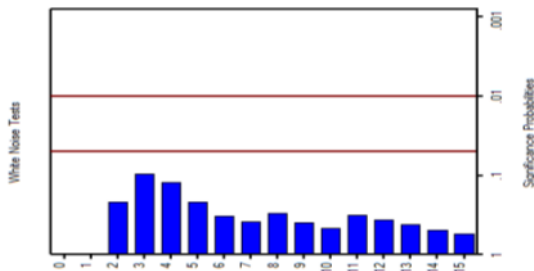


Fig 11: Graph of white noise ARIMA (0,1,1)

Hypotheses :

$H_0 = \rho_1 = \rho_2 = \dots = \rho_k = 0$ (residual is satisfied white noise process).

$H_1 = \exists \rho_k \neq 0, k = 1, 2, \dots, K$ (residual is not satisfied white noise process).

In Figure 11, the bar at lag 0 to lag 15 shows that the graph of the white noise process below the significant line. From the graph the p-value at lag 0 to lag 15 laid below the value 0,01, even the p-value lag 0 and lag 1 bar close to 1. Therefore we do not reject the null hypotheses, or the data satisfied the white noise process.

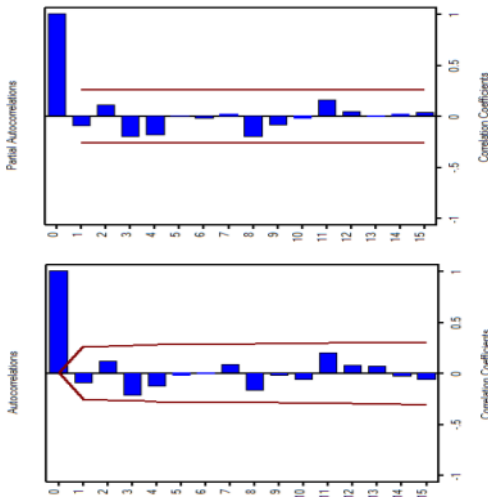


Fig 12: Graph of ACF and PACF residual ARIMA (0,1,1)

In Figure 12 the graph ACF and PACF from the residual ARIMA (0,1,1) model all the bar from lag 1 to lag 15 laid in significant line, therefore there is no autocorrelation and the data satisfied the homoscedasticity.

To compare which one is the best model between ARIMA(1,1,0) and ARIMA(0,1,1), we compare the values of MSE (Mean Square Error), AIC (Akaike Information Criteria), and BIC (Bayesian Information Criteria)[16, 17]

Table 5: The values of MSE, AIC, and BIC

Model	MSE	AIC	BIC
ARIMA(1,1,0)	0.942945	2,750553	2.821603
ARIMA(0,1,1)	0.944949	2.753297	2.823722

From Table 5, the MSE of ARIMA(1,1,0) is less than the MSE of ARIMA(0,1,1); the AIC of ARIMA(1,1,0) is less than the AIC of ARIMA(0,1,1); and the BIC of ARIMA(1,1,0) is less than the BIC of ARIMA(0,1,1). Based on the values of MSE, AIC and BIC the best model is the model with the smaller values of MSE, AIC and BIC, therefore the best model is the ARIMA (1,1,0) model.

Forecasting

From the analysis above, we have the best model is ARIMA(1,1,0), the next step is that we are going to use this model for forecasting or prediction for the future six periode. In this forecasting, we will predict the values of CPI from January to June 2014.

Figure 13 below show the prediction values of CPI Bandar Lampung City from January to June 2014 increase.

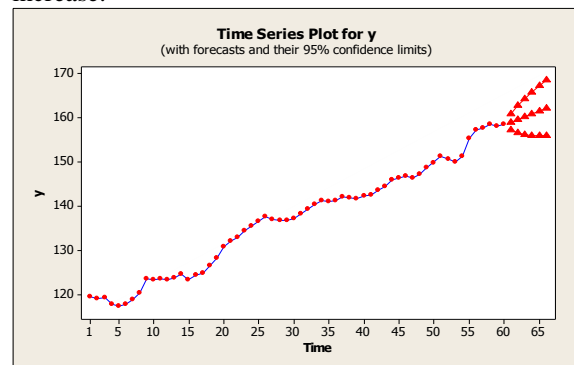


Fig 13: Time Series Plot for Forecasting of CPI

Table 6: Forecasting for CPI values from January to June 2014

Month	Real Data	Forecasting
January	159.62	159.02
February	159.65	159.64
March	159.41	160.28
April	159.33	160.92
May	159.39	161.57
June	160.64	162.22

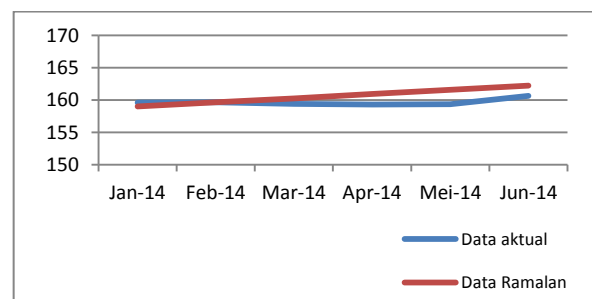


Fig. 14. Graph of Real Data and Forecasting of CPI

Figure 14 shows that the graph of the Real Data and its forecast. The data look very close to each other. This shows that the forecasting from the ARIMA(1,1,0) are very good and very close to the real data.

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THE ECONOMICAL ANALYSIS OF MECHANIZATION IN LAND PREPARATION FOR THE PLANTATION

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ABSTRACT - One of the development of technology in agricultural engineering is the farm mechanization by using farm tractor equipped with disc plow and ridger for land preparation of the plantation. The choose of agricultural machinery should consider the technical and economical value and the culture of the farmer themselves. The economical analysis shows that One tractor 70 HP and the new price about 800 million rupiah should cultivate 1007 hectares of land for a year which 5 years operation until obsolete. The true analysis of technical and economical in the application of farm machinery would increase the total revenue and benefit of plantation.

keywords: Tractor, plantation, agricultural machinery, Survey method

1. INTRODUCTION

Machinery and equipment are major cost items in farm businesses. Larger machines, new technology, higher prices for parts and new machinery, and higher energy prices have all caused machinery and power costs to rise in recent years. However, good machinery managers can control machinery and power costs per acre. Making smart decisions about how to acquire machinery, when to trade, and how much capacity to invest in can reduce machinery costs as much as 250.000 rupiahs per acre (0.405 hectare). All of these decisions require accurate estimates of the costs of owning and operating farm machinery. Farm machinery costs can be divided into two categories: annual **ownership** costs, which occur regardless of machine use, and **operating** costs, which vary directly with the amount of machine use. The true value of these costs is not known until the machine is sold or worn out. But the costs can be **estimated** by making a few assumptions about machine life, annual use, and fuel and labor prices. **Ownership** costs (also called **fixed** costs) include depreciation, interest (opportunity cost), taxes, insurance, and housing and maintenance facilities. **Depreciation** is a cost resulting from wear, obsolescence, and age of a machine. The degree of mechanical wear may cause the value of a particular machine to be somewhat above or below the average value for similar machines when it is traded or sold. The introduction of new technology or a major design change may make an older machine suddenly obsolete, causing a sharp decline in its remaining value. But age and accumulated hours of use are usually the most important factors in determining the remaining value of a machine.

The joint costs of depreciation and interest can be calculated by using a **capital recovery factor**. Capital recovery is the number of dollars that would have to be set aside each year to just repay the value lost due to depreciation, and pay interest costs.

$$\text{Capital recovery} = (\text{total depreciation} \times \text{capital recovery factor}) + (\text{salvage value} \times \text{interest rate})$$

Taxes, insurance, and housing (TIH) are usually much smaller than depreciation and interest, but they need to be considered. Property taxes on farm

machinery have been phased out in Iowa, except for very large inventories. For states that do have property taxes on farm machinery, a cost estimate equal to 1 percent of the purchase price is often used. Insurance should be carried on farm machinery to allow for replacement in case of a disaster such as a fire or tornado. If insurance is not carried, the risk is assumed by the rest of the farm business. Current rates for farm machinery insurance about 0.5 percent of the purchase price.

There is a tremendous variation in housing provided for farm machinery. Providing shelter, tools, and maintenance equipment for machinery will result in fewer repairs in the field and less deterioration of mechanical parts and appearance from weathering. That should produce greater reliability in the field and a higher trade-in value. An estimated charge of 0.5 percent of the purchase price is suggested for housing costs.

To simplify calculating TIH costs, they can be lumped together as 1 percent of the purchase price where property taxes are not significant.
$$TIH = 0.01 \times \text{purchase price}$$

Total ownership cost (fixed cost)

The estimated costs of depreciation, interest, taxes, insurance and housing are added together to find the total ownership cost. This is almost 10 percent of the original cost of the tractor.

Operating costs (also called **variable** costs) include repairs and maintenance, fuel, lubrication and operator labor.

Repairs and maintenance

Repair costs occur because of routine maintenance, wear and tear, and accidents. Repair costs for a particular type of machine vary widely from one geographic region to another because of soil type, rocks, terrain, climate and other conditions. Within a local area, repair costs vary from farm to farm because of different management policies and operator skill. The best data for estimating repair costs are records of your own past repair expenses. Good records indicate whether a machine has had above or below average repair costs and when major overhauls may be needed. They will also provide information about your

maintenance program and your mechanical ability. Without such data, though, repair costs must be estimated from average experience.

The average repair cost per hour can be calculated by dividing the total accumulated repair cost by the total accumulated hours:

Fuel

Average fuel consumption (in gallons per hour) for farm tractors on a year-round basis without reference to any specific implement can also be estimated with these equations:

$$0.060 \times \text{maximum PTO horsepower for gasoline engines}$$

$$0.044 \times \text{maximum PTO horsepower for diesel engines}$$

For 180-horsepower diesel tractor example

$$\text{Average diesel fuel consumption} = 0.044 \times 180 \text{ horsepower} = 7.92 \text{ gallons/hour}$$

$$\text{Average fuel cost per hour} = 7.92 \text{ gallons/hour} \times \text{Rp } 26.000/\text{gallon} = \text{Rp } 205.900/\text{hour}$$

Lubrication

Surveys indicate that total lubrication costs on most farms average about 15 percent of fuel costs. Therefore, once the fuel cost per hour has been estimated, you can multiply it by 0.15 to estimate total lubrication costs.

Labor

Because different size machines require different quantities of labor to accomplish such tasks as planting or harvesting, it is important to consider labor costs in machinery analysis. Labor cost is also an important consideration in comparing ownership to custom hiring.

Actual hours of labor usually exceed field machine time by 10 to 20 percent, because of travel and the time required to lubricate and service machines. Consequently, labor costs can be estimated by multiplying the labor wage rate times 1.1 or 1.2. Using a labor value of Rp 9.000 per hour for our tractor example:

$$\text{Labor cost per hour} = \text{Rp } 9.000 \times 1.1 = \text{Rp } 9.900.-$$

Different wage rates can be used for operations requiring different levels of operator skill.

Total operating cost

Repair, fuel, lubrication and labor costs are added to calculate total operating cost.

Total cost

After all costs have been estimated, the total ownership cost per year can be added to the operating cost per hour to calculate total cost per hour to own and operate the machine. Total cost per hour for our example tractor was:

Implement costs

Costs for implements or attachments that depend on tractor power are estimated in the same way as the example tractor, except that there are no fuel, lubrication or labor costs involved.

2. MATERIALS AND METHOD

Materials used was diesel oil which fuel for the operation of tractor process in the land preparation. Tractor 70

HP as perception object equipped by disk plough and maker of ridge or ridger. Method used was method of

Survey to usage of tractor processing of land preparation for plantation. Data collected was Field capacities, Operation of tractor, Tractor operating expenses, and Economic Analysis.

3. RESULT AND DISCUSSION

3.1. Capacities of Agriculture Machine

Capacities of Machine covering size measure and machine type usually adapted for by wide farm area. The Hand Tractor 10 HP according to for the plots of research with some square meters. Mini tractor 4 wheel 20HP according to for farm which land acreage was some hectares. Big tractor 70 HP according to tens of hectare. Big tractor more than 100 HP according to for farm hundreds of hectare. When farm of cassava more than 100 hectares so tractor size measure is 70 of HP and calculation of its economics require to be analysed to specify priority scale election of tractor. Economic Analysis illustration presented in chapter hereinafter.

Before buying Alsintan require to be decided such brand, size or measure and most efficient type to its machine and also its farm scale. Revenue or cash in from the farm do answering to buy farm tractor or enough rent as limitations.

3.2. Field Capacities

Theoretical Field Capacities is speed of operation yielding certain acreage which operated continuously according to wide of its attachment. Time Loss or repair time and farm on turning disregarded. Tractor 70 HP with attachment 3 diskplow bottom have theoretical field capacities about 2 hour per hectare.

Effective field capacities is average speed able to be gone through by appliance in set of hectare per hour. This matter are including missing time tip of turning in the field end and repair. Mathematically effective field capacities is average speed multiplied by wide of attachment and multiplied by field efficiency.

Field efficiency is effective field capacities divided with theoretical field capacities is then multiplied by 100 Field efficiency of plough about 74 to 84 %, disk harrow between 77 to 90 %.

The combination of knowledge of genetic, water and land conservation, chemical and physics accompanied by ability of business get excellence yield of agricultural product. We join modern knowledge with art of old custom together with machines energy. Its result larger ones efficiency in production of cassava for food, industry and also feed base on cassava.

3.3 Ownership

Owning machine or renting of Alsintan is a depended matter according to economic value of alsintan. There are advantage and disadvantage rent alsintan. Advantage rent alsintan for example 1. There is no expense for buying which costly enough 2. Purchasing capital earn allocation at something else 3. Get advantage of information concerning immeasurable machine operation of its technology 4. Repair is owner responsibility. Disadvantage from renting alsintan are 1. Machine operation is not unerring its time 2. The operator doesn't responsible the yield of job, 3. Risk bring disease and pest of other field 4. For larger of work get higher total expense than owning machine alone 5. Owner prefer to larger of work and like to delay smaler of work.

When we will own tractor for the processing of land to plant of cassava hence require to be considered.

Before hand regarding fixed cost and operating expenses or variable cost. As illustration when owning tractor

70 HP complete with its attachments hence costs shall be as follows.

A. Annual Fixed Cost

Estimate cost (Rp / year)

1). Depreciation = (Expense buy - Final value) : economic age = (Rp 800.000.000 - Rp 80.000.000 : 10 th = Rp 72.000.000/year

2). Capital interest = Price buy + final price : 2 x D.F = Rp800.000.000 + Rp 80.000.000 : 2 x 20 % = Rp 88.000.000/year

3). Others (garage etc) = 1% of price buy
Rp 800.000.000 x 1% = Rp 8.000.000/year

Fixed cost = Rp 168..000.000 per year

Assumed that tractor activity per year = 300 day /year x 5ha / day= 1500 ha / year

Become Fixed cost per hectare is Rp 168000.000: 1500 hectares = Rp 112.000 per hectare

B. The Expense of Operation(Variabel cost)

1).Fuel cost = 10 litre / hour x Rp 8.000 = Rp 80.000 /hr

2). Lubricant= 10 litre / 200 hour x Rp 100.000 /ltr = Rp5.000 /hr

3).hidraulic oil of gear= 20 lt / 300 hour x Rp 150.000 = Rp10.000/hr

4).Greas = 1 kg / 200 hour x Rp 100.000= Rp500 /hr

5). Repair and maintenance = 40% price buy : 4000 hours= Rp 80.000/hr

6). Operator fee = Rp 10.000/hr

total cost of Opersional /hour (Variabel cost) is Rp185. 500 /hour.

Operating expenses per hectare = Rp 185.500 x 2 hour / ha = Rp 371.000,- / ha

Total cost per hectare = Rp 112000 + Rp 371.000 = Rp 483.000 / ha

The land acreage of minimum of field operation so that happened Break Event Point (BEP) with assumption of

its expense of processing of field is equal to Rp 650.000 / ha

BEP Break Event Point) = Rp168.000.000 : (Rp650.000 - Rp 483.000)

= Rp168.000.000 : Rp 167.000 / ha = 1007 hectares for a year

Benefit cost ratio (B/C ratio) =Rp 650.000 : Rp 483.000 = 1,34

NPV (Net Present Value) : Rp 1.022 Billion by 1500 hectares operation per year for 10 years operation

Pay Back Periode : Rp 800.000.000 : Rp 250.500.000 x 1 year = 3.2 years

The tractor operational is enough when processing of field at least per year is 1007 hectares. When 1 tractor workday for 5 hectares hence needed 202 workday per year. There are 300 workday per year and on certain day process of field less from 5 hectares for example 4 hectares. By the maximum 5 hectares operation a day we can get NPV (Net Present Value) Rp1,022 billion for 10 years operation.

Attachment used is disk plow-tractor mounted 3 bottoms namely plough saucer by 3 plowshare joined forces

with tractor so that easy for the evacuation of work location and twiddling of farm back part. Processing of this

field recognized with processing of first field ploughing. For the crop of cassava processing of field hereinafter

conducted about one week later depend upon dry or wet weather. In the form of making of line of plant or "ridge" using mounted ridger-tractor 3 bottoms.

4. CONCLUSION

1. Land preparation by mechanizing in cassava cultivation by usage of agriculture machines accompanied by excelence calculation of its economics will improve its agriculture farm productivity.

2. Usage of new tractor with energy about 70 HP and the price of buying was Rp 800 million got break event point when the minimum acreage of field processing in one year is 1,007 hectares.

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THE EFFECT OF AUDITOR INDEPENDENCE, AUDITOR EXPERTISE AND TIME PRESSURE AGAINST AUDIT FRAUDS DETECTION

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ABSTRACT- *The purpose of this study is to analyze the effect of expertise, independence, time pressure of auditors that can affect the fraud detection.). This research was conducted at the private firm in Bandar Lampung and auditors as the sample. The data was collected by using a questionnaire. This research represents the empirical test which used census sampling. The method of data analysis used in this study is using software SPSS version 17. The results of this study are (1) The independence has significant effect on fraud detection., (2) expertise of professional has significant effect on on fraud detection., (3) The time pressure has significant effect on on fraud detection., audit, and (4) The ethics has significant effect on the quality of audit.*

Keywords: Independence of auditors, Expertise of Auditors, time pressure, Fraud detection

1. INTRODUCTION

Advances in technology in the era of globalization have an impact on the country of Indonesia. One of the effects is a challenge for the nation faced in dealing with the problem of fraud, collusion, nepotism, fraud and other.

Indonesian state predicate is still as five (5) major corrupt country in the world and as well as in Asia Pacific, Indonesia was ranked first as the most corrupt, according to a survey conducted by an independent body Tranparency.org from 146 countries (Kaskus, June 14, 2013). This predicate shows that the weakness of the auditor's role in the government of Indonesia.

An auditor must be possessed ready independence and expertise in order to able to detect fraud audit. In Ethics Fraud Auditing (EFA) requirements that must be owned by the auditor in detecting fraud is the professional expertise and independence. Auditor Expertise is the expertise to carry out duties in accordance with the field by applying standards in the profession in question and stints profession to adhere to professional ethics established (Matondang, 2010). Auditors who have professional expertise that covers about facts, procedures, and experience has the ability to be able to detect fraud. Some studies related to the independence and expertise of the audit has been carried out, including research conducted Yunintasari (2010) which proves the independence of having an influence on the detection of fraud in the financial statements.

While research Setyaningrum (2010) states that there is no influence on the detection of fraud. Differences independence has given rise auditing Gap in research. The present study tried to add a variable time pressure or the pressure of time. Reasons added variable time pressure given the time pressures in the auditor's examination is one of the auditor's judgments in the work to take advantage as much as possible until the time of the audit process can be completed in accordance with the elapsed time. Time pressures experienced by the auditor in performing audit greatly Also Affect the quality of the audit. The high pressure of time in conducting the audit, the auditor makes further increase of the efficiency of the audit so Often the audit carried out by the auditors does not always

based on procedures and planning in accordance with the applicable provisions.

1.2 FORMULATIONS OF THE PROBLEM

Based on this background, the formulation of the questions is as follows:

1. Is the independence of the auditor, the auditor expertise and time pressures simultaneously influence on detection of fraud audit (audit fraud)?
2. Does the independence of the auditor, the auditor expertise and time pressures partial effect on the detection of fraud audit (audit fraud)?

2. THEORETICAL STUDY AND FORMULATION OF HYPOTHESES

2.1 THEORETICAL

Auditor Independence

Means independent public accountants are not easily influenced. Public accountants are not justified biased towards anyone. Public accountants are obliged to be honest not only to the management and owners of the company, but also to creditors and other parties who put confidence in the work of public accountants (Christiawan, 2005). Halim (2008) stated that there are three aspects of independence, namely: 1) infact independence (independence in fact), 2) independence in appearance (independence in appearance), 3) independence in competence (independence of expertise or competence). Means independent public accountants are not easily influenced. Public accountants are not justified biased towards anyone. Public accountants are obliged to be honest not only to the management and owners of the company, but also to creditors and other parties who put confidence in the work of public accountants (Christiawan, 2005)

Mulyadi (1998) states that Independence is defined as a mental attitude that is free of influence, not controlled by the other party, does not depend on others. The independence also means that there is honesty in the auditor in considering the facts and the consideration of objective impartiality of the auditors themselves in formulating and expressing their concerns. Auditor independence is measured through: a long relationship with the client (audit tenure), pressure from clients, the

study of co-auditor (peer review), and the provision of non-audit services. The existence of an independent attitude in conducting the audit will support the audit process.

Auditor expertise

According to the Court (2007) in, skill is the ability to do a particular job into his field of work. American Accounting Association in Guy, Alderman and winters (2002), defines an audit as a systematic process of objectively obtaining and evaluating evidence related to statements about economic actions or events to assess the level of concordance between the statement and the established criteria and communicating the results to the parties concerned.

According to Jaafar and Sumiyati (2005), the notion of expertise audit includes examination skills and mastery of the issues Examined, or knowledge that can support the inspection task. Expertise includes: planning the examination, prepare the Work Programmed Examination (PKP), carry out the Work Programmed examination, prepare Working Paper Examination (CTF), prepare Audit Reports (LHP), and distribute reports Examination, Examination Results Follow-up monitoring (LHP). According Simamora (2002), determined by the auditor expertise: scholarly formal education; training and experience in public accounting and auditing; participation in continuing education programs for professional careers. Fauzi (1999), states that an auditor determined expertise through education and adequate experience in accounting and auditing.

Time Pressure

Time budget pressure is a condition that indicates the auditor is required to perform efficiency on a budget that has been prepared or there is discussion of a very tight budget and stiff (Nirmala and Cahyonowati, 2013). Basuki and Mahardani (2006) stated that the majority of accountants believe that the time budgets are often unrealistic, but they also believe that they have to meet budget time to move forward in a professional manner (advanced professionally). According Muhshyi (2013) Time Pressure has two dimensions, namely time budget pressure (a condition in which the auditor is required to perform efficiency on a budget that has been prepared, or there may be restrictions of time in a very tight budget) and time deadline pressure (a condition in which the auditor is required to complete the audit assignments on time). Pressure time owned by the auditors in auditing greatly affect the quality of the audit.

2.2 HYPOTHESIS FORMULATION

Independence and expertise is absolutely a must-have by an auditor. Independence associated with the mental attitude that is free of influence, not controlled by the other party, and does not depend on others. The independence also means that there is honesty in the auditor in considering the facts and the consideration of objective impartiality of the auditors themselves in formulating and expressing their concerns (Mulyadi, 1998). Research conducted pious et al (2007) found empirical evidence that independence significant effect on audit quality. The research was supported by research results Muhammad Yusuf Aulia (2013), which

indicates that the independence of the positive effect on the detection of fraud. Independent auditor is not allowed to favor the interests anyone, auditors who discovered the existence of fraud will continue to seek out and reveal these suspicions in order to maintain its independence.

According to Jaafar and Sumiyati (2005) in, the sense of expertise audit includes examination skills and mastery of the issues examined, or knowledge that can support the inspection task. Expertise possessed by an auditor should be able to assist the auditor in conducting an audit or examination, can be used to find indications of fraud audit.

Time pressure is a condition that indicates the auditor is required to perform efficiency on a budget that has been prepared or there is discussion of a very tight budget and stiff (Nirmala and Cahyonowati, 2013). The high levels of time pressure owned by the auditor, auditors often conduct audits made not in accordance with the plan that has been set up so that the quality of the audit results produced decreases.

Based on the above and previous studies, the hypothesis is formulated as follows:

H1: the independence of the auditor, the auditor's expertise and time pressures simultaneously influence on detection of fraud audit

H2: the independence of the auditor, the auditor's expertise and time pressures partial effect on the detection of fraud audit

3. RESEARCH METHODOLOGY

3.1. POPULATION AND SAMPLE

The population of private company located in the city of Bandar Lampung. The sample includes senior and junior auditors who work for a private company in the city of Bandar Lampung

3.2. DATA COLLECTION TECHNIQUE

Data collection techniques or a pattern of sampling in the study is to use the census sampling method, namely by taking all the existing samples to be investigated.

3.3. ANALYSIS TECHNIQUES

Data quality test

Data quality test conducted on the test reliability and validity test with SPSS version 18.0 Software (Statistical Product and Service Solutions). Reliability test intended to measure a questionnaire which is an indicator of variables or constructs. Reliability measurements performed with Cronbach Alpha test. A construct said to be reliable if the Cronbach Alpha value ≥ 0.60 (Nunnally, 1967 Ghazali 2004).

Validity test used to measure whether a valid or invalid questionnaires. A questionnaire as valid if the questionnaire is able to reveal something that will be measured by the questionnaire. Validity test is done by bivariate correlation between each score total indicator constructs. If the total correlation constructs showed significant results, then each indicator is a valid question

Normality Test

Normality test aims to test whether the regression model or residual confounding variable has a normal distribution. As it is known that the t-test and F

assumes that the value of the residuals follows a normal distribution. If this assumption is violated then becomes invalid statistical test for small sample sizes. One of the statistical tests that can be used to test the normality of the residuals is non-parametric statistical test of Kolmogorov-Smirnov (KS).

3.4. CLASSICAL ASSUMPTION TEST

In connection with the use of multiple regression analysis (multiple regressions) it is necessary to test the classical assumption contained in the following multiple regression:

Multicollinearity test

Multicollinearity test aims to test whether there is a correlation between the independent variables in the regression model (Priest, 2002). This test can see the magnitude of the value of VIF and tolerance. A guideline used for a regression model that is free multicollinearity is VIF all independent variables under 10 and value tolerance values above 0.1 (Hair, 1998).

Autocorrelation test

Aims autocorrelation test whether the linear regression model there is a correlation between bullies error in period t with the error in period t-1 (previous) (Priest, 2002). This test is done by looking at the Durbin Watson:

- 1) If $d < d_L$ or $d > (4 - d_U)$ then there is autocorrelation.
- 2) If d lies between d_U and $(4 - d_U)$ then there is no autocorrelation.
- 3) If d lies between d_L and d_U or between $(4 - d_U)$ and $(4 - d_L)$ it does not produce definitive conclusions.

Test Heteroskedasticity

Heteroscedasticity test was conducted to test whether the regression model occurs inequality variant of the residual one observation to another observation. If the variance of the residuals another observation remains, then called homokedastisitas. Good regression model is homokedastisitas or not to heterocedasticity (Ghozali, 2002). Detection of the presence or absence heterocedasticity done by looking at whether or not a particular pattern (wavy, widened and then narrowed) on the graph plots (scatterplot) between the predicted value of the variable associated with residual.

3.5 HYPOTHESIS TESTING

Multiple Regression Analysis

This analysis aims to determine whether there is the influence of the independent variable (X) to the dependent variable (Y), in which the independent variables are examined more than one.

Regression equation to test the hypothesis proposed is:

$$Y = a + b_1X_1 + b_2X_2 + b_3X_3 + e$$

Description:

Y : the detection of fraud
 X_1 : auditor's independence
 X_2 : Expertise Auditor
 X_3 : Time Pressure / pressure time
A : constant
 b_1, b_2 : coefficient of regression
e : standard error

Test Adjusted R Square

The percentage contribution of the independent variables on the dependent variable indicated by the adjusted coefficient of multiple determinations (Adjusted R Square). The formula is (Gujarati, 2006):

$$\overline{R^2} = 1 - (1 - R^2)$$

Descriptions:

$\overline{R^2}$: Coefficient adjusted R square
 R^2 : coefficient of determination
N : number of observations
K : number of variables

Feasibility Testing Research Model

a) F. Test

F test is used to test the ability of the independent variables X_1, X_2, X_3 to explain the behavior of the dependent variable Y together.

b) T. Test

T test is used to determine the level of significance of the effect of each independent variable (X) to the dependent variable (Y)

4. DISCUSSION

4.1. QUALITY TEST DATA

Test data quality includes reliability and validity test. Reliability tests performed with Cronbach alpha test using SPSS. A construct said to be reliable if it gives Cronbach alpha values > 0.60 (Nunnally, 1967 Priest, 2004). Complete results of reliability test can be seen in appendix 2 SPSS. Here is a recapitulation of test reliability and validity are presented in Table 1 end Table 2

Table 1: Reliability Test Results

No	Variable	Cronbach Alpha Value	Description
1	Auditor Independence	0,683	Reliable
2	Auditor expertise	0,861	Reliable
3	time pressure	0,924	Reliable
4.	Fraud detection	0.775	Reliable

Source: Primary data processed in 2013

Table 2: Validity of Test Results

No	Variable	Range correlation	Significance	Description
1	Auditor Independence	0,760**-0,809**	0,001	Valid
2	Auditor expertise	0,725**-0,898**	0,001	Valid
3	time pressure	0,677**-0,787**	0,001	Valid
4	Fraud detection	0,656**-0,723**	0,001	Valid

Source: Primary data processed in 2013

4.2. NORMALITY TEST

The test results showed large data normality Kolmogorov-Smirnov value is significant at the 1.101 and 0.177 which means that H_0 is accepted that the data were normally distributed residuals

4.3. CLASSICAL ASSUMPTION TEST

Multicollinearity test

Tolerance value calculation results also showed no independent variable that has a value of less than 0.10 Tolerance, which means there is no correlation between the independent variables whose value is $> 95\%$. The result of the calculation Variance Inflation Factor (VIF) also showed the same thing that no one independent variable that has a value of $VIF > 10$ so it can be said that there is no multicollinearity between the independent variables in the regression model.

Table 3: Test Results Multicollinearity

Variable	Value t	Sig	Collinearity Statistics	
			Tolerance	VIF
The independence	5.466	.000	.879	1.137
Expertise	-.118	.048	.879	1.137
time Pressure	4.322	0.021	.879	1.137

Dependent Variable: Fraud

Based on the results of the Durbin-Watson test with SPSS for Windows that has been done, the value of the Durbin-Watson at 1.809. This value is compared with the value of the Durbin Watson table for $n = 48$ and $k = 4$ with (α) of 0.05 or 5%, then the value of $d_U = 1.72$ and $d_L = 1.41$. So Durbin Watson test value is between the d_U and $4 - d_U$. This is evidence of the absence of positive and negative autocorrelation. The test curve image Durbin-Watson d statistic can be seen in Figure 1.

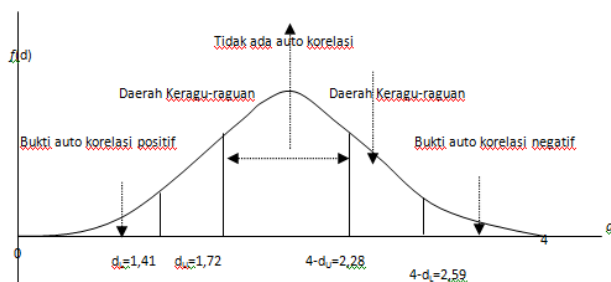


Fig1: The curve Durbin-Watson Test Statistics

Test Heteroskedastisity

Based on the results of the graph plots (scatterplot) indicates that there is no particular pattern (wavy, widened and then narrowed), it means that there is no heteroscedasticity in regression models.

4.4. REGRESSION ANALYSIS

Based on the results of statistical calculations with SPSS for Windows obtained regression equation as follows:

$$y = 4,832 + 0,245X_1 + 0,332X_2 + 0,422X_3$$

From these equations can be explained several things:

- Constant of 4.832 which means if independence, auditor expertise and no time pressure or constant

change, the detection of fraud amounting to 4.832 units.

- b_1 coefficient of 0.245 which means the auditor expertise variable has a positive influence on the detection of fraud or functionally can be expressed when the auditor expertise is increased by one unit, it can improve the detection of fraud amounting to 0.245 units of assuming other variables remain.
- b_2 coefficient of 0.332 which means the auditor expertise variable has a positive influence on the detection of fraud or functionally can be expressed when the auditor expertise is increased by one unit, it can improve the detection of fraud amounting to 0.332 units of assuming other variables remain.
- B_2 coefficient of 0.422 which means that the variable time pressure has a positive influence on the detection of fraud or functionally can be declared if the pressure is increased by one unit of time, it can improve the detection of fraud amounting to 0.422 units of assuming other variables remain.

- Adjusted coefficient (R^2)

Through statistical calculations coefficient of determination (R^2) of 0.618, means that 61.80 percent of the variation ride fraud detection can be explained by the independence, auditor expertise and time pressure, while at 38., 20 percent is explained by other variables not examined.

4.5 HYPOTHESIS TESTING

First Hypothesis Testing

Based on calculations by the F test error rate $(\alpha) = 0.05$ obtained calculated F_{count} of 29.843, while the value of F_{table} by 2.76. Because the value of $F_{count} > F_{table}$ then the whole (together) variable independence, auditor expertise and time pressure has a significant influence on the detection of fraud. In the graph can be described as follows:

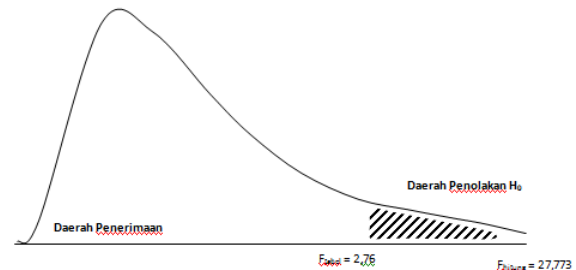


Fig 2: First Curve Hypothesis Testing with Test F

Based on test results influence together with the F test is known that the calculated F value is greater than the value of F table. Thus, the first hypothesis which states that the independence, auditor expertise and time pressures jointly significant effect on the detection of fraud, received.

Second Hypothesis Testing

From the analysis using error rate $(\alpha) = 0.05$ and a degree of freedom $(n - k)$ t_{table} known value of 2.006, from the calculations, the value of the variable t auditor independence of 2.282 ($t > t_{table}$). Because the t_{count} for the variable of auditor independence is greater than t_{table} , then in partial independence of auditors

have a significant effect on the detection of fraud. In the graph can be described in the following picture:

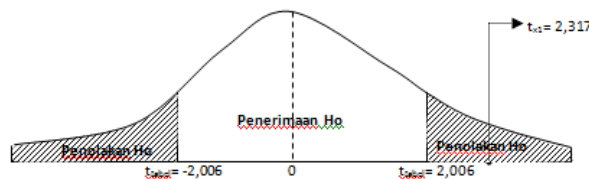


Fig 3: Curve Hypothesis Testing with Test 2.1 t

Based on the results of testing the effect of partially by t is known that the t value for the variable of auditor independence is greater than the value t_{table} . Thus, the hypothesis of 2.1 which states that the auditor independence partially significant effect on the detection of fraud, be accepted.

From the analysis using error rate (α) = 0.05 and a degree of freedom (n - k) unknown value t_{table} of 2.006, from the calculations, the t_{count} of 3.412 auditor expertise variable ($t_{count} > t_{table}$). Because the t_{count} for the variable auditor expertise is greater than the value of the t table, then in partial auditor expertise has a significant influence on the detection of fraud. In the graph can be described in the following picture:

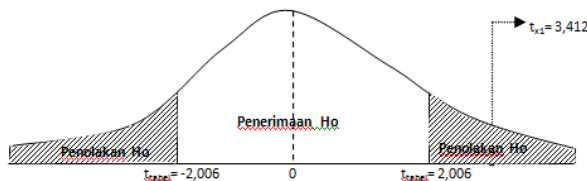


Fig 4: Curve Hypothesis Testing with Test 2.2 t

Based on the results of testing the effect of partially by t is known that the t value for the variable auditor expertise greater than the value t table. Thus, the hypothesis that the auditor expertise partially significant effect on the detection of fraud be accepted.

From the analysis using error rate (α) = 0.05 and a degree of freedom (n - k) unknown value t_{table} of 2.006, from the calculations, the value of the variable t auditor expertise of 3.312 ($t_{count} > t_{table}$). Because the t value for a variable time pressure is greater than the value of the t_{table} , then in partial pressure of time has a significant influence on the detection of fraud. In the graph can be described in the following picture:

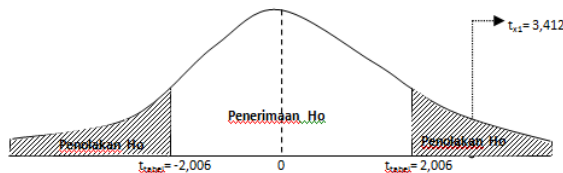


Fig 4: Curve Hypothesis Testing with Test 2.2 t

Based on the results of testing the effect of partially by t is known that the t_{count} for a variable time pressure is greater than the value t_{table} . Thus, the hypothesis that the partial pressure of a significant effect on the detection of fraud be accepted.

4.6 DISCUSSION

The independence of the Auditor, Auditor Expertise and Time Pressure effect simultaneously against fraud detection (Audit Fraud)

The results showed that the independence of the Auditor, Auditor expertise and proven effect of time pressure simultaneously against fraud detection (Audit Fraud). It indicates if the auditor in the private industry has the capacity of human resources quality and competent, have a high degree of independence, can utilize their expertise in conducting the audit process, and the pressure of time on their audit process, then it can affect the increase detection of fraud in the private industrial environment Bandar Lampung. The results of this study support the research conducted by Yunintasari (2010) which proves that the independence of the auditor and the auditor expertise influential simultaneously against fraud auditors.

The independence of the Auditor, Auditor Expertise and influential Time Partial Pressure against fraud detection (Audit Fraud)

Hypothesis testing Obtained results that the independence of auditors, auditor expertise and time pressure effect Partial against fraud detection (Audit Fraud). The independence of the auditor's Affect variables fraud detection, level of independence is a factor that greatly affects the quality of audits in the working process. If the auditor is completely independent in conducting the audit, the ability to detect fraud will be higher because of the results of the working process will not be affected by the client. These results together with the research hypothesis Matondang (2010), and Aulia (2013) which states that the independence of a significant effect on the detection of fraud, and in contrast to the results Setyaningrum (2010) which states that the independence of no effect in detecting fraud.

Expertise variables affect the auditor's fraud detection. This means that the detection process can be achieved by the auditor if the auditor has a good competence, where competence is viewed from two dimensions items, namely knowledge and experience. Reviews these results support the research hypothesis Matondang (2010) roommates concluded that the professional skills Affect the detection of fraud. Variable time pressure affect the detection of fraud. This indicates the existence of a tight time pressure has been considered a common thing and a way to encourage auditors to work harder and efficiently. These results together with research Matondang (2010), and Aulia (2013) which states that the independence of a significant effect on the detection of fraud.

5. CONCLUSIONS AND SUGGESTIONS

5.1 CONCLUSIONS

The results showed that:

- Independence Auditor, Auditor expertise and proven effects of time pressure simultaneously against fraud detection (Audit Fraud). It indicates if the auditor has the human resource capacity of qualified and competent, have a high degree of

independence, can utilize Reviews their expertise in conducting the audit process, and the pressure of time on their audit process, then it can Affect the increase of in fraud detection in the environment of private industrial city of Bandar Lampung. The results of this study support the research conducted by Yunitasari (2010) roommates Proves that the independence of the auditor and the auditor's expertise influential simultaneously against fraud auditors.

- b) The auditor's independence variable effect on fraud detection, level of independence is a factor that greatly affects the quality of audits in the working process. If the auditor is completely independent in conducting the audit, the ability to detect fraud will be higher because of the results of the working process will not be affected by the client. Reviews these results together with the research hypothesis Matondang (2010), and Aulia (2013) which states that the independence of a significant effect on the detection of fraud.
- c) Variable auditor expertise Affect the detection of fraud. This means that the detection process can be achieved by the auditor if the auditor has a good competence, where competence is viewed from two dimensions items, namely knowledge and experience. Reviews these results support the research hypothesis Matondang (2010) roommates concluded that the professional skills Affect the detection of fraud.
- d) Variable Pressure time/time pressure affects the detection of fraud. This indicates the existence of a tight time pressure has been considered a common thing and a way to encourage auditors to work harder and efficiently. These results together with research Matondang (2010), and Aulia (2013) which states that the independence of a significant effect on the detection of fraud.

5.2 SUGGESTIONS

As for suggestions that can be given in this study are:

- a) To improve auditing skills needed to increase of the competence of the auditors. This increase of cans is done by following trainings, seminars and improvement of professional education.
- b) Auditors, who audits must be truly independent, not under pressure from clients, do not have the embarrassment that in carrying out its audit task completely objective and can produce quality audit.

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THE PERFORMANCE OF UNDIVERSIFIED PORTFOLIO IN INDONESIA STOCK EXCHANGE

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ABSTRACT - *This research is aimed to analyze the diversification practice among domestic retail investors at the Indonesia Stock Exchange (IDX) and its portfolio performance. An individual domestic investor at IDX holds 4.3 stocks on average with the median two stocks. This is in line with the findings of Goetzmann & Kumar (2008), Kelly (1995), and Polkovnichenko (2005). For the performance, without considering risk, minimum and moderate diversification portfolios tend to be better than the extensive diversification. However, when risk is taken into account, the undiversified portfolios do not outperform the extensive diversification.*

keywords: Domestic Retail Investor, Diversification Practice, Portfolio Performance

1. INTRODUCTION

Modern portfolio theory which was started by Markowitz (1952) teaches investors to diversify in order to minimize risk. Diversification will lower portfolio risk at a given expected return or raise expected return at a given risk.

Theoretically, most investors know the diversification benefits in reducing the risk. In practice, however, many investors do not apply the diversification theory. Research about the practice of retail investors in Indonesia Stock Exchange (IDX) is important as the number of retail investors by November 2011 accounts 95.4% of all investors and most of them are domestic investors.

Another interesting issue concerning the diversification practice to be found out is whether the performance of the undiversified portfolios outdoes the diversified portfolios.

Unlike the research by Goetzmann & Kumar (2008) and Mitton & Vorkink (2007), to measure performance, this research uses the category variables for the number of stocks held by retail investors. They are minimum diversification for 1-5 stocks, moderate diversification for 6 to 10 stocks, and extensive diversification for more than ten stocks. By this grouping, we will get the optimal range of the number of stocks that can generate the highest return in the sample in two measures of return, nominal return and risk-adjusted return. The study to measure the performance of retail investors in different levels of diversifications has never been done before, so this study is expected to open further research on the performance of retail investors especially in Indonesia.

2. LITERATURE REVIEW

The study on the underdiversification practice of the retail investors has begun since Blume and Friend (1975) found that 34.1% of a sample of 17,056 American investor, held only one dividend-paying stock, 50% had two stocks, and only 10.7% investors collected more than 10 stocks. The Survey of Reserve Board in the United States in 1975 found the same results that the average of stock holding among retail investors is 3.41. Lease,

Lewellen, and Schlarbaum (1976), King & Leape (1998), and Starr-McCluer (1995) support the above findings that most retail investors (70%) do not diversify.

Kelly (1995) confirms the same phenomenon of underdiversification that out of 632 stock investors, only 35 hold ten or more stocks, and only 11 have twenty or more stocks. Diversification cost is definitely not the reason as 75% investors whose portfolios are in the top 20% have less than ten stocks. The median of stock holding is one and it becomes two if the investors who own stocks of their own company are excluded from the sample. Another study of Barber and Odean (2000) in the United States for the period January 1991 to December 1996 captures similar phenomenon. From a sample of 78,000 stock investors, Barber and Odean report that the median of stocks owned is between 2 and 3 with the mean of 4 stocks.

Polkovnichenko's study (2005) gets almost identical results that the number of stocks retail investors have is only two in 1983 and increase to three in 1991. During that period, about 80% investors have five stocks or fewer and 90% own fewer than 10 stocks. Besides that, 40% possess only one stock in their portfolios. Seven percent of the households hold the stocks of the companies where they work. Goetzmann and Kumar (2008) also report that 25-33% of investors' portfolios contain only one stock and more than 55% consist of three or fewer stocks. This pattern happens along the observation period (1991-1996) although there is an increase in the average number of stocks held by the investors from four to seven stocks. Only 5-12% of the portfolios comprise more than ten stocks.

In Germany, retail stock investors also do not diversify (Dorn and Huberman, 2010). Of 20,000 accounts in a big securities company in the period 1995-2000, investors on average collect around three stocks.

On one hand, there is a problem with the diversification practice among the retail investors in the United States and Germany. On the other hand, there is another more important issue than this underdiversification practice namely whether the underdiversified portfolios could generate higher

return. Does diversification always give a better pay-off? If it does and it is proven significantly, retail investors are recommended to directly buy index funds.

There are two different findings about this. Goetzmann and Kumar (2008) find the undiversified portfolios always give lower risk-adjusted return in 1991-1996. The Sharpe ratios for the portfolios with two stocks was only 0.34 and increase to 0.56 when the number of stocks becomes fifteen or more. Dorn and Huberman (2010) with their preferred habitat hypothesis say that investors who do not diversify get lower Sharpe ratios because they face higher nonsystematic risk. Similar findings are given by Kumar (2009) and Hoffmann & Shefrin (2011) that there is no evidence the return is positively related to the risk faced.

Mitton and Vorkink (2007) to some extent support the above results that the risk-adjusted return of undiversified portfolios is lower than that of the diversified one. However, the skewness of the undiversified portfolios is also significantly different from the diversified one. The implication is, for the investment holding period of six months, Mitton and Vorkink (2007) found, the odds of underdiversified portfolios (to the diversified one) to be the best 1% performance is 11 to 1. For the holding period of three years, the odds become 26 to 1. In line with its upside return potential, the downside risk for the undiversified portfolio to be in the worst 1% performance is also bigger. In other words, Mitton and Vorkink (2007) in their sample find that the returns of undiversified have a very wide range.

The most interesting findings about portfolios with 2-3 stocks are given by Barber and Odean (2000). They observe the percentage of investors who do not diversify in outperforming the market namely beating the market return (S & P 500 index). About 49.3% of

the investors surveyed beat the market before taking transaction costs into account and 43.4% after considering the transaction costs. Even though we realize that the market return is the average return and that 50% investors can get return above this average, knowing that retail investors with 2-3 stocks could beat the market is beyond expectation. However, Barber and Odean (2000) also warn that the annual return of the undiversified portfolios could vary a lot from -95% to more than 11,000%. They conclude that failure to diversify, done intentionally or unintentionally, could result in better return.

3. DATA AND METHODOLOGY

LQ45 Index is an index of the stock prices of 45 companies selected based on the level of trading liquidity and adjusted every six months of the year (the beginning of each February and August), so the index is always changing based on announcement refers to the *Indonesia Stock Exchange (Jakarta Stock Exchange)* No.: Peng-114 / BEJ.I / U / 1997 dated February 6, 1997, concerning "the Jakarta Stock Exchange Liquidity Index (Index LQ45). According to Sundjaja and Barlian (2003) there are criteria for the selection of stocks included in the index LQ45, namely:

- It is included in the order of 60 largest shares of the total transactions in the regular market (the average is for the last 12 months).
- The sequence is based on the market capitalization (the average market capitalization over the past 12 months).
- It has been listed on the Stock Exchange for at least three months
- Financial condition and growth prospects of the company, the frequency and the number of transactions in the regular market.

4. RESULTS AND DISCUSSION

Table 1. Descriptive Statistics

Variable	Observation	Mean	Standard Deviation	Minimum	Maximum
R_i	910	.0342	.0201	-.0306	.1078
R_s	910	.1945	.1323	-.27	.95
Size	910	18.1295	1.5519	15.55	23.43
Turnover	910	.7900	1.0817	0	9.5683
D1 = 1 (Minimum Diversification)					
R_i	581	.0343	.0221	-.0306	.1078
R_s	581	.1785	.1354	-.27	.52
Size	581	17.5869	1.3441	15.62	23.1
Turnover	581	.7857	1.1894	0	10.38
D2 = 1 (Moderate Diversification)					
R_i	213	.0359	.0166	-.0159	.0795
R_s	213	.2188	.1162	-.15	.67
Size	213	18.7993	1.3516	15.55	22.76
Turnover	213	.8578	.9224	0	5.79
D1 = D2 = 0 (Extensive Diversification)					
R_i	116	.0306	.0144	-.0142	.0990
R_s	116	.2303	.1315	-.15	.95
Size	116	19.6175	1.4161	16.03	23.43
Turnover	116	.6871	.7201	0	3.54

The monthly return obtained by retail investors for 34 months from January 2009 to November 2011 is 3.43% with a standard deviation of 2.01%. Whereas the monthly Sharpe ratio for the same period is 0.19 with a standard deviation of 0.13. About 581 retail investors (63.9%) choose minimum diversification, 213 (23.4%) do moderate diversification, and only 116 (12.7%) diversify extensively.

Compared to the population parameters, these results are not much different as the mean and median of stocks held by retail investors are 4.34 and 2 stocks by the end of 2011. These findings are consistent with those of Goetzmann & Kumar (2008), Kelly (1995), and Polkovnichenko (2005).

The lowest and highest monthly return of the sample, namely -3.06% and 10.78% are experienced by the portfolio with minimum diversification. Whereas the lowest average monthly return belongs to those with the extensive diversification and the highest average return is for the investors with moderate diversification. Some retail investors who chase high returns could obtain the expected returns, while some others should be willing to accept below-the-market return or even experienced losses.

For the Sharpe ratio, the lowest average (0.18) and the minimum (-0.27) ratio are experienced by the portfolios with minimum diversification. While the highest average Sharpe ratio (0.23) and the highest Sharpe ratio (0.95) belong to the investors with extensive diversification. Based on the risk, minimum diversification gives the highest risk, seen from its Sharpe ratio or its volatility. This is consistent with the findings of Dorn & Huberman (2010) and Goetzmann & Kumar (2008) that investors who do not diversify face higher risk than those who diversify. This shows the tradeoff between risk and return. Investors who chase high return also face high risk or high return, high risk.

4.1 NOMINAL RETURN

Before estimating the parameters of the model using Stata 11, the classical assumptions in the ordinary least square are tested. For the multicollinearity assumption, VIF test is used; and for the heteroscedasticity, Breusch-Pagan test is adopted. After making sure that there are no multicollinearity and heteroscedasticity problems with the data, model estimation is run to get the following result.

Table 2. Regression Result For Nominal Return

Source	SS	df	MS	Number of obs = 910	
Model	.006784522	4	.001696131	F (4, 905)	= 4.25
Residual	.361571618	905	.000399527	Prob > F	= 0.0021
				R-squared	= 0.0184
Total	.36835614	909	.000405232	Root MSE	= .01999
r_i	Coefficient		Z	P > z	
Div1	.0067814		2.99	0.001***	
Div2	.0064962		2.77	0.003***	
Size	.0015535		3.17	0.001***	
Turnover	.0006476		1.05	0.146	
Constant	-.0003385		-0.03	0.486	

The estimated model becomes:

$$r_i = -0.03\% + 0.68\% \text{Div1} + 0.65\% \text{Div2} + 0.155\% \text{Size} + 0.065\% \text{Turnover} \quad (3)$$

where r_i = the average of monthly nominal return

For the overall model, p-value is 0.0021; so the coefficients altogether can be used for the model. Based on the regression result, the two coefficients of the hypothesis variables are significant at $\alpha = 1\%$. So is one of the two control variables (portfolio size).

For the coefficient test (t-test), it can be concluded that the portfolios of minimum and moderate diversification in the research sample have higher monthly nominal return than that of extensive diversification. The additional monthly return for the minimum and moderate diversification is 0.68% and 0.65% respectively. Both are significant at $\alpha = 1\%$. This higher monthly return is likely to come from the investors' competence in stock selection. Another plausible explanation is, by focusing only on few stocks, retail investors could really understand the stocks they collect and do the timing in buying and selling them (Oneil, 2002).

Even though the incremental return for the investors doing the minimum diversification is higher than those choosing the moderate diversification, the

average return of the portfolios in the moderate diversification is the highest. This is due to the fact that the average portfolio size of moderate diversification is bigger than the minimum diversification; and size is positively related to the return. The average monthly return of portfolios with moderate diversification is 3.59% while that with minimum diversification is 3.43%.

The monthly return that is obtained by investors with minimum and moderate diversification outperforms not only those with extensive diversification but also the market return which grew 3.26% monthly for the same period. The higher return of undiversified portfolios in this study is in line with the findings of Mitton and Vorkink (2007).

On the contrary, Goetzmann dan Kumar (2008) find the opposite results. They report undiversified investor on average gets lower return than the diversified investors. Nevertheless, the portfolios with high turnover in the minimum diversification could give high return, better than the portfolios in the extensive

diversification in their research. Goetzmann dan Kumar (2008) presume this group of investors have the advantages in the information or in the better investment skills.

One control variable is significant and has the expected sign. The portfolio size is positively related to the nominal return. Investors who have big money have more flexibility, access, and capacity in picking stocks that they can have a better result.

4.2 RISK-ADJUSTED RETURN

The monthly return used in 4.1 has one drawback namely it has not considered risk involved. As we know, risk and return are two sides of a coin. When risk is taken into account, we have Sharpe ratio that is used in the study of Goetzmann & Kumar (2008) and

Mitton & Vorkink (2007). Sharpe ratio that measures the excess return per unit total risk has its strength as it combines both return and risk into one ratio. This ratio is derived by dividing the excess return (r_i) over risk-free rate (r_f) by standard deviation or $(r_i - r_f)/\sigma_i$.

Therefore, for another alternative of return, Sharpe ratio is used in this study to measure the performance of undiversified portfolios compared to the diversified one. Like the nominal return, before estimating the coefficient for Sharpe ratio, multicollinearity and heteroscedasticity assumptions are examined using VIF test and Breusch-Pagan test.

The final estimation after the above tests and treatment is as follows:

Table 3. Regression Result For Sharpe Ratio

Number of obs = 910		R-squared	= 0.0460
F (4, 905) = 11.78		Prob > F	= 0.0000
Root MSE = 0.12948			
Sharpe Ratio	Coefficient	z	P > z
Div1	-.0297055	-1.91	0.028**
Div2	-.000921	-0.06	0.426
Size	.0102897	3.29	0.001***
Turnover	-.0122491	-3.33	0.001***
Constant	.0368172	0.57	0.285

The estimated model for Sharpe ratio becomes:

$$r_{si} = 0.037 - 0.030\text{Div1} - 0.001\text{Div2} + 0.010\text{Size} - 0.012\text{Turnover} \quad (4)$$

where r_{si} = Sharpe ratio

For F-test, the overall model can be used because p-value = 0,0000. For t-test, two coefficients of control variables and one hypothesis variable are significant at $\alpha = 1\%$.

Using one of the risk-adjusted returns, the performance of minimum diversification was, in fact, worse than that of extensive diversification. On average, the monthly Sharpe ratio of minimum diversification was 0.03 lower than that of the extensive diversification for the years 2009-2011. These findings are significant at $\alpha = 10\%$.

This means, although the monthly nominal return of portfolios in the minimum diversification is higher than that of extensive diversification, the risk faced by such portfolios is much higher than the excess return given. This is in line with the findings of Dorn & Huberman (2010), Goetzmann & Kumar (2008), and Latane & Young (1969) that the performance of extensive diversification, if viewed in terms of mean-variance, is still better.

Behind the better nominal return, retail stock investors who do not diversify should be ready to face the high risk of return fluctuation that makes their Sharpe ratio lower.

For the moderate diversification, there is not enough evidence from the research sample that this level of diversification has lower risk-adjusted return than that of extensive diversification. This confirms the view of Evans & Archer (1968), Fisher & Lorie (1970), Jacob (1974), and Elton & Gruber (1977) that most of the diversification benefits i.e. risk reduction have

been obtained when the number of stocks has reached eight to ten stocks.

For the control variables portfolio size and turnover, both are significant at $\alpha = 1\%$. Sharpe ratio is expected to rise as the size of portfolio goes up. Investor with bigger fund has more flexibility and better access to earn higher return per unit risk than the investor with limited money. These findings are in harmony with the study of Goetzmann and Kumar (2008) and contrary to the research results of Barber and Odean (2000) with higher risk-adjusted return for smaller portfolios.

The relationship of portfolio turnover and return is negative. Retail stock investors who trade more frequently are believed to have lower Sharpe ratio. Retail stock investors who are very active in trading think that they have better information and skill than other investors. In fact, they have neither the superior skill that is needed nor the valuable insider information. This negative relationship is consistent with the results of Barber & Odean (2000) and Goetzmann & Kumar (2008).

5. CONCLUSION

Most retail investors in the Indonesia Stock Exchange do not diversify. They have on average only 4-5 stocks with the median 2 stocks in their portfolios. Based on the performance, retail investors choosing minimum and moderate diversification significantly obtained higher nominal return than those of the extensive diversification. Anyway, using the Sharpe

ratio, the additional return is not enough to compensate the much higher risk faced by the underdiversification.

The additional monthly return of minimum and moderate diversification over that of extensive diversification in the sample is on average 0.68% and 0.65% respectively. For the Sharpe ratio, the return that is obtained by portfolio with minimum diversification is 0.03 lower than that of extensive diversification. The additional risk faced by investors applying minimum diversification is much bigger than the extra return they can get so their Sharpe ratio becomes smaller.

The findings that the undiversified portfolios could give higher nominal return and lower Sharpe ratio than the diversified portfolio in this study is consistent with Mitton and Vorkink (2007).

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AN ANALYSIS OF FAST IMPROVEMENT PROGRAM OF HUMAN RESOURCES FOR EMPLOYEE SATISFACTION OF PT. PLN (Persero), BANDAR LAMPUNG POWER SECTOR

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ABSTRACT - One thing that should be a concern for companies in order to achieve their goal is to provide job satisfaction to employees. Employees who get job satisfaction will have a greater attachment or commitment and will encourage employees performing better. PT PLN (Persero), Bandar Lampung Power Sector has developed and implemented the Fast Program Improvement of human resource to fulfil employee satisfaction. The formulation of the problem is whether the implementation of the Fast Program Improvement of human resource is able to fulfil employee satisfaction or not. This study used a sample of 33 people is taken randomly with proportional technique. This research also uses descriptive method by means of Conformity Level Analysis and Cartesian diagram with the help of Importance-Performance Analysis. Results of the research showed that the average value of concordance level between the level of interest (job satisfaction desired) and the level of performance of the company (the results of the achievement of Fast Improvement program) are amounted to 81.52% with the category of very fit, but of the 12 attributes there are five attributes which are below average. Results of Importance-Performance Analysis showed that the average value of the level of company performance is amounted to 3.26 < the value of the average interest rate of 4.01. It means that the achievement results of the implementation of Fast Improvement program have not been fully able to meet employee satisfaction. Results of Cartesian diagram analysis shows that there are three attributes in Quadrant A which is not satisfactory and two attributes in Quadrant D is excessive (not effective), 4 attributes in quadrant C is quite satisfactory, and three attributes in quadrant B is very satisfying. It can be concluded that the Fast Improvement program of human resources has not been fully implemented to provide job satisfaction to employees.

Keywords: Human Resource Management, Fast Improvement of Human Resources, Employee Satisfaction, Reward and Consequences, World Class Capability.

1. INTRODUCTION

Each organization is required to be able to manage and optimize its human resources in order that human resources can contribute optimally. To obtain an optimal contribution, job satisfaction becomes one of the things that must get the company's attention. Employees who get job satisfaction will have a more sense of attachment or a greater commitment to the company than disgruntled employees, job satisfaction will encourage employees to perform better and improve individual performance and the company will get benefit positively. Thus when job satisfaction is met the performance of employees (individual performance) it will be good, and the employees will be able to contribute optimally to the achievement of corporate goals

PT. PLN (Persero), Bandar Lampung Power Sector located on Jalan Raden Gunawan II No. 4 Rajabasa Bandar Lampung has 167 employees, spread across 3 sections. To know the condition of employee satisfaction level, the company formed a team of OPI (Operational Performance Improvement) to conduct surveys related to employee job satisfaction [1]. To determine the condition of the level of employee satisfaction, the company formed a team of OPI surveys related to employee job satisfaction [1].

The survey shows the majority of employees feel the discontent caused by some elements and this study is restricted to only three elements that have the index of highest score as a cause of dissatisfaction, namely (1)

Rewards and Consequences, (2) World Class Capability, (3) Development of Future Leaders. Based on these survey results, the company made the Fast Improvement program of Human Resources (HR), which aims to increase job satisfaction and is expected to have an impact on increasing the the employee performance. Fast Human Resource Improvement Program which has been implemented can be seen in Table 1[2].

Based on the above discussion it can be formulated the research question: Is the Fast Program Improvement of human resources implemented has been able to meet the job satisfaction of employees at PT. PLN (Persero) Bandar Lampung Power Sector? The study aims to determine wheather Fast Improvement program of human resource implemented has been able to meet the job satisfaction of employees at PT. PLN (Persero), Bandar Lampung Power Control or not.

Table 1: The Implementation of Fast Improvement Program of Human Resources

Program Elements	Activity
<i>Rewards & Consequences</i>	(1) Socializing rules on rewards and consequences (decree of Directors) on a regular basis. (2) Notification of employees' attendance visually every month.
World Class Capability	(1) <i>Training and Human Resources Management</i> : a. Mapping employees' competence as their duties b. Implementation of appropriate jobdesk workload Analysis c. Conducting Management Knowledge forum (MK) at the sector level every 3 months (2) <i>Standard Operating Procedure (SOP): Reviewing Integrated Document Management System and the provision of documents in each section.</i> (3) <i>Infrastructure : Mapping</i> facility and infrastructure needs in stages (4) <i>Visual Management</i> : a. Placing visual management evenly to strategic locations. b. Visual material management using a language that is easily aw sell as attractively understood by frontliner. (5) Implementation of 5 R Program- ringkas (compact), rapi (neat), resik (rehearsal), rawat (care), and rajin (diligence).
Development of future leaders	(1) Internal Program Community of Practice (COP) at least once every quarter. (2) Cultivating employees subordinate to the structural forming of cadets by sharing coaching - mentoring and counselling (CMC) .

Source : PT. PLN (Persero) Bandar Lampung Power Sector, 2013

Based on the above discussion, it can be formulated research question : Is the Fast Improvement program of human resources implemented able to meet the job satisfaction of employees at PT . PLN (Persero) Bandar Lampung Power Sector? This study aims to determine wheather Fast Improvement program of human resources implemented has been able to meet the job satisfaction of employees at PT. PLN (Persero) Bandar Lampung Power Control Sector or not.

2. RESEARCH METHODOLOGY

The research uses primary and secondary data. Primary data are obtained directly from the source that is the employees of PT. PLN (Persero) Bandar Lampung Generation Sector by providing questionnaires and interviews. Secondary data are obtained from company documents, references, journals , previous studies , and internet . This type of research is library and field research. The research design used is descriptive survey method. Data collection techniques used are: Direct Observation to PT. PLN (Persero), Bandar Lampung Power and Interview conducted to the director and employees in order to find the problem and obtain the required data, questionnaires given to employees and so on.

The research uses independent dan dependent variables. Independent variables are factors that affect the dependent variable. In this study, Independent variable is the Achievement of Implementation of Fast Improvement of Human Resource (X) showing the company performance level including attributes - (1) Rule socialization of reward and consequences , (2) Notification of attendance visually, (3) Mapping

competency, (4) Analysis of the workload, (5) Knowledge Management Forum, (6) Reviewing integrated document management system, (7) Infrastructure , (8) Placement of visual management , (9) visual material management, (10) 5R Program, (11)) Internal COP , (12) Internal Knowledge Sharing by Coaching - Mentoring -Counselling (CMC).

Dependent variables are the factors that influenced the Independent variables. In this study, dependent variable is employee satisfaction (Y) indicating level of interest that employee desired to 12 above attributes. The population in the research is all employees of PT. PLN (Persero) Bandar Lampung Power sector that is 167 people dispersed into 3 parts [3]. Samples are taken by using Suharsimi A's calculation (2006:131) that is " The population of more than 100 is captured 10 % -15 % or 20 % -25 % " [4] . In this study, 20 % of samples are taken from 167 i.e. 33 people at random with proportional techniques (Table 2).

Tabel 2. Population and Research sample

Section	Number of employees	Total sample
Human Resources	54 people	11 people
Engeneering	10 people	2 people
Operations & Maintenance	103 people	20 people
Total	167 people	33 people

Source : processed Data, 2013

Test Validity. The test is used to indicate how far the capability of instrument measurement measuring what is desired is (Sofyan Yamin and Heri Kurniawan 2009: 283) [5]. To test the validity of the questionnaire uses *product moment* with the help of the program Statistical Program and Service Solution (SPSS) 17.0 to 33 respondents. **Test Reliability.** The test uses to measure the accuracy or reliability of a measuring instrument (Sofyan Yamin and Heri Kurniawan, 2009: 283) [5] . A measuring instrument can be trusted if it has a high reliability . Reliability test performs with SPSS 17.0 .

This study uses quantitative analysis with two tools : (1) Analysis of Conformity, and (2) Cartesian diagram with the help of *Importance Performance Analysis* . Data are obtained through questionnaires . Questions for the implementation of Fast Improvement program (X) which is a reflection of the level of company performance given 5 alternative answers such as Very Appropriate (VA) , Appropriate (A), Quite Appropriate (QA), Less Appropriate (LF), and Very Inappropriate (VI). Questions to the level of employee satisfaction (Y) reflects the interest level of the employees to the attributes above given 5 alternative answers such as Very Important (VI) , important (I), Quite Important (IE), Less Important (LI), and Very Unimportant (VU) . Results of the questionnaire were scored using a Likert scale seen in Table 3 (J. Supranto , 2006: 241) [6]

**Table 3. Likert Scale Score of Five Story Skor Skala
Likert Lima Tingkat**

Employee interest	Score	Company Performance	Score
Very Important	5	Very Appropriate	5
Important	4	Appropriate	4
Quite Important	3	Quite Appropriate	3
Less Important	2	Less Appropriate	2
Very Unimportant	1	Very Unappropriate	1

Source : J. Supranto (2006 :241)

Analysis of Conformity

The analysis is used to measure the appropriateness between the level of company performance (the achievement of the implementation of Fast Improvement program) and the level of employee interest Employees' desired job satisfaction). The level of conformity is the ratio between the company 's performance and the interests of employees scores . Based on the results of questionnaires, the level of company's performance (the achievement of the implementation of the Fast Improvement program) and the results of the questionnaire level , the interests of employees (the level of job satisfaction that

employees desired), it can then be calculated with the following formula :

$$TK_i = \frac{X_i \times 100\%}{Y_i}$$

(Source : J. Supranto, 2006:241) [6]

Keterangan:

Tki = Score of the level of Respondent's conformity

Xi = Score of Company's Performance (The achievement of Fast Improvement program of Human Resource)

Yi = Score of Employee Interest (Employees' desired job Satisfaction

To determine the level of conformity used interval categories: 100 % : 5 = 20 % with the details of the category of the level of conformity is as follows:

Categories Assessment	percentage
Imappropriate	1%-20%
Less Appropriate	21%-40%
Quite Appropriate	41%-60%
Appropriate	61%-80%
Very Appropriate	81%-100%

Cartesian Diagram Analysis

Data analysis techniques using Cartesian diagram is to know the map or portrait employees' satisfaction in Quadrant A , B , C, or D. Meanwhile, according to Supranto (2006:70)[6] : "Cartesian diagram is a construction divided into four sections (Quadrant A , B , C and D) by two perpendicular lines intersecting at points X and Y ". Point X is the average score of the level of company's performance, and Y is the average point score of the employees's interest.

Point X is the average score of the level of the company's performance, and Y is the average point score of the level of employee interest. Data analysis techniques using Cartesian diagram is to know the map or portrait employee satisfaction in Quadrant A , B , C or D. The main use of Cartesian diagram is to determine in which quadrant employees are satisfied and in which quadrant the employees are not or have not been satisfied with the performance of the company ,

To analyze which quadrant of each attribute of the level of corporate performance and the level of employees interest in which quadrant is. Calculation can be seen in Table of *Importance Performance Analysis*. *Importance Performance Analysis* is used to see to what extent the level of performance the company has to give satisfaction to the employees (J. Supranto , 2006: 241) [6]. Based on the results of the questionnaire scores subsequently inserted into the table of *Importance Performance Analysis*, found the average score of the level of the company's performance (X) and the average score of the importance of employees (Y) using the formula:

$$\bar{X} = \frac{\sum X_i}{n} \quad \text{dan} \quad Y = \frac{\sum \bar{Y}_i}{n}$$

Source : J. Supranto (2006 :241) [6].

Note:

\bar{X} = The average score of implementation achievement of performance (the implementation achievement of fast improvement program)

\bar{Y} = average score of interest (job satisfaction employees desired)

n = number of respondents

To describe quadrants in Cartesian Diagram so they are counted by finding the score of average rate of the implementation achievement of fast improvement program and average rate of the score of job satisfaction employees desire in each attribute by using the formula as follows.

$$\bar{X} = \frac{\sum_{i=1}^n X_i}{K} \quad \text{dan} \quad \bar{Y} = \frac{\sum_{i=1}^n Y_i}{K}$$

Source : J. Supranto (2006 ; 241) [6].

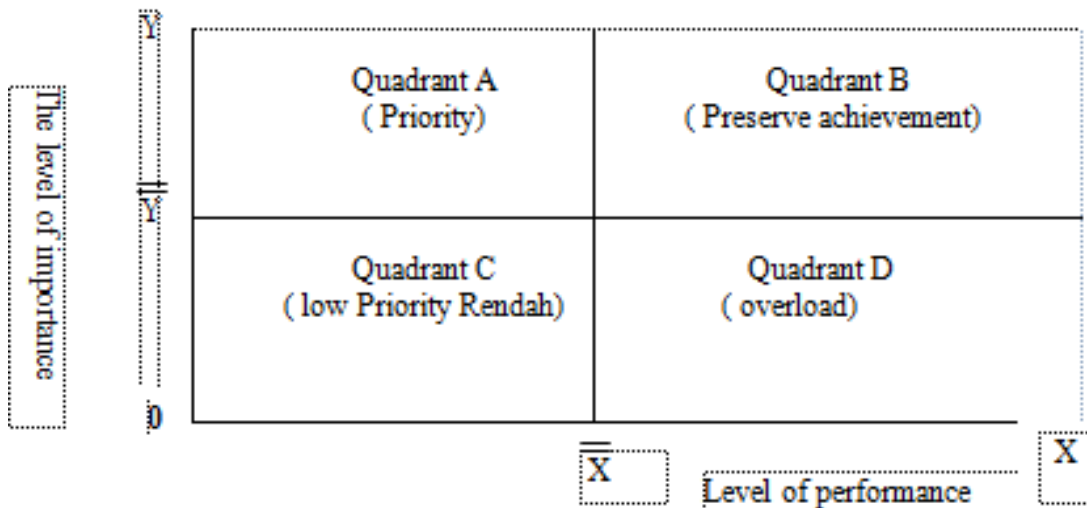
Note:

K = The number of attribute effecting satisfaction.

\bar{X} = The average score of the level of performance

\bar{Y} = average score of level of interest (satisfaction tat employes desired)

Based on the calculation result (\bar{X} , \bar{Y}), Cartasian Diagram can be further described in Picture 1. Then, all attributes in Cartasian diagram will be known attribute position wheather it is quadrant A, B, C, or D.



Source : J. Supranto, 2006 :242) [6].

Fig 1: Cartesian Diagram

The explanation of Quadrant A , B , C and D is as follows: (1) Quadrant A (Priority) showing the area that contains the attributes considered important by the employees but the implementation of *Fast Improvement* program is not appropriate the employees desired. Attributes that are in this quadrant should get high priority to be improved and enhanced, (2) Quadrant B (Preserve Achievement) showing the area that contains the attributes considered important and the implementation of *Fast Improvement* program has been appropriate with the employees' desire so that these achievements must be maintained. (3) Quadrant C (Low Priority) showing the area that contains the attributes considered less important and the implementation of *Fast Improvement* program is also low, and (4) Quadrant D (Overload) indicating the area that contains the attributes considered to be less important, but the conduct of the *Fast Improvement* program is high, so it feels too much (less effective) .

By knowing and understanding the position of the attributes of *fast improvement* of human resources

program in quadrant A , B , C , and D, it can be seen the level of satisfaction obtained by employees .

3. ANALYSIS AND DISCUSSION

Validity and Reliability Test Results

Validity test processing results can be seen in Table 4.

Table 4. Questionnaire Validity of Test Results

Item matter	r count	r table
Test Statement 01	0,544	0,344
Test Statement 02	0,539	
Test Statement 03	0,728	
Test Statement 04	0,595	
Test Statement 05	0,488	
Test Statement 06	0,671	
Test Statement 07	0,720	
Test Statement 08	0,598	
Test Statement 09	0,679	
Test Statement 10	0,656	
Test Statement 11	0,617	
Test Statement 12	0,711	

Source: Processed Data, 2014

Based on the results of the above table showing that address of the 12 statements, it can be r- value greater than the value of r - table so it can be concluded that all the questions are stated Valid. Testing reliability of the questionnaire is done by comparing the alpha value chronbach with r- tabel value, if the value of alpha chronbach > of r-tabel means reliable .

Table 5: Reliability Test Results

Item matter	Alpha coefficients Chronbach	Conclusion
12 Questions	0,902	Very high Reliabel

Source : Processed Data, 2014

Result *Alpha cronbach* calculation is 0.902 so that we can conclude all variables have qualified the instrument realibility since it has enough considerable value .

The level of conformity analysis

Based on data from the questionnaire results, an analysis of the conformity of each attribute is then conducted. Recapitulation of the results of the analysis of the conformity level is presented in Table 6 .

Table 6: Recapitulation Results of Conformity Level for Each Attribute

Attributes of <i>Fast Improvement</i> program of Human resources	Company's performance score (X)	Employee interest score (Y)	Level of conformity (%)	Catagories of performance level
Reward and Consequences				
1) Rule socialization of reward	107	144	74,30	Appropriate
2) Announcement of visually attendance	112	131	85,49	Very appropriate
Worl class capability				
3) <i>Mapping</i> employee's compentency	104	142	73,23	Appropriate
4) Workload analysis	104	137	75,91	Appropriate
5) <i>Knowledge Management</i> Forum	116	127	91,33	Very appropriate
6) <i>Reviewing</i> integrated management document system	102	127	80,31	Appropriate
7) Equipment facility and infrastructure	112	137	81,75	Very appropriate
8) <i>visual management placement</i>	106	125	84,80	Very appropriate
9) <i>visual material management</i>	115	137	83,94	Very appropriate
10) Implementation of 5R program	110	134	82,08	Very appropriate
Development of the future leaders				
11) Internal COP	103	119	86,55	Very appropriate
12) <i>Knowledge Sharing Internal</i> dengan <i>coaching-mentoring-councelling</i> (CMC)	103	131	78,62	appropriate
The average level of concordance			81,52	Very appropriate

Source : Processed Data,2014

Results of Table 6 show that the level of correspondence between the level of performance (achievement of the implementation Fast Improvement of Human Resource) with the level of interest (job satisfaction of employees' desire) varies with the lowest value of 73.23 % and 91.33 % with the highest average level of conformity 81 , 52 % to the category of very satisfactory .

However, there are five attributes that are below the average that are not able to meet the employees' job

satisfaction , namely : (1) *Mapping* The competency of employees; (2) Rule socialization of reward; (3) workload analysis (4) Internal *knowledge sharing* (CMC) , and (5) *Reviewing* integrated management document system.

Diagram Cartesian Analysis

For the purposes of this analysis , the data questionnaire results are in the table *importance-performance analysis* in order to do calculation results seen in Table 7.

Tabel 7: Calculation of Importance- Performance Analysis

Attributes of <i>Fast Improvement</i> program of Human Resources	Company's performance score (X)	Employee interest score (Y)	\bar{X}	\bar{Y}
1. Reward and consequences				
1) Rule socialization of reward and consequences	107	144	3,24	4,36
2) Announce visually	112	131	3,39	3,96
2. World Class Capability				
3) Mapping the competency of employees	104	142	3,15	4,30
4) Workload analysis	104	137	3,15	4,15
5) Knowledge Management forum	116	127	3,51	3,84
6) Reviewing integrated management document system	102	127	3,09	3,84
7) Equipment facility and infrastructure	112	137	3,39	4,15
8) visual management placement	106	125	3,21	3,78
9) visual material management	115	137	3,48	4,15
10) 5R program	110	134	3,33	4,06
3. Development of the future leaders				
11) Internal COP	103	119	3,12	3,60
12) Internal Knowledge sharing with <i>coaching-mentoring-counselling</i> (CMC)	103	131	3,12	3,96
Total			39,18	48,15
Nilai the value of avarage score (X and Y)			3,26	4,01

Source : Processed Data, 2014

Calculation of the avarage \bar{X} and \bar{Y} :

$$\bar{X} = \frac{\sum X_i}{n} = \frac{107}{33} = 3,24 \text{ (and so on)}$$

$$\bar{Y} = \frac{\sum Y_i}{n} = \frac{144}{33} = 4,36 \text{ (and so on)}$$

The amount of the value of the average score of the level of performance (X) and the level of interest (Y) is obtained from the following calculation:

$$\bar{X} = \frac{\sum_{i=1}^n X_i}{K} = \frac{39,18}{12} = 3,26 \quad \bar{Y} = \frac{\sum_{i=1}^n Y_i}{K} = \frac{48,15}{12} = 4,01$$

Based on the results of these calculations, it can be determined the position of each quadrant with the following criteria:

Quadrant A = ($\bar{X} < 3,26$; $\bar{Y} > 4,01$), Quadrant B = ($\bar{X} > 3,26$; $\bar{Y} > 4,01$),
Quadrant C = ($\bar{X} < 3,26$; $\bar{Y} < 4,01$), and Quadrant D = ($\bar{X} > 3,26$; $\bar{Y} < 4,01$)

Based on these criteria, it can be illustrated four quadrants (A , B , C , D) in the Cartesian diagram. Furthermore, the value of average scores of each

attribute inserted into quadrants in order to know the location of attribute position in each quadrant (see Figure 2)

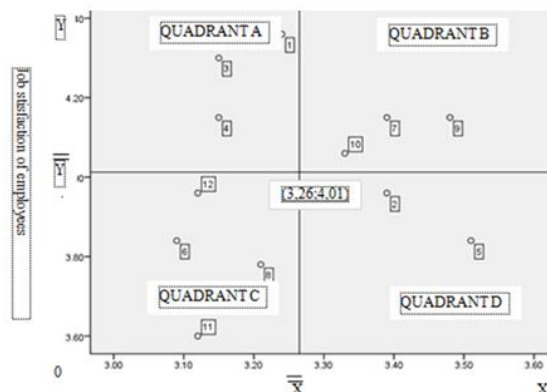


Fig 2: the result of research survey of all attributes of Diagram Kartesius

To facilitate an understanding of how the extent of these attributes which have given job satisfaction

based on the Cartesian diagram is, the following explanation is given in Figure 3 of Table 8.

Tabel 8: The Information of the level of importance (job satisfaction desired by employees)

Attributes of Fast Improvement program of Human Resources	Quadrant	Result
1. Reward and consequences		
1) Rule socialization of reward and consequences.	A	unsatisfactory
2) Announcement of visual attendance.	D	excessive
1. World Class Capability		
3) Mapping employee competence	A	unsatisfactory
4) Workload analysis	A	unsatisfactory
5) Knowledge Management forum	D	excessive
6) Reviewing integrated management document system	C	quite Satisfactory
7) Equipment facility and infrastructure	B	Very Satisfactory
8) Visual management placement	C	Satisfactory Enough
9) visual material management	B	Very Satisfactory
10) 5R program	B	Very Satisfactory
3. Development of the future leaders		
11) Internal COP	C	Satisfactory Enough
12) Internal Knowledge sharing (CMC)	C	Satisfactory Enough

Source : Picture 3 of Cartesian Diagram

The following explanation of the analysis results of the Cartesian diagram (Figure 2) :

Quadrant A (Priority): Attributes that according to the employees is very important , but the level of Fast Improvement program achievement of human resources can not satisfy the employees like (1) Socialization reward and consequences on a regular basis, (2) Mapping employee competence as their duties, (3) Analysis of the workload according to *jobdesk*. These attributes can not satisfy the employee so it should be top priority to be improved and enhanced .

Quadrant B (Preserve Achievement): Attributes that the employee think is very important, and the level of fast Improvement program of human resources has been very good and can satisfy the employees, such as (1) Hardware infrastructure, 2) visual material management is easy to understand and (3) implementation of 5R program. These attributes have been very satisfactory so the achievement must be maintained.

Quadrant C (Low Priority): Attributes that employees think is less important and the level of program achievement is also lower such as (1) Reviewing integrated document management system, (2) placement of visual management of strategic location, (3) internal COP program at least once every quarter, (4) Cultivating to form cadres structurally to subordinate employees through internal knowledge sharing (CMC). These attributes are considered less important and program achievements are also low, so it does not need to be prioritized for improvement (low priority).

Quadrant D (Excessive): Attributes that employees think is less important, but the level of program achievement is very good (redundant) such as (1) Notification of Employee Attendance visually, 2) Activity of Knowledge Management forum once in 3

months. Because of these attributes are considered excessive (not effective) so it needs to be reviewed and adjusted.

4. CONCLUSION

Based on the analysis and discussion, it can be concluded that (1) average rate of Conformity level between the level of company performance (the achievement of implementation of human resources) and level of satisfaction employees desired)) amounted to 81.52% with the category of very satisfactory, but there are 5 attributes which are below average in the category of just quite satisfactory, meaning that it is not yet fully appropriate with employees desired, (2) Results of Importance-Performance Analysis shows that the average value of the company's performance level (the achievement of the Fast Improvement program of human resource) amounted to 3 , 26 <the value of the average rate of employees's interest (satisfaction desired by employees)) equal to 4.01, has not yet fully provided job satisfaction to employees, and 3) The results of the analysis of Cartesian diagram, there are three attributes in quadrant A, which does not give satisfaction to employees, two attributes in quadrant D that is considered excessive should be reconsidered its implementation, four attributes in quadrant C is quite satisfactory, and three attributes in quadrant B is very satisfying. Therefore, it can be concluded that the achievement of Fast Improvement program of human resource has not been fully able to meet the employee satisfaction PT PLN (Persero), Bandar Lampung Power Sector.

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ANALYSIS OF CONVICT'S RIGHTS IN JUDICIAL REVIEW OF NARCOTICS CRIMINAL CASE

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ABSTRACT - Implementation Act in people's daily life has great significance, because the purpose of the law lies precisely in the implementation itself. Criminal act law that is laid down by courts of law often causes problems, especially if the verdict contains elements of a mistake. But in the Act, it still provides remedies for the convict to hold self-defense. Legal remedies are some rules that intended to defend the convicted person or his heirs. The last legal remedy provided by law is Judicial Review. The problem of this thesis is how the legal power of the Supreme Court of Cassation in a criminal case, what factors that make the defendant doing Reconsideration of narcotics criminal cases, and how the rights of the accused in Narcotics Reconsideration. Discussion of criminal case in this study is known that the force of law by the Supreme Court of Cassation decision on the criminal case is legally binding, under Article 263 Paragraph (1) Code of Criminal Procedure a.k.a KUHAP), which is: Against the court decision which has obtained permanent legal force, unless acquittal or separated from all charges, convicts or their heirs may file a request for judicial review to the Supreme Court. Factors underlying the defendant does Reconsideration Criminal Case under Article 263 Paragraph narcotic (2) Criminal Procedure Code, there are three reasons, new evidence (Novum), difference verdict, judge's mistake. And the rights of defendants in legal action, Reconsideration based on the decision of the Constitutional Court that removes Article 268 Paragraph (3) Criminal Procedure Code the accused has the right to take legal actions repeatedly Reconsideration more than once. Based on the results of this study, it is suggested that the Constitutional Court gives clarity toward Article 268 Paragraph (3) Criminal Procedure Code (KUHP) that has been removed with the aim of creating legal certainty and justice for the accused or the victims of crime.

keywords: Law, Criminal Procedure Code (KUHP), Criminal Code (KUHP), The Convict, Crime, Narcotics

1. INTRODUCTION

The law is the governing power and force. There are legal throughout the world, where there are human social lives. Law according to their contents is divided into two parts, namely:

- a. Private law (civil law), the law that governs the relationship of one to the other by focusing on the interests of individuals.
- b. Public law (the State), the law that governs the relationship of State with the tools equipment or the relationship between the State with the individual (citizen). Public law itself consists of Constitutional Law, State Administration Law, Criminal Law and International Law.

Van Hamel criminal offense or called by *strafbaar feit* is an attack or a threat to the rights of others. *Pompe strafbaar feit* can be theoretically formulated a violation of the norms that intentionally or unintentionally been committed by an offender, where the sentencing of the perpetrators is necessary for the maintenance of law and order and guaranteeing public interest.

According to Wirjono Prodjodikoro, criminal act is an act which the perpetrator may be subjected to criminal penalties. And offenders can be said is a "subject" of a criminal offense.

Criminal liability in a foreign language referred to as *toereken-baarheid*, *criminal reponsibilty*, criminal liability, and criminal liability are intended to determine whether a person can give responsibility to his criminal or action that he has done.

According to Ruslan Saleh, in the sense of excluding liability of crime, He said that people who commit

criminal acts and does have mistakes are the basis for criminal liability.

Unwritten principle says, "There is no crime if there is no error." It is the basis of the liability of crime.

Law is to regulate the relationship between man with the other man and the relationship between man and state so that everything is running well. Therefore, the purpose of law is to achieve peace by realizing assurance of law and justice in society. Legal certainty requires the formulation of principles in legislation that should be implemented firmly. The principle of legal certainty makes citizens being free from government action and its officials that are unpredictable and arbitrary.

Implementation of this principle demands fulfilled:

- a. legalistic and constitutional condition, governmental actions and its officials based on the legislation in the framework of the constitution.
- b. condition of legislation establishes various devices of how the government and its officials take action.
- c. legalistic condition bind citizens only after promulgation and is not retroactive.
- d. The principle of free judicial ensures objectivity, justice and humanism.
- e. The principle that a judge may not refuse to hear the case with no legal reason or the law is not clear.

Therefore the legal regulate citizen's interest and it is established for an event that happened in the present and future, then the implementation must be strictly carried out in accordance with the existing provisions in the legislation to achieve a certainty of law and order in society.

Implementation of the law in people's daily life has great significance, because the purpose of the law lies precisely in the implementation of law itself. Order and comfort can only be realized in reality if the law is implemented, because the law is created to be implemented. If the law is not implemented, then the law or the act is simply an arrangement of words that have no meaning in people's lives. Legal regulations or legislations will die by itself.

Basically every human being has a desire to live a decently and orderly. But the view of the desire to live a decent and regular life is not the same as the one with the other man. Therefore we need a guideline in order to live among humans becomes regular. These guidelines are rules of law that become a hope for every human being. The rules of the law can be a religion that comes from God and also the norms that prevails in society.

Along with the crime in terms of *criminology crimes* or offenses is better known as crime. A real offense in the community is much more than a real crime in the record security forces. Another fact is also contained in the society is the increasing crime rate both in quality and quantity, as well as by the offense of crimes are more sophisticated and professional. The perpetrators of the criminal act itself consists of people who are not educated to educated people are better known as "white collar".

Offenses established by the court often raise legal issues, especially if the verdict contains elements of error. However, space of law still provides the opportunity to convict to do self-defense when the verdict given to him containing elements of error, as an example, the case of Sengkon and Karta.

Space of law which are some rules that intended to defend the convict or his heirs are the rules contained in the Criminal Procedure Code of Indonesia a.k.a. KUHAP (Kitab Hukum Acara Pidana Indonesia). Many principles contained in the Criminal Procedure Code a.k.a KUHAP which one of is the principle that every suspect or accused person is entitled to legal aid.

As a judicial institution, the authority of the prosecutor can be directly felt by many people. Therefore, as one of law enforcement, the prosecutor's role is expected to uphold the values of justice. Integrated criminal justice system is an integral part of law enforcement.

Judiciary is as one part of the criminal justice system that has authority in the field of prosecution and executor, and plays a very important role in the process of law enforcement. As a judicial institution, the authority of the prosecutor can be directly felt by society a lot. Therefore the role of the prosecutor as one of law enforcement is expected to uphold the values of justice who live in the community. In this case the prosecutor can conduct a judicial review remedy against a court decision that has obtained permanent legal force so that victims get justice represented by the attorney of a law such.

Criminal procedure law allows a person who feels aggrieved as a result of the judge's decision can bring a legal action that the usual remedies consisting of inspection and examination of cassation appeals and

extraordinary legal remedy which consists of examining the appeal in the interest of law and a review of court decisions that have gained strength permanent legal.

Extraordinary legal remedy regarding a review of court decisions that have got permanent legal force, as described in Section 263 act(1) Code of Criminal Procedure. Court decisions that have obtained permanent legal force, unless acquittal or separated from all charges, convicts or their heirs can file a request, Reconsideration to the Supreme Court with due regard to Article 263 act (1) Code of Criminal Procedure.

Based on the reality and the facts mentioned above, then this thesis entitled "Analysis of Rights of the Defendant in Criminal Narcotics Judicial Review"

2. MODEL AND STATISTICAL ANALYSIS

In this study, the author uses two (2) approaching the problem is the normative juridical approach and empirical juridical approach.

Normative approach is the study of law doctrine that is also referred to as research or study document library (Library Research). Approach is to examine the rules or norms, rules that is related to the issues to be discussed. The approach is intended to collect a wide variety of regulatory legislation, theories and, literature is closely related to the issues to be discussed.

Collecting primary data that is directly obtained from the object of study is based on observations and interviews with respondents or sources associated with the analysis of the authority of the Prosecutor in the review of criminal cases of narcotics.

Success in a research relies heavily on data collection and processing data that are relevant and accurate. The author in this study uses data collection and processing as follows:

1. Procedure secondary data collection is done by conducting a literature study (library research). Literature study is intended to obtain the direction of thought and purpose of the research done by reading, studying, and cites, examines the literature that support, legislation and materials other scientific literature that have a relationship with the issues to be discussed.

2. Observation is collecting data directly of the research object, to obtain valid data using observation method implemented in South Lampung Police, State Attorney and District Court Kalianda

The collection of data is conducted by direct interviews with the tools that are open list of questions. The interview is done by using purposive sampling technique, which is to first determine the respondent / informant who will be interviewed in accordance with the object of research related to problems in the study, the interview conducted by:

- 1). Police investigators of South Lampung = 1 (a person)
- 2). Attorney of Kalianda State Judiciary = 1 (a person)
- 3). Judge of District Court of Kalianda = 1 (a person)

3. RESULTS AND DISCUSSION

From interviews with Ms. Sisca as a prosecutor in the State Attorney of Kalianda and Mr. Heppit as a judge in the District Court of Kalianda, information that is obtained as follows: a cassation can be made when last level court outside of the Supreme Court has given a verdict. The Supreme Court is the last instance courts for all courts. Legal remedy of cassation is a right granted to the accused and the public prosecutor. State courts have an obligation to accept the request of Cassation is valid or not which would be assessed by the Supreme Court, in other words, the District Court may also be said to have properties that administration, notes, a deed, informing the other party of the cassation petition filed by the accused or by the public prosecutor.

An appeal aims to improve and rectify errors application of the law, so the law can actually be applied as it should be and how to judge whether the case really has been made in accordance with the law. Based on the explanation Ms. Sisca, the prosecutor, can do extraordinary legal remedy that is Cassation in the interest of law. It is based on the law No. 8 of 1981 on Criminal Proceedings

a. Cassation is included in the general remedies, article 244-258 of Criminal Procedure Code (KUHAP)

b. Cassation for the interest of law filed by the General Attorney, article 259-262 of the Criminal Procedure Code(KUHAP).

From two types of the cassation were entitled or authorized to examine is the supreme court because the supreme court is the highest judicial or court of cassation in charge of fostering uniformity of the application of the law and keeping all the laws and regulations are appropriately and fairly applied. The Supreme Court also in terms of Cassation has authority to overturn the verdict and establish of lower courts.

Related to the translation above, it can be concluded that the verdict of cassation that has been set by the supreme court has had permanent legal force. In the judicial system, we know two kinds of remedies,

a. Regular legal remedy (appeal and Cassation)

b. Extraordinary legal remedy (Appeal in the interest of law and judicial review).

Judicial Review is a right for defendants or their heirs provided by Law No. 8 of 1981 in order it aims to seek justice in truth. A judicial review carried out based on new evidence or new circumstances that were not present in court before. The new evidence aimed to assess the right or wrong decision given by the court that the absence of judicial decisions that may go astray or harm someone. The second reason for the existence of contradictory decisions, the purpose of the various decision if there is a statement that something has been proven, then a statement on the evidence of things or circumstances that serve as the basis and reason for the decision in a case, then the decision in other cases or circumstances stated case proved that the decision conflicting with each other. The last reason, judicial review is held because there

is judge's mistake in giving the verdict. Judge as man does not escape the error in giving the verdict. It can occur in all levels of the court even the Supreme Court.

Before the constitutional court deleted Article 268 Paragraph (3) of Law No. 8 of 1981 on Criminal Proceedings, this article contains settings of reconsideration remedies that can only be done one time. Reconsideration is an extraordinary legal remedy where it is set in Article 263 to 269 Criminal Procedure Code (KUHAP). Reconsideration is a right granted by law to the defendant or parties who feel aggrieved over the decision laid down by the Court. With the release of the decision set by the Constitutional Court based on decision number 34 / PUU-XI / 2013 allows every criminal who feel disadvantaged by the lack of precise application of the law by the courts of justice to himself or misguided victims can take legal actions repeated reconsideration or more than one occasion. In this case the first man who uses right of Reconsideration repeatedly is Antasari Azhar.

4. CONCLUSION

Reconsideration rights of the accused in a criminal case is the defendant of narcotics case can make legal effort , Reconsideration repeatedly after the decision of the Constitutional Court number 34 / PUU-XI / 2013, but by existing not restrictive reconsideration, it can actually cause harm to the justice seekers in the process of searching for justice because when opportunities are opened for reconsideration more than once in addition to this case violates the Act, it also resulted in the settlement becomes long which does not end without a lead, which it can create legal uncertainty for those seeking justice.

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COMPARATIVE LAW OF CARTELS BETWEEN INDONESIA AND JAPAN (REVIEW OF ACT NO. 5 OF 1999 CONCERNING PROHIBITION OF MONOPOLISTIC PRACTICES AND UNFAIR BUSINESS COMPETITION AND THE ACT CONCERNING PROHIBITION OF PRIVATE MONOPOLY AND MAINTENANCE OF FAIR TRADE (ACT NO. 54 OF 14 APRIL 1947))

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ABSTRACT - The decision of Act No. 5 of 1999 concerning Prohibition of Monopolistic Practices and Unfair Business Competition is expected to create healthy competition and efficient markets. Indonesia as a country has a new Anti-Monopoly Act need to learn the countries who first implemented similar legislation. The legal reform is important, because at present the current Asian countries have been in the process of legal reform a new competition and firm. It research about comparative law in regarding the form and type of cartel, the scope of proving cartel, and than sanctions imposed from the both of Act No. 5 of 1999 (Indonesia Anti-Monopoly Act) and Act No. 54 of 14 April 1947 (Japan Anti-Monopoly Act). Japan Anti-Monopoly Act in the scope of forms and types of cartels is more clearly because in directly it is expressed as a violation of antitrust laws and as per se rule. While the Act No. 5 of 1999 must be proven in monopolistic practices and unfair business competition, then it see as reasonable restraint.

keywords: Cartel, Antitrust laws, Monopolistic Practices and Unfair Competition

1. INTRODUCTION

The excellent function of competition practice resulted in decentralization of economic power. An economic order will be able to give satisfaction to all parties, if there are not businesses whose the economic force capable of replacing a balancing mechanism in the interests of bargaining agreements with unilateral determination. In this case businesses get the balance of maximum benefit from the production and processing factors. Competition will lead the sovereignty of consumer choose the products with the best quality and price for them. This competition serves as consumer Protection. Finally the increasing competition will result lower prices for consumers. This is in accordance with economic principles. That is the agreement restricts competition by businesses. That will create cartel profits which finally it can harm consumers¹.

The assigned of Act Concerning The Prohibition of Monopolistic Practices and Unfair Competition (Act No. 5 of 1999) is expected to create fair competition and efficient markets. The establishment of a conducive business climate through the rule of fair competition, then the certainty of the same business opportunities for all businesses will be able to secure and create a spirit of healthy competition among national business operators. It make to be able to compete in international markets. And than it will realize an efficient national economy in order to improve the welfare of the community.

Based on antitrust law, cartels are prohibited in almost all countries in the world . Therefore, almost every country in the world has antitrust laws. In Asia, Japan is the first country that has most of the law. The second country 's of economic power in the world has had a competition law , called *Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade*” (Act No. 54 of 14 April 1947) or *Japanese Anti-monopoly Act* (AMA) in 1947. *Japanese Anti-monopoly Act* (AMA) is intended as a way to restore the Japanese economy after the defeat in World War II . Until now, The Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade” (Act No. 54 of 14 April 1947) still remain valid , even become an important reference in the Japanese economy moving².

Cartel is a very important issue and phenomenal in the practice of competition law in many countries. Cartels are a particularly damaging form of anti-competitive activity. Because of its impact on decline in social welfare. Cartels also have a damaging effect on the wider economy as they remove the incentive for businesses to operate efficiently and to innovate.

Based on the background that has been in the mentioned above, then had been formulated problems to be studied in more detail. As for some of the issues to be discussed in this paper are:

1. What is comparison about the shape and type of cartel, the verification scope of cartel, sanctions that are applied from Act Concerning of monopoly and unfair competition trade (Act No 5 of 1999) and *Act Concerning Prohibition of*

¹ Joachim Bornkamm dan Mirko Becker, Hukum Kartel Indonesia (gtz-ICL Judiciary Seminar.2006), hlm. 3

² Ibid

Private Monopoly and Maintenance of Fair Trade” (Act No. 54 of 14 April 1947)?

2. How did apply with the results of law comparative in cartel evidence by *Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade” (Act No. 54 of 14 April 1947)* against the rules of cartel in Indonesia?

2. MATERIALS AND METHODS

The type of research is a normative legal research, and comparative law study, which is the ratio of competition law in this case is devoted to the cartel arrangements between Act Concerning of monopoly and unfair competition trade (Act No 5 of 1999) and Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade” (Act No. 54 of 14 April 1947).

Analysts data in this paper use content analysis. The activities of content analysis in this study was to classify the articles of sample documents into the proper categories. Then the data analysis is complete, the results will be presented descriptively that describe what it is in accordance with the problems studied and the data obtained.

3. RESULT

A. The comparison about the shape and type of cartel , the verification scope of cartel, sanctions that are applied from Act Concerning of monopoly and unfair competition trade (Act No 5 of 1999) and Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade” (Act No. 54 of 14 April 1947)

That based on the scope of the restrictions in accordance with the ratio of the problems . The comparison can be described as follows:

1. **Indonesia** (Act Concerning of monopoly and unfair competition trade (Act No 5 of 1999))

- a. Forms and types of cartel behavior

As defined in Article 11 , is:

“Pelaku usaha dilarang membuat perjanjian, dengan pelaku usaha pesaingnya, yang bermaksud untuk mempengaruhi harga dengan mengatur produksi dan atau jasa, yang dapat mengakibatkan terjadinya praktek monopoli dan/atau persaingan usaha tidak sehat”

Prohibition of cartel insists an agreement to regulate the production and / or marketing of goods and / or services that are intended to affect the price.

- b. Cartel verification process

The cartel started with the report received by the Commission from the people who know the party or the person who is suspected violation of competition law with a clear statement that there have been violations, which further by the Commission will conduct a preliminary investigation after receiving the report.

The process of proving the cartel started the report received by the Commission from the people who know the party or the person who is suspected

violation of competition law. It need a clear statement that there have been violations, which further by the Commission will conduct a preliminary investigation after receiving the report. This is as described Article 39. In the investigation of Commission is authorized to instruct and business agent or other party examined shall submit the necessary evidence in the investigation or inspection.

In obtaining evidence, the authority of Commission will be used as stated in Act No. 5 of 1999 in the form of requests for documents either in hard copy or soft copy, to present witnesses and conduct an investigation into the field. If it necessary will be done in cooperation with the authorities. It is the police to overcome obstacles in obtaining evidence in question.

In certain cases, the Commission can get evidence through collaboration tools with a Company personnel who involved Cartel with a specific compensation. That is formulated in Article 42.

According with formulation of Article 11 of Act No. 5 of 1999 that is Rule of Reason, then how to prove whether Prohibited Cartel has Occurred. Accordingly the depth investigation has been doing with the reason of business had done. The Enforcement of competition law must check what the reason of the business can be accepted (reasonable restraint).

- c. The Commission's authority of cartel law enforcement

The authority of the Commission is governed by Article 36 of Act No. 5 of 1999. That the Commission's authority is so great, there are other provisions of article that makes the authority / power limited that Article 44 paragraph (2).

Business can appeal to the District Court with no later than 14 days after receiving notification of the decision. In Article 44 paragraph (4) that businesses voluntarily can not run against the Commission's decision, the Commission shall refer the decision to the investigator to be held investigations, and Article 44 paragraph (5) The Commission decision states that only the initial evidence for investigation by the investigator.

That the provisions is a violation of article 11 of Act No. 5 of 1999 can be, for administrative action as provided for in Article 47, Criminal Principal as stipulated in Article 48, Criminal Supplement as stipulated in Article 49 A

Criminal sanctions (principal and additional) will be charged to businesses , if entrepreneurs are not willing to execute the decision of the Commission and subsequently the Commission will submit the decision to the investigator to conduct the investigation. Furthermore, the Commission 's decision will serve as a sufficient preliminary evidence for investigators to conduct investigations at this stage be granted authority to impose criminal sanctions on law enforcement officials, namely the police as investigators, using general provisions as stipulated in the Criminal Code.

Commission in draft pedomen cartel sought for a leniency program or leniency program , but the program

does not have a clear legal framework, exist only in draft guidelines prepared by the Commission .

2. Jepang (Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade" (Act No. 54 of 14 April 1947))

a. Form and type Cartel Conduct

In Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade "(Act No. 54 of 14 April 1947), hereinafter referred to Act No. 54 of 14 April 1947 setting about the shape and type of cartel was not formulated in the light, but only implicitly formulated in the purpose of establishing Act No. 54 of 14 April 1947, namely in Article 1.

In principle, Act No. 54 of 14 April 1947 has 3 basic prohibition, namely (1) private monopolization (private monopolization), (2) Cartels or unreasonable restraint of trade / URT (cartels or trade control not feasible), and (3) unfair trade practices / UTP (unfair trade practices). In the setting of unreasonable restraint of trade, the discussion is getting a significant portion is a discussion of the cartel. The term "unreasonable restraint of trade" as used in this Act means that a company's activities, namely employers who make contracts, agreements or other with no heed to his name, in planning with other companies, mutually restrict or conduct their business activities so as to establish, maintain, or to raise the price, or limit production, technology, products, facilities or obstructing causing, contrary to the public interest, and the existence of competition in a particular field of trade.

In Act No. 54 of 14 April 1947, unreasonable restraint of trade is prohibited under Article 3 (Article 3), namely that reads, "No entrepreneur shall effect private monopolization or unreasonable restraint of trade." In the opinion of Fumio Sensui that are included in ban Unreasonable restraint of trade (Section 3) is a price cartel, the cartel quotas, the cartel zoning, tender offers, boycott.

b. The process of proving cartel

JFTC (Japan Fair Trade Commission) is a law enforcement agency, who be in charge in investigations and hearings concerning about potential violations of Anti Monopoly Act (AML). The hearing procedure majority of people from the open trial of conventional session and used to ensure procedural fairness in reaching a decision JFTC. JFTC may issue one of three types of decisions:

The recommendation of decision, (2) the approval of the decision, or (3) the trial decision. JFTC could initiate investigations breaches of anti-monopoly legislation is suspected, because the authority or in response the reports of violations from general public or the public prosecutor. JFTC will lead the investigation in a separate letter if it detects activity that is considered suspicious or potentially anti-competitive. Otherwise, the JFTC usually brings a consumer or competitor actions following reports of anti-competitive activity. The every writing report accordance with the rules set facts and JFTC decided to take or not, appropriate steps to the cases referred to in this report, the JFTC must immediately notify the

results to the person making the report. Article 45 (3), however JFTC must immediately notify the results of the investigation in connection with the case to the person who made the report.

Everyone is dissatisfied with the decision of dismissal and stop orders can be requested , under the provisions of Regulation JFTC and within sixty days from the date of the written transcript dismissal were included (in the case of natural disasters or other causes inevitable result in the request for examination was not carried out in the period such that, in one week days after the date when the reasons cease to apply), JFTC to start hearing about the dismissal order . If the request is not made in accordance with the provisions in the preceding paragraph within the period specified in the paragraph that says , stops and orders, will be final and binding

a. The authority of law enforcement agencies cartel

AML legislation has established the Japan Fair Trade Commission (JFTC) as an institution / agency inspectors on the application of the law (Article 27 paragraph 1) as well as administratively responsible to the Prime Minister (Article 27 paragraph 2) Although administratively responsible to the Prime Minister, but the independence of the JFTC in making decisions can not be influenced by any party. In carrying out supervision of the implementation of the AML, JFTC has three powers at once . The authority is *Wewenang administratif (administrative power)*, sebagaimana ada dalam Pasal 27.

- 1). the authority to issue regulations (quasi - legislative power), as explained in Article 27-2 , Article 76.
- 2). the authority to conduct investigations and inquiries (quasi - judicial power). Namely in Article 45, 47 and the investigation of criminal case on Article 101 to Article 118 Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade" (Act No. 54 of 14 April 1947). As well as about the decision to be heard or not, namely in Article 96 paragraph (1) ;

Article 96

(1) Any crime under Articles 89 to 91 inclusive shall be considered only after an accusation is filed by the Fair Trade Commission.

b. Sanction and prevention programs cartel

Criminal sanctions for perpetrators of unreasonable restraint of trade is one of the cartel in the Act No. 54 of 14 April 1947 has increased imprisonment of 5 years previously only three years, as formulated in Article 89 .

That in Article 89 paragraph (1) is said to every person who has committed acts that include one of the following items should be sentenced to work for no more than five years or a fine of not more than ¥ 5,000,000 (five million yen), which is;

- 1). Person violating the provisions of Article 3 , has a monopoly of private or trade restrictions unreasonable (*unreasonable restraint of trade*)

2). Person who, violating the provisions of paragraph (i) of Article 8, has made substantial restraint of competition in any particular field of trade.

In addition to administrative and criminal fines, Anti-Monopoly Act, provides for sanctions for acts of damage inflicted on his actions to the person affected by his actions.

Related to the program applied for leniency for perpetrators Japan cartel who participated in the investigation into the case described in the Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade " (Act No. 54 of 14 April 1947) of Article 7-2 paragraph 11, and 12. In the case of paragraph (1), JFTC will reduce additional costs relevant to the amount calculated by multiplying fifty percent (50%) surcharge.

B. Implementation of the comparison of the cartel law in Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade " (Act No. 54 of 14 April 1947) of the rules and regulations concerning cartel in Indonesia

In the second discussion, the writer will analyze the chances of implementation of the results of comparative law in the cartel Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade " (Act No. 54 of 14 April 1947) to the legislation regarding the cartel in Indonesia. The analysis is as follows :

1. Forms and types of cartel

The form and type of cartel between "Act No. 5 of 1999 on the prohibition of monopolistic practices and unfair business competition and the Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade "(Act No. 54 of 14 April 1947) is equally categorize the regulation of production, price fixing, tender collusion, cartel zoning, the consumer division of non-territorial, and the distribution of market share. Differences of categorization forms and types of actions cartel is Article 11 that the cartel is an agreement that can affect prices by adjusting production and services which may result in monopolistic practices and unfair business competition (Rule of Reason), in the sense that an act can be categorized as cartel conduct should be seen first whether such actions affect the market and lead to unfair competition and therefore had to be found, nor evidence of the existence of the cartel agreements. On the categorization of Article 2 (6) Act No. 54 of 14 April 1947, that the cartel is an agreement to raise the price / transaction is unfair restriction acts contrary to the public interest (Per se rule). In this case there is not for things that affect the market, because it would immediately be followed by the JFTC when indicated. it has occurred cartel, whether it comes from public statements as well as an indication of the JFTC.

2. The verification process of cartel

Equality of both antitrust regulations exist at the beginning of the process of proving that with the receipt of the report of the public to conduct a preliminary examination and can also be of indications from the Commission or JFTC to businesses suspected. It is there in Article 39 of Law

No. 5 of 1999 on the prohibition of monopolistic practices and unfair business competition, the preliminary investigation (either from the public or suspicion Commission report). Article 45 of Act No. 54 of 14 April 1947. Investigation of public reports / suspicion JFTC. As well as the submission of evidence in order to bring down the cartel decision, namely Article 41, submitted evidence.

The different of verification process regulations is there are in Article 43 of Law No. 5 of 1999 on the prohibition of monopolistic practices and unfair business competition, proving cartel with reasonable restraint can decide whether it is really happening in the cartel, which for the next Article 44 (5), Decision of the Commission as sufficient preliminary evidence for the investigator to conduct the investigation there is no transparency of the reporting process and the alleged party. Although Article 45 of Act No. 54 of 14 April 1947, an investigation into public reports / suspicion JFTC, JFTC notify the results of the investigation to the person who made the report, and the investigation carried out in a conventional trial hearings open on JFTC investigation (Article 45 (3)). And the process of investigation by the JFTC also includes a criminal investigation (Article 89-100). It can be concluded that the JFTC has the authority more independent and powerful in the proof and combating cartels.

There is not notification in the investigation process and there is not given the opportunity of proving the Cartels for business agent considers the presumption of innocence. Article 49 of Act No. 54 of 14 April 1947 that based on the fact Happen That Cartel JFTC issued a verdict "cease and desist order" To person who accused, however he has opine opportunities and submit the evidence. This is important thing to be considered as the renewal of law in the proving cartel process, so that balance between business interests and the interests of public will be achieved. Furthermore the transparency process of proving on Act No. 54 of 14 April 1947 is more, because of notice about investigations for people and do in Open Conventional Session. Then it applied in Cartel evidentiary process in Indonesia.

3. Cartel law enforcement authority Institutions

The equation of the two anti-monopoly legislation exists in Article 36 of Law No. 5 of 1999 on the prohibition of monopolistic practices and unfair business competition, the authority of the Commission include, receive reports, conduct research, investigation, calling the perpetrators, witnesses, expert witnesses, ask for help investigator, requesting information from Government agencies, obtain, research, or assessing letters, documents or other evidence, decide and establish the presence or absence of social disadvantage, informing the Commission's decision, impose sanctions in the form of administrative measures. Article 27, an administrative authority (administrative power), Article 27-2, the authority to issue regulations (quasi-legislative power), namely Article 45, 47.

But the authority of the Commission was limited to the imposition of administrative fines which are then used as evidence of the instructions by law enforcement officials, which means authority to impose criminal sanctions and criminal investigations are in the process of law enforcement officials, namely the police as investigators, using general provisions as stipulated in the Criminal Procedure Code, While the criminal case investigation process in Article 101 to Article 118 Act No. 54 of 14 April 1947 the authority to conduct investigations and inquiries, as well as judicial authorities to prosecute (quasi-judicial power) is a collaboration between the Public Prosecutor General and JFTC, even every crime under Article 89-91 inclusively can be tried only after the indictment filed by the JFTC.

Japanese JFTC authority possessed more independent and more powerful / wide in performing acts of inquiry, and anti-monopoly investigation of criminal cases, not only stopped in providing sufficient preliminary evidence.

4. Sanctions and leniency program

In terms of sanctions in Act No. 5 of 1999 on Prohibition of Monopoly and Unfair Competition under Article 47 of the determination of cancellation of the agreement, stop the vertical integration, the activities that are proven, the determination of compensation, the imposition of a minimum fine of Rp 1,000,000,000.00 and a maximum of Rp 25,000,000,000.00. Article 48 of the Basic Criminal, criminal penalties of at least Rp 25,000,000,000.00 and maximum Rp 100,000,000,000.00, imprisonment or a fine substitute for ever 6 (six) months. Article 49 of the Criminal Supplementary form of revocation ban violates this law to occupy the position of director or commissioner of at least 2 (two) years and a maximum of 5 (five) years, cessation of certain activities or actions that cause losses to the other party. The application of sanctions need to be reviewed and too small, because besarnya are not in accordance with the losses incurred and the profits of the cartel offenders.

Considering Act No. 54 of 14 April 1947 in Japan has experienced amandemnen on the magnitude of sanctions in 2009, Article 89 was sentenced to imprisonment with work for not more than five years or a fine of not more than ¥ 5,000,000 (five million yen). It is likely to be material pembaharuan competition law is the existence of strict sanctions stipulated Act No. 54 of 14 April 1947 which is imprisonment for five years and no minimum threshold for criminal penalties that is not more than ¥ 5,000,000 (five million yen). Surely this will be a deterrent effect and keeping in view the values of justice, it is seen also in Article 25 sanctions on damages actions for cartel affected 15% of the affected sales to companies other than retailers and wholesalers (and 4.5% for retailers and 3% for wholesale). This shows the protection of the injured party / public interest is harmed. Besides, administrative fines are calculated as a percentage of

that will be comparable to the profit made by the perpetrators that exist in Article 7-2 paragraph (1), Administrative Fines (additional fee) 50% of the 10% maximum administrative fine today (3% for retailers and 2% for wholesale). In the Act No. 54 of 14 April 1947 no distinction imposition of sanctions for retailers and wholesalers.

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The leniency program between Indonesia and Japan have a program that is almost the same concept, namely the reduction of penalties for businesses that participated in the investigation, only in Japan already listed in the Act No. 54 of 14 April 1947 so it has had a clear legal basis, while in Act No. 5 of 1999 Indonesia does not have the legal certainty because it is still in the Commission's draft guidelines cartel.

4. CONCLUSION

Comparative law regarding the form and type of cartel, the scope of the evidentiary cartel, as well as sanctions that are applied from Act No. 5 of 1999 concerning monopolies and unfair competition and the Act Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade "(Act No. 54 of 14 April 1947) based on the description of the comparative analysis has examined the author in this case can be look at that within the scope of forms and types of cartels in the Act No. 54 of 14 April 1947 is more obvious because immediately declared a violation of antitrust laws because it is per se rule. Japanese JFTC authority possessed more independent and more powerful / comprehensive in conducting issued a regulation (quasi-legislative power), conduct investigations and inquiries (quasi-judicial power) to decide on filing charges against the perpetrators of anti-monopoly pelanggaran.

Sanctions are applied in Act No. 54 of 14 April 1947 bolder namely imprisonment for five years and not criminal sanctions with a minimal amount that is directly maximum ¥ 5,000,000 (five million yen). Leniency program in Japan is already listed in the Act No. 54 of 14 April 1947 so it has had a clear legal umbrella, while in Act No. 5 of 1999 Indonesia does not have the legal certainty because it is still in the Commission's draft guidelines cartel.

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COMPARISON OF AUTHORITY OF THE CONSTITUTIONAL COURT IN INDONESIA AND THAILAND IN JUDICIAL REVIEW

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ABSTRACT - All countries which transformed into democracies at the end of the 20th century established constitutional courts. Thailand and Indonesia established constitutional courts following their transformation into new democracies. For Thailand and Indonesia, the presence of the Court is already long overdue. The main target of the establishment of this institution cannot be separated from the ideals of the legal state. As is known, generally countries that have looked at the written law constitutional text as a collection of the highest legal doctrines. This raises the legal consequences if a product is contrary to the constitution, the supreme doctrine requires cancellation action on the legal product. As for the problem in this paper is how it compares to the authority of the Constitutional Court in Indonesia and Thailand in judicial review. The method used in this research is normative juridical. Constitutional Court of Thailand can review and decide upon the constitutionality draft of laws or draft organic law approved by the National Assembly. However, based on the provisions that have been enacted, the constitutional court of Thailand carry out reviewing of the object of legal norms that have been established or disconnected constitutionality after the Bill is enacted. While in Indonesia, judicial review benchmarks performed with the Constitution. In contrast to the Constitutional Court of Thailand, Constitutional Court of Indonesia cannot examine the Draft of Laws. However, the existence of the Constitutional Court in Indonesia and Thailand has actually functioned optimally. It is effort to maintain the basic rights of the people. Through the way people's preferences in questioning the actions that are considered controversial state apparatus can be organized fairly and accurately. It can be said as the media is able to bridge the community in finding constitutional justice.

keywords: comparison, court , constitution , judicial review

1. INTRODUCTION

In 1978 Hene Van Maarseven in his studies estimating, from the whole constitution contained in the world at that time, only 26 percent of the entering provisions of the formation of the Constitutional Court. When examined applicable provisions in constitutions, said Maarseven this organ mandated to hold power of judicial review.¹ Constitutional history shows that the practical utility of the Constitutional Court related to the need to hold a top constitutional laws set by parliament. The debate on the issue originally appeared in France when Abbe Sieyès put forward the establishment of a special organ guarantor of the constitution. However, when it rejected the idea Sieyes and as the successor regime of Napoleon Bona-Parte formed Senate.²

However, the debate on constitutional review, it develops in the United States as a judicial review, exactly when Marshall deciding the case Marbury vs Madison in 1803. The core of debate in this case is that the Supreme Court of the United States under the leadership of John Marshall challenged to perform testing (review or toetsing) over the constitutionality laws set by the congress, while the United States Constitution did not give authority to the Supreme Court to make the effort that is fundamentally question the laws are made by congress, which is the

legislative branch. All countries roomates transformed into Democracies at the end of the 20th century established constitutional courts. For example, the Eastern European former communist states, Thailand and Indonesia established constitutional courts Following Reviews their transformation into new Democracies.

For the system of the Monarchy of Thailand, reviewing the constitutional power can be seen in the provisions of the constitution that never applies. The presence of the Court is already long overdue. The main target of the establishment of this institution cannot be separated from the ideals of the Rule of Law. Historically, it can be said to be more than sixty-five years (1932-1997) that are institutional organ officially called the Constitutional Court did not previously exist. The role and functions of the Constitutional Court are currently carried maturing process embryonic organ constitutional guarantor there ever before. The maturation takes place in evolutionary and within a certain time often faced with constraints.

While in Indonesia, the reform movement led by youth and students in Indonesia has brought a huge impact in the life of the state. No exception in the state system in Indonesia, the reform movement has brought a big change in the constitutional system in Indonesia. This can be seen by the amendment of the 1945 Constitution as many as four times, which is when the new order regime in power for nearly 32 years, the 1945 Constitution is only used as a tool of coercive power by the rulers of the country at that time. By the amendment of the 1945 Constitution as

¹. As quoted by Tom Ginsburg in his book entitled Judicial Review in New Democracies, op.cit., p.9.

². Alec Stone, Birth of Judicial Politics: The Constitutional Council in Comparative Perspective, Oxford University Press, New York, 1992, p.30.

much as four times lead to fundamental changes in the constitutional system in Indonesia. One of the results are clearly visible with the changes to the 1945 Constitution is the creation of a new state agency in charge of guarding the constitution in Indonesia, and the state agency known as the Constitutional Court.

2. MATERIALS AND METHOD

Based on the above, the issues to be discussed is how the comparison authority of the Constitutional Court in Indonesia to Thailand in judicial review. The method used in this research is normative juridical. Normative juridical approach is done through the study of literature by studying the principles of act that exist in the theory and the legislation in force. Furthermore, the data was analyzed qualitatively juridical.

3. RESULTS AND DISCUSSION

In general, the Constitutional Court of Thailand has some authorities. Firstly, this organ has the authorities to determine the constitutionality of laws and the draft organic law. Secondly, the Constitutional Court of Thailand has the authorities to approve or not the Anti-Corruption Commission recommendation that a candidate for public office was not appointed to a particular post office. The reasons for rejection of candidates caused by it cannot report the amount of wealth or provide information which was considered false. Thirdly, the Constitutional Court of Thailand is very detailed and extensive, the authority of this organ further regulated in the organic law.³

From various authorities possessed by the Constitutional Court of Thailand, the court determines the constitutionality of power laws and the draft organic law is considered the most important authority. Therefore, at this stage review and decide the constitutionality of laws or draft organic law. The constitutional court must consider some important things as follows:

1. In determining public policy must be not violate the rights and fundamental freedoms as has been set by the constitution.
 2. In order to achieve the democratic regime of government should pay attention to the balance between the powers and duties of the constitutional organization as defined in the constitution.
 3. In order to maintain the constitution, the basic law should be crowned as the highest law in the country.⁴
- Constitutional Court of Thailand by a petition can only determine the constitutionality of products

³.The Constitutional Court of Thailand The Provision and The Working of the Court, Edited by Amara Raksataya and James R.Klein, Constitution for the People Society Supported by The Asia Foundation, Bangkok, 2003, p.6.

⁴. Furthermore it is said : " In fact, there are two primary steps in Determining the constitutionality of such statue and organic law bill, that is to be determined before or after enacting the law". See The Constitutional Court of Thailand The Provision and The Working of the Court, op. Cit., P.6 .

legislation although deliberation against it being held (a priori abstract review). The Court also has other powers, namely the Emergency Regulations stipulate constitutionality (emergency decree) before the emergency rule was imposed by the Council of Ministers (government). In carrying out this kind of reviewing, at an early stage the Court will conduct a thorough examination of the underlying paradigm of a draft of laws or emergency rule in question. In the review series, the constitutional judges review the consistency of the laws with the Constitution of 1997. In addition, Constitutional Court of Thailand is also empowered to verify the legality regarding the establishment of a law based on the constitution.⁵

Constitutional Court of Thailand can examine a number of draft laws. Tests include :

1. Determine the constitutional of an organic law;
2. Determine the constitutional of the issuance of the Emergency Decree by the Council of Minister;
3. Determine the constitutionality of the statue or organic law bill reintroduced by the Concil of Minister or members of the House of Representative having the same or similar principle as that of the statue or the organic law being withheld.⁶

Constitutional Court of can review and decide upon the constitutionality draft law or draft organic law approved by the National Assembly under the provisions of Article 93. In addition, the organ translators basic rules also have the power to examine draft laws Organic ever proposed by a national assembly as stipulated in Article 94. However, petition constitutionality review on draft laws or draft organic law to the constitutional court, it must be done before the prime minister submit two types of the bill to the king for signed. Submission or the application can be done institutionally each president in the parliament and prime minister. If the constitutional court considered that the draft law or draft organic laws contrary to the constitution, the two drafts of legislation that cannot be enforced. The constitutional court may also cancel the law when a predetermined deviate from the determination procedure of a law as determined by the constitution. This issue is clearly regulated under Article 262 the Constitution of 1997. That said:

After any bill or organic law bill has been approved by the National Assembly under section 93 or has been reaffirmed by the National Assembly under section 94, before the Prime Minister present it to the King for signature:

1. If members of the House of representatives, senator or members of both House of not less than one-tenth of the total number of the existing members of both House are of the opinion that provision of the said bill are contrary to or inconsistent with this Constitution or such bill is enected contrary to the provision of this

⁵. See, The Constitutional Court of Thailand The Provision and The Working of the Court, op. Cit., p.6.

⁶. Ibid., p. 6-7.

Constitution, they shall submit their opinion to the President of the House of Representatives, the President of the senate or the President of the National Assembly, as the case may be, and the President of the House receiving such opinion shall then refer it to the Constitutional Court for decision and, without delay, inform the Prime Minister thereof;

2. If not less than twenty members of the House of Representatives, senators or members of both House are of the opinion that the provision of the said organic law bill are contrary to or inconsistent with this Constitution or such organic law bill is enacted contrary to this constitution, they shall submit their opinion to the President of the House of Representatives, the President of the Senate or the President of the National Assembly, as the case may be, and the President of the House receiving such opinion shall then refer it to the Constitutional Court for decision and, without delay, inform the Prime Minister thereof;
3. If the Prime Minister is opinion that the provisions of the said bill or organic law bill are contrary to or inconsistent with this Constitution or it is enacted contrary to the provision of this Constitution, the Prime Minister shall refer such opinion to the Constitutional Court for decision and, without delay, inform the President of the House of representatives and the President of the Senate thereof;
4. During the consideration of the Constitutional Court, the Prime Minister shall suspend the proceeding in respect of the promulgation of the bill or organic law bill until the Constitutional Court gives a decision thereon.⁷

Based on the provisions that have been enacted, the constitutional court of Thailand to carry out reviewing of the object of legal norms that have been established. This review model is actually falls into the category of concrete review, as already discussed at length in the previous section. For Thailand, the right to apply for standing is given to the general court judge. However, the initiative to submit the request, commonly driven by the parties were litigating in public court proceedings or on the initiative of general court judges itself. Therefore, if a bill already approved by the legislature and enacted, then through a petition to the Constitutional Court can determine the constitutional after the bill was legitimately become law. Request for review to the Constitutional Court can be made to the parties and the general court judges or institutions Ombudsman. If the applicable law was considered contrary to the constitution, the constitution interpreter organ can cancel the law. This issue in detail under Article 264 and 198.

While in Indonesia, one of the authorities possessed by the Constitutional Court 1945 Constitution is the authority of the constitutionality of laws. Judicial review benchmarks performed with the Constitution. Reviewing can be done in the material or formal.

⁷. Ibid., p. 7.

Material reviewing involves reviewing on material laws, so the question must be clear which parts of the legislation in question is contrary to any provision of the Constitution. While formal reviewing is the reviewing of the process of establishing the law into law if it has to follow the procedure applicable or not. The term reviewing of the legislation can be divided by subject reviewing, regulation, reviewed, and reviewing time. In terms of subject reviewing, reviewing can be done by the judge (*toetsingsrecht van de rechter* or judicial review), reviewing by the legislature (legislative review), as well as reviewing by the executive (executive review).⁸

In practice, Indonesia set three reviews. Reviewing by the judge (*toetsingsrecht van de rechter* or judicial) set both before and after the change of the 1945 Constitution concerning judicial setting legislation at the time of entry into force of the 1945 Constitution, was first regulated in Act Number 14 Year of 1970 on Basic Provisions on Judicial Power, which regulates the reviewing of regulations under the Act against the authority of the Supreme Court Act. After the 1945 changes, the reviewing authority regulations under the Act to the Act remains the authority of the Supreme Court, while judicial review against the Constitution is the authority of the Constitutional Court.

Judicial review by the legislature (legislative review) performed in the capacity of institutions that shape and discuss and approve the Act (together with the President). Before the 1945 changes, reviewing laws against the Constitution are in the MPR by MPR Decree Number III/MPR/2000 on Law Resources and Sequence of Statutory Regulations. The reason why the Supreme Court has the authority to review only to legislation under the Act against the law in the period before the 1945 changes, according Padmo Wahjono, based on the premise that the Act as the maximum juridical construction to reflect the ultimate power to the people, should be reviewed by the Assembly.⁹ Constitutional practice there ever was MPRS Number XIX/MPRS/1966 on Reconsideration Products State Legislature outside the Provisional People's Consultative Assembly Products is not in accordance with the 1945 Constitution.¹⁰

Depth analysis is required if reviewing is examined in terms of its object, because they have to pay attention to the legal system is used, the system of government, and the constitutional history of a country that is very likely there are peculiarities in certain countries. Judging from the object being reviewed, then the legislation that was reviewed consists of:

⁸. The term legislative review equated with the political review in HAS Natabaya, *System Legislation Indonesia*, (Jakarta: The Secretariat-General and Registrar of the Constitutional Court, 2006), p. 187.

⁹. Padmo Wahjono, *Indonesia Negara Berdasarkan atas Hukum*, Cet. 2, (Jakarta: Ghalia Indonesia, 1986), p.15.

¹⁰. Ibid

- 1) The entire legislation (legislative acts and executive acts) and administrative actions of the Constitution reviewed by judges at all levels of the judiciary. Reviewing with the object as it is done in the case of concrete, and is generally performed in countries using the common law system.¹¹ In general, the term used is a judicial review, but it should be noted again that the use of the term in countries that use the system of civil law system, as set forth in point b below.
- 2) Laws against the Constitution reviewed by the judges at the Constitutional Court, while regulations under the Act against the law reviewed by the judges in the Supreme Court. Reviewing with the distribution of such objects is generally not done in the case of concrete, and is generally performed in countries that use civil law system. Asshiddiqie distinguish if the reviewing was carried out on legal norms that are abstract and general norms as "a posteriori", then reviewing can be referred to as "judicial review", but if the size of the reviewing was done using the constitution as a tool measuring it, then such reviewing activities can be referred to as a "constitutional" or the constitutional review, namely the review concerning the constitutionality of the legal norm that is being reviewed (judicial review on the constitutionality of law).¹²

As previously, that the definition of a term is highly dependent on the legal system adopted by the country concerned, the system of government, and the constitutional history of a country. The term is also used in the judicial review of countries that use the common law system is also used in discussing about reviewing in countries that follow civil law system,¹³

as proposed by Asshiddiqie, namely: 'Judicial Review' is an attempt reviewing by the judicial institutions of the legal products set by the legislative branch, the executive, or judicial branches in order to apply the principle of 'checks and balances' system based on the separation of state powers (separation of power).¹⁴ Although using the same term, namely judicial review, but because the legal system into a different runway, the definition would be different, because in countries with common law system has not recognized the existence of a special court to judge the state as an administrative officer in the civil law system,¹⁵ then to act of state administration also tried in public courts. It causes in the countries that follow the common law system judges authorities assess not only the legislation, but also state administration action against 1945 Constitution.

4.CONCLUSION

Constitutional Court of Thailand can review and decide upon the constitutionality draft law or draft organic law approved by the National Assembly. However, based on the provisions that have been enacted, the constitutional court of Thailand carry out reviewing of the object of legal norms that have been established or disconnected constitutionality after the bill is enacted. While in Indonesia, judicial review benchmarks performed with the Constitution. In contrast to the Constitutional Court of Thailand, Constitutional Court of Indonesia cannot review the Draft Law. However, the existence of the Constitutional Court in Indonesia and Thailand has actually functioned optimally. It is effort to maintain the basic rights of the people. Through the way people's preferences in questioning the actions that are considered controversial state apparatus can be organized fairly and accurately. It can be said as the

¹¹. Some definitions judicial review of countries that use the common law system. In Black's Law, judicial review is defined as: the power of courts to review decisions of another department or level of government. "Henry Campbell Black, Black's Law Dictionary with pronunciations. 6th ed. (United States of America: West Publishing Co., 1990), p. 849. Encyclopedia Americana express the notion of judicial review as follows: "Judicial review is the power of the courts of the country to determine if the acts of the Legislature and the executive are constitutional. Acts that the courts declare to be Contrary to the constitution are Considered null and void and therefore unenforceable." The Encyclopedia Americana Vol. 16, Cet. 7, (Canada: Grolier Limited, 1977), p. 236. While Erick Barendt express the sense of judicial review as follows: "Judicial review is a feature of a most modern liberal Constitutions. It refers to the power of the courts to control the compatibility of legislation and executive acts of the term of the Constitutions." Erick Barendt, An Introduction to Constitutional Law, (Great Britain: Biddles Ltd, Guildford and King's Lynn, 1998), p. 17.

¹². Ibid., p. 6-7.

¹³. "The Common law, ...was formed primarily by judges who had to resolve specific disputes. The Common law legal rule is one which seeks to provide the solution to a trial rather than to formulate a general rule of conduct for the future." Rene David dan John E.C. Brierley, *Major*

Legal Systems in the World Today: Introduction to the Comparative Study of the Law, ed. 3rd, (London: Stevens and Sons Ltd., 1996), p. 24.

¹⁴. Jimly Asshiddiqie, "Menelaah Putusan Mahkamah Agung tentang 'Judicial Review' atas Peraturan Pemerintah Nomor 19 Tahun 2000 yang bertentangan dengan Undang-Undang 31 Tahun 1999, loc cit., p. 1.

¹⁵. In literature, the term Civil Law is also known as the Romano-Germanic Family. "A first family may be called the Romano-Germanic family. "This group includes legal roomates Reviews those countries in science has developed on the basis of Roman ius civile." Ibid., p. 22. In the book explained further that: "In the countries of the Romano-Germanic family, the starting point for all legal reasoning is found in various forms of" written law ". Ibid., p. 125. In addition, there are also statutory law term. "Statutory law: Formulated primarily by a Legislature, but Also includes treaties and executive orders; law that come from authoritative and specific law-making sources. "James Mac Gregor Burns, JW Peltason, and Thomas E. Cronin, *Government by the People*, alternate 13th ed., (New Jersey: Prentice Hall, 1989), p. 364. For further explanation of the system of centralized and decentralized systems in testing legislation, see Fatmawati, review right (Toetsingsrecht) Owned by the judge in the Reviewing Laws, (Jakarta: PT RadjaGrafindo, 2005).

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CRIMINAL LAW POLICY AS AN EFFORT OF OVERCOMING CRIME TOWARDS PROTECTED ANIMALS

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ABSTRACT - This research discusses about criminal law policy in determining direction of the criminal offense prevention policy protected animals now in Indonesia and in the foreseeable future. The study was based on the results of research in normative jurisdiction to find a norms and principle in formulating the protection of animals. The research concludes the protection of animals are still in effective, such as the lack of accountability for corporate regulation and the absence of a regulation on sanctions difference between animals from the nature and captive breeding. therefore, there needs to reformulation of the Law of Conservation of Natural Resources and Ecosystem, and the inclusion of regulation of protected animals in the Draft Criminal Code as a new juridical basis to provide the protection both in concretely and abstractly.

keywords: Criminal Law Policy, The Protection of Reserved Animals

1. INTRODUCTION

1. 1. Background

Natural resources and ecosystems that have accrued and vital part of life is the gift of God Almighty, therefore, it need to be managed and used sustainably, in harmony, and balance for the welfare of the people of Indonesia in particular and humanity in general, both present as well as the future.

Environmental management is actually not new since human existence on earth has made environmental management to meet the necessities of life, such as humans hunt animals, which in the early developmental stages of life, patterns of production and consumption is only determined by the activities of hunting of human population. The increase of production and consumption patterns change, too.

Addressing the needs of human life, in its application does not hesitate to commit acts that violate the law by way of theft of protected animals, such as the killing of elephants for ivory in the capture because it has a high economic value, which can be made ivory cigarette holder and other crafts that have a sale value / high consumptive. Article 33 paragraph (3) of the Constitution of 1945 states that:

"Earth, water and natural resources contained therein shall be controlled by the state and used profusely for common people sake".

This means, the constitution confirms the obligation of the state and the government to protect, conduct environmental management in the interests of the people who live in the present and as well as those living in the future. The use of earth, water, and natural resources contained therein for the greatest prosperity of the people organized through the efforts of development.

Protected animals by law such as Sumatran elephants, pangolins, turtles, and other animals are scattered throughout the islands of Indonesia, including both inside and outside the forest area in the whole territory of the Republic of Indonesia are species that must be protected. Law of the Republic of Indonesia Number 5 of 1990 on Conservation of Natural Resources and Ecosystems which is a product of national law in

order to be able to manage thoroughly with regard to the utilization, the legal relationship between humans and the natural resources and ecosystems.

Based on the above description, it is associated with a variety of phenomena that occur in the world of conservation of natural resources and ecosystems today is a deep concern. Rampant violations of the criminal offense of protected animals raised concerns on the balance of the ecosystem. Violations against protected animals are very heterogeneous in nature and are made directly or indirectly, by vulgar or hidden action.

1.2. Issues

Problematic criminal law policy for the reduction of the crime of protected wildlife in Indonesia is interesting authors to study it in this article. Therefore in the legal writing, the writer formulates formulation of the problem:

- (1) How is the regulation concerning the criminal offense of protected animals currently in Indonesia?
- (2) How should the criminal law policy in tackling the crime of protected animals in the future?

2. DISCUSSION

2.1. System Policy settings of Protected Animal in Crime Criminal Law Positive

a). Position and Management of Crime Protected Animals in the Criminal Code

Discussion about the position and arrangement of protected animals criminal offense will be described in accordance with the three main issues / main substance of criminal law that is (issue criminal offenses), the (problem of error or criminal responsibility), and crime / punishment. The setting of the Crime of animals protected under the Criminal Code does not exist, but the closest is regulated in Article 302 of Chapter XIV of crimes against decency, as follows:

Article 302

- (1) Threatened with imprisonment of three months or a maximum fine of four thousand five hundred dollars for a less serious assault against animals

1. Whoever without a goal worth or is beyond the limit, with intentionally hurt or injure an animal or detrimental to health;

2. Whoever without a goal worth or by exceeding the limits necessary to achieve that goal, deliberately does not provide the necessary food for the animal life, which wholly or partially into hers and there was under his supervision, or the compulsory maintenance of animals.

(2) If the act that resulted in more than a week sick, or handicapped or suffer other serious injuries, or death, is guilty of punishable with imprisonment for a maximum of nine months, or a maximum fine of three hundred dollars, because of mistreatment of animals.

(3) it belongs to the innocent animal, then the animal can be seized.

(4) Experiment commit a crime is not punished. "

1. Crime

Elements of criminal acts intended in the criminal provisions set forth in Article 302 paragraph (1) it is an element of 'deliberately'. In accordance with its location in the formulation of the criminal provisions set forth, elements 'deliberately' includes the following elements: a. cause pain; b. cause injury; c. adverse health; d. an animal.

2. Criminal Liability

The formulation of Article 302 above, about animal mistreatment, criminal liability is imposed on people, it can be proved that whoever element referred to in Article 302 of the Criminal Code that can be criminally is a person, it can be emphasized in the formulation of Article 59 of the Criminal Code that in cases in Where as specified criminal offense against the board, members of the Board or commissioners, the management, board members or commissioners who did not intervene offense is not punished.

3. Crime and Punishment

The division of criminal and sentencing, which consists of several parts that will be explained in this division, at the start of the first criminal to be described. Crime which consists of criminal types (strafsoort), how the implementation of the criminal (strafmodus), the length of the criminal (strafmaat), and the formulation of a system of criminal threats.

Based on the formulation of Article 302 of the above, there are three sub that can be analyzed, namely;

a). Straafmacht (length of criminal sanctions)

Under Article 302 of the Criminal Code length of criminal sanctions is a maximum of 3 months in prison or a maximum fine of four thousand five hundred dollars. Imprisonment of 3 months is the maximum system specifically for setting in the second book of the Penal Code while the maximum system common and common minimum set in the book to the Criminal Code.

b). Straafsoort (type of crime)

Under Article 302 of the Criminal Code, criminal types contained in this article is imprisonment and criminal fines.

c). Formulation system of criminal threats

Under Article 302 of the Criminal Code, the criminal threat system formulation contained in this article

adopts an alternative formulation for using the word "or"

b). Position and arrangement Crime Protected Animals in In Act No. 5 of 1990

Law No. 5 of 1990 on Conservation of Natural Resources and Ecosystems (KSDAHE) namely article 40, paragraph 1, 2, 3, 4, and 5, in the penal provisions contained in Law No. 5 of 1990, paragraph 5 divides criminal offenses into 2 groups, namely criminal act is said to be a crime to paragraphs 1 and 2 and criminal offenses be regarded as a violation of paragraph 3 and 4.

The formulation of criminal sanctions in Law No. 5 of 1990 on Conservation of Natural Resources and Ecosystems scattered in article 40 of them:

(1) Whoever intentionally violating the provisions referred to in Article 19 paragraph (1) and Article 33 paragraph (1) shall be punished with imprisonment of ten (10) years and a maximum fine of Rp. 200,000,000.00 (two hundred million rupiah).

(2) Whoever willfully violating the provisions referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be punished with imprisonment of five (5) years and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah).

(3) Anyone who due to negligence breaches of the provisions referred to in Article 19 paragraph (1) and Article 33 paragraph (1) shall be punished with imprisonment of 1 (one) year and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah).

(4) Anyone who due to negligence breaches of the provisions referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be punished with imprisonment of 1 (one) year and a maximum fine of Rp. 50,000,000.00 (fifty million dollars).

(5) The offenses referred to in paragraph (1) and (2) is a crime and a crime referred to in paragraph (3) and (4) is violation

1. Crime

The setting of the Crime of Illegal Wildlife in Law No. 5 of 1990 contained in Article 40 paragraph 2

1) Elements of Deeds

In Article 40 paragraph 2 above, whoever violates Article 21 paragraph 2 which reads, everyone is forbidden to:

a. Capturing, injuring, killing, keeping, owning preserve, transport, and trading protected animals alive;

b. storing, having, raising, transporting, and trading protected animals in the dead;

c. issued protected animals from an in Indonesia to other places inside or outside Indonesia;

d. trading, store or pick the skin, body, or other parts of protected animals or goods made from these parts or removing it from a place in Indonesia to other places inside or outside Indonesia

e. taking, damaging, abolish, trade, store or possess the eggs or nests of protected animals.

2) Judicial Qualifications

Juridical qualification, as has been described above is an important thing because if a special law does not

specify whether an offense as a crime or offense it will cause problems in the judicial application of the law in the field, in the event of trial, assistance, participation, follow criminal and others, as has been shown above. In this Act, juridical qualification contained in Article 40 paragraph 2, which reads: The offenses referred to in paragraph (1) and (2) is a crime and criminal offenses as referred to in paragraph (3) and **(4) is violation,**

2. Criminal Liability

Criminal liability on a specific law is contained in Article 40 paragraph 2, which reads:

"Whoever willfully violating the provisions referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be punished with imprisonment of five (5) years and a maximum fine of Rp 100,000,000, 00 (one hundred million rupiah) ".

The formulation of Article 40 paragraph (2) above, on offenses to animals, criminal liability imposed on the person, it can be proved from the elements Whoever is Article 40 paragraph (2) which can be accounted for by the criminal is a person, it is emphasized in the formulation Article 59 of the Criminal Code that in cases where due to the specified criminal offense against the board, members of the Board or commissioners, the management, board members or commissioners who did not intervene offense is not punished.

3. Criminal Matters and Punishment

In Act No. 5 of 1990 adopts a specific maximum criminal and his kind consisting of imprisonment and fined (criminal penalty adopts a cumulative formulation using the word "and", in which the judge declared second decision must impose criminal sanctions set in formulation articles, namely imprisonment and fines.

B.2. Crime policy settings Protect Animals in the National Law System In Upcoming

a).Position and arrangement Crime Protect Animals in the National Law System in Coming

Crime against protected animals in the future basically the concept of the bill has not been applied in the Criminal Code in 2012, which until now not being legalized, there is the provision of Article approaching that in the ninth part of Article 501 in torture animals, namely:

Article 501

(1) Punishable as a less serious assault on animals with imprisonment of 6 (six) months or a maximum fine of Category II, every person who:

a. hurting or injuring an animal or adverting its health without a goal worth or to exceed the extent necessary to achieve these objectives;

b. Without a goal worth or to exceed the extent necessary to achieve these objectives, do not feed or the necessities of life to the animals in whole or in part is hers and under its supervision, or the compulsory maintenance of animals; or

c. sexual intercourse with animals.

(2) If the criminal offense referred to in paragraph (1) resulting in sick more than 1 (one) week, disability, serious injury, or death, the maker of a criminal

offense shall be punished for mistreatment of animals, with a maximum imprisonment of one (1) year or a maximum fine of Category II.

(3) If the animals referred to in paragraph (1) belongs maker criminal offense, then the animal can be seized.

(4) Experiment with a criminal offense referred to in paragraph (2) shall be punished by a maximum fine of Category II.

Crime of "light maltreatment of animals" referred to in the criminal provisions set out in Article 501 of the Criminal Code bill it is:

1. With the intent to hurt or injure an animal or adverse its health without a goal worth or to exceed the extent necessary to achieve that goal.

2. Deliberately without a goal worth or to exceed the extent necessary to achieve these objectives, do not feed or the necessities of life to the animals in whole or in part is hers and under its supervision, or the compulsory maintenance of animals.

3. With the intent to have sex with the animal.

Criminal liability or fault as has been described above, according Sudarto consists of deliberate and oblivion. Intention here is subdivided by level of its kind ie, deliberate with the intent, deliberate with certainty conscious and deliberate offense to knowingly possibility. Responsibility of light maltreatment of animals in the bill Criminal Code contained in Article 501 is for people because there is no information about the corporation.

Based on the formulation of Article 501 above, there are three subs that can be analyzed by crime and punishment, namely;

a. Straafmaat (length of criminal sanctions)

Under Article 501 of the Criminal Code bill duration of criminal sanctions is no longer than 6 months in prison or a maximum fine of 2. Sanksi category could grow to 1 year if an illness of more than 1 (one) week, disability, serious injury, or death.

b. Straafsoort (type of crime)

Under Article 501 of the Criminal Code Bill, criminal types contained in this article is that the principal criminal imprisonment and criminal fines.

c. Formulation system of criminal threats

Under Article 501 of the Criminal Code Bill, the formulation of the system of criminal threats contained in this article adopts an alternative formulation for using the word "or".

Legislation governing the crime of protected animals in Law No. 5 of 1990 there mention or juridical classification between crimes and violations. In chapter Criminal Provisions should be no provision / confirmation of the juridical qualification of the criminal act as crime or violation, as a general rule the Criminal Code consists of general rules for Crime and common rules for Violation. Placement qualifying offense as "evil" or "breach" in essence a judicial determination of the qualifications that have a good result anyway juridical juridical material related to the general rules of the Criminal Code and the formal juridical consequences in the Criminal Code (Code Criminal Procedure), to the extent not specified Another by law. Determination of judicial

qualifications required to bridge the entry into force of the general rules of the Criminal Code to things that are not regulated by law outside the Criminal Code to identify a judicial determination of the qualifying criminal offense against an act of protected animals.

Special minimum criminal matters is a deviation from the parent system of criminal law, namely the Penal Code, as already explained above threat special minimum punishment is not embraced by the Criminal Code, it is possible for special legislation outside the Criminal Code to create rules that deviate based on the provisions of Article 103 of the Criminal Code, however special threat minimum cannot simply be applied to only be included in the formulation of reason alone. It should also be loaded minimally criminal rules or guidelines specific to the application of a special minimum criminal sanctions for the crime of protected animals.

Special minimum criminal sanctions should also be set pattern, as a special formulation of minimal patterns, can presumably put forward specific minimum pattern according RKUHP concept as follows:

a. In principle, the special minimum punishment is an exception, namely for certain offenses that are considered very harmful, harmful or disturbing the public and offenses that are aggravated by the consequences (Erfolgsqualifizierte Delikte). As a quantitative measure are offenses that are punishable imprisonment of over seven years (until the death penalty) alone may be subject to specific minimal, because the offenses that are classified very seriously, but in certain cases it can be lowered benchmark on offences that are relatively heavy offense that is punishable 4-7 years in prison).

b. The special minimum pattern according Concepts ranged from 1-5 years with the following categories :

Offense category	Maximum Punishment	Minimum Punishment
1. Heavy	4 up to 7 years	1 year
2. Very Serious	7 up to 10 years	2 years
	12 up to 15 years	3 years
	Death sentence/a life sentence	5 years

Determination specifically targeted minimum or maximum differentiated according to specific threats to the offense bersangkutan. Ini merely an objective standard or formal benchmark. Not any offense that is included in the category as above, should be given special minimal. In setting specific minimum to be considered as a result of the offense in question against the public at large (among others: general unrest pose a hazard, danger to the life / health / environmental consequences or death) or the repetition factor of crime (recidivist). In general, the offenses were very serious threat alone is given a

specific minimum. According to the concept of special even this minimal threat in certain things can still be reduced or commuted if a criminal type / action for mostly corporate fines (financial sanction is), rarely in the form of "Structural sanction" or "restriction on entrepreneurial activities" (restrictions on business activities, the dissolution of the corporation) and "Stigmatizing sanction" (announcement of the verdict, warning the corporation). In the future, the legislators should include the type of criminal or corporation other than a criminal action for fines.

Laws relating to the crime of protected animals in the future should contain matters that are not regulated sentencing guidelines for corporations to criminal acts of protected animals in the future as set out in the Concept of the Criminal Code of 2012, among others :

- Affirmation of the corporation as the subject of a criminal act.
- Determination of criminal sanctions / measures for the corporation.
- Determining when corporations can be.
- Determining when officials accountable.
- Determination of justifying and forgiving for the corporation.

In addition it should also add things related to the additional penalty which may be imposed separately without coupled with the principal and the criminal penalties for corporate replacement guidelines as set out in the Concept of the Criminal Code of 2012, as follows:

1. Guidelines for the imposition of additional penalty which may be imposed on their own without preceded the main criminal as contained in Article 67 paragraph (2) concepts, namely:

Additional penalty can be imposed together with a principal criminal, as criminal stand-alone or can be dropped together with other additional penalty.

2. Guidelines for substitute criminal fines for corporations if the fine is not paid as in Article 85 Concept that:

If the decision of wealth or income referred to in Article 82 paragraph (2) cannot be done then to corporations subject to criminal replacement in the form of license revocation or dissolution of the corporation.

b). Position and arrangement Crime Protect Animals in the Comparative Study with Other Countries

Comparative studies in criminal law by comparing some of the settings in other countries said to be very important because, according Sudarto, there are two benefits of studying a foreign legal system that:

a. General

- 1) Giving satisfaction for people who want to know a scientific nature;
- 2) Deepening the sense of community and cultural institutions themselves;
- 3) Bringing critical attitude towards its own legal system.

b. Which are special

In connection with the national principle espoused active in our Criminal Code. Different from the above description, the comparison of criminal law on

protected animals will be discussed, among others, from the UK and Thailand, which includes the setting of the crime of protected animals. Van Apeldorn itself distinguishes comparison purposes legal in theoretical goals and objectives that are practical. Theoretical purpose described the law as a symptom of the world (universal) and therefore the science of law must be able to understand the phenomenon of the world; and for it to be understood law in the past and in the future legal sekarang. Practical purpose nature of comparative law is a tool to help public order and national legal reform as well as provide knowledge about the various regulatory and legal minds to the legislators and judges.

a. Thailand

Law on animal mistreatment in Thailand is Wild Animal Reservation and Protection act BE 2535 (1992), a special law is set up with a clear procedure on how the animals and their parts if people want to hunt, breed, Had, trading Results of Wildlife, wildlife and Sections are. In Act No. 5 of 1990 there was no regulation regarding the above is clearly due to the discussion about the preservation and use of animals and plants regulated further by Government Regulation

1. The offenses

Before discussing the criminal act in this particular legislation, we can look at the Criminal Code provisions on trial in Thailand as the parent of the sub-systems of special rules, which are set in Article 80-82 first book about "general provisions". The terms or elements may be punished by experiment formulated in Article 80 as follows:

Sub 1:

"Whoever commences to commit an offense, but does not carry it through, or carries it through but does not Achieve its end, is said to attempt to commit an offense".

(Said to be experimenting crime, whoever committed a crime, but did not finish it, or carry it out but did not achieve the outcome / goal)

Sub 2:

"Whoever attempts to commit an offense shall be liable to two thirds of the punishment provided for such offense".

(Whoever tried with a criminal offense shall be convicted of two thirds of criminal threats in charge for the criminal offense in question)

From the formula above shows that the elements of a crime under the Criminal Code trial Thailand, are:

a. Has started doing a crime (so has no beginning implementation)

b. But implementation was not completed, or the outcome / result is not achieved its goal

So in the Thai Criminal Code does not distinguish between types of criminal offense and the offense, but only using specific terms offenses in the second book in book III petty offenses.

2. Criminal Liability

The formulation of the Articles contained in Chapter 8 of its criminal sanctions almost all of his responsibilities imposed on people, it can be proven

from the elements "whoever" and "no one". There are regulations on criminal acts committed by a corporation or legal entity in the specific laws of Thailand precisely in Article 59. The criminal liability of a legal person, there is controversy in Thailand is a legal entity can be the subject of a criminal offense and liable responsibility.

3. Crime and Punishment

Based on the formulation of the Articles in Chapter 8 of the Act sanctions in particular Thailand, there are 3 sub that can be analyzed, namely;

1. Straafmaht (length of criminal sanctions)

Under Article 54 of Law Reservation and Protection of Thailand's wildlife duration of criminal sanctions is not exceeding 7 years or a fine not exceeding 100,000 baht.

2. Straafsoort (Criminal Type)

Under Article 47,48,49,50,51,52,53,54,55,56 Reserve Act and the Protection of Wildlife Thailand, the type of sanction in the form of prison

and fines. It also applies sanctions deprivation of goods contained in Article 57 and 58.

3. Straafmodus (Criminal Threats Formulation System)

Under Article contained in Chapter 8 of the sanctions, the formulation of the system of criminal threats contained in the Articles of this is the formulation of a system of alternative threat / cumulative or combined for use "or / and", where judges can impose two types of simultaneously existing criminal threats , or can only choose one course

3. CONCLUSION AND RECOMMENDATION

3.1. Conclusion

Based on the discussion that has been described above can be concluded as follows:

1. The current criminal law policy, especially policy formulation criminal acts protected animals there are still some lack synchronized between host systems Penal Code with a special law governing the crime of protected animals both on the issue of crime, issues of criminal responsibility and criminal matters and punishment that can cause problems juridical.

2. mistreatment of animals in the future have been listed in the draft RKUHP 2012, his efforts only limited protection to animals in general, not devoted to the animals should be protected because of danger of extinction. Based on the study of various countries (England and Thailand) there are still some weaknesses in the Act specifically we are no arrangements regarding the criminal acts committed by the corporation and the absence of sanctions against the difference between wildlife from nature and wildlife bred in captivity

3.2. Suggestion

Based on the above conclusion, the authors recommend the following:

1. The system also threats specific minimum sentencing guidelines for setting the minimum system specific threats must be contained in the Act which are criminal acts protected wildlife in Indonesia.

2. Should criminal liability for corporations and the sentencing guidelines for corporations as well as set out in the Criminal Code Concept 2012 must be contained in the law governing the crime of protected animals.

3. Should the issue of sanctions (strafmaat) needs to be increased due to a maximum of 5 years in prison and a maximum fine of Rp 100,000,000 , - (One hundred million) is too small and moreover there is no setting specific minimum guidelines giving rise to disparity of criminal

4. The setting of repetition crime (recidivist) needs to be set considering the repetition of criminal offenses in the Criminal Code set in books II and III of the book so it only applies to criminal offenses in the Criminal Code alone .

5. The need to enter a study on the crime of protected animals in RKUHP that will come due in the current Criminal Code and the draft 2012 only includes the usual crimes against animals

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DECENTRALIZATION EVALUATION IN INDONESIA : THE DYNAMICS OF RELATION CENTRAL GOVERNMENT AND LOCAL GOVERNMENT

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ABSTRACT - Big bang decentralization in Indonesia has been started since 1999 as muffle of many problems after the fall of authoritarian regime in 1998. But no one can prove succeed rate, decentralization offered by World Bank is seen as an effective medicine to many countries different kind problems. Within the context, this paper evaluates the experiment of decentralization in Indonesia vigorous in revision by House of People's Representatives, attention in 2004 Indonesia also apply recentralization and consequently a changed in the relationship central government and local government. Using institutional design analysis coupled with empirical observation. The final conclusion of this paper is sovereignty of the people controlled relation central government and local government.

Keywords : decentralization, evaluation, institutional design, relation, people's sovereignty.

1. INTRODUCTION

In 1998 indonesia joined global trend to decentralise government [1]. Policy desentralisasi assumed to be able to stimulate economic growth or poverty alleviation [2]. At the same time, international donors like the World Bank and IMF require decentralization policy as part of kondisionalitas loans and assistance. Although not yet evident in empirical, decentralization policy in general considered as medicine for all kinds of problems faced by a country.

Basically decentralization it has been applied in Indonesia since 1903, by the addition of article 68a, 68b, and 68c of R.R (the law of decentralized) whose contents form decentralization areas. While the nature of decentralization that is very limited only on financial interests and on that can be set by the regions, even his organization did not at all satisfactory [3].

Now, decentralization policy in Indonesia can be found on the constitution of the republic of Indonesia in article 18, by giving an autonomous region the right to regulate and takes his household affairs [4]. Decentralization will also serve as a means of the breadth of unifying areas, and the amount the culture of the people as well as Indonesia that the Indonesian government unable to manage directly the islands being indivisible by the sea.

Although Indonesia decentralization has implemented since 1903 but the calculation of travel regulations on decentralization were calculated from independence day namely in 1945 that had been recognised sovereignty and his existenc in the world level. For that, Indonesia has given birth to 10 of the law on local government. But is not being governed based on the principle of decentralization but with centralization.

During the principle of centralization run for approximately 30 years. It was only in 1998 the society aware of authoritarian ruler of power, this awareness opened the door heaven so that despite from shackles a ruler and gives birth to Law No. 22 of

1999 on local government that accommodate sovereignty the people.

Just 16 years old indonesia in the decentralized system, with his latest the Law No. 23 of 2014. In several models decentralization that has been applied that brings a very easy question researchers, what is the choice of decentralization model best and what caused the change decentralization that applied. This research is focuses on the relationship of authority between the central government and local government.

2. MATRIALS AND METHOD

History records of decentralisation in indonesia had the tides along with political constellation attached and occurring on a journey of life of the nation. Decentralization is giving power to local government of the central government to local government .

James manor (1999) expressing decentralization be able to transfer power/ authority to different levels in a political system. The authority is may be provided by one or more the secondary level (territory or sub) area [5]. Amrah muslimen (1986) explaining decentralization namely this delegation of authority on agencies and category in society in a particular region manage their own household. Decentralization in teoritik giving authority from the central government to transfer the authority to regional government.

Faguet (2005) define decentralisation devolution by the us central (i.e. national) government of specificfunctions, with all of the administrative, political and economic attributes that these entail, todemocratic local (i.e. municipal) governments that are independent of the centre within alegally delimited geographic and functional the domain [6].

While Hendry B. Mayo (1960) has given understanding as follows. a democratic political system is one in which public policies are made on a majority basis, by representatives popular subject to effective control at periodic elections which are

conducted on the principle of political equality and under conditions of political freedom [7].

Deliar noer, (1983) said decentralization as the basis of state give life meaning that at the last of the people giving the provisions in matters of basic about his life, including in judging the discretion of the state, because of the wisdom to determine the life of the people. Clear that the people having power over the country commonly called the sovereignty of the people.

The law of decentralization own has been altered several times by the house of representatives approved president there are circles stating these changes influenced government politics in those days but writer deny the changes basically started with the council representatives of the people the house of representatives is community representatives of the majority of serving as lawmakers. The house of representatives also as the form of sovereignty of the

people who represent the people in the seat of government.

Within the context of the people's sovereignty aspect of decentralization, this paper will evaluates the experiment of decentralization in Indonesia vigorous in revision by House of People's Representatives.

3. DISCUSSION

a. Sovereignty : The decentralized

Since independence until now the regulation of decentralization has been born as many as 10 the act [8], that the whole thing about the regional government. Each of the act of course having the characteristics and own characteristics, because influenced by the ruler of lawmakers. The ruler was the people where the people represented by the council of representatives to form a law that its essence prosper people. The following chart the chronology of the sovereignty of the people of influence in decentralization.

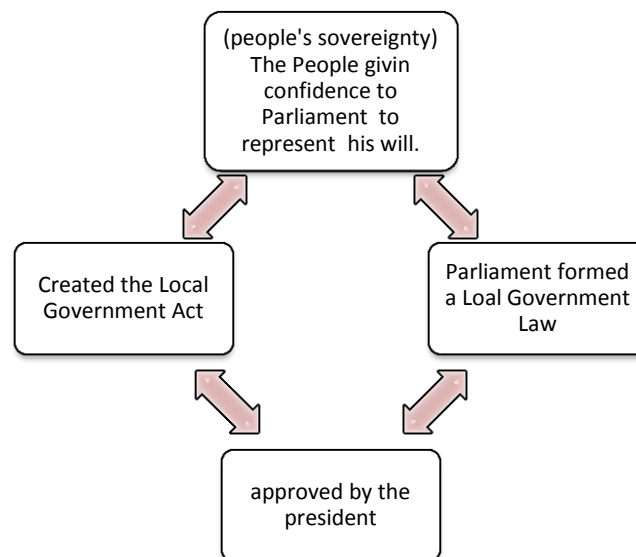


Fig 1. Groove influence people's sovereignty in the decentralization changes

But the entire bill on local government not carried out on the basis of sovereignty of the people in full. There are some act laden with authoritarian just as the Law No. 1 of 1945 about the regulation on local national committee. This law made with the background of the acuteness the state of the power struggle of the hands of Japan. In connection with the acuteness the state of, and local K.N.I executive agency did not have a firm grip on the rights and obligations.

because it is not defined area such bodies, the bodies are held wherever there is the head region, namely the provinces, in residency, in the district, in the city, and in the district, even in villages; regulations of the National Committee of Indonesia caused difficulties in the law, because it does not admit the validity of the judge who must adjudicate matters based on applicable laws valid; increasingly mounting crunch, the government in 1946 has held a regional defense council-dean (DPD) in the residency-residency

consists of representatives of organizations of struggle and the army led by the resident as chairman of DPD is entitled to organize any urgent matter that needs to be addressed since the atmosphere precarious, work practices in the Council of Representatives and the Executive residency of urgency because of the DPD so that still works is the House of Representatives and the Executive Board of the lower region. Not infrequently DPD acted contrary to the regulations of the central government.

The Law No. 5 of 1974, the concept of this law is economic development based on the trilogy with the establishment of the stability of the significant local government. But the essence of deconcentration the principle of decentralization castrated by centralized government that reflects. Domination of power more weight on a central government and leader in the cause of the people are in weak position, where the

values of the sovereignty of the people power government erode due to strong.

After revormasi 1998, the government replace law 5 of 1974 with law 22 of 1999 which the essence of it give the scope of the regions to set and take care of his own house on the basis of community empowerment, the growth initiative, and initiative enhancing the role of the community and legislative [9]. This law also raised the value of sovereignty council the people that is given the rights and obligations which do not have previous in legislation so the basic objective decentralization that wrapped by the unitary state of can terakomodir mechanism to build democracy at the regional level.

Five years the implementation of Law No. 22 of 1999 criticized by the government so it appeared on the revision of the law. That eventually gave birth to a new law that Is Law No. 32 of 2004. Many negatively on evaluation Law No. 22 of 2004 from various circle agree that this law not too supporting the creation of democracy because this law tends to produce excessive democracy and appearing at the small of the kings. Euphoria decentralization felt to be growing

with Law No. 32 of 2004, for the improvement of the completion of the implemented as is the case the value of the sovereignty of the people who represented by the house of representatives.

Law 23 of 2014 is a very "bold" is undergoing drastic changes during the course of decentralization by stating the article most during a journey laws. The spirit of Law No. 23 of 2014 is to maximize the role of Local Government that is able to exercise its powers oriented basic service, not power alone. In Article 1 (2) The value of people's sovereignty in this act is also accommodated with the recognition of the Regional People's Representative Assemblies as an equal partner with the heads of each area means no or litte treat like a king of celebrating the sovereignty of the people, although representatives. On the basis of the description above, it can be drawn graph sovereignty of the people from time to time, as illustrated in Figure 2. The higher point in the curve, indicating the higher degree of sovereignty of the people are accommodated, and vice versa.

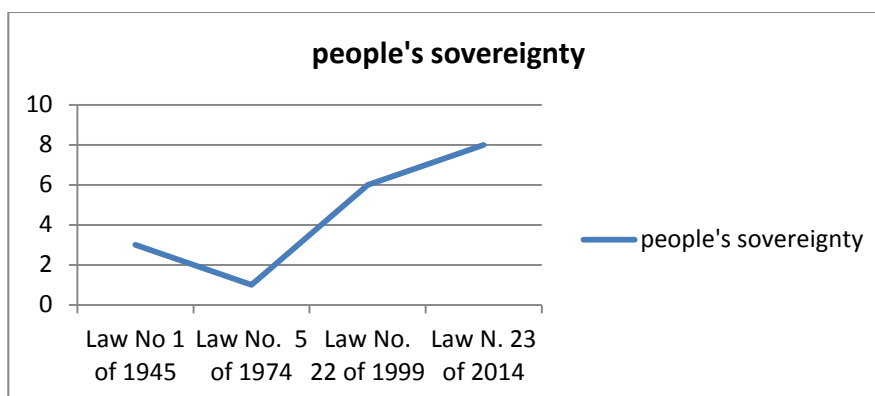


Fig 2. Graph journey sovereignty in local government

b. Relation Central Government and Local Government

According to Lubis was quoted Kaho Basic relations between central and local power is "that holds the supreme authority over all state affairs is the Central Government (Central Government) without interruption by a delegation or devolution of powers to local authorities (regional government). In principle there is a unitary state affairs of state are not shared between the central government (central government) with the local government (local government) such that the affairs of the state in the unitary state remained a roundness (*eenheid*) and that the highest authority in The state is the central government "reflects the unitary state that adheres to the system of decentralization, the central government has the right to supervise the local government although local governments are given the authority to regulate and manage the household.

At the time of the Republic of Indonesia with Law No. 1 of 1945, the structure of governance of each

residency area down run by continuing the arrangement from the Netherlands Government before World War II but also customised democratically. The formation of K.N.I as a people's representative with executive agencies to set up households together. In the set up and take care of his household, there is no strict boundary between local authority run by the head of the region in order to dekonsentrasi.

Areas regulate the affairs of local authorities that are continuing as it has been held at the time of the Dutch East Indies: Restrictions on the amount of money brought someone into a region; Registration of the company; registration of political parties and other associations; Obligation to report to the reviewers who come from outside the region; A ban on transporting household goods to happen outside the region; The registration of experts; Registration Cooperative; Ban issued from the Regional and stockpiling essential materials; A ban on speculative trading of cotton; Supervision of the death and its causes; Collection and pricing of crops; and the composition and procedure

of the election of the National Committee of the Regions. Under Law No. 5 of 1974, Soeharto Administration maintained strong fiscal and political control over provinces and municipalities/regencies through central field agencies in the regions by the principle of deconcentration. The fall of President Soeharto in May 1998 marked the beginning of a new relationship between the central and local governments. The protest in favor of reform and democratization expended to the regions before and after Soeharto's downfall. Many regions demanded fiscal independence from Jakarta and more political importance (Malley, 1999).

Law No. 22 of 1999 was a simply the start of the Decentralization process. an enormous amount of work Remained to be done to implement the redical legislation [9]. The Government enacted Law No. 22 of 1999 on the basis of maintaining the existence of the Nation and the Republic of Indonesia from the Dutch aggression. In article Law No. 22 of 1999 describes "On the establishment of the Regional Government has the right to regulate and manage their own household according to the Basic Law Government this strip, then the obligations prescribed by the central government (jobs) everywhere that can be delivered in the area. These two work such that:

- a. Submission of full, meaning both on principle (principles) nor about its operation obligations (work) that submitted it, left everything to the Regions (autonomy);
- b. Submission is not full, it means submission only about how to run its course, while principles (principles on) are set by the central government itself (Ha medebewind) [10].

Results of evaluation of the Law No. 22 of 1999 and its implementation there are some fundamental issues among others are less comprehensive in the regulation of basic concepts, such as the relationship between levels of government, the financial balance; There are settings in sync among multiple chapters, there is a setting in the article that is likely to give rise to multiple interpretations, as there is no hierarchical relationship, the whole authority of the Regions applies a certain region, and the division of authority. Sharing mechanism implemented affair with the principle of residual function (the affairs of the rest) submitted to the district/city level, while government

affairs at central and provincial levels defined specifically in the government regulations No. 25 of 2000. However, in practice it appears the impression that the principle adopted by Regency/City is broad autonomy for the rest of the matters submitted has a very broad scope, whereas the provincial level because it adheres to the limited autonomy has been set [11].

On the basis of these evaluations, the government enacted Law No. 32 of 2004, adheres to the principle of broad autonomy to further clarify the division of government affairs at central and regional level, whether provincial or regency through government regulations 38 of 2007. Compared to Law No. 22 of 1999, Law No. 32 of 2004 the principle of concurrence function [12]. A five-year pilot regional autonomy does not guarantee the smooth decentralization, as well as Law No. 32 of 2004 showed the reverse flow (recentralisation) as the new regime is increasingly fulfilled the basic character who kept maintained by various previous rules. Crate personnel management, oversight of regulations (related to budget, taxes and levies), developm ent planning, or dismissal of the head/deputy head of the region. All this is forcing local leaders directly elected area to always maintain obedience to the center, not a functional relationship with Parliament or the relationship of accountability to the people.

Law No. 23 of 2014 as amended by Law No. 9 of 2015 is a law that local governments use today. Payload Law No. 23 of 2014 brought many changes in governance one of them in central and local government relationship with local government affairs division. Based on this law, government affairs consists of three matters that absolute government affairs, general government and government affairs public concurrent. Government affairs is the absolute government affairs under the authority of the central government entirely [10]. Concurrent affairs are government functions that are shared between the central and regional governments of provincial and regency, government affairs concurrent submitted to the Regional form the basis of regional autonomy [11]. General Government affairs is government affairs under the authority of the President as head of government [12]. See figure 3 the division of government affairs.

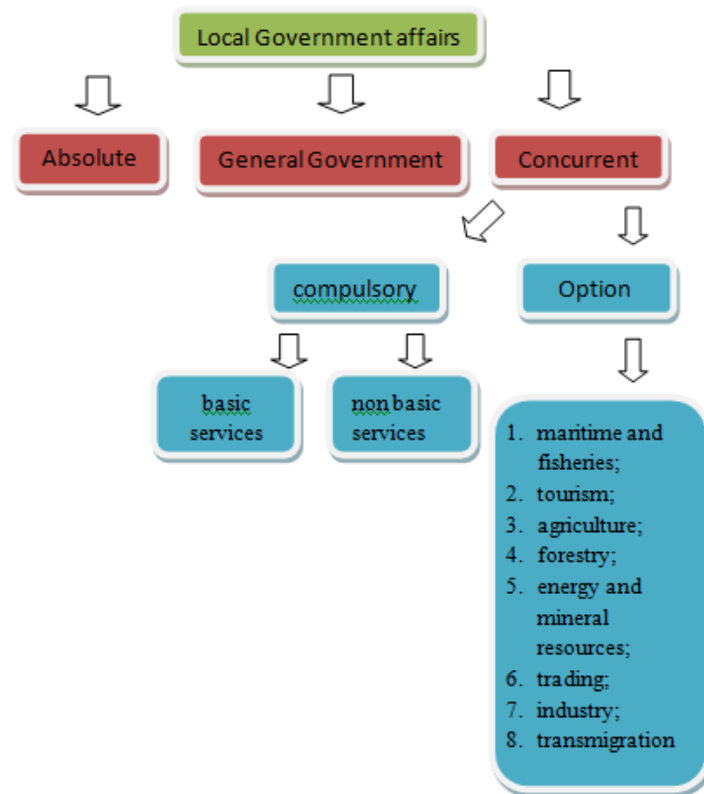


Fig 3. Local Government affairs

Concurrent administration affairs are shared between the central government and the provincial and district/city is divided into obligatory functions and affairs of choice. Affairs shall be convened by all regional affairs while the selection organized by the regions in accordance with the region's potential.

4. CONCLUSION

Shift decentralization in Indonesia is influenced by the quality of the influence of popular sovereignty represented by Parliament. sovereignty of the people considered to be loaded with pure intentions for the welfare of the people. indirectly welfare of the community that encloses the sovereignty of the people in Indonesia.

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DENIAL OF LABOR RIGHTS BY LIBERAL LEGAL REGIME IN THE OUTSOURCING SYSTEM

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ABSTRACT - Outsourcing is a inevitability which is the demands of modern globalization that have character on the value of liberalism (noe liberalism). Outsourcing system is an effort to realize a product which efficient and effective, so that the resulting product has high competitiveness.

In act 13/2003 on Labor, outsourcing system open opportunities through article 64 that said the companies can give a part of job to other companies. The emphasis is done with the intention to share the risk and reduce the burden of the company. Concerning article 65 for the requirements related to the implementation of jobs to other companies. The implications of the outsourcing system, makes labor obedient to the company that provides jobs not on the holding company bound in a agreement of certain time employment or contract.

The type and nature of the work seen by agreement of certain time employment set out in article 59 clause 1. The reality of denial appearing the disadvantages to labor related with the rights. When it has been tested in the Constitutional Court decision does not provide certainty Labor Law. Protection of labor done by the Government through the regulation of Labor Minister No. 100/2004 about the Company Licensing Service or Labour. The provision is actually expanding the meaning of certain time employment agreement with makes regulation of working relationship based on casual workers who are not known to the Act.

keywords: labor rights, law, liberal, outsourcing.

1. INTRODUCTION

Global economic developments and rapid technological advances impact the appearance of competition is so tight that occur in all aspects. This highly competitive environment requires businesses to adjust to the market demands that require fast response and flexible in demanding customer demands. Therefore needed a structural change in the business, with making policy that is more effective, efficient, and productive. In relation with this, then comes that called the outsourcing. Outsourcing is a partial delegation of implementation the work to another company through an agreement contract of work or provision of services worker made in writing. The practice of outsourcing in Act no.13 of 2003 on Employment can be implemented with the requirements in accordance with Article 65, so that if one of these requirements is not met, then the job cannot be in outsourced.

2. METHOD

The method used in this paper is a normative method. Normative method is a method by reviewing the study documents that use a variety of secondary data such as legislation, court decisions, legal theory, and can be the opinions of the scholars. This paper uses qualitative analysis to explain the existing data with the words presented based on the analysis of secondary data.

3. RESULT AND DISCUSSION

Outsourcing system already widely practiced in the business world in Indonesia. Outsourcing is a diversion of jobs through job chartering and the provision of labor services.

In relation with a job diversions, the nature of the outsourcing system that exploitative and expansive is a form of global capitalism characteristic. It can even be said as biological child were born from the womb of the capitalist. Expansion and exploitation in this system is done in order to keep the accumulation of capital. With the demand the laborers to meet the requirements in outsourcing, solid working hours, wages are not balanced, lack of an opportunity to join a labor organization, because of time runs out in the employment contract. Violation of the agreement will result in immediate dismissal by management outsourcing company. Thus, industrial relations in the model of outsourcing work makes the workers do not have clarity in the job relationship, with implications lack of clarity about the position of laborers and how they demand their rights.

In relation to labor rights, the government issued Act No. 13 of 2003 on Manpower which in essence is a Act that is supposed to provide protection to labor not to other parties. The reality shows that the ratification of the Act No. 13 of 2003 on Manpower, instead became the legal basis for the legalized outsourcing system that profitable the ruling capital and otherwise detrimental to the laborers.

In legislation on Manpower does not mention explicitly the term outsourcing. However, outsourcing system began to open opportunities implicit in Article 64, which states that "the company can give part of its work to other companies through the agreement of job chartering and the provision of labor services made in writing."

In addition to the opportunities opened implicitly, to the provisions of Article 65 was mentioned about the

conditions related to the implementation of job to other companies as third parties or job chartering and the provision of labor services. This has implications that the labor obedient at the provision of labor services company, not the the holding company where the Laborers are bound by an agreement in the form of a specific time employment agreement or contract.

Regarding the type and nature of work regulated a specific time employment agreement, mentioned in Article 59 paragraph 1 of Act No. 13 of 2003 on Manpower. Labor relations in this matter outsourcing system, occurs broader interpretation in regulation of manpower ministers (Permennaker) No. 100 of 2004 on the Company Licensing Service or Labour. In these regulations, the term specified time employment agreement extended the term daily laborers are exactly regulated in chapters V. Indeed, the term daily laborers was not recognized in the Act No. 13 of 2003 on manpower.

With the existence of these regulations, actually has indirectly legalized outsourcing system in Indonesia. In the daily practice of outsourcing has been recognized more detrimental to the labor, because the employment relationship is always in the form of temporary / contract, lower wages, social security even if there is only a minimal extent, the lack of job security and the absence of guarantee of career development and so on.

According Priambudi Komang, the employer argued that "where workers were recruited, how the arrival and others are of no concern to us as consumers." This is a condition which shows that workers are merchandise and outsourcing is nothing but legalized trafficking

In fact, labor outsourcing is the most disadvantaged in the workplace because an agreement in the event of

termination of employment by the company, the workforce outsourcing do not get basic rights as befits a permanent workforce, despite working period has been for years. Working lives are not the determining factor, because each year the contract can be renewed, so that tenure starts again from the beginning when there is employment contract between the company and the workers.

With the outsourcing system through regulation that is not firm and protection of labor that are less certain. It is expected that the establishment of a labor legislation that expressly and fully protect labor, or even necessary the elimination of outsourcing system in Indonesia to achieve labor rights that must be obtained.

4. CONCLUSION

Based on the discussion that has been described writer, it can be concluded that outsourcing is a system adopted from the capitalist liberal regime which has been practiced in Indonesia. Outsourcing system is more beneficial to the ruler of capital and disadvantage of labor, so some labor rights are not fulfilled. The need for strict rules on employment in outsourcing systems and protection for labor certainty.

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DESIGN OF THE SPECIAL AREA FOR INCLUSION IN THE SYSTEM OF THE REPUBLIC OF INDONESIA BASED ON 1945 CONSTITUTION OF THE REPUBLIC OF INDONESIA

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ABSTRACT - The results showed that (1) the design of specific areas / privilege is granted to provincial-level regions and municipal level area / city. (2) Design of granting the status of specificity / privileges in the State of Indonesia is based on a variety of reasons, namely (a) the granting of special autonomy is more emphasis on the conditions and the real needs of the area so that the necessary implementation of the authority of a special nature, such as its position as the capital of the province of the Republic of Indonesia and as an autonomous region, (b) their resilience and perseverance are sourced from the view of life which is based on Islamic Shariah; (c) the administration and development has not fully satisfied the justice and social welfare, and has not fully supported legal enforcement, and has not yet shown respect for human rights; (d) the history and origins of things, for example Yogyakarta Sultanate and the Duchy of Pakualaman which already have their territory, government, and the population before the birth of the Republic of Indonesia on August 17, 1945 have proved to be instrumental in maintaining, filling, and keeping the integrity of Unitary Republic of Indonesia. (3) theoretically the establishment of special autonomy is one way or a choice made by a country to hold its togetherness (State unity).

keywords: Special Areas, Special District, Law Design of Unitary State

1. INTRODUCTION

Regional autonomy is not just a dispersal of governance to achieve efficiency and effectiveness of government or just to accommodate the fact of a vast nation with many residents and many islands. Autonomy is basically a constitutional order (*staatsrechtelijk*) relating to the basics of state and organizational structures of the state, not just a state administrative order¹. Regional autonomy is the basis for expanding the implementation of democracy and the instrument to realize the general welfare. Local autonomy is a way of maintaining a unitary state. Autonomous regions which freely and independently organize and manage his own household are given a proper place in the life of the nation, so there is no reason to get out of the Homeland².

Republic of Indonesia unitary state is a cornerstone of design in achieving equitable regional autonomy. The 1945 Constitution sets the regional administration of the post-reform that shows clarity of direction with the declaration of decentralization with broad autonomy; the area has broad authority to regulate and manage the household of their own region with its own initiative. For the sake of justice for the region, in addition to the presence of the authority of broad autonomy as well as the recognition and respect for the state of the government unit which is special and privileged. Section 18B of the Act of 1945 provides that "The State recognizes and respects the local government units that are special or specific regulated by law".

Recognition of specific and privilege regions gives an implication that any areas that are special and privileged in certain respects compared with other regions. Specificity and privilege of certain areas are based on the history and origins of rights under the Constitution of the Republic of Indonesia Year 1945

to set up and take care of special authority and privilege, for example Papua, Aceh, YOGYAKARTA.

Special areas in the design of Unitary system is not causing no problem, there are some problems: First, the 1945 constitution does not describe in detail of the design of specific areas, in this case whether or not it is only for provincial-level regions that are obtaining special status, given in the constitutional practice only a few areas are given special status of provincial level only. This raises the level of turbulence for the District and City area which may have specificity properties and privileges, such as Surakarta. This problem will further raise the question, whether or not the special areas and special designs are also given to the district level and the City area.

Second, there is no explanation of the criteria of provincial region, district and city that can be used to determine a special area. This problem remains a political choice of the government, for example due to the failure of the new order in the welfare of the people of Papua whose land has abundant natural resources, the government requires political choices in the reforms era to make Papua as a special area. Moreover, Yogyakarta is given a privilege status in the field of filling the position of Regional Head and Deputy Head of the Provincial level is also a political choice because previously the central government had an intention to delete privileges in the field of filling the post of head of the region. Meanwhile Aceh province was given the privilege relating to the application of Islamic law and the implementation of Islamic justice (e.g. Sharia Court).

Third, in the perspective of a unitary state, the vagueness of rules and criteria for granting the status of a special area to a particular area can cause jealousy for other areas that feel to have special properties and

privileges. This of course will lead to endangerment of a unitary state which has been designed since independence. Therefore there must be a clear position for specific regions in the design of the unitary state. Surely what should be considered further to address the problem is to make the design of an ideal existence in managing specific regions in the framework to strengthen the design of a unitary state that has been agreed.

2. PROBLEM FORMULATION

Based on the above background, the problem formulations of this study are:

1. How does the setting / legality of a particular area within the Unitary State of the Republic of Indonesia under the Act of 1945?
2. How does the ideal design of special areas / privileged in order to strengthen the system of the Republic of Indonesia according to 1945 Constitution?

3. RESULTS AND ANALYSIS

1. The Setting of Special Region in Indonesia

Based on the study of various laws and regulations in force, there are some areas that until now still having the status of a privilege or specificity. Status of privileges and specificity is only owned by the provincial level regions including counties while the regions that have the status of a special area or specific areas, including:

a. Special Province of Jakarta Capital

Provincial Government of Jakarta is the operation of government affairs by the local government and the House of Representatives of Special Province of Jakarta according to the principles of autonomy and assistance with the principle of broad autonomy within the system and the principles of the Republic of Indonesia. Special Province of Jakarta is the province that has the specificity in local governance due to its position as the capital of the Republic of Indonesia. Rationales behind granting the status of specificity for DKI Jakarta are:

- 1) Jakarta as a unit of government that is specific to its position as the capital of the Republic of Indonesia and the autonomous region that has an important function and role of government in support of the Republic of Indonesia based on the Constitution of the Republic of Indonesia Year 1945. Therefore, it is necessary to give the specificity of tasks, rights, obligations, and responsibilities within the regional administration.
- 2) Jakarta province as the capital of the Republic of Indonesia, as the center of government, and as the autonomous region is dealing with a very complex characteristics problem and different from the other provinces. DKI Jakarta is always faced with the problems of urbanization, security, transportation, environment, special area management, and other social problems that require solutions synergistically through various instruments.

The few things related to the specificity of Jakarta, include:

- 1) The authority of the Government of Jakarta as the capital of the Republic of Indonesia which includes the establishment and implementation of policies in the areas of: (a) spatial, natural resources, and the environment; (b) the control the population and settlements; (c) transportation; (d) industry and trade; and (e) tourism.
- 2) Jakarta Provincial Government is led by one Governor assisted by a Vice Governor directly elected by universal suffrage of Regional Head and Deputy Head that gains of more than 50% (fifty percent).
- 3) The Governor in his capacity as representative of the Government and Regional Head of Jakarta is given the specificity of tasks, rights, obligations, and responsibilities in the position of Jakarta as the capital of the Republic of Indonesia.
- 4) The Governor shall have the protocol rights including assisting the President in the event of state in accordance with the provisions of the legislation.
- 5) The mayor/regent is appointed by the Governor upon consideration of Jakarta Provincial Council of Civil Servants who meets the requirements. Mayor/regent is dismissed by the Governor in accordance with the provisions of the legislation. Besides mayor/regent is responsible to the Governor.
- 6) In the capacity as the capital of the Republic of Indonesia, Jakarta Government may propose to the Government related to the increasing number of agencies, technical agencies and provincial departments, and/or technical institute of new areas according to the needs and abilities of local financial budget.
- 7) Funding of Jakarta Provincial Government in conducting the affairs of government that are special in its position as the capital of the Republic of Indonesia is put in the state budget.
- 8) Jakarta Provincial Government may propose the establishment of a special area in its territory to the Government; a special area is set up to hold certain government functions that are special and for the national interest/national scale.

b. Special Province of Yogyakarta

Special Region of Yogyakarta is the province that has the privilege in the administration of government affairs within the framework of Unitary State of Republic of Indonesia. The specialty is the privilege of the legal position held by Yogyakarta by history and origins of rights under the Constitution of the Republic of Indonesia Year 1945 to set up and take care of special authority. Rationales behind granting privilege status of Yogyakarta Province are:

- 1) Special status attached to Yogyakarta is an integral part in the history of the Indonesian nation-state.
- 2) Homogeneous Community of Yogyakarta at the beginning of independence merged into Indonesia's diverse society; ethnicity, religion, and customs.

- 3) After the proclamation of August 17, 1945, Sultan Hamengkubuwono IX and Duke Paku Alam VIII decided to become part of Indonesia.
- 4) The role of Yogyakarta continues in the era of revolution realized through the efforts of the Sultanate and the Duchy and the people of Yogyakarta in maintaining, filling, and keeping the integrity of the Unitary State of Republic of Indonesia.
- 5) Sultanate and the Duchy are remained positioned as a symbol of people's lives and stay protector as distinctive feature of YOGYAKARTA.
- 6) Privileges setting of Yogyakarta aims to achieve good governance and democracy, peace and welfare of the community, to ensure all-diversity in single country, and to institutionalize the role and responsibilities of the Sultanate and the Duchy in maintaining and developing the culture of Yogyakarta as the nation's cultural heritage.

Authority in matters of Privileges must be based on the values of local wisdom and favor to the people. The authorities of the Specialty associated with authority procedures for filling positions, duties, and authority of the Governor and Deputy Governor are:

- 1) Authority Procedures of Position Charging
Article 25 (1) states that the position of Sultan Hamengku Buwono who is enthroned as the Governor and the Duke of Paku Alam who sits as a Deputy Governor for 5 (five) years since the inauguration. Article 18 (1) letter c) of Act No. 13 of 2012 states that the Candidates for Governor and Deputy Governor Candidates are citizens of the Republic of Indonesia who must meet the following requirements: enthroned as Sultan Hamengku Buwono for a candidate of Governor and enthroned as Duke of Paku Alam for a candidate of Vice Governor.
- 2) Local Government Institutional of YOGYAKARTA
Local Government institutional authority of YOGYAKARTA is organized to achieve effectiveness and efficiency of governance and public services based on the principles of responsibility, accountability, transparency, and participation by taking into account the shape and arrangement of the original rule
- 3) Culture
Cultural authority is organized to maintain and develop the results of idea, feeling, intention, and the work in the form of values, knowledge, norms, customs, objects, art, and the noble traditions rooted in the YOGYAKARTA community
- 4) Land
In the authority of the land, the Sultanate and the Duchy with this Act are declared as a legal entity. Sultanate and the land of the Duchy are intended for the maximum development of the cultural, social interests, and welfare of the community. Sultanate land and the Duchy land are registered at the land agency conducted in accordance with the provisions of the legislation.
- 5) Spatial

Authority of the Sultanate and the Duchy in the limited spatial is in the management of land use of Sultanate and the Duchy. In the exercise of authority, the Sultanate and the Duchy establish the general framework of spatial land policy of the Sultanate and the Duchy according to the specialty of YOGYAKARTA. The general framework of spatial land policy of the Sultanate and the Duchy is determined by taking into account of national spatial and spatial of Yogyakarta Region.

c. Province of Nangroe Aceh Darussalam

Aceh is the provincial area which is the unity of law society that is privileged and given special authority to regulate and manage its own affairs and interests of local communities in accordance with the legislation in the system and the principles of the Republic of Indonesia based on the 1945 Constitution. Government of Aceh is the provincial government in the system of Unitary State of Republic of Indonesia based on the Constitution of the Republic of Indonesia Year 1945 which held government affairs conducted by the Regional Government of Aceh and Aceh Provincial Parliament in accordance with the functions and authority of each. Rationales behind granting privilege status for Aceh Province as stated in the explanation of the Law on Governing Aceh are:

- 1) The journey of constitutional of Republic of Indonesia puts Aceh as a unit of local government that is privileged and special, associated with distinctive character of the history of the struggle of Acehnese people who have endurance and perseverance.
- 2) Resilience and perseverance are sourced from the view of life which is based on Shari'a which bore a strong Islamic culture, so that it is one of the capital region in the struggle to seize and maintain the independence of the Republic of Indonesia
- 3) Dynamic aspirations of Acehnese society not only in the lives of indigenous, cultural, social, and political adopting Aceh specialty, but also in the providing of legal certainty in all matters as basic religious life of the people of Aceh who have shaped attitudes, high fighting spirit, and a strong Islamic culture.

d. Papua Special Autonomy

Rationale behind the provision of special autonomy for Papua Province, namely:

- 1) Integration of the nation in the Republic of Indonesia container must be maintained with respect of equality and diversity of social and cultural life of Papuan people.
- 2) In reality the various policies in the governance and development of the centralized yet fully satisfy the justice, has not yet achieved the welfare of the people, not yet fully supported legal enforcement, and has not yet shown respect for Human Rights in Papua.
- 3) Management and utilization of the natural wealth of Papua Province has not been used optimally to improve the lives of indigenous peoples, so that it has resulted the gap between the Papua Province

and other areas as well as the neglect of the basic rights of indigenous Papuans.

- 4) In order to reduce the gap between the Provinces of Papua and others, and improve living standards for people in Papua province as well as provide the opportunity for indigenous people.
- 5) The momentum of reform in Indonesia to provide opportunities for the emergence of new thinking and awareness to solve Indonesia's various major problems in managing better national and state life.

Special Autonomy for Papua Province is basically giving greater authority to the province and the people of Papua to organize and take care of themselves in the framework of the Unitary State of Republic of Indonesia. This authority also means authority to empower the potential socio-cultural and economic of Papuan society, including providing adequate role for the indigenous Papuan people through the representatives of the customs, religion, and women.

1. Ideal Design and Implications of Special Region in Indonesia

Act of 1945 sets up a special area. This is based on the provisions of Article 18A paragraph (1) and article 18B paragraph (1) and paragraph (2). Article 18A paragraph (1) of the 1945 Constitution provides that: "The relationship of authority between the central government and the provincial, district, and city or between provinces and districts and cities is governed by the Act having regard to specificity and diversity of the area. Article 18B Paragraph (1) Constitution of 1945: The State recognizes and respects the local government units that are special or specific regulated by law.

For an ideal design granting status or privileges for regional specificity in Indonesia, the researchers found that the ideal design for the area is the provincial level as well as county and city level, in the sense of a special area will be set up under their real reasons related to the state of the area, while privilege status emphasizes more on aspects of history (the origins of an area). In the constitutional practice of Indonesia, Indonesia has ever given special status and privilege to provincial and district, provincial level, which is still valid; the Province of Jakarta, Yogyakarta Special Region, the Province of Nanggroe Aceh Darussalam and Papua (points of specificity and/or privileges have been explained in the discussion above).

The establishment of a special area in Indonesia, in the sense of granting the status of specificity / privileges for the province in Indonesia also has two implications, namely: (1) the desire of another area to demand of special areas and the desire of other areas to establish a new area which has special authority or privileges; (2) the implications for strengthening the unity of the country. Reclaim areas and new areas that propose the establishment of a specialized area namely:

a. Special Region of Surakarta

Special Region of Surakarta is a special region that is recognized by Indonesia, but this time the privilege of the Special Region of Surakarta has been removed (as

explained above). With the abolition of its privilege efforts are made to restore the status of privilege made by Kraton Surakarta to file a judicial review of Law No.10 of 1950 on the Establishment of Central Java province.

b. Establishment of Special Autonomy in Bali

Phenomenon to apply special autonomy including in Bali is a special note. The demands of special autonomy in Bali that have already been sticking out have been responded also by the House of Representatives by incorporating the Bill of Bali Special Autonomy in the list of Prolegnas year 2009-2014. Some of the things for the draft proposal for special autonomy are the authorities related to administrative matters include: tourism affairs; spatial affairs; and cultural affairs. The reason demanding special autonomy in Bali is the concept of one island one management in that tiny island.

4. CONCLUSION

1. Conclusion

Based on the above results, we can conclude a few things as the subjects of assessment, namely: (1) design of a special area not only given to the provincial-level regions, but local-level district / city. Province-level regions which still have the status of specificity / privileges include: Jakarta, Nanggroe Aceh Darussalam (NAD), Papua Province, and the Special Province of Yogyakarta. While the district that still has the status of specificity is the county / city that became part of Aceh administration. (2) Design of granting the status of specificity / privilege in Indonesia is based on a variety of reasons, namely: Jakarta provincial government as a unit which is special in its position as the capital of the Republic of Indonesia, their resilience and perseverance are sourced from the view of life which is based on Islamic shariah which bore a strong Islamic culture, origins rights, and others. (3) Theoretically the establishment of special autonomy is one way or the option undertaken by a state to hold its togetherness. In some cases in Indonesia selection of special autonomy is made as a middle way that an area does not escape from the Homeland, as occurred in the Province of Nanggroe Aceh Darussalam (NAD) and Papua, while also restoring the rights of an area that has origins that are special, such as the Special Region of Yogyakarta.

2. Suggestions

Brainstorming in this study includes:

1. The government should make a special area design set forth clearly in the law. It is as a legal basis in providing specificity status / privilege of an area. This is done to minimize the political compromise.
2. The Government shall grant an area that qualifies as a special area / specialty areas as mentioned in the reasons above.

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DILEMMA OF STATE SOVEREIGNTY PROTECTING THE HOMELAND (STUDIES OF AGRARIAN CONSTITUTION)

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ABSTRACT: *State of law has the sovereign authority to determine and regulate their own affairs for free. State of law teaches that all government action must be based on legislation drafted by the competent institution. Practice anomaly state in Indonesia, on the one hand have a sovereign law-making but on the other hand welcomed the intervention of other parties. The Conditions of legislators who still easily bought and intervention is one of the reasons. Impact the state is ineffective to protect the native land of Indonesia from foreign exploitation. Whereas the agrarian constitution of Indonesia sincerely as developing states have been prepared in line with the International Covenant on Economic, Social and Cultural Rights to set access restrictions by foreign agrarian resources. Legislation that opens wide agrarian access to foreign resources is a infringement of Human Rights, which should be corrected (judicial), hence it does not make pretending law states. Ostensibly to protect the homeland of Indonesia, although sold to foreigners. Institutions authorized to make corrections to the laws that are discrepant with the constitution of agrarian is the Constitutional Court. This research subject points is to analyze legislation in the field of agrarian resources that have been corrected and the legal considerations. The study was conducted using the document approach. Such legal materials through library and internet access. Legal materials were examined using a prescriptive-analytical method. Until the beginning of 2015 there were nine legislation related to the field of agrarian resources that have been successfully corrected, and otherwise contrary to the constitution. So the Court's performance should be held up and requires awareness together in finding the national identity, became sovereign over agrarian resources and no intervention from other parties.*

Keywords: sovereignty, homeland, agrarian constitution, exploitation.

1. INTRODUCTION

Nawa Cita Jokowi want to bring the country in raising the dignity of the people. The state as the main actor to facilitate and protect the various businesses in order to raise the dignity of the people. People who are poor and underdeveloped brought to the prosperous people. According to the constitution, the state is obliged to make the prosperous people. The problem is, the state or the government has limited capability. For the sake of people's welfare, since the beginning of the New Order government has invited private participation in building public infrastructure, such as toll roads, airports, ports, water supply, health services, education, electricity, and telecom-munications [1].

Since 2005, the government made a policy of increasing the role of private sector in infrastructure development through Presidential Decree No. 67 Year 2005 jo. Presidential Decree No. 13 Year 2010 jo. Presidential Decree No. 56 Year 2011 jo. Presidential Decree No. 66 Year 2013 on Public Private Partnership in Infrastructure Provision [2,3]. This policy was taken with the consideration that the funds for infrastructure development and could not be fulfilled by state funds. Moreover, to gain the support of foreign funds, the government has accommodated the wishes of foreign funders, such as the World Bank and IMF. The Government of Indonesia of which should reduce subsidies or public service budget, easing the tax by the private sector, privatization of state enterprises, facilitate regulatory entry of foreign investors, supporting the patent rights, and free trade. The impact, based on the study of the State Intelligence Agency in 2006, there were 72 laws (old and new) to be adapted to

the demands of foreign financiers (foreign orders) [4], and some legislation made were very detrimental to the people [5].

The entry of foreign capital into Indonesia in large quantities can be affect the risk of increasing foreign exploitation. Indonesia's abundant natural wealth to attract foreign investors in the field of natural resource-based enterprises [6]. Indonesian government was powerless to face pressure / foreign intervention, so powerless anyway defend national sovereignty of the law. Until the beginning of 2015, there were nine laws in the field of agrarian resources that are contrary to the Constitution, which successfully corrected through the Constitutional Court [5]. The law opens opportunities to foreigners for exploiting Indonesian agrarian resources, and harm the constitutional rights of Indonesian citizens. Impact, the state is unable to protect the homeland of Indonesia from foreign exploitation.

The legal consequences of the conflict between legislation with the norms of the Constitution, then there are opportunities to do judicial review [7] or constitutional review [8] to the Constitutional Court. Under the provisions of Article 24C The 1945 Constitution of the State of the Republic of Indonesia (Constitution) and Article 10 (1) letter a of Law No. 24 Year 2003 regarding the Constitutional Court, the Constitutional Court has the authority to hear at the first and last decision is final to test laws against Constitution [9].

Constitutional review is an instrument to ensure that the contents of the law in accordance with the politics of law in Constitution, if the Constitution is understood as the supreme law of politics. This is in line with the opinion of Moh. Mahfud MD that, if the politics of law

is defined as the direction or directions of legal policy should be used as guidelines to establish or enforce a legal system that is desired, then the judicial review can be seen as one of the instruments to ensure the accuracy of the direction it is or as a guardian of the accuracy of the content in lawmaking [10,11].

2. PROBLEMS

Based on the description above, the problems in this study is:

- a. What kind of the legislation in the field of agrarian resources that has been carried out constitutional review until early 2015, and was declared contrary to the Constitution?
- b. What is the basis of legal considerations in deciding the case the Constitutional Court for constitutional review of the Law No. 7 Year 2004?

3. METHODS

This study was included in the doctrinal legal research [12,13,14], that used document approach, because studied is legal doctrines, principles of law, the decision of the Constitutional Court and the rule of positive law in Indonesia. Positive legal regulations in question are legislation that regulate agrarian resources, specifically the Law No. 7 Year 2004 on Water Resources. Search legal materials through library and internet access. The analytical method used is prescriptive-analytical [15,16].

4. RESULTS AND DISCUSSION

a. Constitutional Review of the Agricultural Law Resource Sector Until Early 2015

According to Sudikno Mertokusumo, the function of law is for protection of human interests. The law should be implemented to protect human interests. Law enforcement can take place as normal, peaceful, but can occur as well as violations of the law [17]. Violation of the law occurs when certain legal subjects do not perform the duties that should be executed or for violating the rights of other legal subjects. Rights of legal subjects that have been violated should get legal protection [18].

Legal subject, whether human, legal entity or position (*ambt*) as bearers of rights and obligations can perform legal actions based on ability (*bekwaam*) or authority (*bevoegdheid*) has. Law was created as an instrument to regulate the rights and obligations of legal subjects, so that each legal subject can carry out its obligations properly and get their rights appropriately. In addition, the law also serves as an instrument for the protection of legal subjects [18].

Given the state of Indonesia is a law state, to protect all the people and the homeland of Indonesia (agrarian resources) using legal instruments in the form of legislation. When the interests of legal subjects stipulated in the legislation considered contrary to the constitution or constitutional rights, legal protection instruments have been provided to him. Legal protection due to the issuance of laws through constitutional review to the Constitutional Court.

Based on the search and analysis of legal materials collected during the period until the beginning of 2015, the Constitutional Court has made a correction or constitutional review of the nine laws in the field of agrarian resources, which declared contrary to the Constitution. Nine of the law, are:

- 1) Law No. 41 Year 1999 on Forestry. Through the Constitutional Court No. 45/ PUU-IX/2011 concerning the constitutionality of the definition of forest area, No. 34/PUU-IX/2011 on the restriction of state control over forest land to protect the right to land in forestry regime, and No. 35/PUU-X/2012 concerning the constitutionality of indigenous forests as part of the state forest.
- 2) Law No. 22 Year 2001 on Oil and Gas. Through the Constitutional Court No. 002/PUU-I/2003 concerning the unconstitutionality of raising fuel prices based on market prices, No. 36/PUU-X/2012 concerning the constitutionality of the Management Board for Upstream Oil and Gas (BP Migas).
- 3) Law No. 20 Year 2002 on Electricity. Through the Constitutional Court No. 001-21-22/PUU-I/2003 concerning the unconstitutionality of the system of separation (unbundling), the law was declared not have binding legal force.
- 4) Law No. 7 Year 2004 on Water Resources. Through the Constitutional Court No. 85 / PUU-XI/2013 concerning the constitutionality of the privatization of water, the law was declared not have binding legal force and the application Law No. 11 of 1974 on Water.
- 5) Law No. 18 Year 2004 on Plantations. Through the Constitutional Court No. 55/ PUU-VIII/2010 regarding the criminalization of the conflict plantations.
- 6) Law No. 25 Year 2007 on Investment. Through the Constitutional Court No.21-22/PUU-V/2007 concerning the extension of land rights in advance.
- 7) Law No. 27 Year 2007 on the Management of Coastal Areas and Small Islands. Through the Constitutional Court No. 3/PUU-VIII/2010 on the Right to Water and Coastal Management, indigenous people and their rights benchmarks state control.
- 8) Law No. 4 Year 2009 on Mineral and Coal. Through the Constitutional Court No. 25/PUU-VIII/2010 on the restriction of the people's mining region, No. 30/PUU-VIII/2010 regarding the interests of the mining entrepreneur, No.32/PUU-VIII/2010 regarding the involvement of the community in determining the mining area, No.10/PUU-X/2012 concerning the determination of Mining Area, Business Area Mines and limit total area Mining License.
- 9) Law No. 19 Year 2013 on the Protection and Empowerment of Farmers. Through the Constitutional Court No. 87/PUU-XI/2013 regarding the unconstitutionality of the land lease rights by the Government.

b. Case Law on Water Resources No. 85/ PUU-XI/2013, Regarding Water Privatization

Article 33 (3) Constitution determining the "earth and water and natural resources contained therein shall be

controlled by the state and used for the greatest prosperity of the people". The Constitutional Court has given an explanation of meaning "controlled by the state" and benchmarks "used for the greatest prosperity of the people", the Constitutional Court's decision No. 001-21-22/PUU-I/2003 on the constitutional review of Law No. 20 Year 2001 on Electricity.

The Constitutional Court sharper reinterpret the meaning of "controlled by the state" in the Constitutional Court's decision No. 36/PUU-X/2012, regarding judicial review of Law No. 22 Year 2001 on Oil and Gas, that:

"Ranked first form of state control and the most important is the state directly manages over natural resources, in this case oil and gas, so that the state benefit that is greater than natural resource management. State control in the second rank is state policy making and handling, and function in a third country is a function of regulation and supervision. Throughout the country has a good ability of capital, technology, and management in managing natural resources, the country should choose to do the direct management of natural resources. With direct management, ensured all the results and benefits will go into a state benefit that will indirectly bring more benefit to the people. Direct management is referred to here, either in the form of direct management by the state (state organs) through the State-Owned Enterprises. On the other hand, if the state handed over the management of natural resources to be managed by private companies or other legal entities outside the state, an advantage for the country will be divided so that the benefits for the people will also be reduced. Direct management is the primary purpose of Article 33 Constitution as revealed by Muhammad Hatta, one of the founding leaders of Indonesia argues, "... ideals that are embedded in Article 33 Constitution is the production of the big ones as far as possible carried out by the government with the help of loan capital from outside. If these tactics do not work, should also be given an opportunity to foreign entrepreneurs to invest their capital in Indonesia with the requirements identified by the Government ... If national power and national capital is not sufficient, we borrow foreign workers and foreign capital to accelerate production. If foreign nations are not willing to lend his capital, then given them the opportunity to invest their capital in our country with the conditions determined by the Government of Indonesia itself. The terms of which are determined primarily ensure that our natural resources, such as our forests and soil fertility, must be maintained. That in the development of state and society part of workers and national capital increasingly large, aid workers and foreign capital, following up on one level increasingly less "... (Mohammad Hatta, 2002, *Bung Hatta Menjawab*, PT. Toko Gunung Agung Tbk. Jakarta, p. 202-203. In the opinion of Muhammad Hatta is implied that the provision of opportunity for foreigners because of the condition of state/ government has not been

able to and it is only temporary. Ideally, a country that fully manage natural resources." [19]

Based on the description above, the order of the meaning of "controlled by the state" for the greater prosperity of the people has changed from before, namely: 1) the state take over management, 2) the state makes policy, 3) maintenance, 4) setting, and 5) oversight. While the previous decision, namely the decision of the Constitutional Court No. 001-21-22/PUU-I/2003, the Court describes the meaning of "dominated by the state" as a mandate from the people, that the state must hold: 1) policy (*beleid*), 2) maintenance actions (*bestuursdaad*), 3) settings (*regelendaad*), 4) management (*beheersdaad*), and 5) control (*toezichhoudensdaad*).

The maintenance function (*bestuursdaad*) by the state carried out by the government with the authority to issue and revoke permissions facilities (*vergunning*), licenses (*licentie*), and concession (*concessie*). Functions of state regulation (*regelendaad*) done through legislative authority by the Parliament and the Government, and regulation by the government (executive). Management functions (*beheersdaad*) is done through the mechanism of share ownership (shareholding) and/or through direct involvement in the management of State-Owned Enterprises or Regional-Owned Law Firm as an institutional instrument through which the state cq Government to leverage its control over the sources of wealth were to be used for the greatest prosperity of the people. Similarly, the function of oversight by the state (*toezichhoudensdaad*) carried by the state cq Government in order to supervise and control for the implementation of control by the state over production branch which is important and/or that dominate the life of the people in question, really performed for the overall prosperity of all people [20].

In the above description is not found explanations policy function (*beleid*) undertaken by the government, while Yance Arisona explain the policy functions related to natural resources that governments formulate and establish policies on acquisition, provision, use of land and other natural resources. Policies can also be done by the government with plannings in running the administration of land and other natural resources [5].

In addition to the five forms of rights of state control over natural resources in the above, the Constitutional Court has established four benchmarks, to judge a provision in a law, in accordance with the purpose of state control that is used for the greatest prosperity of the people, in Article 33 (3) Constitution, namely [5]:

- 1) Benefits of natural resources for the people,
- 2) The level of equalization benefits of natural resources for the people,
- 3) The level of popular participation in determining the benefits of natural resources,
- 4) Respect for the rights of the people for generations to exploit natural resources.

Noting the legal considerations in taking a decision in the constitutional review of the law on water resources, the Constitutional Court ruled that the six basic principles of water resources management restrictions. Given that water as one important element in human

life that dominate the life of the people, then the water should be controlled by the state (Article 33 (2) and (3) Constitution). Six basic principles are:

- a) Every concession to water should not interfere, override, let alone negate the people's right to water as earth and water and natural resources contained therein other than to be controlled by the state, as well as the designation is for the greater prosperity of the people.
- b) The state must meet the people's right to water. Access to water is one of the human rights of its own, then the Article 28 (4) Constitution set the "protection, promotion, enforcement and fulfillment of human rights is the responsibility of the state, especially the government."
- c) Should be given the preservation of the environment, as one of human rights. Article 28H (1) Constitution determines, "everyone has the right to live physical and spiritual prosperity, reside, and get a good environment and healthy and receive medical care."
- d) As an important branch of production and dominate the life of a lot to be controlled by the state (Article 33 (2) Constitution), and the water which according to Article 33 (3) Constitution must be controlled by the state and used for the greatest prosperity of the people, the supervision and control by the state over its water absolute.
- e) As a continuation of rights of control by the state, and because water is something very dominate the life of many, the top priority given concession on the water is a state or local government.
- f) After five of these principles are met and that there is still water availability, the Government is still possible to grant permission to private businesses to perform over the water concession with certain conditions and tight.

Interesting what the basic consideration of the Constitutional Court, in assessing the Water Resources of Law has met the six basic principles of water resources management restrictions, namely the implementation of the rules carefully examine the law of water resources. Given law of water resources to know the actual purpose can be known through the rules of procedure. This means that the requirements of constitutionality the law of water resources hung on compliance regulations implementing law of water resources in implementing the Court's interpretation.

As the implementing regulations of Law, government regulation is evidence to suggest that the real intent of the Act being tested its constitutionality before the Constitutional Court. If the intention is apparently contrary to the interpretation given by the Court, it was pointed out that the law in question is contrary to the Constitution. The law of water resources proved that the decree does not reflect a set of six basic principles of the Constitutional Court, the overall the law of water resources otherwise not have binding legal force. Vacancy arrangements regarding water resources, reintroduced Law No. 11 Year 1974 on Water, pending the establishment of a new law that takes into account the Court's decision by the legislators.

Noting the above description, that law of water resources indeed been appropriately categorized as a law contrary to the Constitution, in addition to not meet the six basic principles of water resources management restrictions, the law of water resources also seemed not reflect the four benchmarks used for the greatest prosperity of the people, and also does not implement forms of state control over water resources that should be managed by the government, but is given freedom to the private sector to manage it.

The Court deserves appreciation for its decisions. Constitutional Court's decision should have control in the implementation of the establishment of law, order the establishment of laws attention to the decision of the Constitutional Court, and that the content of the law is not contrary to the purposes and objectives, as well as legal norms contained in Constitution. Control over the implementation of the decision of the Court needs to be done to anticipate the tactics of the government, parliament and law enforcer, to avoid the decision of the Court [5,21,22]. Thus the original purpose of the establishment of the Constitutional Court to keep upholding the implementation of the Constitution can be realized, especially in the "protect all the people of Indonesia and all the land and its territorial integrity that has been struggled for, and to improve public welfare...."

5. CONCLUSIONS

- a. Nine legislation in the field of agrarian resources successfully corrected (constitutional review) by the Constitutional Court (2003-2015), which was declared contrary to the Constitution. This suggests there is a fundamental problem in the legislation in Indonesia. There are several laws that more than once made constitutional review. The legislation did constitutional review, there are some who favor the foreigners, and threatened state sovereignty over agrarian resources.
- b. Basic legal considerations and the opinion of the Constitutional Court in its decision is also experiencing growth. The development was not alone in examining the constitutionality of the provisions in the legislation, but rather provide interpretation of existing provisions in the constitution itself. This interpretation, then used as the test based of law.

6. REKOMENDATIONS

- a. The Constitutional Court through the rulings have played an important role as a pillar in realizing the establishment of the constitution, as well as an institution can be a balancing in the state system, between the authority of the Government and Parliament
- b. The Constitutional Court must be guarded/ watched until the implementation phase of legislation, even if necessary to the implementation stage of the norms that have been decided the Constitutional Court.

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EMPOWERMENT COMMUNITY LEADERS AS TO REINFORCE IMPLEMENTATION OF REGIONAL AUTONOMY

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ABSTRACT - In order to minimize social conflicts, repressive approach should be the last option in resolving the conflict, and multicultural approach is an important alternative that can be used to minimize conflict in this country. The local government together with community leaders consisting of traditional leaders, religious leaders, and NGOs need to work together in building the region so that it can thrive again and be able to strengthen the character of Indonesian society, in a society that increasingly modern, multicultural and very quickly changed. Another reason does the cooperation between community leaders and local governments is to establish a greater power, can achieve a higher, can reduce or prevent conflict. As for the problems in this journal is why the need for cooperation between public figures with the local government to empower community leaders in strengthening local autonomy and how the principles of cooperation between local government and community leaders in strengthening regional autonomy. The method used in this research is normative juridical and empirical. With the cooperation, areas that initially the potential for conflict, it can be prevented by approaches are persuasive by the community leaders, to be more tolerant and try to take advantage or learn from the conflict. The principles of cooperation between local government and community leaders in strengthening regional autonomy in general that good governance principles that can be used as a guide in conducting cooperation between community leaders with local governments and some specific principles that can be used as a reference in the cooperation between local government and community leaders that such cooperation must be built on common interests and broader interests, the attachment is woven in such cooperation should be based on mutual need, the existence of such cooperation must reinforce each other involved parties, and there should be engagement of each party to the agreement that has been agreed.

Keyword: empowerment, community leaders, local knowledge, local autonomy.

1. INTRODUCTION

Some time later since the passing wave of reform, regional autonomy is one of the central topics are widely discussed. Regional autonomy into a discourse and study materials from various parties, including government, people's representative institutions, academia, economic actors and even the general public. All parties talk and comment about "autonomy" according to the understanding and perception respectively. Differences in the understanding and perceptions of various groups of regional autonomy so due to differences in viewpoints and approaches used. Actually the "autonomy" is not a new thing because since the founding of the Republic of Indonesia, the concept of regional autonomy already used in governance in the region. Even during the Dutch colonial administration, the principles of autonomy partly already implemented in governance. Homeland (NKRI), as stated in Article 1, paragraph 1 of the 1945 Constitution in conjunction with Article 37, paragraph 5 of the 1945 Constitution and the country as a pluralistic, consisting of various tribes, religion, race, and class of each region. The state becomes the existence of indigenous traditions of a region, as stipulated in Article 18B paragraph 2 in conjunction with Article 32 paragraph 1 in conjunction with Article 28, paragraph 3 of the 1945 Constitution i With the enactment of Law No. 23 of 2014 as already amended by Law No. 9 Year 2015 regarding the Second Amendment to Law Number 23 Year 2014 on Regional Government, then one important element in the implementation of regional

autonomy is the need for the regional administration on the initiative, creativity and active role of the community in developing and advancing the region.

Autonomous region apparently have perceived and addressed varied by some local governments in Indonesia. For example they perceive autonomy as a momentum to meet the desires of its own country without regard to the broader context, namely the interests of the country as a whole and the interests of other neighboring areas. As a result, there is some negative symptoms are troubling, among others, the development of primordial sentiments, conflicts between regions, the development process of corruption, conflicts between residents, excessive exploitation of natural resources, and the emergence of an attitude of "ego areas" excessive. Indonesia's national development goals, namely stated in the preamble of the Constitution of 1945, paragraph 4, which reads "realize a just and prosperous society, material and spiritual, based on Pancasila and the Constitution of 1945, to protect the entire Indonesian nation and the entire country of Indonesia and to promote the general welfare, the intellectual life of the nation and participate in the establishment of world order based on freedom, lasting peace and social justice ". Referring to the significance of development as well as Indonesian nation is a national commitment stated as above, it is necessary to realize the increased role of government apparatus.

There is no harm in all regions in Indonesia through community leaders to revive the local cultures and forms typical of local wisdom, because it can serve as

the means of adhesive society, with a variety of difference. This will succeed if supported by religious leaders, traditional institutions, NGOs, public institutions and government. The role of mass media is very important as a means of social glue, so expect the mass media always try to pack the messages are polite and persuasive.

To minimize social conflicts, repressive approach should be the last option in resolving the conflict, and multicultural approach is an important alternative that can be used to minimize conflict in this country. While the local government together with community leaders need to work together in building the region so that it can thrive again and be able to strengthen the character of the people of Indonesia, in the middle of increasingly modern community, multicultural and very quickly changed.

2. MATERIALS AND METHOD

Based on the above, the issues to be discussed are:

1. Why the need for cooperation between public figures with the local government to empower community leaders to strengthen local autonomy?
2. How the principles of cooperation between local government and community leaders in strengthening local autonomy.

The method used in this research is normative and empirical, using secondary and primary data, through library research and field studies, and data analysis with qualitative analysis. Data collection and processing procedures, after the data were analyzed by means of structured juridical analysis done by sort or deliver notions of data that has been arranged systematically with the aim to provide a general overview in answer to the problem based on the results of the research.

The theory used is volkgeist theory and the theory of participation. Based volkgeist theory, all law initially formed in a manner as they say, customary law, with the usual discussed but not too fast, it was established that that law started originally developed by the customs and beliefs are common. While the theory of participation is the involvement of a group or society as a whole.

3. RESULTS AND DISCUSSION

A. Necessary Cooperation Community Leaders with Local Government In Strengthening Regional Autonomy

In connection with the implementation of the reform policies of regional governance in Indonesia, which should be understood by all parties is the meaning and significance of reform itself correctly, that the reform as a step change towards improvement without damaging or while maintaining the initiated by those who lead a system. It is important to realize that without reform the system could falter, or in other words the reform should be initiated from the system itself so that the method will reform may be gradual, step by step and continuous.

Therefore, the direction of policy reform and reorientation in the implementation of the Local Government in Indonesia should refer to the various problems that have always been used as a matter of debate in conducting the study on the relationship between the central and regional governments are:

- (1) The distribution of powers envisaged as an inverted pyramid, where the authority of the central level is very large and at the local level has narrowed over the first Regional Level II. This condition is due to the existence of a justification which assumes that the Regional Government has not considered able to carry out most of the affairs of government, because faced with limited human resources.
- (2) Relations Regional Head and DPRD are less harmonious, due to the position of Parliament is under the shadow of the Regional Head. Thus the Parliament becomes difficult to be able to move proportionally in carrying out its duties and functions as the representative body of the people in charge of overseeing and controlling the government administration, as well as a place for distributing aspirations of the people.
- (3) Income small area hamper local governments to carry out the tasks of government that continue growing to provide services to the community. The small area income is often caused by the field of Regional Tax and Retribution extremely limited. This condition is still aggravated by the policy of the financial balance and regional centers that still use patterns for the result of tax and non-tax, subsidy autonomous regions (SDO), which is considered less profitable areas.
- (4) Institutional Local Government Offices with The terrain, yet reflect the existence of an institution that is really founded on consideration of workload or volume of work as part of the implementation of the distribution of authority, thereby reflected inefficient both in terms of finance and personnel filling. There is a tendency that the nomenclature of the institutional establishment of the Regional Office as the Local Government regulated uniformly good amount of its nomenclature, so it is not in accordance with the conditions and needs of the region concerned.
- (5) Blockage of participation and involvement of the public due to their tendencies and a strong presumption that government has a great responsibility in carrying out development activities and public policies. As a result, many development activities and public services that would otherwise be left to the forces outside of government such as NGOs or private parties, is fully carried out by the Government, including Local Government.

With the various issues of regional autonomy, as has been said, the government through Law No. 22 of 1999 has expanded the authority of regional autonomy with fully devolved some fields (decentralization of political and administrative) governmental affairs to the Regency and the City. Fields are mandatory rule their duties by the Regency and City include: Public Works, Health, Education and Culture, Agriculture, Transportation, Industry and Trade, Investment, Environment, Land, Cooperative, and Manpower. In reality, we recognize administrative boundaries (according to regulations), and functional boundaries (according to the socio-economic relations across administrative boundaries).

As a consequence of the expansion of the delegation of authority to the Regional District and in most areas of the government, a consequence of the Regions readiness to accept an increase in duties and responsibilities should be assigned. In order to realize autonomy for the order to have the flexibility in governance in the region, then according to Agus Shamsuddin¹¹ associated with some of the following:

- First, *Self Regulating Power*, namely the ability to organize and implement regional autonomy for the welfare of the community.
- Secondly, *Self Modifying Power*, the ability to make adjustments of national regulations set by local conditions.
- Third, *Local Political Support*, which organizes local governments that have broad legitimacy of the public, both in the position of Regional Head as the executive element or Parliament as a legislative element. The local political support will also guarantee the effectiveness of governance and development

Each region has its administrative borders were defined formally through legislation, but in reality the problems and interests often arise as a result of the functional relationships in the socio-economic field that passes through the boundaries of the administrative region. In this context, the main reason for the necessary cooperation between community leaders and local governments is that traffic problems can be resolved along the administrative area since community leaders are people who certainly understands the surrounding area that may be related to the boundaries of his territory and so much potential they have can be utilized for the common good. The consequence is the need to reform *microorganizational abilities of governments* at the local level which is a form of public management reforms to be aware of the current government, and not merely fix *macroorganizational capacities* at the central level²². In other words, improvement in the

ability of institutions under the central of government indispensable.

Another reason does cooperation among community leaders and local governments is as follows:

- 1) The parties may cooperate to form a *larger force*. With cooperation among community leaders and local governments, the strength of each region can cooperate *synergized* to confront environmental threats or problems that complicated nature than when handled separately. They can work together to overcome environmental obstacles or reach a higher level of productivity.
- 2) The parties who cooperate to *progress higher*. With the cooperation, each region will transfer the intelligence, skill, and information, for example, one area of learning or skill excess of other areas. Each region will strive to advance or develop themselves of learning outcomes together.
- 3) The parties who cooperate can *reduce or prevent conflict*. With the cooperation, areas that initially the potential for conflict, can be prevented by approaches are persuasive by the community leaders, to be more tolerant and try to take advantage or learn from the conflict. The reason of course is fundamental for community leaders and respected elder people in the area and of course the advice it provides to the community is still very influential and to be heard in terms of reducing conflict will occur.
- 4) Each party is *felt justice*. Each region will find itself not harmed because there is no transparency in the relationship of cooperation. Each region involved cooperation have equal access to information created or used.
- 5) Each party will cooperate *sustaining* treatment areas for cooperation. With the cooperation of each region has a commitment not to betray his partner but maintain a mutually beneficial relationship in a sustainable manner.

In the future, due to the cooperation between community leaders and local government should be seen as an essential requirement inevitable then there must be systematic and continuous efforts of the government to introduce, encourage and institutionalized cooperation between the community leaders and local governments so that local governments are accustomed to do and can take the benefits.

Cooperation is carried out also should pay attention to the ability of local community leaders, lest such cooperation becomes a burden to the traditional leaders. This can cause serious problems because theoretically a handover of authority to a party that does not take into consideration the ability of the parties concerned, the delivery will be a source of problems later on³³. In the reality, the level of ability

¹ Shamsuddin Agus, Know Your Local Autonomy Under Law No. 22 of 1999 on Regional Government (Paper), Seminar Kadin-PWI Bondowoso, 2000, p 5

² Pollit, C. & G. Bouckaert. *Public Management Reform: A Comparative Analysis*. New York: Oxford University Press. 2000, pp 10²

³ Keban, Y.T., *Enam Dimensi Strategis Administrasi Publik: Konsep, Teori dan Isu*. Yogyakarta: Gava Media, 2004 p 115

of community leaders to provide support for cooperation in agriculture, industry and trade, development of infrastructure and facilities area, setting agreement on spatial arrangement, and the settlement of disputes among districts / cities, is also unknown.

Identification and planning of the areas in which cooperation is rarely done, unless there is a serious problem that demands immediate attention. This should be recognized for that cooperation between community leaders and the government has not been perceived as a necessity so it is not taken into account in the planning process. Whereas various problems or an internal decision of the City / Regency often associated with traditional leaders in the area.

The way to find out the existing problems is by conducting a survey areas, field trips directly, heard various complaints of community leaders and residents affected, conduct *focus group discussions* and assessment of the seriousness of the impact. To increase the sensitivity in view of the various problems, it needs two important perspectives that see a good Local Government in the context of administrative and functional. The identified problems need to be aggregated and articulated to get public attention, legislature and executive.

Theoretically, the term *cooperation* has long been known and is conceived as a source of efficiency and service quality. Cooperation has been known as a surefire way to take advantage of *economies of scale*. Purchase or joint purchasing, for example, have proved the advantage, where large-scale purchases or exceed "*threshold points*", will be more profitable than on a small scale. With the cooperation, *overhead costs* will be resolved though on a smaller scale. Sharing in the investment, for example, will provide a more satisfactory end result as in the provision of facilities and equipment, as well as the appointment of specialists and administrators. Cooperation can also improve the quality of service, for example in the provision of facilities or procurement, where each party can not afford their own. With the cooperation, facilities expensive services can be purchased and enjoyed together, such as recreation centers, adult education, transportation, etc. Cooperation between community leaders and local government is a form of cooperative arrangements undertaken in areas agreed to achieve the efficiency and quality of regional development better.

Historically, the mechanism of cooperation among local governments has become an important issue in developed countries⁴ started from a very limited fields such as police and firefighters where between one city to another city has been carried out mutual aid agreement to help confront a crisis such as fire and other disasters. In a further development, this cooperation mechanism is not only applied to the situation of "*emergency*" but also on the cooperation

arrangements to purchase certain types of services from the private sector or from other governments. Special "*cooperative agreements*"⁵ were made between the Local Government originally aimed more at:

1. a single activity,
2. with respect to services rather than facilities,
3. is not permanent,
4. as a "*stand-by provision*" newly implemented when certain conditions occur, and
5. allowed / permitted by the legislature.

Based on the above opinion, the Indonesian state should also be able to implement the cooperation that started from cooperation between community leaders and local government to repair, build and promote the region in accordance with the principles of local autonomy and the norm of the applicable legislation. Cooperation is carried out both written and unwritten by the perception beforehand that the cooperation between community leaders and local government is in the interest of the community and develop the region.

Cooperation arrangements (Forms of Cooperation Arrangements) consists of several forms, namely:

- a) Consortia: the setting up of cooperation in the sharing of resources, because it is more expensive when borne singly;
- b) Cooperative Construction: the setting up of cooperation in the building, such as a recreation center, library, parking locations, theaters, etc.
- c) Joint Services: the setting up of cooperation in providing public services,
- d) Other settings: other cooperative arrangements can be made for keeping down costs, etc.

However, experience shows that the forms and methods of cooperation above often have problems in implementation⁶. As it relates to the involvement of each region has a different jurisdiction, then there is difficulty in setting the agreed schedule resource use and charging of cooperation, which in turn often led to friction or conflict. It is often the case because there are public figures feel the burden more (*overcharge*) against him, while others feel underserved which he could have received. Often, there is difficulty in meeting the expectations of the parties to cooperate.

It must be recognized that during the cooperation between community leaders and local government has not appeared as a necessity. In fact, various problems or an internal decision of a district or city or province is also often associated with indigenous issues. Experience shows that many problems in a district or city or province also just come to the surface because of the policies coming from the area. Under these conditions, the planning function is integrated and horizontal coordination is the key.

⁵ Rosen, E.D. 1993. *Improving Public Sector Productivity: Concept and Practice*. London: Sage Publications, International Educational and Professional Publisher. p 218-222

⁶ Ibid p 223

⁴ Henry, N. 1995. *Public Administration and Public Affairs. Sixth Edition*. Englewood Cliffs, N.J. : Prentice p 76

The emergence of models of *"integrated planning area"* is expected to reduce various conflict areas, namely by effecting the development of specific sectors and institutions related to the sector in an area (with the exclusion of the boundaries of administrative area). This model emerged as a reaction to the deficiencies in particular sectoral planning coordination between sectors, and also to meeting the needs of specific geographic area (which may not correspond to the boundaries of existing administrative region) such as watersheds (DAS) and rural development later known as the *"integrated rural development"*.

Although this model is quite reliable in the past, but there are important barriers that need to be considered. These obstacles comes to the structure (organization) which handle *"intergrated area development"*. Existing structure is the formal structure established in accordance units existing political and administrative, such as agencies and technical institutions of each district / city or province. This formal structure is not designed to handle them, as a result of this model is less formal authority support, which means difficult to implement and hard to manage.

The way out ever offered is

- 1) Establish a structure which is an arm of the central government stationed in the area concerned, or also made by local governments given special status;
- 2) Establish a planning consultant team from outside the area, to prepare the planning; and
- 3) To reform the existing organizational structure and improve the skills of existing staff to prepare and implement plans and strengthen links between sectors and memberemah horizontal vertical relationship.

B. Principles of Cooperation Between Local Government with Community Leaders In Strengthening Autonomous Region

In order to successfully implement such cooperation takes the general principles as contained in the principle of *"good governance"*⁷⁷. Some of the principles of good governance among which there can be used as a guide in conducting cooperation between community leaders with local governments, namely:

1. Transparency.
Local Government who have agreed to carry out cooperation should be transparent in providing data and information needed in order to strengthen local autonomy, with no cover-up.
2. Accountability.
Local Government has agreed to cooperate should be willing to account for and disclose all activities prpgram activities in areas of activities to community leaders as representatives of the people in strengthening regional autonomy
3. Participatory

Within the scope of cooperation between local government and community leaders, the principle of participation should be used in the form of consultation, dialogue and negotiation in determining the goals to be achieved, how to achieve them and measure their performance, including how to divide compensation and risk.

4. Efficiency.
In implementing the cooperation between local government and traditional leaders should consider the efficiency of which is how to reduce the cost to obtain a certain result, or how to use the same cost but can achieve higher yields.
 5. Effectiveness.
In implementing the cooperation between local government and community leaders must be considered the value of the effectiveness of which is always measured success by comparing the targets or goals that have been established in cooperation with tangible results obtained.
 6. Consensus.
In carrying out such cooperation should be sought common ground so that each party involved in such cooperation can agree on a decision. Or in other words, a unilateral decision can not be accepted in such cooperation.
 7. Mutually beneficial and advance.
In co-operation between local government and community leaders must be adhered to the principle of mutual benefit and mutual respect. This principle must be hold in every decision and cooperation mechanism.
- In addition to the seven general principles above, some specific principles that can be used as a reference in the cooperation between local government and traditional leaders, namely:
- a. Such cooperation must be built for the public interest and the interests of the wider
 - b. Entanglement is woven in such cooperation should be based on mutual need
 - c. The existence of such cooperation must reinforce each other involved parties
 - d. There should be engagement of each party to the treaty agreed
 - e. Must be orderly in the implementation of co-operation, as had been decided
 - f. Cooperation should not be political in nature and nuances of corruption
 - g. Cooperation must be built on mutual trust, mutual respect, mutual understanding and benefits that can be taken by both parties.

While the principles of local autonomy are used as guidelines in the implementation of Law No. 22 Year 1999 on Regional Government can be expressed as follows:

- 1) The implementation of regional autonomy implemented with due respect to democracy, justice, equality, and the potential and diversity of the region.
- 2) The implementation of regional autonomy based on the principles of broad autonomy, dynamic,

⁷ Edralin, J.S, The new local governance and capacity building: A strategic approach. In *Regional Development Studies*, 1997, Vol. 3

real and responsible within the framework of unity.

- 3) Implementation of Regional Autonomy extensive and intact Placed on the District and the City, while the Provincial autonomy is limited autonomy.
- 4) Implementation of Regional Autonomy should be in accordance with the Constitution of the State, so it is ensured that a harmonious relationship between central and regional governments as well as between regions.
- 5) Implementation of Regional Autonomy should further enhance the independence of the Autonomous Region, hence in a Regional District and the City no longer Administrative Region.
- 6) Implementation of Regional Autonomy should further enhance the role and functions of the legislature parliament, either as a legislative function, the function of oversight and budgetary functions on the delivery of Local Government.
- 7) The implementation of the principles laid out in the Provincial Deconsentration in its capacity as the Regional Administration to carry out certain governmental authority delegated to the Governor as the representative of the government.
- 8) The co-administration is possible, not only from the Government to the region, but also from the Regional Government and to the village accompanied by financing, facilities and infrastructure, and be accountable to those who appointed him.

If the principles of such cooperation there is a conflict or friction between local government and community leaders, the approach used is *interactionist* approach, rather than the traditional⁸⁸ approach. The traditional approach assumes that conflict is always bad, and the negative impact. Therefore, according to this approach, the conflict must be avoided because it can lead to evil, destructive and irrational. However, the *interactionist* approach, conflict is seen as a stimulus for change. Conflicts must be root, and the root can be done a variety of repair and renewal. Conflicts should be seen as an indicator to initiate change.

To address the various issues that arise in the conflict, needed adequate capability to act as a negotiator, facilitator, mediator and communicator⁹⁹, on the part of local government and community leaders.

The last thing to consider to sustain the effectiveness and sustainability of cooperation between local government and community leaders are forming a strong partnership basis. This is consistent with the paradigm of building relationships between organizations in the form of *networks and strategic*

*alliances*¹⁰¹⁰. It is time, as the paradigm, any organization or institution outside the government developed a strong relationship with other organizations to be able to give the best to the people. In the context of strengthening the basis of cooperation among local governments, there are some practical agenda that can be done by the government in the future.

First, identify the need for areas of cooperation or partnership between local governments and community leaders. It is necessary for the following main activities

- 1) Finding the data and information relating to the problems of cooperation or partnership in the area through community leaders.
- 2) To discuss in depth these issues in an open dialogue to gain an overview of trade-offs to solve the issue through cooperation or partnership between local government and community leaders in building and strengthening local autonomy.
- 3) Establish or decide issues that should be addressed through cooperation or partnership between local government and community leaders in building and strengthening local autonomy.

Second, measure the level of ability of local governments to community leaders in dealing with cooperation or partnership within its territory. To get an objective picture of the ability of a region to facilitate cooperation between the District / City is required activities as follows:

- 1) Finding the data and information on the ability and experience of community leaders in the development of such cooperation or partnership.
- 2) Assess their ability and experience in handling such cooperation or partnership.
- 3) Recommend whether they require a special training and facilitation.

Third, prepare a form design special training in assisting local governments to facilitate cooperation between local government and community leaders in the region. The training is specifically aimed at improving the technical capabilities of facilitation of cooperation or partnership with a strong base, in addition to other practical skills.

And *fourth*, the structure, functions and capabilities must be adapted to the role of such cooperation. Agencies within the local governance should be designed taking into account the role. With the increase in the role and capabilities, it is hoped cohesive relationship between local government and traditional leaders of society in every area in the country is becoming increasingly high. National security, unity and integrity would be more assured if each area will play that role effectively.

⁸ Robbins, S.P, *Organization Theory: Structure, Design and Applications* (Third Edition). Englewood Cliffs, NJ.: Prentice Hall, 1990, Inc

⁹ Mayer, B. 2000, *The Dynamics of Conflict Resolution: A practitioner's guide*. San Francisco: Jossey-Bass.

¹⁰ Limerick, D. & B.Cunnington. 1993. *Managing the New Organization: A blueprint for networks and strategic alliances*. West Castwood, Australia: Business & Professional Publishing

4. CONCLUSION

In strengthening the need for cooperation between the regional autonomy with community leaders to empower local governments with public figures as community leaders are people who certainly understand the conditions in the region. Another reason does the cooperation between community leaders and local governments is to establish a greater power, can achieve a higher, can reduce or prevent conflict. With the cooperation, areas that initially the potential for conflict, can be prevented by approaches are persuasive by the community leaders, to be more tolerant and try to take advantage or learn from the conflict.

The principles of cooperation between local government and community leaders in strengthening regional autonomy in general that good governance principles that can be used as a guide in conducting cooperation between public figures with local government, such as: transparency, accountability, participation, efficiency, effectiveness, consensus, mutual benefit and advance.

In addition to the above general principles, some specific principles that can be used as a reference in the cooperation between local government and community leaders, namely: cooperation must be built on common interests and broader interests, the attachment is woven in such cooperation should be based on mutual need, where such cooperation must reinforce each other parties involved, there should be engagement of each party to the agreement that has been agreed upon, must be orderly in the implementation of cooperation as has been decided, the cooperation should not be political in nature and nuances of corruption, cooperation must be built on mutual trust, mutual respect, mutual understanding and benefits that can be taken by both parties.

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FROM STATE SOVEREIGNTY TO PEOPLE SOVEREIGNTY: THE DEVELOPMENT OF STATE CONTROL DOCTRINE IN INDONESIA CONSTITUTIONAL COURT DECISION

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ABSTRACT - State Control Doctrine in Indonesia has no restriction criteria. The high of rights granted by the constitution to make the state the power to the state's enormous power in respect of Article 33 of the Constitution of 1945. The absence of this restriction criteria led to the state capable of acting arbitrarily, it is at the reflection of the enactment of state sovereignty. Democracy continues to grow until delivery of the Constitutional Court. Through the decisions of the Constitutional Court this is slowly becoming a limiting criterion State Control Doctrine in Indonesia. Former power in the hands of the state slowly began to shift into the hands of the public. By analyzing the decision of the Constitutional Court will be able to describe the shift towards state sovereignty to people sovereignty.

keywords: State Control Doctrine, Sovereignty, Constitutional Court Decision

1. INTRODUCTION

The Earth and water and natural resources contained therein shall be controlled by the state and used for the greatest prosperity of the people.[1] Act of 1945, Section 33 which is the legal basis of state control in Indonesia. The state has the constitutional State Control Doctrinethe branches are vital for the people of Indonesia, i.e. 1) the Earth (land), 2) water, and 3) other natural resources (crude oil) in use for the maximum benefit of the people. State control over the branches has become a vital issue for Indonesia considering that to date there has been no clear criteria that describe the constraints that are owned by the State of Article 33 of the 1945 Constitution.

Matters relating to the rights of control of a very important state and occupy a central position, as the position of property rights in the civil law system, is not regulated by law . As a result the boundaries, content and scope of the State Control Doctrine becomes less clear. Is the State Control Doctrine implementation beyond the boundary or is not clear.[2]

The role of the state is so strong on the people will lead to two things that the source of the error, i.e.: [3]

1. The assumption that the state is an institution that has a legitimate powers to impose their will on the citizens or society groups. If necessary the state may use physical violence in an attempt to demand physical propriety in demanding compliance effort on policies issued.
2. The assumption that the state is the institutionalization of public interest. Thus, the state can impose its will against the interests of individuals or groups in society that are smaller in number.

The potential for corruption in the two ideas above are enormous. The state will put itself as a highly sacred and untouched by the obligation to be responsible before the law and the people. In addition, the variety of potential criticism very easily seen as part of the resistance of oppressed groups who generally are few.[4]

The State Control Doctrine (HMN) is the Right that the highest levels of the organization controlled by the state as a whole power of the people. Mastery of countries that do not have restrictions or criteria raises a presumption that such power will be concentrated in the hands of the state, which creates an enormous power which is owned by the state that would lead to the state sovereignty.

Muhammad Yamin, the state control in the production branches which are important for the state and who dominate the life of the people. According to him, the meaning of the word controlled, included into the definition of regulating and / or in organizing primarily to repair and enhance production with emphasis on cooperative building. It is also in accordance with the principle that the production is done by all under the leadership or ownership of society members.[5]

That view is disputed by Mohammad Hatta, Hatta said State does not have to directly participate in managing and organizing branches of production, but it can be left to the cooperatives and private enterprises.

The State Control Doctrine that belongs to the state as an organization of power from Indonesia to the highest level:

1. Arranging and conducting, use, supply, and maintenance.
2. Determine and set up the rights to possess over (part of) the earth, water and air space was.
3. Determine and regulate legal relations between the people and the legal acts concerning the earth, water and space.

Implementation of State Control Doctrine can be controlled by the autonomous regions and communities customary law, merely required and not contrary to the national interest under the terms of government regulationsState Control Doctrine the state under Article 33 of the Constitution of 1945 is divided into three parts, namely:

1. Earth (Land): Consists of the field of Land and Natural Ingredients that is in the earth.
2. Water, and

3. Other natural assets

The State Control Doctrine as a form of perlimpahan right of the people will never be clear during the State of the Republic of Indonesia unity is still exist as an independent and sovereign state.[6]

2. MATERIALS AND METHOD

This paper will use the methods of data analysis in the form of a decision of the Constitutional Court will be able to describe the shift of state sovereignty to people Sovereignty. The Approach to the problem which is used to address the problem is to use the approach of case study is reviewing the decision of the Court with regard to the State's rights. Decision have been obtained will be analyzed by using a legal interpretation and construction. [7] By doing legal interpretation, legal interpretation will be done through legal discovery (*rechtsvinding*). Then, the construction of the law through legal arguments a *contrario*[8] will answer legal issues. Thus, the method of the invention of the law has generated legal argument that can address issues of law through legal reasoning logically and systematically. And at the end of this article will be able to show that Indonesia has experienced a shift of state sovereignty to people sovereignty in the field of State Control Doctrine.

3. RESULTS/DISCUSSION

3.1. THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA. [9]

The success of the 1945 amendment by the Assembly provides a logical consequence of the formation of new government institutions as well as regulate in detail the relationship limits of authority and power of government institutions such as the constitutional mandate. The formation of the new government institutions to ensure the sustainability of democracy in a constitutional government, one of which is the Constitutional Court (MK). [10]

"This idea is the development of the principles of democracy where people's political rights and human rights is a basic theme in the thinking of politics. The basic rights are constitutionally guaranteed in a constitutional rights of citizens and institutionally realized through the state agency that protects the constitutional rights of every citizen".

The Constitutional Court as part of the judicial control, base its judgment on the principles and values contained in the Constitution, as the basic norm (*grundnorm*) at the top of the hierarchy. It has an important role in the efforts to uphold the Constitution and the Supremacy of law in accordance with its competence and jurisdiction. Its main function in to adjudicate constitutional cases in the framework of guarding the Constitution. So that it will be implemented responsibly according to the will of the people and ideals of democracy. Its existence is also expected to be able to safeguard a stable administration of government in the state.

Pursuant to Article 24C of the 1945 Constitution, the Constitutional Court has four authorities, namely:

1. Conduct judicial review to ensure that laws are in compliance with the Constitution;
2. Make decisions in disputes related to the authority of state agencies the authority of which bestowed by the Constitution;
3. Make decisions on the dissolution of political parties; and
4. Resolve disputes related to the results of general elections.

Under the constitutional context, the Constitutional Court construed as a guardian of the constitution and interpreter of the Constitution. [11] As the guardian of the constitution, the Constitutional Court justice constitutional function in public life. Constitutional court tasked to encourage and ensure that the constitution is respected and implemented by all components of the state consistently and responsibly. [12] In addition, the Court also serves as the official interpreter of the constitution 1945 that spirit is always alive and coloring sustainability of the state and society. [13]

The Constitutional Court aims to maintain the existence of constitutionality of state administration. In other words, is the constitutionality of the suitability of all aspects of the organization of the state based on the basic rules that become the substance of the constitution. The basic rule that became the substance of 1945 constitution is implemented in the form of legislation as the basis and framework of state administration.

So that, with the enactment of provisions in the 1945 Constitution, the Constitutional Court has some authority as namely, [14] 1). Conduct judicial review to ensure that laws are in compliance with the Constitution; 2) Make decisions in disputes related to the authority of state agencies the authority of which bestowed by the Constitution; 3) Make decisions on the dissolution of political parties; and 4) Resolve disputes related to the results of general elections.

Aside from the authority of the Constitutional Court mentioned above, the Constitutional Court also carry out other functions which the Court also serves as a the protector of human rights and the protector of citizen's constitutional rights. [15]

3.2. CONSTITUTIONAL COURT DECISION

The main function of the establishment of the Constitutional Court is judicial review (Conduct judicial review to ensure that laws are in compliance with the Constitution). Some of the Constitutional Court decisions related to the testing of several acts 1945 related to the power of the State Control Doctrine, including: the Forestry Law, Electricity, and minerals, and others.

1. The Constitutional Court Decision No. 32 / PUU-VIII / 2010 on Law No. 4 of 2009 on Mineral and Coal of the Act of 1945 constitution

The Petition for Judicial Review of Law No. 4 of 2009 on Mineral and Coal Mining of the Act of 1945 filed by the Indonesian Forum for Environment (WALHI), Association of Legal Aid and Human Rights of Indonesia (PBHI), Foundation for Agrarian Reform Consortium (KPA), Coalition for Fishery Justice

(KIARA), and others are recorded in the book Constitutional Case Registration on Wednesday, May 12, 2010 with the Number 32 / PUU-VIII / 2010. Judicial review \ the Article 6 paragraph (1) letter e *juncto* Pasal 9 paragraph (2) in conjunction with Article 10 paragraph b, Article 162 *juncto* Pasal 136 paragraph (2) of Law No. 4 of 2009 on Mineral and Coal Mining (State Gazette of the Republic of Indonesia Year 2009 Number 4, additional of State Gazette of the Republic of Indonesia Number 4959).

The ruling of the Constitutional court to such a request is granted the petition for the most part. The Constitutional Court only accepts a petition for Article 10, paragraph b. The phrase in Article 10 letter b "... considering the views of ... society ..." Act No. 4 of 2009 on Mineral and Coal Mining (State Gazette of the Republic of Indonesia Year 2009 Number 4, additional of State Gazette of the Republic of Indonesia Number 4959) conditionally contrary to Law Constitution of the Republic of Indonesia Year 1945 and stating that Article 10 letter b does not have binding legal force. Throughout not be interpreted, **"shall protect, respect and fulfill the interests of the society and its land area will be incorporated into the mining regions and communities that will be affected"**

Based on the Constitutional Court Decision No. 32 /PUU-VII / 2010 on Law No. 4 of 2009 on Mineral and Coal Mining of the Act of 1945 that provides for the obligation of the state to protect, respect and fulfill the interests of the society and its land area will be incorporated into the mining regions and communities that will be affected. The ruling illustrates the shift in the State's sovereignty previously only states "... the opinions ... society ..." in accordance with Article 10, paragraph b of Law No. 4 of 2009 through this decision the state has an obligation to protect, respect and fulfill the interests of the society as well as the land area hers will be incorporated into the mining regions and communities that will be affected.

2. Constitutional Court Decision No. 35 / PUU-X / 2012 On Law Number 41 Year 1999 On Forestry Of The Act Of 1945 Constitution

The petition of judicial review the Law Number 41 Year 1999 On Forestry of the Act of 1945 were filed by the Alliance Of Indigenous People Of The Archipelago (AMAN), The Unity Of An Indigenous People At Kenegerian Kuntu, The Unity Of An Indigenous People At Kasepuhan Cisit, which is recorded on the book of constitutional case register on april 2, 2012 with no. 35 / PUU-X / 2012. The points that were requested for the judicial review article 1 paragraph 6, of article 4 paragraph (3), article 5 and article 67 of the forestry law State Gazette of the Republic of Indonesia Year 1999 Number 167, additional of State Gazette of the Republic of Indonesia Number 3888).

The ruling of the Constitutional court to such a request is granted of the petition for the half of part . The Constitutional Court only accepts a request of the petition for article 1 paragraph 6 of article 4 paragraph (3), and article 5.

The first, the word *state* in article 1 point 6 the Law Number 41 Year 1999 On Forestry (State Gazette of the Republic of Indonesia Year 1999 Number 167, additional of State Gazette of the Republic of Indonesia Number 3888). Contradictory with Constitution Of Republic Of Indonesia in the and does not have of the binding force, so that article 1, item 6 the number of the law. 41 of 1999 about forestry it means that to be "an indigenous **"forest is a forest that is in the area of an indigenous communities"**

The second, Article 4 Paragraph (3) contrary with Constitution Of Republic Of Indonesia in the and does not have of the legal binding force to the extent without the meaning **"by the state forest tenure taking into account the rights of an indigenous people, all of the still alive and in accordance with the development of society and the principles of Unitary Republic Of Indonesia as regulated in law."**

The third, article 5 (1) contrary With Constitution Republic Of Indonesia and does not have of the legal binding force to the extent without the meaning **"the state's forest that referred in paragraph (1) letter a, not including an indigenous forests"**.

Article 5 (2) and (3) contrary with constitution of Republic Of Indonesia Constitution and does not have of the legal binding force.

The Constitutional Court decision the number of. 35/PUU-X / 2012 on the law of the number 41 in year 1999 on forestry of the act of 1945 has been a shift reinforces state sovereignty to people sovereignty in the field of State Control Doctrine. Based on this ruling, the word *state* in an Article 1 Of Law No. 41 Of 1999 On Forestry that was cleaned to be **"an indigenous forest is a forest that is in the area of an indigenous people"**. And an article 4 paragraph (3) "the authority of the forest by the constant of the state to pay attention of the rights of an indigenous people, all of the still alive and in accordance with the development of society and the principles of The Unitary Republic Of Indonesia as regulated in law. Before, there was this decision, the forest was purposed without the recognition of indigenous forest. Only, after the verdict gives strength that an indigenous forests apart from the state's forest as a form of people sovereignty.

3. The constitutional court decision no. 85 / puu-xi / 2013 on judicial review the number. 7 of 2004 on Water Resources of the act of 1945

The petition of judicial review the No. 7 of 2004 on Water Resources were filed by the Muhammadiyah, Jami'yatul Washliyah, Solidarity Spokesman Parking, Vanaprastha Association and others are recorded on the book of constitutional case register on october 16th 2013 for requested judicial review of the number. 7 of 2004 on Water Resources (State Gazette of the Republic of Indonesia Year 2004 Number 32, additional of State Gazette of the Republic of Indonesia Number 4377).

The ruling of the Constitutional court to the mentioned of request is granted of the petition for its entirety act no. 7 of 2004 on Water Resources (State Gazette of the Republic of Indonesia Year 2004 Number 32, additional of State Gazette of the Republic of Indonesia

Number 4377) contradictory to the Constitution Of The Republic Of Indonesia of 1945 and does not have of the legal binding.

The law of the number . 11 of 1974 about irrigation (State Gazette of the Republic of Indonesia Year 1974 Number 65, additional of State Gazette of the Republic of Indonesia Number 3046) reenact replaces the law of the number 7 in of 2004 on Water Resources.

The Water Resources law in practice has been interpreted differently from consideration in the decision no. 058-059-060-06 /PUU-II/2004 and no. 008/PUU-III/2005. Court needs to affirm that in Indonesia meaning that earth and water and natural resources contained therein shall be controlled by the state and used for the greatest prosperity of the people mandated that in the view of the founders of the nation, particularly the framers of the 1945 constitution, water is one very important element and fundamental in life and human life or dominate the life of the people. As one of an important element in human life that dominate the lives of many people, the water should be controlled by the state of article 33 paragraph (2) and (3) of the 1945 constitution.

Based on these considerations, the utilization of water there must be very strict restrictions in an effort to preserve and sustainability.

As there are restrictions on the power of the state water resources, including:

The first is that every concession on the water should not interfere, override, let alone negate the people's right to water as earth and water and natural resources contained therein other than to be controlled by the state, as well as the designation is for the greater prosperity of the people. *The second* is that the state must meet the people's right to water. As considered above, access to water is one of the human rights of its own then the article 28 paragraph (4) determine, "protection, promotion, enforcement and fulfillment of human rights is the responsibility of the state, especially the government." *the third*, it must be given the environmental sustainability life, because as one of human rights, article 28h paragraph (1) of the 1945 constitution determines, "everyone has the right to live physical and spiritual prosperity, reside, and get a good environment and healthy and receive medical care." *the fourth*, that as an important branch of production and dominate the life of a lot to be controlled by the state of article 33 paragraph (2) of the 1945 constitution and the water which according to article 33 paragraph (3) of the 1945 constitution should be controlled by the state and used for the greatest prosperity of the people then supervision and control by the state over its water absolute. *The fifth*, a continuation rights of control by the state, and because water is something very dominate the life of a lot of the top priority given to water exploitation is the state owned enterprises or regional-owned enterprises.

The constitutional court decision No. 85/PUU-XI/2013 on judicial review no. 7 of 2004 on Water Resources of the constitution of 1945 stated act no. 7 of 2004 on Water Resources contrary to the constitution of 1945.

To fill the legal vacuum in the field of the law no. 11 of 1974 about Irrigation reinstated.

The Act no. 7 of 2004 on Water Resources by the decision gives enormous power to the private sector manage water resources Indonesia. This is considered contrary to the constitution of 1945.

4. CONCLUSION

The constitutional court decision is used as a fortress of limiting the application of State Control Doctrine in accordance with an article 33 of the constitution of 1945 in Indonesia. Through these decisions have described the shift in state sovereignty to people sovereignty. The powers that previously were in the lap state has been switched to the hands of the public as a form of people sovereignty.

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LAW FUNCTION AS INSTRUMENT TO BUILD A STABILITY OF MORAL ECONOMY IN GLOBALIZATION ERA

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ABSTRACT - Globalization is a necessity which can't be avoided by the nations of the world. There are Many benefits that appear from globalization process, but also there is negative effect which posed by economic order difference. To cope the negative effect, it need an effort to strengthen the state role which can be done by creation of law instrument. The creation of law instrument based on the Pancasila Ideology and UUDNRI1945-Constituion. Those thing as a fundamental value in constructing the real state sovereignty. The orientation of law creation focused to create the stability of nation interest and global interest. The stability focused on 4 important aspect which are justice, excellence, efficiency, and liberty as fundamental value of moral economic law. Those 4 aspect having a fundamental value which embodied in character of law that protect and succor.

keywords: Globalization, Moral Economy, Stability, Law Instrument.

1. INTRODUCTION

Benefit not only the one of Globalization of Economy promises, but there is a global poverty as the main issue which caused by injustice system of economic global order structure. **Joseph E Stiglitz**[1] a nobel winner on economy, stated five issues that need an attention in the globalization process which are:

- a) *Globalization rules are not fair, specially designed to prosper the industrial developed country. In the reality, several movement were not fair and indicated to the reduction of undeveloped country's ability.*
- b) *Globalization go before the values of goods upper than the other values, such as environment and the life itself.*
- c) *The way of globalization management has diminish most of the developing country's sovereignty, including the ability to create a decisions in the important sector which affected to the society life. That thing must weaks the democracy.*
- d) *While, the pro parties of globalization claims that every people will get an economic benefit, shows a lot of evidence which tells many parties impaired, both developed and developing country.*
- e) *Maybe for the most important thing, the coercion of economic system to the developing country, even for several cases it causing a missed purpose and heavily damaging. Globalization musn't an Americanization in the economic policy and culture, but that is the reality. Thus condition will affected to the furiosity in the end.*

Those opinion explains that, there is another side of the globalization which causing injustice in the global structure and a factor which causing reduction of undeveloped country's ability in the global competition. Those condition shows "free market" and "free trade" as a polite and good clause, used to blurred an injustice reality. The serious issue is an appearance of the losers parties in the cause of the free competition with the economic superior countries.[2]

Globalization process has distort the state's role in every lines of people's life. So, the state couldn't create an essential policies independently in the role as regulator, provider, umpire and entrepreneurs. The state must obeys the transnational law instrument. In specific things, these things supported by the needs to follow or create harmonization againts the international law standarts to avoid by the isolation from the international society[3] Even the *soft law* (*unbinding legal system*) like *Washington consensus*[4] having a great into force legal system.

For now, states couldn't create policies independently without market's approval. State's role decrease because of states weakened by the growth of multinational company's and the investor's power. Global competition threaten the fall of social welfare sectors and disintegrated the social aspect. The subsidy policy is very important for a specific social group. And these thing as a violation and the state "forced" to do a privatization as a basic of public service for the community.

Muladi[5] stated that globalization makes a happines for humanity in social, economy, industrial, financial, politic, international and culture aspect but has negatif aspect such as copporate imperialism, cultural imperialism, cultural imperialism, and the destruction of environment and culture. Global injustice as a condition such as global poverty not only happens in undeveloped country but also in developed country.

Pro parties of globalization assume that equalization of economy is not a responsibility of the economic policy, that is political concern. They said the imbalance and poverty because of population growth beats the economic growth. **Jeremy Seabrook**[6] displays number of the poverty which blurred potrait of neoliberalism such as:

- *More than 849 million of malnutrition people in the world.*
- *Six million kids over the world under 5 years died every years because of malnutrition.*

- 1.2 billions people in the world live with money less than 2 dollars every day.[7]
- 1 % income of the richest people of the world same as the 57 % income of the poor people.
- 12 millions people died every years because of water crisis, 1,1 billion population didn't have a clean water acces, 2,4 billions people live without decent sanitation.
- 40 millions people infected by AIDS.
- More than 113 million kids in the developing world doesn't have a basic education, 60 % of them are girls.
- Women still the poorest from the poor.
- Women works two from the three hours of the world's time of work.

Those data couldn't be easily accepted by the specific group because on the reality the poor people doesn't appear on the surface, or they possibly get hided to avoid the global issues.

Global poverty is not about a crisis of the resources, but the economic control by the developed country has it roles. Because of that, the state authorities, international institution, charity organ and foundation must take a role of the responsibility to take care of it. Poverty and global issues should become an attention by United Nations and World Bank and they has touched the global poverty issues on their programs.

Global poverty is a serious threat againts the global and national security. **Kofi Annan**, [8] on his report as general secretary of United Nation identified, there are 6 cluster of threat groups that faced by the world nation. The threat are social economic or poverty, infectious diseases and environment degradation, conflict between the states, states internal conflict include the civil war, genocide and massive scale of other violence, nuclear weapons, radiology, chemical and biology, terrorism and transboundaries organized crime. It shows a *warning* of an appereance of asimetric danger as negative effect of global economic development which has create injustice structure. The danger will continous with appereance of social politic danger which are radicalism, separatism, and terrorism.

In the context of national state, poverty is a threat againts the national security. Poverty is a very strategic issues in the concept of comprehensive security. **Muladi** [9] stated, the comprehensive security concept promote a Human security to replace the mind frame that oriented to the *state centrisme*, and leaves the security scope to reflects the unsecure condition that commonly faced by the people, individually and social order.

Poverty condition placed Indonesian government in the dilematic position. Government faced by the international demand to do several policy with the free trade which affected to rule out the society. In the other side, government asked to create a policy that take sides to the poor society based on the preamble of UUDNRI 1945 and articles on the body.

Indonesia in the globalization of economy process could be called as *the losser* especially post of

economic crisis on 1997 which consider as multi dimension crisis. IMF plan wasn't sucess taking care of the problem and bringing the nation stuck on the big loan.[10] Policy of privatization and withdrawal any kind of subsidy gradually has increase the society's anguish. The destruction of economic condition increase the number of unemployment and poverty which can't handled by the government.

Law reformation as synthesis againts the crisis until now haven't showed a law models which can gived a happines to the Indonesia Nation. There is several problem that still complicated and need to be solved. One of the issues is apoverty that need to be solved that using law instrument.

Law reformation related to the civilization of Indonesian society as a nation that free to live in dignity. And law's roles become an important thing as an *instrumen or tool of reform and democratization machinery*. Indonesian positive law / Written law, as an instrument to overcome a poverty issues must built in the global context and considering the values and order which develop in the global world society, for example human right, democracy etc. But, the most important thing is the nationality values especially value of national purpose which formulated by the founding father.

2. ISSUES

Based on the description, so there are several issues that will be discussed on this paper which are:

- a) How is the characteristic of law idea in the economic globalization era?
- b) How is the law function to build stability between Indonesian moral and economy?

3. DISCUSSION

3.1 Characteristic of Law Idea in the Economic Globalization Era

2015 global trends 2015[11] identified several factor which could handle and adicted that will manipulate the world until 2015, which are demography, natural resource and environment, science and technology, global economy and globalization, national and international government, future conflicts, and states roles. In the reality, those factor should notice several thing which no tendency or single handled factor that dominated, each control factor has kind of effect in the nations and region differently and the handled factor of globalization will related in a reflection.

Felipe Gonzalez [12] in the Shaping of Globalization explain that globalization of economy, technology, and communication that happening are aims to the negative international development, for example criminality, dope trade, and unemployment. It happen through the boundaries of a counrty. Those Global negative effect to the other country in the world, and we can see from the crisis that just happened, masive poverty, environment destruction, war and huge number of migration flow. It appeared in the case of poverty and human right violence.

Poverty and marginal condition of society can't be separated by the law aspect and government policy, economic, social institution and state aspect. Related to those aspect, *Trubek dan Santos*[13] explain that law and development doctrine are related to the three determiner factor which are economy, law and institution condition. Economy will affected the practice and policy of the policy maker and it could be adopted to become an economic theory. So, there will be a region which a meeting point between the

institutional practice and economy. But the the measure of the scope contained on the constitution or state's law idea. So, it conclude the law and development doctrine not only related to the economic aspect.

Further more *Trubek dan Santos*[14] maps three step of law idea in the globalization which are stated on the table:

Table 1. The Three Globalizations of Legal Thought

indicator	1 st : 1850-1914 clasical legal thought	2 nd : 1900-1968 the social	3 nd : 1945-2000, Policy analysis, and adjudication
Right	Individual rights property rights	Group rights, social rights	Human right
Equality	Formal equality	Social justice	Non discrimination
Legal ideal	Freedom, system, and legal science	Solidarity, evolution and social science	Democracy, rights, rule of law and pragmatism
Legal core	Private law	Social law	Constitutional law
Legal philosophy	Legal positivisme	Legal pluralisme	Multiple normative reconstruction projects
Normative ideas	Right, Will, Fault	Social welfare	Human rights and social policies
Governance idea	Unitary state	Corporatism	Federalism
Societal unit	People	Social classes, national minorities	Plural identities
Socio legal unit	Nation State	The institution	Civil society
Boundary	Law/Morality	Law/society	Law/politics
Legal instrument	Code	Special legislation	Constitution, treaty, charter
Legal tehnicque	Deduction within coherent and aoutonomus legal order	Rational development of law as means to social ends	Public neoformalism and balancing of conflicting considerations
Legal agency	Law professor (drafts code and expound it	Legal sociologist and legislator and administrator	The judge (and the litigants)
Economic image	The free market	Akternative to the market	Pragmatic regulated market
Family image	Patria potestas with unenforceable high moral duties	The family regulated in the interest of the state/society	The liberal family
Public international law	Nation state+colonies+treaties	International institution	International civil society, human right, and adjudication.
International economic law	Gold standard, free trade, private international economic law	Autarchy, bilateralism, IMF World Bank, GATT	EC, NAFTA, WTO, structural adjustment
Privileged legal field	Cantract law, commercial law	Labour law, administrative law, family law, international law	Constitutional law, bisnis law, international law.

there are three characteristic of law development based by the era on the table, start from classic law idea, social idea, and the current development which having policies analyze and adjudication character. By seeing those 18 indicators, there are a lot of law idea that fall behind. So, the state role as authority

regulation holder has a duty to take care about the backwardness of law idea.

Law reformation which coming into 15 years, should considers international and cosmopolitan law aspects. Many international law instrument such as general declaration of Human Right and the other rules that

support it like covenant of civil and politic right, economic right covenant, social and culture, WHO constitution 1946, Alma Alta declaration 1978, world health declaration 1998, etc. Those thing are international law instrument which aims to the prevention of poverty effort. And also, the understanding of become a mainstream in the deciding national policy with the existance of millenium summit in New York, United States of America which formulate and agree the purpose of the development on the millenium century (*Millennium Development Goals*)[15] which planned to clear the poverty in the 2015.

Those instruments are the legally binding law products. International community assumed that the violation againts the law and human right instruments as a humanity tragedy. In this case, the existance of United Nation *Rights of humanitarian intervention* as international norm in the frame of responsibility to protect becomes United Nation instrument to do an action againts the country that violate the Human Right.

But the sincerity of the developed country still become a main question by using Human Right as an instrument to prevent the poverty. Global power try to display their self as human right guardian angel, but they act as the right violater of poverty groups through the imbalance of free market. Global power unilaterally, defined the means and scope of Human Right, and sets parimeter of the operation. Human right as the place to cover, global interest oftenly disserve the poor groups. The main essential, human right appears as a helper.

World nation can't faced the market brutal preasure with no mercy. Liberal law prepare the structure which gived a freedom to the individual and how they taking care of those thing, as stated by **Satjipto Rahardjo**. [16] Those competition put "the haves" groups as the winner and "the haves not" group as the losers, and they must pay more ("the poor pay more") because of unable to take the benefit of the law structure existance. Because of that, in the prevention effort of poverty it need a responsive law character which cares againts the poor society's condition.

Human right global issues context is a very sensitive problem that need to notice by the nation of the world. States has a duty to harmonize all of their entire law instrument with human right values. In the human right prespective, states duty which are (*to protect*), (*to respect*) and (*to fulfill*) society's right must be enforced. And Indonesian government has ratified *International Covenant On Economic, Social And Cultural Rights* with Act No. 11/2005.

Government effort to create social welfare and justice can't be separated with the economic human right, social and culture which has (*to protect*), (*to respect*), (*to fulfill*) society's right aspect. Social and culture human right is to free from the lack of resources, not to get free. Get free clause will aim to the social will, gives their right to the state authorities, and easily turned into state's competency to set a

limitation of civil's politic rights. Part II article 2 – 5 social and culture covenant rules generally about state's parties duty in the covenant[17] which are:

- a) *Every nation progressively reach the full shape of the right that approved by this covenant in the decent way, include with the legislation step without discrimination;*
- b) *State parties of this covenant promise to guarantee the equality of gender to feel the all economy, social and culture rights. The fullfillment of right that guaranteed by the state in this covenant, the limitation only for a thing that ruled by the law as long as suit with the nature, and purposed to gain the public welfare.*
- c) *There is no one thing in this covenant could interpreted to destruct the right and freedom, or to limit that right to a bigger level and violate this convention.*

Social culture human right is progressive, it means suit to the state's condition and ability. This progressive nature face a big and strong challenge in the free market context from the global power which caused by the imbalance and injustice social structure of neoliberal economic.

In the neoliberal economic globalization system, **Robert Kuttner dan Michael J. Piore**[18] explain that practical cooperation of international trade considered as a main instrument to poverty reduction, and "unconsiusly" money flow, investments, directly affected the dynamic of the national economic development. As we know the dynamics and stability of international capital market, world trade structure, and the world's investment regulation, would create destruction as the implication of inter-region competition if the nations not ready to prepared. The collapse of socialist country in 1980 ease the change process of liberalization wave by the industrial country. The decrease of movement space and intervention fom the national government for the society's interest caused of fall of power to fight the growth of multinational company and investors. Asset moveable through the boundaries, but government, parties, trade union, and the majority of labour nor. Those things that could change the stability of power in the society. And the national government role to take care of the society's interes was never imagine before. So, the government politics need to be changed and getting back their ability. And the transformation of those politic interest focused to the new institutional structure, and the state's role changed.

In the economic globalization era, roles na duty of tge state to create social justice or general welfare only be done by stengthen state role. The exellence of neoliberal system to adapt world market, remove the performance and exellence from the social sector, and market preasure has created the destruction of public welfare system. But, society's welfare that focused on the social control againts

the economic market with national framework can't hold the developed countries pressure without engage the international agreement regulation. So, the state need a capability to create the minimum standard for the society and create the social development which on the same path with the economy of global market. And cope with the massive poverty issues. Related to those thing, **Francis Fukuyama**[19] explains how to strengthen the state's role and focused to the 3 state function which are, minimum function, middle function, and activist function that oriented to the effort of market failure prevention. And also to create the social justice. Effort to create social justice require the state to protect the poor group, create anti-poverty program, aid for the disaster's victim, social insurance service, pension fund redistribution, family happiness, unemployment insurance, and asset redistribution. Those three aspects will supports in the creation of instrument as the implementation of law function to realize the stability of Indonesian moral and economy.

3.2 Law Function to Realize the Stability Between Indonesian Morality and Economy

Law State is a basic frame to build national law system that protect and succor the citizen, but not forgetting the globalization aspects. Law state that ruled on article 1 point (3) UUDNRI 1945 not only serving the public function. Indonesian law state that based on Pancasila try to realize the state morality that contained on *staatsidee* which are social justice and public welfare. The existance of law state should have a capability to facilitate the people as stated by **Satjipto Rahardjo**. [20]

The important thing of state law frame is to gain a trust from the society over state's authority and their legitimacy to doing the control function. State as the politic power holder as entity must capable to grab the people's trust and loyalty taste built againts the law system. The effort to grabs the people's trust through democracy frame which suit with the society social structure. Welfare level and guarantee of people's hope through the law and policy are the dominant factor that very affected to grabs the people's trust.

The state must gived the guarantee of legal certainty againts the economic system through the guarantee of politic stability, economy and security. The state guarantee will gived a meaning for the people to work and reach their hope of welfare live. State function in this case is to distribute the right and duty to create the social justice.

Strong law system posibly gived a way out in every crisis trouble point. It would be strong if implemented in the right social structure of society. The ignorance of those thing only throw out society's believe and loyalty. Because of that, it need to growth and open againts the need of society through the society participation process (*Inspraak*), government and the investor in the process of sustainable development.

Development concept (*developmentalisme*) and modernization concepts as a reflection from the west paradigm about the social change. Development and modernization as an evolution process of the traditional society's journey to the modern one, reflected as development of technology and economy progress which had positivist nature. Because of that, many development policy which not *populis* and sometimes sacrifice the society's interest. Many government's policy which create a benefit the international monetary institute and capitalism, and also implementation of capitalist Indonesian act such as foreign investment act and labour act. And several act that IMF ask for which create as the gift of IMF help to give a loan to Indonesia as the implication of monetary crisis in 1998.

Developing country enough with Development that only focused on the economic aspect. **Fritjof Capra** explains economy and technology development assumed as an essential thing by all of the economicus and politcan, although it clearly display the unlimited expansion in an environment will effected to a disaster.[21] **Capra's** argument is only a warning to obey. Many disaster happened because of unsustainable development, such as environment damage, marginalization of specific group, and massive poverty over the world, is a failure of economic development and forgetting the history and non-economic aspect. And also Rio World Summit 1992 says that the poverty of a nation is based on the environment damage level.

Economic development need to get in touch with the philosophy dimension, which try to found the deepest ground in the economic practice. Economy not only deals with technical issues like production and distribution issue, but the human relation issues as the subject that involved on the process of consumption and production. People as a subject on the economic relation, so the sociocultural dimension can't be separated, cause people lived on inheren cosmology with ethical values that they build. **Amartya Sen**[22] explains that the real economic dicipline is related to the evaluation of how something developed for the society and that's the central problem in the economic welfare. **Sen** explains economy will get in touch with the humanity issues, especially with the poverty's group of society in the cause of oriented investment on the market and business.

The real meaning of development is a highest society welfare with the law instrument as a based of development in the framework of Pancasila as *margin of appreciation*. In this thing law function as integrated mechanism of those sustainable development's dimension.

Law as institution that integrating nation againts the occur process in the society, the law accepts *input* from the economy, politic, and culture which be treated tp become an *output* for the society. Economic sub-system output is a new structure built againts an economic process. The substance of

the law must create an efficient economic system and losing the existence of economic obstacle.

Input from the *Output* must had UUDNRI 1945 perspective as constitution and *general principle* of the positive law system. UUDNRI existence is not a regular regulation, but it's morality text that contain value order, vision and cosmology of Indonesian Nation.[23] It's to create a law norms which protect and succor all of the people in a nation. And the global order force Indonesian government to introspect and reformulate the national strategic based on the standard norm and the global challenge. Every social issues that Indonesian Government deals with is a law issues which obey under national, international and cosmopolitan law regime.

Law function through the instrument that protect the people, intend to keep the sovereignty of economy and the implication againts the Indonesian law sovereignty, to create stability between morality and

economy. And also state could done the "social control" againts the society. Social control fullfilled from the stability of morality, and economic sovereignty through the law sovereignty which not forgetting the global and nations interest.

There are two function need to fullfill to create the stability between moral and economy which are through the law function that protect and succor the society. Both will supports each other which function of protection have contained on the UUDNRI 1945 and the succor process done through the law instrument as national policies. But UUDNRI 1945 as *general principle* need a further interpretation to formulate the scope of protection that written and the real of nation dream protection.

Yuichi Shionoya[24] in the philosophy of economy and morality explains economy and morality never walk in the same path. If the economic of a nation increase, the morality will decrease, and same as opposites. We could see from the diagram:

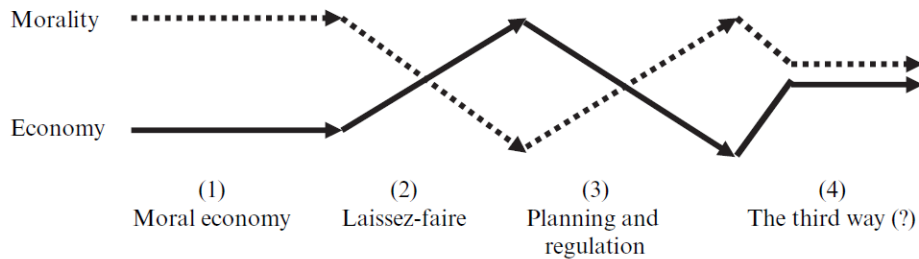


Figure 1. The economy and morality in historical perspektif

The fundamental quuestion is, how to create a stability between economy and morality in Indonesian? It need a law instrument which not only fullfill the duty as the protector, but also the succors action to the society.

Law function in the society protection must pay attention to 4 important aspect to fullfill, as *Yuichi Shionoya*[25] stated that those four aspects are:

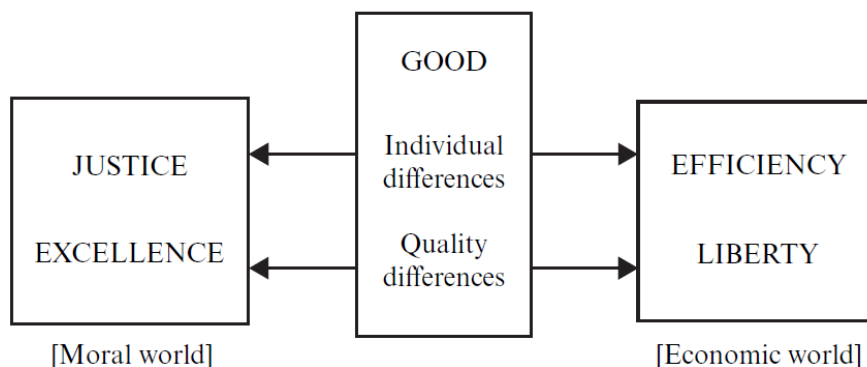


Figure2.

Justice and *Excellence* fullfill the morality aspect, *Efficiency* and *Liberty* fullfill the economic aspect.

I – IV amandement process of UUDNRI 1945, changes the state agencies structure and also change

the substance revolutionary, especially related to Indonesian nation as welfare state. **Jimly Asshiddiqie**[26] explains chapter XIV displaying the acceptance of socialist influence in the formulation of (*staatsidee*) in our constitution, besides the democracy principle that popular in the liberal countries. As a social state or welfare state[27] it need to be responsible to take care of the market inventory, poverty focus, and taking care of the poor. National economy that ruled on article 33 amendments with two point which are point (4) and (5). In the article 33 point 4 it stated principle such as togetherness, efficiency, justice, sustainably, environmental care, autonomy, and maintain the stability and unity of national economy. Justice and efficiency aspects as contained on the article 33 point 4 fulfill the half aspect from those 4 which stated by **Yuichi Shionoya**. Excellence and Liberty aspect not contained on the national economic part of UUDNRI 1945, but on the preamble we can conclude that advancing public welfare could be interpreted as fulfillment of excellence and liberty aspect. As we know UUDNRI 1945 as *general principle* not only limited to the general interpreted. The connection of the important aspect that stated by Yuichi walk on the same path with Constitution to protecting the supporter aspects in the case of realizing stability between moral and economy.

For example in Indonesia, the protection of society by the constitution and the connection between moral and economy is constitutional court abort many liberal acts as we know privatization of water. Amendment of article 34 point 2,3, and 4 as a base of law function that succor the society and it contains constitutional guarantee for government to do "*affirmative action*" and create welfare policy for people in society in structurally unlucky base on the point 2. And also, as a welfare state, there is a state responsibility to develop welfare policy in every sector, and responsibility to enhance the quality of public service as stated on the article 34 point 3.

Affirmative action in the substance of the regulation must containing a formulation or regulation which oriented to the supporting living standards and reducing inequality. Those orientation of formulation will be an instrument to create a social policy as an effort to stabilize the economy and morality. As the comparison, in the liberal doctrine, state must create social liberal policy that oriented to prevent the market failure.

Gerhart Raichle[28] explain there are 12 thesis of social liberal policy as the principles, which are:

- a) *Thesis 1: Liberal Politics is a social: liberal politics intrinsically is a social. It supported the creation of a state based on law and protects the rights of freedom of the weak from the strong bad authority holder. It is fighting for a market economy and created a fair opportunity for all people.*
- b) *Thesis 2: Assistance targeted than general equity: Interest of sociopolitical liberal is to help suffering people through proactive action in the prevention of poverty, and not to generalize social differences.*
- c) *Thesis 3: The principle of subsidiarity: The word "subsidiar" means "help, complete". In the context of the principle of subsidiarity, liberal social policies would only intervene when individuals or communities are not able to help themselves or if it is not sufficient.*
- d) *Thesis 4: The principle of efficiency: Liberal social policy seeks to achieve the objectives that described explicitly, clearly formulated in a rational and economically manner focused on those objectives and the effectiveness can be measured on the achievement of these objectives.*
- e) *Thesis 5: Promoting freedom than security: There is no social policy nor liberal social policies, which can provide a perfect guarantee against all risks of life. Liberalism supports the implementation of mechanisms of insurance (assurance) is regulated by the government, but only to the risks that (a) the existence or life-threatening, and (b) does not bias solved solely by the person concerned.*
- f) *Thesis 6: Slightly of possible coercion: In the liberal social policies, government intervention will only be applied if there is no other choice.*
- g) *Thesis 7: Competition is liberal and also social: Without the competition of social security mechanism would be inefficient, inflexible, expensive - and finally create unsocial sense.*
- h) *Thesis 8: The principle of openness: In a field where large amounts of funds distributed and life chances are affected directly for a long time, demands that the policy and its implications for the citizens should be open or transparent, calculative and accountable is an absolute thing.*
- i) *Thesis 9: The separation between transfer and insurance sector: liberal social policies which consequently avoid the merger between the principle of insurance and social assistance (Transferleistungen). Social assistance (transfers) are classified into distribution, while insurance equivalence principle, which means that there is an objective that is a mathematical relationship between contributions and services that should be free from manipulation by political interference.*
- j) *Thesis 10: Prioritising aid subject rather than the object of subsidies or intervention against market: Liberal social policy choose to provide assistance directly to those in need rather than manipulate prices and cover-up costs through market intervention or subsidies.*
- k) *Thesis 11: Justice generation or the principle of permanence: liberal social policy does not solve the current problems at the expense of future generations.*
- l) *Thesis 12: Stimulation to use insurance services as needed or the principle of responsibility: liberal social policies provide a stimulus such that the participants are interested insurance does not*

necessarily rely on insurance services and in particular are willing to bear the losses small.

Although those 12 thesis based on the liberal ideology, but in the reality those thesis could reduced into Pancasila Law State context. The fundamental essential is prespective of social protection for poor people in the context of state law. The substance of those social policy connected to the Pancasila socialism values that based on the norm.

Those meaning of social policy emphasize to the human dignity appreciation through empowering and people's responsibility. So, the important function of government's duty is promoting social integration. Therefore, the substance of legislation must focused on those thing through recognition of society's right to take a role on it.

4. CONCLUSION

a) Globalization can't be avoided by the world nation has a benefit and also the negative effect because of world different economic order. Economy, technology and communication globalization leads to negative international development. Those negative development brings poverty in the world. Is not about international povert but going trough the national border. This massive poverty is a concern and create a human right violence.

In the global context, human right is a very sensitive issues that need to getting more attention by every nation. Government effort to create a welfare and social justice can't be separated from the economic human right, social and culture which covers society's (*to protect*) aspect, (*to respect*) aspect, and (*to fulfill*) aspect. In the economic globalization era, role and state duty in creation of social justice or public welfare only be done by strengthen state roles.

Strong state roles need to be focused in this liberal economic globalization condition. Free market, unables government to fight the market power and forgetting the nation interest. And the destruction of socialist parties create the liberal economy easier to take over a nation sovereignty through the economic system which created with international law standard. Government's way of politic must changed, to get back their ability and protect the nation interest without forgetting the global aspect. So, stability between economy and morality could be created in the nation.

b) Indonesian's role and responsibility can't be separated by constitution prespective UUDNRI 1945 which as *general principle* of positive law system. Economic gain condition never get balanced with the morality condition. Law function to create a stability between Indonesian economy and morality, state law frame becoming a base to create law instrument that protect and succor the people, but not forgetting the global aspect. So, those law instrument could create a stability between economic sovereignty and morality of Indonesia.

Protection aspect shapes through the law function that focused on 4 aspects which are *Justice*, *Exellence*, *Efficiency*, and *Liberty*. Justice and exellence fulfill the morality sector, efficiency and liberty fulfill the economic sector. Half of those four aspect as stated on UUNDRI 1945 article 33 point 4 explains national economy hold on togetherness, efficiency, justice, sustainable, environment care, autonomy, and keeps the stability of national economic principles. And the UUDNRI 1945 preamble explains to progress the public welfare could be interpreted as the other part to fulfill those four aspect.

To fulfill the law function, the government succor aspect created through *affirmative action* which explained on UUDNRI 1945 article 34 point 2,3, and 4. Those action need to be contained in the substance of legislation and formulates the regulation that help living standar and injustice prevention. And those four action become a law product as social policy.

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PACTA SUNT SERVANDA PRINCIPLE VS GOOD FAITH IN CONSUMER FINANCING AGREEMENT IN INDONESIA

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ABSTRACT - *The principle of freedom of contract is one of the principles of law contract which does not stand alone, then its meaning can be understood where the position is interconnected and integrated with the principles of the law of another contract, namely the principle of binding strength (pacta sunt servanda), the principle of good faith so that the principles are the pillars, poles, foundations of law contract. The approach used is the approach of problem law (statute approach) and the conceptual approach. This type of research is qualitative research, where data is sourced from secondary data, either in the form of primary legal materials, secondary law or tertiary legal materials. Analysis of the data used is qualitative analysis. The results showed that the agreement made by the parties essentially binds the stakeholders as binding law (principle pactasuntservanda). It turns out that pactasuntservanda principle can be overridden by law legislation and court decisions in the form of jurisprudence.*

keywords: pactasuntservanda, goodwill, consumer financing agreement

1. INTRODUCTION

The importance of the agreement settings in practice is to ensure the exchange if interests of the rights and obligations take places in a balanced manner to the parties, so a fair and mutually beneficial could be established. Not the other way, to the detriment of either party or even ultimately to the detriment of the parties that make an agreement. Similarly, the consumer financing agreement which is the focus of this study, just questioning imbalances agreement based on the content of the agreement clause contradicts with the essence of the treaty relationship that is built between the parties. Consumer financing agreement done by the parties is intended to build a relationship fairly.

Statutory provisions on consumer financing are not yet specific and detailed. Regulation of consumer financing agreement (Consumer Finance) as a breakthrough of development of finance institutions is a legal order agreement that the development is based on "the principle of freedom of contract" as a fundamental principle agreement under Article 1338 of the Civil Code.

Given the problems of the principle of freedom of contract is one of the principles of contract law that does not stand alone, then its meaning can be understood where the position is interconnected and integrated with the principles of contract law of another, namely: consensualism principle, the principle of trust, the principle of binding strength (pacta sunt servanda), moral principles, on merit, the principle of good faith and the principle of legal certainty¹, so that these principles are the pillars, poles, and foundations of contract law.

The principle of freedom of contract contained in Paragraph 1 of Article 1338 of the Civil Code, stating "an agreement made legally valid as a law for the parties (binding treaty as binding legislation / pacta sunt servanda). Paragraph 3 of Article 1338 of the Civil Code, stating that: "an agreement must be implemented in good faith. This formulation gives the

sense that an agreement should be made from the time the agreement is closed. The agreement in no way is intended to harm the interests of consumers and companies. Paragraph 3 of Article 1338 of the Civil Code is in line with Article 1339 which states that when an agreement does not fulfill the requirements of good faith and propriety, decency becomes void and not binding¹ because of an agreement other than calls for the requirements of good faith also requires that propriety requirement in an agreement. A party is bound only to the terms or conditions that previously had been known and understood by the individual and not as determined by a standard agreement / raw.

Goodwill and decency are ethical and moral standards in business because ethics is a critical reflection on morality where the ethical intends to urge people to act in accordance with morality, and ethics intends to arouse the consciousness of humans to act independently and be accountable². Veronika Kumalawati³ mentioned that what is meant by ethics are the guidelines, benchmark, a measure to assess human behavior whether it is good or bad that applies generally in a common life.

Seeing the understanding of the meaning of the principle of freedom of contract in relation to the standard agreements / raw, of course, a standard agreement / default has been at odds with the principle of freedom of contract. In the standard agreement / raw, the position the company and the consumer is not balanced. Standing imbalance between companies and consumers results in state abuse (seconds Report abuse Van Omstandigheden), concerning the circumstances that contribute to the occurrence of the contract, namely: enjoying positions of others does not cause the contents of the contract or it means to be not allowed, but it causes the abuse of will becomes not free¹.

Based on the elements of the abuse, the existence of the agreement must state the standard / default in consumer financing agreement, the perspective of justice is questionable. The burden to be borne by

consumers as the cause of the cancellation of the agreement is unfair. Withdrawal of goods just that puts consumers in a weak position and helpless, so that the position of finance companies and consumers are not balanced. It is the shape of the abuse situation conducted by the company. Consumers are made ineffective because of the need for goods making consumers have to accept and sign what has been stipulated in the agreement even though such agreements have essentially bound as law (*pacta sunt servanda*). The position of monopoly from the company opens wide opportunities for him to abusing his position, namely: misuse of the opportunity by the company resulting economic advantages abuse and psychological abuse.

In connection with the description above, the manufacture of standard agreements / raw should not be grown for granted and needs to be held policing without reducing the agreement's existence less than standard / default. The challenge is how to provide protection to the consumer so that the rights of the consumer can be upheld because the existence of Article 18 of the Consumer Protection Act with inclusion of standard clauses / raw until now can not provide legal protection to consumers in general and consumers in the agreement of consumer financing in particular.

2. METHODOLOGY

The approach to the problem used in this study is the approach of legislation (statute approach), the conceptual approach (conceptual approach). The research is a qualitative research, where data is sourced from secondary data, either in the form of primary legal materials, secondary law, or tertiary legal materials.

The source of research data is from library research through the search of Legislation, documents and scientific literature as appropriate and related to the object and the problems to be studied. Results of secondary data collection (which consists of primary legal materials, secondary and tertiary) are then processed by inspecting the data (editing), the marking of data (coding) and systematization of data. Normative juridical research is to get the results you want and can achieve the target. The method of analysis used is qualitative analysis is to analyze the existing problems and presents and explains the legal materials in the form of sentences in detail and systematically arranged in the form of sentence by sentence strung together properly, so it is easy to read and give meaning (interpreted) in a comprehensive and complete way.

3. DISCUSSION

1. Principle of Good Faith in Consumer Financing Agreement

The concept of good faith is recognized in various legal systems of agreements in the world and is universally applicable. The principle of good faith is to get a fundamental basis in natural law, which views that all people basically have good faith in them, in this case

the conscience. In the criminal law it is also known as the presumption of innocence in which a person is presumed innocent unless under a court decision. The principle of good faith that becomes pragmatic rules is known as the principle of *pacta sunt servanda*, which means that the promise and the agreement must be kept¹. Because the promise is believed to be given on the basis of good faith, so that it must be met as proof of this good faith.

Although good faith in the implementation of the agreement has been developing for a long time, but still poses a number of problems that need solving. At least the good faith of the implementation of the agreement still raises two legal issues, the First, with regard to the legal standard (legal test) that must be used by the judge to determine whether there is good faith in the agreement. Second, the function of good faith in the implementation of the agreement/contract. The scope of regulation in good faith in the various legal systems generally only includes good faith in the implementation phase of the agreement, not to include in the pre-agreement phase.

The doctrine of good faith when studied more in turn has undergone many developments. It can at least be based on the following reasons; First, the initial principle of good faith is an understanding of the legal relationship that always only applies in any contractual relationship, then the declared valid in other things that are not based on a contractual relationship¹.

Second, the principle of good faith also grows which was only applicable in contract law alone, then the principle of good faith is also applied in other fields of law¹. Third, the increasing of influential doctrine of good faith is not only in the execution of the contract but also at the time of the conclusion of the contract².

Good faith must exist at the stage of a state of mind or at the stage of one's intention to make an appointment in order to make an agreement balanced and with the purpose of mutual benefit although the law has not been able to measure the presence or absence of good faith on the phase of state of mind. Secondly, good faith in the implementation of stage agreement which can be seen from the actual behavior or compliance in the fulfillment of its obligations as stipulated in the agreement. Good faith in accordance with the Civil Code Article 1338(3) is seen as a moral condition that can stop the losses suffered by one of the parties as a result of the implementation of the agreement. Therefore, obedience to implement the agreement is an attitude of moral and legal obligations by *pacta sunt servanda*.

Subekti mentions good faith which means honesty or clean hearts. This is a subjective thing. Finance company which will carry out their duties in good faith with the principles of prudence and not to falter with the influence of any kind of outside parties, boss, or co-worker that violates a legal provision. Consumers who are acting in good faith will pay installments in accordance with the agreed time. In this sense, good faith is an internal law (law inner) of a person to comply with

the contents of the agreement. Within honesty, then what is agreed should be kept. Implementation of rights and obligations in accordance with the terms of the agreement showed good faith of the parties. Even if a person is unable to meet its obligations in full accordance with the agreement, that person must be able to show his best in fulfilling the agreement (although not in accordance with the agreement) as a proof of his good faith.

In line with Subekti, Black said that in good faith the law is derived from conscience or honesty of someone that is reflected in his actions not to harm others, an honest intention to abstain from taking unconscientious advantage of another. (An honest intention was not committing itself to take advantage of harming others). Good faith would lead the parties to behave and take action in line with the agreement in this regard (consumer financing agreement) on the basis of honesty and fairness. Good faith also is the honesty of the parties to be fair in response to the emergence of problems that harm one of the parties to seek a solution that is considered the best and can save expediency agreement for the parties.

Good faith will inspire confidence and trust in the things that have been agreed in the agreement. The principle of good faith is so important in ensuring trust (reliance, confidence).

According to Ridwan Khairandy in case that until this moment there is no understanding of good faith is universal, in the end, the notion of good faith has two dimensions. The first dimension is the subjective dimension (*goedetrouws* subjective), which means that good will leads to the meaning of honesty. The second dimension is the dimension of objective (*objektieve goedetrouw*) the meaning of good faith as rationality and decency or fairness. Current trends in the various legal systems link good faith in the implementation of the agreement with rationality and decency¹. Good faith of pre-agreements/contract still refers to the subjective nature of good faith that depends on the honesty of the parties.

Goodwill is recognized in any jurisdiction, particularly in contract law. Without a strong confidence between the parties with the other party, that each party will fulfill (carry out) obligations, then the agreement will never be made. Thus the basis of an agreement that is good faith as it is expressed in Article 1338 (3) of the Civil Code. French Civil Code also recognizes that there must be good faith in the implementation of the agreement, *elle executees doivent être de bonne foi*. (Agreement must be made in good faith). Good faith can be drawn from the content of the agreement (for example, whether there is balance of the rights of each party) and how the treaty was implemented. The law cannot detect a person's motives and good faith at the time of making the agreement, because goodwill is an atmosphere of inner (moral) person. Therefore often a person's intentions whether it is good or bad is known in a state which is in the late stages of the implementation of the agreement, when that person

does not meet the obligations as agreed. In other words, good faith of a person is known at the stage of the implementation of the agreement. When that person means to honor his commitment he is in good faith but when he is looking for a pretext to evade his responsibilities then that person is in bad faith.

Consumer financing agreement, especially in practice can not be separated from the implementation of legal provisions in general. The agreement of consumer financing is an engagement which is born from an agreement, and therefore the parties are not only bound by the words of the agreement, but also by good faith.

The definition of good faith itself is that both parties should apply against the other, without guile, without artifice, without subterfuge and without disturbing others. He does not see their own interests but also the interests of the other party.

The principle of good faith has grown such that all agreements must be based on good faith. An agreement that is not based on good faith, can be ruled out even though the parties have agreed.

P.L. Wery states that good faith has a function to limit and negate (*beperkende en derogerende werking van de goede trouw*) a requirement in an agreement or a provision of law regarding the agreement can be ruled out. If it turns out compared with the situation at the time when the agreement was made has changed, so that the implementation of the agreement or legislation is considered unfair.

The situation is not only that any contractual obligations can be limited, it can even be eliminated entirely in good faith. Function limits and negates this when viewed from Article 1320 of the Civil Code and Article 1338 Paragraph 1 of the famous Civil Code with the principle of *pacta sunt servanda*.

Judging from Article 1320 of the Civil Code in particular in Clause 1 of the agreement and Paragraph 1 of Article 1338 of the Civil Code (*pacta sunt servanda*) associated with the function of limiting and negating it looks contradictory, but when it is applied and adhered to the provisions of law or existing agreements, it will create injustice. Then such provisions can be criss crossed or eliminated.

1. The principle of *Pacta sunt servanda* Vs Good Faith in the Consumer Financing Agreements in Indonesia (340)

Based on the principle of *pacta sunt servanda* that each party must implement the agreement for the sake of legal certainty for the parties. Nevertheless, the principle of *pacta sunt servanda* does not stand alone. It separates from the other principles in the agreement, especially with the principle of good faith. The rule of *pacta sunt servanda* is a fundamental element in the principle of good faith¹. Both the principle of good faith and the principle of *pacta sunt servanda*, in essence, have to walk in the same direction, namely the creation of justice.

An agreement is the parties promise to give each achievement (obligations) for the benefit of shared

fairly, fair and honest. Implementation of the agreement in accordance with what has been agreed or referred to the principle of *pacta sunt servanda* is a very important stage and becomes the purpose of the agreement. In accordance with the principle of *pacta sunt servanda* the contents of the agreement should be implemented, even the fulfillment of these obligations at first is absolute and includes all development-related to reality that ensues. *The basic obligation – pacta sunt servanda—requires that contract be performed, and originally at common law the obligation was absolute. Even if a party was unable to perform due to no fault of his own, he was not excused.*¹ The failure of the implementation of the agreement is considered as a violation of the agreement. The implementation of the agreement or the fulfillment is the highest virtue that describes good faith on parties obliged.

The fulfillment of the agreement does not necessarily reflect fairness for both parties. Under normal circumstances in which there is no fundamental change which resulted in much of the implementation of the agreements, the fulfillment of the agreement can be said to have reflected justice for both sides, since the agreement was made on the free will of the parties.

If the agreement has met the principles of the treaty as already mentioned, the application of the *pacta sunt servanda* should be prioritized. The question is if there is an event after consumer financing agreement is signed and the event beyond the will of the parties, and the incident resulted in the agreement to be unable to finance consumer (difficult) to be implemented. Does the principle of *pacta sunt servanda* is still maintained? In such circumstances, should the parties to put forward in good faith rather than the principle of *pacta sunt servanda*, which can solve a problem in a fair way for the parties, among others, to renegotiate the terms of the agreement to obtain a new balance. However, there are key issues in good faith because it will be easily swayed if:

- a. Agreement that contains various weaknesses that provide opportunities to avoid responsibility without being seen is not acting in good faith.
- b. Agreements involve economic benefits (large amounts of money).
- c. In a country where the rule of law is weak (*weak in law enforcement*). People tend to ignore the good faith and do not obey the agreement (not afraid to break the law) when that person believes that he will not accept legal sanctions for disobedience to the agreement of the law.

When an event occurred that resulted in fundamental contents of an agreement to be difficult to implement, hence the birth of injustice for one party, then the principle of *pacta sunt servanda* should no longer be put forward in order to achieve fairness for both parties. *Elementary considerations of justice, fairness*

*and reasonableness inevitably led to relaxation of the absolute rule.*²

(Consideration of fairness, balance and fairness should be the factor that softens absolute agreement). Two indicators of fundamental events are beyond the will or power of the parties and known by the public. Economic difficulties (died or is dismissed from work or illness) includes in events that are beyond the control of the parties.

The existence of the realities that hamper the implementation of the agreement and the reality outside the will of the parties. If the principle of *pacta sunt servanda* retained will injure the sense of justice, it must be disregarded by promoting the principle of good faith for the sake of justice. If there is a fundamental event, the good faith of the parties will lead to new negotiations to determine new terms in order to achieve a new balance. It was possible. Paragraph 2 of Article 1338 of the Civil Code states that when it is based on an agreement of the parties, the agreement can be withdrawn.

Legal issue that arises is determining the size of the events that became the base of legitimate (legal) to waive the applicability of the principle of *pacta sunt servanda*. It was left to practice, but at least the events that occur must be known by the public (not just by one party) and it has the adverse impact such that the ability of either party to meet its obligations under the agreement, and the events that took place outside the will of the parties.

It would be very interesting to determine theoretically the events that occurred with the substance of the agreement that were conceptualized in the doctrine of frustration. This doctrine emphasizes on inequities in the implementation of the agreement related to the events that took place that addressed in the agreement. The doctrine of frustration to deal with the obvious hardship and Injustice the which would result from applying the absolute duty to perform where unforeseen events occur, without the fault of either party, after the contract was made, the which would make-performance impossible or illegal or so substantially different from that contemplated that the real object of the parties could not longer be attained⁴.

Traditional theories about the agreement of frustration are trying to explain that the agreement will not be achieved based on the intent of the parties contained or outlined in the agreement (implied-term theory)⁴. This theory contains a weakness. How to connect the will of (party) with a reality that is not expected. This means that there is a problem of how to define a reality that can be a benchmark to determine a treaty that has been at the stage of frustration.

The parties are not authorized to determine the agreement already at the stage of frustration but must go through a court ruling at the request of either party who feels aggrieved. The Court examines and determines whether the events that happened has caused difficulties in meeting the implementation of the agreement or not, but an agreement should not be

¹ O'Connor. *Ibid.*, hlm. 37.

² O'Connor. *Ibid.*, hlm. 37.

reached the stage of frustration if only the parties to the agreement are in sufficient good faith to renegotiate the agreement based on the principles of honesty, fairness and reasonableness. The theoretical basis of the doctrine has been much debated, but few would not doubt that the doctrine has been invented and developed by the courts to do what is fair and reasonable between parties who have become innocent victims of circumstances beyond their control.³ A court is a legitimate place to test his frustration agreement because of any fundamental changes.

The researcher's view, the agreement expressed frustration only by the court based on the will of the parties who filed the suit based on the requirement that the event has occurred which led to the implementation of the agreement to be detrimental. The courts will examine whether the event has occurred or not. Then, the court will examine the relationship between the events that occur with the implementation of the agreement. Lastly, the court examines whether the implementation of the agreement by ignoring the events cause harm to parties who are obliged.

If so, what are the consequences of a court ruling declaring that the agreement has been frustrated. There are several possibilities. The first is renegotiating agreements through modification or amendment of some clauses that are associated with the event and the agreement that will function effectively after that. Secondly, the agreement expires. The injured party demands the return of goods as the object of the agreement and all rights. According to Article 1266 (1) of the Civil Code requirement void is always included in a reciprocal agreement in relation to breach of contract, but the cancellation does not happen automatically (by operation of law) because they have sought to Judge (Court) (Article 1266 (2) Civil Code. Third, the agreement whilst not apply until there is clarity on the incident solution.

The doctrine of frustration is unknown in Indonesian law which led to the end of an agreement. Indonesian law recognizes doctrines of *force majeure* (causes that force) are set out in Article 1244 which is different from the doctrine of frustration. Monetary and banking crises in the past cannot be classified as *force majeure* because the causes can be identified and consumers can request a rescheduling or relief payment of installments. Difficulty in economic situation is indeed directing the agreement to become frustrated. Preferably, the doctrine of frustration is adopted into Indonesian law to avoid a deadlock in the settlement of consumer financing agreement which is difficult to happen in accordance with the objectives of the parties to the agreement.

The meaning of good faith in the agreement is not universal, so this doctrine can be an obstacle for the principle of legal certainty and predictability. Its application is often based more on intuition of judges that the results are often unpredictable and inconsistent.

Basically there are two standards or dimensions that can be considered in the application of good faith. The first standard is subjective standard, which is defined as honesty in good faith at the time of making the agreement. Another standard is an objective standard, i.e. as decency in the implementation phase. Both of these standards suggested in SPHPN 1981 and also contained in the Uniform Commercial Code (UCC) that apply in the United States. Good faith according to the UCC is defined as honesty in fact (honesty) in the transaction (subjective standard) while traders use objective standards and comply with reasonable commercial standards in conducting fair trade⁵.

When connected to consumer financing agreement, businesses in the consumer financing agreement always include the consumer's obligation to pay all at once and immediately the remaining payment penalties, so consumers lose the right to pay installments when certain things occur.

The clause is unfair based on the principles of justice because the finance company does not consider the reasons of consumers that are unable to pay, as in of the agreement, such things happen beyond their means such as: laid off suddenly, died and can not work because of illness.

Injustice was also associated with not accounting for the number of installments that have been paid while items that become the object of the agreement if they are still exist can be taken by the finance company. If it turns out that the goods have been sold by the customer to a third party, then the provisions of the above is true for protecting the finance company.

As a standard contract one of the other requirements specified in the financing agreement of the consumer is the acceleration of payment terms. This requirement is one of the requirements that are based on a true theory that is favorable for consumers.

Acceleration of the payment is actually not profitable for finance companies because the revenue that has been estimated to be derived from the interest on the cost of goods does not occur.

It is not fair that consumer who pays more quickly or more quickly pay off, still in overload interest equal to when he pays in installments. Consumers are appropriate when no interest but burdened fines which makes sense because the loss of profit that should be obtained by the finance company if the installments are paid as planned.

The calculation must be clearly stated in the agreement and cannot be accelerated after the payment was done because the magnitude of the cuts will be determined unilaterally by finance companies only. Seeing the reality of the results of these studies, it does not provide an accelerated payment relief.

The researcher found that in the legislation governing financial institutions, especially on the consumer finance needs "consumer" needs to be included provided that the consumer can request the judge's decision regarding the amount of pieces obtained as acceleration of payments, if he was treated unfairly by the finance company.

³ O'Connor. *Op.cit.*, hlm. 38.

Regarding the behavior of the parties in the contract, Romancontract law, good faith is based on three forms, namely the parties must adhere to the promise, the parties may not take advantage with a misleading action against one of the parties and the parties do not comply with obligations and behave as someone who is honored and honest, even though such obligations are not explicitly agreed upon. These three forms of such behavior, according to researcher can be added with other essential behaviors, namely the parties that behave genuinely or sincere in complying with their obligations.

The principle benefit related to the policy in the agreement within the framework of national development which is directed to the realization of public welfare, as well as state theory of welfare. As stated in Article 28D Paragraph (1) of the 1945 Constitution, every person has the right to recognition, security, protection and legal certainty. To consumers and businesses against events that cannot be unexpected will happen at the time when the agreement was made. Legal certainty is controlled by the State which is empowered or State holds a decisive role when justice can be established, because the State has the will and the power to do so⁹.

It does not rule out the possibility that one day the government will intervene in the agreement, among others, the agreement is asked to be modified or even canceled if the agreement does require the interests of consumers, as stipulated in the jurisprudence. On the other hand, the government is also obliged to protect the interests of business operators who work as partners to help boost economic development. So the use of these powers is subject to the requirements contained in the common law legal system. As the barometer the researcher pointed out a Supreme Court ruling. Reg. Number: 935 K / Pdt / 1985 dated 30 September 1986 that in its decision the legal considerations stated in essence is: seen in justice, morals, and good faith is not worth the form and content of agreements which eliminate the rights of the buyer (consumer) on object of goods as the agreement, only due to delays or difficulties of installment payments, regardless of the amount of installments paid.

4. CLOSING

Agreements that have been made by the parties will essentially be binding on the parties as binding legislation. It is based on the principle *pactasuntservanda* (the promise binding) .But in practice it turns out that *pactasuntservanda* principle can be set aside by legislation and court decisions in the form of jurisprudence, when there was Agreement made but there is no good faith between the parties.

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REHABILITATION POLICY TOWARDS NARCOTICS ABUSE ON LAW NUMBER 35 OF 2009 ON NARCOTICS

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ABSTRACT - Rehabilitation is an attempt to restore addict drug addiction in order to live a normal life can adjust and improve return skills, knowledge, intelligence, interaction in the environment or with his family, also called resocialization. Sanctions rehabilitation is an obligation that must be given to not only those who as drug addicts but also to those who are victims of drug abuse.

The regulations governing drug namely the Republic of Indonesia Act No.7 of 1997 on P4GN, Republic of Indonesia Act 5 of 1997, and the Republic of Indonesia Law 35 of 2009 on Narcotics which has been arranged firmly in Chapter IX of the law, the policies aimed at drug addicts and victims of drug abuse, arguing that victims of drug abuse is a victim of a crime of narcotics and therefore appropriate sanctions meted out to him is rehabilitation, so that the victim can be back to the community and to be useful. The period of rehabilitation in a court decision is counted as serving time.

keywords: Rehabilitation, Addiction, Drug

1. INTRODUCTION

Regeneration in any case inevitably bound to happen, as well as on the way the wheels of government of a State, which relies heavily on youth as the nation's next generation, which will be holding the baton of the struggle for the Nation, but what happens when the younger generation, as milestone expectations of the nation, became 'sick' due to the negative influence of the parties who are not responsible, one through illicit trafficking drugs which indirectly has led to "cripple" the spirit, the power of thought, creativity, physical changes and mental unhealthy among young people as a result of drug abuse.¹ Today nearly four million people in Indonesia, especially among youth, has become a victim of drug dependence, not only young people such as students, student, executive, legislative and professional actors even did not escape the touch of illicit goods. Our country is now not only used as a transit point for trafficking and distribution of illicit drugs, even becoming one of the largest manufacturers, we can imagine the future of hundreds of millions of future generations is threatened by the dangers of drugs. The regulations governing drug namely the Republic of Indonesia Act No.7 of 1997 on P4GN, Republic of Indonesia Act 5 of 1997, the Indonesian Law 35 of 2009 on Narcotics.²

With so many production like this would make it easier for traffickers to recruit "victims" of the user even easier to get. The target of the most susceptible to influence and persuasion are drug users among students, both at the elementary, middle, to upper, lots of the young people who are students involved in many criminal cases due to the pressure to use drugs,

things like that recently increased. It is ironic to see the reality like that, then who is responsible for this problem, of course, the government as the regulator can not resolve these social problems unilaterally, this requires serious treatment and intervention, support and cooperation of all elements, including us as people of course did not expect anyone, including families, children, and our grandchildren, not to get caught up in drug abuse.³ Besides, the role of law enforcement officials is crucial in minimizing the rampant circulation of drugs, due to the enforcement of the law is at least able to provide a deterrent for the perpetrators. Internationally, the development of conventions governing International narcotics problem has started from The Hague Convention, or better known as the Opium Convention of 1912. Subsequently, it has emerged the various conventions that govern issues such as narcotics Geneva Conventions of 1925, or *The International Opium Convention of 1925*, *The 1936 Convention of the Suppression of the Illicit Traffic in Dangerous Drugs*, *The Single Convention on Narcotic Drugs 1961*, *the Psychotropic Substances Convention 1971*, *Convention Againsts Illicit Traffic in Narcotic Drugs and Pyscotropic Substances 1988*.⁴ The development of International conventions on narcotics, when seen further has implications for a change, both providing for the purpose, and scope of dangerous drugs

³ Martono, Lydia Harina dan Satya Joewana, 2006, *Peran Orang Tua dalam Mencegah dan menanggulangi Penyalahgunaan Narkotika*, Balai Pustaka, Jakarta, pg. 37.

⁴ Undang-Undang Nomor 7 Tahun 1997 tentang Pengesahan (*United Nations Convention Againsts Illicit Traffic In Narcotic Drugs and Psychotropic Substance 1988*) Konvensi Persedikatan Bangsa-Bangsa tentang Pemberantasan Peredaran Gelap Narkotika dan Psikotropika 1998.

¹ Joko Suyono, 1980, *Masalah Narkotika dan Bahan Sejenisnya*, Yayasan Kanisius, Yogyakarta, pg. 12

² Moh. Taufik Makaro, dkk, 2005, *Tindak Pidana Narkotika*, Ghalia Indonesia, Jakarta, pg. 24

problem. These rules should be agreed upon International habits that observed by all States in the interests of civilized nations. As an International legal instruments, the convention regulating international cooperation in the control and supervision of the production, distribution and use of narcotics, as well as combating the abuse that limited its use for medical purposes and science. The younger generation is the future generation that is expected to realize the ideals of the nation. Ideals of the Indonesian nation has been stated in the Preamble to the Constitution of the Republic of Indonesia Year 1945 Alenia 4th that is "... to protect the whole Indonesian nation and the entire country of Indonesia, promote the general welfare, the intellectual life of the nation, establishment of world order based on freedom, lasting peace and social justice ...".⁵ So the Indonesian independence is expected to be filled by the development in order to achieve a just and prosperous society.

To realize the goals desired by the nation through the hands of young people must have a lot of challenges that must be traversed. Such challenges arise because the number of external cultural influences began to enter the Indonesian State. This is due to the globalization era should young people be able to filter such incoming cultures. In fact there are several foreign cultures that are now starting to destroy the young generation such as free sex, culture and use of alcoholic beverages and illegal drugs such as narcotics. One of the causes the destruction of the young generation is with the abuse of narcotics. At first narcotics used for the benefit of humans, in particular for the treatment and health services. However, with the development of the times, narcotics are used for things that are negative. Narcotics are addictive, that cause addiction and dependence. Users tend to add continuous dosage that will end in death due to overdose. Indonesia is one of the signatory countries of the Convention Single Convention on Narcotic Drugs 1961 and 1988. Participation in this international narcotics arrangement embodies a desire as an independent state, as well as participate in maintaining world order. In addition, the steps taken by Indonesia is the "political will" of the government, particularly in counter-narcotics issues both domestically and in the international arena. The Indonesian government steps when connected with the position of Indonesia as a regional transit point for narcotics prone to be used as it is reasonable. In an effort to address the problem of drug abuse and illicit trafficking government has ratified the United Nations Convention on the Eradication of Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 *Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988* and *Convention on Psychotropic Substances 1971* by issuing Law No. 7 of

1997 on the Ratification of the United Nations Convention On Combating Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the Law No. 8 Year 1996 regarding the Ratification of the Convention on Psychotropic Substances. Then in 1997 the Government issued Law No. 5 of 1997 on Psychotropic Substances and the Law No. 22 of 1997 on Narcotics in lieu of the old Act ie Act No. 9 of 1976 on Narcotics, and in 2009 the Government re-issued Law No. 35 of 2009 on Narcotics which aims to realize the people's welfare, improvement in the field of medicine and health care, as well as the prevention and eradication of the dangers of abuse and illicit traffic of Narcotics and Narcotics Precursor. The offenses related to narcotics qualify into some form of criminal offense, but that often happens in the community is associated with drug users and dealers. When talking about drug dealers, obviously would have an interaction between the drug dealers and buyers, both of which are the doers. However, if we are talking about drug users, so far there are different points of view regarding drug users. Positive law states, drug users are criminals because it has met the qualifications in narcotics laws.

Narcotic crime such as drug abuse in the study of criminology can be classified as a crime without a victim or a victimless crime. This classification refers to the nature of the crime that is the two parties to a transaction or relationship (which is forbidden) but both felt did not suffer a loss on the other party. Actual drug users are victims of narcotic crime, but the user does not feel as a victim, because he deliberately with her own free will to use these drugs, either because of the suggestion of friends, and a sense of want to try it. Drug users can be included as a victim of drug abuse. This is because they are addicted to these illicit goods (narcotics). Drug abuse in addition harmful to the wearer's own self is also dangerous to society, which in order to fulfill his desire to get narcotics, the narcotics wearer certainly justifies any means to get it. For people who do not earn enough then he will attempt to steal, rob, and perform various other criminal acts. In connection with the drug abuse problem, we need a criminal law policy position narcotic addicts as victims, not criminals. Self victimizing drug addicts are drug addicts Victims have suffered as a result of drug dependence syndrome Narcotics Issues and Allied Materials, abuse of narcotics he does his own. The way that is appropriate for the cure dependence is to rehabilitate the victims of drug abuse. Because drug addiction rehabilitation can release up to enjoy the free life without drugs. Rehabilitation is one way to save victims of drug users from dependence. Because the notion of rehabilitation is to make the effort to restore the addict drug addiction and live a normal healthy physically and spiritually so that they can adjust and improve the return skills, knowledge, versatility, interaction in the environment or the family who is also called resocialization. Rehabilitation of drug users is a series of efforts Role of Parents in Preventing and tackling Narcotics Abuse, coordinated

⁵ Mahkamah konstitusi, 2011, *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Sekretariat Jendral dan Kepaniteraan Mahkamah Monstitusi Republik Indonesia, pg. 1

and integrated, consisting of the efforts of medical, mental counseling, psycho-social, religious, educational and vocational training to enhance the ability of self-adjustment, self-reliance and self-help and reach capabilities accordance with the functional potential, physically, mentally, socially and economically.⁶ In the end they are expected to tackle the problem of abuse of narcotic and returned naturally to interact with the community. Law No. 35 of 2009 on Narcotics is designed to reduce the number of drug trafficking in Indonesia who have are transnational and to reduce the number of victims of drug abuse, especially among teenagers who endanger people's lives. This can be seen in the preamble of the Act No. 35 of 2009 on Narcotics. With the aim to reduce the number of victims of drug abuse then in Act No. 35 of 2009 on Narcotics made a special chapter is included in Chapter IX of the sentence rehabilitation for addicts and drug abusers. The inclusion of this chapter is intended to victims of drug abuse may be subject to penalties and rehabilitation rather than a sentence of imprisonment or confinement. In 2009 the Supreme Court issued a circular (SEMA RI No. 7/2009) addressed to the district court and high courts across Indonesia to put drug addicts in rehab and the latest is the Supreme Court's issuance of Circular Letter No. 04N 2010 concerning the Placement misuse, abuse and Addiction narcotics victim to the Institute of Medical and Social Rehabilitation rehabilitation which is a revision of the Supreme Court Circular No. 07 of 2009 to achieve healing the victims of drug abuse dependence, then the penalty which was duly given to them is the coaching and rehabilitation. Punishment and rehabilitation guidance has been provided for in Article 54, and Article 103 of Act No. 35 of 2009 on Narcotics, and also set the SEMA No. 7 of 2009 on Narcotics to User Puts In Nursing Therapy and Rehabilitation, as well as SEMA No. 4 of 2010 on Placement Abuse, Abusers and Addicted to Narcotics In Medical Rehabilitation Institute of Social and Rehabilitation. Later in the Supreme Court Circular No. 04 of 2010 appealed to the judges who examined the case of narcotic addicts to implement the provisions of Article 47 of Law No. 35 of 2009 on Narcotics which contains the ordered rehabilitation measures to be lived by a drug addict.⁷ It is based on the consideration that the majority of prisoners and detainees, including categories of users of drug cases or even as victims when viewed from the aspect of their actual health of people who suffer from pain, therefore imprisoned in question is not the right step because it has ignored the interests of care and treatment. Drug abuse and illicit drugs among young

people today are growing. The rise of the deviant behavior of young generation, can endanger the survival of this nation in the future. Because as a young generation that is expected to be the successor of the nation, is increasingly fragile encroached addictive substances nerve destroyer. So the young man can not think clearly. As a result, the generation of hope and intelligent resilient nation will only stay memorable. The objective of the spread of this drug are young people. When averaged, these drugs target age is the age of the learner, which ranges from age 11 to 24 years. This indicates that the dangers of drugs can be targeted at any time at any of our students. Adolescence is a developmental phase between childhood and adulthood. The development of a person, in childhood and adolescence, will shape the development of that person in adulthood. That's why when childhood and adolescence damaged by drugs, then the future will be bleak or even destroyed. In adolescence, the desire to experiment, follow the trend and lifestyle, as well as having fun is very big. Although all the tendencies perfectly natural, but it can also make it easier for motivated teens abusing drugs. The data show that the number of drug users is at most teen age group. According to data from the National Narcotics Agency (BNN) in the year 2012 there were 959 elementary school students who consume drugs, an increase from the year 2011, which amounted to 897 cases. While among junior high school students reached 1,345 cases and 3,187 cases as much as high school students. Drug Abuse recently showed a sharp increase, a variety of media, both electronic and print media carried stories of drug abuse among adolescents. The problem becomes more serious when due to drug use, teens contracting and transmitting HIV / AIDS among adolescent. It has been proven from the use of drugs through syringe alternately. This nation will lose very many teenagers, due to drug abuse and the spread of HIV / AIDS. Teenagers lost at the loss of human resources for the nation. To realize this theme, we assist the government in terms of rehabilitation for drug addicts. The use of rehabilitation is considered more can help the victims of drug abuse, rather than the imposition of imprisonment or confinement. Imposition of the rehabilitation in accordance with Supreme Court Circular No. 04 of 2010 on Narcotics User Putting into Nursing and Rehabilitation Therapy stating that they are the prisoners of narcotics cases, people who are actually sick, so that appropriate rehabilitation measures should be dropped and the condition of prisons (Prisons) which does not support the fear it would lead to effects that are not good for them, as it may worsen the health and mental condition of the drug abusers. Imposition of rehabilitation is rarely meted out to the victims of drug abusers have yet strictly regulated in Law No.35 of 2009 on Narcotics and Supreme Court Circular No. 04 of 2010 Placing User on Narcotic into Nursing and Rehabilitation Therapy.

1.2 Problem Formulation

⁶ P4GN, Badan Narkotika Nasional, 2010, Jakarta, pg. 31.

⁷ Syam, Safri. (2007). *Penanggulangan Penyalahgunaan Narkotika dan Psikotropika Kajian dari Aspek Kebijaksanaan Kriminal*. Jurnal Hukum Universitas, pg. 11.

Based on the background of the problem, the formulation of the problem can be stated as follows:

1. How the rehabilitation policy formulation in Law No. 35 of 2009 on Narcotics?

1.3 The Writing Purpose

a. General Purpose

To describe and perform in-depth analysis of the rehabilitation policy against drug abusers.

b. Special Purpose

a) To describe and perform in-depth analysis of policy making in the rehabilitation Act No. 35 of 2009 on Narcotics.

2. RESEARCH METHODE

For the writing of this law journal, the authors use normative legal research, with one character is using secondary data, where the data consists of primary legal materials, legal materials and secondary legal materials tertiary. Used theoretical foundation, is legislation, norms and theories in accordance with the problems that the author adopted.⁸

3. RESULTS AND DISCUSSION

3.1 Ketentuan Penjatuhan Sanksi Rehabilitasi dalam UU No. 35 Tahun 2009 tentang Narkotika.

Narcotics abusers are people taking narcotics which there is no right or unlawful reason. While the addict is a person who abused but already in early stages of dependence. Thus, we can interpret that drug abusers are someone which uses narcotics without following the rules or doses and without rights and against the law. In Act 35 of 2009 on Narcotics has arranged expressly sanctions provisions regarding rehabilitation. The rehabilitation of sanctions is an obligation that must be given to not only those who are as addicted to narcotics but also to those which are victims of drug abuse. Arrangements regarding the rehabilitation sanctions stipulated in Chapter IX of the treatment and rehabilitation of the second part. With the specialization chapter governing the rehabilitation of this we can see that the government has emphasized rehabilitation sanctions to those which become addicts and drug abusers. Obliges the rehabilitation sanctions contained in Article 54 which states "abuse of narcotics addicts undergo compulsory medical rehabilitation and social rehabilitation".

In Act 35 of 2009 on Narcotics, the setting that emphasizes rehabilitation judges to impose sanctions contained in Article 103, which states that:

(1) A judge may examine the case Narcotic Addicts:

- a. Breaking for the corresponding ordered to undergo treatment and / or care through rehabilitation if the Narcotic Addict guilty of the crime of Narcotics; or
- b. Assign to the corresponding ordered to undergo treatment and / or care through rehabilitation, if the Narcotic Addict is not guilty of the crime of Narcotics.

(2) Period of treatment and / or care for addicts Narcotics referred to in paragraph (1) letter a is calculated as serving time.

In Article 103 paragraph (1), the word 'may' implies to put drug users either guilty or not guilty to undergo treatment and / or care through rehabilitation. And the judge also granted the authority to establish an addict which is not guilty of committing a crime for treatment and rehabilitation. In addition, rehabilitation of sanctions is also regulated under Part XV Criminal Provisions of Article 127 which states:

(1) Each abuser:

a. Narcotics Group I; for themselves shall be punished with imprisonment of four (4) years;

b. Narcotics Group II; for themselves shall be punished with imprisonment of 2 (two) years; and

c. Narcotics Group III; for themselves shall be punished with imprisonment of 1 (one) year.

(2) In deciding the case referred to in paragraph (1), the judge shall take into account the provisions of Article 54, Article 55 and Article 103.

(3) In case the abusers referred to in paragraph (1) may be proved or proved to be the victim of abuse of narcotics, abusers

shall undergo medical rehabilitation and social rehabilitation. In Article 103 paragraph (1), the word 'may' implies to put drug users either guilty or not guilty to undergo treatment and / or care through rehabilitation. And the judge also granted the authority to establish an addict who is not guilty of committing a crime for treatment and rehabilitation. Seeing the criminal provisions of Article 127 paragraph (2) and (3), it can be concluded that the judge in deciding the case referred to in Article 127 paragraph (1) are required to pay attention to the articles that regulate the provision of rehabilitation so that later addicts and drug abusers to victims sanctions imposed either rehabilitation medical rehabilitation and social rehabilitation and no longer sentenced to imprisonment or confinement due to the sanctions the rehabilitation period is calculated as the serving time.⁹

3.2 Obstacles in the imposition of sanctions Rehabilitation

10 Kurniawan, 2010, "Criticize and compare the Law 35/2009 on Narcotics by Act of Previous", accessed on August 7, 2010

Based on the chart of criminal punishment against drug users, it can be seen that the rehabilitation sanctions are still very rare. Still rare or at least rehabilitation sanctions for those who become addicted to narcotics abusers and victims is because there are several obstacles that barriers and obstacles from the government in terms of the law. The constraints come from the government by the Word Tambunan, SH., Mentioned that there are three (3) obstacles, namely:

⁸ Soerjono Soekanto, Sri Mamudji, 1985, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, PT. Raja Grafindo Persada Jakarta, pg. 13

⁹ Undang-Undang Nomor 35 Tahun 2009 tentang Narkotika (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 143.

1. Yet the enactment of a special place for addicts and victims of drug abusers to rehabilitation.
2. Issue of rehabilitation costs for convicted drug abuse.
3. Yet no rehab appointed by the Government.

From the above explanation, it can be explained that the barriers of lack of a special place for addicts and victims of drug abusers in Denpasar, as in the case of the rehabilitation treatment, still borrow medical places such as hospitals Sanglah ie methadone clinics Sandat Maintenance and Mental Hospital of Bangli. The second place is not the place to deal specifically with the problem of rehabilitation for drug users, but only attach it. For the problem of the cost of rehabilitation for convicted drug abuse itself, the judge considers that owned by the state budget to finance the rehabilitation treatment for the prisoners is still very minimal. The view of this judge, reinforced by the speech of the Minister of Social Salim Al Jufri at a seminar held in the framework of the International Anti Narcotics Day 2010, which says that the budget needed to rehabilitate more

of three million drug addicts in Indonesia is around Rp100-Rp150 billion, but the amount of funds available is only about Rp30 billion or so. "Drug Rehabilitation Need Rp 150 Billion",

For an addict mild and without any medical complications, within 1 (one) week of treatment will cost around Rp 4.5 million and will be much more expensive if an addict is experiencing medical complications such as heart disease, tuberculosis, HIV / AIDS , because of the treatment rehabilitation will require more kinds of drugs and other treatment specialists ". For the problem of the lack of rehabilitation appointed by the government will cause problems later placed where the prisoners are drug abuse cases. Because with no clear designation of rehabilitation by the government, can lead to confusion on the judges in deciding the case of narcotics, confused would be placed where the convicted person if disconnected untukmelakukan rehabilitation. Because the judge did not know exactly where the rehabilitation centers that can be designated to treat the inmates. Regarding the constraints in terms of the law, namely:

1. Occurrence of differences between the description of the accused, witnesses and Criminal lab results.
2. Execution problem occurred. Given the description of the difference between the defendant, the witnesses and the Criminal lab results can also make judges more thinking to impose sanctions contained defendant rehabilitation. Sometimes the judge will find a situation where a defendant claiming to be victims of drug abusers, and justified also by the testimony of witnesses, but based on the results of laboratory tests Criminal, stating that the defendant is either negative urine or blood containing narcotic substances. In terms of execution, the judge must also consider whether the defendant will be able to execute the decision of the judge as well as possible. Seeing the cost of rehabilitation which expensive and the budget of the government which very minimal, so that the accused shall cause the decision to undergo rehabilitation at their own expense, but it is likely the defendant came

from groups with low social status and therefore can not carry out such sanctions. Thus, if the judge's decision in the end can not be accomplished, it will lead to legal certainty which is not clear. Based on the results of these interviews, it can be seen that the barriers experienced by judges in imposing sanctions is still very much rehabilitation. Of the five existing barriers, the most important obstacle is the problem of the cost of rehabilitation. Due to the high cost of rehabilitation, causing the government should have the extra funds to finance all decisions for victims of drug abuse rehabilitation. Although the judge's ruling stated rehabilitation costs paid by the convict, it can be burdensome convicted for the prisoners came from the social status of different. Causing the execution of court decisions is not the best possible. Issues regarding rehabilitation center that does not exist and has not designated a place of rehabilitation by the government, the judge for the time being can leave convicts to government-owned hospital which has a rehabilitation center. Although concerns about the placement of the convicted person can be overcome by doing daycare convicted, but the government should immediately establish a special rehabilitation center for convicted drug abuse in order to avoid mixing the rehabilitation of those which do their own consciousness and implement rehabilitation based on the judge's decision. For problems arising from a legal perspective, it can be corrected by means of the judge more proactive in finding evidence which a defendant can assert that right as a victim of drug abuse, so the sanction is not used as a rehabilitation loopholes to evade imprisonment. So later criminal rehabilitation can reduce the number of victims of abuse and drug addicts in Indonesia.

Stage of medical rehabilitation (detoxification), At this stage addicts examined the entire physical and mental health by a trained physician. The doctor is what decides whether addicts should receive certain drugs, for example, to reduce withdrawal symptoms (sakau). Administration of drugs at this stage depends on the type of drug and the severity of withdrawal symptoms. It is therefore necessary sensitivity, experience, and expertise of the treating physician addicts.

Nonmedical rehabilitation phase, at this stage the addict participate in a rehabilitation program, and in Indonesia there are places nonmedical rehabilitation program of therapeutic communities (TC), 12 steps, the religious approach, and so forth.

Ongoing formation stage (after-care), at this stage given the the addict activities according to their interests and talents to fill their daily activities, the addict can return to school or work while still under surveillance. In each stage, ideally performed continuously monitoring and evaluation of the recovery process of an addict. In the rehabilitation phase of nonmedical the addict are encouraged to participate in which program in accordance with the results of the evaluation, if the TC method, or 12 steps (twelve steps) or religious approach or even been possible to undergo outpatient.

In a study conducted in the United States recommended the inpatient addicts no more than four weeks . And according to Mrc A Schuckit , MD group therapy

program is a program that cost less than personal counseling . I think this is an important thing to consider implementing a program of therapy and rehabilitation . The findings were made YCAB , in Jakarta is high school age children , prefer to confide in groups rather than one - vent satu.Dari my experience and observation , in Indonesia there are at least some therapy and rehabilitation methods used : Cold turkey . 'Cold Turkey', a term used to mean an addict immediately discontinue use of the drug / addictive substances. Maybe this is the oldest method. This method of confining addicts who are in withdrawal period (for these symptoms exist), without giving medicine. Addict locked up no more than two weeks. After drug withdrawal symptoms disappear, and issued new addicts enrolled in counseling sessions (non-medical rehabilitation). Some religious rehab approaches typically use this method in the detoxification phase.

Substitution therapy, it can only be used for heroin-dependent patients (opioida), because it's full title is opioida substitution therapy. For the hard core addict opioida users (users opioida which have many years of use opioida injections), chronic relapsing the addict usually so have to repeatedly undergo drug treatment. The need for heroin (illegal narcotics) substituted (substitution), with legal narcotics. These drugs can be used as a drug detoxification as well as maintenance therapy. These drugs are given as a substitute for heroin, in doses appropriate to the needs of the addict, to then gradually lowered the dose.

These four drugs are already available in Indonesia. Unfortunately, a full assessment of the impact and control functions to these drugs remains to be improved, because I found the case of misuse / abuse of such official drugs. As one example, Singapore is currently buprenorphin banned drug classes, because based study found which abuse of fatal tendency. In Indonesia today, metadone therapy has been used as a way to divert the use syringes, with predictions that HIV transmission can be reduced, especially among the addict heroin users syringe.

In the face of addiction cases, at least there are general principles that I use: Addicts (no matter what kind of addiction) and his family, is still human. Man, is the noblest creature creator ever created. And since it was invented, we can see that humans have a physical aspect, soul, spirit, and social. In other words, humans are social beings which have a body, soul and spirit, are integrated into a unified whole. Thus, in the handling of any problems, the four aspects had to be considered. Similarly, in the case of addiction treatment. Addiction treatment should not only use one discipline alone, but four disciplines work together to deal with cases of addiction. So no matter how expert and experient a professor, doctors, counselors, and others , he is not entitled to claim a recovering addict because of his help . Another thing about humans is the fact that under the sun, no two humans are identical . In other words, man is : " Equal in differences , or differ in similarity . " This is the uniqueness of human beings. That is why if there are 50 addicts, to 50 people each have unique, so keep

in mind the dynamics of each addict . In many countries, including in a number of Asian countries, substitution therapy program is the most common TRM (metadone maintenance therapy) . TRM program can be divided into detoxification programs and maintenance programs. For distinguished detoxification program in the short term and long term schedule is 21 days, 91 days, and 182 days. While the maintenance program/ maintenance lasts at least 6 months to 2 years or even longer.

4. CONCLUSIONS AND SUGGESTIONS

4.1 Conclusions

Rehabilitation policy on Act No. 35 of 2009 on Narcotics have been strictly regulated in Chapter IX of the law, the policy is aimed at drug addicts and victims of drug abuse, arguing that the drug abusers are victims of criminal acts by narcotics and therefore appropriate sanctions meted out to him is rehabilitation, so that the victim will be able to return to society and become useful. The period of rehabilitation in a court decision is counted as serving time.

4.2 Suggestions

Judge in imposing sanctions rehabilitation, both against drug abusers and drug addicts, other than expected to attention to evidence and facts in the trial, because the verdict is expected later handed down was the right decision, because the victims of drug abuse if it is proven as korabn then action should be given is rehabilitation, so that later they can return to society and become better person.

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THE ANALYSIS OF CRIMINAL LIABILITY FOR CRIMES PERPETRATORS OF THE CRIME OF HUMAN TRAFFICKING

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ABSTRACT - *trafficking has long been a national and international issue for many nations in the world, including countries Indonesia. Trafficking secretly operates and move unlawfully. Traffickers have evolved quickly into transnational syndicates and are very subtle in trapping their victims, but have exploited them ruthlessly in various ways so that the victim becomes powerless to release. Research problems that will be discussed in this paper is the factor of crime in human trafficking, criminal liability against the perpetrators of the crime of human trafficking and efforts to prevent the crime of human trafficking. This research used normative juridical and empirical research method using secondary and primary data, library and field studies, and the were analyzed qualitatively. Data collection and processing procedures, after the data were analyzed by means of structured juridical analysis done by sorting or delivering notions of data that has been arranged systematically aiming at providing a general overview to answer the problem based on the results of the research.*

Based on the results of research and discussion, factors of the crime of human trafficking were rapid but uneven economic growth, poverty, family disintegration, migration, lack of education and information, culture, insensitivity and gender inequality, bad influences of war and official corruption and collaboration. Criminal responsibility of the perpetrators of the crime of human trafficking is a form of The Judge consideration of legal facts revealed in the court, where the defendant is legally and convincingly to have committed the crime of human trafficking, as stated in the indictment that violated Article 2 paragraph (1) The Law No. 21 of 2007 on the Eradication of Human trafficking. In addition, in dropping the weight and severity of criminal sanctions to the defendant, the judges ruled against NURUL ISTIQOMAH binti Suparni imprisonment with 3 (three) years of imprisonment and a fine of Rp.120.000.000, - (one hundred and twenty million dollars) provided that if fines are not paid, it is replaced by confinement for 4(Four) months. Efforts to prevent human trafficking crime prevention (preventive) including the increase of education, dissemination of information, and the increase of surveillance is a very important factor. While enforcement efforts (repression) is the prosecution to perpetrators of the crime of human trafficking, according to the authority held by the authorities (police force, prosecutors and the courts), but considering the human trafficking is a crime that operates silently, to the general public, community institutions and NGOs, that they should take active part in uncovering this crime by providing information to the authorities if they see, witness or indicate the trafficking activities or things that can allegedly lead to the occurrence of the crime. Thus, it is expected that the Indonesian government should immediately establish minimum standards to eradicate human trafficking so that seriousness through extra measures of the government in dealing with cases of human trafficking, it is certain that it could minimize the occurrence of human trafficking in both the national and international levels. There should be improvements in trial performance, the prosecution and punishment of cases of human trafficking, including those involving women and children as victims. Checking back in the Memorandum of Understanding with the countries which became the destination of human trafficking to include the protection of victims and it is expected by the Act No. 21 of 2007 on the Eradication of Human trafficking implemented and properly applied especially to law enforcement officials, the police officers, prosecutors and the judge so that the parties involved as perpetrators and victims can be done in a fair legal process

keywords: Crime , Trafficking , Human Trafficking, Localization

1. INTRODUCTION

Slavery and the slave trade is a form of the first violation of human rights, the crime recognized internationally, even though it is just the subject of an international comprehensive treaty when in 1926 slavery convention was adopted. Traditional forms of slavery and trafficking were almost stopped, but other forms of slavery still exist such as bondage (servitude), labor (forced labor) and human trafficking especially women and children. Prohibition of slavery can also be found almost in the general of human rights instrument such as in Article 4 of The Universal Declaration of Human Rights, Article 8 of the Civil Covenant and Political Rights (ICCPR), and Article 6

(1) of the American Convention on the Human Rights. In the situations of armed conflict, all forms of slavery are also forms of violation of humanitarian law.

Article 4 of the Universal Declaration of Human Rights:

No person may be enslaved or servitude; slavery and the slave trade in any form shall be prohibited.

Article 8 of the civil Covenant dan Political Rights (ICCPR):

1. No one shall be held in slavery, slavery and the slave trade in all its forms must be prohibited;

2. Nobody can servitude.

3. In the case of:

- a) No one shall be required to perform forced or compulsory labor;
- b) Paragraph 3 (a) no one shall preclude the implementation of forced labor as a result of the penalty imposed a competent court, in countries where the sentence with hard labor may be imposed as a punishment for crime;
- c) For the purposes of this paragraph, the term "forced or compulsory labor" shall not include:
 - 1) Any work or service not referred to in subparagraph (b), normally required of a person detained on lawful order of a court, or of a person during conditional release from such detention;
 - 2) Every task that is required to do in an emergency or disaster that threatens life or well-being of society;
 - 3) Any tasks that are required to do in an emergency or calamity that threatens the life or well-being of society ;
 - 4) Any work or service is part of the general obligations of citizens

Article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination:

State guarantees Participants

This article contains a guarantee of any State Party through the courts or other state agencies to:

- 1. Any act of racial discrimination which violate humanity;
- 2. The quest for justice in the case of racial discrimination;
- 3. Enterprises for commensurate compensation for damage suffered as a result of acts of racial discrimination.

Trafficking in Indonesia started rolling in early 2000. It was specifically triggered by the emergence of cases of torture of Indonesian women working abroad either as domestic workers (PRT) or as mired in prostitution. Previously, human trafficking was understood merely occurred in the context of prostitution. The article 297 of the Book of the Criminal Justice Act (hereinafter referred to as the Criminal Code) sets the penalty for human traffickers. Unfortunately, this article is rarely used by law enforcement officers to help women and children trapped in prostitution, one of the reasons is because there is no full explanation of what is meant by human trafficking. Moreover, there is a contradiction in the various laws regarding the age limit for adult and child prostitutions. Furthermore, formerly, Indonesian women have been looking for a job abroad, and the violence they experience in the workplace is often considered to be reasonable as far as our society tends to be patriarchal accompanied with less welfare and low educational background.

Advances in information technology, communications and transportation which accelerate the globalization, are also abused by criminals to disguise slavery and servitude into their new form: human trafficking who operates in secret and move unlawfully. Traffickers are rapidly evolving into transnational syndicates and are very subtle in trapping the victims, but they have exploited them ruthlessly in various ways so that the victims becomes powerless to release.

Human Trafficking especially in women and girls has long been a national and international issue for many nations in the world including Indonesia. Human trafficking though it is so familiar occurred in society, but it seems not many people understood it terminologically. The understanding in the community about trafficking is still very limited, this is because the information obtained in the community about trafficking remains low.¹

Human trafficking is an issue of concern in Asia and even the whole world. Trafficking occurs not only inter-island of Indonesia but also across countries. The rise of the issue of trafficking usually starts by the increasing of job seekers both men and women and even children to migrate to other regions until abroad to look for work. Lack of education and lack of information possessed have caused them vulnerable to be trapped in the trafficking. A variety of causes that contribute to this includes the dominant factor of poverty, unavailability of jobs, orientation changing of development from agriculture to industry and never-ending economic crisis.

The majority of trafficking of women and children considered as a kind of slavery in the modern era is a multi-dimensional crisis experienced by Indonesia. Human Trafficking is now declared as a serious global problem and has even become a global business that has provided great advantages for traffickers; from time to time the practice of human trafficking has showed the quality and quantity.

Human trafficking has been criminalized in Indonesian positive law. Human trafficking referred to explicitly in the Criminal Code which states that:

Article 297 of the Criminal Code states that:

Trafficking of women and boys under the age is punishable by imprisonment of 6 (six) years.

The concept of ban setting is in the same period of the formation of the Criminal Code. Article 297 of the Criminal Code that specifically regulates the trafficking of women and boys under the age which shows that at the time of the invaders was the trafficking of women and children has been qualified as a crime or considered as an inhuman act and deserving of criminal sanction. However, with advances in technology, information, transportation which provide acceleration to the globalization of actors of trafficking (traffickers) quickly developed into transnational syndicates who are doing it secretly in trapping their victims, but with a ruthlessly exploit in various ways so that the victim becomes powerless to release.

As an illustration, a criminal case of human trafficking happened at the District Court of Jurisdiction Class IA Tanjung Karang in Bandar Lampung, is the case No. 1044 / Pid.Sus / 2013 / PN.TK., with the defendant on behalf of the daughter Nurul Istiqomah Suparni lived on Jalan Teluk Tomini Gang Swadaya (Pemandangan) Way Lunik Village, South Teluk Betung, Bandar Lampung, where the accused Nurul Istiqomah bint Suparni committed the crime of human trafficking for the victim named Febri Lestari bint Tukijo. The defendant was charged with Article 2 (1) of Law No.

21 of 2007 on the Eradication of Human trafficking, which by the judges was sentenced to imprisonment for 3 (three) years with a fine Rp.120.000.000, - Based on the above description, the authors are interested in doing research as outlined in the form of a thesis with the title: "The Analysis of Criminal Liability for Crimes Perpetrators of the Crime of Human trafficking"

2. STATISTICAL MODEL AND ANALYSIS

Approach to the problem that will be used in this research is normative and empirical approach.

a. Normative juridical approach

The approach through the study of literature (Library Research) is used to see the problem as a rule of law that is considered in accordance with normative juridical research. This normative juridical research conducted on theoretical matters, in which the approach is done by studying the general principles of law in the theory / opinion of scholars and legislation in force.

b. Empirical approach

The approach is taken by seeing and observing directly the object of research on the analysis of the criminal responsibility of the perpetrators of criminal acts of human trafficking.

3. RESULTS AND DISCUSSION

Based on the results of interviews in Bandar Lampung Town Resort Police (Polresta) with Mr Siswanto as Bandar Lampung Police investigators, it is said that Indonesia is a country that is considered as a source of trafficking of women, children and men for the purpose of forced labor and commercial sexual exploitation. In the smaller scope, Indonesia became the destination and transit country for human trafficking from other countries. Provinces in Indonesia becomes the source and destination of human trafficking primarily Javanese followed later by West Kalimantan, Lampung, North Sumatra, Banten, South Sulawesi, West and East Nusa Tenggara, and North Sulawesi.

Furthermore, Mr Siswanto as the investigator said that human trafficking in the country is still a major problem in Indonesia, where women and children are exploited become domestic servants, sex workers, and workers in small factories. The traffickers sometimes conspire with the school to start recruiting young

students at a vocational school to become forced labor in Malaysia through opportunities of "internship" which are actually fictitious. Residents of Indonesia were recruited with offers to work in restaurants, factories, or as domestic servants and then forced to undergo seks. Besides, Indonesia children experience very pathetic experience that they become the victims of sex tourism with the perpetrators majority from Malaysia and Singapore. Sex tourism involving children are found in many urban areas and tourist destinations.

Human trafficking crime that is transnational crimes or transnational crime has become a global concern all over the world. To ensnare the crime of human trafficking, Indonesia already has Law No. 21 of 2007 on the Eradication of Human trafficking.

Based on the results of interviews at the State Attorney of Bandar Lampung with Ms. Eka Aftarini as the Attorney, it is said that the discussion in outlining the factors that cause the occurrence of the crime of human trafficking is very broad, none of which is a special cause acts of trafficking in Indonesia. This can be caused by the whole thing consists of a variety of conditions and varied issues, including the lack of awareness, a number of people who migrate to find work either in Indonesia or abroad and are not aware of the dangers of trafficking and did not know the ways used to trick or trap them in n arbitrary job or akin to slavery.

4. CONCLUSION

Based on the results of research and discussion in the writing of this paper, it can be concluded that the occurrence of Crime in human Trafficking in Indonesia is dominantly caused by some factors such as rapid but uneven economic growth, poverty, family disintegration, migration networks, lack of education and information, culture, insensitivity and gender inequality, negative consequences from the left war and official corruption and collaboration.

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THE ANALYSIS OF FINANCIAL SERVICES AUTHORITY (FSA) FUNCTION IN THE SUPERVISION OF THE GOOD CORPORATE GOVERNANCE (GCG) IMPLEMENTATION FOR BANKING INSTITUTIONS IN INDONESIA

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ABSTRACT - In terms of running the implementation of the guidelines of Good Corporate Governance (GCG), the FSA had a function in monitoring the implementation of the guidelines. Implementation of the Code of Good Corporate Governance (GCG) was one key to success for growing companies and profitable in the long term while winning global business competition, especially for companies that had been able to grow at the same time being open, GCG Principles were needed to achieve bank business continuity (sustainability) with regard to the interests of shareholders, customers and other stakeholders. Research problems that would be discussed in this paper were: How was the function of the Financial Services Authority (FSA) as an independent watchdog of banking institutions, how was the implementation of Good Corporate Governance (GCG) at the banking institutions in Indonesia, how was the supervision of the Financial Services Authority (FSA) on the implementation of Good Corporate Governance (GCG) at the banking institutions in Indonesia. The research method was normative and empirical, using secondary and primary data, which retrieved from library research and field studies, and data were analyzed with qualitative analysis. Based on the results, the FSA study had a function in organizing the system of regulation and supervision was integrated to the overall activity in the financial service sectors, as set out in Article 5 of FSA regulation. In the implementation of GCG for banking institutions in Indonesia, there were indicators that regulate governance corporations, so as to assess whether these banks had or had not implemented GCG is to look these indicators. Indonesian banking institution supervision could be divided into two (2) types of monitoring; indirect and direct supervision. The researcher could give suggestions such as for Indonesian Bank also known as BI to provide the infrastructure especially regarding IT supervision of banking institutions to the FSA, so the FSA can supervise accurately. Implementation of GCG in banking institutions in Indonesia was expected to continue to maintain the principles of GCG. GCG should not only for banks but also applied to the RB, Capital Markets, Insurance, Finance Companies, Pension Funds, Microfinance Institutions and all other financial institutions.

keywords: Functions of FSA, FSA supervision, implementation of GCG, GCG implementation, Banking Institutions

1. INTRODUCTION

Banking institutions are financial institutions that trusted by people and play an important role in the economic system. Besides having an important role, banking institutions have a strategic role in harmonizing and balancing equitable development, economic growth and national stability. Zulfi Diane Zaini says that the banking institutions that hold important and strategic role are one proof that the banking institution is one of the main pillars for the economy with establishment and support the implementation of national development. Therefore, in their role, national banking institutions are required and obliged to realize the goal of national banks which set out in Article 4 of Law No. 7 of 1992 as most of the articles are amended and supplemented by Act No. 10 of 1998 (hereinafter referred to as the Banking Law) [1], and in line with the objectives of the state welfare. [2] Bank is said to be the lifeblood of the financial system since the bank serves as a Financial Intermediary major effort to collect and distribute public funds as well as providing other services in payment traffic. In monitoring the payments traffic, there should be an independent institution set up and maintain the exchange rate, and does not favor one

interest or purpose which can endanger the stability of the economic and monetary. With the passing of the time, industrial developments in monetary sector in Indonesia are increasing and with the increase of industrial cross-sectoral problems, a reformation in banking law is needed.

The reason the formatting the FSA is the complexity and various increase in financial products, the occurrence of conglomeration symptoms of the financial services companies, and globalization of the financial service industries. In principle, the establishment of the FSA is to become an integrated surveillance and makes the coordination easier for more effective supervision. Article 2 paragraph (2) of Law Number 21 Year 2011 on the Financial Services Authority (hereinafter referred to as the FSA) states that the FSA is an independent institution in carrying out its duties and authorities, free from interference by other parties, except for the things that are expressly provided in this Act. FSA in performing its duties based on the principles of independence, accountability, responsibility, transparency and fairness, other than that the FSA should have a structure with the principle of "checks and balances" that is a clear separation between the functions, duties and authority of

regulation and supervision. [3] The banking institutions in the compulsory use of the precautionary principle in order to avoid mistakes in public fund management, besides that, banking institutions are obliged to implement the compulsory guidelines for good corporate governance (GCG). Each bank must ensure that the principles of GCG are applied to every aspect of business and at all levels of the bank. GCG principles which must be ensured its implementation include transparency, accountability, responsibility, independency and fairness. GCG principles are needed to achieve business continuity (sustainability) of banks with regard to the interests of shareholders, customers and other stakeholders. [4] In terms of running the implementation of the guidelines of Good Corporate Governance (GCG), the FSA has a function in monitoring the implementation of the guidelines. Implementation of the Code of Good Corporate Governance (GCG) is one key to success for growing companies and profitable in the long term, while winning global business competition, especially for companies that have been able to grow at the same time being open, GCG Principles needed to achieve business continuity (sustainability) bank with regard to the interests of shareholders, customers and other stakeholders.

2. MATERIALS AND METHOD

Research problems that will be discussed in this paper is: How does the function of the Financial Services Authority (FSA) as an independent watchdog of banking institutions, how the implementation of Good Corporate Governance (GCG) at the banking institutions in Indonesia, how the supervision of the Financial Services Authority (FSA) on the implementation of Good Corporate Governance (GCG) at the banking institutions in Indonesia. The research method is normative and empirical, using secondary and primary data, which retrieved from literature study and field studies, and data are analyzed with qualitative analysis.

3. RESULTS / DISCUSSION

Based on the results of the study, FSA has a function in organizing the integrated system of regulation and supervision to the overall activity in the financial service sectors, as set out in Article 5 of Law FSA. In its surveillance on the financial industry FSA oversees banks and non-banks which have now been located in one roof or integrated monitoring system so that the monitoring system can exchange information easily. The integrated control system is expected to minimize the possibility of colision of inter-agency coordination. FSA is an independent organization and free from interference by other parties, which has functions, duties, and authority of regulation, supervision, inspection, and investigation as referred to this Act, in accordance with the contents of Article 1, paragraph 1 of FSA Law. Independence of each party in question is forbidden to interfere in the implementation its function, duties and authority of the FSA, it is intended to ensure the implementation of

the FSA Part of the task set out in Article 6 of the Act, namely the FSA, FSA regulation and supervision duties to:

1. The financial service sectors of Banking Activities
2. The activities in the financial service sectors, the Capital Market; and
3. The financial services sector in Insurance, Pension Funds, Finance Institutions, and Other Financial Service Institutions

Based on the results of interviews for research in Lampung with the FSA representative Mr. Iwan Kurniawan as bank supervisors, they conclude that the FSA is an independent institution. There is a strict separation between the FSA and BI tasks, FSA regulate and supervise on institutional, health, aspects of the prudential and bank inspection are the scope of regulation and microprudential supervision (supervision of banks in person), or the FSA focuses more on the health of financial institutions in private , As for the scope of BI is the policy administration that has the main purpose of maintaining the stability of the financial system as a whole in order to mitigate systemic ratio and crisis costs (macro prudential). Furthermore, according to Iwan Kurniawan, FSA's independence is manifested in two ways, namely: FSA institutionally is not included Indonesian government and the FSA leaders have the certainty of his position. Independence of FSA will be effective, if there is good corporate governance in the area of finance and banking. Because the application of the system GCG consistently proven to improve quality and also can be a barrier performance engineering activity which results in the financial statements do not describe the fundamental value of the company. Furthermore, Iwan Kurniawan explained that there are some things about FSA independence regarding:

1. Dismissal of members of the institution that can only be done by the causes set forth in the law
2. Problems dismissal which is free from intervention of President, the independent nature is also reflected in:
 - a. Leadership institution is collective, not just one leader. Collegial leadership is useful for internal processes in making decisions, in particular to avoid the possible politicization of the decision as a result of the membership selection process;
 - b. Leadership is not controlled or not majority comes from a several political parties; and
 - c. Tenure of the leaders of institutions do not run out simultaneously, but alternately (staggered terms).

Based on Chapter IV on the Board of Commissioners, regarding the structure of Article 10 of the FSA, it regulates:

1. The FSA is led by the Board of Commissioners
2. The Board of Commissioners as referred to in paragraph (1) is collective and collegial
3. The Board of Commissioners consists of nine (9) members as determined by the President
4. Composition of the Board of Commissioners as referred to in paragraph (3) shall consist of:
 - a. A Chairman concurrently as a member;

- b. A Vice Chairman as Chairman of the Ethics Committee concurrently as a member;
- c. A Chief Executive of the banking supervisor concurrently as a member;
- d. A Chief Executive Officer and member of the Capital Market supervisory;
- e. A Chief Executive Supervisor of Insurance, Pension Funds, Financing Institutions, and Other Financial Services Institutions concurrently as a member;
- f. A Chairman of the Board of Audit concurrently as a member;
- g. A member in charge of education and consumer protection;
- h. An Ex-officio member of Bank of Indonesia, which is a member of the Board of Governors of Bank Indonesia; and
- i. An Ex-officio member of the Ministry of Finance which is the first echelon officials of the Ministry of Finance.

5. Members of the Board of Commissioners as referred to in paragraph (4) have the same voting rights

Article 11 of the Law FSA regulates the appointment of the Board of Commissioners are:

1. Members of the Board of Commissioners as referred to in Article 10 paragraph (4) letter a to letter g elected by the House of Representatives based on prospective members proposed by the President.

Article 17 of Law FSA regulates the discharge of the Board of Commissioners are:

1. Members of the Board of Commissioners can not be discharged before his tenure expires, except if it meets the following reasons:

- a. Death;
- b. Resignation;
- c. Term has expired and not been revoted;
- d. Remains incapacitated so he can not execute a task or an estimated medically unable to carry out the task more than six (6) consecutive months;
- e. Do not carry out their duties as members of the Board of Commissioners of more than three (3) consecutive months without reasonable excuse;
- f. No longer a member of the Board of Governors of Bank Indonesia for Ex-officio members of the Board of Commissioners from Bank Indonesia as referred to in Article 10 paragraph (4) letter h;
- g. No longer a first echelon officials at the Ministry of Finance for Ex-officio members of the Board of Commissioners that comes from the Ministry of Finance as referred to in Article 10 paragraph (4) letter i;
- h. Has a family relationship to the second degree and / or marriage with other members of the Board of Commissioners and none resigns from his post;
- i. Violate the code of ethics; or
- j. No longer meets one of the conditions referred to in Article 15 and in violation of the prohibition referred to in Article 22.

2. Termination as referred to in paragraph (1) proposed by the Board of Commissioners to the President to be confirmed.

Based on the above provisions, it can be analyzed that the Board of Commissioners is the supreme leader of the FSA, the Board of Commissioners can not be dismissed by the president, the Board elected by the Parliament on the basis of a proposal from the president, this is where the visible independence of the FSA as financial services supervisory department. Based on research in the representative of FSA Lampung, Iwan Kurniawan states that the regulation of Bank of Indonesia No. 8/14 / PBI / 2006 on Amendment to Bank Indonesia Regulation Number 8/4 / PBI / 2006 on the Implementation of Good Corporate Governance, so that each bank is required to apply GCG, including to conduct self-assessment and submit a report the GCG implementation. GCG self assessment is done by filling the GCG Self Assessment Working Paper that has been established, which includes 11 (eleven) Factor Assessment. The procedures for assessment of self-assessment are as follows:

1. Setting a Value rating per Factors, by conducting Self Assessment analysis by comparing objective and criteria / indicators that have been determined by the actual condition of the Bank;
2. Assign Value Composite results of self assessment, by weighting the whole factor, summing and further provides composite predicate; (C) In determining predicate, please note the following limitations: (1) If there is a factor in the assessment of all factors with a value rating is 5, then the predicate Composite highest attainable Bank is "Good Enough" and (2) If the assessment of all factors are Factor with Value Rank 4, the Composite Predicate highest attainable Bank is "Good".

Further more Mr. Iwan Kurniawan as superintendent Bank Lampung FSA representative says that, there are some indicators that regulate corporate governance, so as to assess whether these banks have or have not implemented GCG, it will be judged from these indicators. Basically GCG between Conventional Bank and Islamic ones is the same, namely: transparency, accountability, responsibility, independence and fairness, but there are several different assessment indicators according to the needs and policies. Based on Bank of Indonesia Circular Letter No. 15/15 / DPNP on Circular Letter to All Conventional Commercial Banks In Indonesia, in Point 1 (B) is in order to ensure the implementation of five (5) basic principles of good corporate governance as mentioned above, the bank must perform its own assessment (self assessment) periodically which at least includes 11 (eleven) Factor Assessment GCG implementation, namely:

1. The implementation of tasks and responsibilities of the Board of Commissioners;
2. Implementation of the tasks and responsibilities of Board of Directors;
3. The completion and implementation of the tasks of the Committee;
4. Handling conflicts of interest;
5. Implementation of compliance;
6. Implementation of the internal audit functions;

7. Implementation of the external audit functions;
8. Implementation of risk management including internal control systems;
9. Provision of funds to related parties) and penediaan large fund provision (large exposures);
10. Transparency of banks' financial and non-financial

condition GCG implementation report and internal reporting; and 11. The bank's strategic plan [4]
Below is a table giving scores on Good Corporate Governance Corporate based on the Governance Self-Assessment Bank namely:

Table 1 Provision of Score GCG

No	Aspek Penilaian	Bobot (%) (a)	Peringkat (b)	Nilai/Skor (a) x (b)
1	Pelaksanaan tugas dan tanggung jawab Dewan Komisaris;	10%	2	0,2
2	Pelaksanaan tugas dan tanggung jawab Direksi;	20%	2	0,4
3	Kelengkapan dan pelaksanaan tugas Komite;	10%	2	0,2
4	Penanganan benturan kepentingan;	10%	1	0,1
5	Penerapan fungsi kepatuhan;	5%	2	0,1
6	Penerapan fungsi audit intern;	5%	2	0,1
7	Penerapan fungsi audit ekstern;	5%	1	0,5
8	Penerapan manajemen risiko termasuk sistem pengendalian intern;	7,5%	2	0,15
9	Penyediaan dana kepada pihak terkait (related party) dan penediaan dana besar (large exposures);	7,5%	2	0,15
10	Transparansi kondisi keuangan dan non keuangan bank, laporan pelaksanaan GCG dan pelaporan internal; dan	15%	1	0,15
11	Rencana strategis bank	5%	2	0,1
12	Jumlah nilai komposit	100%		1,7

Source: adapted from Bank Indonesia Circular Letter No. 9/12 / DPNP Date May 30, 2007

After all stages of the assessment of Good Corporate Governance Index (CGPI) are done, which in the example above of 1.7, the results obtained will be discussed in a forum panel of experts to determine the

results of research and rating CGPI. The ranking is designed to be five (5) categories according to the degree (level) reliable through the balanced application of GCG shown in the following table.

Table 2 Ranking of Good Corporate Governance Perception Index (CGPI) Practice of Good Corporate Governance (GCG) Commercial Bank

Tingkat/Nilai Peringkat Komposit	Predikat (Kualitas)
Nilai Komposit < 1,5	Sangat Baik
1,5 ≤ Nilai Komposit < 2,5	Baik
2,5 ≤ Nilai Komposit < 3,5	Cukup Baik
3,5 ≤ Nilai Komposit < 4	Kurang Baik
4,5 ≤ Nilai Komposit < 5	Tidak Baik

Source: Bank Indonesia Circular Letter No. 9/12 / DPNP Date May 20, 2007

Based on the results of interviews over at Metro Bank Mandiri branch with Mr Daryanto as head of the branch, he says that in the implementation of GCG, it is divided by 2; Internal supervision, 2. External supervision

a. Internal controls done are:

1. Consistently doing a briefing everyday, and chanting the TIPCE Culture (Trust, Integrity, Professional, Customer Focus and Excellent)
2. Providing punishment in the form of termination of employment to employees who perform Fraud (whatever the number is) and proved although only Rp. 10,000; (Ten thousand Rupiahs), there are employees who was discharged from Bank Mandiri

b. External supervision done are:

1. Providing education to all the customers that in addition to official fees corresponding memorandum and commitment, the debtor is prohibited to pay anything
2. Each transaction must be based on the availability of a memorandum of books (deposit note, receipt, advice debit / credit, etc.)
3. In the document published by the Bank for partners (e.g. Wood Seller, goods Order / services) has always been and must be included the phrase "in order to implement good corporate governance, you are not allowed to give gifts or compensation of any kind to the ranks of employees of Bank Mandiri related to employment or the provision of credit facilities and other facilities".

Based on the description above can be analyzed that the Bank Mandiri Branch Metro has implemented GCG principles in the form of transparency that provide information according to predefined rules, accountability that anyone with no any exceptions have to account for its performance, if one must be declared wrong in order not to affect the other. It is the same as the Islamic Bank that in this study, the authors interviewed the Operational Head Manager of Bank Muamalat Center, Lampung province, Mr Sutisna states in the implementation of GCG applied for a bank is not permitted for any party to give a gift in any form and at any time. Each officer has to say hello to the consumer who comes, if the officer does not say hello he will immediately get a warning. The principles on corporate governance in Islamic (sharia) and in accordance with the best practices applicable in national and international banks and values that

exist in Bank Muamalat Indonesia, is the basis for the company to continue the best form implementing of GCG, these values are reflected in the following aspects: transparency, accountability, responsibility, professional, fairness and caring attitude. Mr. Sutisna as Head Operational Manager of Bank Muamalat under Article 2 of Regulation of Bank Indonesia Number 11/33 / PBI / 2009 on the implementation of Good Corporate Governance for Islamic Banks and Sharia Business Unit says that:

1. Banks are required to implement GCG in all its business activities at all levels of the organization
2. Implementation of GCG as referred to in paragraph (1) for at least BUS must be realized in:
 - a. Implementation of the tasks and responsibilities of the Board of Commissioners and Board of Directors;
 - b. Completeness and implementation of tasks and functions of the committees who run the internal control BUS;
 - c. the implemntation of duties and responsibilities of the Shariah Supervisory Board;
 - d. Implementation of compliance, internal audit and external audit;
 - e. The maximum limit of the distribution of funds; and
 - f. Transparency of BUS financial and non-financial condition.

3. Implementation of GCG as referred to in paragraph (1) for at least UUS must be realized in:

- a. Implementation of the tasks and responsibilities of the Director of UUS;
- b. Implementation of the tasks and responsibilities of the Sharia Supervisory Board;
- c. Channelling funds to core customer financing and storage of funds by depositors core; and
- d. Transparency of UUS financial and non-financial condition

Based on the description above the BUS is that Islamic Conventional Banks, which provides services in payment traffic as referred to in Law Number 21 Year 2008 on Islamic Banking (Article 1 paragraph 1 of Law No. 21 of 2008 concerning Islamic Banking: Islamic banking is everything concerning the Islamic banks and Islamic business units, covering institutional, business activities, as well as the manner and process of carrying out their business activities).

Below is a table giving weight to the assessment of the GCG Islamic Banks:

Table 3 Weight Rating Good Corporate Governance Islamic Banks

No	Faktor Yang Dinilai	Bobot Penilaian
1	Pelaksanaan tugas dan tanggung jawab Dewan Komisaris	12,5%
2	Pelaksanaan tugas dan tanggung jawab Direksi	17,5%
3	Kelengkapan dan pelaksanaan tugas komite-komite	10%
4	Pelaksanaan tugas dan tanggung jawab Dewan Pengawas Syariah	10%

5	Pelaksanaan prinsip syariah dalam kegiatan penghimpunan dan penyaluran dana serta layanan jasa	5%
6	Penanganan benturan kepentingan	10%
7	Penerapan fungsi audit intern	5%
8	Penerapan fungsi kepatuhan	5%
9	Penerapan fungsi audit ekstern	5%
10	Transparansi kondisi keuangan dan non keuangan, laporan pelaksanaan GCG, dan pelaporan internal	15%
11	Batas maksimum penyaluran dana	5%
	Total	100%

Source: Bank Indonesia Circular Letter No. 12/13 / DPbS Year 2010

Based on the table above are the weight or value in percentage given to indicators for assessing a sharia GCG at Commercial Bank, the largest found in the implementation of the duties and responsibilities of the management, it is because the Board of Directors is authorized organ and is responsible for managing the company and represents the company's outside and inside the court, so the responsibility of the

management is very large and high risk. Similarly, commercial conventional banks, after self-implemented, then the next stage is to find the value of the composite, which is ranked by the weight multiplying assessment to determine the predicate quality of GCG implementation in Islamic banks described in the following table.

Table 4 Ranking of Good Corporate Governance Perception Index (CGPI) Practice of Good Corporate Governance bank Sharia

No	Nilai Komposit	Predikat (Kualitas)
1	Nilai Komposit < 1,5	Sangat Baik
2	1,5 < Nilai Komposit < 2,4	Baik
3	2,4 < Nilai Komposit < 3,4	Cukup Baik
4	3,4 < Nilai Komposit < 4,4	Buruk
5	4,4 < Nilai Komposit < 5	Sangat Buruk

Source: Bank Indonesia Circular Letter No. 12/13 / DPbS Year 2010

Related to bank supervision, it can be divided into two types, namely indirect supervision and direct supervision. Indirect supervision is supervision conducted by bank supervisors through research and analysis of the reports which are to be submitted by the Bank to BI. The report is used to diagnose the condition of the bank. The activities mentioned above are intended to assess the factors that affect the performance and development of the bank, compliance with applicable regulations and the implementation of an early warning system (early detection), to determine the degree of difficulty faced by the bank earlier. Based on the above information, it can be analyzed that the results of the indirect supervision is that the supervisor can determine the necessary steps to follow-up, such as, reminding the bank's management on the performance and problems faced and or conduct field checks on the bank

concerned. Direct supervision performed by the FSA, with the aim to confirm the correctness and accuracy of submitted bank statements. Examination carried out based on the identification of risks and indicators that have been determined by the FSA. Basically a good bank is a bank that can perform its functions properly. The regulation of bank goodness followed up with the BI regulation No. 6/10 / PBI / 2004 (for shortened by PBI No. 6/10 / PBI / 2004) on the Bank rating system General, on 12 April 2004. Where the general purpose of the investigation of the bank to be used as:

1. benchmarks for the management of the bank, whether management has been carried out in accordance and in line with the principles of good banking, the provisions in force and most importantly, must be based on the precautionary principle;
2. Benchmarks to set the direction of the coaching and development of both individual banks overall banking

Implementation of checks are used to ascertain the accuracy of reported data from the bank, digging further information / problems faced, monitoring the implementation of the action program, as well as for other purposes in the framework of bank supervision accurately. Inspection activities carried out all the time, but at a time when certain times made directly depends the extent to which the bank is deemed to contain potential problems that require examination.

4. CONCLUSION

FSA has a function in organizing the regulatory and supervisory system which is integrated to the overall activity in the financial service sectors, as set out in Article 5 of Law FSA. In its oversight on the financial industry, FSA oversees banks and non-banks that have now been located in one roof or integrated monitoring system so that the monitoring system can exchange information easily. There is a strict separation between the FSA and BI tasks, FSA regulate and supervise on institutional, health, aspects of the prudential and bank inspection is the scope of regulation and micro prudential supervision (supervision of banks in private), or the FSA more focused on the health of financial institutions in private. As for the scope, BI is the policy administration that has the main purpose of maintaining the stability of the financial system as a whole in order to mitigate systemic risk and costs crisis (macro prudential). The independence of the FSA is manifested in two ways, namely: FSA institutionally is not included Indonesian government system and the leadership of the FSA has the certainty of his position. Implementation of GCG implementation in banking institutions in Indonesia is very good, Bank Mandiri as a representative of a conventional bank has implemented GCG principles in the form of transparency that provide information in accordance with predetermined rules, accountability is

that no exception should be accountable for its performance, if one must be declared wrong so as not to affect the other. The principles on corporate governance in Islamic (sharia) and in accordance with the best practices applicable for national and international banks and values that exist in Bank Muamalat Indonesia, is the basis for the company to continue to form the best banks in the implementation of GCG, these values are reflected in the following aspects: transparency, accountability, responsibility, professional, fairness and caring attitude. Indonesia supervision of banking institutions can be divided into two (2) types of monitoring indirect and direct supervision. Indirect supervision is supervision conducted by bank supervisors through research and analysis of the reports to be submitted by the Bank to the supervisor in this case is BI. Direct supervision is the direct examination of the bank in question if after analyzed there are things that are not included in the standard parameters of the FSA.

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THE DEATH PENALTY: PANCASILA, WITH EFFORTS TO ERADICATED DRUGS

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ABSTRACT - *The rise of drugs criminal in Indonesia at this time, making Indonesia would be drugs emergency. Drugs is an extraordinary crime and need special attention in the eradication effort. Therefore it takes great strength to use legal action heaviest where Indonesia has a death penalty sentence. The purpose of the death penalty is to give hard effect for drugs criminal and as warning for the others. The reality of the death penalty in Indonesia shows the operation of the judicial system is not good and execution is always in delay so impressed indecisive. Besides setting the death penalty also raises the debate between the ethical values of Pancasila with positive law (KUHP)*

No doubt that in an effort to implement the firmness some time encountered resistance from both inside and outside the country. As well as various opinion will counter the unwarranted death penalty violates human rights. In Indonesia even for the cons of the death penalty, related with violating the first principle of Pancasila, which God as ruler of the universe that has a full provision of the right to life and death of his creatures. But Indonesia still apply the death penalty is based on the rule of law (KUHP).

Keywords: Pancasila, the death penalty, the eradication of drugs.

1. INTRODUCTION

Pancasila as the state ideology of nation that can not be modified to be applied in all social order Indonesia. Structure in question is the attitude of the pattern as a citizen, and the basis of the establishment of a legal system that set the course of life among citizens. Therefore, Pancasila is something that is important in making a judgment on the basis of the legal arrangement, which then in accordance with the rules of life of the Indonesian people in both the current time or the time will come

Pancasila values extracted from the viewpoint of the nation Indonesia, which is the soul and the personality of the Indonesian nation as the state. Pancasila contain material properties / behavior of Indonesian nationality who became the pride of the nation. Pancasila has a high standing, not only as a basic philosophy and laws of Indonesia, But also reflects the ideals and philosophy of life of the nation of the Republic of Indonesia. Positions Pancasila as the legal basis, be included in the preamble of the 1945 Constitution which in it has been confirmed that the values contained in Pancasila is the source of all sources of national law. Furthermore, as one the most important pillars of nationality, Pancasila is the basic driver of the Constitution of the Republic of Indonesia, 1945, NKRI, and Bhinneka Tunggal Ika. Therefore, understanding the value of the four pillars, an absolute thing that must be carried out continuously with both the life of the nation.

In practice, the value of Pancasila as stipulated in the national constitution of Indonesia that are in the preamble of the 1945 Constitution should guarantee the legal arrangements and the explanation is right and just for the nation Indonesia. Placement staatsfundamentalnorm Pancasila as the first presented by Notonagoro (Jimly; 2006). Pancasila seen as the ideals of law (rechtsidee) is a guiding star. This position requires the formation of positive law is to

achieve the ideas in the Pancasila, and can be used to test positive law. With the enactment of Pancasila as staatsfundamentalnorm the legal establishment, implementation, and its implementation can not be separated from the values of Pancasila.¹

Crime drugs arising from the behavior of people who are not responsible for the utilization of drug use as a medical treatment, as well as in the use of medical disciplines in the scope of its research and development treatment. Along with the times which have an impact on people's lifestyles, development of science and technology, even deviant behavior increasingly diverse, supporting the development of criminal acts drugs. Crimes drugs is a crime that is extremely dangerous and harmful for human life, society, nation, and resilience in a state. Like we all know that this crime is a crime to watch out for by all parties, given the tremendous impact, drug-related crime was also included in the class "extraordinary crime".

Drug crime is still an enemy to those who oppose this action, still running and developing the production activities to the wider community with a variety of operational modes organize. Often every day we hear news of drug-related crimes that occur in various regions, especially in Indonesia. Some proved that the need for extra measures cooperation between law enforcement agencies and the public in monitoring and prosecution of the perpetrators of this drug. In Indonesia itself has been set up on narcotic crime, as stipulated in Law No. 35 In 2009, the issuance of this law aims to ensure the availability of narcotics for health services and the development of knowledge as well as prevent, protect, and save Indonesia from the action of the drug abuse.

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The number of criminal drug cases in the Indonesian almost every day occurs, causing the slogan "drug-free Indonesia 2015" that which has now become "Indonesia EMERGENCY drug crimes". Seeing this, condition of course, should be sought immediately the reason why there are many drugs a criminal offense in this era, and what are the things that should be done in the prosecution of those involved in the crime of drug. Subjects involved in drug-related crimes can we classify namely croupier, dealers, and users (even state officials involved in this crime can be included in an additional category, namely as a supporter of the crime subject). However in setting its law enforcement must necessarily be viewed from conditions and circumstances that exist, such as on the subject, namely who should receive the maximum punishment. In Indonesian positive law (KUHP) has the type of penalties provided in Article 10. However, in this discussion, referring to the toughest penalties in accordance with the rules of Article 10 of the KUHP that will apply to offenders who are involved in this crime, namely DEATH PENALTY. Of the subjects who engage in criminal acts of this drug, Croupier and dealers who regulated in Law No. 35 of 2009, where the narcotics law stipulates "that the action offering for sale, selling, purchasing, receiving, became an intermediary in the sale and purchase, exchange, or submit Narcotics which weighs more than 5 (five) grams, the perpetrator shall be punished by death, criminal life imprisonment, or imprisonment minimum 5 (five) years and a maximum of 20 (twenty) years of imprisonment and a maximum fine referred to in paragraph (1) plus 1/3 (one third).

The death penalty is the toughest law enforcement are still enforced in some countries, especially the rule on Indonesia's national law, although there are no international rules specifically dalam pelarangan application of the death penalty, but in practice reap many pros and cons.

Looking from the purpose and effect of the execution itself, in its application purposes following the goal of 'law' is to create a deterrent effect against perpetrators crime and a warning to the people who are likely to commit similar crimes in order to decimate the intention of doing such crime. On the application of the death penalty did not necessarily give the verdict to a person who committed a crime, the punishment threatened with a short range of the investigation process. Law enforcement officers have to think extra hard and be careful in determining the enactment of this sentence to criminals facing the death penalty, so that later when the death penalty has been carried out is no longer an evidence to be justification after the death sentence carried out.

As the implementation process which does not run in accordance with the existing system, not infrequently pressures arise from various parties when process execution time approached implementation. Moreover, if it will execute other citizens who commit crimes in Indonesia and has received a death sentence from a court in Indonesia. The intervention of other countries to defend its citizens facing the death

penalty, it will destabilize the implementation and enforcement of existing laws in Indonesia. It is no doubt it tersebut merupakan a natural thing, given the state's obligation to protect its citizens wherever and in a state of apapun. Hal is also done by the Indonesian government in defense of foreign workers who were sentenced to death by the state that retain the death penalty in law national. But also on the other hand, sometimes it causes the course of the execution process, especially in Indonesia itself is not in accordance with the original plan, seen from delays execution time should be done according to plan early, making law enforcement efforts in Indonesia invisible lack of firmness and seriousness from both government and enforcement law.

2. ISSUES

1. Is that Pancasila can adjustment in death penalty for crime drugs?
2. How to application death penalty to crime drugs in Indonesia?

3. DISCUSSION

As a philosophy and states ideology, Pancasila is a hope on law and state which have values inspiration to realize state achievement. Therefore, Pancasila is have main function for all public wisdom, either in a form of legislation and on social programs, economics, and culture for realize states achievement.

For examples of legislation that describes the critical functions of Pancasila, in regulating the death penalty, which is put in the Indonesian positive law, in article 10 KUHP. The death penalty, is one of the highest penalty that is recognized by the Indonesian legal system. In practice, the death penalty is a criminal sanctions that already exist in the system of positive law in Indonesia.

Imposed the death penalty has a relationship with the philosophical foundation. death penalty relationship with the philosophical foundation can be seen in the application of the values of Pancasila. In Article 2 of Law No. 10 of 2004 on the establishment of legislation stated, Pancasila as the source of all sources of state law, which means that Pancasila is the supreme source of law which made a guideline. Therefore it can be concluded that the legal issues that exist in Indonesia, must be completed by the source of the values of Pancasila, not to mention the rule of law on death penalty

In this discussion, explaining about the death penalty for drug crimes. Drugs, when seen from abuse activities classified in the category of crimes exceptional or *extraordinary crime*. The crime prosecution should be noticed in particular, given the major impact for many people, among others destroy the future of the nation, destroy the potential that can develop in a person who should be someone that can be labor work productively, inhibit and degrade the effectiveness of an individual's performance, causing the loss of someone's life is slowly but surely, as well as the impact the scope of the financial burden to the

state to issue socioeconomic maintenance fund victims and other negative impacts.

In Pancasila, which is in the first principle that "Almighty God" (Ketuhanan Yang Maha Esa), to find a philosophical foundation enactment of the death penalty in this first principle, it should understand the notion of the supreme deity. In the description of the first principle explained by Mohammad Hatta, it can be concluded that the legal arrangements in Indonesia, including the death penalty issue should also be rooted in the values of Almighty God. In Islam is known for Qisas, which according to Islamic law the death penalty is a must for those who have claimed the lives of others. Qisas law explicitly visible in the Al-Qur'an :

Surat Al Baqarah ayat 178 : yang arti dalam bahasa Indonesianya adalah "Hai orang-orang yang beriman, diwajibkan atas kamu menuntut balas (kisas) sebab membunuh orang, merdeka dengan merdeka, sahaya dengan sahaya, perempuan dengan perempuan..."

وَنُؤْتِكُمْ فِي الْقِصَاصِ حَيَاةً يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ

"Dalam hukum *Qishash* itu ada (jaminan) kelangsungan hidup, hai orang-orang yang berakal,

عَالِمُونَ يَا أَيُّهَا الَّذِينَ أُوتُوا الْكِتَابَ إِنَّ اللَّهَ مَا لَشَهْرُ الْحَرَامِ بِالشَّهْرِ الْحَرَامِ وَالْحُرُمَاتُ قِصَاصٌ فَمَنْ اعْتَدَى عَلَيْكُمْ فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا

"Bulan haram dengan bulan haram, dan pada sesuatu yang patut dihormati, berlaku hukum *Qishaash*. Oleh sebab itu barangsiapa yang menyerang kamu, maka seranglah ia, seimbang dengan serangannya terhadapmu. Bertakwalah kepada Allah dan ketahuilah, bahwa Allah beserta orang-orang yang bertakwa."

(QS Al-Baqarah/2: 194)

From the explanation of the verse can be taken explanation that a person who endangered his life, if under certain circumstances that endanger his life then he should defend himself. It can be connoted to narcotics crimes as an example of the "particular circumstances" that endanger the lives of the people, then the defense that can be done using the rules of law in force in a country in this regard can be included death penalty against those who deliberately commit crimes causing the loss of lives of others. Rule of law as applied to the benefit of the crowd will function properly if applied on act that violates the law.

Qisas is doing the same reprisals. Qishaash not applied, when the killing gets a pardon from the heirs of the slain namely by paying blood money (compensation) fair and according to the agreement. The payment of blood money asked nicely, requested by not forcing the killing, and killing let pay with good intentions, and not delay. If the heirs of the victim after the Lord explains these laws, which is not the killer killed, or kill the killer after receiving blood money, then against him in the world, regulated qishaash and in the Hereafter he gets a painful punishment.²

The death penalty is also justified by the teachings of Christianity. Christian religious leaders agree the application of the death penalty because it refers to Paul's view, that the state is the representative of God in performing temporal power, given the sword which is used to ensure the survival of the state. And in

supaya kamu bertakwa".

(QS Al-Baqarah/2: 179)

Qisas in Islamic law explain death penalty can be did, to a person who has committed a murder. But this law is to be implemented, or it can canceled when the legal heirs of the slain give forgiveness to those who killed, by paying a diyat. Diyat is, the act of paying fines agreed by both parties or determined by the judge, who was killed when heirs to forgive the killer from Qisas punishment.

That we can understand from this verse that the death penalty not be imposed implicitly though, the action taken by a person is in accordance with the legal consequences to be put to death penalty. With certain requirements, such as pay diyat (as has done) by the Indonesian government against several workers who were sentenced to death in Saudi Arabia could remove death sentence given by the local court.

Al-Qur'an juga menerangkan tentang masalah Qishash ini dalam ayat lainnya, yaitu dalam Surat Al-Baqarah ayat 194

Buddhism also know clausal relationship, where if a person causes the death of others, then that person also may be subject to a proportionate penalty.

Then, in the legal arrangements in Indonesia, leading to the death penalty, in addition to be rooted in the values of Almighty God, should also be derived from the values of Pancasila other covering, First Value humanity, Second Nationality Value, Third Populist, and fourth Social Justice. When the values of Pancasila are met and are in accordance with the purposes of the law and the country itself, the death penalty for the drugs crime, can be adapted to the values of Pancasila.

The Efforts to the application of the death penalty which is in accordance with the values of pancasila can be imposed for the drugs criminal .The endorsement of the death sentence for drug crimes are still many pro counter to the implementation of this punishment.

In the verdic of MK 2-3 PUUV2007 about drugs crime enlighten some doctrin, who give the reason death penalty still necessary put in a legal states, for the example:

" the death penalty is a tool that absolutely must be there in the community to eliminate individuals that could not be repaired therefore both undergraduate again.And even this became a criminal defense mati.Pidana death is a radical attempt to negate the people who no longer terperbaiki, and the existence of the death penalty is then hilanglah obligation to maintain them in prison yangsedemikian costly. Similarly, there goes our fears lest such people to

² <https://saripedia.wordpress.com/tag/islam-mengatur-hukuman-mati/>

escape from prison and make another crime in the society".

From the opinion, can be drawn several explanations one of which, the enactment of the death penalty against people who are classed as human beings who are not able to fix itself again as an example, has been found guilty of certain criminal acts but returned repeated actions and the impact is the same or more from the previous act, or when he is running his sentence in prison, he still can commit the crime in this case and narcotics abuse that utilize intermediaries other people but still it as the mastermind of the crime.

Dr. A. Muhammad Asrun, SH. MH. Said that The correct understanding of the imposition of the death penalty related to extraordinary crimes such as narcotics should be seen as a safeguard against the "right to life" (the right to life) of many people. The death penalty as stipulated in UU No. 22 year 1997 (j.o. UU. 35 year 2009) on Narcotics should be seen in the context of protection of the public life. Indeed narcotics criminals (traffickers, users and international narcotics syndicates) were caught apparatus and then sentenced to death by a court must be seen as a dangerous "right to life" of others or the public. The law must protect the interests of many people, which became the target of a narcotics transaction.

And, Prof. Dr. Achmad Ali, SH (Professor Law Faculty Hasanudin University) said that,

If only read Article 28 paragraph (1) that, it is the first impression and the message we are going to catch is as though our constitution "forbids the death penalty", but as we read as a whole Article 28 paragraph (1) and Article 28j paragraph (2), then one can draw a conclusion that, the right to life, freedom from torture, freedom of thought and conscience, freedom of religion, the right not to be enslaved, the right to recognition as a person before the law, and the right not to be prosecuted on the basis of a retroactive law, is a human right that can not be reduced under any circumstances,

The implementation of the rights can be limited and even omitted implementation by the requirements:

- a. in accordance with the law;
- b. in accordance with moral considerations;
- c. in accordance with religious values;
- d. according to security and public order.

In other words, "exclusion" guarantee the rights contained in Article 28 (1) of the Constitution of the Republic of Indonesia Year 1945, it is possible if based on the law, considerations of morality, religious values, for the sake of security and public order. More importantly, the death penalty is still needed because of the actions of the perpetrators themselves were no longer pay attention to aspects of life of humanity (second section of Pancasila) and a life filled with social justice (fifth section of Pancasila).

Law enforcement should be done by the government to the things that break the rules, must be conducted properly in order to reinforce the rules that have been created and achieve strict legal certain. However, no doubt the development of science and human thought,

the more the pros and cons against the death penalty. The pros and cons of not only occur from the inside or outside of the country that applies the death penalty or not the positive law of the country. This happens in Indonesia to implement the death penalty in criminal cases drugs against any person who committed the crime under the national law of the sovereign territory of Indonesia. "Everyone" is meant, not only Indonesian citizens, but also applied to foreign nationals residing in Indonesia.

When there are foreigners who has sentenced a verdict of death by the court of indonesia, of course there is the intervention of the government of the state of the defendant to try to free its citizens they of the death penalty which will be running. It is common, considering the state has an obligation to protect its citizens legally dimanapun citizens are. thats also often done by indonesia often found in the case of migrant workers terancam the death penalty in foreign, where indonesia strive to free the workers of the death penalty state to another with a variety of negotiation to the countries concerned, while no rarely the efforts failed.

From the discussion before, connected to the consistency of the application of penalties have been set in the rules in indonesia alone. There is the fact that the issue of narcotics, is not merely only a matter of law enforcement (law enforcement) mere, but on the issues of contention the interests of some groups), and other problems. This is an impact on the implementation of peradilanannya where can be seen directly, the delay execution convict dikarenakan certain factors that make the reason for the delay was carried out. But actually with arranging the delay, shows indecisiveness indonesia to prove the legal sovereignty.

Hence, supposed to indonesia did not need to care a variety of censure from the other countries which intervene the implementation of the national law indonesia. Law enforcement indonesia have to show firmness of law imposed in his own country to parties in the country and overseas abide by the rule of law applied indonesia so the purpose of law to embody the life between the societies an orderly can be achieved, and the implementation of the death penalty in cases of a criminal act drugs in indonesia will be able to run well with in the absence of the influence of the intervention of in the country and overseas.

4. CONCLUSION

Pancasila as the source of all the laws of Indonesia, gives a reflection that a rule of the rules imposed on Indonesia is the result of rules that reflect the personality of the Indonesian. All applicable laws in Indonesia was certainly must contain the values of Pancasila which can adjust the order of a society both today and in the near future.

Regulation of the death penalty in Indonesian positive law system based values derived from Pancasila. Although some pros and cons for the implementation, however death penalty remains governed by both Indonesia and several other countries, and there is no

prohibition in the rules of international law and running as it should to combat certain crimes with the intent good purpose.

Certain crimes meant in this discussion is the act of abuse and illegal distribution of the drug which belongs to the category extraordinary crime. From this crime, the death penalty is applied subject is croupier and the distributor. The implementation of the death penalty in this crime as a result of acts in violation of law rules and social norms prevailing in society.

For remember us, This crime prosecution should be noticed in particular, given the major impact for many people, among others destroy the future of the nation, destroy the potential that can develop in a person who should be someone that can be labor work productively, inhibit and degrade the effectiveness of an individual's performance , causing the loss of someone's life is slowly but surely, as well as the impact the scope of the financial burden to the state to issue socioeconomic maintenance fund victims and other negative impacts.

Indonesia as a country with possess high sovereign legal status, deserve to realize their national law the judicial system without any intervention from the parties that will trigger and inhibit and cause a

negative view that the law does not expressly regulated in Indonesia implementation.

That thing considering in some time ago, when Indonesia will carry out the execution of convicted drug and became the talk the world, the process of its implementation is done by delaying implementation that makes the perception that Indonesia fear of criticism from certain parties and gave rise to the notion that lack of sharpness law enforcement prevailing in Indonesia.

Hence , Indonesia must focus on rule of law the applicable national , if someone has certain sentenced to punishment by a process of investigation that is ripe in this case the death penalty , then the act of implementing the punishment must begin immediately to reach legal certainty shall rule imposed .`

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THE EXISTENCE OF GOVERNMENT REGULATION IN LIEU OF LAW OR PERATURAN PEMERINTAH PENGGANTI UNDANG-UNDANG (PERPPU) IN LEGAL SYSTEMS OF THE REPUBLIC OF INDONESIA

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ABSTRACT -The Government Regulation in Lieu of Law (Perppu) for the legal system in the republic of Indonesia which reflects the executive power is used to overcome "the forcing crunch". It (Perppu) is one of legislations which is based on Pancasila and Indonesian Constitutions in 1954 (UUD 1945) as all sources of law and the basic law of the country in legislation, and should be able to be a source of law legislation which is lower. But in practice it is often found that there are still some problems related to existence and function of the Government Regulation in Lieu of Law (Perppu). Therefore, it has to arrange amendment to Act no. 10 of 2004 and Act no. 12 of 2011 on the Establishment Regulation Legislation clarifying in finding solutions, especially the definition of "the forcing crunch".

1. BACKGROUND

Legislation in Indonesia, from the highest to the lowest is set out in Article 7 (1) of Act no 12 in 2011 on the Establishment of Legislation. The article mentions that the type hierarchy of legislation consisting of (1) of the Constitution of the Republic of Indonesia, (2) Stipulation of the Assembly, (3) the Act / Regulation in lieu of law, (4) government regulation, (5) Presidential Regulation, (6) Provincial Regulation, (7) the District / Municipality regulation. From the seven regulations mentioned above, government regulations in lieu of law (Perppu) is the only rule that requires a matter of "the forcing crunch" in its formation. Constitution of the Republic of Indonesia in 1945 (UUD 1945), Article 22 paragraph (1) states that in matters of the forcing crunch, the president has the right to set the government regulation in lieu of law (perppu). When referring to this statement, it is clear that the government regulation in lieu of law (perppu) is an instrument that is determined by the President without the involvement of the House of Representatives (DPR). Act no. 12, 2011 states that the substance of the government regulation in lieu of law (perppu) is the same as legislation. Based on the decision of Supreme Court, no. 1-2/PUU-XII/2014 dated February 11, 2014 stating that the substance of government regulation in lieu of law was the substance of the legislation which has the power like legislation and binds since promulgated.¹

The role of Parliament regarding the new government regulation in lieu of law can be seen in Article 22 paragraph (2) and (3) of the 1945 Indonesian Constitution which stipulates that "government regulation should get approval of the House of Representatives in the next session" and "if it is not approved by then the government regulation in lieu of law (perppu) should be revoked". Unlike the law, regulation has a very short validity period that is up to Parliament conference which is close to the date of the

government regulation in lieu of law which is stipulated. After that, it needs the assertiveness of the House of Representatives on whether to approve or not the government regulation in lieu of law (Perppu). Filing it (Perppu) to the House of Representatives is conducted in the form of the law draft on the stipulation of government regulation in lieu of law (Perppu) to be law. In this case the House of Representatives legalized it (Perppu) to be law, whereas if the regulation has been rejected by the Parliament, the regulation has not occurred. Then, the President submits a law draft on law repeal of Perppu which manages the consequences of the refusal. In the legal system of the Republic of Indonesia, the prevailing legal norms are in a system that is layered and tiered, as well as in groups, in which a norm that is always valid, sourced and based on the higher norms, and norms a higher force, sourced, and based on the higher norms, and so on until one basic norms of state (state fundamental norm) of Republic of Indonesia that is Pancasila. Article 2 No. 12 of Act 2011 affirms that Pancasila is the source of all sources of state law that the basic meaning of this is a basic ideology as well as national philosophy in order that every substance of the legislation must not be in contradiction with Pancasila and Article 3, paragraph (1) no. 12 of law 2011 which affirms that the 1945 Constitution is the basic law of the Establishment Regulations Act. As one of Law And Regulation, Perppu must also be based on Pancasila and 1945 Indonesian Constitution as source of all sources of state law and the basic law and regulation which is based on a concept representing Perppu which has a regulation in terms of "the forcing crunch" which is stipulated in the form of Perppu which is the most parallel hierarchy law and regulation. Though its (Perppu) position is parallel with law and regulation, it owns a speciality – it is not formed through solution and approval from the House of Representatives and President but it (Perppu) is formed on the basis of President's absolute power.

Another speciality of Perppu (the government regulation in lieu of law) is that there is condition in matters of "the forcing crunch" in its establishment.

¹Monika Suhayati, *Kontroversi Perppu Pilkada dan Perppu Pemda*, Jurnal Singkat Hukum Vol. VI No. 20/II/P3DI/Oktobre/2014, hlm. 2

The forcing crunch is defined as an abnormal situation requiring unconventional efforts to overcome it at once. In history of Indonesian republic, it often occurs incidents and conditions which are abnormal in politics, law, economy, social, natural disaster, etc and sometimes there is no law which can be a solution. In an abnormal condition, it needs specific legal system either in its substance or in its establishment so in the condition, Perppu (the government regulation in lieu of law) is important to be an instrument to do prevailing regulations and it has legal force binding society.²

Therefore, in relation to the background, the research entitles "The Existence of Government Regulation in Lieu of Law (Perppu) in Legal Systems of the Republic of Indonesia"

2. DISCUSSION

This research uses normative research analyzing the existence of Perppu (the government regulation in lieu of law) in legal systems of the Republic of Indonesia. Some Approaches used in this research are *statute approach* and *historical approach*. The research refers to the primary, secondary and tertiary law references. Because it is also descriptive analysis, it has data collection, formulation of the problems, and related theories of law.

a. The Parameter of Forcing Crunch in Forming Perppu (the Government Regulation in Lieu of Law)

The issue which is always controversial is the parameter of "Forcing crunch" as political and sociological bases in forming Perppu (the government regulation in lieu of law). Indeed there is a public opinion that Perppu (the government regulation in lieu of law) stipulated is not because of the forcing crunch but a forcing interest. The forcing crunch can be described as an abnormal condition requiring unconventional efforts to overcome the condition. In the history of Indonesia, it often occurred the incidents and conditions which are abnormal in the basis of politics, law, economy, social, natural disaster and so on where the instrument of positive law that there is often not capable of acting as a solution. In this abnormal condition required for legal norms that are too specific in terms of both substance and process of establishment so that in those conditions Perppu (the government regulation in lieu of law) is indispensable as a legal instrument like prevailing legislation and has binding force to the society.

The forcing crunch as the basic thing in Perppu formation is not similar with "the dangerous situation" meant in article 22 of Indonesian Constitution in 1945 even though both the forcing crunch and dangerous situation are more concrete elaboration of emergency

situation in a particular constitutional system. the clear determination of conditions and effect of "dangerous situation" in article 22 of Indonesian Constitution in 1945 needs of House of Representatives involvement to stipulate with legislation while "the forcing crunch" in article 22 of Indonesian Constitution in 1945 is dependent on the president's subjectivity though later it needs objective approval of members of parliament³.

Dynamics of history of law and regulation in Indonesia show that background of stipulating of Perppu by President is different from each other. It is because the measurement of the forcing crunch has always been multi-interpretation and the level of president's subjectivity in interpretation of the phrase "the forcing crunch" as the basis of Perppu establishment.

In theory related to constitutional law emergency mentioned that "the forcing crunch as in article 22 of Indonesian Constitution in 1945 more emphasizes at law requirement aspect which is urgent and bound the limited time.

At least there are 3(three) elements which can generate a "forcing crunch" that is⁴:

1. dangerous threat;
2. reasonable necessity; and/or
3. limited time which is available

From the three elements, dangerous threat more orients to article 12 of Indonesian Constitution in 1945 especially concerning with a dangerous situation although in Perppu which is dilatory overshadowed by dangerous threat. For example, Perppu no. 1 of 2002 about eradication of terrorism where in the general clarification, the use of Perppu is to regulate the eradication of terrorism which is based on the consideration that it is occurred in many places emerging the loss of either material or immaterial as well as insecurity for society. Thus it is indispensable to release Perppu in order to create a conducive situation for conservancy of orderliness and security without leaving law principles. An example of Perppu which is based on reasonable necessity is Perppu no. 3 of 2009 about the change of no. 9 of 1992 regulation about immigration where the governmental policy of Arab Saudi states that in 1430 Hijriah pilgrims from all over the world (including Indonesia) must use ordinary passport which is valid internationally. It becomes the measurement of a "forcing crunch" so Indonesian government needs some efforts which can guarantee to the availability of passport in order that hajj can be implemented.

As for example [of] [of] Perppu in relation to the element of limited time which is available is Perppu no. 1 of 2006 is about Change of no. 12 of 2003 law regarding Election of parliament member, members of council in region, and members of legislative council arranging that members of General Election Commission (KPU) chosen based on Article

² NurRohim, *Kontroversi Pembentukan Perppu Nomor 1 Tahun 2013 tentang Mahkamah Konstitusi Dalam Rangka Kegentingan Yang Memaksa*, Jurnal Cita Hukum, Vol. I Nomor 1 Juni 2014, hlm.128-129.

³ Jimly Asshiddiqie, *Hukum Tata Negara Darurat*, Edisi 1, Jakarta, PT. Raja Grafindo Persada, 2007, hlm.12-13.

⁴ Jimly Asshiddiqie, *Op. Cit.*, hlm.207-208.

no. 4 of 2000 about Change of article no. 3 of 1999 about General Election which have been adapted with law no.12 of 2003, remain to do their duty until the forming of general election implementation to replace the rule which is going into effect in law no. 12 of 2003. In relation to the consideration, President has a notion the matter condition [of] a “forcing crunch” which has been fulfilled to stipulate Perppu.

Regarding the above examples, it seems that it is difficult to give the exact parameter on the matter of the “forcing crunch” to stipulate Perppu because it is president’s subjectivity mandated in section 22 of 1945 constitution. Further, the condition of president to determine forcing matters must be on the basis of the decision of supreme court, no.138/PUU-VII/2009 date of 8 Februari 2010

In supreme court decision, there are 3 (three) conditions of the existence of the forcing crunch which is mentioned in section 22 sentence 1 of 1945 constitution that is⁵:

- 1) Existence of circumstance, that is urgent requirement to finish the problem regarding law at once pursuant to law
- 2) Law required is not yet there so that happened vacant regulation or relevant law which is not adequate; and
- 3) The Law emptiness cannot be overcome by legislating with the ordinary procedure because it will need the sufficient time, while the urgent circumstance of certainty requires to be finished.

Assessment concerning with a matter of the forcing crunch becomes objective after that matter is assessed and approved by House of Representatives (DPR) as arranged in Section 22 sentence (2) of 1945 Constitution⁶. In the section explained that Perppu hereinafter has to get the DPR’s approval in the following conference

b. Rule of Crime Matter May Not Be In Perppu

Section 11 law no.12 of 2011 affirms that contents of Regulation of law substitution are equal to main points in law. If submission consists of section rule so the contents of Perppu are similar with regulation arranged including crime matters.

The proposition can be tested its rationality with the argument that Perppu is arranged in abnormal constitution, while regulation is formed in an abnormal condition so the contents in Perppu are different from those in regulation. One of differences is that Perppu do not consists of crime stipulation because Perppu is formed to overcome the forcing crunch which is not for long term and it does not involve parliament in the process of its establishment⁷. Inclusion of crime stipulation is related with the

principles of legality. In criminal law theory, one of important aspects regarding legalities are formulated with the stipulation of criminal regulation through the process of democratic legitimacy in formal regulation⁸.

In legislation theory, law in formal meaning is the law norm which is stipulated by legislative council⁹. This case constitutes the existence of section 15 law no. 12 of 2011 “the contents concerning crime rule can only be issued in law, province regulation, and regency or town regulation”. Thus, it is clear that Perppu does not consist of crime stipulation because Perppu does not belong to the category of law norms stipulated by legislative council.

3. CONCLUSION

Perppu represents one of law and regulation types which must be in the system of law norms of Indonesian republic as one of logical consequence followed by presidential system in the government of Indonesian republic which is always maintained, in the parameter regarding “the forcing crunch” as the political and sociological base in forming Perppu. There are at least 3 (three) elements called as the “forcing crunch”¹⁰:

- a) *dangerous threat*;
- b) *reasonable necessity*; and /or
- c) *limited time which is available*

And it is reassured with the decision of supreme court with constitution no. 138/PUU-VII/2009. In the making of decision there are 3 (three) conditions in relation to the “forcing crunch” as meant in section 22, sentence (1), 1945 constitution.

Perppu does not consists of crime stipulation with the reason that Perppu is established to overcome the “forcing crunch” which is not for long term and it does not involve parliament as the element of people representatives in the process of its formation. Inclusion of crime stipulation related much to the principles of legalities. In criminal law theory, one of important aspects regarding legalities is formulated with criminal law through democratic legacy into legislation in formal meaning. In legislation theory, law in formal meaning is always formed by legislative council.

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THE FULFILMENT OF THE RIGHT TO HEALTH SERVICES THROUGH CONTROL OF OMBUDSMAN FUNCTIONS IN THE REGION

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ABSTRACT - *The right to good health care is a basic right of citizens guaranteed by the constitution that must be fulfilled. But the vagueness of the benchmarks of public services and the effectiveness of oversight institutions become an obstacle in fulfilling the right to health services, especially in the era of regional autonomy by implementing decentralization of authority to the regions in health. Therefore, in this study discussed on how the right to health services through the oversight function of the Ombudsman in the area and whether barriers. Based on research conducted using normative legal research methods using statutory approach and conceptual approach as well as social-legal mind that the right to health care is an obligation of the state in efforts to implement human rights norms that honor to respect, to protect and to fulfil and must meet the principles, among others, the availability of health services, accessibility, acceptability and quality. In the context of regional autonomy, decentralization in the health sector to the region has given local authorities organize public services, although in practice, there are still many areas which were not optimal in the rain due to differences in the ability of the financial implications for the implementation of public service which is not in accordance with prescribed standards. The presence of the Ombudsman to be important even though there are various barriers internally, among others related to statutory provisions that have not been given the strengthening of the Ombudsman institution in the state system, the binding force of law issued by the Ombudsman products is only morally binding so that execution given the government agency itself has not been fully implemented and the lack of resources and funding sources Ombudsman. While externally the object of supervision, such as government and society in general who do not understand the essence of the establishment of the Ombudsman institution and do not want to run any recommendations of the Ombudsman.*

keywords: Health Services, Ombudsman, Regional Autonomy.

1. INTRODUCTION

The right to health through the provision of care facilities and good service delivery processes are fundamental rights and the constitutional rights of citizens guaranteed by the constitution that must be met and organized by the state, as mandated by the Constitution of the Republic of Indonesia 1945. It is set forth in Article 28H paragraph (1) and Article 34 paragraph (3) which states that the state has the duty to carry out the implementation of health as well as possible. Article 28H (1) states that every person has the right to live physically and spiritual prosperity, residue, and get a good environment and healthy and receive medical care. Furthermore, in Article 34 paragraph (3) stated that the State is responsible for the provision of health care facilities and public service facilities are decent. In Law Number 36 of 2009 on Health, which is meant by health is good health, both physically, mentally, spiritually and socially to enable more people to live socially and economically productive. While the definition of the public service is an activity or series of activities in fulfilling the needs of the service in accordance with the laws and regulations for every citizen and resident in the goods, services, and / or administrative services provided by public service providers. A series of both these definitions are very closely related to the responsibility of the State to achieve better health care for its citizens.

Public service delivery in the health sector is a legal act of the government. As a legal act of government,

should be considered beneficial to the community as the party that will receive the legal acts. Naturally, this legal act performed does not always provide benefits to society, even though the initial goal is for the good and benefit. In practice in the field, including government legal acts in the implementation of health care frequently encountered legal acts of government at the expense of society. Of the few cases that are currently being discussed such rampant malpractice cases, doctors against patients that often occur in several areas including the doctor Ayu cases that occurred in April 2010 and sparked the doctors at the end of 2013 and the case of abandonment of the poor patient who happened in Lampung on January 20, 2014 and allegedly disposed of Dadi Tjokrodipo Hospital, Lampung, by some unscrupulous employees of the hospital because they cannot afford treatment.

Obscurity benchmark public service is one of the obstacles in determining the right one or the suitability of the service, held by a common will or regulations should be. So clear benchmarks will certainly determine whether the poor public services performed. In addition, supervision of the implementation of public services also plays an important role in creating good public services by the State to its people. This is understandable because the bureaucratic system during this run more likely to deviate from the benchmarks that have been set. The establishment of Law No. 25 of 2009 on the Public Service as an affirmation of the existence of the Ombudsman as an institution of public service watchdog domiciled

outside the bureaucracy will enable the realization of adequate supervision and open access for the public to get good service in accordance with applicable regulations. This research will discuss about how to fulfill the rights of health services through the oversight function of the Ombudsman and what constraints on autonomy.

2. MATERIALS AND METHOD

This research is a doctrinal legal research by using the statutory approach and conceptual approach. As a complement, also used socio-legal approach that examines the law as a social phenomenon that is related to the role that can be or are being carried out by the Ombudsman in the administration of health services in the local autonomy. Data obtained through literature studies and interviews with informants then analyzed qualitatively by describing the data generated from the study in the form of normative explanation systematically by comparing with empirical data.

3. RESULTS AND DISCUSSION

3.1 The fulfillment of the right to health services through the function of supervision of the Ombudsman in the region

Fulfillment of all the rights of the economic and social culture, including the health field into a task and the obligation of the State. In the Constitution and Law No. 39 of 1999 on Human Rights had set the same way in article 71 that the Government is responsible and obligated to respect, protect, promote, and uphold the human rights that are provided for in this Act, other legislation, and the international law of human rights received by the Republic of Indonesia. Article 72 the Government responsibility and Obligations as stipulated in article 71, covers the implementation of effective measures in the field of legal, political, economic, social, cultural, defense, State security and other fields.

The right to health services is one of entitlement to welfare. The rights of economic, social and cultural human rights are related to material well-being, social and cultural. Setting the types of rights to economic, social and culture was first regulated in article 16, 22 to article 29 the universal declaration of human rights, and further set forth in the International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 and Indonesia has ratified the ICESCR 1966 with Act No. 11 of 2005. The rights which belong to the category of rights in the economic, social and cultural, including:

1. The right to work
2. Getting the right training program
3. The right to get the comfort and good working conditions
4. The right to form trade unions the right to enjoy social security, including social insurance
5. The right to enjoy protection during and after childbirth
6. The right to a decent standard of living, including food, clothing, and housing

7. The right to be free from hunger
8. The right to enjoy physical and mental health standards are high
9. The right to education, including primary education free of charge
10. The right to participate in cultural life, enjoy the benefits of scientific progress and its application.

In article 2 paragraph 1 of the Covenant on economic, social and culture stated:

"Each country participating Covenant pledging to take measures, either by itself or through the assistance and international cooperation, especially economic and technical assistance, up to a maximum of existing resources, with a view to achieving the full realization of the rights was gradually recognized in the Covenant by all appropriate means, including the making of legislative measures."

Based on the foregoing shows that the State is responsible for not only must actively take action (state obligation to do something) but also require the State to take specific action to protect the rights (state obligation not to do something) for its citizens.

With regard to the fulfillment of the right to public services, the Government involved in developing services function along with the emergence of savvy or philosophical views about the country. This was disclosed by Prawirohardjo which stated that since the performance of the ideals of the welfare State, the Government increasingly intensive intervention to instructions of societal forces, with the goal that every citizen can be guaranteed minimum life assurance. Therefore, the initial function gradually from a Government that is both repressive (police and Court), then grew with other functions that serve.^[1] The Basic tasks of modern government in State law, according to M. Ryaas Rasyid. Substantially is service to the community, in other words, he was not held to serve itself, but to serve the community as well as to create the conditions that enable every community members develop skills and creativity in order to achieve the common goal. To carry out the required public organizations and public management. A public organization as an element of public administration is a container for carrying out the tasks of public administration. Public organization set up to provide service to the public/citizens.^[2]

RyassRasyid^[3] stated that henceforth, government bureaucracy has at least three (3) basic tasks:

1. to provide a public service to the community as providing routine services, licensing, document creation, protection, maintenance of public facilities, health maintenance, and the provision of security guarantees for the population.
2. do the empowerment of the community to achieve a better life, as do tutoring, mentoring, consulting, providing capital and business facilities, as well as implement the right to education.
3. organizing the construction of such a society in the midst of building the infrastructure of transportation, telecommunications, trade and so on

Health plays an important role in increasing degrees of life of the community, so that all countries, including

Indonesia should attempt to organize health services as well as possible. This means that any health care effort that held alone or together in an organization to maintain funds promote health, prevent and treat disease, and restore the health of an individual, group, or community.^[4] Vincent Gesperz^[5], points out that the quality of service, including the Observance of time of service, the accuracy of the service, politeness and hospitality in providing services, the responsibility, the ease of getting a service. The right to health is not the right means for each person to be healthy, or the Government must provide a means for expensive health services outside of his Government. But further demanded that the Government and public officials can create different policies and work plans leading to inaccessibility and available means of health care for all in the possibility of time as soon as possible.^[6] This means efforts to realize the right to health should be developed continuously. In addition, health development should pay attention to the various principles that provide the health development and implemented through health efforts such as:

1. The humanitarian Principles based on the divinity of the one true God;
2. The basic benefit;
3. The principle of joint ventures and family;
4. The principle of just and equitable;
5. The principle of livelihood the balance;
6. The principle of confidence in his own ability and strength.

Arrangements regarding legal certainty for public service delivery in the health sector by the state has been set nationally in both regulations that are *regeling* or *beschikking*. Devolution of government power by the government to autonomous regions to set up and administer governmental affairs in the system of the Republic of Indonesia is then referred to as a decentralized. Mardiasmo said that supervision is one of the pillars supporting the success of the regional administration, especially in the era of autonomy whose activities include:^[7]

- 1 Supervision refers to the actions or activities carried out against laws and policies that are run by local governments;
- 2 The controls are carried out to ensure the implementation of the system and local government policies;
- 3 The examination of budget performance budget.

Based on the above opinion can be concluded that the local government is indispensable for supervision to ensure the fulfillment of the rights of society, including in the field of health as a right and guarantee these fundamental rights are not violated or even eliminated. This supervision must be done internally performed based on bureaucratic structures and functional, namely by institutions regulated in the bureaucracy itself and also externally by competent authorities to conduct surveillance for monitoring the quality and ensure the independence of supervision. Further that in an effort to guidance and supervision, government and regional governments can take

administrative actions for violations of applicable regulations in the form of:

1. Reprimand;
2. Written warning; and / or
3. Fines and license revocation

Based on the nature of administrative action, the Government and the local government can take one of the actions that can be taken, or combine them all at once. The presence of institutions concerned in the supervision of public services including health field as an object of oversight is needed to fill this void one of which is an institution of the Ombudsman. In the explanation of Law No. 37 of 2008 on the Ombudsman stated that the internal controls by the government itself in its implementation did not meet society's expectations both in terms of objectivity and accountability. So that the existence of the Ombudsman is indispensable as an external watchdog agency based legislation has the authority to oversee the implementation of public service organized by the organizers of state and government including those organized by the State-Owned Enterprises, Regional-Owned Enterprises, and the State-Owned Legal Entity as well as private entities or individuals who were given the task of organizing certain public services which some or all funded from the budget of revenues and expenditures and/or budgetary revenue and expenditure.

Based on the Public Service Act, the State is obliged to organize the public service as something that has been attached to the organizers of State and government institutions, enterprises, public enterprises, the State-Owned Enterprises, Regional-Owned Enterprises and private entities or individuals who were given the task of carrying out the mission of the State or consent. In Article 5 in conjunction with Article 10 paragraph (2) of Government Regulation No. 96 Year 2012 on the Implementation of the Public Service Act, public service includes the service on public goods such as passenger ships to the public, even subsidized fuel and electricity nonindustrial. Public services such as insurance, legal services, and transport services and administrative services such as the manufacture of birth certificates to death certificates, land certificates, driver's license, decision or determination regarding licenses, tariffs, increase or decrease in rank, class, Hajj, termination of employment and etc. conducted by government agencies and other organizers agencies. This shows how a widespread sense of public service and of course has implications for the extent of the supervision object Ombudsman institution.

The purpose of the establishment of the Ombudsman institution under Law No. 37 of 2008 mentioned in Article 4, namely to:

1. realizing the democratic state of law, equitable, and prosperous;
2. encourage the implementation of state and government are effective and efficient, honest, open, clean, and free from corruption, collusion, and nepotism;

3. improve the quality of state services in all areas so that every citizen and resident of obtaining justice, security, and prosperity are getting better;
4. help create and increase efforts to eradicate and prevent maladministration practices, discrimination, collusion, corruption, and nepotism;
5. improve the national legal culture, legal consciousness of society, and the rule of law that core truth and justice.

In conjunction with the implementation of public services including the health sector, it is possible once the occurrence of acts of maladministration by service providers is detrimental to society as a recipient of the service both immaterial and material and very rarely can be proven. Maladministration in question is the behavior or act against the law, beyond the authority, use authority for any purpose other than the purpose of the authority, including negligence or neglect of legal obligations in the implementation of public service performed by the Operator of State and government are causing material loss and / or immaterial for society and the individual.^[8]

In Article 35 paragraph (3) of the Public Service stated that the external supervision of public service performed through public scrutiny in the form of reports or complaints, oversight by the Ombudsman and oversight by Parliament and Council. So based on this provision, the Ombudsman became one of the agencies that is authorized to supervise the implementation of public services including public services in the health sector both at central and regional levels. In Article 6 of Law No. 37 Year 2008 stated that the Ombudsman to monitor the implementation of public service held by the Operator of State and government at both central and local levels, including those organized by the State-Owned Enterprises, Regional-Owned Enterprises and State Owned Legal Entity as well as private entities or individuals are given the task of organizing certain public services..

Ombudsman based on Article 7 are given the following tasks:

1. receive reports of alleged maladministration in the implementation of public services;
2. the examination substance Statements;
3. the follow up report included in the scope of authority of the Ombudsman;
4. carry out an investigation on its own initiative against the alleged maladministration in the implementation of public services;
5. coordination and cooperation with state agencies or other government agencies as well as community organizations and individuals;
6. building networks;
7. take steps to prevent maladministration in the implementation of public services; and
8. perform other duties assigned by law.

In order to carry out the functions and duties referred to in Article 6 and Article 7 of the Ombudsman is authorized to:

1. asking for information orally and / or in writing of the Reporting, Party, or other relevant parties regarding the report submitted to the Ombudsman;
2. examine decisions, correspondence, or other documents that exist in the Reporting Party or to get to the truth of a report;
3. ask for clarification and / or a copy or photocopy of the documents required from any agencies for examination of reports from agencies Reported;
4. The summoning of the Rapporteur, Party, and other parties associated with the report;
5. The completed reports through mediation and conciliation at the request of the parties;
6. make a recommendation regarding the completion of the report, including the recommendation to pay compensation and / or rehabilitation of the injured party;
7. in the public interest to announce the findings, conclusions, and recommendations.

In addition to the authority as described above, the Ombudsman is also authorized to submit suggestions to the President, the head of the region, or the leadership of the other State Officials to repair and improve the organization and / or public service procedures and submit suggestions to the Board of Representatives and / or the President, Council representatives and / or the head of the region in order to laws and other legislation in order to prevent the held change maladministration.

In the effort to fulfill the right to health care in the area, supervision of the Ombudsman plays an important role in the application of the principles of good public service. Therefore, the establishment of Ombudsman representatives in each area is highly relevant to efforts to fulfill the right to health care. The establishment of the Ombudsman representative in the area has been clearly stipulated in the Law No. 37 of 2008 Article 5 that the Ombudsman can establish Ombudsman representative in the province and / or district / city. It is also stated in the Law No. 25 of 2009 on Public Service in Article 46 paragraph (3) which confirms that the Ombudsman is required to establish a representative in the area that is hierarchical to support the tasks and functions of the ombudsman dalam public service activities and in paragraph (4) stated that the establishment of ombudsman representatives in the region as referred to in paragraph (3) made no later than 3 (three) years since this law was enacted, which means that today after more than a limit on the necessity of its formation in the region, representatives of the Ombudsman is also supposed to have been there in every area. Representatives of Ombudsman establishment aim to provide convenience for people to access the services of the Ombudsman in order to improve the efficiency and effectiveness of supervision to realize the improvement of the quality of public services are good.^[9]

3.2 Barriers Ombudsman In Implementing Supervision Function in the Field of Health in Region

The application of the concept of local autonomy brings hope of renewal at the same time local independence in carrying out the functions of government in order to accelerate the realization of prosperity which is marked by the fulfillment of the right to public services by local governments well. Public services in the health sector with a range of problems at the center of public attention today as the recipient of the service and did have the right to health services that are guaranteed by the constitution, so that through the efforts of good supervision is expected to be the implementation of the process of public services in both the health sector in accordance with the applicable.

The existence of the institution of Ombudsman oversight is evidence of how the protection and fulfillment of the right to public services not only through the efforts of repressive but shifts the paradigm on how to make the supervision of the Ombudsman as a preventive effort in breaking down and at the same time solving the problems of public service that is sometimes detrimental to society. Establishment of Ombudsman oversight is motivated by the conditions of public service that is far from the principles of good public service and the lot of abuse of authority despite the internal supervision by a body set up within the government itself. However, internal monitoring carried out by the government itself in its implementation did not meet the expectations of society, both in terms of objectivity and accountability. From the above condition, in 2000, the President seeks to realize the implementation of the reform of state and government by establishing the National Ombudsman Commission through Presidential Decree No. 44 of 2000. The National Ombudsman Commission aims to help create and develop conditions conducive to carrying out the eradication of corruption, collusion, nepotism and improve the protection of the rights of the public to obtain public services, justice, and prosperity.^[10] Nevertheless, the position of a national ombudsman commission weak at that time requires the further developments to establish a law on ombudsman order to further optimize the functions, duties, and authority of the national ombudsman commission Indonesia and a clearer legal basis and strong. This is also in line with the mandate of the People's Consultative Assembly Decree No. VII/MPR/2001 on Policy Direction Recommendations Eradication and Prevention of Corruption, Collusion and Nepotism is one of them ordered the establishment of the Ombudsman by law. Therefore, subsequently issued Law No. 37 of 2008 on the Ombudsman of the Republic of Indonesia current.

In connection with the implementation of the Ombudsman function in overseeing the implementation of public services including health, there are the problems and obstacles. Barriers in question come from internal and external. The internal resistance of which related to the statutory provisions relating to palaksanaan Ombudsman function itself, the binding force of legal products issued in the form

of recommendations were only morally binding (binding morally), the execution of which is given to the government agency itself, the position of Ombudsman in the state system which does not yet support their work in the eyes of society and especially in the presence of government itself as the executive of authority (executive power) and resource and source of funds Ombudsman. In addition, external constraints are also faced by the Ombudsman of them from government officials / agencies that became the object of scrutiny and the public in general who do not understand the essence of the establishment of the Ombudsman and did not want to run every recommendation the Ombudsman.

From the experience of the Ombudsman to function in overseeing the implementation of public services, internal barriers to be the most crucial in carrying out the functions of this institution. Various studies indicate that the arrangement formation of the Ombudsman at first in the form of very weak Decree to be the cornerstone of an external oversight agencies and the so-called self-contained on a mission to reform the bureaucracy to the provisions in the legislation even though it still has not substantively support the existence of the Ombudsman as an institution that is supposed can be taken into account. Obstacles faced by the Ombudsman in the execution of their duties in general lies in the constituent regulation. In an effort supervision of public service providers in the health sector mainly held by private entities / individuals who are not using state budget and/or regional government budget when referring to Law No. 37 of 2008 not be the supervisory authority of the Ombudsman. In Article 1 paragraph 1 that the Ombudsman is a state institution that has the authority to oversee the implementation of public service organized by the organizers of state and government including those organized by the State-Owned Enterprises, Regional-Owned Enterprises and State Owned Legal Entity as well as private entities or individuals who given the task of organizing certain public services which some or all funded from the budget of revenues and expenditures and / or budgetary revenue and expenditure. So if these provisions are used certainly can not reach out and receive public complaints on maladministration made by private entities / individuals..

To answer this question, then you should be able to look at the provisions stipulated in Law No. 25 of 2009. The elucidation of Article 46 Paragraph (1) stated that the obligation Ombudsman referred to in Law No. 37 of 2008 also includes the fields of public service performed by a corporation whose financing is not sourced from the budget of revenues and expenditures of state and / or local government budgets or business entities founding capital partially or entirely derived from the State assets and / or regional assets separated, but its availability became mission countries specified in the legislation. And hold a complaint is set in Article 45 paragraph (3) that the complaint against the organizers in the form of corporate and independent institutions referred to in

Article 5 (3) c, subsection (4) c, and paragraph (7) b addressed to officials responsible for government agencies that provide mission or assignment.

Regarding the provision that such expansion authors found no meaning to a private entity/corporation as the implementation of public services in Law 25 2009, of course, this is the widespread consequences of the object of supervision which is the responsibility of the Ombudsman. Because this law is newer than the Law 27 of 2008, then this view can be justified as well as answering questions about how researchers at the beginning of supervision of private entities / individuals who do not use at all funds from the State Budget and Budgets in the public service to the community. With this provision had also been given an extension of legal protection for the public in the event of maladministration which do public service providers are included in the field of health care organized by the private individual entities / individuals through the efforts of a complaint to the Ombudsman. So it can be said that in practice the completion of the report of the Ombudsman is sometimes considered that the act of maladministration that occurred in private bodies / individuals in the above is not the authority of the Ombudsman has got clarity into Law No. 25 of 2009. Therefore, this authority has been associated barriers can be overcome with a broad meaning on public service providers as an object of the Ombudsman.

Furthermore, barriers faced by the Ombudsman in performing its functions in general are that the Ombudsman only Brazilians are an institution that the product merely morally binding law, unlike the courts are legally binding so that execution given to government agencies that received the complaint is returned to the government officials themselves up finally back again to the consciousness of the concerned officials. However, that moral character possessed binding Ombudsman is an attempt to prevent maladministration and should not be viewed as a weakness/obstacle, but an advantage or a new way to prevent and cope with the occurrence of acts of maladministration as a forerunner of corruption, collusion and nepotism.

Further that the position of the Ombudsman in the constitutional system that do not support their work in the eyes of society and especially in the presence of government itself as the holder of executive power to make the Ombudsman only underestimated although it has been based on the provisions of such laws. This has implications for the legal product in the form of recommendations or advice given to government officials have not received a positive response. Related to resource and source of funds the ombudsman, based on interviews with assistant Ombudsman Representative Lampung,^[11] obtained an explanation that the human resources are limited to only five people with different educational backgrounds vary, to handle the number of cases reported by the public is certainly not easy especially not all legal education or at least have the capability of advocacy is needed in dealing with cases necessary

capabilities in the inspection, monitoring, mediation and adjudication. Not to mention the high workload and activity own motion that must be done to respond to the symptoms tend to be colored governance practices of maladministration so demanding Ombudsman worked hard to deal with not only the character case by case but also systemic. The absence of the special care of the administrative secretariat reports that led to the handling of the report seems slow and has not made pemeriksaan or investigation activities are scheduled on a regular basis the object of supervision.

With regard to sources of funding, barriers faced not lack of sufficient funds from the central budget to support the work of the Ombudsman representative in the region but in the use of funds. Until now, the absorption of funds is still not optimal for the operational activities of the Ombudsman in the area. It is influenced by the activities carried out so far is not to use the huge costs and the handling properties casuistic reports can still be coped with without spending substantial funds anyway. In addition, external constraints are also faced by the Ombudsman of them from government officials / agencies that became the object of scrutiny and the public in general who do not understand the essence of the establishment of the Ombudsman and did not want to run every recommendation the Ombudsman. From various studies previously conducted until this very day is still the same that government officials are still many who do not understand that the Ombudsman is a partner of the government in an effort to build a culture of good public service. The resulting recommendations have not been regarded as an evaluation in order to improve the quality of public services so that in the end the Ombudsman with its recommendations still regarded as a paper tiger. Awareness of public officials who are expected not show significant changes in service delivery to the public. Similarly, the public, that the presence of the Ombudsman is still regarded as an advocate or a party that defends the interests of society, but further that the Ombudsman is neutral and not take sides with one party both government officials and the public. Misconceptions are then made gait Ombudsman has not been fully optimized.

4. CONCLUSION

The right to health care for every citizen of the State of Indonesia is a fundamental right guaranteed by the constitution, so that must be met as the obligations of the state in efforts to implement human rights norms to respect, to protect and to fulfil and should comply with the principles, among others, the availability of health services, accessibility, acceptability and quality. In the context of regional autonomy, decentralization in the health sector to the region has given local authorities to take part in organizing public services in health, though in practice, there are still many areas which have not been optimized in the run due to differences in financial capability and implications for the implementation of public service which is not in

accordance with the standards which is determined. So that the existence of the regulatory agencies, Ombudsman to be important in guarding the optimization of public services in the health sector in the region.

As an institution that carry out oversight of the public service, in the implementation of Ombudsman faces several obstacles, both internal and external. The internal resistance of which related to the provisions of the legislation which the binding force of a legal product that is issued in the form of recommendations were only morally binding, execution granted to government agencies alone, the position of the Ombudsman in the constitutional system that do not support their work in the eyes of society and especially in the presence of government himself as the holder of executive of power and resources and sources of funding of the Ombudsman. In addition, external constraints are also faced by the Ombudsman of them from government officials / agencies that became the object of scrutiny and the public in general who do not understand the essence of the establishment of the Ombudsman and did not want to run any recommendations by the Ombudsman as well as possible.

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THE ROLE OF ADAT COMMUNITY AS THE PART OF NORMATIVE SYSTEMS IN PASER

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ABSTRACT - This paper examines the rights discourses and law as an arena of struggle in which local people attempt to gain and secure access to localities of value. To support these claims, multiple sources of legitimation were used. An access to land registration, which is the official responsibility of the National Land Agency (Badan Pertanahan Nasional, hereafter NLA). Nonetheless other official institutions such as the Department of Forestry and regional governments have authority over issues pertaining to land usage as well. Moreover, local custom (usually called adat can be a normative source opposing NLA decisions. This case study is concerned with the role of the NLA in deciding and maintaining land tenure at the district level, amidst the various interests of the district's economy and the population. The research focuses on the ways in which the local population seeks redress of (perceived) grievances related to land issues: how do poor inhabitants of East Kalimantan deal with disputes over land?

It shows how possibilities for addressing land related grievances have improved since Reformasi. First important change has been that local population groups have come to demand recognition of adat-based rights to land or compensation for adat lands in use by others. In many instances NGOs took the lead in this, organizing blockades and occupations. A second important change has been that elected government officials are nowadays given to considering the political benefits which they could gain from supporting these land claims. Rather than reverting to police or military assistance as was common in the New Order era, Paser's government engages in dialogue and takes a diplomatic approach to settling these issues.

keywords: role of adat, normative system in Paser

1. INTRODUCTION

Paser is the southernmost district of East Kalimantan. Its territory borders the districts of Paser Utara, Penajam and Kutai Barat to the north, the provinces of South and Central Kalimantan to the south and west, and the Strait of Makassar to the East. The district's main geographical features are a flat stretch of fertile land along the coast that gives way to the steep northern stretch of the Meratus mountain range, known locally as Gunung Lumut, to the north and west. In 2002 Paser lost around a quarter of its territory and almost forty percent of its population when its northern stretch became part of Paser Utara, Penajam, a new district consisting of northern Paser (Paser Utara) and the Penajam area that used to be part of the municipality of Balikpapan.

Paser's territory covers some 11,600 square kilometers and houses a population of 185,000, most of whom are farmers living on the flat, coastal land (Badan Pusat Statistik, 2008:57). The district's capital is the city of Tanah Grogot, which also is the main commercial and administrative centre. A number of large market villages have developed along the provincial road that bisects the district and connects Balikpapan and Samarinda to Banjarmasin, the capital of South Kalimantan. Small villages are scattered throughout the district, but mainly on the plain and along the coast.

The district is named after the Orang Paser, a population group that considers itself the original inhabitants of the area and is related to Dayak groups living further inland. Orang Paser currently make up around 40 percent of the district's population. Sub-groups living in the mountains, on the plains between

the sea and the mountains, and along the coast speak different dialects of *Bahasa Paser* and have variations in *adat*. Large numbers of Bugis from South Sulawesi live along the coast and on the plains, as do Banjarese from nearby South Kalimantan. Both groups have been living in Paser for centuries and have left their influence on culture and daily life. Over the past decades waves of migration and transmigration have brought Javanese, Balinese, East Nusa Tenggara, Menadonese, Batak, Toraja and Madurese as well.

Culturally, the district is divided between the Bugis-Malay-oriented coastal plain centered on the capital Tanah Grogot, and the mountains. Until recently, the lack of infrastructure isolated mountain communities, limiting the influx of migrants and maintaining their social and cultural orientation towards the Dayak tribes of the hinterland. The construction of roads by logging companies began to shift the focus of the mountain communities towards the coast.

The capital Tanah Grogot has some 20,000 inhabitants, schools, a hospital, a large market and a shopping mall. The city is dominated by the many government offices of the district government, many of them new and built to impress. Its central street is a one-kilometer stretch of four-lane highway flanked by official buildings, mansions, shops, and public institutions. Although small agricultural enterprises dominate its outskirts, the town is the undisputed urban centre of the area.

Governance over the population and lands of Paser is a complex affair. Ministry of Forestry officials estimate that 65 percent of the land in the district

comes under their authority. However, the regional forestry office does not possess a map delineating the borders between forest land and non-forest land. Notably in the coastal areas the NLA claims authority in land matters as well. Government bodies are less occupied with the forest land designation of nearly all of the Gunung Lumut Mountains, contrary to the communities living there. These groups maintain claims of *adat* territories infringement of which gives rise to dispute.

People in Paser claiming *adat* rights to land perceive these as valid for two reasons. First, because of the traditional and historic nature of such claims. *Adat* has been respected and followed for generations, dating back to before the independence of Indonesia. As one respondent put it: "our *adat* was even respected by the Dutch colonists when they came here, and now our own government is telling us that it is no longer valid? Nonsense". The concept of a national government applying a nationwide legal system that rightfully supersedes local customary claims thus is disputed. It is an access to land registration, which is the official responsibility of the National Land Agency (Badan Pertanahan Nasional, hereafter NLA). Nonetheless other official institutions such as the Department of Forestry and regional governments have authority over issues pertaining to land usage as well.

Until recently, it was quite common for individuals claiming ownership of a plot of land based on *adat* to find that the National Land Agency in Tanah Grogot was unwilling to accept *adat* as sufficient ground to grant official ownership rights as well. Although this stance of the NLA has altered in recent years and its legal possibilities were severely restricted (see the next paragraph), this attitude is frequently considered as willful obstruction or even malevolence of its personnel. Rural pasereese often feel that official land law does contain recognition of *adapt* land rights, but that these regulations are not implemented. This notion was brought about by human right and indigenous peoples visiting these communities during 'empowerment projects', in which the communities were made aware of their status and rights under official Indonesian law. Exactly how or where and in which law *adat* land rights are recognized is not clear to most of the claimants, but this notion of validity inspires a feeling that the local government is acting against national law on purpose, favoring immigrants and large companies just as it did during the New Order.

Whereas, for instance, *adat*-based land claims traditionally sufficed to arrange affairs among the Paserese population, large-scale immigration to Paser gave rise to conflicts emanating from the land needs of these new arrivals. The regional governments of the time showed a persistent disinclination to engage with these conflicts other than by hard-handed repressive methods. This caused, first, for people to remain silent but discontent regarding what was considered a violation of *adat*-based land claims. Second, it gave rise to an image of Paser as a region that was peaceful and complacent as no riots, fights or other serious

violent outbreaks or social disruptions occurred. Yet this popular contentment was ostensive, as dissatisfaction over land rights continued to exist in the Paserese population. Regional government however, largely made up of immigrant officials and civil servants with few connections to Paserese communities, failed to pick up on this dissatisfaction or appreciate its severity. Upon Suharto's resignation as President of Indonesia and the ensuing climate of greater democratic freedom, this dissatisfaction over land claims resurfaced in Paser.

The law enforcement is a kind of set to sail toward the law development. The politic of law which is not explicit and pointed will ruin the results of many aspects. The law theory that will suit this ruin condition as the results of unstable law politic in Indonesia is the fact that we need to fulfill the 3 aspects as the priority in law system. The culture of law often takes place as the growth of law study, society, and civilization

Thurnwald stated that law is considered as the expression of an attitude from a culture, what it means is that the legal order should be learned and realized functionally as the culture system.¹ Koentjaraningrat also said that the connection between law and culture is well described below:²

"a system of the value of a culture exist in almost human thought about what they think what is worth their life, so that the system of culture is usually used as the prior role about human's behaviour, the system of human behaviour which is more concrete, such as some norms of law and rules, both are guided by the system of culture"

The point is that law and culture has a tight connection one to another, that is law is considered as a concrete aspect from the value of culture in a society, or on the other hand law is a manifestation of the system of a culture in the society.

2. MAIN PROBLEMS

Based on the description above, what I am particularly concerned is :

1. What are the legislations when it comes to obtaining and safeguarding access to land?
2. How can the justice be the access for the landless poor?

3. SOLUTION

3.1. The Legislations In Indonesia that Obtaining and Safeguarding Access to Land

a) Grievances over the seizure of land by others

From the seventies onwards, authorities gave large tracks of land in Paser in use to companies and immigrants. Extensive parts of these lands were considered as *adat* land by local Paserese, thus giving rise to the grievance that the authorities ignored

¹ Soerjono Soekanto, *Disiplin Hukum dan Disiplin Sosial*, Rajawali Press, Jakarta, 2000, hlm.164

² Koentjaraningrat, *Kebudayaan: Mentalitas dan Pembangunan*, PT.Gramedia, Jakarta, hlm.25

individual or group ownership of land. Quite often the Paserese claiming *adat* rights were willing to accommodate government plans with those lands – although the matter of local assent rarely featured among official planning- but felt that some type of recognition of their rights would be in order. Using other peoples' lands without permission is a transgression of both Paserese *adat* and official land law. Taking other peoples' land as one's property without the original owners' consent is theft. Paserese communities felt that they had never given up their ownership of those lands, at most they would agree to a temporal usage by others, but since their consent had not been asked at earlier stages they were due apologies, indemnifications, and a return of the lands. At the very least a decent agreement had to be drawn up in which Paserese rights to the land were acknowledged and safeguarded, and compensation or rent established with retrospective force.

Grievances such as this are actively pursued in Paser and occasionally give rise to actual conflict. These grievances are voiced in terms of a violation of *adat* land rights. Migrants perceive this discourse around *adat* as threatening – since many migrants use land that was assigned for transmigration or plantations by previous governments, often land that is claimed by others as *adat* land.

- b) Grievances over the compensation of land that is being used by others

Notably in the eighties and nineties did companies and on occasion the government pay attention to protests over the usage of *adat* land and offer –usually financial- compensation. Frequently communities deemed it wise to accept this money rather than remain completely empty handed. Following *reformasi*, however, numerous instances came to the fore in which the circumstances –under pressure of government force, which prevented fair negotiations- and the exact nature of the agreement were brought to the fore. Communities maintained that they had not given up their rights to the land but had only permitted usage. Continued usage by immigrants or companies was usually possible, but only after additional payments that would reflect the actual rental value of the land would have been made.

This grievance is frequently part of the discourse that leads to conflicts over land. As with the preceding issue, solutions are often sought through *adat* organizations rather than through official channels. Yet as various *adat* organizations revert to putting pressure on opponents if negotiations do not work out, a strong and threatening undertone give *adat* rights a rather different meaning to the immigrants and companies that are targeted. As a spokesperson for an immigrant community confronted with such claims told me:

“These claims cannot be real. We have held certificates to this land for the past twenty years and all of a sudden these claims are made. Not as long as the land was not in use but now that we have planted oil palm trees and they are bound to start bearing fruit, the land is claimed. These people are only looking for

money.” *Adat* spokespersons counter that there was no point for them in voicing their claims under the New Order as this would only result in a reputation as upstarts. They maintain, however, that they had regularly reminded this specific immigrant community of their claim to the land, but that they had refrained from persisting too much for the reason stated.

Defining justice in this and similar thorny situations is a highly delicate task for the relevant authorities. *Adat* authorities and interest groups have a very strong voice in this, although the power of the regional government often supersedes if the conflict reaches that level. In many instances, however, all parties involved prefer to keep a conflict low-level, and reach a swift settlement to which all parties agree. Neither authority wants to be accused of instigating large-scale disagreement with its counterpart, as both the district head and *adat* leaders publicly emphasize their respect for, and commitment to, each other's authority. Reputations are at stake for both *adat* and government officials and both prefer to settle a matter before the other comes in. Rivalry over public favour clearly plays a part in this as well.

Three pieces of legislation are of major importance when it comes to obtaining and safeguarding access to land. The Basic Agrarian Law (BAL), the Basic Forestry Law, and the Regional Autonomy Laws (RAL). Below follows a brief discussion of these laws.

a. The Basic Agrarian Law (BAL)

Undang-Undang Pokok Agraria No. 5/1960 (UUPA) is an umbrella law providing a framework for a national system of land legislation. It does not contain many elaborated stipulations, but rather provides principles according to which implementing legislation was to be formulated. It is distinctly nationalist in its outlook. Article 1 decrees that all of Indonesia's territory as well as the natural resources it includes belong to the Indonesian people. The state is the manager of the land (Article 2), but –as Article 6 states- all rights to land must have a social function. Whereas this implies that collective rights supersede individual ones, Article 7 decrees that the general interest should be protected by limiting large landownership. The BAL instructs the establishment by law of a maximum size of land property (Article 17), and the formal registration of all land tenure to guarantee its certainty (Article 19). Article 9 stresses that all Indonesian citizens, men and women alike, have an equal right to land to provide for their needs. Nonetheless the interest of the state is paramount: the government has the authority to withdraw citizens' land rights if this is in the national interest (Article 18) – although a suitable indemnification should be paid and the decision must be in accordance with the law - in which case the land reverts to the state (Article 27). The BAL's drafters aspired to develop a uniform national land law that honours Indonesian traditions, which, for land, come to the fore in the nation's many and diverse local *adat* systems. Article 5 states that the agrarian law governing land and water is *adat* law, whereas Article 3 confirms the validity of communal

(*ulayat*) *adat* land rights. However, the actual impact of these Articles is not so straightforward. Article 5 continues by posing the limiting conditions that *adat* may not conflict with national interests or those of the state, 'Indonesian Socialism', other regulations in the BAL, or other laws. Article 3 prescribes that the effectuation of *ulayat* rights must take place in such a way as to be in accordance with national and state interests and may not be at odds with other legislation. Recognition of *adat*-based land claims thus becomes possible only if no other legal claim is made to the land, and might be annulled if the limiting conditions of Article 5 require this.

Formal recognition of a land claim requires registration of the plot by the National Land Agency (*Badan Pertanahan Nasional*). This agency registers land titles to individuals as one of seven private rights, defined in Article 16 of the BAL. There are four primary land rights: the right of ownership (*hak milik*), exploitation right (*hak guna-usaha*), building right (*hak guna-bangunan*), usage right (*hak pakai*), and three secondary land rights: lease right (*hak sewa*), exploitation right (*hak membuka tanah*) and the right to collect forest products (*hak memungut-hasil-hutan*). The BAL allows for the creation of additional land rights by new laws, and in 1974 a state management right (*hak pengelolaan*) and temporal usage rights derived from subsided *adat* rights such as the sharecropping right (*hak usaha-bagi hasil*), and a right of temporal occupation (*hak menumpang*) have become accepted as rights to land not listed in the BAL. 5

b. *The Basic Forestry Law*

With over seventy percent of Indonesia's land mass defined as forestry land, those appointed as its managers are in an influential position. Since the early eighties this position is held by the Department of Forestry, based on Law 5 of 1967 on the Basic Forestry Regulations⁶, the original Basic Forestry Law.

Law 5/1967 gives the state the authority to designate and manage Indonesia's forest lands (Article 1 paragraph 1) –notwithstanding the earlier recording of the state's authority over all land in Indonesia in the BAL– and charges the population with assisting the government in developing the nation. Law 5/1967 hence has little time for land claims by the population that oppose the interest of the state. Article 5 paragraph 1 states that all forest in Indonesia and the natural resources found therein are controlled by the state, which gave the state the right (Article 5 paragraph 2) to plan the usage of forests, decide all legal issues pertaining to forests and draw up legislation relating to the forests.

Law 5/1967 makes no reference to the BAL or the various categories of land rights listed therein. Article 2 distinguishes between state forest (*hutan negara*), where no BAL private ownership rights apply, and private forest (*hutan milik*) which is forest growing on privately owned land, generally known as 'people's forest' that can be owned individually, commonly, or

by a legal body (elucidation to Article 2). The key to forest ownership thus lies in landownership.

The position of *adat* rights is a precarious one. The elucidation of Article 2 explains that *adat* rights to forest are limited to *ulayat* rights, the validity of which is to be reviewed critically and may not interfere with national interests or higher legislation. It is not stated how the validity of *ulayat* claims is to be reviewed, or by whom. Article 17 decrees that communal as well as individual usufruct rights to forests may remain in place, provided they are deemed still valid and do not interfere with other purposes for which the forest is used. This gives no recognition of *ulayat* claims: the elucidation of Article 17 states that since such claims cannot be verified, they cannot be honoured if they oppose government plans such as forest clearing or transmigration projects. The state designates forest land, which is not subject to the BAL, thus making it virtually impossible to have *adat* claims in forest land recognized. This meant that communities living in forest areas and working forest land would need to request usage rights from the forest authorities. Claims of property based on *adat* have no value in this situation.

The Department of Forestry's resistance against the BAL and the Department's authoritative application of the Forestry Law by rejecting nearly all land claims in forest areas were causes of considerable resentment and uncertainty for those living in areas designated as forest land (see for instance McCarthy, 2000:104-113). Following on the heels of the 1999 decentralization laws, law 5/1967 was revised and reappeared as Law 41 of 1999 on Forestry. Law 41/1999 included various notable changes. First, the concept of *adat* forest (*hutaadat*) was introduced into forestry legislation. *Adat* forest is defined as state forest in the territory of an *adat* community (Article 1.6), and as such is not the exclusive domain of that *adat* community. The state remains in control of all forests and the natural resources with them, and is responsible for defining their status (Article 4). State forest, as explained in Article 5.2., can take the shape of *adat* forest, but to do so the community claiming *adat* forest must qualify as an *adat* community first. The elucidation to Article 67 contains condition for this. It stipulates that an *adat* community can still be considered to exist if :

1. the community still functions as a 'law community';
 2. *adat* institutions can be said to exist and function;
 3. a clear *adat* territory can be discerned ;
 4. *adat* law institutions that are still respected exist;
 5. A harvest of forest produce is still collected from the area to meet daily needs.
- Article 67 itself states in paragraph 1 that *adat* communities, provided they can be proven to exist and are acknowledged as existing have the rights:
- a. To collect product for the daily need of *adat* communities;

- b. To manage the forest based on prevailing adat law provided this does not contradict official law;
- c. To receive empowerment aimed at raising their level of prosperity.

It hence remains questionable whether law 41/1999 adds anything to forest law that improves the standing of *adat* claims other than that it indicates that recognition of *adat* communities is possible, it could even worsen the position of *adat* claims to forest land.

Regional autonomy laws The regional autonomy laws of 1999 and 2004 delegated considerable administrative authority to the regional level of government. Three key issues are of importance here. First, the 1999 RAL transferred authorities from the central level mainly to the regional level of government. Article 11 paragraph 2 of Law 22/1999 explicitly mentions issues as a regional matter. The introduction of the RAL caused confusion as well as opportunistic interpretations by the new regional authorities. This is most visible in the forestry sector, as district governments applied various new Government Regulations decentralized authorities of Law 22/1999 to contravene the monopolist control of the Department of Forestry and begin giving out small scale logging concessions themselves. Within days of the coming into force of the 1999 RAL, forces within the central government effectuated a check on the regions' authority over land. This was Presidential Decision 10/2001 on the Realization of Regional Autonomy Regarding Land Issues.

This decision instructed the preparation of new legislation regulating the authorities of the regions in land management, and decreed that until such legislation was available authority remained with the NLA. This decision failed to make much impact in the heyday of regional autonomy. The legislation ordered in Article 1 of Presidential Decision 10/2001 followed two years later as Presidential Decision 34/2003 on National Authority in Land Issues. It orders the NLA revise and refine the Basic Agrarian Law in accordance with National Assembly Policy Decree IX of 2001 on Agrarian Reform and Management of Natural Resources, and to develop an inclusive land management and information system. Second, the RAL abrogated Law 5 of 1979 on Village Government. This law had introduced a Javanese model, the *desa*, as the basis of village government throughout the nation. This model clashed with local *adat* governance of the village and was experienced as an unwelcome intrusion by those preferring their own *adat*, although it provided opportunities to induce change for those opposing custom. Following the law, local government representatives were installed at the village level with largely the same tasks as the *adat* leaders carried out. The law on Village Government thus introduced a competitor to *adat* that made it possible to substantially weaken, or overrule, the influence of its leaders. Law 22/1999 contains a change of outlook. It defines a village (Article 1 under o) as:

An undivided legal community with the authority to govern and regulate the interests of the local community on the basis of local origins and customs (*asal-usul dan adat-istiadat*) which are acknowledged in the national government system and is [hierarchically] positioned below the district level.

The acknowledgement of the existence of regulating origins and customs in this definition provides leverage for *adat* authority at the village level. This is further elaborated in Article 99 which states that the scope of village government can be based on the rights of origin of the village, while Article 111 paragraph 2 states that all district regulations must take the rights, origins and traditions (*hak, asal-usul, dan adat-istiadat*) of the village into account. The RAL thus gives the position of the traditional authorities of the village a significant boost *vis-à-vis* the official authorities that the 1979 law on village government introduced.

Third, an important point here is that Law 32/2004 promotes regional democracy by giving more responsibility to the position of the regional head. Articles 56 to 67 provide guidelines for the direct election of regional heads by the population instead of being appointed by the regional parliament. This change greatly increases the population's influence in the governance of the area. Moreover, the central government gets the authority to suspend a regional head if he is sentenced for –among others– corruption, terrorism, subversion, threatening the state security or when sentenced to more than five years in prison for other reasons (Article 29 to 31). As members of the regional parliament, who are elected directly as well and can also be subjected to criminal prosecution, and the regional head together make up the regional government, this means that Law 32/2004 made this level of government accountable to both the regional population and the central government.

Adat authorities, the last category, are probably the most complex of them all. *Adat*, in Paser, is a very lively normative category that has validity for a large part of the population. Whereas the population is ethnically diverse and for a large part consists of immigrants, many of these agree to the validity of *adat*. As migrant communities settled in Paser throughout its history, many accepted land from the local rulers in exchange for their agreement to follow *adat*. Even if the interpretations among ethnically homogeneous migrant groups are mixed with the *adat* of their area of origin, a notice that local *adat* should be respected is quite common. In later migrants this notion exists as well. *Adat* concepts are common throughout Indonesia and the population of each area requires new arrival to respect their rights. For migrants arriving by themselves a respect for *adat* was essential to gain local acceptance, and for groups of transmigrants who usually hold land certificates and find strength in numbers, consideration of local *adat* is if not essential, at least sensible. As such, many inhabitants of Paser who are second, third or even further removed descendants of

migrants to the district consider Paserese *adat* if not as their own *adat*, then at least as the common norms of Paser. As their own interests are shaped and formulated with this *adat* in mind, many of these migrants will argue the validity of Paserese *adat*, even if they do not consider or present themselves as ethnic Paserese.

Authorities enforcing *adat* exist in a number of varieties. Traditional *adat* experts generally exist at the village level and are often called upon in first instances of dispute. They are able to settle a conflict swiftly and –usually– reasonably amicably, but they often do not have influence over unwilling opponents. In that case one of the various organizations championing *adat* rights might be of use. A few of these exist throughout Paser, and these are able to field eloquent and well-respected spokespersons with a reasonable knowledge of national law and contacts with local government officials. These can bring more social pressure to bear than the village-level *adat* authorities can, but not as much as a third category of *adat* organizations. These consist of a few organized groups that present themselves as ‘*adat* councils’ or ‘*adat* militias’. These are larger organizations that add an element of compulsion to the procedure. When called upon, these organizations visit the opponent with a large group of members and attempt to convince him of their client’s rights. Whereas the large group itself can already be intimidating, covert or overt threats of violence and land occupations may well be part of the procedure. For one group the threat and exercise of violence is their one strategy, most others prefer the threat as a means to force negotiation. These organizations are mainly called upon in conflict with large, non-local opponents such as plantation or mining companies. Such enterprises prefer to bring any disputes before the district court – which will usually confirm the validity of the official certificates and permits that the companies possess. The *adat* militias take the opposite stance; their main take on valid law is not with official law but on *adat* rights. If rights under official law violate *adat* rights, return of lands or indemnifications are in order. The police do not object to these organizations since, as one officer put it: “they ensure that local *adat* is respected and no conflict arises from it. We do not know local *adat*, so we cannot fulfill this task.”

2.2. Access to Justice for The Landless Poor

The access to land and the settlement of claims for one group, ‘the poor’. Defined as people with little property and financial means, this group transcends ethnic boundaries and comprises members of the original population, descendants of earlier migrants as well as recent arrivals. All claim land in East Kalimantan, be it through *adat*, indigeneity or national law. The role of the NLA in adjudicating land matters is a pivotal point of this research, as the NLA is the government agency responsible for land registration. Used together, registration and the issuing of a land certificate should improve the legal certainty of the certificate-holder. Yet in large parts of the nation such certification does not, as yet, inspire such certainty.

NLA officials have a tenacious reputation for corruption. They are seen as demanding sums far higher than the required fees, as giving out multiple certificates to plots of land and as ‘loosing’ documents from their archives when this is convenient. Obviously such acts cannot be singularly ascribed to all NLA officials but the reputation effects the entire institution and causes many individual Indonesians to seek alternative sources of certainty. The dynamic impact of *reformasi* on Indonesian politics makes clear that government authority is not obvious. When considering authority over access to land, one should thus look beyond the established rules and laws and include political processes and local power relations. Why do people turn to specific authorities? The answer, I suspect, is much related to what people perceive as ‘justice’.

The present post-New Order situation in which the Indonesian economy is steadily recovering from the crisis of the late nineteen nineties has given rise to numerous stimuli influencing the land tenure situation, as this case study of Paser illustrates. International companies invest in natural resource exploitation, stimulating the local economy while simultaneously creating stiff competition for land usage. Increased democracy has seen district heads and politicians start to heed the needs and interests of the local masses of voters, but this can work adversely as popular expectations do not live up to government means. Land indemnification for the construction of Tanah Grogot’s boulevard and the ensuing expectations of high prices paid for land needed to broaden the main road is an example of this. The boulevard and other examples illustrate that the regional level of government is relatively autonomous from central government in plotting its own course in land matters, and that local land conflicts are mediated and settled by a variety of authorities, many of whom do not have such powers according to the law. Whereas this allows for original thoughts and pragmatic solutions that bypass a strictly bureaucratic application of the law, it does not necessarily contribute to a stable situation. Access to justice in matters of land access in Paser is dynamic and, if anything, a road of which the direction regularly changes. This is not necessarily a bad thing. Notably when it comes to poor people –by their own definition or by that of others– a strong readiness exists locally to look into their interests. This readiness is manifest in various ways. First in the willingness of individuals to come forward and state their grievances, second in the formation of non-government organizations –for instance *adat* organizations– representing the interests of these people and, third, in the willingness of the regional government to engage with these issues.

This does not mean, however, that these factors preclude other interests. The potential of equating the poor to those who maintain *adat* claims to land is a strategy that brings a considerable (potential) following to those championing the observance of *adat* rights. Poor subsistence farmers from the hinterlands do not approach the NLA of their own

accord. Deference to state authority, combined with a (comfortable) remoteness of state representatives and a distrust of government officials, stop these poor from manifesting themselves beyond their own environment if outside support is absent. Introducing and providing such support thus provides not only assistance to these poor but also, in the best Foucauldian tradition, a vehicle to access district government. The predicament of the poor –as well as the category of ‘poor’ itself- thus can be used as a stepping stone to greater social power by the upwards mobile; be it politicians or leaders of non-governmental organizations.

This aspect is an important aspect of the reason why the poor get noticed. Ambitious social leaders need support to rise above their peers and the poor can provide it. Land conflict and its resolution provide a useful arena. Both the BAL and *adat* have ambiguous roles in land conflicts. Recognition of *adat* claims to land might well interfere with BAL-derived rights of others, be it large companies or poor (descendants of) immigrants. Claimants of *adat* land rights may be poor, but they are not the only poor land users.

‘The poor’ are more than an element in an equation for access to power. They cannot be simplified into a category subject to the whims of authorities in search of power, but they can hardly be seen as a homogeneous group with common interests either. What unites groups of people subject to conditions of restricted access to land is a shared legal consciousness, an abstract notion of how the law ought to be and what it should do: an ideal situation that cannot be reached by those without power. Yet they can, as the masses sustaining leaders and representatives, influence the directionality of events. ‘The poor’ thus are a source of political power for those in positions of leadership as much as a force directing where these leaders should take them if they want to maintain support. The issue of land registration shows a large category within the poor is unable to effort registration of land or the yearly taxes such property incurs. The land-tax system is geared towards people with a modicum of financial income and relatively small plots of land -the urban and semi-urban areas- or towards large commercial agricultural enterprises. The *adat* groups practicing shifting cultivation and subsistence farming on large tracks of land are by no means able to raise the taxes that their claims would command. Their problem is thoroughly foreign to the theoretical assumptions underlying Paser’s land taxes, in which a large areal equals intensive commercial exploitation. Tax deductions for such traditional modes of land usage could be a solution in theory, but would lead to gross inequality once these fiscal advantages become incorporated in the market economy and *adat* land is leased out to companies. The current situation in which claimants do not request registration and the NLA refrains from actual registration in these areas is a go-between, but a more constructive solution will be needed in the future.

4. CONCLUSION

The official responsibility of the National Land Agency (Badan Pertanahan Nasional, hereafter NLA). Nonetheless other official institutions such as the Department of Forestry and regional governments have authority over issues pertaining to land usage as well. Moreover, local custom (*adat*) can be a normative source opposing NLA decisions. The application of national land law has come under pressure from powerful appeals to local *adat*. The validity of such *adat*-based rights is established in national land law, although subject to severe limiting conditions. *Adat* rights are subsidiary to national interests and all land rights distinguished in official land law. This effectively limits the official validity of *adat* to land on which no other rights are placed; a situation that is close to non-existent in Indonesia. Yet throughout the nation, *adat* rights to land are argued through appeals to indigeneity. Original populations feel they lost tremendous stretches of their *adat* lands to accommodate state interests, companies and immigrants. Pointing out their sacrifices, these groups address local governments demanding return or recompense of these lands.

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THE TORT OF MULTIMODAL TRANSPORTATION AGREEMENT

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ABSTRACT - Multimodal transportation is one transportation system that uses more than one mode of transportation. In the Government Regulation No. 8 of 2011 on Multimodal Transportation states that multimodal transportation is transportation which uses at least two (2) different transportation modes on the basis of one (1) contract / agreement as the transport document. The problem of this research is on multimodal transportation and legal issues regarding the default under the Civil Law, Commercial Law, The Law No. 23 of 2007, The Law No. 22 of 2009, and Government Regulation No. 56 Year 2009 on the Implementation of Railways, Government Regulation No. 8 of 2011 on Multimodal Transportation. The method used juridical normative and empirical approach. This study used a source of secondary law and primary law materials, in which secondary law materials include primary data, secondary data, and the tertiary data. Primary law materials are data obtained from the results of field research on the object of research done by direct interview. This analysis conducted qualitative analysis of data in the form of information and a description that is associated with the data - other data are used to gain clarity and truth that will strengthen the existing picture. Results of research conducted at PT. Kereta Api Indonesia (Persero) Lampung region show that PT KAI in Lampung region in carrying out its operations have not been used multimodal transportation system and also in solving the problem of the tort PT. KAI resolve it amicably. As for suggestions that can be expressed by the author is that PT. KAI Lampung region immediately improve its service to solve the tort problem and improve transportation services using multimodal transportation system to facilitate the users of transportation services, and for the users of transportation services should be able to comply with all existing regulations to safeguard the security, comfort, and safety.

keywords: Transportation, Agreement, Tort, KAI, KUHPdt, KUHD

1. INTRODUCTION

Transportation is one form of this type of business in the growing field of transport services in the community, many types of transportation used by people to promote economic growth in Indonesia, which are included in the category of developing countries, so it can be said that transport plays an important role in economic growth. The transportation is about those can be carried by people, animals, vehicles, trains, ships, aircraft, and others. According to HMN Purwosutjipto transportation is "a reciprocal agreement between the carrier with the sender, wherein the carrier binds itself to organize the transport of goods and / or people from one place to a particular destination safely, while the sender bind themselves to pay for transport". Transportation is an agreement in which there are the parties consisting of the carrier and the shipper or a passenger. The understanding of the carrier is "the person who committed themselves to organize the transportation of goods and / or people from one place to a particular destination safely". The understanding of the sender and / or passengers is "people who bind themselves to pay the cost of transportation and on this basis he is entitled to obtain transportation services" [3]. The transportation can be carried out as well as the transport of goods or passengers with the aim to deliver goods and passengers safely and to improve the use value and economic value of people and goods that are transported. Transport agreement that occurred between the two sides is an agreement which contains obligations and rights of the parties. According to the

agreement which usually occur in the general public in its oral form, supported by the transportation document, but if the parties want, it can be also made in written form, called the charter party. The reasons of wanting the written agreement of the parties are as follows.

- a. Both parties want to gain certainty about the rights and obligations
 - b. Detailed clarities about the object, purpose, and the burden of the risk of the parties
 - c. Certainty and clarity of payment and delivery of goods
 - d. Avoiding various kinds of interpretation of the meaning and content of the agreement
 - e. Certainty about when, where, and what reason the agreement end
 - f. Avoiding conflicts of implementation of the agreement due to unclear desired the parties purpose
- [4]. In the transport agreement there are public law principles and the principle of civil law that the two are related to each other. The principle of public law is the "cornerstone of legislation which prioritizes more on the public interest or the interests of the community, which includes business principles, the principle of benefit, the principle of fair and equitable, the principles of general interest, the principle of legal awareness, and the principle of passenger safety" [5]. Other than the principle of public law principles of civil law which is the fundamental principle in the transportation agreement and which prioritizes the interests of stakeholders in the transport, in the principle of civil law there is also the principle of agreements, coordinative principle, principle of the

mixture, the principle of retention and the principle of proof with documents. The development of the fast growing transportation now needs to be balanced with the development of transportation law that aims to protect the implementation of the transportation. "The implementation of transportation is a series of transportation acts which is the application of the provisions of law and / or transport agreements.

2. METHOD AND ANALYSIS

Transportation agreement is an agreement between two or more people who bind themselves to each other mutually fulfilling each rights and obligations. The agreement made by the parties must fulfill the principles or the required validity of an agreement, pursuant to Article 1320 Civil Law Act requirements validity of a treaty agreed among other things, qualified, specific, and the causes are kosher. Agreed means that the parties involved in the agreement reach an agreement, qualified means is that the parties involved in the agreement have been capable or able to take legal action, specific means that the object of the agreement can be determined by minimal amount or kind, while the cause of the lawful means that the object of agreement does not conflict with the law, morality and public order. Other than those agreements validity of the terms according to scholars, there are four principles that are considered as fundamental principles in making treaties, namely: the principle of freedom of contract, consensualism principle, the principle of pacta sunt servanda, and the principle of good faith. Principle of freedom of contract is a fundamental principle contained in Article 1338 paragraph (1) of the Civil Law which occupy a central position in contract law, though it is not poured into the rule of law but it has a very strong influence in the contractual relations of the parties.

With the existence of this principle, the parties may not perform any agreement even if it is not set in the book-III of Civil Law Commitments as long as it does not conflict with the law, because of the nature of the book-III which embraces open systems, meaning that the law gives freedom to the parties to set their own agreement and the legal relationship patterns.

Consensualism principle is the principle contained in Article 1320 of Civil Law Act containing the will of the parties to have mutual improvement and to engender trust between the parties on the fulfillment of the agreement. Consensualism principle as contained in Article 1320 Civil Law Act which is according to this principle, the agreement was born simply by their agreement. Pacta sunt servanda principle or power binding contract, according to Niewwnhuis, it is stated that the binding force of a treaty that appears along with the principle of freedom of contract which gives the freedom and independence to the parties. Principle of Good Faith, in Article 1338 paragraph 3 of the Civil Law states that "agreements should be implemented in good faith" it means that the agreement was carried out according to decency and fairness.

Wirjono Prodjodikoro divides good faith into two kinds:

a. Good faith at the time of entry into the force of a legal relationship. In this context, the law provides protection to parties acting in good faith, and for the party acting not in good faith should be responsible to bear the risk

b. Good faith at the time of implementing the rights and obligations contained in the legal relationship

Definition of good faith under Article 1963 of Civil Law is the good will or the honesty of the person when he began to master the goods, which he thinks that the conditions have been met. The transport agreement negotiations are always preceded by a reciprocal action between the shipper or the passenger and the carrier. Deeds negotiations to reach an agreement can be seen from the theories developed in the community agreement of transportation business, while evolving theories are:

a. Will Theory

Will theory stated by Hofmann express that agreement occurs and bind upon the parties had reached the will agreement or agreements on matters that are agreed. Approval of the will or the agreement is expressly stated in the form of spoken words or in the form of tangible actions that should be respected and binding on the parties. Advantages of the theory of the will are creating.

b. Reception Theory

Reception theory stated by Opzoomer expressed agreement occurs and bind upon the parties when the offers are really accepted by the other party, which is concretely demonstrated by word and real action (accept) or with legal documents (proof of receiving).

c. Offer and Acceptance Theory

This theory is generally developed in Anglo-Saxon countries, according to this theory of the bidding process that one is faced with a bidding process by the other party and on the other hand to achieve compatibility / suitability which will be expected by the parties on a reciprocal basis.

According to Government Regulation No. 8 of 2011 Article 1 what is meant by multimodal transport is the transportation of goods by using at least two (2) different transport modes on the basis of one (1) contract as a multimodal transport documents from one place of receipt of goods by the multimodal transport enterprises to a place designated for delivery of the goods to the consignee multimodal transport. Before the Government Regulation No. 8 of 2011, the setting of a multimodal transport is strictly regulated, except in the law No. 23 of 2007 on Railways. Multimodal transportation is a very vital and strategic necessity for Indonesia. The importance of multimodal transportation is reflected in the growing demand for multimodal transportation services for mobility of people and goods to and from the entire country.

As with any mode of transportation, organization of multimodal transportation is organized based on the following principles:

- a. Principle of Profit
Multimodal transport requires that deliver maximum benefit for the improvement of people's welfare, livelihood development which takes place continuously for citizens.
- b. Principle of Balance
it requires the implementation of a multimodal transportation which are in balance with the infrastructure, the interests, the interests of users and service providers, between the interests of individuals and society, and between the interests of local, national, and international.
- c. Principle of Equity
It requires a multimodal transportation services that are fair to all levels of society at an affordable cost by the community.
- d. Principle of Public Interest
it requires the implementation of multimodal transportation more priority to the interests of the wider community.
- e. The Principle Integration
Multimodal transportation requires a complete, integrated, mutually supportive and complementary between several modes of transportation.
- f. The principle of Legal Awareness
- g. it requires the implementation of a multimodal transportation by and abide by the law, both the organizers of multimodal transportation and the multimodal transportation service users.

Multimodal transportation as a combination and unity of two or more modes of transport was organized with the aim of totality of all modes destination of transportation. Therefore, multimodal transportation is organized for:

- a. combining two or more modes of transportation as a unified whole and reliable
 - b. Streamlining the flow of the movement of people or goods with a safe, secure, fast, smooth, orderly, comfortable, effective, and efficient.
 - c. Reaching all corners of the territorial land and territorial water
 - d. Serving the community with a relatively affordable cost by purchasing power
 - e. Supporting the growth and distribution as well as national stability sustainable development
 - f. Confirming the embodiment of archipelago insight and strengthen national resilience
 - g. Prioritizing and protect national multimodal transportation
 - h. Strengthening the relationship between nations
- Mutual obligations and rights of the parties arises from events such legal actions, events, or circumstances. Public transportation company is obliged to carry passengers or goods after the signing of the transportation agreement and / or the payments made by the cost of transporting passengers and / or shippers. In this case the primary obligation of the carrier is to carry passengers or goods and to issue

transport documents as the exchange for their rights to obtain the cost of transporting and / or sender. The parties may also foretell:

- a. Keeping and caring for passengers and maintaining goods transported with the best
 - b. Removing and dropping off passengers at a stopping point or destination safely and securely.
 - c. Submitting goods transported to the recipient intact, completely, not damaged, or not too late.
- In addition, it can also be agreed also that the carrier is not required or refusing to transport goods that are prohibited by the law or endanger public order and the public interest. Public Transportation Company is responsible for the losses suffered by the passenger, sender, or a third party because of his negligence in carrying out the transport service. Public Transportation Company is also responsibility for passengers or goods started since removing the passengers or goods to place to the agreed objectives. The amount of damages is equal to compensation which significantly suffered by passengers, shippers, or a third party. The real loss is the provision of the law that should not be deviated by the carrier through the provisions of the treaty in its favor as coercive. Accidents are the events of transportation law in the form of incident or accident which is not desired by the parties, occurred before, within, or after the implementation of transportation due to human actions, or damage to the transporter, causing loss of material, physical, mental, or loss of livelihood for the passenger, other than the passenger, the owner of the goods, or the shipper. Based on the concept, it can be described the elements of the transport accident as follows:

- a. Incident or accident
- b. Not desired by the parties
- c. Happened before, within, or after the implementation of transportation
- d. Because of human actions or damage to the tool carrier
- e. Give rise to material, physical, mental losses or loss of livelihood
- f. For passengers, for other than the passenger, the owner of the goods, or the carrier.

3. Result / Discussion

A research is the process of finding the truth of nature described in a systematic form of activities and plans with based on the scientific method. As systematic and planned activities, there are certain patterns that must be followed and all research activities are based on measures that have been carefully planned in advance.

The research method is to reveal and explain a problem. Normative data used as a basis in enforcing a rule, empirical data are taken into consideration on an enforcement of the rules. Their research methods are expected to know the problem solving of the problems being studied. The approach used is the method of normative and empirical approach using secondary data (library data) as the main data and primary data (field data) as the supporting data.

1) Normative research method, done by looking at the legal issues as rules that are considered suitable with normative juridical research conducted on theoretical matters. This approach is done by studying the principles of law that exist in the opinion of scholars and regulations in force.

2) Method of the empirical approach is an approach made to analyze the extent to which regulation or legislation or law that is being applied effectively, by analyzing the multimodal transportation system applied in Indonesia as well as legal protection of a multimodal transportation service users. The approach is done by field studies in an attempt to get the primary data through observation or interview to obtain particulars information relating to the implementation of the multimodal transportation system. Transportation agreement is an agreement between two or more people who bind themselves to each other each in fulfilling each rights and obligations. The agreement made by the parties must fulfill the principles or the requirements for validity, pursuant to Article 1320 Civil Law Act requirements validity of a treaty agreed among other things, a conversation, a certain thing, and the causes are kosher. Agreed means that the parties involved in the agreement reach an agreement, qualified means that the parties involved in the agreement have been capable or able to take legal action, specific means that the object of the agreement can be determined in minimal amount or kind, while the cause of the lawful means that the object does not conflict with the agreed law, morality and public order. In addition to the above agreements validity of the terms according to scholars, there are four principles that are considered as fundamental principles in making treaties, namely: the principle of freedom of contract, consensualism principle, the principle of pacta sunt servanda, and the principle of good faith.

The principle of freedom of contract is a fundamental principle contained in Article 1338 paragraph (1) of the Civil Law which occupy a central position in contract law, though not poured into the rule of law but has a very strong influence in the contractual relations of the parties [9]. With this principle, the parties may not perform any agreement even if it is not provided in the book III of Civil Law Commitments as long as it does not conflict with the law, because of the nature of the book-III is embracing an open system, meaning that the law gives freedom to the parties to set their own agreement and the legal relationship patterns. Consensualism principle is the principle contained in Article 1320 Civil Law Act contains the will of the parties to have mutual increase and to engender trust between the parties on the fulfillment of the agreement. Consensualism principle as contained in Article 1320 Civil Law Act which according to this principle the agreement was born simply by their agreement. Pacta sunt servanda principle or power binding contract, according Niewnwhuis states that the binding force of a treaty that appears along with the principle of freedom of contract which gives the freedom and independence to

the parties. Principle of Good Faith, in Article 1338 paragraph 3 of the Civil Law states that "agreements should be implemented in good faith", it means that the agreement was carried out according to decency and fairness. Definition of good faith under Article 1963 Code Civil Law is the good will or the honesty of the person when he began to master the goods, which he thinks that the conditions have been met. The transport agreement negotiations are always preceded by a reciprocal action between the shipper or the passenger and the carrier. In the case of the tort of multimodal transportation agreement or negligence in performing its obligations then, the settlement will be carried out by way of negotiations meaning that the settlement was made without involving a third party, if the negotiations do not come to fruition then, the problem will be resolved through the mediation, settlement meaning that using mediators which has been appointed. If the road does not come to fruition then it must be determined by legal means, through the courts, but until now there has been no passenger compensation process to the court.

Compensation process passengers are settled directly with the consensus because the settlement process is easy and mutually beneficial to the parties and more efficient because it does not take a long time. Tort derived from the word achievement meaning that something that must be met by the debtor (carrier) in each engagement. Achievement is the object of engagement in civil law obligation to meet achievement is always accompanied by a guarantee from the debtor (carrier) in 1131 KUHPdt article which states "any debt material either moving or not moving, either already existing or new will in the future, be borne for all individual engagement. Article 1234 KUHPdt states that the replacement of costs, losses, and interest due to non-fulfillment of an engagement, then began obliged, if the debt after being found negligent to meet its engagements, but sliding it or if something should be given or made could only be given or made within the time limit has been passed.

According to the provisions of article 1234 KUHPdt, there are three possible forms of achievement, namely: a) provide something is handing over the real power of an object of the debtor (transport) to the creditor (passenger) in terms of offer and acceptance of carrier offering the passenger conveyance and agreed to accept the offer of transport and vice versa.

b) Do something: the debtor (carrier) must perform certain acts that have been established in the engagement such as committing the debtor (transport) and must meet all the provisions of the debtor engagement (the carrier) and should be responsible for actions that are not in accordance with the terms of the engagement

c) Not doing anything is doing nothing that has been set in the engagement, for example, if a creditor (carrier) act the opposite to the engagement he was responsible for violating the agreement

Non-fulfillment of obligations by the debtor (the carrier) is caused by two possible reasons as in the

following:

1. Because the fault of the debtor (the carrier), whether intentionally not fulfilling the obligations due to negligence
2. Because of the circumstances of force (coercion), force majeure beyond the ability of debtors.

It is stated that the debtor (carrier) intentionally or negligently does not meet achievement with 3 types, namely:

1. Debtor (carrier) does not meet the feat at all
2. Debtor (carrier) meets achievement but not good or in erroneous
3. Debtor (carrier) meets achievement but not timely or late

In order for the debtor (the carrier) meets his achievements, Debtor (carrier) must get complaints from creditors (passengers) in which a passenger transport as the service user, for example if one of the parties in this case the carrier does not meet the obligations required, a written warning letter from the creditor can be given to the debtor. The warning letter is called by subpoena. Summons is a notice or statement from the creditor to the debtor which contains provisions that requires the fulfillment of immediate or within a period of achievement as specified in the notification. According to Article 1238 KUHPdt, it is stated that: "The debt is negligent, if he is with a warrant or with a kind deed that has been declared is negligent, or for the engagement itself, if it is established that the debt must be considered negligent with the passage of time specified" Of the provisions of that article it can be said that the debtor is declared in tort when there is a claim letter (in gebreke Stelling). The forms of subpoena under the section 1238 KUHPdt are:

1) warrant

The warrant came from the judge who usually shaped fixing. With this designation letter bailiff verbally notify the debtor at the latest when he had to perform. This is commonly called "exploit bailiff"

2) a kind deed

This deed can be a deed under the hand and notarial deed.

3) Summed up in the engagement itself. That is since the making of the agreement, creditors have determined the time of tort.

During the process, a subpoena or reprimand against debtors who neglect their obligations can be done verbally but to facilitate evidence before the judge if the matter goes to court then it should be given a written warning. In certain circumstances a summons is not required to be stated that a debtor is in tort in terms of the deadline in the agreement (fatal termijn), achievements in the form of the agreement does nothing, the debtor recognizes himself in tort. Then the legal consequences for debtors who have been in tort gets punishment or sanction of law as follows:

1. The debtor is required to pay damages suffered by creditors.

Compensation is often broken down into three elements: costs, damages and interest.

a. Costs are all expenses or charges been issued manifestly by one party.

b. Loss is loss due to damage to items belonging to creditors caused by negligence of the debtor.

c. interest are losses in the form of profit lost that have been imagined or calculated by the creditor.

Code Civil specifies the compensation in two elements, namely *dommages et interests*. Dommages covers the costs and losses such as the purpose of mentioned above, while interest is equal to the interest in terms of profit lost. In the matter of redress, by law given provisions are restrictions on what can be demanded as compensation. Article 1247 KUHPdt determines:

"The debtor is only required to reimburse the loss and the real interest has been or should originally be expected when the agreement was made, except if the agreement is not fulfilled due to deceits done by him". Article 1248 KUHPdt determines: "Even if the agreement is not met because of the deceitfulness of the debtor, replacement costs, loss and interest, just about the losses suffered by the indebted and profits lost for him, merely consisting of direct result of noncompliance with the agreement".

A further restriction in the payment of compensation is contained in the regulation concerning on *moratoire* interest. If the achievements is in the form of a payment of money, the losses suffered by the creditor if the payment was late, is in the form of interest, rents or interest. a. The words "*moratoire*" comes from the Latin word "*mora*" which means forgetfulness or negligence. So *moratoire* interest means the interest to be paid (as a punishment) because the debtor was negligent in paying debts, set at 6 percent a year. Besides, the interest is the newly calculated since sued to court, so since the inclusion of the lawsuit. (Article 1247)

b. If it is a reciprocal engagement, because the creditor can demand termination or cancellation of the engagement by the judge (Article 1266 KUHPdt)

c. In an engagement to provide something, the risk is transferred to the debtor since the event of tort (Article 1237 KUHPdt)

d. The debtor is required to fulfill the engagement if it still can be done, or cancellation done with compensation payments (Article 1267 KUHPdt)

e. The debtor is obliged to pay court fees if it is sued upfront the court and convicted.

Cancellation of the agreement, aimed at bringing the two sides back to the situation before the agreement was held. It is said that the cancellation was retroactive to the second bore agreement. If a party has received something from the other party, either money or goods, then it must be returned. The point is that the agreement was abolished.

Cancellation of the agreement due to the negligence of the debtor is set out in article 1266 of the Civil Code governing conditional engagement, which reads: "Conditions are considered null and forever included in the agreements of reciprocity, when one party does not fulfill its obligations. In such case the agreement is not null and void, but the cancellation must be

requested to the judge. This request should also be done, although the terms about the unfulfilled obligation are stated in the agreement. If it is not stated in the agreement, the judge is free according to circumstances at the request of the defendant, to provide a period of time for the opportunity to meet its obligations, a period which should not be more than one month ". Cancellation of the agreement must be sought from the judge, not canceled automatically even if the debtor obviously neglects its obligations. The judge's decision is not *declaratoir* but constitutive, actively cancel the agreement. The judge's decision does not state "Stating the cancellation of the agreement between the plaintiff and the defendant" but rather, "Canceling the agreement".

The judge must have the *discretionair* authority, meaning that the power to assess the size of the omission of the debtor in comparison with the severity due to the cancellation of the agreement which might befall the debtor. If the judge considers debtors' negligence is too simple, while the cancellation of the agreement would bring losses that are too serious for the debtor, the request to cancel the agreement will be rejected by the judge. Under section 1266 judges may give the debtor a period of time to still meet its obligations. This time period is known as the "*terme de grace*".

As a third sanctions for negligence of a debtor mentioned in Article 1237 KUHPdt, what is meant by "risk" is the obligation to bear the loss in case of an event beyond the fault of either party, which overrides the goods which is the object of the agreement.

The transition risk can be described as follows:

According to article 1460 KUHPdt, then the risk of the sale and purchase of certain items is borne to the buyer, even though the goods have not been delivered. If the seller was late handing the goods, then this omission had been threatened with transfer risk from the buyer to the seller. So with the seller neglect, the risk is transferred to him. According to Article 1267 KUHPdt the creditor may choose to require or compel the debtor to fulfill the agreement if it is still possible or choose to terminate the agreement invitation replacement costs, damages, and interest. Paying The Waiver Fee The payment of the court fee as the fourth sanctions for a negligent debtor is summed up in a regulation Procedural Law, that the defeated party is required to pay court fees. If in the implementation of multimodal transportation agreement the tort happens or negligence in performing its obligations then, the settlement will be carried out by way of negotiations meaning that the settlement was made without involving a third party, if the negotiations do not come to fruition then, the problem will be resolved through the mediation, a solution used a mediator who has been appointed. If that way does not come to fruition then it must be determined by legal through the courts, but in practice the process of compensation is often resolved directly by way of consensus.

3. CONCLUSION

Based on the results of research and discussion that has been described in the chapters above, conclusions can be described as follows.

1. PT. Kereta Api Indonesia is responsible for the losses suffered by the user of transportation services since the start of transportation up to the ending of the transportation at the destination, then in the tort that cause losses for users of transportation services in the settlement, the carries should make the effort such as:
 - a. Negotiating, it means that the settlement is done without involving a third party.
 - b. Mediating, it means that settlement is done using mediators who have been appointed.
 - c. Doing Legal paths that use the legal settlement.

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UPRISING OF VILLAGE DEMOCRACY: CHALLENGE AND OPPORTUNITIES FOR VILLAGE

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ABSTRACT - Village always be integral part of Indonesia, and also their village democracy. Village Democracy became way of life in Indonesia even before independence. The concept of village democracy is seen in the form of deliberation, consensus, and mutual help. Either ungrateful or forgotten, Village democracy today is still isolated by regulation. The regulation that established always put the village as objects of development, not as a subject. The village democracy even in the New Order Era absolutely suppressed, through Law No. 5 of 1979 on village government. Thousand Village spread around Indonesia is required to equalize the structure, governments, even culture into Javanization concept. Village regulations in Reform Era are also not much dissimilar. The village was ordered as the executor of the rest of the tasks of the government. Village development is Top-Down and just based on mere government's desire, not on the ideas and desires of Village. The presence of Law No. 6 of 2014 on Village, changed the paradigm of village development. Village democracy being soul of villages development in Law No. 6 of 2014. The rise of democracy was also supported by extraordinary sources of funding. It is seen in Article 72 Law No. 6 of 2014 and Government Regulation No. 60 Year 2014. Opportunities to realized village democracy and access the funds have many requirements. Village must making RPJMDes, APBDes, and various legal instrument in the form of Peraturan Desa. This condition is certainly a challenge for Village, to be ready in human resources, institutions, and civil society.

keywords: Village, Democracy, development, Challenge, Opportunities.

1. INTRODUCTION

Culture, social, and nation history also provided the basis and the interpretation of democracy. Western countries as an example of interpreting democracy comes from the roots of liberalism. Western-style democracy is actually coming from France. Not that well, as revealed earlier, the democratic view always same. On the other hand egalitarian conception of Islam presents a far wider. The era of the Prophet Muhammad in Medina while to witness the majesty of a broader conception of egalitarian. Robbert N Bellah (an American sociologist), he said that the Prophet Muhammad built for a better model of modern community building than might be imagined (an example of a modern national community and better that can be imagined). [1] Furthermore Medina eliminates the exclusivism and also bring egalitarian participatory. [2] Seeing as though it cannot be equated conception of freedom is embraced by the French and Medina, the participation and equality become a benchmark of democratic values.[3] Indonesia itself has a different way of looking democracy. Historically, stimulus of village democracy became the forerunner of democracy in Indonesia itself. The village democracy into a genuine product of Indonesia, not a product of Western democracy. The development of village democracy is not as beautiful as the welfare of the goal. The Government with legal instruments often deviates even close the will of village democracy. This can be seen from the shape recognition and rights granted to the village states through legislation. Initial period of independence became a heroic past and strengthen the unity of the nation. Bells and

whistles, this unity could actually eliminate the concept of an autonomous village, such as the abolition of the Perdikan village. Such conditions did not last long with different forms, but the taste is almost the same, presenting the Old Order Praja village as an autonomous village. The hopes of the sustainability Praja village as the village grows and develops seem to live expectancy. Substitution of the New Order regime destroys the existence of Praja Village.

Javanization Aggression makes the whole concept of the village in Indonesia shall be a Javanese village. The village was losing its original rights, all depends on the willingness of the central Government. Nonetheless New Order put Village development spearhead national governance. We can see from the New Order's political development when it is focused on agriculture, for example, self-sufficient in rice, and as we know well that this is a job in the village.[4]

After the collapse of the New Order of the existence of the village began to be built again. Law No. 22 of 1999 be a starting point in the rise of local identity, more specifically, Law No. 6 of 2014 is to reinforce the authority of the autonomous arrangement of the village, and absolutely bring back the village democracy. The village has the right origins and traditional rights in the care and regulate the interests of society. The village is driven as an independent government entity, democratic and powerful but within the framework of the protection and empowerment of the country. The village was invited into the atmosphere of empowerment and protection, but behind all of that opportunities of village democracy also brings challenges. Changes to the

democratic paradigm that initially Village Top-Down, Bottom-up are invited into can be said to be culture-shock for the village. Because the Law No6 2014 on the village of Desa require to create a variety of documents such as RPJMDesa, RKPDesa, APBDesa, until the village regulation. These challenges must be addressed by the Village with the readiness of human resources, strengthening institutions and civil-society.

2. MATERIALS AND METHOD

Type of research is a normative legal research, legal research that is carried out by means of reviewing and researching materials library with socio-legal approach by combining policy approaches and legal approach. Policy approaches used to examine the conditions and policies related to the management of Village in Indonesia. While the legal approach used to see the extent to which existing regulations in relation to the revival of village democracy along with the challenges and opportunities for the village.

Collecting data in this study are done through literature study to identify the source of the data, identify and inventory of legal materials relevant to the issues in research. Legal material itself consists of primary legal materials in the form of legislation and secondary legal materials in the form of draft laws, legal documents and the results of the research, the results of the assessment, and other references. Any data or materials that have been collected will be studied and analyzed in depth.

Data management techniques from the literature study conducted through data selection with the examination of data to determine the suitability and completeness of the data with research purposes. Then classifying data by placing the data based on the classification of the field or subject matter in order to make it easier to analyze. After that, the data compiled by systematically analyzed.

Analysis of selected data in this study is qualitative analysis, which provides the meaning of each data obtained by describing or outlining research results in the form of a detailed description of the sentence, and then from the description can be concluded as an answer issues raised in this paper.

3. RESULTS AND DISCUSSION

3.1. Village Democracy

Democracy was born from the disappointment over centralized government by certain people. Etymologically derived from the word democracy, *demos* meaning people and *kratos*, which means government. Based on this meaning, it can be an intention that the essence of democracy is rule by the people. People have the right to determine the course of administration. Democracy even further believes that everyone has the same rights. The similarities with regard to the right to participate, either merchants, nobles, although minorities have the same right to participate.[5]

Democracy also with regard to the legitimacy of the actions of the government, the government must be

supported by the will of the people either directly or through representative institutions. The perspective of democracy will be different in each nation. French and American, famous for his liberal political democracy, while democracy-marxist based on economic and social access, or also commonly known as social democracy. [6] Western-style liberal democracy and Marxist cannot be equated with the perspective of democracy in Indonesia. To unravel the roots of democracy in Indonesia, will lead to the village. Villages in Indonesia have been implementing the concept of democracy which is more comprehensive than Western democracies. Village democracy is not only related to political democracy, but also with regard to the economic and social democracy. On the other hand, western democracy that it is often destructive to the life of the nation, which is based on kinship and togetherness. Western democracy is also based on individualism. Humans are formed by the western system assumes that the relationship between individuals and their environment separately. Its contrast to the values of democracy in Indonesia, which is based on togetherness.

The sense of togetherness brings mutual cooperation and deliberation. More than just a consensus and mutual cooperation, Muhammad Hatta added two elements of democratic tradition.[7] The right to hold a joint protest against the leader/ ruler regulations are considered to be unjust, and the right of people to evacuate from the power of the king when he was not happy.[8] In other side, Bung Karno discussed Indonesia's democracy is not technically a democracy like Western democracy. Our democracy is a democracy that is mentioned in the Pancasila that brings the personality style of the nation itself.[9] Democracy as a national identity, of course, can also be seen long before the presence of the State of Indonesia. Minangkabau for example, already have their typical concept of village democracy. The penghulu Andiko (in the area Bodi Caniago) and the chiefs Andhiko (in urban areas Piliang) is the density of villages, conducting a meeting in the hall in order to resolve all matters villages.[10] Decisions are taken on said sekato (agreed).[11] In the other chance, Supomo further stated:[12]

"Minangkabau families, according to customary law, represented by mamak heir in court. But the power to represent this does not mean unjustly do what she want, but to act in accordance with its legal status in the family, so he had to act as a proper keeper of party treasures".

The concept of democracy which was built by the Minangkabau people, even have come to the concept of representative democracy. The concept also has to consider the power of the representative body are limited, and may not be arbitrary. Minangkabau village democracy, even been able to make their own deliberation body. There is a term used them for example: "*adat dipakai lembaga dituangkan*", the proverb means that adat is legislation that has been in effect since time immemorial retained, while the agency is customary *nan diadatkan* based on the

agreement of the elders of indigenous to adjust to the situation carried out. [13] The existence of deliberation and consensus for centuries has been the perspective of democracy. Not only Minangkabau people who have developed the concept of democracy. [14] Sasak in Lombok also has developed the concept of deliberation through begundem. Begundem has at least five (5) principles: [15]

- 1 Each member of the Begundem can convey his thoughts about an issue based system Patok-Patek (break arm) or "Petok-imah" (break hands). This means that there is nothing to prevent the release of opinions. Freedom of opinion and freedom of the implementation period of deliberation;
- 2 In the expression, hinted that the talks should not deviate from the issues that are being discussed;
- 3 Every discussion should be based on the desire to contribute to the search for a solution, because this is the meaning begundem;
- 4 Each follower in the trial is obliged to act decently, both in attitude and in his speech;
- 5 Every follower shall respect the decisions that have been taken and run it in practice.

It is understood Indonesian traditional people have used a more comprehensive democratic system, through deliberation. Deliberation is not only a ruler election event, but became a symbol of participation and aspiration of the people. People became guards check and balance against the power of government. Through deliberation The village also established a system of social, economic, political as needed. To realize deliberation as the value and spirit of democracy in Indonesia, it is due to the positive law of Indonesia. Positive law into an instrument of legitimacy once the changes to the values of Village democracy.

3.2. Paradigm Changes in Village Development

Village democracy as the identity of Indonesian democracy teaches at least one thing, that democracy is defined in the process not the outcome. The process of deliberation to balance between existing interests. The Results of the deliberation process at least minimize conflict due to non-fulfillment of such desire of minority groups. On the other side, F.Budi Hardiman stated, that in deliberative democracy, all types of practical discourse operate in opinion formation and democratic aspirations to examine the reasons for the proposed political regulations.[16] All these democratic ideal villages as mentioned earlier also, it will not be separated from the state.

Pancasila as the fundamental norm of Indonesia indeed has guaranteed that the deliberations as a national identity, but it is not enough. Pancasila value should formed in legislation. Deliberation is included in the legislation is only a small part of the village. Based on these things, the first look at the village management in Indonesian positive law, so as to understand also the position of village democracy. The position and shape of the village placed in dynamic condition related to terms of recognition. The recognition of origin with regard to rights as an entity that grows and develops long before the Republic of

Indonesia. At the beginning of independence, for example in the Perdikan Village was abolished status. This removal would also eliminate the right of its origins as an autonomous village. Such conditions, then do not last long, the Old Order government when it returns the format and form an autonomous village in the frame of the Civil Village. The prototype is on its way autonomous village cannot survive. New Order government really destroys (in identity and soul) Praja Village. Armed with Law No. 5 of 1979 as ultimate weapon, the village is replaced with the format of the civil administrative Village (Kelurahan). This situation will have an impact on native rights and the authority is very limited village. The village imprisoned in a centralized space, and all the creativity is turned off and rely on the center.[17]

The rise of large-scale local authority or the right of the origin of the village is done after the reform. Recent developments in the frame of Law No. 6 of 2014 on the village. Article 18 of Law No. 6 of 2014 provides authority for the village include: authority in the field of implementation of village government, the implementation of Village Development, Village community development, and community empowerment village based community initiatives, the origins of the rights and customs of the village. Prior to further discuss the Law No. 6 of 2014, as generators village democracy, should we look at the post-Reformation anyway village setting. Post-Reformation does look as though the village is located in a space of freedom and recognition, but that happens only weakens the village. This shortcoming with regard to the concept of planning and construction of the village.

The village only received planning Top Down Planning. Although already know musrenbangdes (village development forum), and rakobangdes (village coordination forum), the direction remains at the center of the village planning and uniforms. The village only became the object of development, not the subject. The village just accepts all the decisions from central government without having the right to voice their needs. In a small sample, for example, when the village needed help in the form of fertilizers, the government provides tractors as farm tools. In other contexts, the village is getting help development from central government in the form of funds, but the funds are creating a climate of beggars. The village turned into an entity that dependency, without independence and creativity .

Historically and empirical conditions that occur cannot be separated from the damage created by bureaucracy of the New Order. The beginning of the Reform Era did not change significantly the independence and capacity of the village, there are 5 (five) weakness of village development:[18]

- 1 Law No. 32 of 2004 does not recognize at all the village planning, and do not put the village as a respectable entity. Government Regulation No. 72 of 2005 as a derivative of the Law, even just put the village as the chirping of birds in a cage.

- The village can only speak freely without authority.
- 2 Planning area containing the gap between the results of the sectoral spatial processes. The village does not have the capacity to access the sectoral issues, the village only to reach any physical problems surrounding the village infrastructure.
 - 3 The village dominated by the interests of the village elite only. Not a participation in the development of which involves the role of sectoral organizations.
 - 4 The process of participation and planning in Musrenbangdes (village development within deliberation process) face distortion of additional projects of the government, for example, sub-district development program. The village is excited to participate in the forum because this forum is able to ensure the village funds.
 - 5 Village is stuck in the process of multilevel participation. Participatory planning have been made by the village is often uneven. Villages are often disappointed because every year to plan, but it turns out the program does not go down.

Embodiments of the independence given to the village through various authorities. Article 18 of Law No. 6 of 2014 on the village mentions that the authority of the village includes the authority in the field of implementation of village government, the implementation of Village Development, Village community development, and community empowerment village based community initiatives, the origins of the rights and customs of the village. While Article 19 of the Law No. 6 of 2014 mentions that the authority of the village include:

- a) The authority of origin based rights;

- b) Local authority scale village;
- c) Authority assigned by the Government, Provincial Government, or the Government District / Town; and
- d) Other authorities assigned by the Government, Provincial Government, or the Government District / City in accordance with the provisions of the legislation.

The village governance based on the authorization by the Government of the Village, Badan Permasyarakatan Desa (as the Village Consultative Body) [18] and deliberation.

3.3. The Opportunity for The Rise of Village Democracy

Paradigm changes that made by the Law No. 6 of 2014, also evokes the village democracy that before had been closed through the regulation. The village government organization turned into results elaboration and harmonization throughout the village government administration. Deliberation is an elaboration system that is also guaranteed in article 54 of Law No. 6 of 2014 on the village. Mentioned that: Village deliberation as a forum for discussion, followed by the Badan Permasyarakatan Desa (BPD) as the consultative body in villages, village government, and the public as well as the strategic village (village structuring, planning, cooperation, investment, and the establishment of village owned enterprises) in village governance.

Village deliberation was formed to be able to answer the needs of their own. Early stages of deliberation pertain to planning. The plan must then be elaborated in the form of a legal product. Legal role is very closely linked to development. David M Trubek the doctrine of law and development as follows: [19]

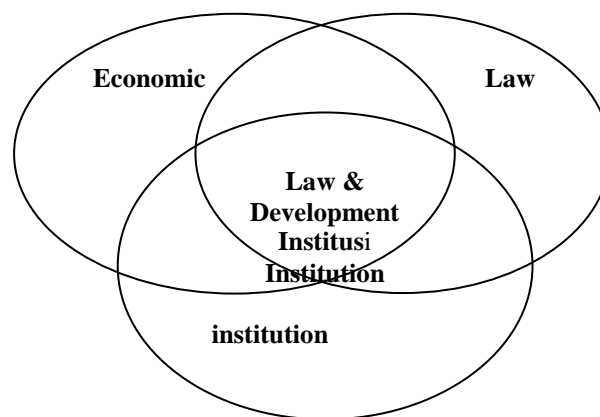


Figure 1. illustrates the relationship between the three aspects of law, economics and institutions

Picture illustrates the relationship between the three aspects of law, economics and institutions. In the context of village development to be achieved is the result of collaboration of these three aspects. The Economic is representing the concept of village development. Law in fundament development into an instrument of legitimacy that is realized through village regulations and various laws other villages. The role of village institutions to spearhead the

implementation of development to be achieved. The institution is no longer in a narrow conception that is, only the village government alone, the role of BPD and deliberation village became very influential as well. For the sake of harmonious embodiment Village development and self-government administration throughout the village should participate. This is concretely seen from the various laws such as RPJMDes, RKP Des, and APBDes that under the

Village Law, shall involve BPD in shape. Thus the village really had the opportunity to develop itself as an independent entity, powered social, political and economic. On the other hand the Village Act not only made border, that Village development just by the village government.

Village communities become parties contribute and have the capacity to determine the direction of development of the village. Here relations and governance is conceived in Law No. 6 of 2014 on the village.[20]

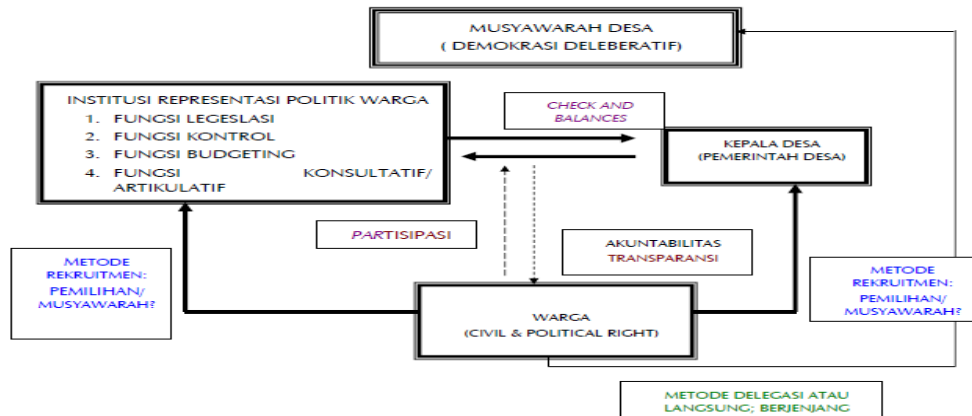


Figure 2. Village communities

Village communities have seen a special space free to express their needs as a resident of the village. Freedom in their meaning as human rights are the rights of citizens here is their right to participate in politics in matters of constitutional and grammatical rule.[21] Village community participation concretely packaged in the form of deliberation. Deliberation later emerged as a means of satisfying needs, participation, supervision of construction of the village. More than that deliberation is not just like the deliberations for the preparation of the Village of mutual cooperation or consultation committee for independence day. The Deliberations that will be built is the deliberation that is able to produce specific outputs. Village deliberation based on village ministerial regulation, No. 1 Year 2015 article 2, have the following definitions:

“deliberation between the Village Consultative Body, the Village Government, and organized by the Society elements Village Consultative Body to agree on terms that are strategic”.

It is located in the village of Regulation No. 1 Year 2015, described in the same article as follows: 1) structuring the village; 2) planning; 3) village cooperation; 4) investment plan that goes to the village; 5) the establishment of the village-owned enterprises; 6) additions and disposals of village assets; and 7) extraordinary events.

Seen through the lens of politics, it is sought by the real deliberation is legitimacy.[23] The existence of a consensus in the community, will foster a strong validity and minimize coercion and violence by certain regimes. [24]Further legal-Formal through consultation of a legal product. Legal product in question, among others, regulatory Village, Village Medium Term Development Plan, Village Development Plan, Village Development Plan, and the

implementation of other development documents. To realize the ideals of the village as an entity to make political, economic, social, and cultural, it can be concluded very dependent on the entire village government administrators.

3.4. The Challenges Uprising Village Democracy

Major changes to the Village development paradigm at least give a chance of recognition and participation. The village became an autonomous organ is expected to develop in accordance with the right of the origin and needs. On the other hand Villages also have the opportunity to plan for development until the stage of accountability. Behind the opportunity that has been mentioned is there challenges in it.

Implementation of the village governance has been very dominated by thepatron-client relationship. The village head dominates all activities and village governance. Implementation of the village is no longer just monopolized by the chief. The village must prioritize the implementation of harmonization and synchronization pattern of all parties involved in village governance. Organizers Village Government as BPD (Badan Permusyawaratan Desa) should be optimized. BPD. Without the role of BPD, will make village democracy go down too. It can be said that the village democracy has been merged with the National government system, making BPD as the holder of the concept of representative democracy. The village democracy goes depends on the role of BPD.

BPD is no longer just as a chair for village elders. BPD is no longer seen as a side job, but as a real job representing the interests of villagers. BPD should be presented as an entity that represents a check and balance in the village. A relationship that is created between the village chief and BPD is no longer seen as a subordinate relationship. BPD should be able to perform the functions of the legislative, consultative,

oversight and aspiration or in other words BPD should be able to realize substantial democracy. Not the functioning of BPD will disable the capacity of village governance. Practically, this case means that BPD is not capable of holding its obligations in terms of making the village document products.

Liabilities participated brought by Law No. 6 of 2014, has implications for the readiness of Human Resources (HR) in the village. HR is there really tests the competence to be able to prepare various documents Village development. Reality shows unreadiness organizers of village government in dealing with the administrative mechanism which prepared the Village Act. By unprepared document Village development is not only the responsibility of the failure affects the rise of democracy the village, but the village also will lose a source of funding. Because the Village Act also provides funding mechanism from the state budget requires a village to access documents as contained in Regulation No. 60 Year 2014 about Village Fund from the state budget. For example, in Lampung Tengah regency about 102 villages of 304 has not had a village documents.[25] Failure to answer the transformation of the development model, it will make village weak. A Village just always ask for assistance from local or central government. So that in the end can not grow and get stuck into old-fashioned and backward entities.

4. CONCLUSION

Based on the above description, it can be concluded that

- a) Indonesia has embraced democracy a form of democracy in the Village (in this case the deliberation). To be able to see the position of village democracy in Indonesia, it must first be able to see the position of the village in a positive frame of Indonesian law. The village had locked up the position in a condition when the centralized New Order era. After the Reformation the village notch placed only as an arm of government (central or local). The village notch and democracy began to be revived through Law No. 6 of 2014 on the village. The presence of the law brought to the village development paradigm, which previously TOP-DOWN into Bottom-Up or we said development based on the village itself.
- b) Village development paradigm change also brings opportunities and challenges for the village. The village had the opportunity to perform in accordance with the overall development needs. In the other side, the village also gets additional funds from the state budget to manage the village. On the other hand changes the concept of village development, brought with it the challenge. The village is obliged to have qualified human resources, strengthening of institutions, and strengthening civil society. At the end of the obligation can be elaborated through deliberation as the essence of Village democracy. At the end if the village can't answer the challenge from

transformation, it will make village stuck in very crucial problems. Village will always depend on the government (local and central). Then, lot of village government will stuck in corruption problems because incapacity to manage village funds from the state budget.

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- [5] When viewed history as the era of kingdoms suppose Indonesia. Society is divided into social classes that are clear and assertive role. Society, for example in the Hindu kingdom era divided on caste brahmin, Kshatriya, Vaishya, and sudra. Thus opening the possibility for equal participation would be impossible. When society was also miss the conception of equal rights of participation. They already believe that that can lead only nobles, who can teach religion only the brahmin, and so on. Even in stories of the ancient Hindu literature is told every king and patrician class is the embodiment of a god who descends to earth to eradicate anger.
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- [16] F Budi Hardiman, 2009, *Demokrasi Deliberatif Menimbang Negara Hukum dan Demokratis dalam Teori Diskursus Jurgen Habermas*, Kanisius, Yogyakarta, page 129.
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- [18] Naskah Akademik UU Desa, page 31
- [19] BPD as long as this has no effect on the changes and development of the village. BPD is like just a bunch of village elders who have positions without authority. Such conditions can not be denied political detracted from existing village government in the New Order era. The whole village in the archipelago forced to accept Javanization understand. Robinson revealed that the Indonesian bureaucracy inherited culture or traditions of Java, which is expressed in two presuppositions: a) The nature of the New Order government can be described fundamentally in terms of durability continuity perspective Javanese culture that shape the political behavior of officials or bureaucratic elite; b) The identity and structure of the political groups and the nature of political conflict that is determined by the relationship ie patrimonial patron-client structures that are personal and are arranged vertically. See Mahfud Md, 1993, *Demokrasi dan Konstitusi di Indonesia*, Liberty, Yogyakarta, page 110-111. As with the R William Liddle, he found the New Order only view the world through the lens of traditional Javanese culture that resulted in them not being able to take the necessary steps to achieve the goal of modernization, namely autonomy, economic growth, and bureaucratic rationalization. Ibid, page 111. See too Frans Magnis Suseno, 1995, *Mencari Sosok Demokrasi*, Pt Gramedia Pustaka, Jakarta, page 12. If then the patterns of the New Order still maintain lush, village chief in terms of power must be monitored and restricted. Without oversight and accountability of the village will fall into the abyss of corruption and feudalistic. Anti-feudal spirit must be upheld as disclosed Bung Hatta. Nobility and feudal power actually facilitate colonialism.
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AN ANALYSIS OF LOCAL COMMUNITY EMPOWERMENT PROGRAM: A CASE OF SOTA DISTRICT OF MERAUKE, PAPUA

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ABSTRACT - Village Development Strategic Plan (*Respek*) was aimed to accelerate the process of poverty reduction in Papuan communities. The program used special autonomy finance for Papua province. The study focused on the policy implementation of *Respek* Program in the empowerment of local community economy in the district of Sota, Merauke regency, Papua. The objective of the study was to find and analyze information about (1) the implementation of *Respek* program, (2) factors playing roles in the implementation of *Respek* program, and (3) the role of *Respek* program in the practices of community-based economy empowerment. Data were collecting by means of observation and interview. Findings showed that program implementation was in line with the theory and that infrastructure and facilities were insufficient, and hence inhibited program implementation. Program implementation was not directly related to the enhancement of (the practices of) community-based economy.

keywords: Economic Empowerment, Local Community, Papua.

1. BACKGROUND

Local community empowerment, including economic empowerment, is a priority in a lot of countries as formulated in the public planning and policy. Good public planning and policy has been believed to bring about increasingly equal economic development of the community. Economic development-oriented policies decrease striking differences between poor and rich community members or areas.

In Indonesia, one of national community empowerment programs was *Program Nasional Pemberdayaan Masyarakat Mandiri* (hereafter, PNPM Mandiri) [1] which included several programs: (a) *PNPM Mandiri Pedesaan* in rural areas; (b) *PNPM Mandiri Perkotaan* in urban areas, and (c) *PNPM Mandiri wilayah khusus dan desa tertinggal* in underdeveloped areas. These three programs were intended to accelerate the growth of urban and rural, and underdeveloped areas, and at the same time to narrow the gap between the rich and the poor.

Reports on the implementation of PNPM Mandiri program in Papuan are still limited among others were written by Intan Sumiyati [2] for *PNPM Mandiri Pedesaan*, Febriany Katharina [3] for *PNPM Mandiri Perkotaan*, and Suebu [4] for villages in special areas in Papua. The three have not studied the relationship of the programs with sustainable community-based economy empowerment. Whereas community-based economy is one of the key factors in reducing economic gaps.

This article contains the report on the implementation program community-based economy empowerment in special areas and underdeveloped villages.

2. RESPEK PROGRAM

Papua province's government synergized PNPM Mandiri with Provincial Government Program utilizing special autonomy finance. This synergized program was known as *PNPM Mandiri Rencana Strategis Pembangunan Kampung (Respek)*. It is a kind of community empowerment program based in villages. It was initiated by the Papuan provincial government in 2007.

In the Technical Guidelines and Explanation of PNPM Mandiri RESPEK (2008), the general aim writes: "To continuously accelerate copying with poverty towards the economically autonomous communities by means community capacity and institutions building in order to realize the main programs of development concept, human centred in: food and nutrient, health, education, community economy, gender mainstream, and basic infrastructure.

Respek program was *bottom-up* in its approach, program and financial activities started from villages. Provincial government just provided finance according to the proposal of the community. The provincial government allocated direct financial assistance or *Bantuan Langsung Masyarakat* (hereafter, BLM) for every village in the province as much as IDR 100,000,000.00 (one hundred million rupiahs), and IDR. 100,000,000.00 for every district for operational fund [4].

In the process of *Respek* program implementation, villages were determined as the program focus (in program planning, implementation and control). Community was the policy maker, decision maker and the main actor of the poverty elimination. PNPM Mandiri *Respek* started in 2007, and 28 regencies and 385 districts were included. After years of

implementation the number of poor population in Papua decreased by 10.41 %.

The main priorities of Respek program were t of (1) Improvement of Nutrient; (2) Improvement of Basic Education; (3) Basic Health Care; (4) Increase in Jobs; and (5) Basic Infrastructure.

According to Papua's governor's decree No. 180 Year 2012 [5] Merauke regency received BLM of 21,139,100,000.-. Sota district IDR 661,91,.000.- to be used to finance to fund programs in five villages. However, the implementation was not optimal, because there were problems faced in education, health, community-based economy empowerment, and improvement of infrastructure.

3. RESEARCH METHODOLOGY

The present study focused on gathering information to be analyzed to find out: (1) implementation of Respek program, (2) factors playing roles in the implementation program of Respek program, and (3) the role of Respek programs in the increase the

autonomy of community-based economy in Sota District. The collection and analysis of the data on the three components were done in the following ways.

3.1 Respek program Implementation

Program implementation is one of the step in the process of public policy making as claimed by Ripley [6 page 49]. Information on the process of PNPM Mandiri Respek program implementation was collected by means of observation and interview. The question used as reference was "was the program implementation in the following order:

- (i) *Program Initiation*
- (ii) *Formation of Program implementing Organisation*
- (iii) *Activity implementation*

3.2 Influencing Factors

Influencing factors were identified using the model of public policy implementation according to Edward III [7 page 9] shown by Figure 1. Information from the field was collected by ways of observation and interview to actors and informants.

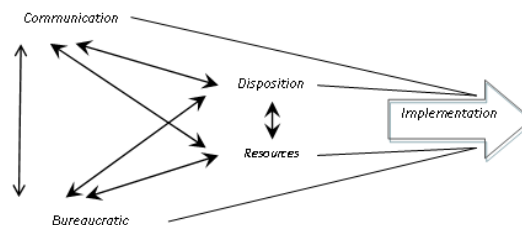


Figure 1 : Public Policy Implementation Model according to Edward III.

Based in the model above, influencing factors analyzed are as follows.

(i) Communication

Three issues were the focus of the communication: 1) Transmission; 2) Consistence; 3) Clarity.

(ii) Resources

The focus of resources comprises 1) Human resource (HR); It does not matter how much information we have if the quality of HR is poor. It does not matter how clear and consistent the conditions and references of the policy if the ability of the implementer in the implementation is poor, the program implementation will not be effective and successful. van Meter and van Horn [8] contend that certain stages in the implementation process is subject to the availability of HR with sufficient ability in information. 2) Public facilities; infrastructure and facilities are helpful in accelerating the process of activity implementation, so that program implementation will be efficient.

(iii) Attitudes of Implementers

Attitude of implementers to the effects of implementers on effective implementation of policy is supported by [8].

(iv) Bureaucratic Structure

Bureaucratic Structure reflect the characteristics of the organization's work relationship flow and relationship structure. Bureaucratic structure organizes the human resource in their activities to achieve objectives. In

line with Edwards III (1980), the focus of analysis of the bureaucratic structure in this study was pm the Standard Operating Procedures (SOP) and Fragmentation. These focuses contain the basic characteristics of the bureaucracy in the organization of implementing policy. One of the characteristics of the bureaucracy is disposition that Edward III claimed to be possessed by policy implementers, including being committed, honest, communicative, intelligent, and democratic.

3.3 Economy empowerment Practice

The main objective of the Respek program was the empowerment of community-based economy. Whatever the program and however good the program implementation will not be of any effect if the empowerment of the community-based economy has not been achieved. The relation between community economy empowerment program and practice were based on five aspects of economy empowerment approach according to Hutomo [9]. The five aspects are (1) assistance in rolling capital; (2) assistance in production infrastructure development and marketing; (3) capacity building of local business organization; (4) strengthening and establishment of business partnership; and (5) Facilitation by the assistant. Information Implementation about Respek program related to the empowerment of community-based

economy yang was obtained by way of observation and interview to the implementer and informant.

4. FINDINGS AND DISCUSSION

This study focused on the finding of information and the analysis of: (1) implementation of Respek program, (2) factors playing roles in the the implementation of Respek program, and (3) the role of Respek program in improving the community-based economy in Sota district. The findings are presented subsequently as follows.

4.1 Implementation of Respek program

The proses of the implementation of PNPM Mandiri Respek program in Sota District as follows:

(i) Program Initiation

Process was done through several stages of communicating of the main parts of the program. Community figures started initiatives in internal meetings at village level. The results of the meeting were taken to the board of the program at district level for further identification. At this stage, the form of program, recipients, and the amount received was already fixed and formulated before further operational implementation took place.

(ii) Formation of Implementing Organization of the Program

Due to the “bottom-up” characteristics of Respek program, the primary implementer of the program, was the member of village community as decision makers. The district and regency implementers played the role of assistants, supervisors, and mentors. The lack of capable personnel available to fill the village board of organization was the problem since the community members were dominantly farmers and gatherers.

(iii) Activity Implementation Stage

Activities were done according to the Operational Technical Guidelines (PTO) for Respek program, containing nine stages: 1) district meeting, 2) village meeting for publicity 3) planning meeting with community, 4) village meeting for implementation preparation, 5) funds liquidation mechanism, 6) building infrastructure/facilities, 7) expansion of business opportunities, 8) village meeting for accountability, and 9) village meeting for transfer.

4.2 Influencing factors

Influencing factors analyzed were 1) communication; 2) resources; 3) implementers' attitudes, 4) bureaucratic structure, and 5) sociopolitical and economic conditions.

(i) Communication

There issues of communication were focused. 1) Transmission; it was found that the transmission of information from policy holder to *target groups* was not optimal due to infrastructure and transportation condition and community members whose livelihood requiring them to frequently stay in the forest. 2) Consistency; technical guidelines and other policies were consistently implemented, in spite of adjustment due to situational condition. 3) Clarity; information about the program was clearly publicized. The

majority of the informants thought that they understood the objective, scope, and target of the program. .

(ii) Resources

With regard to resources, three things were focused: 1) Human resources; quantitatively, there were sufficient people for program implementation. However, qualitatively, their level of education was low. 2) Public facilities; existing infrastructure and facilities did not support the activities optimally, and this inhibited program implementation. 3) Funds allocation; (presented in Table 1. All funds were utilized for public facilities, education and health, production facilities/infrastructure, business capital, etc., but none were for activities related to economic empowerment.

(iii) Attitude of Implementers

The implementers had strong desire to make the program succeed. This was indicated by rapid publicity they did. The strong desire was inhibited by limited facilities and means of transportation.

(iv) Bureaucratic Structure

Bureaucratic Structure focused on two things: 1) Standard Operating Procedures (SOP); SOP was implemented and publicized with modification according to local needs. Because of modification of standard, implementers were more responsive to various local needs, which affected affect the success in implementation. 2) Fragmentation; Direct involvement of the officials reduced fragmentation. Communication was really needed to avoid coordination problems. It was also found that despite the absence of fragmentation of coordination and accountability, the top coordination and accountability was in the hand of Papua province not in the hands of stakeholders implementing Respek program in Sota district.

(v) Sociopolitical and economic environment

1) Sosio-culture condition; *kanum*, ‘obeying the elder’ as a cultural value of the society became a supporting factor for smooth implementation of Respek. Approaches to religious and social figures, village heads, and traditional figures contributed positively to the implementation of the program. Interviews with religious figures showed informed that local cultural influence basically did not negatively affect the policy implementation. However, the implementation of projects in the form of grants has created new attitude, i. e. dependency. This indicates that government projects without competent assistants, will negatively affect the implementation. 2) Economic condition; community members were submissive to poverty. According to Kartasasmita [10 page 258] poor communities need to be trusted to make decision on what they think the best for them. This became the reference of Respek, which was “*bottom-up program*”. 3) The political condition of the community; the characteristics of the local political structure did not affect Respek implementation. The community focused on empowerment programs, since they needed help for empowerment. They focused on the

proposal for empowerment, rather than on the who propose the program.

4.3 Economic empowerment practices

Only half of the implementation of Respek in Sota related to economic empowerment was on infrastructure construction. Generally, the

implementation of the program did not touch these five aspects: (1) continuous capital aids; (2) aids for establishment of production infrastructure and marketing; (3) improvement of the capacity of local business institution; (4) establishment and of business partners; and (5) facilitation from the assistant

Table 1. Realisation of Respek program funds based on District Sota Activities, year 2012

Group	Amount of Funds (IDR)	Percentage (%)	Remarks
Public infrastucture	1.364.594.200,-	77,98	completed
Education - Non infrastructure	101.496.000,-	5,80	completed
Health infrastructure	197.018.300,-	11,26	completed
Health – non infrastructure	86.891.500,-	4,96	completed
TOTAL	1.750.000.000,-	100	

5. CONCLUSION

After studying the implementation of Respek program in the District of Sota, Merauke regency, Papua and its relation with community-based economy empowerment and influencing factors, it was found that the program implementer was able to implement the program according to the theory, that is, based on these stages: initiating the program, forming program implementer organization, and finally carrying out the activities.

In realtion with community-based economy empowerment, the program implementation only reached the establishment of infrastructure. However, at the level of implementation, the program did not directly touch the five dimentions of economic empowerment: (1) continuous capital aids; (2) aids for establishment of production infrastructure and marketing; (3) improvement of the capacity of local business institution; (4) establishment and of business partners; and (5) facilitation from the assistant.

Dominant factors influencing effective implementation of Respek program were human resource (HR), and infrastructure and facilities. The number of HR was sufficient, but the level of education was low. With low level of education they could still implement the program in line with the theory, but the implementation was not effective and efficient. Infrastructure and facilities available were very limited. Limited transportation facilities, in particular, very much inhibit the program implementation.

Therefore, it is suggested that in the future, in the implementation of bottom-up programs, the government prioritize training for assistants for program implementation, and prioritize the building of

basic infrastructure and facilities by the government. It is also suggested that in the implementation of Respek program, the government ask the implementer to pay attention to the five dimensions of economic empowerment approach.

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AN USING E-CRM TO IMPROVE MARKET VALUE COMPANIES (RESEARCH STUDY EF BANDAR LAMPUNG)

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ABSTRACT - *E-Customer relationship management can help organizations manage customer interactions more effectively to maintain competitiveness in the present economy. As more and more organizations realize the significance of becoming customer-centric in today's competitive era, they adopted E-CRM as a core business strategy and invested heavily. E-CRM, an integration of information technology and relationship marketing, provides the infrastructure that facilitates long-term relationship building with customers at an enterprise-wide level. Successful E-CRM implementation is a complex, expensive and rarely technical projects. This paper presents the successful implementation of E-CRM from process perspective in a trans-national organization with operations in different segments. This study will aid in understanding transition, constraints and the implementation process of E-CRM in such organizations.*

keywords: *Customer Relationship Management, Customer, E-CRM, Implementation*

1. INTRODUCING

When Company come to business competitiveness, company need effective way to caging costumer. Company need evolution way to long term resist the costumer needs. CRM are complex concept to keep the costumer relationship with the companies. Most of company too focus on their product without concern to costumer wants. With Relation Management company can focus on costumer instead, service, ensuring company product , and make satisfaction.

Study Literature

CRM related with marketing, selling and services CRM based Kalakota and Robinson (2001) is “integration of marketing, selling, and serving strategy “ By the transformation of technology CRM concept are modernize with Technology content. We can see profile, data contact, and various need’s costumer. CRM based Laudon and Traver (2002) is “as a recorder costumer contact and information related customer and companies, costumer profile for company staff necessary need”. Costumer have facilitates to accommodate they need into companies. Companies will understand product fix distribute to public. Based Smith and Chaffey (2005) “E-CRM is CRM, both is not only talk technology and database, either process or way out, but fundamental requirement to fulfill costumer culture”.

2. APPROCHING

Business engineering refers to the development and implementation of business solutions. from business model to business to business process, and organizational structure to information system and information Technology.

With business engineering we can choose the best way what the company should do for market value.

By Business Engineering we can transform industrial Society into information Society.

Bussiness Engineering (BE) is structural approaching to solve business tranformation process into business model based a modern neccesarry life.

Schierholz method is a structured method that can be used to mobilize CRM. This method is a synthesis from other existing methods which cover all aspects in Business Engineering Framework and with special characteristic that can guard the mobilization process always align with company’s goal.

Schierholz Method, *mobile CRM* with use internet technology to use. This Method based on high value costumer.

- Price*
- Costumer intimacy*
- Accessibility*
- Innovativeness*
- Product quality*

Business Engineering Activities

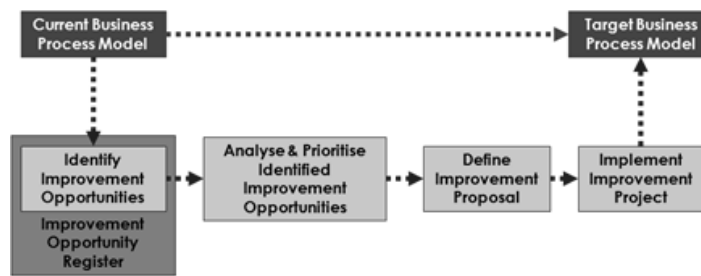


Fig.1 : Business Engineering Activities

Content.

Based on kurniawan : 2009 CRM classified into three component.

a. Operational CRM

Acquire. Easy way to get new customer by give an easiness to access information, new innovation, and interesting service.

b. Analytical CRM

Known as a back office of company, this application work to analyse market and costumer, to know trending market is happening, knowing all the costumer needs.

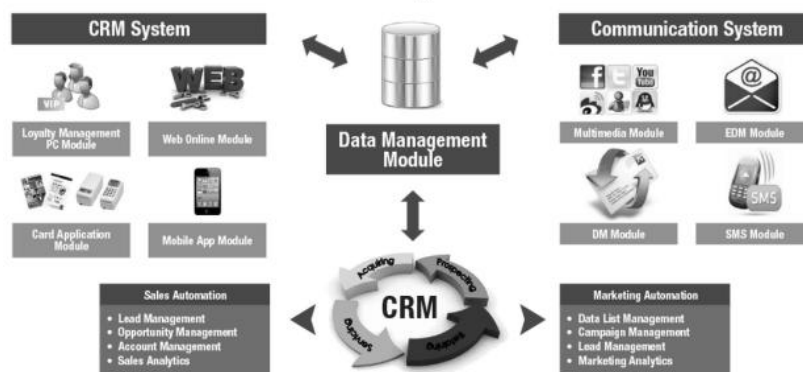
c. Collaborative CRM

Application collaborative CRM such as email, personal publishing, e –community made to interact costumer from the companies.

E-CRM application build from CRM fase by following :

- Acquire. A registration tab plan to attract new costumer for join to this company give some advantage, this strategy use to offer new product of company. Frequently Ask Questions This part is serve a various question wich often costumers ask.
- Enhance. By call the costumer after they put their mobile phone in registration tab. This is opportunity company to attract the costumer by phone.
- Retain. By controlling the attendance, activity in the class, company can contact the costumer as student if they don't join to this company anymore . this also the chance company to hear costumer complain with, and costumer. Problem why the don't join anymore. if costumer satisfie the will keep join as active student.

Planning



http://www.rewrite.com.hk/?page_id=8635

Fig. 2: CRM Combination

Implementation

To Applicate E-CRM concept we have to follow the flow of manage company's human resources become a modern.

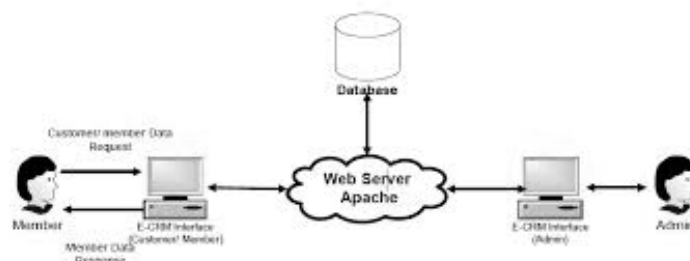


Fig. 3: Network CRM

This scheme describe the costumer relationship to company. Costumer see company profile product. Questioning how to join with the company. Admin of the company see the question by E-CRM answering and follow up what the costumer needs. Costumer satisfie and company get income.

This is sample E-CRM applicate on EF English First Company. Website are various content. On contact

history there is a record service activity toward costumer .

EF is Education English Course Company. The existing this company is depend on the student increase and retain. This company should treat costumer as a student by remind the birthday, and keep contact him to solve student difficulties. They satisfied with the service they will keep retain to this company.

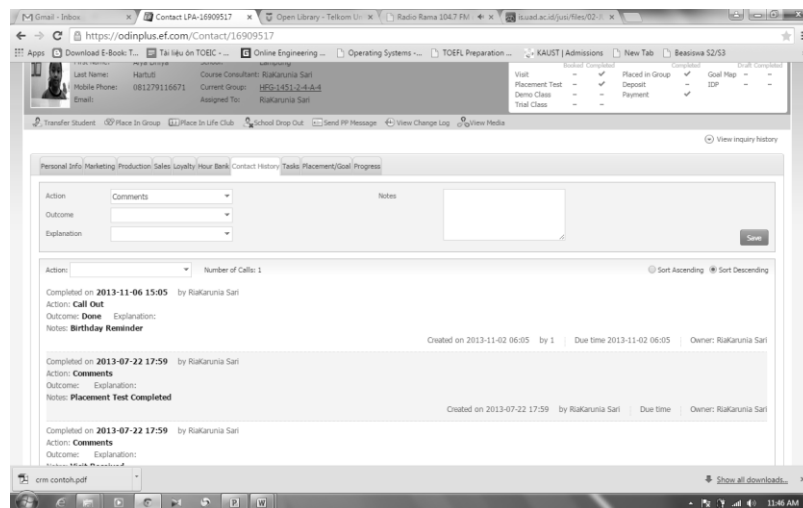


Fig. 4: Sample CRM

EF English First also expanding the relationship the bigger costumer family. This is market value to their other costumer who doesn't yet join with this company. By EF.Parents.Com Parents of costumer

will see how the improvement student after join this company. All activity student in class uploaded by the costumer

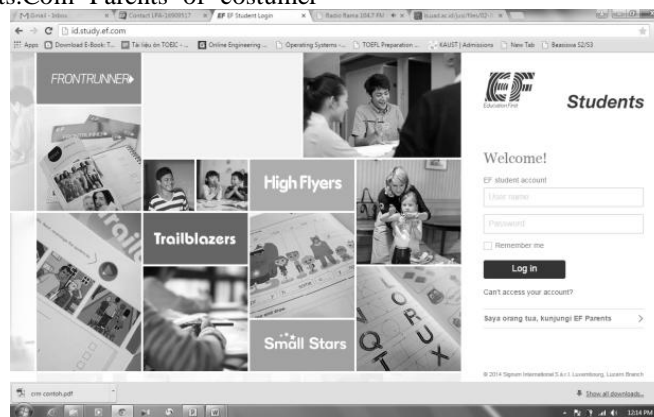


Fig.5: Sample CRM

3. CONCLUSION

An using E- CRM Technology need modern human resources and database as a company's costumer source . Make chance to be an opportunity use e-CRM technology with manage costumer as economic asset, Focus on build loyalty, and opportunity relationship.

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ANALYSIS OF THE QUALITY OF PUBLIC HEALTH FIELD

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ABSTRACT - Community Health Center (Puskesmas) as providers of health care for the basic level in Indonesian society serves to maintain and improve public health. Through professionalism in the health centers provide health services, is expected to satisfaction of the public, especially the patients can continue to increase. The problem in this research is: What is the quality of health services provided Inpatient Health Center Kedaton Bandar Lampung. The aim of this study is to determine the quality of health care provided Inpatient Health Center Kedaton Bandar Lampung. Metode research used in this research is quantitative descriptive. Data collection method in this research is by way of literature study, observation, interviews, questionnaires and documentation. In this study using the technique of importance and performance analysis and determined the \bar{X} (the average of the scores level performance) and \bar{Y} (average of score of the level of interest) to further test the hypothesis that through t test or t test. The results showed that the overall satisfaction of patients Inpatient Health Center Kedaton Bandar Lampung well, but found a gap in the patient satisfaction factors justice delivery of health services for all patients. Furthermore, factors such facilities properly implemented, the responsibility of the officer, speed of service, and friendliness of the clerk. But to factors such as the provision of means of communication, the implementation of the basic rate for the patients, and timeliness of services, execution performance and interest rated mediocre or quite as well as to the certainty factor schedule of service and courtesy clerk, the patient considers these factors are excessive because it actually does not are expected by the patient.

keywords: Services; Public; Health; Patients; Performance

1. INTRODUCTION

The realization of a healthy state is the will of all parties. Not only by individuals, but also by families, groups and even communities. In order to achieve optimal health status, then efforts must be undertaken, one of which is to organize health services. Health service delivery to the public at the basic level in Indonesia is through the Community Health Center (Puskesmas) which is a unit of functional organization of the District Health Department / Municipal and given responsibility for public health as the manager of each of the districts of the regency / municipality bersangkutan. Pelayanan health is a factor important to improve the health and well-being of every person in the whole world. Everyone has the right to obtain health services and the government responsible for the availability of all forms of quality health efforts, safe, efficient, and affordable by all segments of society (Article 19 of Law No. 36 of 2009) [1]. One of these efforts is to increase the availability and equitable distribution of basic health care facilities such as health centers in each region. (Bappenas, 2009) [2]. Community Health Centres (PHC) as the organizer of the first-level health efforts have a responsibility in providing health services to the entire community that is administratively domiciled in the working area. With the expected community health centers can obtain quality health services with the easiest access and affordable cost. (Bappenas, 2009). In the era of globalization, the dynamics of the business world is getting harder and tighter, including in the field of health care in this clinic. The higher the level of education and socio-economic condition of society, the needs and demands of society would seem increasing health as well. To be able to meet the needs and demands, no other efforts that can be done, except

for health service delivery are the best of health institutions baiknya. Sebagai mission to improve public health, the health center has been instrumental in maintaining and improving public health. The trust given by the people and government on the health center is an honor and a heavy mandate and tasks that must be implemented in earnest and a heart full of sincerity, especially with the development of science and technology in the field of health, the health center is required even harder to try and improve professionalism in work, especially in providing health care to his patients. Services that have been applied in this health center is to give a smile, a greeting, greet, polite and courteous (5 S) to every patient who comes to the clinic, provide good service examination in any patient who comes to treatment so as to give the impression of a familiar and comfortable as well as do not give rise to a sense of concern for the patient against the illness and trying to provide the best treatment for the patient's illness, gave the service accurately and quickly to every pasien. Adanya shape health services provided by the health center patients are expected to be able to provide its own assessment to the health center. If the services are provided in accordance with the desired, then the patient will be satisfied, if the opposite happens, it will cause the patient to seek treatment to lose interest and this will cause the patient to have a negative image to the health center, which will result in decreasing the number of patients will ultimately lead to a reduction in profits. The quality level of service to patient satisfaction is a complete process, which in turn will involve the overall management of health centers. Then the concept of health centers need to be updated and improved, so that it can manifest quality health services, affordable, effective, and efficient, equitable.

So it can be said that in this era of globalization thinking scientists and practitioners focused on how to provide excellent service berkualitas. Pelayanan the demands of society, in line with the increased need and awareness in the life of the state and society as the impact of advances in information technology. High quality is a demand, not only in business activities, but also in the service activities of government institutions are resistant to the demands of service quality as well publik. Demikian Puskesmas Inpatient Kedaton Bandar Lampung, as one of the health centers in the city of Bandar Lampung who provide health services should maintain service quality to patients according to standards that have been set so that the level of satisfaction of patients can continue to increase. Based on the data obtained during the pre-authors of research, due to its strategic location then visit Inpatient Health Center Kedaton be quite crowded. This is evident from the data of patient visits Kedaton Inpatient Health Center in 2013, amounting to 67 222 people (profile Kedaton Inpatient Health Center in 2013) [3]. In addition, based on the observations of the authors in the pre-research, visible also from the aspect of health care quality outcomes standardization of input, process and output in real quantitative generally been in accordance with established standards.

However, the authors find there are still people who use community health centers are less satisfied with the capacity and quality of service received. It accordance with the results of the research centers Strategic Studies and Public Policy (Pussbik) Lampung from December 2012 until March 2013 mention of Bandar Lampung complained of health services that there is in this city devoted to the government-owned hospitals and private, and community health centers in the city of Bandar Lampung. The result of the study also found five criteria into public complaints against the health service that covers the high cost of treatment; the behavior of doctors, paramedics, and EMTs or health centers; limited health infrastructure; administrative procedures are cumbersome and lack of certainty of the time; as well as the requirements needed services tend bother some community. Based the above description, it appears the importance of service quality from the aspects of patient satisfaction as standardized achievement outcomes the focus of research by the author does. Based of it was the writers interested in writing a thesis titled "ANALYSIS OF THE QUALITY OF PUBLIC HEALTH" (Study on Inpatient Health Center Kedaton Bandar Lampung).

2. MATERIALS AND METHOD

Quality of service is measured by 5 (five) dimensions or indicators of service quality by Parasuraman, Zeithaml and Berry among them:

1. Tangibles,
2. Reliability,
3. Responsiveness),
4. Assurance (beliefs), and

5. Empathy .

Furthermore, the scale used to measure the quality of service or the performance of health services and patient satisfaction is an interval scale, the scale of which has a fixed base among respondents offered. The interval scale is a main scale used in the survey of the performance of health care and patient satisfaction. In the data analysis, a technique used importance vs performance analysis (interests vs. customer satisfaction / performance). The formula used is:

$$Tki = \frac{Xi}{Yi} \times 100\%$$

Where:

Tki = Suistability respondents

Xi = Score assessment of performance / quality of health center services Kedaton

Yi = the interest of patient assessment score

The level of conformity of respondents is what will affect the order of priority to improve the factors that influence satisfaction pasien. Selanjutnya, the horizontal axis (X) will be filled by a score of importance. In the simplification of the formula, then for each of the factors that affect customer satisfaction are:

$$\bar{X} = \frac{\sum Xi}{n}$$

$$\bar{Y} = \frac{\sum Yi}{n}$$

Where

\bar{X} = Score average level of performance / quality of service

\bar{Y} = Score average rate of interest

n = number of respondents

where \bar{X} is the average of the scores and performance levels across the \bar{Y} factor is the average of the scores level the interests of all the factors that affect customer satisfaction. Altogether there are 10 factors. Where K = 10.

$$\bar{X} = \frac{\sum_{i=1}^n \bar{X}_i}{K}$$

$$\bar{Y} = \frac{\sum_{i=1}^n \bar{Y}_i}{K}$$

Where K = number of factors that could affect customer satisfaction. Furthermore, these elements will be outlined and divided into four sections into Cartesian diagram as in Figure 3 below:

	Top Priority	Maintain Achievement
Y	A	B
	C	D
X	Maintain Achievement	Excessive
	X Satisfaction	

Figure 1 Diagram Cartesian Y Interests

Specification:

- A. Shows considered factors affecting customer satisfaction, including elements of the services that are considered very important, but management has not done according to customer wishes. So disappointing or dissatisfied customers.
- B. Shows the basic service elements that have successfully implemented the organization / company, for it shall be maintained. Considered very important and very satisfying.
- C. Shows some factors that are less importance for the customer, implementation by the organization / company mediocre. Considered to be less important and less satisfying.
- D. Shows factors that affect customer is less important, but its implementation excessive. Considered to be less important but very satisfying.

3. RESULT AND DISCUSSION

3.1. Assessment of Performance / Quality of Service (variable X)

1. *Tangibles*

Table 1 Respondents Assessment on the Quality of Health Care Facilities

Scale	Frequency	Bobot	Skor
Excellent	16	5	80
Neither	72	4	288
Enough	19	3	57
Less than	5	2	10
Highly Less than	1	1	1
Total	113		436
Average score	3,86		

Source: Data processed, 2014

Based on Table 1 above shows that respondents who consider the variable quality of health care facilities are very good 16 patients, both 72 patients, 19 patients enough, less than 5 patients and 1 patient considers very less.

Table 2. Respondents Assessment on the Quality of Provision of Communication Equipment Health Care Facilities

Scale	Frequency	Weight	Sore
Excellent	20	5	100
Neither	47	4	188
Enough	25	3	75
Less than	20	2	40
Highly Less than	1	1	1
Total	113		404
Average score	3,58		

Source: Data processed, 2014

Based on Table 2 above shows that respondents who consider the variable quality of the provision of communications equipment of health care facilities are very good in 20 patients, both 47 patients, 25 patients enough, less than 20 patients and were regarded much less one patient.

Table 3. Respondents Rate Application Rates Against Enforced Patients Association

Scale	Frequency	Weight	Sore
Very Affordable	16	5	80
Affordable	58	4	232
Affordable enough	24	3	72
Less Affordable	14	2	28
Not Affordable	1	1	1
Total	113		413
Average Score	3,65		

Source: Data processed, 2014

Based on Table 3 above shows that respondents who consider the application of a variable base rate of patients who applied a very affordable 16 patients, 58 patients affordable, reasonably priced 24 patients, 14 patients less affordable and that consider unreachable 1 patient.

2. *Reliability*

Table 4. Respondents Assessment Officer Responsibility Performance Against Health Care

Scale	Frequency	Weight	Sore
Excellent	12	5	60
Neither	67	4	268
Enough	30	3	90
Less than	4	2	8
Highly Less than	0	1	0
Total	113		426
Average score	3,77		

Source: Data processed, 2014

Based on Table 4 above shows that respondents who consider the variable performance of the responsibility of health care workers is very good in 12 patients, both 67 patients, only 30 patients, 4 patients and were less severely lacking assume nothing.

Table 5. Respondents Rate Timeliness Performance Against Health Care

Scale	Frequency	Weight	Sore
Excellent	17	5	85
Neither	53	4	212

Enough	41	3	123
Less than	1	2	2
Highly Less than	1	1	1
Total	113		423
Average score	3,74		

Source: Data processed, 2014

Based on Table 5 above shows that respondents who consider performance variable timeliness of health care is very good, 17 patients, 53 patients either, quite the 41 patients, less than 1 patient and which assumes much less one patient.

3. Responsiveness

Table 6. Respondents Against Speed Performance Assessment Health Care

Scale	Frequency	Weight	Sore
Excellent	21	5	105
Neither	65	4	260
Enough	16	3	48
Less than	9	2	18
Highly Less than	2	1	2
Total	113		433
Average score	3,83		

Source: Data processed, 2014

Based on Table 6 above shows that respondents who consider variable speed performance very good health 21 patients, both 65 patients, 16 patients enough, less than 9 patients and were regarded very less 2 patients.

Table 7. Respondents Assessment Schedule Certainty Performance Against Health Care

Scale	Frequency	Weight	Sore
Excellent	14	5	70
Neither	70	4	280
Enough	26	3	78
Less than	1	2	2
Highly Less than	2	1	2
Total	113		432
Average score	3,82		

Source: Data processed, 2014

Based on the table 7 above shows that respondents who consider performance variable schedule certainty excellent health services 14 patients, both 70 patients, 26 patients enough, less than 1 patient and who consider much less two patients.

4. Assurance

Table 8. Respondents Against Decency Performance Assessment Officer Health Services

Scale	Frequency	Weight	Sore
Excellent	22	5	110
Neither	61	4	244
Enough	24	3	72
Less than	6	2	12
Highly Less than	0	1	0
Total	113		438
Average Score	3,88		

Source: Data processed, 2014

Based on Table 8 above shows that respondents who consider performance variable courtesy excellent health care workers 22 patients, both 61 patients, 24 patients enough, approximately 6 patients and which considers there is no very less

Table 9. Respondents Assessment Officer Hospitality Performance Against Health Care

Scale	Frequency	Weight	Sore
Excellent	19	5	95
Neither	67	4	268
Enough	17	3	51
Less than	8	2	16
Highly Less than	2	1	2
Total	113		432
Average Score	3,82		

Source: Data processed, 2014

Based on Table 9 above shows that respondents who consider hospitality performance variable excellent health care workers in 19 patients, both 67 patients, 17 patients enough, less than 8 patients and which considers much less two patients.

5. Empathy

Table 10. Respondents Rate Performance Against Health Care Provision Justice for All Patients

Scale	Frequency	Weight	Sore
Excellent	13	5	65
Neither	64	4	256
Enough	27	3	81
Less than	9	2	18
Highly Less than	0	1	0
Total	113		420
Average Score	3,72		

Source: Data processed, 2014

Based on Table 10 above shows that respondents who consider the variable performance of the hospitality excellent health care workers 13 patients, both 64

patients, 27 patients enough, less than 9 patients and were regarded very less no.

1. 3.2 Evaluation of Interest (variable Y) Tangibles (

Table 11. Respondents Importance Of Health Care Facilities

Scale	Frequency	Weight	Sore
Excellent	82	5	410
Neither	27	4	108
Enough	4	3	12
Less than	0	2	0
Highly Less than	0	1	0
Total	113		530
Average Score	4,69		

Source: Data processed, 2014

Based on Table 11 above shows that respondents who consider the variables of health care facilities is essential 82 patients, 27 patients important, fairly important 4 patients, whereas that consider less important and unimportant nothing.

Table 12. Respondents Importance Of Health Care Provision of Communication Tools

Scale	Frequency	Weight	Sore
Excellent	70	5	350
Neither	39	4	156
Enough	3	3	9
Less than	1	2	2
Highly Less than	0	1	0
Total	113		517
Average Score	4,58		

Source: Data processed, 2014

Based on Table 12 above shows that respondents who consider the variable provision of health care communication tools is very important 70 patients, 39 patients important, quite important 3 patients, less important one person, who considers unimportant whereas no.

Table 13. Respondents Importance Of Entry Basic Rate for Patients

Scale	Frequency	Weight	Sore
Excellent	59	5	295
Neither	33	4	132
Enough	8	3	24
Less than	12	2	24
Highly Less than	1	1	1
Total	113		476
Average Score	4,21		

Source: Data processed, 2014

Based on Table 13 above shows that respondents who consider the application of a variable base rate is very important for patients 59 patients, 33 patients important, quite important 8 patients, 12 people less important, and not important 1 patient.

2. Reliability

Table 14. Respondents Importance Of Health Care Officer Responsibilities

Scale	Frequency	Weight	Score
Excellent	83	5	415
Neither	27	4	108
Enough	3	3	9
Less than	0	2	0
Highly Less than	0	1	0
Total	113		532
Average Score	4,71		

Source: Data processed, 2014

Based on Table 14 above shows that respondents who consider variables responsibility of health care workers is very important 82 patients, 27 patients important, quite important 3 patients, while that consider less important and unimportant nothing.

Table 15. Respondents Importance Of Health Care Timeliness

Scale	Frequency	Weight	Score
Excellent	69	5	345
Neither	41	4	164
Enough	3	3	9
Less than	0	2	0
Highly Less than	0	1	0
Total	113		518
Average Score	4,58		

Source: Data processed, 2014

Based on Table 15 above shows that respondents who consider variables timeliness of health care is very important 69 patients, 41 patients important, quite important 3 patients, while that consider less important and unimportant nothing.

3. Responsiveness

Table 16. Respondents Importance Of Health Services Speed

Scale	Frequency	Weight	Score
Excellent	83	5	415
Neither	23	4	92
Enough	7	3	21
Less than	0	2	0

Highly Less than	0	1	0
Total	113		528
Average Score	4,67		

Source: Data processed, 2014

Based on Table 16 above shows that respondents who consider variable speed health care is very important 83 patients, 23 patients important, quite important 7 patients, while that consider less important and unimportant nothing.

Table 17. Respondents Importance Of Certainty Schedule Health Care

Scale	Frequency	Weight	Score
Excellent	67	5	335
Neither	42	4	168
Enough	4	3	12
Less than	0	2	0
Highly Less than	0	1	0
Total	113		515
Average Score	4,56		

Source: Data processed, 2014

Based on Table 17 above shows that respondents who consider variable schedule certainty of health care is very important 67 patients, 42 patients important, fairly important 4 patients, whereas that consider less important and unimportant nothing.

4. Assurance

Table 18. Respondents Importance Of Modesty Officer Health Services

Scale	Frequency	Weight	Score
Excellent	71	5	355
Neither	32	4	128
Enough	10	3	30
Less than	0	2	0
Highly Less than	0	1	0
Total	113		513
Average Score	4,54		

Source: Data processed, 2014

Based on Table 18 above shows that respondents who consider variable schedule certainty of health care is very important 71 patients, 32 patients important, quite important 10 patients, whereas that consider less important and unimportant nothing.

Table 19. Respondents Importance Of Hospitality Officer Health Services

Scale	Frequency	Weight	Score
Excellent	79	5	395
Neither	29	4	116
Enough	4	3	12
Less than	1	2	2
Highly Less than	0	1	0
Total	113		525
Average Score	4,65		

Source: Data processed, 2014

Based on Table 19 above shows that respondents who consider variable schedule certainty of health care is very important 79 patients, 29 patients important, fairly important 4 patients, less important one patient, who considers unimportant whereas no.

5. Empathy

Table 20. Respondents Importance Of Giving Fair Health Care for All Patients

Scale	Frequency	Weight	Score
Excellent	80	5	400
Neither	28	4	112
Enough	4	3	12
Less than	1	2	2
Highly Less than	0	1	0
Total	113		526
Average Score	4,65		

Source: Data processed, 2014

Based on Table 20 above shows that respondents who consider variables equitable delivery of health services is very important for all patients 80 patients, 28 patients important, fairly important 4 patients, less important one patient, who considers unimportant whereas no.

Table 21. At the level of Conformity Factors Affecting Patient Satisfaction

No.	Factors Patient Satisfaction	Appraisal Performance	Appraisal Interest	Level Satisfaction (%)
1	Health Care Facilities	436	530	82,26
2	Provision of Health Care Communication Tools	404	517	78,14

3	Entry Base Rates for Patients	413	476	86,76
4	Responsibility Officer of Health Care	426	532	80,08
5	Timeliness of Health Services	423	518	81,66
6	Speed Health Services	433	528	82,01
7	Schedule certainty Health Services	432	515	83,88
8	Courtesy of Health Service Officers	438	513	85,38
9	Friendliness Officer Health Services	432	525	82,29
10	Granting Justice Health Care for All Patients	420	526	79,85
The average Level of Satisfaction				82,23

Source: Data processed, 2014

Table 22. Calculation of Average Performance and Interests On Factors Affecting Patient Satisfaction

No	Factors Affecting Patient Satisfaction	Performance	Interest
		\bar{X}	\bar{Y}
A	Tangibles		
1	Health Care Facilities	3,86	4,69
2	Provision of Health Care Communication Tools	3,58	4,58
3	Entry Base Rates for Patients	3,65	4,21
B	Reliability		
1	Responsibility Officer of Health Care	3,77	4,71
2	Timeliness of Health Services	3,74	4,58
C	Responsiveness		
1	Speed Health Services	3,83	4,67
2	Schedule certainty Health Services	3,82	4,56
D	Assurance		
1	Courtesy of Health Service Officers	3,88	4,54
2	Friendliness Officer Health Services	3,82	4,65
E	Empathy		
1	Granting Justice Health Care for All Patients	3,72	4,65
Total		37,67	45,84

Source: Data processed, 2014

Where K = number of factors that could affect customer satisfaction. The obtained results:

By using the formula:

$$\bar{X} = \frac{\sum_{i=1}^n X_i}{K}$$

and

$$\bar{Y} = \frac{\sum_{i=1}^n Y_i}{K}$$

$$1) \text{ For } \bar{X} = \frac{37,67}{10} = 3,77$$

$$2) \text{ For } \bar{Y} = \frac{45,84}{10} = 4,58$$

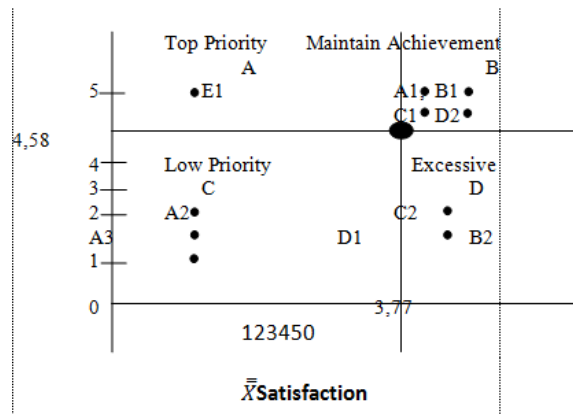


Figure 2 Diagram Cartesian

Based on Cartesian diagram above, then obtained the following results:

1. **Quadrant A**

Contained in this quadrant is:

- Justice Providing Health Care for All Patients (E1)

Factors which are in quadrant A handling this is a factor that needs to be prioritized by the Inpatient Health Center Kedaton Bandar Lampung, because the presence of this factor is considered very important by the patient, while the level of implementation has not been satisfactory.

2. **Quadrant B**

Contained in quadrant B are:

- Health Care Facilities
- Responsibility Officer Health Services Speed
- Health Services
- Hospitality Health Care Officer

The factors that are in quadrant B should be maintained, because the level of implementation has been in accordance with the interests and expectations of the patient, so as to satisfy the patient.

3. **Quadrant C**

Contained in quadrant C are:

- Provision of Health Care Communication Tools
- Application of Basic Rates for Patients
- Timeliness Health Services

The factors that are in quadrant C is the level of interest and performance rated mediocre or simply by patients Inpatient Health Center Kedaton Bandar Lampung.

4. **Quadrant D**

- Contained in quadrant D are:
- Certainty Schedule Health Care Courtesy Officer Health Services

The factors that are in quadrant D is considered excessive implementation, it is because the patient does not assume too important but implementation is done well.

Based on Cartesian diagram above, then obtained some findings as follows:

1. The highest quality level is courtesy of health care workers with a score of 3.88.
2. The level of the lowest quality is the provision of health care communication tool with a score of 3.58.
3. The highest level of interest is the responsibility of the health palayanan officer with a score of 4.71.
4. The lowest rate of interest is the application of the basic rate for patients with a score of 4.21.

In this research, hypothesis testing using t test, with the following formula:

$$t = \frac{\bar{X} - \mu}{\frac{S_d}{\sqrt{n}}}$$

$$S_d = \sqrt{\frac{\sum (x - \bar{X})^2}{n - 1}}$$

Specification:

t = critical areas

\bar{X} = Score average level of performance / quality of service

$S_{\bar{x}}$ = Standard error

Sd = standard deviation Sample / sample standard deviation (average deviation score of the sample to the sample average)

$\sum (x - \bar{X})^2 = SS$ (sum of squares)

n = number of respondents

Known μ based on the results of research Retno Dewi Indriaty Faculty of Economics, University of Diponegoro in 2010 about the *Analysis of Effect of Service Quality Health Center Patient Satisfaction* at an average patient satisfaction score was 16.81. Maka hasil perhitungan uji t adalah sebagai berikut :

Table 23.T test calculations

X	X - \bar{X}	(X - \bar{X}) ²
436	398,33	158664,7
404	366,33	134195,8
413	375,33	140870,7
426	388,33	150798,2
423	385,33	148477,2
433	395,33	156283,8
432	394,33	155494,1
438	400,33	160262,1
432	394,33	155494,1
420	382,33	146174,3
4257	3880,274	1506715

Preparation of mathematical hypotheses:

$$H_0 : \mu_1 = 16,81$$

$$H_1 : \mu_1 \neq 16,81$$

Calculation of standard error:

$$Sd = \sqrt{\frac{1506715}{112}} = 115,98626$$

$$S_{\bar{x}} = \frac{115,98626}{10,630146} = 10,911069$$

Thus, t is:

$$t = \frac{37,67 - 16,81}{10,911069} = 1,912055 = 1,91$$

If consulted with t table at $n = 113$, $\alpha 0.10$ is 1.658, thus t is greater than t table ($n = 113$, $\alpha 0.10$), significantly. So H_0 rejected and H_1 accepted meaning that the quality of public services in the health sector Inpatient Health Center Kedaton against the sample can be generalized to the population so that it can be concluded that the quality of health care in health centers Inpatient Kedaton including both categories namely Patient Satisfaction Index by 82.23% in the interval (80% -100%).

4. CONCLUSION

Based on the quantitative descriptive analysis that has been presented in the previous chapter, it can be concluded:

1. In general, patient satisfaction Inpatient Health Center Kedaton Bandar Lampung well, but found the gap in the form of patient satisfaction:

* Justice Providing Health Care for All Patients

2. Factors implemented Inpatient Health Center Kedaton Bandar Lampung well include:

* Health Care Facilities

* Responsibility Officer Health Services Speed

* Health Services

* Hospitality Health Care Officer

3. For factors such as:

* Provision of Health Care Communication Tools

* Application of Basic Rates for Patients

* Timeliness Health Services

Implementation of performance and interest rated mediocre or sufficient. Because Patient Inpatient Health Center Kedaton Bandar Lampung consider these factors the level of interest and mediocre performance.

4. Next to factors such as:

* Certainty Schedule Health Care

* Courtesy Officer Health Services

Patients consider these factors actually not too excessive because it is expected by patients Inpatient Health Center Kedaton Bandar Lampung.

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CHARGES OF INDONESIA LABOR / WORKERS AGAINST PROPER LIVING NEEDS THAT CAN MEET THE MINIMUM WAGE

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ABSTRACT - *The Proper Living Needs (PLN) is a standard requirement that must be fulfilled by an employee or single worker to live both physically and non-physically and socially in a proper condition for the needs of one (1) month.*

PLN is as a basis in determining the minimum wage as an increase of the minimum necessities for workers life. Wage is one of the instruments that can directly improve the living standard of the worker and his family. The high or low level of wage received by a worker will directly influence the welfare changes experienced by a worker.

What drives the worker to be passionate to work effectively? Seeing the different interests among those involved in wages policy, it is not surprising that the wages policy is the result of bargaining the interests from the governments, the employers and workers who directly receive a wage increase.

keywords: Minimum wage

1. INTRODUCTION

Spectrum of employment issue which is related to wages and its derivatives is not a minor issue. The facts show that the issues of labor wages dominate the employment's polemic.

The labor wages issue appears not only from the ruling reform era in order; where all the information access is open, every dissatisfaction can be expressed through street actions, but it has been since the decade of the 1980s, in the era of the New Order regime, a refusal that is shown openly, let alone to go down to the street is a disgrace for the government at that time who proclaimed stability so that they deserve to be slaughtered because it can be destructive to the economy and slow the economic growth.

Labor issues are not only grown since the reform of the ruling order; where all the information access open, everything can be expressed dissatisfaction through street actions, but it has since the decade of the 1980s, in the era of the New Order regime, a refusal that is shown openly, let alone to go down to the street is a disgrace for the government at that time proclaimed stability they deserve to be slaughtered; because it can be destructive to the economy and slow economic growth.

Minimal living conditions were constantly experienced by workers, not in spite of wage political force since the new order. The level of wages is determined not by the law of demand-supply of labor in the market, but by an institution called the National Wage Research Council (DPPN), and subsequently also formed Regional Wage Research Council (DPPD) since 1969. Membership of the Council includes most of government (Depnakertran), Universities, Trade Unions elements and elements of APINDO (Employers' Association of Indonesia). National Wage Research Council (DPPN) located under the Department of Labour, while the Regional

Wage Research Council (DPPD) is under Governors as heads of regions.

The minimum wage is a political form of wages, labor costs are very significant benchmark to set, given the state making low worker wages as a comparative advantage in attracting foreign investment.

There are still many companies who think that the implementation of the wages of workers merely normative obligations, despite the fact that the company is able to pay more. Wisdom is ambivalent between the interests of improving the welfare of workers, and attracts investment for economic development is the dilemma that often sacrifices the interests of workers in the continuity of development. (Rudiono, 1992: 61).

Another problem in the minimum wage is the criterion to determine the minimum wage. It is determined by considerations, namely:

1. The basic needs of workers with family.
2. The level of wages in the sectors of industry and other endeavors.
3. The state of the economy in general and the companies, especially those associated with the development of regional and national development.

The ability of companies in the sector concerned (Muryati, 1994: 216-217; Tjiptohariyanto, 1994: 226-227)

2. DISCUSSION

Wages have a strategic position, good for governments, employers, and workers themselves with their families and the national interest broadly (Murwati, 1994: 213).

For the government, the wage is a means of income generation and improvement of people's welfare. Therefore, the balance of wages to the minimum subsistence of workers with the progress of the company is important because efforts to equitable

distribution of income and welfare through increased labor productivity and progress of the company is one of the activities to overcome poverty.

For rulers wages affect production costs and price levels which in turn result in production growth as well as expansion and employment opportunities. The higher wages are issued, the higher production costs. Thus it will also improve the price of the products that ultimately affect the company's competitiveness in the market and productivity growth. Low competitiveness and low productivity of the company will re-define the size of the job opportunities that could be provided by the labor market

According to Government Regulation No.8 / 1981 article 1, wage is acceptance as a reward from the employer to the employee for a work or service which has been or will be made, and expressed or valued in terms of money which is determined on the basis of an agreement or laws invitations, and paid on the basis of a labor agreement between the employer and employee, including benefits, both for the employees themselves and for their families.

Economically, wage is the price or remuneration for labor achievements. Workers are one of the factors of production and as well as in theory about the price, then the price of labor, among others, in the form of wages. It is the interaction of the forces of demand and supply. Labor demand by employers is intended to improve profits. An increase in wages is caused by the demand of production together with the increase of demand for labor.

According Karta Saputra et al (1986: 34):

Wages are the purchase of services that are deployed by manpower to the interests of employers, ranging from the time specified by employers to their workers at a workplace until the time set for the end of the job. It is called the purchase of services because of the fact that it is involved, such as: (1) prior to the employment agreement as if they do materialize bargaining agreements where workers will perform a job to pay the agreed amount. (2) The possibility to be taken into account by the employer, a few days workers were absent, and those days will be done anyway in wage cuts. (3) No wages paid to a worker who does not perform the promised work, unless it's really sick workers (Article 1602-b KUHS). (4) In the case of disadvantaged workers, for example, wages are not given at the time that has been promised / set, or wages are not in accordance with the agreement, the workers concerned can make demands (Government Regulation No.8 of 1981, article 31, 32 on the protection of wages).

Different formula is set in determining the minimum wage in each country. However, according to the International Labor Organization (ILO, 1970: 65-70), there are three components that must be considered, namely: (1) basic needs of workers and the family, (2) ability to pay employers, (3) wages paid for work comparable in different economic sectors and places. In addition to these three factors, the change in the cost of living and productivity changes will affect the minimum wage

Perspectives of PLN necessarily indicate that wage increases do not describe the purchasing power; the GPID method may be used as an alternative of minimum wage. It is of course based on the main objective in determining the minimum wage, namely:

1. Highlighting the significance and important role of labor as a creative sub-system in a working system.
2. Protecting workers in order to avoid very low wages and materially unsatisfactory condition.
3. Pushing the possibility to be given wages in accordance with the value of the work performed by workers.
4. Ensuring the work organization or company to have the tranquility or peace, there is no congestion due to interference by the labor done in connection with wage improvement demands.
5. Ensuring the impetus for an improvement in living standards normally. (Kartasaputra, et al, 1986: 40-41).

Wages problems constitute the most vulnerable in the employment relationship because the wage problem is not just how much wages should be paid, but the issue of the rights and obligations of a person. If a system of wages has been established in a company, then the system must guarantee two interests; they are the interests of the company and the interests of workers. On one hand the company must ensure smooth operations, survival, and even the survival of the company development. Wages by employers is the cost to be incurred / paid to the worker and taken into account in determining the total cost. On the other hand the rights of the worker must be met in order that they are passionate in doing the job, so it can increase its productivity.

In the wage system on a time basis, if the company does not perform the operation or stopped production, for example due to the scarcity of raw materials, the workers continued to receive a large reward which is called as the *Guaranteed Minimum Wage* (Minimum Wage Assurance), so to avoid the risk of not receiving wages. According to Kartasaputra (1986: 60-61) that is the most widely used system because:

- a. Easily wages paid because from the beginning it has been determined
- b. Giving assurance to the workers, because wages do not depend on factors of work efficiency.
- c. Skills of the workers are relatively easy to improve in terms of working time that is not too pressed for time.

However, this system has the drawback / losses due to the following matters:

- a. Possible losses because wages are not associated with tangible results of production.
- b. Intensive supervision is necessary to maintain the stability of production.
- c. This system tends to increase inputs (costs of production).
- d. The application of this system on a casual worker / lazy will hurt the company.
- e. Psychologically the application of this system may affect active workers who become less

motivated when working with lazy workers.
(Kartasaputra, 1986: 60-61)

Wages bulk (piece rate wage) is the wage system made by the company to its employees according to the number of physical output produced by each worker. In this system the employers will avoid the risk of payment of wages which are higher than the level of productivity of their workers. In practice the piece rate usually provides incentives or stimuli for workers to work harder. The risk for employers is that the result of the pursuit of a target number of physical output; the workers will be working on the basis of the quantity that can degrade the quality of its products. The workers with the repetitive nature of work expect more on enactment of this system because it can give them the opportunity to increase revenue through the accumulation and knowledge of the job.

There are several reasons this wholesale tariff system applied:

1. Easy execution and jobs as well as calculation of wages.
2. Workers can be stimulated to increase production, thus can reduce the overhead per unit of production and in addition other advantages to the possibility of price reduction so that it can more increase purchasing power.
3. May guarantee a good working relationship between workers and employers.
4. Allows easily to find out the cost of the work of each unit of work.
5. workers are guaranteed with payment in accordance with the services that have been issued.
6. Working time can be fully utilized, so that no time is wasted as the time day rate.
7. Not required close supervision because workers can be guided by the ability of the individual in a responsible way.

With this contract system, the production can be increased and developed. The workers will always try to avoid the occurrence of damage or defects in material and production facilities, say to the engine so that optimal working conditions can be created.
(Kartasaputra, and Setiadi, 1986: 63-64).

3. CLOSING REMARKS

Wages have a strategic role because wages are one element of well-being in addition to social security, and the provision of other facilities. In line with the Government's commitment in the fight against poverty and unemployment reduction, then the determination of minimum wage policy is a social safety net as a safeguard so that wages are not plunged to dangerous levels of nutrition and health of workers.

As the command of Article 89 paragraph (4) of Law No. 13 of 2003 on employment, the Regulation of the Minister of Manpower and Transmigration No. PER-17 / MEN / VIII / 2005 dated August 26, 2005 on Components and Implementation Phases Achievement Living Needs.

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COMMUNITY RESPONSE ON CHANGES OF REGIONAL HEAD ELECTION SYSTEM (STUDY ON THE SOCIETY OF WAY KANDIS PUBLIC HOUSING BANDAR LAMPUNG)

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ABSTRACT - This study aims to determine the public response about Regional Head Election system changes that occurred in Indonesia as well as the public wants to know about the system of local elections process viewed from the perspective of science communication. The approach used in this study is a qualitative approach, collecting data using observation, interviews, and documentation.

The results showed that the public response of the society of Way Kandis, Bandar Lampung did not agree to a system of Regional Head election conducted by the Regional Representatives Council. The society prefers Regional Head election system is implemented directly, elected by the people. Thus the response shows that Indonesia is a country that adheres to the principles of democracy; the society has a control function to a policy made by the government.

Keyword : Regional Head Election system

1. INTRODUCTION

The system of government in Indonesia's democratic system is known as the central government system and the system of local governance. There are two levels of local government, the provincial level, led by a governor and the level of district / city, led by regent / mayor. Kaloh (2007: 11) reported that:

In the midst of internal and external changes of the Indonesian nation, there is a central issue that becomes public discourse, namely the need for a balanced division of power between central and local governments in order to increase the independence of local processing of his own household in a harmonious relationship with other regions and of course with the central government.

The statement explained that the division of power between central government and local governments shall be determined fairly to promote the welfare of local people. Each region also has the right to have autonomy region in building and realizing the democratic state in order to strengthen the integrity of the country based on the values of Pancasila adopted by Indonesia.

In the development of the democratic system of Indonesia, about the head of the region, both the governor and regent / mayor have undergone several phases of change. In the Suharto government era better known as the New Order era the formation of regional heads is fully supervised by the president. Maschab (2013: 123) reveals, it was clearly outlined in the Act No. 5 of 1974:

Prioritization aspects of efficiency which then tend to lead to such centralization would be clearer if based on the process of the appointment of the Governor of the Province, and the Regent or Mayor of the Regional Level II and also the composition of the membership and leadership of the Regional Representatives

Council. In the appointment of regional heads, each candidate must first obtain approval or "blessing" in advance of the center. Meanwhile, the center itself has also "hinted" the desired candidate, so that the local parliament then adjusts with the sign from the central and finally the central desired candidate is "elected" with the most votes.

From the above statement it is clear that, in the era of the New Order government, whoever the prospective head region was if the central government did not approve it, then the nomination would be canceled. In other words, there was no right to vote when it was elected by the public, but rather the right to vote and the election of regional heads was determined by the central government, especially by the president based on Law No. 5 of 1974.

The pressure to Suharto to step down from the presidency was done by students and activists at the time, made BJ Habibie succeeded Suharto as the next president. As reported by Budiardjo (2008: 254), on May 21, 1998 President Soeharto resigned and handed it over to the Vice President Prof. Dr. B.J. Habibie. This was the first step of Indonesian democratic reform so that after the New Order era was known as the era of Reformation.

At the regional head election reform era is no longer based on Law No. 5 of 1974; but based on Law Number 22 Year 1999 on Regional Government (Kaloh, 2007: 66) in which regulates among other things the following:

Eleventh, the recruitment of the head area is fully carried out by the region without the intervention of the central government, except for the candidates for governor, after the names of the candidates has been determined by the leadership of Parliament, it is consulted prior to the president to obtain approval given status as a candidate for deputy governor of the Central

Government, in addition to his position as chief executive of the province.

Based on the views of less uphold democratic values, in 2004, Law No. 22 of 1999 amended. The law was changed to Law Number 32 Year 2004 on Regional Government, as revealed by Kaloh (2007: 69):

Many evaluations of sharing circles that are addressed in the implementation of Law No. 22, 1999, so needs to be revised, especially the negative flavorful among others that democracy developed by the spirit of this law is less support to the creation of a democracy that upholds the values of democracy itself. This law tends to produce democracy that is 'excessive', and brings up the 'small kings' in some areas.

Gaffar (2013: 140-141) states that, in addition to the election of members of central and local House of Representatives, and the election of President and Vice-President, on October 15, 2004 they passed Law No. 32 of 2004 on Regional Government which sets the election of regional head and deputy head of the region conducted directly by the people. The difference is apparent if it is seen from the content. If Law No. 22 of 1999 local elections is submitted by local governments, then in Law Number 32 Year 2004 local elections is submitted by the people through a direct election system. But in 2014 there was an attempt to change the system back where local elections were originally elected by the people, turned into a re-elected by the Members of the House of Representatives (DPRD) as disclosed in <http://politik.news.viva.co> sites. id (accessed on 7 November 2014, at 16:57 pm); head and deputy head of the region is no longer defined in the polls that are sometimes held in the open with the rain and the risk of overheating. Local leaders determined in the meeting rooms and the Provincial Parliament plenary of cities / regencies in Indonesia. The statement is emphasized in Law No. 22 2014 about Governor, Regent, and Mayor Election, Article 3 paragraph (1) which reads, Governor is elected by members of provincial parliament democratically based principle of free, open, honest, and fair. Paragraph (2) which reads, regents and mayors are elected by members of regency / city based on the principles of a democratic way of free, open, honest, and fair. Changes in the system of local elections raises a lot of response from in various circles of society. As described in the discourse of Kompas.com website (accessed on 10 November 2014, at 12:48 pm) which states that:

A political observer from Gadjah Mada University, Ari Sudjito, assessed that discussion of the bill on local elections (Bill elections), one of which interviewing Regional elections by Parliament is like returning Indonesia to the New Order. This mechanism, according to him would lead to collusion between the legislative and the executive.

The statement was also emphasized in Tribunews.com website (accessed on December 10, 2014, at 18:58 pm), which revealed the elections bill

working committee members of the PKB faction, Abdul Malik Haramain who says that his fractions consistently want head of the region election, ranging up to governors from regents and mayor, held directly and simultaneously. How is the response of the society in Way Kandis Bandar Lampung on the system changes the local elections is an interesting thing to look more deeply. This study aims to understand more deeply about the community response to changes in the system and the system of local elections expected by the community.

The response is a response to a stimulus communicant of a stimulus given by the communicator. The response formed from the communicant can be positive or negative, depending on stimuli derived from the communicator. In the explanation of communication commonly known as the model of stimulus - response (S - R). Mulyana (2005: 133) explains that,

Model S - R assumes that verbal words (spoken - written), nonverbal cues, drawings and specific actions will stimulate others to respond in a certain way. Therefore you can regard this process as an exchange or transfer of information or ideas. This process can be reciprocal and has a lot of effect. Each effect can alter the next action of communication (communication act).

2. METHODS

This study aimed to understand human behavior to an event that occurred, causing a response. It is related to the field of social sciences including the field of communication concerning human relationships individually or in groups. Therefore, the methodology used in this study is closer to the descriptive qualitative aspects. The reason is because researchers are trying to get a real picture of the phenomena that occur in people's lives. Based on the description by Ruslan (2008: 214), to examine the social sciences and in particular the communication is more appropriate if done with qualitative methods, in-depth to find out more about the aspects of the phenomenon psychiatric aspects, behaviors, attitudes, responses, opinions, feelings, the desire and willingness of a person or group. The statement was reinforced by Bungin (2012: 6) which states that:

In the tradition of qualitative research, process research and science is not as simple as what happened in quantitative research because before the results of the qualitative research contribute to science, qualitative research phase is beyond the various stages of critical-scientific thinking, where the researchers begin thinking inductively, i.e. capturing a variety of facts or social phenomena through observations in the field then analyze it and then seek to theorizing based on what was observed.

The same thing expressed by Moleong (2011: 6) explains that

Qualitative research is research that aims to understand the phenomenon of what is

experienced by the subject of the study such as behavior, perception, motivation, action, etc., holistically, and by way of description in the form of words and language, in a specific context that is natural with utilizing a variety of natural methods.

In this qualitative study, the authors expected to decipher and describe the problem based on insufficient data compared to the quantitative method based on representative data besides being able to analyze and understand the conditions of the phenomenon that is happening in the research environment.

Qualitative research requires researchers to obtain information by way of a direct relationship with the resource person / people in the field. Lofland and Lofland (in Moleong, 2011: 157) state that the primary data source in qualitative research is words and actions. The rest is additional data and documents and such others. The same thing is done in this study in which information is obtained based on the words and behavior caused by the informant.

In the study, the informant is an important part in obtaining the data field. As revealed by Bungin (2012: 107) who states that, "the informant research in qualitative research is concerned with how the steps are taken by the researchers so that the data or information can be obtained". Informants in this study determined are based on the title of the study, namely the Indonesian citizens who live in Way Kandis Public Housing district of Tanjung Senang Bandar Lampung. In collecting data in this study, the authors use three steps namely, interviews, observation, and documentation. The measures were divided into three stages, namely: (1) the orientation phase, (2) the exploration phase, and (3) the stage member check. Data analysis technique used in this study is as described by Miles and Huberman (in Hernawan, 2004: 91) which is made through the process:

1) Reduction of data as the electoral process, focusing on simplification, abstraction and transformation of raw data that emerged from a recorded field. 2) Presentation of data as a set of structured information that gives the possibility of drawing conclusions and taking action. 3) Draw conclusions or verification. Such steps are interactive.

3. RESULTS AND DISCUSSION

The development of democracy in Indonesia has undergone several phases of change. Changes occur usually whenever there is the change of leadership / president that is held every five years. One of them is the change of the Regional Head Election Systems. In the end of the term of office of President Susilo Bambang Yudhoyono (SBY) of the second periods, the debate on the Regional Head Election Systems Change cause various polemics. The incident began when there was 2014 presidential election between Prabowo - Hatta with Jokowi - Jusuf Kalla (JK). Previously Jokowi was an unexpired term of office Jakarta Governor.

Indonesian Democratic Party of Struggle (PDI-P) formed a coalition with various parties including the National Awakening Party (PKB), the National Democratic Party (Nasdem), as well as the People's Conscience Party (Hanura) incorporated in Indonesia Great Coalition (KIH). On the other hand, Prabowo was running for President that was carried by the Great Indonesia Movement Party (Gerindra). Gerindra also formed a coalition with several parties including the National Mandate Party (PAN), Party of the Functional Group (Golkar), the Prosperous Justice Party (PKS), United Development Party (PPP), and the Crescent Star Party (PBB) incorporated in the Red and White coalition (KMP) while the Democratic Party taken a stand as a party mediator did not take sides with one of the camps of KMP and KIH.

When the presidential election was won by Jokowi - Jusuf Kalla, the coalition began to heat up in the capitol. They are concerned about Regional Head Election Systems conducted directly (elected) or Election Systems Indirect (determined by the Local Council). Coalition of Superb Indonesia (KIH) wanted elections held directly (elected by the people). With reason, people should directly elect its leader. On the other hand, the Coalition of Red and White (KMP) wanted indirect elections (selected local parliament). The ground, the costs incurred to implement the election is too large. Meanwhile, President Susilo Bambang Yudhoyono (SBY) as chairman of the Democratic Party who was not a member of the coalition also wanted election held directly. This is evidenced by the issuance of Government Regulation in Lieu of Law (Perppu), in order to cancel the law that was passed by members of Parliament. As stated in perppu No. 1 Year 2014 regarding the Election of the Governor, Regent, and Mayor Article 2 of the said election held democratically based on the principles of direct, general, free, secret, honest, and fair.

News about Regional Head System Change is also inseparable from the media spotlight. Society began to follow its development through the mass media. Media used were varied namely, print media (newspapers), electronic media (television), and online media (internet). Mass media as a container-reaching information delivery is widely performed. It is already done in conveying any information concerning lavatory especially crowds because basically mass media is a function of government control over a policy as well as a liaison between the government and the people of Indonesia. Most of the Indonesian people find out the latest and important information through the mass media, especially television. McQuail (in Subiakto and Ida, 2014: 131-132) states that there are at least six perspectives in terms of seeing the role of the media:

First, look at the media as a window on events and experience. The media is seen as a window that allows audiences to "see" what is happening out there or on themselves.

Second, the media are also often regarded as a mirror of events in society and the world, implying a faithful reflection. Namely mirror

events in society and the world, which reflects whatever as what it is.

Third, look at the media as a filter or a gatekeeper that selects various things to be given attention or not.

Fourth, the mass media too often seen as a guide, a guide or interpreter, who translated and indicated the direction of various uncertainties or alternative diverse.

Fifth, look at the media as a forum to present various information and ideas on the audience, allowing the occurrence of responses and feedback.

Sixth, the mass media as an interlocutor, which is not merely a place of information traffic, but also as a communications partner that enables interactive communication.

Explaining that the above statement, the mass media have a role each of which is adjusted by the needs of the community. Especially in political terms as well as the latest government policy, almost all levels of the Indonesian people know that information from the mass media. With the news that is presented by the media, it can give rise to a public attention to the events that are happening. In fact, the amount of news about Regional Head Election Systems delivered via the mass media makes a society has more critical response to the news.

When the plenary meeting that took place on September 25, 2014, which discussed the Regional Head Election system with two options, namely the local elections held directly or elected by Parliament buzzed with interruptions carried out by members of the board. At that time the Democratic factions proposed direct election system with ten improvements, but it was rejected by a number of political parties. The Democratic Party took a stance left the plenary session or commonly known as the walk out.

Walk-out attitude selected by the current Democratic Party in the plenary meeting makes KMP has a great chance to win in terms of ratification of the Law of the elections conducted by the Parliament. Different thing happened with KIH who had a sense of disappointment over the attitude of walkout issued by Democrats. Various criticisms eventually emerged from the other party members and the public attitude towards the Democratic Party. Those found that Democrats who called himself as a defender of the people's just an expression alone. The disappointment was expressed by Yasona Lauji of PDI-P in a plenary meeting. Because for KIH, with the departure of the Democratic Party who left the plenary meeting, there is a possibility that KIH cannot win direct elections (elected by the people).

In this case the Indonesian people speculate, if local elections are taken by Parliament, it makes the people of Indonesia go back to the Suharto regime, where the regional head candidate must get approval of Suharto, if approval was not obtained, then the nomination as head of the region will be canceled. In fact, after the reform Indonesian people were entitled to issue voice

in any case including in local elections. Therefore, in this case also the community wants to be involved in making a decision which indirectly makes the government listen to the people's aspirations. Alan R. Ball (in Suharizal, 2012: 175) explained:

Elections and democracy are closely related in substance and function. Election is a real actualization of democracy in the practice of the present state as the primary means for people to assert its sovereignty over the country and the government. Expressions of popular sovereignty are embodied in the community engagement process to determine who should run the government, especially in the regions.

The statement above is reinforced by Mawardi (2014: 78-79) who states that:

One of the practical implementation of the people's sovereignty within the framework of democratization is the implementation of the General Election regularly with the principle of free, direct, public and secret. Election is the mandates of the constitution which must be implemented by the government in this regard to ensure and protect the exercise of sovereignty in channeling their political rights in the general election. Election as one of the ongoing practice of power and governance on a regular basis should be based on the principles of equitable laws and values expediency.

From the statements above it can be seen clearly that the local election process is based on the principle of direct elections, in which the involvement of the Indonesian people in the local election process.

Results of field observations show that society of Way Kandis believes that if elections were indirect / chosen by parliament, it does not guarantee that every area will have a head area which can be trusted by the people. With a wide range of allegations that are not known by the people making the community of Way Kandis disagree when local elections are conducted indirectly / chosen by parliament. However, when people do a direct local election, people will have great confidence towards the candidate. In addition, the public can know the criteria and programs offered by the candidates of each party during the election campaign, so there is a certain satisfaction for people, especially in the activities of Way Kandis local elections. It is now embodied in the regulation No. 1 Year 2014 on local elections.

On January 20, 2015 the Government Regulation No. 1 Year 2014 on the election of regional heads has been officially approved as an Act. Various parties appreciate legislative action on the matter because the parties assess this incident is a democratic right that rightfully belongs to the people, in which the local elections are appropriately communities who were involved in the election process. It is also in accordance with the principles that are espoused in democracy, "of the people, by the people and for the people".

4. CONCLUSION

1) People in the society of Way Kandis showed various reactions to the Regional Head Election Systems Change, such as the attitude of the people who agree with Bill of local elections in which the election is determined by the Parliament with a variety of considerations. There is also the public who responded to the mediocre. However, the people in majority refused on the bill because the passage of the bill is as well as limiting community in speaking out, so that Indonesia embraced democracy as questionable if local elections are elected by Parliament.

2) In the election of Regional Head in the community of Way Kandis they do not want the General Election is held by Parliament, but people want the Election implemented directly elected by the people because of the directly elected, there is satisfaction for society to regional heads who will lead the region. In addition, the community has control functions to supervise the wheels of government, so that it is important to have Election activities that involve the public to choose the regional heads who will lead the region.

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COMPENSATION POLICY IMPLEMENTATION OF FUEL OIL, IN THE DISTRICT KONAWE, SOUTHEAST SULAWESI PROVINCE (STUDY ON IMPLEMENTATION OF DIRECT CASH ASSISTANCE)

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ABSTRACT - *This study titled Compensation Policy Implementation Fuel Particularly Direct Cash Assistance in Konawe, Southeast Sulawesi Province. This research uses descriptive method with qualitative approach, which starts from the initial informant, and data that is not provided by the initial informant, hereinafter through the second informant and rolling on until sufficient data required. Data acquisition is done through informal and unstructured interviews using the interview guide as a handle.*

Based on the results of the study showed that, (1) the communication factor in implementation was less socialized; (2) Disposition factor or attitude implementor basically not shown seriousness in implementing services to poor families; (3) Human Resources readiness factor (executor) in carrying out policy is not optimal; (4) Factor bureaucratic structure / organization implementing compensation Fuel particular direct cash assistance was not implemented according to operational standards, so the chance of overlapping duties and authority between sectors.

Based on the results of research and discussion, it can be argued that the findings from this study is that the compensation policy implementation Fuel Particularly Direct Cash Assistance, the most influencing factor is the communication of local communities in this regard is the language of the region in the implementation of policies, both between and among executive officers of the local poor.

keywords: Implementation, Policy, Compensation.

1. INTRODUCTION

1.1 Background Research

Government in an effort to address the problem of poverty has not been able to achieve the optimal goal as expected. This is the result of a policy implemented as a result of planning from above (top down), which considers that the parties above planners know better so that people as a target of the program is less or even not at all included in formulating it. Impact on society as a target does not have a sense of belonging. In addition, policies that lowered less coupled with follow-up efforts. Consequently objectives that have been formulated by a policy is not achieved optimally. To tackle poverty, it is necessary a public policy.

Funds were launched for the poor comes from the fuel compensation fund which is implemented through Presidential Instruction RI. No. 12 of 2005 on the implementation of cash transfers to poor households. Fuel compensation program specifically direct cash assistance in accordance Presidential Instruction No. 12 2005 has the goal of:

1. The definition of target households in Presidential Instruction is households that fall into the category of very poor, poor and near poor.
2. All costs in the framework of the preparation, execution, control, and monitoring program providing cash transfers to poor households, in order to compensate the reduction of direct cash assistance subsidy charged to the State Budget and expenditure.
3. Strict legal action in accordance with the provisions of the legislation applicable to any person, firm or entity conducting or reasonably suspected of

committing irregularities and fraud in the preparation and implementation of a program of cash transfers to targeted households.

4. Cash transfers to households targets referred to in this Presidential Instruction, ending on 31 December 2005.
5. In order to implement this Presidential Instruction coordinated manner and with full sense of responsibility and report the results to the President.

The prospect of an effective policy implementation, is determined by the clarity with which the standards and objectives stated and communicated to the implementers (*implementors*) consistently and accurately (*accuracy and consistency*). According to Smith (1973: 202-205) suggests a theory in an effort to succeed in the implementation of the policy, namely (1) *The idealized policy*, (2) *The target group*, (3) *The Implementing, organization*, (4). *The environmental factors*. Smith uses theoretical models in the form of a system in which a policy is being implemented, then the interactions within and between these four factors lead to a mismatch and will cause pressure or dependency.

Data on the poor in Konawe ie 57.415 families who receive direct cash assistance in stage I, then in the second stage as many as 59.570 households, showed a difference of as much as 3.62 percent, the data showed that the various problems that arise in the previous description and reality-the fact is found in the field, was the implementation of compensation policies fuel (BBM), particularly the implementation of direct cash assistance, to the poor, has not run optimally in

alleviating poverty so as to attract the interest of researchers to conduct research to identify and analyze "compensation policy implementation of fuel oil Konawe, Southeast Sulawesi Province ". Therefore, identification of issues that could be addressed in this study are: the opinion refers to Edward III (1980), namely, communication, resources, disposition, and a bureaucratic structure.

- 1) The ineffectiveness of the implementation of the communication that is characterized by a lack of socialization compensation policy implementation Fuel particular direct cash assistance, so that people do not know clear information about the implementation of compensation policies Fuel particular direct cash assistance, especially in Konawe, Southeast Sulawesi Province.
- 2) The lack of resources in the implementation of policies compensation Fuel Direct Cash Assistance Particularly well as the executor of Human Resources and other support resources, such as the Post Office, resulting in suboptimal implementation of compensation policies Fuel particular direct cash assistance. It is characterized by poor data collection less in line with expectations, by the people, then the distribution of direct cash assistance to experience a variety of obstacles.
- 3) Disposition or the attitude and behavior of the executive officers who showed officials still lack seriousness in implementing the policy implementers.
- 4) From the aspect of bureaucratic structures include implementing an organizational structure that is very hierarchical, overlapping duties and authorities as well as between sectors and between levels and competencies required for each executor largely unmet;

These four factors, communication, resources, disposition, and bureaucratic structure, is a theory of policy implementation by Edward III.

1.2 Formulation of The Problem

Of these phenomena can be concluded that the statement of the problem (*problem statement*) in the proposed research is: "There are still weaknesses in the implementation of compensation policies Fuel particular direct cash assistance in Konawe, Southeast Sulawesi province, which resulted in the ineffectiveness of the implementation of the compensation Fuel Particularly Direct Cash Assistance, From the statement of the problem can be formulated question problems (*problem question*) which serve as the basis in this study as follows:

How the implementation of compensation policy of Fuel Oil particularly Direct Cash Assistance in poverty reduction.

1.3 The purpose of this research is:

To obtain a new concept for the development of the science of public policy. Besides, to increase the vocabulary of concepts in the evolving science of administration.

2. FRAMEWORK

In the process of policy implementation, according to Edward III (1980: 9-10) stated, that communication plays an important role, because the implementers need to know what they will do. Commands to implement a policy should be forwarded to the authorities, with precise and consistent. Lack of resources will result in ineffectiveness policies. Disposition or attitude executor interpreted as a desire among the implementing agreement to implement the policy. If the implementation of the policy will be implemented effectively, executing not only know what they do and have the ability to implement it, but they also have to have a desire to implement this policy. Finally bureaucratic structures having an impact on the application, in the sense that the application will not work if there are deficiencies in the bureaucratic structure.

According Howlet and Ramesh (1995: 153), "*Its is defined as the process whereby programs or policies are Carried out; it donotes the translation of plans into practice* ". Means that policy implementation is the process of implementation of programs and policies, which is a translation of the plans into practice.

Based on these opinions, according to Edward III that the implementation of the policy there are four requirements that must be met, among others: (1) communication, (2) the disposition or attitude implementers, (3) resource, and (4) the structure of the bureaucracy. Furthermore, to clarify each of these variables, expressed as follows:

1) Communication

Dimensional communication indicate a role as a reference for implementing the policy in order to know exactly what they will do. Means of communication can also be expressed with orders from superiors to implementers of policies, so that policies are not out of the desired target. Thus, the communication must be stated clearly, accurately, and consistently.

So that implementation can be run effectively, then that should be responsible for a policy, should know what to do. The command to implement policies must be clear, accurate and consistent to those who can afford. If the policy implementation is expected by policy makers seem not clearly specified, possible misunderstanding by the appointed executor. So that there will be confusion of the implementers of the problem had to do and provide the opportunity to not implement the policy as desired.

Incomplete communication aspect can lead implementers interpret the policy as an authority, such as measures to restrict public policies into specific actions. Thus, implementation instructions are not transmitted and distorted in the transmission process. Inconsistencies can result in serious obstacles for the implementation of the policy. Instead, the instructions that are too detailed can hinder the implementation of the policy itself, because it is understood as a limitation of creativity and adaptability by the policy implementers.

Edward III (1980: 17) argues communication factor in the implementation of policies have an important role not only for the implementor, but also for *policy makers*. Because after the effective implementation, the *policy maker* in asking the implementers (*implementors*) not only with a clear indication, but more important is the consistency of communication from top to bottom, in the sense of the flow of the communication that occurs must be clear and unequivocal. If not, then there will be some concessions for the implementers to interpret the policy. In other words, to avoid the existence of something that can cause a commotion, confusion among implementers, as a result of concessions in interpreting the policy, the more important again have the precision and accuracy of information policy, so that the executive can know clearly the objectives of the policy implementation, and they can know unequivocally and clearly, what they should do. In order to obtain effective implementation, implementers need to know what the objectives to be achieved in the implementation of the policy. Provisions or rules for the implementation of a policy to be submitted to the appropriate people, and they must be clear, accurate, and consistent with the provisions or rules. If not, there will be misunderstandings between them in implementing the policy and the results are not as expected. Clearly, the policy implementers confusion, will provide greater opportunities, that they are not going to implement a policy in accordance with the provisions, the rules are desired in the technical instructions and guidelines. Likewise, the policy makers, in order mandates discretion to implementor not just through instructions or commands alone, but they have to perform two-way communication with the policy implementers.

2) Resources

The dimensions of resources not only includes the amount of human resources / personnel alone, but also include human resource capacity to support the implementation of the policy. This may explain the thesis that adequate resources and qualified will result in the implementation of appropriate policies and effective.

No matter how clear and inconsistent policy implementation orders and the orders delivered accurately, but if the people who are responsible for policy implementation shortage of resources in their work, then the implementation of the policy will not be effective. Important resources include: sufficient numbers of staff with sufficient expertise, sufficient and relevant information regarding the implementation of policy instructions, authorities ensure that the policy is implemented in accordance with what is meant, and facilities, including buildings, land and supply to provide services. Insufficient resources and services shows that the law can not be implemented optimally, as well as rules that make sense will not be drafted.

Orders the implementation of a public policy may have been transmitted accurately, clearly and consistently, but if the implementers shortage of

adequate resources to implement the policy, the implementation of a policy will not be effective. (Edwards III, 1980: 10-11 and 53-82).

3) Disposition

The third important factor in the study of public policy implementation is the dimension of the disposition or attitude that is interpreted as a desire executor or executors to implement the agreement among policy. If the policies are carried out effectively, the executive must not only know what they have to do, but they also have the ability to implement it, and should have a desire to implement this policy. Most implementers use wherever possible the authority to implement a policy.

One reason for this is due to their independence towards policy makers. Another reason is the complexity of the policy itself. Moreover, the attitude of the implementers are not always carry out the policy in accordance with the wishes of the policy makers. As a result, policy makers are often faced with the tasks for manipulating or working in the disposition of the executing environment or even restrict its authority.

In the field, if the executor get a good disposition towards certain policies, they tend to carry it out would have been expected from previous policy makers. But if the opposite occurs, the different implementers of policy makers, the process of policy implementation obstacles and can not work effectively as expected. (Edwards III, 1980: 11 and 89-119).

4) Structure of Bureaucracy

Last dimensional study of public policy implementation is a bureaucratic structure. These dimensions have an impact on the implementation of a policy, in the sense that policies will not be successful if there is a weakness in the structure of the bureaucracy. In this case there are two common characteristics of bureaucracy, namely the use of attitude and routine procedures, as well as fragmentation in responsibilities among the various organizational units. Although resources are sufficient to implement policies and implementers to know what to do and are willing to implement, policy implementation is still hampered by the inefficiencies of bureaucratic structures.

Although the policy implementers to know what to do and have the will and adequate resources to carry out the policy, but will remain hampered in the process of implementation by bureaucratic structures they serve. Two characteristics of the bureaucracy that stands out is the standard operating procedures and fragmentation. As administrator of the organizational unit policy, they establish a standard operating procedure for handling routine situations as they normally handle. Unfortunately, the standard is designed to policies that have run and are less able to function properly for the new policies, making it difficult changes, delays, renewal, or actions that are not desired. The standard is sometimes more of a hindrance than help in the implementation of the policy. This leads to wastage of scarce resources, closing the opportunity, creating confusion, herding

policies to generate cross-purposes, so it can lead to important functions to be forgotten. Therefore, different bureaucratic fragmentation may hamper coordination, which in turn provide opportunities for the failure of a policy implementation. (Edwards III, 1980: 11-12 and 125-148)

It appears that the human resource has two sides or aspects, namely human resources and aspects. Human resource (HR) is a man whose life depends on and is influenced by the environment concerned (subject), and requires a source of environmental, even the right to be treated fairly as possible by the environment.

The ability of social actors and even the elite and ruling political actors to give birth to social structures, cultural formations and patterns of social action that benefits their own interests are very limited. In this regard, Dessler (1997: 19-21) argues that:

Increased productivity is essential in today's global competitive environment and Human Resource plays a very important role in lowering labor costs, making the company become more *tenggap* to product innovation and technological change. Human Resource plays an important role in service companies.

At this time all the conditions have changed and different. HR has become more central role which plays an important role in designing a strategy and the formation of a compact team that directed the work to strengthen the responsiveness / promptness companies improve and develop productivity. Thus, at this point is something that is common when human resources are at the earliest stages in the development and strategic planning of the company, not just a reactive or welcome the company's strategic plan is rolled out. Thus it can be argued that the organizational human resources (HR Micro) is a part of other human resources in the community. While human resources in society are also called *manusia* resources (HR macro), as much as possible to enter an employment, or is the source of livelihood. The need to encourage employment dynamics and social mobility, both vertically and horizontally as the selection, competition, promotion, urbanization, migration and even family plan.

Human resource development at the macro level is important in order to achieve development goals effectively. Human resource development of targeted and well-planned with good management will be able to save the use of natural resources, or at least the processing and use of natural resources can be made efficient and effective.

Similarly, the development of human resources in an organization micro very important in achieving optimal results. Both micro and macro, human resource development is a form of investment (*human investment*) and a *conditio sine quanon* (must exist and occur within an organization), but in practice needs to consider factors both internal and external.

Internal factors include the entire life of an organization that can be controlled by leaders and members of the organization, the organization's mission and objectives, strategies for achieving

objectives, the nature and type of activity, and the type of technology used. While external factors are environmental factors in which the organization is located, ie government policy, socio-cultural, and development of science and technology (Notoatmodjo, 1998: 8-10).

3. RESEARCH METHODS

3.1 Research Methods

Based on the background, issues and goals of this research, according to researchers appropriate is to use qualitative research with descriptive analysis method, Locke, Spriduso and Silferman (in Creswell, 1994: 147) argues that *qualitative research is interpretive research. As such, the biases, values and judgment of the Researches Become explicitly stated in the research report. Such openness is considering to be useful and positive.* The use of this method is to describe and assess qualitatively, how the public perception of the implementation of the compensation Fuel particularly direct cash assistance, find the process of implementation of the public in receiving compensation. All data is obtained directly from informants in the field by using interviews and observation.

3.2 Informants Selection Techniques

Determination of the informants in this study determined purposively, the snowball technique. At first researchers to meet the informant base (Indigenous People, Indigenous Board, Community leaders, village chiefs, district head) who knew the other informants as (key informant / key informant). that can provide the data sought in this study. Key informants in this study obtained or known based on a recommendation from the base of the first informant researchers encountered.

As for the informants in this study are: Traditional leaders who receive direct cash assistance, Community Leaders who receive direct cash assistance, and society as a receiver as well as executive compensation as a principal fuel oil.

3.3 Data Collection Technique

Data collection techniques in this study using three ways namely; participatory observation, interview and documentation study in accordance with the tradition of ethnographic study. According to Creswell suggests there are three main points the data collected in the ethnographic studies, the participation of observers, interviews, and document analysis (Creswell, 1997: 122-123).

3.4 Data Analysis Techniques

Data analysis is the process of preparing the data so that the data in the study can be interpreted. Data analysis is the process of drafting, simplification of data to be simpler and easier to read, and easy to integrate. Analysis of the data has started to formulate and explain the problem, before plunging spaciousness and continue *samapai* writing of the results of research. According to Sutopo (1999: 82) in qualitative research there are three major components in the process of data analysis are: (1) data reduction, (2) presentation of data, and (3) conclusion or

verification. The third process data analysis plays an important role in the process and inter-related as well as determining the outcome of the analysis.

4. RESULTS AND DISCUSSION

4.1 Compensation Policy Implementation Fuel particularly direct cash assistance in Konawe, Southeast Sulawesi Province.

Implementation of compensation policies Fuel particular direct cash assistance in Konawe, under Presidential Instruction No. 12 of 2005, has been implemented as mandated in the Instruction on, but empirically still relatively experienced various kinds of constraints, such as lack of effective implementation of data collection, which resulted in many people who deserve kompensasi program Fuel particular direct cash assistance but did not receive, the case that many people are less entitled to compensation Fuel particular direct cash assistance but kenataannya receive such assistance, so as to cause social jealousy, this indicates that the implementation of compensation policies Fuel particular direct cash assistance has not been implemented optimally. Formulation and preparation of the operationalization of policy implementation that must be taken and done in an effort to provide understanding and wide dissemination has not been done systematically and continuously, so that the implementation is not implemented effectively.

1) Communications Factors

In implementing the policy, the communication aspect is quite an important role, incomplete communication can lead to the implementers interpret the policy as an authority, such as measures to restrict public policies into specific actions. Thus, implementation instructions are not transmitted and distorted in the transmission process. Inconsistencies can result in serious obstacles for the implementation of the policy. Instead, the instructions that are too detailed can hinder the implementation of the policy itself, because it is understood as a limitation of creativity and adaptability.

In order for implementation of the policy to function effectively, it is required to all implementers to know what to do. An implementation of the policies and instructions to be transmitted to the appropriate implementers before being implemented. Such communications must be accurate and must be understood by the executors. Many barriers to communication transmission in implementasi a policy. (Edwards III, 1980: 10 and 17-44).

In the implementation of compensation policies Fuel particular direct cash assistance in Konawe corresponding author's observation that in the implementation of direct cash transfers were carried out at the office-post office, according the communication factor, officers generally using local languages in implementing the direct cash assistance /BLT, and the community so understand, so that the public will hold regular queue, however, is inevitable

because of the condition of post office facilities were inadequate resulting in the accumulation.

However, from the results that the executive compensation Fuel particular direct cash assistance has been trying to implement a compensation program Fuel particular direct cash assistance to the maximum in accordance with the available facilities provided by the government or Konawe, because there are no guidelines that provide facilities additional program distribution kompensasi Fuel particular direct cash assistance, especially in Konawe, Southeast Sulawesi Province. Then the officer is also relatively less balanced between the number of officers by the number of recipients of compensation of fuel, which resulted overwhelmed officers in carrying out the program, ranging from public data collection process, the process of proposing to the Centre, to process payment, very dense schedule with the limited number of officers who implement the policy, it is this which indicates that the officer's performance is relatively low.

Later in the implementation of public policy is defined as a tendency, wishes or agreements of the implementers (implementors) to implement the policy. Implementation of the policy, if it is to succeed effectively and efficiently, the executor (implementers) must not only know what to do and have the ability to carry out that policy, but they also have to have the will to implement the policy, so it will show the level of performance. Most of the implementers (implementors) can not freely carry out the policy implementation. The reason is the presence of their dependence on the superiority of those who formulate policy, and the complexity of the policy itself.

The dimensions of resources not only includes the amount of human resources / personnel alone, but also include human resource capacity to support the implementation of the policy. This may explain the thesis that adequate resources and qualified will result in the implementation of appropriate policies and effective.

2) Disposition

Implementer attitude / disposition basically involves understanding the program, authority, growth opportunities, and the commitment of the executive to implement a policy. On this basis there are three possible attitudes implementer namely: first, to implement the policy program; second, rejected the policy program (overt or covert); and a third neutral, in the sense that if the program was worked on benefit. If there is a second possibility, it is possible that a policy program will fail. Edwards III (1980: 90) says: *Many policies fall within a "zone of difference". This policies will probably be implemented faithfully because implementers do not have strong feeling about them.*

From the internal perspective of the organization, the implementor is influenced by the attitude of integrity, loyalty and competence of the executive to the organization and policies that run .. Being from the external perspective of community support

organizations through NGOs, political organizations, and the mass media against the policy program will assist in the moral implementor run policy programs. Therefore it is the duty of the manager or head of the organization implementing to raise the morale of the executive through career opportunities and incentives that support most needs of the implementers.

However, the way which the *implementors* do their free, it largely depends on their propensity (*disposition*) to a policy. Then, their attitude, it will be influenced by his views on a policy and how to see the effect of the policy was against the interests of his organization and his personal interests. Variables as described earlier, remains to *be filtered* advance through the perception of the *implementors* within the limits of the policy is implemented. There are three kinds of response elements that can affect the ability and willingness to implement a policy, among others, consists of the first, knowledge (*cognition*), and deepening understanding (*comprehension and understanding*) of the policy, the second, the direction of their responses whether to accept, neutral or reject (*acceptance, neutrality, and rejection*), and third, the intensity of the policy.

3) Bureaucratic Structure

The bureaucratic structure is one important factor in policy implementation can be a barrier even if the structure of existing jobs can not accommodate a variety of work to be done. Edwards III (1980: 125) says "*policy implementors may know what to do and have sufficient desire and resources to do it, but they may still be hampered in implementation by the structures of the Organizations in the which they serve*".

Talking about the bureaucratic structure means we are talking about the organization. Robbins (1994: 4) says that the organization is unity (entity) consciously coordinated social, with a relative limitation can be identified, which is working on a relatively continuous basis to achieve a common goal or group of destinations. Medium Jones (2001) memaknani organization as a means or a tool used by humans to coordinate their actions in order to create something of value that they expect, namely organizational goals to be achieved. Based on these definitions implication is: (a) with respect to the efficiency of the organization in achieving its objectives; (b) the organization is a social system in which there is interaction between members; (c) an organization formed to foster the strength in the face of the environment; (d) the organization is pleased with the hierarchical system that regulate and curb freedom; (e) organization serving the interests of a group of people; (f) the organization is a tool to dominate others; (g) organization institutionalize norms and values for a particular purpose; (h) the overall organization is a tool that gave birth to certain attitudes and behavior of the so-called "structural attitudes and behavior"; and (i) in the everyday life of this tool has pushed the achievement of complex goals, encourage and ward off interference from outside the organization, but also at the same time pose a structural barrier to humans.

According to Edwards III (1980: 125) there are two important things to note in this the working procedures basic measures or so-called *Standard Operating Procedure* and Fragmentation. *Standard Operating Procedure* evolving internal response against time and limited resources of the executive as well as the desire for uniformity workings of complex organizations and widespread. Medium fragmentation comes from outside the organization (*bureaucracy*), in the form of pressure from interest groups, legislative, executive officer bureaucracy affecting the operation of the policy.

4.2 Factors Influencing Skills Executive Compensation Fuel Particularly Direct Cash Assistance

Factors that executive compensation mempengaruhi skills Fuel particular direct cash assistance in accordance with the objectives of the program are the external factors and internal factors. External factors include implementing institutional, environmental and internal factors such as education, experience, knowledge, and attitudes implementers.

The role of the implementing organization of Fuel particular compensation Direct Cash Assistance is forwarding the information obtained from the top level institutions, policy makers to implementers to be conveyed to the public by first giving the provision in the form of a message. The message conveyed by the executor as a communicator to the public as a communicant by using the channel (channel). For that (Rogers and Shoemaker, 1971: 18) says that implementing the policy in their communication with the public must be matched (tuned) to enable the similarity information. Besides implementing compensation Fuel particular direct cash assistance as kamunikator must have the ability to communicate well.

Implementing organizational structure compensation Fuel Particularly Direct Cash Assistance are now not able to improve the capabilities and skills of executive compensation Fuel particular direct cash assistance. Implementing organizational structure compensation Fuel particular direct cash assistance was not different from the organizational structure of the past. In fact there is a tendency implementing organizations compensation Fuel particular direct cash assistance at the district level less functionalized, then the village chief / headman feel apparatus less utilized in terms of compensation Fuel particular direct cash assistance, while knowing exactly the problems in their region is the Head Village / Village Chief in each region.

The results showed that the management function that is on the implementation of the compensation Fuel particular direct cash assistance is relatively not running, meaning that five management function was not running. Perencanaan compiled by policy makers compensation Fuel particular direct cash assistance is only a short-term plan, while the program's medium-term and long-term programs do not exist. Besides the preparation procedure compensation program implementation Specifically Fuel Direct Cash Assistance is still using the approach "from above",

meaning that the objectives and targets to be achieved are not sourced from the problems faced by the community. Thus the mechanism of the preparation of the action plan are still using the old pattern, which is concerned with the needs of the government rather than the needs of the community. It is also contrary to the procedure of preparation of executive compensation program Fuel Particularly Direct Cash Assistance delivered Leagens (1971: 411) through five stages and then developed by Slamet (1978: 21) into 8 stages, namely: (1) the collection of data based on facts; (2) analysis of the situation based on facts; (3) identification of issues based on the analysis of the situation; (4) the determination of objectives; (5) the preparation of a work plan; (6) the implementation of the work plan; (7) evaluation; and (8) reconsideration.

4.3 Support Facilities In Compensation Policy Implementation Fuel.

The state of physical facilities postal services in Konawe 2005, seen the number of physical facilities postal services, there were 58 pieces consisting of 1 piece post office, post office and giro helper 8 pieces, two pieces of additional post office, postal circumference 2 pieces village, heading home 10 pieces, 20 pieces mailbox, the mailbox 11 pieces, zip around town and post school 3 pieces 2 pieces.

With the availability of facilities means postal services that are in all the district and the city, then the smooth exchange of information between people, organizations and government agencies in Konawe will increase. Similarly, the postal service objects such as letters and other notes to the public until countryside corner will be more smoothly. Likewise, implementation of compensation policies Fuel Particularly Direct Cash Assistance held in Konawe, payment is carried out at the Post Office helpers.

4.4 State Human Resources (public) compensation policies receiver Fuel particular direct cash assistance.

According to the results of research that the implementation of compensation policies Fuel Particularly Direct Cash Assistance held in Konawe relatively still on target, empirically that the target communities who receive compensation Fuel particular direct cash assistance in Konawe, which are varied, there are use the rocks for the purpose, pay debts, the purpose of eating, drinking, buying clothes, home repair, and in general is for school for their children, such as buying books, school uniforms and school payments, with the hope that their children can obtain a decent education for their future so that they can improve their lives.

Thus the policy implementation of compensation programs Fuel, particular Direct Cash Assistance is the central program that should be implemented at the lowest level of our system of government, therefore understanding of program officers in the field will have an absolute so that ultimately they can disseminate to the poor and run this program to the public, especially poor families in their respective work areas.

Furthermore, if the communication is transmitted in the local language supported by sufficient personnel competence on the resources of a variable policy implementation, the meaning of which can be taken that the local language as part of the regional culture helps foster confidence in the officials thus eliminating any doubt of the patient poor families to utilize services at health clinic organizers compensation policies Fuel particular direct cash assistance. In other words, the use of local languages could complement the concept of Edwards III, especially in communication.

5. CONCLUSION AND SUGGESTION

5.1 CONCLUSION

Based on the results of research and discussion, the conclusion can be stated as follows: The implementation of compensation policies Fuel particular direct cash assistance, of the factors that communication, implementation is still less socialized so many people who are eligible for compensation Fuel particular direct cash assistance did not receive help Direct Cash. Factors readiness of Human Resources (executor) in carrying out policy is not optimal. It is that with low levels of education and low levels of implementing a good understanding of, and lack of knowledge about the implementation of compensation policies Fuel particular direct cash assistance. Disposition of factors or implementor attitude that basically already running the policy, but has not shown seriousness in implementing services to poor families. From the bureaucratic structure or organizational factors implementing compensation Fuel particular direct cash assistance is not carried out in accordance operational standards, that the poor implementation of the proposed data collection by the statistical distribution of identity cards while the receiver kompenasasi Fuel particular direct cash assistance carried out by the head of the village so that the chance occurrence overlapping duties and authority between sectors.

Based on these conclusions can be presented findings from this study is that the compensation policy implementation Fuel Particularly Direct Cash Assistance, the most influencing factor in policy implementation is communication, in this case is the local language in the implementation of policies, both between enforcement agents as well as between the executive officer with poor local people.

5.2 SUGGESTION

1) Academically

Academically, that the theory of Edward III on the implementation of the policy can be applied to compensate Fuel particular direct cash assistance that involves many actors, but that its implementation needs to better utilize the potential (environmental) such as the use of local languages.

2) Practical advice.

- a. The need for program information policy implementation, through the Post Offices, the Office of the village or the village, or by RT /

- RW as well as mass media, such as newspapers, or radio, so that people can find clear information about the implementation of the policy Compensation Fuel Particularly Help Direct Cash.
- b. Importance of Human Resource development such as education and training, in particular implementing the policy, so that the executor has the ability in disseminating the cash aid program to the public clearly, as well as the problem of the poor data collection needs to be transparent to the public so that data collected in accordance with reality in the field.
 - c. The need for the selection of the right people, and have a caring attitude towards compensation program Fuel Particularly Direct Cash Assistance implemented.
 - d. The relevant institutions in order to further improve the coordination of the implementation of the cash aid program, such as the Post Office, District Office, Village / Village. If there is a weakness or deficiency in their respective positions, can be clearly identified and can be implemented immediately repair or assistance is needed for the successful implementation of the program of direct cash assistance.

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CONFLICT BETWEEN VILLAGERS CASE IN SOUTH LAMPUNG INDONESIA

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ABSTRACT - This study describes the stages of the conflict and examines the conflict resolution among residents of villages in South Lampung. Used theoretical perspective refers to Simon Fisher's thought about the stages of conflict and conflict resolution, while Johan Galtung's theory is premised on the triangular conflict related theoretical sustainability crisis stage, where attitudes are perceived by the parties to the conflict on the issue of sexual harassment. The study used a qualitative approach with case study technique. Informants purposively determined that include formal and informal leaders and community members from two communities in conflict. Information was collected through in-depth interviews, observation, documentation studies. This study found that the root cause of the conflict, such as lack of skills of dialogue in accordance with the environment and their culture, so that negotiations take place between village heads at the stage of pre non-communicative. Escalation of conflict, with a short message and social networking based on these issues, there is a mass movement attacked the village residents Balinuraga. Dimensional behavior manifested by attacks, burning of houses and looting. Dimensions contradictions embodied by the attitudes and violence. The object of conflict is expressed in verbal language when the dialog and aggression. Stage result of the parties in conflict, namely: the characters and all the devices of both villages, as well as other parties involved in the conflict, both government and non-governmental organizations to process control of the situation and condition, as well as attempted to conflict resolution, in particular through: the mediation, arbitration. _Post-conflict phase lasting peace agreement intimation.

keywords: Stages of conflict and resolution of conflicts among villagers.

1. INTRODUCTION

Indonesian society is a plural society in terms of religion, ethnicity, customs and culture. Pluralism communities also potentially lead to conflict, whether the conflict of ethnicity, religion, race and interests, with indications as, among others: the seizure of the parking area, the seizure of farmland, style of communication that offend other people [1]. Moreover, the appearance of conflict triggered by a jealousy factor of economic and government policy response that is not in accordance with the aspirations of the people, and the feeling of disappointment will rub against the problems that stem from ethnic and religious differences [2]. Susan also argues that conflicts can occur horizontally (between communities) and vertically (between the public and officials)[3].

Speaking about the conflict between residents in Indonesia, is one form of social conflict in the region of the year 2005 – 2012, there are approximately about 22 occurrences of conflict, including a riots in Bekasi, a brawl between residents of Pasar Rumpit and residents of Menteng Tengkulun, and a fighting between residents using firecrackers and molotov cocktails in Jakarta [4]. Conflicts between residents also occur and result in casualties, displacement of citizens, damage to the houses and burning houses in

South Lampung district where the conflict has happened four times with relatively large from 2008 until the end of 2012 [5].

The background of conflict between residents which appear in Indonesia indicated as: poverty, such as unemployment and social competition on economic resources (parking area problems), violence and abuse which causes the victim was killed, and in the end causes a sense of revenge and sexual harassment ((Wirawan (2010), Sihbudi (2001), Faturochman and Nuraeni (2006), Umar (2011)). Some of the causes of conflict in the events of conflict in South Lampung regency is partly because of fights between high school student, a junior high school student was stabbed in the place dancing with single organ, and the issue of withdrawal of money in the market parking and sexual harassment [6].

In connection with research on conflict among residents, there are few studies that have been done by them, including Umar (2011) examines the conflict and fighting culture for residents in the district of Johar Baru Jakarta as populous districts and there are many youth gangs and unemployment. They come from the lower classes and the bottom who likes to brawl. The same study conducted by Nulhaqim (2007) studied the collaborative management of conflict resolution on the fight (conflict) between residents.

Case study: between citizens Palmeriam and Berland in East Jakarta where examines the conflict in the form of violence, is housed horizontally and urban areas as well as the resolutions that have been carried out in solution. Similarly, research Yara (2002) on communal conflicts in Jakarta case studies in the area of Matraman, District Matraman, East Jakarta, between residents Palmeriem region with residents Berland region. Communal conflict that occurs because there is no role of community leaders, local religious leaders and the large number of unemployed in productive age and grow narrow and limited land resources. Then research Fanani (2001) on combating the brawl conflict Matraman resident, which explained that the conflict prevention efforts conducted by the Police Matraman, look ineffective and not providing a meaningful impact for the settlement and termination of the conflict.

Based on previous studies about the conflict between residents can be indicated behind the conflict, including: due to the dynamics of socio-economic changes, triggering a conflict because of economic competition and unemployment, any form of violence and institutions that are less effective in dealing with the conflict. Conflict analyzed by Fisher's Stages of Conflict [7] in which there is a sequence of events conflicts. Next on stage confrontation, the author of the analysis is based on attitude, behavior and contradictions of Johan Galtung's Triangular Conflict (SPK) [8]. Conflict resolution, including through: facilities dialogue, negotiation, mediation and arbitration on stage and in Phase Conflict due to socialize to build peace. The Erving Goffman's theory of symbolic of dramaturgy (in Ritzer [9] and Zeitlin [10] in this study, the authors see a difference of opinion, attitude and behavior of conflicts that are expressed in the form of verbal language as a driver of conflict escalation. At the time of the conflict, the parties in conflict tend to behave fault finding, blaming, cursing each other, then negotiate, or ask a third party to resolve the conflict. Erving Goffman placement dramaturgy analysis focused on the attitudes and behavior as in the triangular theory of conflict Galtung.

Several instances of conflict between residents that have occurred in South Lampung before 2008, where the background causes of conflict, such as differences in religion, splitting village area, and fighting between youth / students. The events of conflict as a form of conflict between people which belong to the category type of horizontal conflicts. According to Wirawan [11], that the conflict between the residents including the type of horizontal conflicts that often occur in Indonesian villages which originated from a fight with another resident citizen with the causes of conflict, such as the competitive struggle for women, nudged at the time of dancing a dangdut music at the wedding.

Furthermore, several incidents of conflict between people which appear quite large in South Lampung

after 2008, which is: a. Conflicts between residents of the village of Bali Agung subdistrict Palas with residents of the village of Palas Pasemah in December 2009 with triggered a fight between students, b. Conflicts between residents of Sidomakmur, Way Panji District, with resident of Sukajaya, Margocatur village, Kalianda district in November 2011. The mass rioting of villagers of Sidomakmur demands for the death of a student who was stabbed near the arena of a dangdut stage, c. Conflict between residents of Napal with villagers of Kotadalam in January 2012, d. Conflict between villagers of Agom, Kalianda district, with villagers of Balinuraga, Way Panji district, South Lampung, Lampung Province in October 2012 [12].

The events of the conflict in a different location, but still in the district of South Lampung. Government in resolving the horizontal and vertical conflicts that was happened, has always with security or military approach. Cultural approach and mediation as a form of communication of the conflicting parties are often overlooked [13]. In contrast to what is stated by Hartoyo [14], that the reality of conflict resolution by mediation is needed by those who are in conflict, since they are closer to its sosio-cultural environment. This phenomenon is seen because there are indications of a weak conflict settlement through legal channels.

Whereas in handling the conflict to support the creation of the success of a policy and defense strategy suggested, including: a. Vertical conflict resolution armed-separatism nuanced must be completed with limited military and professional approach in order to avoid casualties among communities with attention to the economic and socio-cultural as well as fairness rests on law enforcement, b. Horizontal conflict resolution SARA nuanced addressed through legal and human rights approach [15]. Therefore, although it has been the resolution of the conflict that would still be repeated occurrences of conflict, especially because South Lampung horizontal conflict resolution can be said to have not been resolved through legal approach.

Researchers interested in describing the inter-village conflicts between citizens and between regions in South Lampung Regency of Lampung Province, based on: a). Balinuraga incident cases of violent conflict, including one major category in Indonesia - after the Sambas conflict case, West Kalimantan, then Poso conflict case and Maluku conflict case [16], b). Indications of constructive conflict management is still weak in conflict settlement (alternative dispute resolution / ADR) in which mediation is needed, and neglect of conflict resolution through legal channels, c). The series of incidents of conflict in South Lampung regency because of the lack of comprehensive efforts to address that conflict resolution is performed only elitist and never touch the grass roots of the problem. Based on the background research, the formulation of the problem is: How can the stages of occurrence of conflict

between villagers of Agom, Kalianda district with villagers of Balinuraga, Way Panji district and settlement of the conflict?. The purpose of this study was to describe the stages of the conflict and examines the conflict resolution.

2. METHOD

This research applies qualitative approach based on case study [17]. Collecting data with purposive technique. Informants determined through technique purposive, those who know, involved in the conflict or who controls the information related to the topic and the research problem. Some informants were chosen, namely: a. The informal leaders of the parties in conflict, such as religious leaders (clerics / cleric), village leaders / community, youth leaders and teachers, b. The residents of the villages in the conflict that has structural position, such as the village chief, and the village officials, c. Representatives of the parties to the conflict of the village, d. Law enforcement officers and government officials in South Lampung regency. Information gathered through, which is: a. depth interview, b. observation. c. documentary studies. The data is processed and analyzed qualitatively with the reduction process and interpretations. Data is written in the form of transcription, and then do the categorization by performing data reduction and interpretation conducted research that led to the goal [18].

3. RESULT AND DISCUSSION

Stages of the conflict which shows an increase or decrease in the intensity of an event conflict portrayed in a certain time scale, include: 1. Stage of pre-conflict, 2. Stage of Confrontation, 3. Stage of Crisis 4. Stage of Effect 5. State of Post-conflict and result.

3.1 STAGE OF PRE-CONFLICT

At the stage of pre, there is a mismatch between the two parties target, causing a conflict. Conflict is hidden from public view, although one or more parties may determine the potential for confrontation, there may be tension in the relationship between the two parties and or the desire to avoid contact with each other.

The initial occurrence of conflict dated October 27, 2012, where as a trigger of conflict is the issue of sexual abuse that happened to two girls bikers of Agom's villagers carried out by Balinuraga's youths villagers. A group of villagers of Agom then met the village head of Balinuraga to hold accountable to the case. Then, it is followed a long and lively dialogue and the negotiations has no agreement and understanding. Moreover, the ongoing process of dialogue and negotiation open and known by the residents of Balinuraga. Finally, the village head of Agom and some representatives of the residents of Agom report what happened to the police and follow up with the search for perpetrators of sexual harassment. However, it was not found and

subsequently reported to the indigenous leader of several clans Lampung, South Lampung.

3.2 STAGE OF CONFRONTATION

At this stage of the conflict is becoming increasingly open confrontation, where one party feels there is a problem, and perhaps supporters began a rebellion or other confrontational behavior. Sometimes disputes with violence at a low level occurred between the two sides of the conflict. Each party collect the power and might seek allies with the hope to increase confrontation. Relations between the two sides of the conflict tighten, leading to polarization among supporters on each side.

At this stage of this confrontation behind the incident casualties of the motor until the outbreak of the conflict, if historically traced the sequence of events with an indication of the escalation of the conflict characterized by several indicators including, which is: a. Increased incidents of violent conflict in small and large area, b. Several times incidents public conflict, c. The existence of a particular group of citizens who do not mingle with other community groups, so it looks less exclusively communicating and isolated settlements (enclaves), d. With several times the incidence of conflict, expressions of citizen complaints are not addressed by the local government, e. Lack of trust in the structure that supports the security and justice, so that in case of vigilante incidents, f. Inequality infrastructure development (better infrastructure in locations newcomers / transmigration) [19].

An increase in violent incidents in which violent conflict is small [20], and an increase in violent incidents in which violent conflict is relatively large. Furthermore, there are several times the incidence of public conflict, which is: a. In Pasar Senen, Palas Pasemah Village incident quarrel between students of residents Bali of Bali Agung village with students of residents Palas Pasemah village in 2009, b. In front of the mosque in the Ruguk village in 2009, residents of Bali, Ketapang District do mischief, c. In Sidomulyo Market, South Lampung in 2012 where the Lampung motorcyclists do not acknowledge a parking fees billed by parking attendants of residents of Bali Napal.

As for the sources of the cause of the conflict may be indicated to have specific causes accompanied by communication problems between the conflicting parties led to open conflict, can be analyzed based framework Wijardjo [21] of the Conflict of Interest and Conflict of Human Relationships. The potential of conflicts of interest because of the problem that has a demand for compensation money of five million rupiah to the perpetrator's parents which causes victims, but has no deal and decision from village head of Balinuraga. As for the relationship between human conflicts occur due to increased negative emotions on the part of village head of Balinuraga after hearing chatter that said the citizens of Balinuraga want village head to do not mind the

residents of Agom village, and make the residents of Agom more angry who act as representative of the victim's parents.

Then, the factors that cause and realize the destructive conflict (Wirawan), because of the communication is not good at the time of dialogue and negotiation between the two parties in conflict which is represented by village head of Balinuraga and village head of Agom, diverse social system characteristics, such as race, religion, accompanied with exclusive lifestyle (enclave) for residents of Bali, where people are always suspicious personality and negative thinking to others, selfish, arrogant, self-righteous, and less able to control their own emotions and wants to win.

In connection with the Theory of Public Relations (Fisher), where the conflict is caused by the polarization that constantly occur, mistrust and hostility between the two parties in the conflict, villagers of Agom as a native inhabitants of the village residents, and villagers of Balinuraga as an immigrants which is more advanced and successful. The targets were achieved after the conflict, including: a. Increased communication and mutual understanding between the parties in the conflict, among them as the elite village invite each other to certain events, and b. The realization of mutual tolerance accepts cultural diversity.

This sequence of events is a list of years, months or days according to the scale which described in accordance with the events in chronological order. Thus, the method of use of the sequence of events can show a history of conflict between residents is often the case in South Lampung regency, as illustrated in Figure 1.

3.3 STAGE OF CRISIS

Stage of the crisis is the culmination of a conflict, where there is a tension or violence and the most powerful. In a large-scale conflict, constitute war period, when people from both sides were killed. The normal communication between both sides of the conflict in possibility of dropping out. The beginning of Balinuraga conflict occurs, such as H informant stated, that "When hear that event occurred, the Lampung citizens representing victim's parents came together to ask the villagers of Balinuraga an accountability to the families of perpetrators and in Saturday night, they were looking for the perpetrator. They were greeted by hundreds of Balinuraga villagers, ready with weapons, such as air guns and sharp weapons attacked Agom's Lampung. As a result, there are two (2) of residents of Lampung were

injured and one (1) unit of the motorcycle was burned."

In Saturday night of October 27, 2012, an attack was carried out by a mob of Agom's villagers. They gathered in the Patok Sidorejo market and attack to the Bali residential in Balinuraga village, Way Panji district, resulting in a stall of agriculture's drugs and grocery shop belonging to MS burned. The next day, in Sunday, several of Agom's villagers attacked the village of Balinuraga second time, which was greeted with gunfire that resulted in one person dead shot in the head and instantly mutilated by villagers of Balinuraga.

With these events, eventually some villagers of Agom back and forth to home. Sunday night on Monday through short messages (sms) - core:

"Ass... Tabik pun kaban wagei sikam Buay Raden Intan & Raden Imbo. Mohon bantuan kaban wagei sunyini, sikam d Kalianda d serang jelma kurang kekuatan jelma gam tewas 9, jadi mohon bantuan segera. Sebarkan bbm sinji. Trims Bela Sai Bumi Ruwai Jurai. Lampung Bersatu".

This means:

"Ass... greetings to our citizens Buay Raden Raden Intan and Raden Imbo. Please help us, we in Kalianda attacked, we lack of strength, our people were killed nine people, so please help immediately. Share this message. Thank you for defend the Sai Bumi Ruwai Jurai. Lampung Unite."

Based on that information each village called through mosque will also support Balinuraga to attack Agom's villagers, and villagers of Agom prepare weapons for use assault, as outlined by MS [22]. In Monday October 29, 2012 a number of Lampung (including citizens of Agom) with the power of a mass of approximately 20,000 people from different regions of the province of Lampung in the morning gathered for an attack to villagers of Balinuraga. The planned attack was carried out at 10:00 am. However, in consideration of the indigenous people of Keratuan Darah Putih led by Raden Imba and Lima Marga South Lampung, the attack carried out at 14.00 until 16.30 pm which finished or not finished Lampung residents must leave the Balinuraga village. At this time the attack resulted many Balinuraga's villagers who died, fled, buildings destroyed and burned, and property loss. Furthermore, the parties to the conflict resolved through lengthy negotiations involving, among others: traditional leaders, youth leaders, community leaders, religious leaders, police and TNI [23]

Events by handling Events according Views
South Lampung Local Government Parties in conflict

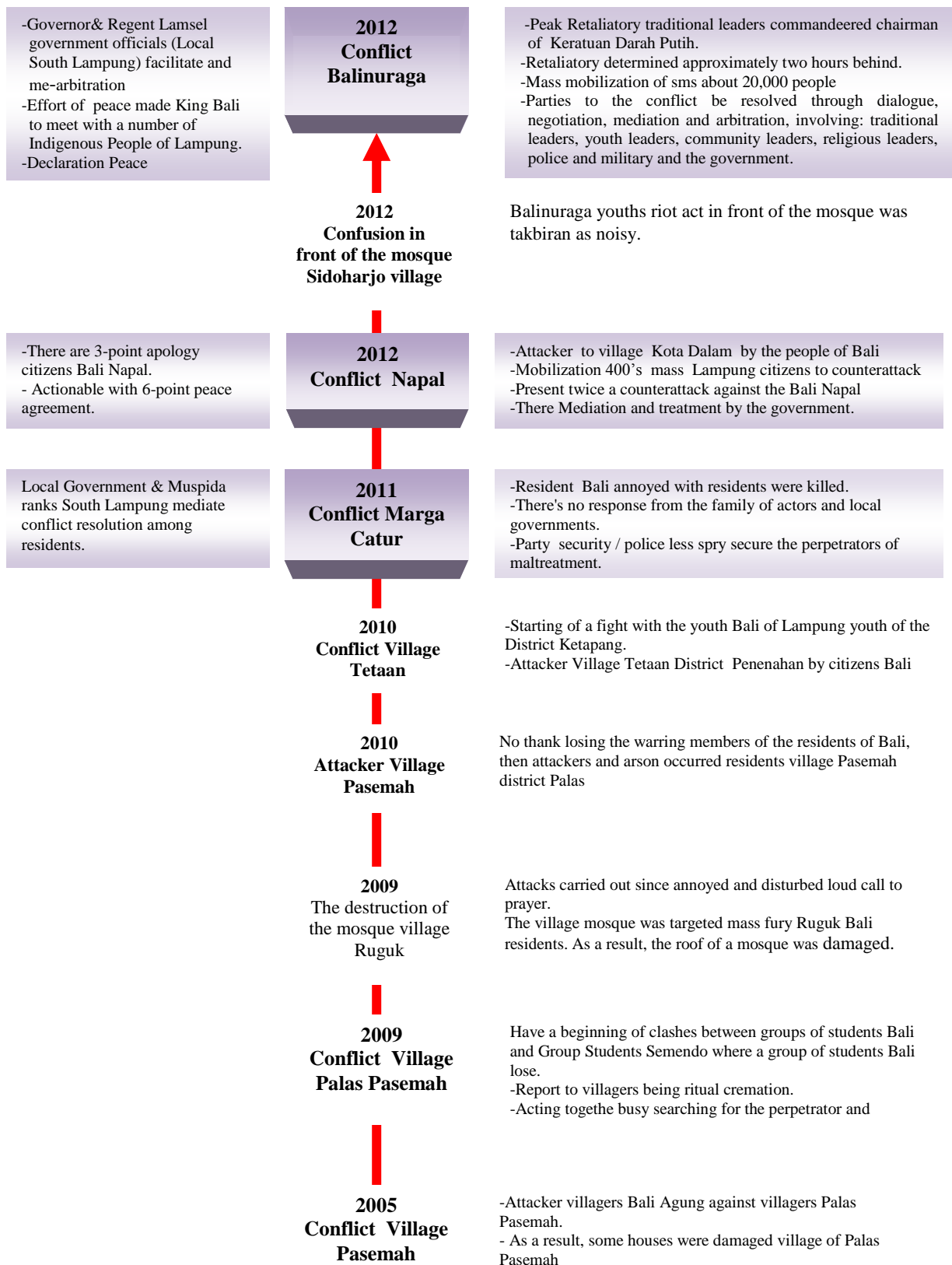


Fig1. Sort Order Genesis Conflict in South Lampung regency

Application of the Galtung's triangle conflict theory in analyzing conflict, where researchers tried to analysis causality, that causing social conflict. In Galtung's

triangle conflict theory, there are 3 dimensional, which is: the attitude, behavior and contradictions. Attitude dimension is the perception of each of the

parties to the conflict on the issue of sexual harassment against two girls Agom's villagers who fell from the motor caused by youths villagers of Balinuraga. They were report to the police and the perpetrators sought casualties is not met, then report to the chairmans of the indigenous South Lampung. Then escalation of the conflict was grow, the attitude with the perception triggered by short messages and social networking on the issue, resulting in the mass movement that also attacked the villagers of Balinuraga. In the behavioral dimension as a manifestation of a form of hostility manifested in concrete actions assaults, burning of houses, destruction and looting public facilities. The dimensions of the emergence of contradictions in the process of conflict situations involving elements of attitudes and behavior. The contradictions was materialize, because of the element of perception and action of each of the parties to the action violent conflicts destructive action brutal, sadistic and anarchic.

Application of the theory of symbolic dramaturgy, where researchers looked for differences of opinion, attitudes about the object of conflict and expressed in verbal language. At the time of dialogue at house of perpetrator'parents, outside house surrounded by villagers of Balinuraga while babbling "Let's end this. Agom just a small village ". As a result, village head of Balinuraga hooked and said "Alright!! if you do not want to taken care of". Moreover, the differences of opinion and the attitude shown by the absence of the outcome of the dialogue and the search for the perpetrator by the police casualties can not be found, so triggering more conflict with traditional attitudes to report to the chairman of the indigenous Lampung, South Lampung and short messages (SMS) and social networking.

At the time of aggression, the mass of thousand people simultaneously said Asma Allah: Allahhu Allahhu Akbar Akbar ..., so does the return back to home. Mass of residents as a party supporters of Agom's villagers acts more violent, anarchic and brutal in dealing with the conflict situations. With conflict management styles: First, before the attack, Agom's villagers prepare weapons. Besides Lampung citizens who participated in conflict were given a coconut leaves (leaf) necklace to maintain safety. Secondly, from various residents gathered at the Waringin Harjo field, Agom village. Third, the mass of the vehicle stopped at Patok market, Subdistrict Way Panji, then followed by walking across the Sidoharjo village and Sidoreno village to the Balinuraga village.

The conflict tactics that was undertaken at the instigation of the indigenous figure of Keratuan Darah Putih led by Raden Imba and Lima Marga South Lampung, that the attacks were carried out at 14.00 until 16.30 pm where the attack finish or not finish was have to leave the Balinuraga village. Researchers are trying to put the analysis of Erving Goffman's dramaturgy centered attitude (S) and behavior (P) in a Galtung's triangular conflict of theory. Furthermore, the analogies stage with social interaction where at

every social interaction is no area faces parallel with the advance stage theater performances. Analysis dramaturgy with symbolic interactionism centered on the actor. The actor conflicts are the perpetrators of the conflict of the parties to the conflict, namely: villagers of Agom, mass of supporters and villagers of Balinuraga. Actions and interactions in the conflict, which Goffman termed the face of region as a stage play performed representations, where Balinuraga Village area as a place of conflict. In the area, actors dealing directly with the public, where faced with the opposing party Balinuraga's villagers, the security forces / military, journalists and citizens who watch and play the role of aggression accompanied by brute force, when the anarchic and brutal conflict. Stage actor of social conflict, especially of the villagers of Agom and supporters dressed in ordinary everyday and objects/weapons used, including a sword, a dagger, machetes, spears iron and bamboo spears, bombs (fish/cocktails and ignition/match), knives, salt and leaves of moringa.

As for the region as a place behind the actors or parties of Agom's villagers and their mass of supporters gathered to rest or prepare in Waringin Harjo field, Agom village until before duhur prayer time and listening to the instructions from the the indigenous figure.

3.4 STAGE OF EFFECT

A conflict crisis will inevitably lead to a result of the conflict. One party may conquer others or perhaps to a ceasefire (if such a war going on). One party might surrender or give up at the insistence of the other party. Both conflicting parties may agree to negotiate with or without the help of intermediaries. A party who has the authority or other third parties over the ruling may force both sides to stop the fighting. Whatever the circumstances, the level of tension, confrontation and violence at this stage leads to decline, with the possibility of resolving the conflict.

At the time of crisis with thousands supporters of Agom's villagers attacked the Balinuraga village, thus making a mess of its citizens, there are six people who were killed and 419 heads of household, or about 1,700 people to flee. As a result of the conflict in the Balinuraga village there are approximately 375 houses were destroyed as a result of damaged and burned, and about 103 houses were slightly damaged. Overall, impairment and loss experienced by the villagers of Balinuraga, according to local community leaders, that there is 40% of middle school building damaged, and 20% of elementary school buildings damaged, there is also one place of worship temple was badly damaged, amounted to 375 damaged homes and facilities damaged and dozens of Bali people were injured, possessions damaged and missing 11 motorcycles, one minibus and two jeep cars with total losses estimated at up to USD 23 billion.

The parties who involved in the conflict are: the two conflicting parties, traditional leaders, religious leaders, community leaders and the whole village. Then the other parties who involved in the conflict are: the Institutional Indonesian National Police Chief

of South Lampung-Lampung province, police chief and his staff; TNI, NGOs, CBOs, municipal police, Regents and Local Government officials, as well as other security institutions, especially in the process of controlling the situation and condition, as well as in conflict resolution and peace. To end the conflict have also been held several meetings and dialogue between leaders (traditional leaders) of representatives of Lampung and Bali, where there are approximately five times with a peace agreement that facilitated local governments. In addition, the process is carried out supervision and cessation of violence by the military that served as neutral peacekeepers. The process of the conflict deeskalasi was pursued by the government to impose a state of civil emergency. The de escalation process of conflict has also been implemented because it is an awareness of the conflicting parties. For more details, the researchers describe in the form of Mapping Conflict and Conflict Resolution Image that is happening in South Lampung regency, as shown in Figure 2.

Furthermore, the attitude of a reconciliation process and the strategy of the parties to the conflict by means: negotiation, mediation, arbitration, especially at the

level of the leadership elite. With negotiation as a problem-solving process voluntarily between the parties in conflict resolve conflicts by promoting community leaders from both sides of the conflict, village head of Balinuraga and village head of Agom. The conflict resolution with how to Mediation was carried out by both sides in the conflict to agree on a third party as a mediator is appointed, the respective chief of his village by Local Government and Provincial Government of Lampung, in particular Kasubdit Lampung Police Community Coordinator as a controller. The conflict resolution and declaration for peace held at the Palace Hall Novotel Hotel, Bandar Lampung on Sunday, November 4, 2012. The event was attended by government officials of Lampung and South Lampung regency, the figures of Lampung people and the Bali people. The peace agreement that has been declared, it seems not yet to be declared as a lasting peace agreement, because the agreement is implemented by the government based on the type of agreement Arbitratio with a lose-lose strategy (lose-lose strategy), which should create (win & win) so as to materialize the creation of a decision of compromise and collaboration.

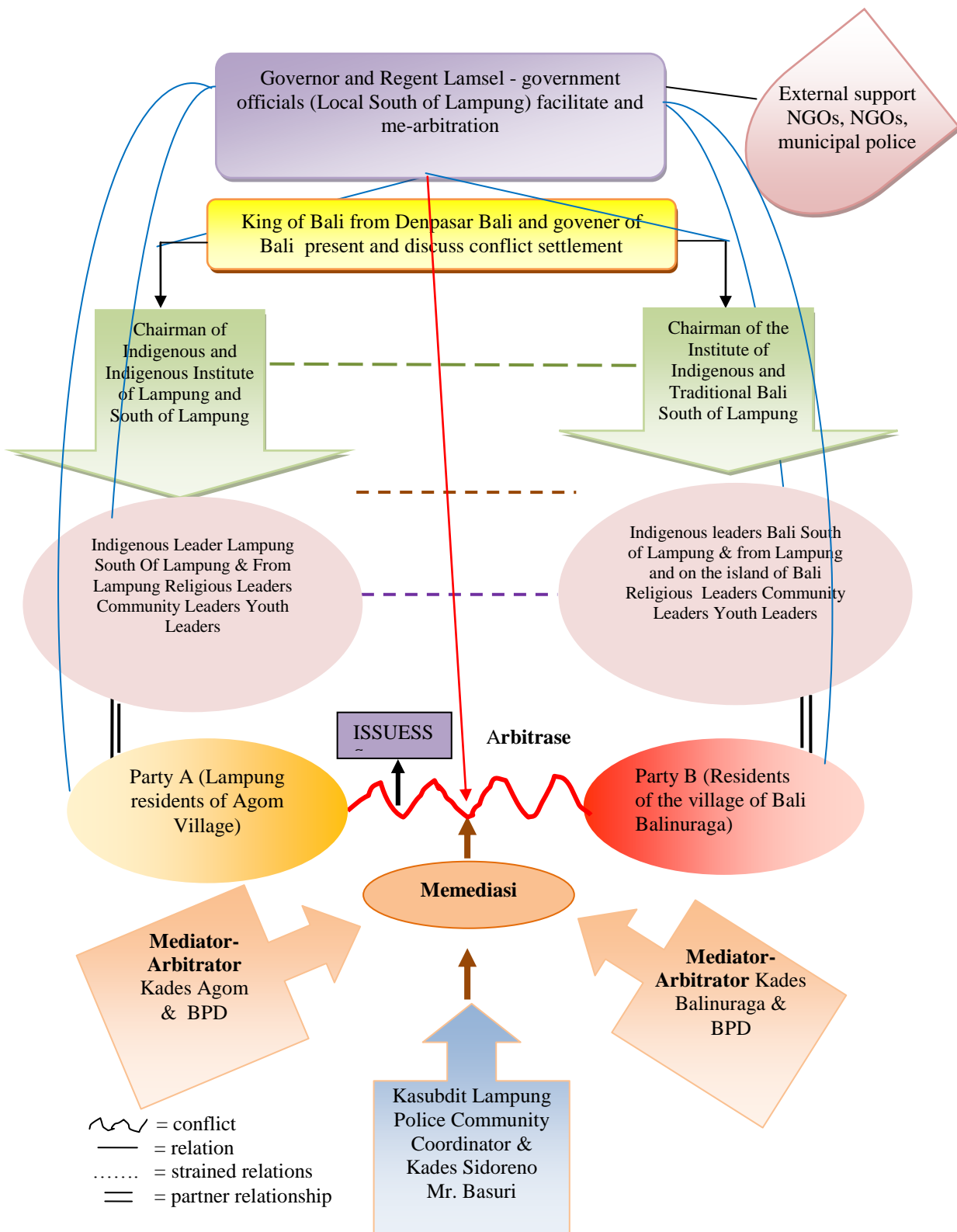


Fig 2. Mapping Conflict Between Residents of the village of Lampung Agom with Residents Bali Balinuraga village

In the peace treaty arbitration, the arbitrator listened to the parties in conflict. Arbitrators act as judges in determining the settlement of the conflict. With this strategy, making the parties to the conflict are not satisfied and the possibility of renewed conflict. To arrive at a peace agreement as expected, then the

government should pay attention to the expectations of both sides of the conflict.

Settlement of the conflict between the Bali residents of Balinuraga village with the Lampung residents of Agom village do not use a judge, they are both appointed mediator or arbitrator and played by their

respective village heads of the parties in conflict. Furthermore, on November 21, 2012 held a peace of declaration in Waringin Harjo field, Agom village, district Kalianda, attended by the Lampung residents of Agom village and Bali residents of Balinuraga village, Central Government, Provincial Government of Lampung, Bali Provincial Government, Local Government District South Lampung, and security forces of the military police. The signing of the peace declaration made in the presence of the King Bali and the Head of Lampung Indigenous Council.

3.5 STATE OF POST-CONFLICT

At this stage the situation is under control by the end of the violent confrontation, the tension is reduced and leads to normal relations between the two sides of the conflict. However, if the issues and problems that arise because of their conflicting goals are not addressed properly, then the post-conflict phase is often return to pre-conflict situation. After the signing of the declaration in the implementation of the socialization of their edicts, the parties reconciled doing several ways, including bringing together traditional leaders throughout Lampung with the families of those who died. In addition, the notice distributed to all households and families of victims refuge in SPN.

Furthermore intimation socialized to all villages across Bali and Lampung citizens, and throughout Indonesia. The next way, through culture and rituals, where the events will be synergized with continuous meetings. The meetings can be conducted in two or three months which was initiated by the people of Lampung and Bali as well as to technical problems depending on the parties to make peace. Furthermore, King Bali and Lampung traditional leaders in SPN been providing assistance at once declare the Bali-Lampung Society Communication Forum.

Unlike the case with the signing of the peace declaration, the condition and post-conflict situations where the village government Balinuraga volatile. According to the Secretary PJS of Balinuraga village, that "the state of Balinuraga village governance structures was chaotic. Village head and village secretary resigned. BPD and Kaur are also being empty. I was appointed as a Secretary PJS because in the past, I was the village head. Stewardship and governance is being formed directly controlled from the district."

The Bali resident of Balinuraga village acted that has always prided itself "I am the most powerful", avenged. They were previously always used traditional clothes in action. But after the conflict they are no longer so. The nature of the action boast Balinuraga's villagers have paid with a sense of trauma. Thus, there is no other motive other than retaliation emotional outlet which has always been under pressure against the actions of Bali residents of Balinuraga village.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 CONCLUSIONS

On the pre-conflict stage as the first stage of phasing in the conflict, triggered by the issue of sexual abuse that has happened to two girls of residents of Agom village. At the time of dialogue and negotiations, there is no agreement and understanding resulting in escalation of the conflict. Phase confrontation, based on a series of events with an indication of the escalation of the conflict characterized by several indicators, including: an increase in incidents of violent conflict in small or large area, and some incidents of public conflict times.

The crisis stage as the stage of height of the conflict, where the day on Monday, October 29, 2012 the citizens of Lampung and mass of supporters attacked and devastated Balinuraga village. Due stage, the consequently of both sides of the conflict, the leaders and the whole village is involved in the control of individual citizens, and seeks to resolve conflict and peace. Peace efforts are also made by King Bali to meet with a number of traditional leaders Lampung and Bali as well as the dialogue. The process of cessation of violence by military intervention. The process of reconciliation and the strategy of the parties to the conflict through: negotiation, mediation, arbitration. In the process of mediation and arbitration, either the mediator or arbitrator was appointed and acted by respectively by the village head of the conflicting parties.

Post-conflict stage and a deal edict, where the implementation of the peace declaration socialization done. Conditions and post-conflict situations where the government of Balinuraga village was volatile and the village head and village secretary to resign. BPD and Kaur are also empty.

4.2 SUGGESTIONS

The authors suggest, as follows:

Establish harmonious interaction and communication among villagers in the lives of those who make peace. Avoid minimize the accumulation of resentments and hatred, forgiveness and open attitude to end the conflict and forget that ever happened. The peace agreement that has been approved by the parties to the conflict should be a binding agreement and realize not to be violated.

The government should pay attention to local knowledge possessed by the conflicting parties in resolving the conflict to the root of the problem. Historical facts about brotherhood among villagers of Balinuraga village with villagers of Agom village, and Five Marga is a silent witness. Thus the conflict settlement is not temporary, like a bomb that can explode anytime. Conflicts should be solved completely by absorbing various conflicting aspirations of the people, rather than top-down.

Increase cooperation for the parties that have been reconciled in the field of socio-cultural, economic and security, so that when there are issues that can spark conflicts can be mitigated and addressed as early as possible.

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CROWD FUNDING, SOCIAL ENTREPRENEURSHIP AND SUSTAINABLE DEVELOPMENT

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ABSTRACT - The issues of sustainable Development is a mainstream issues of the nation. The participation of the citizen, is absolutely important for the sustainable of nation Development. However, until today, not many framework that describe in detail the pattern of collaboration between the government and its people. This paper is going to focus on two main community based activity from the third sector that is becoming emerging for the need of sustainable Development. The two activities are crowd funding and the activity launched by the citizen that bring innovation solutions to social problem: social entrepreneurship. Crowd funding is actually a unique activity, lauched by the citizen to help other parts of the community using all the potential resources. Crowdfunding takes advantages of crowd-based decision-making and innovation and applies it to the funding of projects or businesses. One of the practice that becoming populer and getting attention worldwide as a partner of nation development activity is social entrepreneurship. A social entrepreneurship practice is a community based action that have potential to help the nation development processes. Many studies stated that this practice have brought advantages the community, but on the other hand, the government haven't fully promote the collaboration with them for the purpose of sustainable development. This article will try to analyze the potential of crowd funding and the activities of social entrepreneurship to become a partner of development undertaken by the government. Furthermore, on a broader scale, this paper also explores the role of the third sector to the development process. Finally, as a conclusion, a theoritical framework of the collaboration between crowd funding, social entrepreneurship and sustainable development is built, to complete this article

keywords: Crowdfunding, Social Entrepreneurship, Sustainable Development

1. INTRODUCTION

Actually, sustainable development issues, is not a brand new discourse. Some studies [1] have shown that while the extraordinary industrial and technological innovations of recent decades have led to many breakthroughs, they have also left us to confront an uncertain future. It means that we have to face a new social and environmental problems challenge that human being have never faced before. It also means that our government have to think harder to deal with those issues. Another critics [2] claimed that there have been major negative impacts of development on the environment and on existing social structures.

These problems, left the world leaders a big homework to overcome. But, some activities from the societies continued. Related to those condition, then comes some phenomena such as [3]; Heightened concerns about the effectiveness of traditional governmental and charitable approaches to meeting social needs, a search for more innovative solutions that lead to sustainable improvements, and a parallel shift toward outcomes-based (rather than needs-based) approach to funding on the part of both private philanthropies and government agencies.

This proves that a growing number components of society outside the state government contributing in the development process. This phenomenom also proves that there's a willingness form society to be a usefull citizen. Some studies called this movement or action as community economy or self-help economy [4]. Further, this article will try to describe how to optimize the spirit of community in contributing to the

development process. This becomes important because the first principle of the declaration on environment and development in Rio in 1992 [5] states that "human beings are the centre of concern for sustainable development. They are entitled to a healthy and productive life in harmony with nature". This implies at least two things. first; the most important element in the process of sustainable development is human resources, and therefore, any movement or action contributive from the society that aims to help program development needs to be appreciated properly. A proper appreciation of the action contributive community, are expected to encourage the birth of similar actions, so that the government will have a lot of power that is able to help. Based on the explanation in advance, then the question arises; how is the form of crowdfunding activity and social entrepreneurship in the process of sustainable development?

2. MATERIALS AND METHOD

The main conceptual materials used in this article is crowdfunding, social entrepreneurship and sustainable development. while the analysis instrument used was a fishbone diagram.

2.1 CROWDFUNDING

Here is the more detail explanation about the concept being used in this article; crowdfunding, social entrepreneurship and sustainable development. Crowdfunding [6] is an umbrella term describing the use of small amount of money, obtained from a large number of individuals or organization, to fund a project, a business or personal loan, and other needs

through an online web-based platform crowdfunding [7] inspired by crowdsourcing describes the collective cooperation, attention and trust by people who network and pool their money together, usually via the Internet, in order to support efforts initiated by other people or organizations. Crowdfunding occurs for any variety of purposes [6], from disaster relief to citizen journalism to artists seeking support from fans, to political campaigns. This means that crowdfunding activities has reach many sectors in society. In the other side, crowdfunding reflect the spirit of altruism among people. It is exactly like what have been stated in Marketing 3.0 theory, that everyone has their own thinking, feeling and spiritual sense [8]. Then, crowdfunding is a reflection of the nature of society that has the potential to help each other. This is certainly a positive thing that can continue to be developed.

2.2 SOCIAL ENTREPRENEURSHIP

This review is meant to discuss the form of the practice, or activity included in the category of social entrepreneurship activity. One study [9] stated that social entrepreneurship activity, carried out by people who different and brave ideas. They think differently. They have several characteristics [10] like: (1) always trying to identify and apply practical solution to social problems, combining innovation, resourcefulness, and opportunity, (2) have an unwavering belief in everyone's innate capacity, often regardless of education, to contribute meaningfully to economic and social development, and (3) jump in before ensuring they are fully resourced. Other argued [11] that social entrepreneurship is an activity that anomaly/odd. The main reason is because they expend all their energy for the good and welfare of others. Along with this, it is stated [12] that the practice of social entrepreneurship, has provided many benefit to society

Based on description upfront, it can be stated as a general conclusion that the practice of social entrepreneurship ia a practice that helps solve various problems by adopting the creativity and innovation that is commonly used in the field of business. In other words, social entrepreneurship is an activity that adopts the principle of entrepreneurial and business skills, but aimed at social problems.

Santos [11] reveals that while most theories suggest strategies for building competitive strategies, social entrepreneurship practice does not aim to compete one another. Unlike traditional entrepreneurship that promotes competition between many business, in the areas of social entrepreneurship, competition behavior is not dominant. Based on the explanation upfront, entrepreneurship is an innovative action undertaken by the community to solve social problems going on around them.

2.3 SUSTAINABLE DEVELOPMENT

The three aspect of sustainable development [13] are economic, environmental and social. This three units is a system of interrelated and dependent to one another. Efforts to understand the concept of sustainable development, is actually an attempt to absorb and

appreciate how these three aspects should interrelated and maintained its sustainability. Basically, the general principle of sustainable development is to meet the needs of the present without compromising the fulfillment of the needs of future generations.

Table 1: Definitions of Sustainable Development [14]

What is to be sustained	FOR HOW LONG 25 years 'Now and in the future' Forever	What is to be developed
NATURE Earth Biodiversity Ecosystems		PEOPLE Child survival Life expectancy Education Equity Equal opportunity
LIFE SUPPORT Ecosystem services Resources Environment	LINKED BY Only Mostly But And or	ECONOMY Wealth Productive sectors Consumption
COMMUNITY Cultures Groups Places		SOCIETY Institution Social capital States Regions

Through a table upfront, coverage and scope aspects of sustainable development can be perceivable. In principle, there are three major aspects that are cultivated sustainability: economy, people and society. Table upfront, clearly implying sub aspects of the three main aspects to consider in ensuring the passage of sustainable development. That is, through this table, roles and spaces that can be filled by the independent activity of the community is becoming increasingly clear. Surely it can support community members who want to contribute through the practice of social entrepreneurship and crowdfunding. Through the clarity of the program on the first aspect that is the human aspect, members of the public can play a role in the sub-sectors such as child survival, life expectancy, education, justice / equality and uniformity opportunities.

2.4 FISHBONE DIAGRAM

Analysis instrument used to examine the issues raised by this article is a fishbone diagram. The Fishbone diagram [15] is an analysis tool that provides a systematic way of looking at effects and the causes that create or contribute to those effects. The main principles used by this instrument will be used to map and describe the major issues. One advantage of the fishbone diagram is that this instrument allows users to see more clearly the ultimate goal of the activity, and the factors that affect the successful achievement of the final goal.

3. DISCUSSION

Social Entrepreneurship and crowdfunding are two positive phenomenon that occurs in the community.

Both of these phenomena imply that society can still be relied upon for the welfare of their own lives, without depending on the government. In general, the practice of social entrepreneurship has had a designated areas in society. This practice have produced certain benefits to the particular scope. Or in others words, there are a number of community needs that their fulfillment can be entrusted to this practice. Then, there are also a number of social problems that the solution can be handed over to the practice of social entrepreneurship. Principaly, this practice can be increasingly relied upon to fill in areas not reached by the development process.

Similar to social entrepreneurship, crowdfunding practice can also be developed in such a way to form a new culture in the community. The new culture is a habit developed to jointly identify the perceived needs together and take action to collect the source of funds and resources independently for the common good. At the beginning of the movement, support from the government (especially in the form of policy), is required to encourage independent action of the community becoming more powerful and more widely socialized. After some action began systematically awakened and could maintain its sustainability, then the government can begin to reduce its direct support.

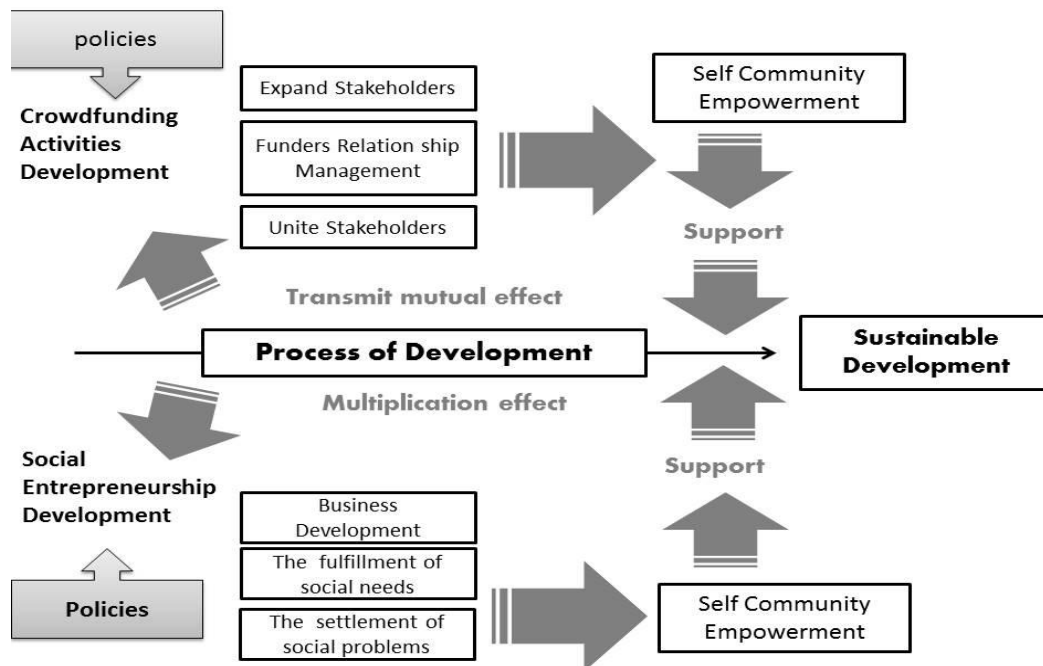


Fig. 1: Conceptual Framework

In fact, this support is an effort to further encourage self-reliance in meeting the needs and address the resolution of the various problems that they face. the concept of sustainable development in this case, is a concept or strategy that encourages the advancement of development or acceleration of the program, without sacrificing the interests and welfare of future generations. Thus, efforts to strengthen the independent actions that begin awakened at the community, is a wise decision.

Referring to the conceptual framework in advance, it can be said that the process of sustainable development, need to be supported by community participation. In principle, the more people who are willing to participate in the development process, then the the construction costs incurred to produce prosperity for all citizens will be increasingly lighter. On the other hand, has been present in society, movements or actions that aim to produce good of their own. in addition, potential or force people to gather the resources needed for their own welfare has also been increasingly identified

The development process is a process that runs continuously. However, sometimes the journey is long and winding, so it needs support from other parties

outside the government. Through a theoretical framework contained in this article, it can be stated that: (1) Effort to succed the process of sustainable development can be assisted by developing community independe. One of the strategy is to develop and support the development of activities that use philosophy 'from community to community'. Effort to develop this two program systematically, will encourage transmit mutual effect and multiplication effects. Here is some from the model upfront: (1) The practice crowdfunding can help the government in an effort to fund a particular practice in a society that requires operating costs to be able to run the program. Means that, through crowdfunding activities, not every program that aims for the welfare of society must be funded by the government. With the 'transmit mutual effect' more and more people will get involved to this actiity (2) The practice of crowdfunding, that is held regularly, will be able to make communities aware of the important of working together toward a goal aspired together, (3) The practice of social entrepreneurship, is a reflection of a sense of social responsibility in an effort to help meet social needs and solve social problems. Therefore, any assistance from the government to enlarge this movement, will

be able to create the effect of multiplication of the benefits of the practice of social entrepreneurship, (4) Support for entrepreneurial practice is actually a form of appreciation for the citizens who have produced constructive thinking and contributive action. This is, actually a major investment in building a triangular synergy between the public sector, the private sector and the community sector.

(5) The number of social entrepreneurship practices developed in the community, will become the inspiration for the community members to be inspired and in turn will build the same action. With the 'multiplication effect' more and more beneficiaries will get the benefit from the program. (6) Create policies that support the development of the practice of social entrepreneurship and crowdfunding activities, is a smart move to ensure sustainable development

4. CONCLUSION

In general, this article provides ideas to be used by the government. Crowdfunding and social entrepreneurship activities are actions that come from societies. Both of these activities can be considered as a great potential partner for development process. Effort to achieve the target set by the concept of sustainable development, can be helped by the movement or action from societies.

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EUPHORIA AND SOCIAL MEDIA RELATED TO ORGANIZATIONAL EFFECTIVENESS BASED ON GANGNAM STYLE CASE

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ABSTRACT: Social media is part of the information communication technology (ICT) which is important in human life currently. Social media is important because it play a role in the fulfillment of human needs, especially when associated with humans that was created as social creatures. As social creatures, humans build organizations to meet their needs to interact, communicate, collaborate and agree on a goal. In organizations, the organizational effectiveness has an important role in fulfilling the organization purposes. The presence of euphoria phenomenon may provide an explanation linkage between euphoria and organizational effectiveness. This study is a descriptive study, which aims to explain how social media is used as a media to convey the euphoria that contributes to the organizational effectiveness based on gangnam style case. The research method used to collect and analyze secondary data from the related literature study with the research journals. This research is expected to be the basis for future research which can be done empirically and contextually in term of social media that convey euphoria and contribute to organizational effectiveness.

Keywords: Social Media; Euphoria; Organization Effectiveness

1. INTRODUCTION

Information and Communication Technology (ICT) define as a generic term referring to technologies that are used for collecting, storing, editing and passing on (communicating) information in various forms [1]. Today, the term ICT is defined as skills and tools to study, design, develop, implement, support or manage the computer-based information systems, particularly software and hardware applications [2]. The term ICT has been used by academics since 1980s [3,4]. ICT which in recent times has experienced a phenomenal growth both as an industry and in applications may be characterized by the use of computers, the Internet, cellular phones, e-business or commerce, video-conferencing, etc [5]. In the organizational context, ICT refers to a broad range of computer-based digital systems from transaction and information processing to wired and wireless communication media, connected through internal intranet or external Internet and wireless networks [6].

There are two major categories of ICT social impact, positive and negative. Positive social impact of the use of ICT within the organization is expected to contribute to the organizational effectiveness. The positive impact of ICT on a variety of measures of firm performance (productivity) [7-12]. ICT such as computer terminals, e-mail and the Internet and their applications have become the major drivers of innovation, growth and social change [13]. ICT's social impact has seven domains there are: Participation and Policy Making; Education; Work; Consumption; Health; Community and Family; Creation and Distributed Innovation [14]. ICT also

gives impact on economic growth and on firm performance [15].

ICT have an impact on every aspect of human life [16,17]. ICT's important purpose is to improve the quality of human life [18,19]. ICT makes humans are easier to fulfill their needs; therefore ICT must be driven by human needs [20]. Human needs can be seen from organization perspective. From the organizational point of view, the definition of organization begins from the human existence which in order of human remains (physical life on earth) then there are important needs to be fulfilled. Humans are social creatures, there are some important human needs can only be fulfilled by their fellow. Human is a social creature, consequently, to meet then needs of individual and social life goals and reach their organizational relations, needs communication and interaction with others [21,22]. Therefore organization arise and define as social unity (entity) that consciously coordinated, with a limitation that can be identified, which works on the basis of continuously relative to fulfill a common goal and or group of goals [23,24].

From the definition of organization can be concluded that the existence of organization have purposes and fulfillment i.e. organization effectiveness. Organization effectiveness reflects organization purposes and the effectiveness of capacity utilization of valuable resources for the environment for business opinion continuity practice. Organizational effectiveness is the extent to which an organization realize its goals for the existence of the organization according to various criteria [25,26]. Organizational effectiveness criteria are:

Tabel 1: Organization Effectiveness Criteria

1. Overall Effectiveness	11. Motivation	21. Information and Communication Management
2. Productivity	12. Morale	22. Readiness
3. Efficiency	13. Control	23. Environmental Useless
4. Profit	14. Conclit/ Solidarity	24. External Evaluation
5. Quality Accident	15. Flexibility	25. Stability
6. Accident	16. Plan and Goal Set	26. Human Capital Value
7. Growth	17. Consensus About Goals	27. Shared Participation and Influence
8. Absence	18. Internalization of Organizational Goals	28. Emphasis on Training and Development
9. Turnover	19. Managerial Interpersonal Skills	29. Emphasis on Performance
10. Work Satisfaction	20. Managerial Skills	

[27]

In organizational studies, there is the role of the environment & technology [23]. If associated with technology in organizational study, definition technology from the perspective of the system (input, process, and output) refers to information, tools, techniques and processes required to transform inputs into outputs [23]. Then ICT is part of the organization studies. ICT impacts change and progress and efficiency of every organization [28]. ICT is more valuable asset in any organization and can be considered so important for organizations to dramatically increase their growth [29]. There was a significant positive relationship between the use of

ICT and organizational effectiveness [30]. ICT involves the use of shared information to improve organizational effectiveness [31]. ICT purpose to improve organizational effectiveness or the human condition [32].

Related to the environment, organizations must adapt to theirs environment in order to maintain or improve its effectiveness [23]. There is a link between environment uncertainty and organizational effectiveness, that any attempt to minimize the effects of environmental uncertainty [33]. Changes in organizational environments are categorized into 4 parts:

	Low dynamism	High dynamism
High complexity	Placid clustered	Turbulent
Low complexity	Random placid	Disturbed reactive

Source: Emery and Trist (1965)

Figure 1. Organization Environment Types [34]

Of the four types of environmental changes above, the type of turbulent environments tend to be dynamic and relative in accordance with the current organizational context [35]. If related to technology, the type of change in turbulent environments, it is necessary to ICT can anticipate and prepare for the organization so that the organization becomes more flexible.

Recently, a part of ICT that is emerging to improving the organizational effectiveness (both private and public sector) is social media technologies. The Federal Web Managers Council states social media as such are umbrella term that encompasses the various activities that integrate technology, social interaction and content creation [36]. Social media define as websites and online tools that facilitate interactions between users by providing those opportunities to share information, opinions and interest [37]. People also have the opportunity to participate in conversations and dialogue through a common virtual medium [38]. These forms are blogs, wiki, photos and

video sharing, podcast, social networking, mash ups and virtual worlds. Social media so famous and has unique characteristics that delivers substantive value of openness, high participation and wide sharing [39]. That advantage also strengthen the reason that social media use in the public and private sector is considered by technological innovation and transforming agent [40].

Wikipedia and Wikispaces are the variety of tools and technologies that called as collaborative projects. WordPress is an example of blogs. Twitter is the form of microblogs. Youtube is popular content communities; while Facebook is social networking sites (SNS). Second Life is mentioned as virtual social worlds and other internet-based platforms that accommodate some creations and exchanges [41]. SNS and Twitter are majority used to share anything about phenomenon then become euphoria and be the central role in global marketplace [42]. Youtube,

Google and Facebook are some of the most-visited Internet access [43].

Social media channels now become a central role in global information flows. These flows form the basis of new method that calls as Social Distribution [44], and ‘spreadable media’ to describe the way how content travel through social media [45]. Indeed, informal networks through social media have long functioned as part of global cultural distribution and drive euphoria which came from emotional attachment [44].

The emotional attachment in decision making to like or dislike in term of something can be explained by abnormal psychology [46]. Showers (1985) address that mood is the determinant of motivation. Positive mood has increased motivation, vice versa [47]. It concludes that mood state has significant influence on self motivation in an event/something, for instance

music artist concert, football competition and other phenomena. The mood also impact on the motivation process [48]. Based on the literature of abnormal psychology, the euphoria on something/event can trigger the mood mania [47]. Then, the mood mania will disorder the irrationality in decision making and creating seasonality in the market [47]. As addition, euphoria is the feeling of great happiness and excitement [49].

This paper aimed to show the linkage in general (based on theoretical study and discussion of the gangnam case) that euphoria and social media contribute to organization effectiveness.

2. MATERIALS AND METHOD

The framework presented as the description of linkage of social media, euphoria and organizational effectiveness in Figure 2 below:

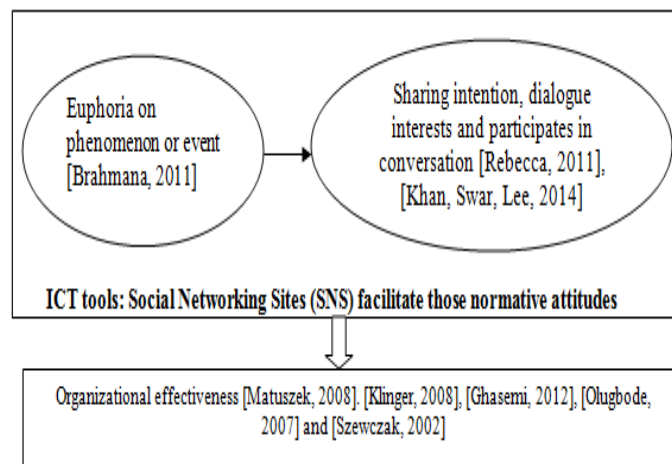


Figure 2. Framework of Thinking [28-32,38,39,50]

The research paper is a descriptive study. The data used in this paper is a secondary data (research journals related to social media, euphoria, and organizational effectiveness). In this paper major journals chosen in the three disciplines that have the closest research which focus to ICT and related to euphoria and organizational effectiveness. Secondary data were analyzed to known that social media can be used as a media to convey euphoria in order to fulfill organizational effectiveness, by taking a judgmental example phenomenon of artist and cultural products from Korea that researched by Jung and Shim in 2014. As the justification, that ICT and social media on organizations are widely adopting social media tools [51].

3. DISCUSSION

Discussion about Gangnam Style case style chosen because it includes a fairly new phenomenon of particular song which gives global impact. This case also associates with euphoria, social media and organization effectiveness. This Gangnam Style creates a large euphoria through social media so that this case direct towards to Community, Creation and Distributed Innovation, in term of culture product.

a. Psy Presented Gangnam Style for Global Market Shortly

Jung and Shim (2014) researched about the phenomenon of K-Pop that happen in the world, include in Indonesia in 2000 [42]. But, one of the well-known male artists, named Psy, released his debut which covered by particular dance ‘Gangnam Style’. Since that video of Gangnam Style on Youtube on 15 July 2012, it became the most-liked video ever on Youtube [52]. Moreover, without crafted any local promotion, Gangnam Style has also achieved the number one position on may international music market, for instance in European and America on iTunes charts. In UK, Psy became the number one British single who became the first Korean singer that topped that chart [53]. Whereas, in US, the song remained at the number two in the Billboard 100 for seven consecutive weeks [54]. This euphoria on Gangnam Style indicates how social media and active users distribute the culture products of YG Entertainment easily and rapidly with the large marketplace (YG Entertainment is one of the top three artist entertainment company in South Korea: SM Entertainment, YG Entertainment and JYP Entertainment) [55].

The successful of 'well-managed' euphoria that support music industry to recognize social media as an important marketing strategy and forming partnership with major social media companies such as Facebook and Youtube. This strategy is the best way to approach potential overseas consumers. YG Entertainment also could continue to thrive by acquiring new media companies or by adopting new technologies, for example through alliance with technology provider such as Apple or Google.

b. Organizational Effectiveness Realized

YG Entertainment as the artist management company uses social media such as Facebook then achieves organizational effectiveness by convey euphoria consist of explained below:

- i. *Productivity*. By linking production process, final products and social media, YG Entertainment can employ large number of talent scouts to find potential starts and establish many dance contest and singing auditions across Korea and in Los Angeles. Social media such Facebook and Youtube convey production punctual border-less.
- ii. *Profit*. YG Entertainment can earn higher profit by promoting product mix and product line from one artist such as Psy, on social media and fandom sites. Besides that, YG Entertainment also can be popular in other countries that facilitate company to create a live music concert. Then this concert music can enlarge profit of YG Entertainment rapidly.
- iii. *Growth*. YG Entertainment can extend its music market internationally and convey Korean pop style cross the state border through social media.
- iv. *Flexibility and Efficiency*. By linking both euphoria culture products-based and social media, YG Entertainment can operate within the existing corporate-led global media environment. Specifically, YG Entertainment demonstrate how the Gangnam Style euphoria signifies the newly emerging transnational cultural distribution paradigm whose international success has been allowed systematic, organic interaction between various industry and audiences groups such as online pop distribution companies, major record companies, K-Pop entertainment companies and youth networks on social media as its targeted consumers. This flexibility and efficiency also defined as easy strategy to achieve circulation products on social media effectively.
- v. *Information and Communication Management*. Social distribution refers to the spread of content through perfect combination in formal and informal networks. These social media technologies enhance its grassroots participation of dynamics and accelerate its speed.
- vi. *Emphasis on Performance*. By using social media technologies, YG Entertainment explore how the social distribution can conceptualized become a mixture of bottom-up grassroots-led approaches and corporate-controlled top-down approaches, adapted by Henry Jenkins's notion of media convergence that crafted by company.

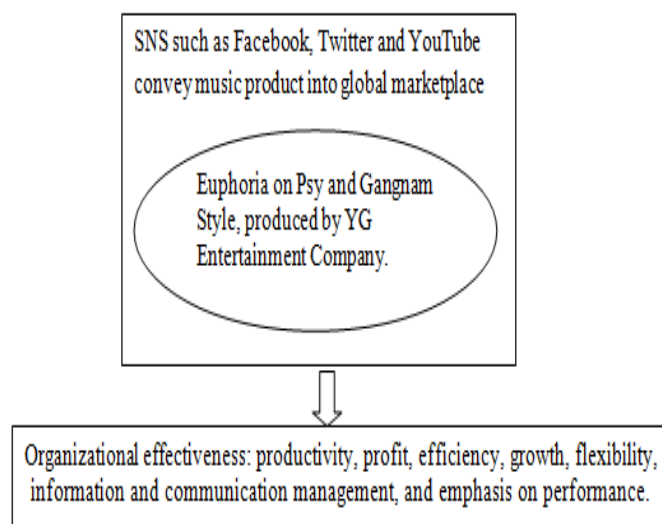


Figure 3. Scheme of linkage of euphoria, social media, organizational effectiveness.

4. CONCLUSION

From the secondary data analysis concluded that social media is appropriate (effective) media to convey the gangnam style euphoria to fulfill organizational effectiveness. A limitation of this paper is the amount of secondary data (only 1 global case) used is still rarely. With the increasing number of secondary data used as a basis for further analysis, the complete conclusions obtained because the

opportunity of organization context gained more, euphoria cases and various kinds of social media increasing time by time. For future research, this paper can be the basis for empirical research to investigate contextually (according to the type and condition of the organization) how to create euphoria through social media effectively and detail in order to increase the organizational effectiveness.

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FINANCIAL MANAGEMENT IN PUBLIC AND PRIVATE JUNIOR HIGH SCHOOLS

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ABSTRACT - Adequate financial support is needed to improve the quality of school management. The availability of cost but managed ineffectively and inefficiently does not guarantee the expected quality improvement. Nana Fattah (2000: 90) states that the effort to improve the quality and expansion of education requires at least three major factors, namely (1). Adequacy of educational resources in terms of quality of education personnel, costs and means of learning, (2). The quality of teaching and learning process that can encourage students to learn effectively, and (3). The quality of output in the form of knowledge, attitudes, skills, and values. So adequacy of resources, quality of teaching and learning, and the quality of output will be fulfilled if the required financial support and professional education can be provided in the school.

For the smooth management of the school, experts have same opinion and they state that the management can be defined as a process that is: as an action, an activity, or a work that leads to some specific targets, carried out by more than one person in the organization. Management process raises an obligation to carry out managerial jobs or processes, which are divided into three main functions: planning, organizing and controlling.

The functions of management consist of planning, implementation and monitoring, thus based on the information provided before, management has always been demanded to utilize resources effectively and efficiently to achieve the goals of the school. Resources may be classified on physical resources, human resources, financial resources (funding sources), and time resources. So, effective and efficient management of financial resources also contributes to optimize the work of the management.

To sharpen the financial management contribution to the smooth running of the school, there is a necessity to describe the functions of the financial management itself and each function will be the key for the school success. In managing school with many challenges and the era of change, the function of financial management becomes very prominent and demands to be known and understood by the Principal, as the person who takes full responsibility for the management of the school.

keywords: Management, Finance, School

1. INTRODUCTION

1.1. Background

Education is a conscious effort to prepare students through the activities of guidance, teaching, and or training for their roles in the future (UUSPN., 1989, article 1, paragraph 1). Education is viewed as one of the main factors that determine economic growth through the increase of productivity of educated workers (Harbison and Myers, 1964). This is in line with the educational function contained in UUSPN 2 1989 which states that the function of education is to develop the ability, improve the quality of life, and human dignity as an effort to achieve national goals. As it has been outlined in Governmental Regulation No. 39 of 1992 on public participation, in section 2 explained that the role of the community consists of participating in nurturing, growing, improving and developing the national education. Therefore, achieving the objectives is not only the responsibility of government, but also the responsibility of parents and the community as one unit.

In managing the school, there are two factors that help determine the achievement of objectives effectively and efficiently. The first one is the external factors, such as the public as the consumers who participate in the success of the education; therefore the public should be included in school management from the planning so as to understand all the school needs,

especially those concerning the source of the funds required by the school. Besides the public, also included in external factors are government policy, environmental, political, social and cultural factors, as well as the economic development level, the circumstances of the country. The second factor is the internal included in it is everything that is directly related to school management, such management of human resources, financial management, infrastructure management, curriculum management, school and public relation management, management of students, educational monitoring and evaluation.

The two factors are interrelated as both are functioning and influencing in achieving the goals. Community / parents as users of services are responsible for the implementation of education by participating in the procurement of funds, because one factor contributing to poor educational quality achievement is due to lack of funding. (Idochi Anwar 2000: 87). It is known that the budget for the educational sector in the state budget in 2001 of only 3.83% of the total state budget or 0.8% of GDP.

The percentage of the educational budget is the lowest in the history of Indonesian life. In fact, when compared with National Budget in 2000, the budget decreased 30.5%. Ministry of National Education, MoNE (DepDikNas) itself actually provides a minimum budget of Rp. 27.028 billion or 9.16% of the

budget bill. The budget is to cover the regular budget, development, and self-help. The proposal was made based on the evaluation of the implementation of educational development.

As a suggestion in the case of educational management practices, we need to note the results of a World Bank report (1999) by Jiyono, cs, the School Based Management, Indonesian Educational Conference, (1999: 7) regarding to basic education dualism that suggests the separation of educational technical resources and administrative functions such as ambiguous division of responsibilities and managerial roles, unintegrated planning and financing system become "inefficient", at least for the following four elements:

- Expenditures for improving the quality of education are neglected because they are out of the scope of both departments to find resources;
- Quality improvement is being delayed due to the equipment supplied by the local office often does not meet the needs or demands of the school. Besides government subsidies in the form of BOP are frequently reallocated at official level, especially to cover district office expenses, so that the subsidy which should have Rp. 700.000, - to be accepted by the school usually decreases to only Rp. 200.000, - up to 250,000 per year;
- Teachers' careers is often erratic because the promotion of primary school teachers to become secondary school teachers should involve two departments. Besides the promotion and transfer of the teachers or the principals is often decided unilaterally by the department without reference to the assessment made by the Department of Education;
- dualism of this administration, in the end do not provide a favorable climate for policy coordination, planning and implementation in order to achieve the goal of compulsory education (Report of the World Bank in the School Based Management 1999: 35).

Integrating the local office of the District / Municipal and Provincial office of national education, one of its goals is efficiency in the educational fund management, in addition to achieve the goal of improving the quality of schools in the national educational policy framework. The World Bank report (1997: 80) recommends that schools need greater autonomy to manage their own system. Greater autonomy must be given to the principal in order to utilize the resources and the development of school-based management strategies in accordance with local conditions. However, greater autonomy must be followed by the selection of a good school principal who has the necessary skills and characteristics to manage the nuances of autonomous schools. This is important because the principal as the Administrator and Supervisor has an obligation to manage the school, in terms of how principal empowers all resources in the system synergy of cooperation to achieve the goal of education. Besides, the Principal also has an obligation to help improving the ability of teachers both in the field of cognitive, affective and psychomotor, so better quality of education can be

achieved. The most important thing is the Principal should have the skills to carry out both roles at the top, and be able to act as the manager of the school.

In order to avoid the waste of the school management budget and countable advantage (benefit), it is important to determine any programs that need to be financed. In order to get benefit in the administration of schools, it should be calculated according to the principle of educational economy. Cohn, Elchanan (1979: 8) suggests that the main issues in the economics of education are concerning the identification and measurement of economic value for education, allocation of resources in education, teachers' salaries, the cost of education, and education planning.

In order to optimize the use of the educational expenses, it should be measured alongside the teaching learning process; it is an analysis of the output produced by education. Benchmarks that can be seen from this analysis is the comparison of the quality of graduates with invested expenses.

Investment in education funding is commonly classified into: (1) The salaries of the personnel, (2) students' activities, (3) facilities and infrastructure maintenance.

Strategy determination of the need for cost in Indonesia is of utmost importance, even more so when linked with the national development of Indonesia, which can not be separated from the wisdom of determining the budget for national educational development is set as the national priority programs in education, such as:

- (1) Completion of nine years compulsory education
- (2) improving the quality of on every track, the type and level of education, (3) Increasing the relevance of education and or linking between the school and the needs of the community (link and match), (4) education and mastery of science and technology (5) Development of a national culture aiming at strengthening the nation's identity and personality. (Working Group, 1999: 1)

The five educational programs are not just a slogan, but really a program that should be realized and requires a very big expenses.

Educational development will be able to run properly and meets the required standards and can achieve the goal if it is supported by a grant or fee school program as needed by school. In case of the need, here arises political conflict between educational development programs with others in which each program says that it is more important. Regardless of the debate, the school as an executive leader in human resource development program through education surely requires standards budget both in minimum size and ideal.

Development that drive the need evaluation is the emergence of the interest to analyze the system and systematic planning, accountability movement, with better emphasis on outputs rather than inputs or processes, and the use of new management techniques, particularly the system of financing,

programming, planning and management according to the goals.

School need budget assessment is the ability to recognize available gap or difference with the standardized requirements, the results indicate whether it is too much or too little, and as a tool that requires a consensus on who is responsible for doing something, needs to be supported by equipment and fittings required in planning and organizing need priorities.

The problem in the availability of funds at the level of educational institutions such as schools, is a mismatch between the source of funds that need to meet the needs of students and other school personnel, with real funds available sources associated with the curricular program, extracurricular programs, facilities and infrastructure, teaching materials and coaching personnel as the main capital of learning services, have to be in high qualification and meet the product quality as well.

Low financial support needed by schools to support the school management would adversely affect the educational and human resources both in quality and quantity. Disparities in school quality, efficiency, efficient use of educational resources, the goal to be achieved and the rate of return are closely associated with the optimal management of educational resources. An illustration of the allocation of funds for each student will be shown at every school level, both at the level of elementary, junior high, senior high school, as well as at the level of Higher Education.

For the educational institution is an institution that can change the society both in social status, or economic status, the determination of the costs and the implementation of a school budget both by government and private sector must be based on the real needs of schools. The low available budget and determination of the budget with flats and block grant system that has been practiced is to generalize the budget at each school provided equated according to the type and level of the school itself, with no attention to the real needs of each is seen as the cause of the low quality of education.

What is needed and very important in determining the school budgets according to the needs of the school, if the school budget as needed, the school will be avoided from atmosphere of frustration or dead end.

The importance in managing the school budget provision based on the basis of needs is a strong reason for the researcher to analyze the financing needs of the school that will have an impact to improve the quality of school-based management systems in junior high school (JSS). The importance of this financing needs analysis based on the idea that the ideal cost according to standard needs is to be able to produce quality output that is the ability to compete in the era of globalization.

The ability of working together with others and also having endurance, which for sure all of this can be achieved with the budget availability which based on need in order to achieve the goals and objectives that have been defined previously. Ingemar and Saha

(1983: 18) state that education should not be interpreted as "consumption", but education should be interpreted as an productive "investment". Education does not only prepare individuals in building the personality and character, but it also provides a wide range of labors which are very important to support industrial development and economic growth. Education needs a lot of budget to be able to contribute in the form of economic growth and development of the nation, whereas for individuals would increase economical capability and intelligence of the individual.

Cost in this study is defined as an amount of money provided (allocated) and used or spent for the implementation of the functions or activities of the achievement of goals and objectives in order to process the school management. The occurrence of differences or generated output between one school to another is it estimated as one reason for some schools get enough budget input while there are some still far from the required standards depending on the support of the community where the school is located.

1.2. Problems

Nowadays, there is the reality that society and parents do not pay enough attention to education for they consider it as the responsibility of governments only. Therefore, most of the responsibility for education funding must still come from the government budget. With the magnitude of the needs of education costs, it can be estimated that the allocation could be provided for basic education, particularly public and private junior high schools, in the future will still show the imbalance between the availability of funds and the needs, so obviously to explore the source of budget from the society and family is absolutely necessary, besides other strategies pursued.

Tuition fees for the Junior High School level have been abolished, which for sure the income of the family is no longer contribute to the financing of junior high school's needs, therefore it is needed to find a way or another attempt to solve the problems of shortage in budget, although there is subsidy from the government called School operational costs also known as BOS, but in reality it can not optimally meet the needs of the school.

All parties realize that education can boost economic growth, but on the other hand the determination of the school budget is not referring to the financial needs of the school. In this case, what attracts the researcher's attention is the gap between schools financial needs provided by the government, and the real needs of school management fee has not been a development priority in solving the problems of school management.

2. DISCUSSION

2.1. Education as Investment

Human capital theory is a school of thought that considers men as an asset and as same as other forms of capital such as money material, machinery, and others. Humans as the asset are considered as the most determining factor to economic growth. Through

themselves as the investment, people can choose alternatives in choosing a profession, occupation or activity that will support their life and livelihood. Some experts such Vaizey (1962), Elchanan Cohn (1979), Gary S. Becker (1992) suggest that this theory has influenced government's thought, planners, international institutions and educators in the planning and developing human resources. It has also been able to encourage the growth of demand for education in developing countries in the post-colonial period.

Schultz (1969) sees that when humans make education as an investment, then the education will influence on the productivity of a country. Von Thuner (1975) sees education as a form of productive capital, and a medal of goods that has functions for the next production, therefore the cost of education needs to be calculated.

The same thing was said by Nana Fattah (2000: 6) that the expenditure level of tuition fees is an indicator of the financial efforts of the State for investment in human resources (human capital) and indicates priorities among sectors in the allocation of state finances.

Philip H. Coombs and J. Hallak have provide a fairly clear picture about contribution in the cost analysis of the economic aspects and the education system, the analysis suggests "cost effectiveness" analysis is a technique to measure the relationship between the total input or the cost total of a project or activity, with output or goal-purpose (M. Woodhall, George Psacharopoulos (1987) Input and output should be quantified although not in the form of money. Cost Benefit analysis is used to measure the costs with the benefits of a project in financial terms.

Analysis of "cost effectiveness" can produce two different forms as follows:

(1) Comparing alternative ways to achieve the same goal to identify which way has the lowest costs. In education, this analysis can be used to compare between different institutions or different teaching methods.

(2) Using the analysis of "cost effectiveness" to compare the number of schools with same cost levels, to find which one reaches the level of the highest outputs or results. The school with the most effective cost is one that maximizes the level of certain costs to produce specific outputs.

However, serious problem in education is to identify and measure the output or purpose of education itself. So according to M. Woodhall cost of effectiveness analysis is not right to be used.

The cost benefit analysis is one of the models to measure the productivity of education, training and evaluating investment projects W. Mc Mahon (George Psacharopoulos: 1989) state that the "Rate of Return" is one kind of cost benefit calculation that is used to measure the relationship between expected revenue received the student as a result of their education tuition fees. The major limitations of this analysis is that the benefit (profit) of education are included in the calculation of the income and usually limited to individuals without any calculation of the non-monetary returns and ignorance of the social benefits.

in this case, the researcher has an opinion that cost effectiveness is still relevant in the unit used to measure the cost per each student.

Philip H. Coombs and Hallak J. (1969: 22) state that the efficiency and productivity of the education system, according to internal efficiency is expressed by "cost effectiveness ratio" while the external productivity is defined as "cost benefit ratio" of the educational system.

The cost in general meaning according to Johns and Morphet is illustrated as a concept in goods and service and is applicable in the production of goods and services. Production of goods and services requires some sacrifice from the owners of the production, if an owner surrenders the production to a manufacturer or supplier of goods or services, then it costs him the factors of production, namely the loss of the use (consumptions forgone), thus, it is reasonable for him to get production substitute cost for the loss of production factors used for manufacturing the goods / services, either in the form of wages, salaries, fees, interest, rents and other payments fees. According J. Hallak (1969) in the analysis of education costs, (in the common sense, costs in the form of money). The cost in terms of consumer, users of goods / services is considered to represent the true cost that is issued by the manufacturer. Therefore it is affected by the transaction done by the producers and consumers. In the field of education, producers which may consist of government, education departments in schools or public education institutions, private organizations or foundations of non-formal education (school education). Consumers are usually students or families, governments and communities become participants and users. Costs for students or families are tuition and tax burden in the account is to be paid by schools.

Perhaps it is questionable whether the cost of the option (alternative) for the loss of employment opportunities (opportunity forgone) for the family as a result of sending their children needs to be taken into account, as well as the cost of educational institutions in accordance with the budget requested by the institution such as salaries, building maintenance and repair costs or establishment, equipment or other educational facilities, in addition there are cost options.

The illustration explained above can be understood considering that the economic scale or educational institution, school in particular, there is no close relationship between the costs for the production or educational institutions and the cost to the consumer or family. This is because in general educational institutions do not directly bear the entire cost of education except those private ones run by educational institutions / communities. Therefore, perhaps it is better to consider families as a unit and the government as transector in organizing the education. Educational budget is financed by the government, assisted by the family and the community through the payment of taxes and tuition, of course, with the

assumption that education held by the government as public services.

From the above statement can be concluded that education is private goods (personal service) and also the social goods (public services). This concept implies that all businesses run either by private or by government need investment, for the connection to this concept, Zymelman (1975) clearly states that finance is not just about the analysis of the fund sources, but also about the efficient use of them. The more efficient a system of education, the less money needed for achieving the objectives of that education. Therefore, the management of funds will help improve the efficiency of education. This means that with the availability of budget can achieve more productive, effective, and efficient goals and relevant to the needs in the field of education with community development.

As pointed out by Johns and Morphet, education is basically a process of development of human resources both knowledge and skills. The discussion about the cost of education is something that is legal, on the premise that education is very important for it has a role to preserve the culture and pass it on to the next generation.

The next development, education is given more dynamic role dynamic, this attribute is given based on a consideration that education provides benefits or greater benefits for the country, namely in preparing human resources.

The new role of education according to Johns and Morphet gives a title that it is as one of the country's vital industries, which are devoted to education in order to produce qualified human beings who can participate in nation-building activities, while according to Schultz human will only develop through education. Resources which humans possess is a means of production, as a source of knowledge and skills, education can give satisfaction to the individual himself, both for the present and the future and a means to earn income, because through knowledge and skills humans can produce, provide services and so on. In other conditions, human capital can be used as a tool to reproduce what has been invested in the past. Education is investment, as an educational investment must be carried out continuously and it needs continuous large budget as well, with the investment in education field, it is possible to obtain high profits with recruiting a number of human resources required for development purposes. In this case, economists give have further opinion which states that education lays the foundation for sustainable economic growth or qualified workforce.

Education is a part of the development program implemented by a country and its implementation should be integrated with other development sectors, in the implementation of educational development there are basic issues which should receive attention, such as Morphet's statement: (1) what are the goals or purposes of education; (2) whether the educational development program is focused on the aspect of quality or quantity; (3) what are efforts to improve the

distribution of educational opportunities; (4) how much are costs required; (5) how much percentage of state resources are to be focused on education. Because education is one of the activities of development, then its existence can not be separated from social and political processes prevailing in a country. Burkheid even states that in addition to education is a part of community needs; it is also part of the political enterprise in America. Political influence to education is quite strong. Local school boards are set through the political procedures, as well as to the location and arrangement of school buildings often become political disputes, even financial supports for the school are through the political process. On the issue of education funding, it is not only influenced by the political system, but also affected by the power system. Many power systems are based on interests and activities such as politics, economics, and education and so on. Education as an institutional system allows for demanding funds or financing both from the public and from the government.

The second problem discussed with regard to financial management is about economic funding for junior school. In this section the explanation is begun with a discussion of basic concepts, followed by a discussion of the trends and demand of support costs for public schools and then concluded with a discussion of the tax and the sources of the cost for education in schools. In the discussion of basic economic concepts of education funding, many of the authors of the book explore some of the economic problems in school education funding proposed by John and Morphet (1979), such as: (1) school financial linkages with aspects of the quality and quantity of education in schools; (2) draw attention to the financial position of the school in an effort to develop the students' full potential / talent; 3) Effect of GNP to education (4) The effect of different types of taxes to economic change; (5) The effect that will occur in the presence of differences in the school fund distribution formula from the central government; (6) The pattern of school finance.

2.2. Assessment of Educational Administration through Economic Spectacles

This section presents some economic concepts, and seeing education from the perspective of economics, as well as the benefits of education in economic growth. The main focus in the field of economics is the problem of resource allocation and key concepts focus on the problem of limited resources. It is known as macro approach in the field of economics. This approach is necessary in studying the problems of education. In analyzing the educational aspect through the educational economic, education can be viewed as developing industries provide workforces and other things required of the total economy. Contribution of education to gross national product (GNP) is quite significant and as same as other sectors. Education as the economic wealth and this wealth is in the form of non-material services available to meet human needs. Nowadays, all people or countries have benefited from

education. Through education enables individuals to receive income / revenue. Denison assessment results indicate that investing in education provides a positive contribution to the economy, such as employment increase, education improvement, and science increase and so on. All of them can boost a country's GNP.

John Roe and Edgar Morphet find all education expenditures show an investment. financial input in education is considered as an investment, in which the benefits will be gained by individuals who get education and also earn profits in the community.

There are two educational profit results obtained by people, namely economic and social profits. Regarding the benefits or advantages received by individuals from the education, Houthaker's and Miller's research show a tendency that the higher a person's education level, the greater the income he gets. In other words, highly educated people gain greater benefits in the form of revenue results in comparison with the less educated ones.

The benefits received by the community can be seen from the development of GNP (Gross National Product). Supported by some of the results of these studies, the experts generally have the same opinion that education has positive influence to the economic development of a country. This economic development is supported by the increase people's living standards.

In this era, people try to analyze the cost / benefit to use in making decisions, especially in educational organizations, specifically in the allocation of financial resources. Education in its operation can not be separated from its budget issue, which largely obtained from the government. In setting out how much the cost will be spent on education is influenced by several factors, including the amount or number of students who need to be educated, purchasing power, national income and per capita income as well as the quantity and quality of education that will be provided by the government. If at some point the government establishes that both these aspects to be defined (quality and quantity), the allocation of costs will be adjusted with both the mission of education, if public's demand is so high for sure it will need a higher cost. By analyzing the factors above, the education funding problems and issues are a part of the state finances.

Financing model for schools and provision for the funding of schools is so various. To see which model is the best, it can be evaluated mathematically, but there are also certain properties of the determination or the provisions in the financing of this school that can not be evaluated with mathematical formulas and computer simulation. So it can only be judged by a check list or set of criteria for identifying the overall characteristics of a satisfactory school funding program. In Indonesia education funding for public schools mostly come from the central government.

2.3. Indonesian Schooling Financial Management

Availability of funds is one of the requirements to be able to do a various educational activities. Together with educational administration elements such as

human / personnel, facilities, educational technology, and function as to generate certain outputs that support the success of education. If the necessary funds are available, so it is expected to be managed carefully. This means besides thinking about how much money is sufficient for education, it must also be taken into consideration how and where the funds were obtained. In Indonesia alone since the first fulfillment of education funding is seen as things that need serious attention from the government, both the central government or local governments, particularly with the enactment of the regional autonomy law, and as mandated by the Act of 1945 Article 31, and confirmed in 1945 that has been amended in clause 31, that governments have an obligation to organize and finance education in accordance with its function in regulating and promoting public welfare, but by the limited ability of the government in meeting the needs of the educational fund, then the responsible for financing education is a shared responsibility between government, communities and parents (UUSPN No. 2 of 1989).

The question that needs to be answered is why this education fund requires adequate management, starting from budget preparation, budget execution and oversight and accountability in accordance with applicable regulations, both the regular budget and development budget.

The answer is the successful management of education funding that will lead to a variety of benefits, including: (1) Enables the availability of education (2) Enables the continuity of education efficiently and effectively, (2) Enables the achievement the institution, as one of the objective of the establishment of the institutions (especially for private educational institution), (3) to prevent the errors, irregularities or leakage of funds from the original plan, (4) deviations will be controlled if the management went well as expected. When this financial leakage occurs, then it will be bad, either at the immediate superior financial managers and treasurers as well as to educational institutions.

In managing school, the main objective is how schools can produce qualified output in order to meet the needs of people as service users, therefore, to achieve these objectives mentioned, schools should provide funds as one of the sources that determine the success or failure of schools to achieve that goal.

In matching the resources provided by the external environment with school output, school principal must pay attention to the basic elements as follows: external sources, composite input source, school input, school output and feedback to the school and its environment. Therefore, the principal must analyze carefully in how he acts as an administrator in empowering all available resources, in the necessity of the school and the achievement of the school objectives as how is expected by all education customers (stakeholders).

3. CONCLUSION

These definitions are essential in order to understand the meaning expressed, formulated as follows:

1. The financial management of the school mentioned in this research is how school finances are managed, beginning from planning, use and monitoring, and evaluation. In order for school finances can be run efficiently to achieve its objectives, especially state or private junior high schools.
2. School Finance is amount of money that must be provided (allocated) and used or spent for the goal achievement. What Organizational Units that should be financed by the school.
3. Learning activity services, is the quality and quantity of services that must be provided by schools, either by the principal or other personnel both teachers and administrators to students, in order to broaden knowledge, it is expected from the school to support in achieving the quality expected by society.
4. The quality of graduates is the quality achieved by the students, the quality begins with teaching and learning activities, including how the learning process, whether the infrastructure supports, how the attitude or performance of teachers in the learning process. The quality of graduates is a condition that can give satisfaction the community, especially parents. Although indicators of the graduates' quality of at the moment, is still limited to the average NEM at a school, people assume that schools that can generate high average NEM will depend how the principal manages his school, because this is the leadership that will affect the continuity of the school.

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GENDER MAINSTREAMING IN GLASSES OF PUBLIC ADMINISTRATION AT BANTEN PROVINCE

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ABSTRACT - Spirit Gender Mainstreaming (PUG) in Banten province began with the Banten Provincial Regulation No. 10 of 2005 on Gender Mainstreaming in Regional Development. Gender mainstreaming is a strategy that is done rationally and systematically to achieve gender equality in a number of aspects of human life through policies and programs that pay attention to the experience, aspirations, needs and problems of women and men into the planning, implementation, monitoring and evaluation of all policies and programs in various fields of life and development. PUG is carried out in accordance with Presidential Instruction No. 9 of 2000 on Gender Mainstreaming in National Development and Regulation of the Minister of Home Affairs Number 67 Year 2011 as the changes of Regulation No. 15 Year 2008 on Guidelines for Gender Mainstreaming in the Region. Unavailability of data disaggregated by sex in all sectors and accurate data on gender issues is an obstacle (for sectors and regions) to conduct a gender analysis is accurate. The impact was found obstacles in identifying gender issues in terms of aspects, roles, controls and benefits.

keywords: Gender Mainstreaming (PUG), Public Administration

1. INTRODUCTION

1.1 BACKGROUND

Development should basically provide justice and prosperity to all the people, both men and women, the rich and the poor. But we realize that the involvement of women in the development process in part still not up, for example, of the 30 ministers who lead the ministry in 2009-2014, as many as 26 people were male and only 4 women. Then, out of every 100 person village head, as much as 96 men and only 4 women (Podes Statistics, 2008). In fact, from as many as 230.87 million people in Indonesia in 2009, approximately 50 percent are women or sex ratio is 98.15 (Projected results SP 2000).

Gender discourse in public administration Indonesia can be traced from the concept of 'Ibuisms State' which was introduced by Julia Suryakusumah (1991). According to Julia, the concept of State Ibuisms is a concept that includes elements of economic, political, and cultural. A concept which illustrates that public policy in Indonesia to make Indonesian women become "women" when he became a "mother". Thus stereotipikasi run not only culturally, but also formal. This idea later evolved with the rise of critics of the policies of gender bias, followed by exposure of the composition of women's participation in the public

world to ratify the position of "domestic" women who simultaneously deny the role of the "public" of women, including roles directly involved in public administration, and the process of public participation in policy formulation existence as citizens. (Nugroho, 2003: 228).

Based on the 2001 Human Development Report issued by UNDP shows that Indonesia is not only the lowest score of human development (Human Development Index) among all ASEAN countries, but also in her development (GDI, Gender Related Development Index). Therefore a gender mainstreaming in development, there are at least two authors that runs parallel to introduce a development which recommended the transformation of the development bias and equitable development. The first is Amartya Sen in his book Development As Freedom (2000), which mandates that development is essentially and ultimately was freed individuals equally to develop qualities of self and group. Second, Margaret Snyder in his book Transforming Development: Women, Poverty and Politics (1995), which among other things that alleviate issues or political purposes is to alleviate human development of poverty, and human beings are human beings male and female humans. (Nugroho, 2003: 233).

Table 1: Comparison Table HDI, GDI, GEM

No.	Negara	Ranking (HDI)	Ranking (GDI)
1	Singapura	26	26
2	Brunei	32	30
3	Malaysia	56	55
4	Thailand	66	48
5	Vietnam	101	89
6	Indonesia	102	92

Source : Human Development Report 2001, UNDP.

From Table 1.2 above, an indication that the development in Indonesia is still not fully gender equality. Likewise occurred in the composition of the population in the province of Banten, as described in Table 2 below:

Table 2: Total Population by Gender Regency / City at Banten Province in 2013

Kabupaten/Kota	Perempuan	Laki-laki	Jumlah
Kab. Pandeglang	578.403	604.603	1.183.006
Kab. Lebak	607.904	640.002	1.247.906
Kab. Tangerang	1.540.690	1.617.090	3.157.780
Kab. Serang	714.597	736.297	1.450.894
Kota Tangerang	954.998	997.398	1.952.396
Kota Cilegon	194.802	203.502	398.304
Kota Serang	301.301	317.501	618.802
Kota Tangsel	715.601	727.802	1.443.403
Provinsi Banten	5.608.296	5.844.195	11.452.491

Source : BPS:Banten in figures (2014)

Based on Table . The above known female population of less than the male population. Based on observations also found the persistence of the division of roles between men and women. Differentiation of roles, responsibilities and status of the division of labor between men and women like this often creates injustice, such as the average salary of women workers in the processing industry sector with education graduate of the University only 2.56 million dollars, much lower than men , 3.99 million dollars (BPS, Sakernas 2009). So this may indicate there is gender inequality.

In order to increase the role of women Banten Provincial Government issued a Local Regulation No.10 / 2005 in order to realize gender equality. Where the local government has a duty Banten formulate policies, strategies, guidelines, implementation of Gender Mainstreaming. One of the factors driving the increased participation of women namely the Banten Provincial Regulation No. 10 of 2005 on Gender Mainstreaming (PUG), and even the Governor of Banten Governor has also issued Instruction No. 2 of 2005 on Gender Mainstreaming Regions.

In accordance with Indonesian state goals listed in the fourth paragraph of the preamble of the Constitution of the Republic of Indonesia in 1945, namely to protect the entire Indonesian nation and the entire country of Indonesia, promote the general welfare, the intellectual life of the nation and participate in implementing world order based on freedom, lasting peace and social justice, it is a must that the development in Indonesia is one of them directed at the development of gender berspektif.

Why should berspektif gender? This question certainly needs to be answered. As we know that gender mainstreaming became a central issue of development at this time. None other than the need to have a change of mind set of the people who tend to gender bias in mensikapi the role of women in development.

1.2 CONCEPTIONS ABOUT GENDER

In general, the study of women in any, tend to see women separately with other aspects, not terintegratif and partial. Study of women should also be looked at systems and structures of society which allows

dichotomous worldview between jobs of men and women. This analysis, known as gender relations analysis, examine the issue of socio-cultural relations between men and women. What exactly is meant by gender? From observation, there remains ambiguity, misunderstanding of what is meant by the concept of gender and its relation to women's emancipation efforts. At least there are some opinions occurrence of such ambiguities. Gender in the Indonesian words borrowed from English. When viewed more deeply, not clearly differentiated sense of the word sex and gender.

By grammatical gender in some sense be interpreted as follows: (1) classification roughly corresponding to the two Sexes and sexlessness; (2) class of noun According to this classification. (Oxford Learner's Pocket Dictionary, 2004). While conceptually, gender is understood as a socio-cultural construction that distinguish masculine and feminine characteristics based on the identification of gender. A detailed understanding of the fundamental differences between the sexes (Sexes) and gender that we can see from the quote the following explanation:

"The word gender describes the state of being male, female, or neither. Some languages have a system of grammatical gender (also known as noun classes); while a noun may be described as "masculine" or "feminine" by convention, this has no necessary connection to the natural gender of the thing described. Likewise, a wide variety of phenomena may have gendered characteristics ascribed to them, either by analogy to male and female bodies, such as with the gender of connectors and fasteners, or due to social norms, such as interpreting the color pink as feminine and blue as masculine. In social sciences, the word "gender" is sometimes used in contrast to biological sex, to emphasise a social, cultural or psychological dimension. The discipline of gender studies investigates the nature of sex and gender in a social context. (Microsoft Encarta Encyclopedia, 2004).

Meanwhile, there has been no explanation that can explain briefly and clearly the concept of gender and why the concept is due to the lack of explanation

about the link between the concept of gender with other injustice.

To understand the concept of gender with the word sex (gender). Understanding gender is pensifatan or division of the two sexes is biologically determined human being attached to a specific gender. Such tools are biologically inherent in man kind women and men forever. Biological significance of these tools are not interchangeable between biological tools inherent in human males and females. Permanently unchanged and is the biological conditions or often said to be the provision of God or nature.

While other woods concept is the concept of gender, which is an inherent nature of men and women who are socially and culturally constructed. For example, it is known that women are gentle, beautiful, emotional, or motherhood. While men are considered: a strong, rational, manly, powerful. The hallmark of the nature itself is the properties that can be exchanged. This means that there is an emotional man, gentle, motherly, while there is also a strong woman, rational, mighty. Alteration of properties that may occur from time to time and from place to place. For example, in ancient times a certain tribe women are stronger than men, but at other times and in other places different men stronger. Changes can also occur from grade to grade different societies. At a certain rate, lower class women in rural areas are stronger than men. All things that can be exchanged between the nature of women and men, which may change from time to time and differ from place to place, or different from one class to another class, which is known as the concept of gender.

Based on some understanding of the above, it can be concluded that gender is the different roles, functions and responsibilities between women and men is the result of socio-cultural construction and can be changed according to the times. While sex is the difference between the sexes of women and men who are biologically, nature, the gift of God Almighty that can not be exchanged, ie: Menstruation, Pregnancy, Childbirth and Breastfeeding. Understanding of gender issues needs to be known, because the gender difference has given rise to differences in social rights, responsibilities, roles and functions of the activity space even men and women in the community who gave birth to injustice and gender inequality. It is the latter which is currently a mainstream (mainstream) being championed by women in Indonesia and in the world at large to achieve justice and gender equality in all fields of life of society, nation and state. Justice and gender equality is understood as an equal and balanced between men and women in the opportunity, opportunity, participation, benefits, and control in implementing and enjoy the fruits of development, both within and outside the household.

2 MATERIALS AND METHOD

The object of this research is Gender Mainstreaming in the eyes of public administration in Banten province, while the design in this study using a qualitative descriptive approach in the form of case

studies that focus on a particular unit of the various phenomena that aims to describe, summarize a variety of conditions, situations or various phenomena of social reality. The use of a qualitative approach is also intended as a research procedure that produces descriptive data, of speech, writing, or behavior that can be observed from an individual, group, community and / or organization in a specific setting anyway. All of them are examined from the standpoint of the whole, comprehensive and holistic (Bogdan and Taylor or Fatchan quoted Basrowi Sukidin, 2002: 3). Creswell (2002: 136) and then summed up the views of various experts that the qualitative approach is more emphasis on the process and meaning of descriptive obtained through words or images as well as inductive where researchers build abstractions, concepts, hypotheses and theories of the details. Where the researcher is the principal instrument that physically connect with people, background, location or institutions to observe or record the behavior in a natural setting. Moreover, I also use secondary data sources, like government regulations, earlier research results, and the numerical datas from the Central Bureau of Statistics in Banten in Figures.

3 RESULT AND DISCUSSION

3.1 Overview of Gender Mainstreaming (PUG) in Development in Indonesi

PUG in Indonesia policy development is a long process that commitment in its implementation, starting from Pelita III were later the focus on the PDP (Women and Development, WID) and GDP (Gender and Development, GAD), and then PP (Empowerment), and finally to PUG. Furthermore, through GAP (Gender Analysis Pathway) as an analytical tool to identify problems, issues, and the possibility of a program for women based on gender equality issues and put it into development programs. The process of policy development and women's empowerment or PUG are as follows:

- 1) In 1978-1993, Indonesia implement the program "Women in Development (PDP)".
- 2) In 1993, for the first time, the guidelines incorporate the role of father, as a parent, the previous guidelines only call my mother, who is responsible for the education of children.
- 3) In 1996-1998, gender indicators structured to ensure that macro policy objectives of all sectors of development are gender responsive.
- 4) In 1998, the Gender Analysis Pathway (GAP) is prepared as a tool to assist policy makers in responding to the gender gap in a systematic way.
- 5) 1999-till now, GAP has been tested in five construction sector resulted in five policy (Policy Outlook) and Action Plan (Plan of Action, POP).
- 6) In 1999, for the first time, the guidelines of 1999 underscores the special chapter on "Women Empowerment" and guidelines for gender equality as a national policy.
- 7) 1999-till now, the Guidelines 1999 Repelita terminology translate into Propenas (National Development Planning Program). Under the

Bureau of Population, Social Welfare and Women's Empowerment. Bappenas, has emphasized mainstreaming as a strategy of national policy. PUG has been formulated in 20 cross-sectoral development programs.

- 8) 2000: Establishment of a Working Group (WG) to PUG across sectors.

(S. Hubeis, 2010: 136) Furthermore, gender issues are covered in Proenas Year 2001-2005 are: (1) education, (2) Health, Nutrition, Family Planning and Social Welfare, (3) Economic, (4) Politics, (5) Policy Development, (6) Institutional Strengthening and Capacity Building, (7) Resources Management and Environmental Development, and (8) Justice and Human Rights.

A brief description of each sector are included in Proenas as follows:

- 1) Gender issues in education, namely high ret illiteracy among women, the low proportion of female students at all levels of education than men, the gender bias in school books, and the low position of women in decision-making levels.
- 2) Gender issues in health, nutrition, family planning and social, ie lack of involvement and responsibility of men in family health, high maternal mortality rate, the high prevalence of iron-deficiency anemia and chronic energy deficiency of vitamin A, low participation of men in family planning, women's lack of control in their reproductive health, including family planning (Family Planning).
- 3) Gender issues in the economy, namely the lack of employment opportunities for women, poor women's access to economic resources, women working assumption in addition to the family, the low labor force participation of women, the high participation of women in marginal employment, discrimination against female workers in the selection process and promotion, lack of protection for women workers.
- 4) Gender issues in politics, namely, the small number of women as members and decision makers in the parliament, government agencies, and justice and peace as well as in the (military).
- 5) The issue of gender in development policies, which many development policies, programs and activities that are still gender bias.
- 6) The issue of gender in institutional strengthening and empowerment, which is the low awareness (awareness) people, especially officials about gender equality, the limited data and information on gender, low quality of institutions, and the lack of inter-institutional relations.
- 7) Gender issues in resource management and environmental development, namely the low participation of women in the planning, implementation, monitoring and evaluation of natural resources and environmental management, lack of awareness and knowledge of women in natural resource and environmental management, the amount of material that is discriminatory law, legal structure not conducive, high atrocities

against women, and the limited number of laws governing cruelty to women and sex workers.

- 8) Gender Issues in Law and Human Rights. (S. Hubeis, 2010: 8)

3.2 Gender Mainstreaming in Glasses Public Administration Glasses at Banten Province

Gender mainstreaming (PUG) in Glasses Public Administration glasses at Banten Province is a manifestation of New Public Management (NPM), which focuses on human development.

Human development as the development concept adopted by Indonesia in the implementation of development towards improving the welfare of the people must be supported by four pillars, namely productivity, equity, sustainability and empowerment. Banten as a relatively new province is a province that is growing much contact with gender issues, where almost 50% of the population female Banten Province which is the potential, in which the active role of women in many ways can be developed.

Based on Law No. 20 of 2000 on the establishment of Banten province, an area of Banten Province is 8651.20 km², which consists of 4 district (Pandeglang, Lebak, Serang, Tangerang) and 2 City (City Tangerang and Cilegon City). However, in line with the demands of development and progress, between the years of 2007-2008 has been the creation of the region, with the formation of Serang as a division of the district of Serang and Tangerang City South as a division of Tangerang regency. Therefore, Banten province currently has four districts and 4 cities.

Viewed from the regional aspect, Banten province bordering the Java Sea in the north, the east with Jakarta and West Java Province, Indonesia Ocean in the south and in the west of the Sunda Strait.

The issue of women's empowerment and gender mainstreaming is a problem that is so complex and covers a variety of aspects: health, education, social, cultural, role and position of women in public office, politics, quality of life, the protection of women and children.

In order to realize development by and for the people (men and women) to be equal and fair, Banten Provincial Government has been a pioneer in the delivery of the Regional Regulation No. 10 Year 2005 on Gender Mainstreaming in Regional Development. Bylaw was then translated into measures such as the publication of several more operations Decree of the Governor of the acceleration of the implementation of the gender mainstreaming strategy for development in various sectors in the Banten Provincial Government and the Regency / City in the province of Banten. Additionally in 2006 has been published Banten Governor Regulation No. 39 Year 2006 on Guidelines for the Regional Action Plan for Gender Mainstreaming Banten Province. Followed by the Regional Action Plan for the Acceleration of MDG Banten Year 2011-2015 in Banten Governor Regulation No. 38 Th 2011.

Banten Province is a pioneer as the first province gave birth to the law No. 10 of 2005 on Gender

Mainstreaming in development as well as the gubernatorial regulation No. 39 Year 2006 on Guidelines for the Regional Action Plan on Gender Mainstreaming Banten Province. With legislation intended expected area should be a pioneer in the implementation of the strategy of gender mainstreaming and women's empowerment, child welfare and the Protection where programs will be run will be targeted if the parties were able to be sharp in analyzing problems, identifying, locating methods and is able to provide solutions precisely as a way out of the problems that will ultimately contribute to policy holders in determining the direction of gender responsive development.

One of the key sentences from Banten Province Development Vision 2012 - 2017 is Unite People Achieve Prosperity Banten based on faith and piety which is a reflection of the reduction in poor communities, increase the purchasing power of people met the basic needs of health, education and economy. Medium Term Development, 2012 to 2017, Banten province aims to empower existing resources to improve the welfare of society. Society both men and women are as actors and beneficiaries of development. The essence of development is to make all people more prosperous regardless of race, religion, place of residence and gender. All residents acquire the same rights and obligations in all aspects of life, which allows residents have many choices.

Total population balanced between males, should the role and participation in development as well as the perceived benefits of the results can be felt in a balanced development between men and women. However, in reality, in the development process seems to be still there is the assumption that women are second-class citizens or women earn less than fair treatment. This assumption, at least not supported by empirical evidence reflected in the various indicators that explain that women still lag behind men in many aspects.

In general, human development in Banten Province has increased. This is evident from the Human Development Index Banten moving from 66.6 in 2002, became 69.29 in 2007. On average over the three years of HDI rose by 0.7 points per year. Increased HDI figures can not be separated from the improvement of government performance to improve the welfare of the community. In the same document indicates the persistence of the disadvantaged groups, namely women.

Banten women's access to development resources is relatively smaller compared to the male group. In the field of education, level of education attained by women are lower as compared to men. The maternal mortality rate is quite high. Children who are born more helped by a non-physician personnel and paramedics are still quite a lot. On the other hand the low level of women's education, and lack of skills for the labor force women to encourage them falls on the type of informal work, look for work overseas as maids and most of them were forced to idle, whereas the protection and rights of workers in the informal

sector was minimal. Socio-economic conditions that are less favorable that causes many women workers / migrant workers suffered unfair treatment and arbitrary management company / employer who recently made headlines in the mass media.

Gender mainstreaming is one of the strategies of development that leads to efforts to achieve equality and justice for all perpetrators and beneficiaries of the development of both men and women. Way taken is to integrate the aspirations, needs and experiences of women and men in the preparation of the policy, planning, implementation and monitoring of development programs. Identification of the needs, aspirations and experiences of the two groups of men and women was conducted by conducting a gender analysis that is supported by the availability of a complete gender data includes quantitative data and qualitative data, disaggregated by sex and of data as well as women-specific information such as data violence, mortality data maternal etc.

Banten Provincial Government has taken various policies and programs of community empowerment, especially of women. In the medium term perencanaan document Banten province, as contained in the annex to the Regional Regulation No. 3 of 2007 on the Medium Term Development Plan (RPJMD) 2007-2012 followed RPJMD Banten Banten province Years 2012-2017 gender issues widely discussed and programs for towards equality and justice formulated in detail along with the target to be achieved by the end of 2012. The Commission followed up with NMTDP 2010-2014 (Presidential Decree 5/2010) and the Commission RPJPD 2005-2025 (Regulation 1/2010). RPJMD performance indicators and targets include the five aspects in its mission: "Infrastructure", "investment", "human resources", "United", "government" with the translation of its mission as follows:

- 1) Supports Regional Infrastructure Development Improvement Area Development / Environmental Zone,
- 2) Conducive Investment Climate Stabilization
- 3) Improving the Quality of Human Resources healthy, intelligent, religious and strengthening the competitiveness within the framework of NKRI
- 4) Strengthening the spirit of togetherness Inter-Development Actors and synergy of government, provincial and district / city that is in harmony and balance
- 5) Quality Improvement and Local Government Performance Dignified Towards Good Governance, Clean and Efficient
Then also contained in the Regional Action Plan for the Acceleration of MDG Banten Year 2011-2015

(Banten Governor Regulation No. 38 Th 2011), namely: 1) Eradicate Extreme Poverty and Hunger; 2) Achieve Basic Education For All; 3) Promote Gender Equality and Women's Empowerment; 4) Reduce Child Mortality; 5) Improve Maternal Health; 6) Combat HIV / AIDS, Malaria and other Infectious

Diseases; 7) Ensure environmental sustainability; and 8) Develop a Global Partnership for Development.

To determine the success of a program needs to be a periodic activity and continuous monitoring and evaluation of the implementation of the program by looking at the various issues that intersect with gender mainstreaming in Banten Province.

3.2.1 Low Quality of Life of Women Compared to Men Who Caused Patriarchy Culture

This is demonstrated by the strong cultural and structural insulation which take refuge in the interpretation of religious values and culture that tends to subjectively within the confines of a patriarchal culture that indicates the majority of models of men's work more from recognized. Besides, the presence of stereotypes (labeling) which distinguish the role of women's bags and the domestic public sphere which often impede progress, especially in improving the quality of life and lack of utilization of the local wisdom that exists in the community to gather information and data collection relating to the use of the values of wisdom Local constructive or permissif for the advancement of women. Based on the results of interviews with one of the staff writers BAPPEDA Banten (11/26/2014):

"People Banten Province is still the patriarchal culture, as shown by prioritizing male compared to female for sekolah. It is strongly felt unfair to women, but some people prefer the rural education by sending her first due to economic factors. They think that if men have school to work later, while the women are not required to get an education because it is not required to work but take care of the household. "

This was confirmed also by the statement of an informer a man (38 years old, 11/28/2014) in Cikande Serang:

"What I see people Banten always put men than women, because men are destined as a leader in both the head of the household as well as a leader of the State, and in terms of employment preferred a man because the man power stronger and more needed than women."

From the interview above, the authors assume that people Banten still reinforced by the patriarchal culture where men are preferred as compared to women in all areas of education, economic, political, social, cultural and so on. It can be seen and strengthened also by the data of Human Development Index (HDI) in Banten province in 2009/2010, namely: Data Human Development Index in Banten Province showed in 2009 amounted to 70.06 with HDI rankings to 23, while in the year 2010 has an increase of 42 points which is 70.48 with the same HDI rank, namely to 23. Then, the HDI in 2011 amounted to 70.95%, in 2012 amounted to 71.49% and in 2013 amounted to 71.90% (Bantam in Figures 2014: 551). So it can be said IPM in Banten Province is still very low and there is no gender equality between men and women.

3.2.2 Development Achievement Gap Between Women and Men in Political, Economic, Social and Cultural

Development achievement gap between women and men in the political, economic and social culture in which participation and beneficiaries against women is not optimal, participation here indicate that participation and opportunities of women remains low in politics, economics, and decision-making, especially education, while beneficiaries here means between men and women benefit equally and fairly in the process of development. As for the problem of low participation of women in various fields, as follows:

Problems in the political field, there are still leaders of political parties who have not been responsive to gender, so they tend to put women in a position that has not elected as a member of a legislative guarantee and the limited position and role of women sitting at the end of the assessment team for the positions of Echelon I and Echelon II as policy makers.

Problems in the economy, lack of education of women and the limited formal employment for women in addition to the persistence of the common assumption that the role of women in society is in the domestic sphere and women's income is considered as family income, so it gets a piece of work that are marginal, not permanent and fickle.

Social and cultural problems in the field, the absence of a commitment to utilize social norms, cultural values and local wisdom that support gender equality and the persistence of patterns of thought and action pattern of society, especially women against existing cultural construction and the lack of participation and the participation of women so as not can have access, benefits and control in gender responsive development.

3.2.3 Lack of Institutional and Gender Mainstreaming Network, including the availability Disaggregated and Public Participation

Weak institutional and gender mainstreaming networks, including the availability of data and community participation shown by the limited development of data disaggregated by sex so hard to find the problems existing gender. In addition, public participation is not maximized in improving the quality of life of women.

One of the four obstacles in the implementation of gender mainstreaming in Banten Province is the involvement of women in decision-making processes in the government of Banten province is still little, so that dominates all forms of organization of the construction process and in decision making both the household and the community more men.

Representation of women in government, parliament and public office is still low, despite the determination of the quota of women in politics is 30%. In all the process of forming local regulations that exist in Serang city carried out by the Regional

Representatives Council (DPRD) which is an element of local governance institutions have the same responsibilities to local government for the welfare of the people. However, the gender perspective of membership of women who served in the government agency such as the Regional Representatives Council (DPRD) Banten Province is still small.

Regarding the composition of the members of the

DPRD is known that members of the DPRD Male amounted to 397 people (86.3%) and legislators Women Banten Province numbered 63 people (13.7%) of the total 460 seats available. More details will be described in Tables 3.1 List of Members of Parliament According to the type of Gender and by Percentage Provincial and Regency / City in Banten province, the following:

Table 3: List of Members of Parliament by Sex and Percentage Based Province and Regency/City in Banten at 2011

No.	Grade	Male	%	Female	%	Numbers of Seats
1.	Banten Province	70	82,4	15	17,7	85
2.	Serang Regency	47	94	3	8	50
3.	Serang City	37	82,2	8	17,8	45
4.	Cilegon City	28	80	7	20	35
5.	Tangerang Regency	46	92	4	8	50
6.	Tangerang City	44	88	6	12	50
7.	Lebak Regency	42	84	8	16	50
8.	Pandeglang Regency	45	90	5	10	50
9.	South Tangerang City	38	84,4	7	15,6	45
	Total	397	86,3	63	13,7	460

Source : Bappeda, Banten Province (2011)

Then the number of Members of Parliament Regency / City by Gender in Banten, 2013 can be seen in Table 3.2 below:

Table 4: Number of Members of Regency / City by Gender at Banten Province in 2013

No.	Regency/City	Male	Female	Total
	(1)	(2)	(3)	(4)
1.	Pandeglang Regency	45	5	50
2.	Lebak Regency	44	6	50
3.	Tangerang Regency	46	4	50
4.	Serang Regency	47	3	50
5.	Tangerang City	42	8	50
6.	Cilegon City	29	6	35
7.	Serang City	37	8	45
8.	South Tangerang City	37	8	45
	Banten Province	327	48	375

Source: Banten In Figures (2014:52)

From Table 3.1 and Table 3.2 above, can the author analyzes that indeed women's representation in Parliament Level I Banten not yet reached 30%, so there is still the need for efforts to increase the quantity of women's representation in parliament until a minimum of 30%, if need be exceeded 30% in order to avoid gaps role of women in parliament.

Furthermore, the data Gender Development Index (GDI) in Banten province has not developed enough because in 2009 only amounted to 61.89 with IPG ranked 25th and in 2010 amounted to 62.88 with rank 24. This shows that the gender development index in the province Banten not yet developed enough and only increased 1 point or 1 percent from the previous year, which previously was ranked 25 be ranked at 24. It can be seen that the construction of gender in Banten province is still not running optimally. While the IPG in 2010, can be seen female life expectancy (66.88 years) is higher than males (63.04 years). For the literacy rate, the percentage of men is larger, ie 98.99% compared to 94.81% of women only. The average length of school for men and women is 8.9 years 7.85 years. This shows that there is still a gap in access to education between men and women.

Gender Empowerment Index data in Banten Province showed in 2009 amounted to 58.90 with 125 ranks and in 2010 amounted to 59.94 with the rank 124. It can be argued that the Banten province is still very low in gender empowerment. The involvement of women in parliament at 18.82%. This figure is quite high with the election of 16 members of the legislature (MPs) of women in the provincial parliament 2009-2014. Women who become professionals (such as managers, technicians and administration) amounted to 39.69 percent. (Puskapol, 2013: 43).

Then linked the availability of disaggregated data on the institutional and PUG are still weak network, based on the results of research conducted Study Center Institute for Research and Community Services University of Sultan Agung Tirtayasa (2011) note that:

The availability of disaggregated data (disaggregated data: data that presents a comparison of the number of men and women such as education, health, economic, political, and legal) and weak institutional network in PUG is a bottleneck in the implementation of gender mainstreaming in the province of Banten. As presented by PUG BPPMD Kasubid Banten (2011):

"The government is very concerned Banten province in the construction of gender, especially Banten own legislation on Gender Mainstreaming, so the development of women should continue to be optimized. To that end, the problem is not all SKPD (= SKPD) in Banten province has disaggregated data as soon as possible and the need to build institutional Focal Point PUG in Banten Province. It should be encouraged so that the implementation of gender mainstreaming continues to run with the availability of data and cross-sectoral institutional strengthening". (Spoken in Gender Analysis Tool training event, in Room Teleconference C Building, University of Sultan Agung Tirtayasa, Wednesday, December 7, 2011).

From the quote above, can the author analyzes that disaggregated data needs and institutional strengthening PUG is a must in optimizing the implementation of gender mainstreaming in the province of Banten.

Further delivered by the Governor of Banten Hj. Ratu Atut Chosiyah:

"One of the Banten Provincial Government's attention to the future of women is the capital strengthening micro-enterprises for women in an effort to help the family economy in order to improve the welfare of the family. In addition we will also improve the protection of mothers and children, through policies and pro-women programs. The position of women in the future will increasingly strategic in order to achieve the ideals of Banten Prosperous based on faith and piety". (Source: Radar Banten, Friday, December 23, 2011).

Based on the above statement Banten Governor, authors can analyze that women have a strategic position in the acceleration of development in Banten, given the empowerment of women in Banten became one of the main agenda in 2012, that all women in Banten be doers, not the object of development. In addition it is expected to improve the economy of the family, the empowerment of women in the economic sector such as SMEs (Small and Medium Enterprises), are also able to boost regional development.

The last obstacle in the implementation of gender mainstreaming in Banten Province is still a lack of community participation Banten province, began the planning, implementation, until the final stages of monitoring and evaluation.

Based on the interview with the author of one of the officials in the BPMPKB (Agency for Community Empowerment, Women and Family Planning, May 2015) Kota Serang, the following:

"..... If in Kota Serang involvement of women in parliament is still small, has not reached 30%. However, women cadres who deal with issues of gender responsive lot. Among the PKK is active, can also mothers female dharma whose members are wives of officials. The province also BKOW (= Women's Organization Coordinating Board), if at Regency / City there GOW (= Joint Organization for

Women). There are many more, officials in BPMPKB and BPPMD some of them are women".

Based on the interview above, it can be seen that the participation during this walk through interaction with various women's organizations are formal and informal organizations are also working with several agencies.

4. CONCLUSION

Gender mainstreaming (PUG) in development needs to be done so that the Banten province can provide justice and prosperity to the people, both men and women and to improve the position, role, and the quality of women in efforts to achieve gender equality and equity in development. So that the whole of society, especially women can participate in the governance process, development, and social.

Furthermore, the application of the concept of good governance and reinventing government as a manifestation of new public management in gender mainstreaming in Banten province needs a clear direction and a strong political will from the government and community support. In addition, the most important is the change in mindset and a new mentality in the government bureaucracy itself as good as any concept offered, if the spirit and mentality of the government administration still uses the old paradigm, the concept will only be an empty slogan without bringing any change, as well as in the management of local government berspektif gender.

Based on the above conclusion, the authors give advice in the form of recommendations following:

- 1) It should continue to be disseminated Local Regulation No.10 of 2005 on Gender Mainstreaming in regional development in the province of Banten.
- 2) Need for training on analysis and development and maximum realization of gender responsive budgeting to all sectors in the province of Banten.
- 3) Promote the fulfillment of the quota of women representation in the parliament of at least 30%, placing the women who have credibility with emphasis on quality, not quantity of her affirmative policies quote.
- 4) In the disaggregated data for per SKPD, which categorizes data for women and men to facilitate the preparation of the Gender Development Index (GDI) and Gender Empowerment Indicators (IDG).
- 5) Need to do research and advocacy efforts related to the implementation of the increased participation of women in the development process in the region.
- 6) Encourage immediate implementation of gender responsive budgeting planning (PPRG) in 42 Unit rating (SKPD) Banten Province by building partnerships with the facilitator PPRG of Universities in Banten.

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IMPACT FROM SOCIAL MEDIA TO SOCIAL LIFE

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ABSTRACT - As the easiest, cheapest and the largest place to show picture, sentence, and newest news, social media become the trend topic in our country. In the social media the users feel the freedom, but sometimes they can't control their freedom until it become a disaster. Disaster for their social life and people around them. We need the education to educate them, how to manage their attitude in social media. This education will start from our children to cut the mistake in our society.

keywords: social media, education, social life

1. INTRODUCING

When people try to find their happiness, try to express their feeling. This people will looking for a place that give them freedom. Social media is the best and easiest place to get freedom. By have one account you can do everything in your account, such us tell what in user mind and upload picture about themselves.

In addition, the presence of social media has led to changes towards the inclusion of an online community. Community participation is notonly happens in the real world but also in cyberspace (Ali & Samsudin 2012).In fact, social media has given the impact on the community engagement in issue during. These include the active involvement abreast of issues during connect blog, online form groups to express their aspirations, create a blog about contemporary issues, giving comments in online news, articles /blog, take a portion in the online discussion, loading down or spreading news related to the issue during the (PewInternet 2009;Ali &Samsudin 2012).

this study wanted to know for sure the communication phenomenon that occurson the Internet through social media relating to the acceptance and howtheir experience using social media. Davis (1989) hassurely know the model is built to analyze and understandfactors affecting the acceptance and use of theintimation and communication technology (ICT) Technology Acceptance Model that is,(Technology Acceptance Model / TAM). TAM formulated two main factorsthe user acceptance of the new technology that is a factor that bringseasy to use (Perceived ease of use) and the benefits that can be viewed(Perceived usefulness).

Acceptance and use of social media in this study will diuraikanusing the Technology Acceptance Model (Technology Acceptance Model)by Davis (1989). This is consistent with studies (Alshare&Alkhateeb 2008) which uses the concept to assess the Technology Acceptance Model acceptance of the Internet and its applications.

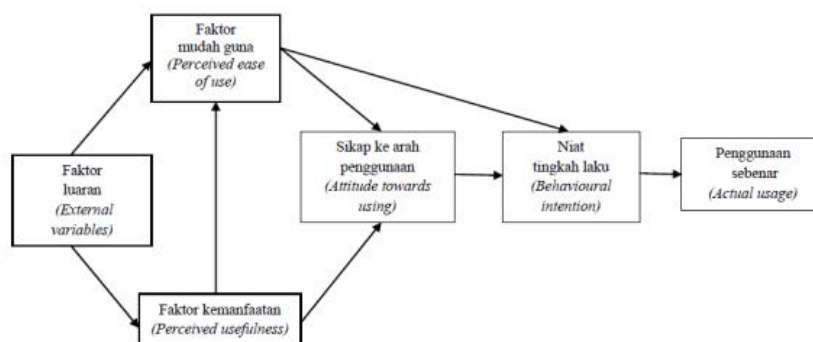


Fig 1: Model acceptance of the Internet

2. SOCIAL MEDIA AND HUMAN NATURE

There are many kind of social media. Social media is a world where is the user can build the atmosphere like what in their mind. Social media that booming in Indonesia are facebook, twitter, path, instagram etc.

The main question of social media is why our teenager and our citizen love using this social media? From the research 70% people more like spend their time in social media than in their real life.

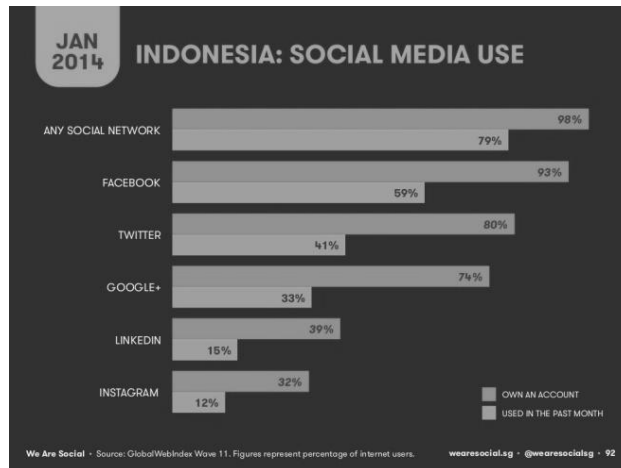


Fig. 2: Grafik of social media use

Human nature is one factor to explains the question. Human love to be center of attention, need appreciation from other people, express their feeling without any blaming. Show their creativity without boundary. They want other people know about their existention.

This is only about their own self, individually without any care about people around them selve. In the their real life, its difficult to get what they want like in social media. There are many boundary that always keep them in polite mode. For example, the relationship between parent and their children.

Unsatisfying feelings in the real live will make them run away to the social media to show the real feeling that they have.

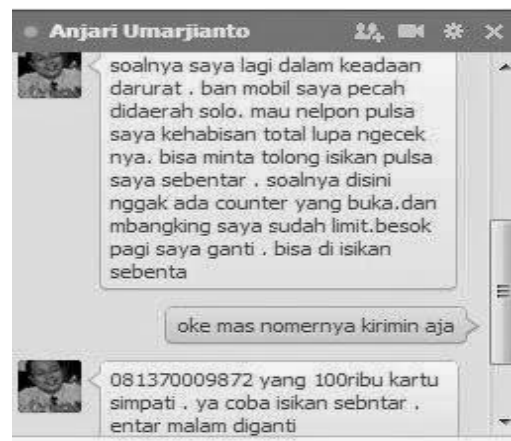


Fig 3: Deception in facebook

3. BAD IMPACT IN SOCIAL MEDIA

Bad impact always come in every single aspect in our live. But problem in social media have impact for general people. Why? Because when you posting something, it will be general because every single person on your social media can see what your posting. When some people fell that your posting are disturb them, they will try to talk to you in two ways, in good way or in bad way. When they use the bad way, slowly but sure it will become a war in social media. Every single subject will always believe that they are true. And the conversation will never end.



Fig.4: Pornografi picture

4. USER OF SOCIAL MEDIA

user who use the social media come from child until adult. From student until a president. means that the user of social media doesn't know what their age, and what their profession. The implementation of social media aren't for happiness but also for business etc.



Fig. 5: Promotion in social media

Even the social media have bad impact, in other side social media have the good impact for people who use it in wise.

5. PROBLEM IN SOCIAL MEDIA

There are many problem in social media. Unfortunately it always happen, and there are many victim from social media.

- a. Deception
- b. fighting in media social
- c. persuasive

6. PROBLEM SOLVING

To solve this problem first we need to educate them. Educate all of user in media social. We start from elementary school. We teach them attitude in social media and try to implement when they come in social media.

Second, we apply the punishment and law in social media to make user control their action.

7. CONCLUSION

Social media is second world live for our society. It doesn't meant we asa the user forget about attitude when we come to the new world with full of freedom. Even social media is a tools to communicate with our friend, we still need to teach and educate our children and our self to always control evry step that we take.

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IMPLEMENTATION OF PUBLIC PRIVATE PARTNERSHIP IN THE MANAGEMENT MARKET RAU (RAU TRADE CENTER) IN KOTA SERANG

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ABSTRACT - According to the approach of New Public Service, the government's main focus is public service. As an institution in charge of providing services to the public, the government certainly can not do it all by itself or single fighter. This is because many types of services that must be provided to the public. Therefore do a cooperation contract between the government and the private sector (KSP) in supplying and servicing the public. Memorandum of understanding contract between the government and private or Public Private Partnership (PPPs) considered very necessary to organize public services, as well as the procurement and management of Rau Market (Rau Trade Center). Besides as icons Kota Serang, Rau Trade Center also serves as a tool in the development of the local economy. This study uses the theory of policy implementation according to Charles O. Jones, namely the organization, interpretation and application. The method used is qualitative case study approach. The results showed that the form of cooperation between the government of Kota Serang with PT. Pesona Banten Persada in the management of rau market is Build Operate Transfers with a concession period of 20 years since 2002. The cooperation is carried out to increase the economic activity of society to accommodate many traders. Rau market management differentiated by region in the building is the responsibility of the private sector and the authorities covering the costs of lease / sale price rental kiosks and stalls, hygiene management of garbage and cleanliness and parking levy withdrawal. Outside the building into the management of local authorities in terms of cleanliness and parking levies, while for rental kiosk / los beyond the authority of the local government because it is owned by an individual. Contributions partnership on revenue of Serang not optimal, amounting to 300 million per month from the levy cleanliness and parking. There has been no further decisions regarding the management of rau by the private market will continue or will be submitted to the local government after the concession period ends.

keywords: Analysis, Application, PPPs

1. INTRODUCTION

1.1 BACKGROUND

In economic concept, the market is a meeting place for sellers and buyers in trading activities to offer an item. Understanding the market can be abstract and concrete. Understanding abstract market is a seller or buyer does not meet directly and indirectly traded goods received. While the concrete market is a market where buyers and sellers meet directly, transactions and goods receipt directly.

The existence of a market if traditional markets and modern markets showed the economy of a region stretching. If the activity in a crowded market, many economic transactions take place, then the region's gross regional income will also increase. The market is a place of shopping goods for daily living. The market is where the velocity of money which lasted continuously for 24 hours a day.

According to the Department of Industry and Trade of Serang in 2011 the number of traders in the market and government markets.

Table 1: According to the Department of Industry and Trade of Serang in 2011

District	Location	Merchants
Curug	0	0
Walantaka	1	178
Cipocok Jaya	0	0
Serang	2	3.035
Taktakan	1	46
Kasemen	2	230
Jumlah 2011	6	3.489

Source: BPS. Serang in Figures: 2012

Based on the above table it is known that the number of markets that are owned by the Government of Kota Serang as 6 locations with a number of merchants reached 3,489 people. Highest number of traders are 2 locations in Kecamatan Serang namely rau market and pasar lama.

On 2 November 2007, the Government of Serang formed as an expansion area of Kabupaten Serang by

Law No. 32 Year 2007 on the establishment as well as the capital city of Serang Banten province. There are 8 districts in Kota Serang. Rau market in Kecamatan Serang. The expansion of the region resulted in the transfer of assets from Serang District Government to the Government of Serang, including the transfer of assets in the region is rau market.

Rau market is one of the largest traditional market in the city of Serang. Physical rejuvenation rau market in 2002 to 2004 were carried out by PT. Pesona Banten Persada as a business entity in cooperation with local governments Serang District. Initially stalls in the market rau yet neat, yet the separation between wet with dry merchandise such as clothing and so forth. Some objective of rejuvenation rau market is, first, to make rau market well-organized attack and qualifies as a market that is safe, comfortable, and clean both for traders and for visitors. Second, is expected to accommodate small traders or economically weak groups in conducting its business activities, so as to increase the income and welfare.

The third goal of rejuvenation market is expected terwujudnya rau center rau market economy which can hold as many small traders to build a three-story perbelajaan center representative, with the availability of facilities such as public toilets penunjuang, mosque, while landfills and availability of parking space. It aims to reduce traffic congestion in the area and to improve the image of the town attacked a market in the capital of the province of Banten, and the fourth goal is to increase local revenues in the sector of the market retribution, cleanliness and other legitimate sources of income to support the implementation of development at City of Serang, (Source: DIPPAS.2001. Draft Planning and Revitalization Main Market Serang)

Currently rau market better known as the pride of the city of Serang icon with the name Rau Trade Center. Rau market is a market that provides a wide range of needs of primary and secondary needs goods. With assets of as much as 5,250 fruit stall which stands on the ground pants 44 229 m² and the number of traders as much as 5,851 people increasingly make rau markets become the primary choice in shopping community Serang.

Rau market rejuvenation is done through cooperation contract or Public Private Partnership between government agencies and enterprises. In this case representing the local government is the Regent of Serang, namely Drs. H. Bunyamin, MBA and private parties, namely PT. Pesona Banten Persada. The cooperation agreement made in 2002. The cooperation is carried out in the construction market is rau Build, Manage and Transfer Property (Build Operate Transfer / BOT) with the duration of the agreement for 20 years. (Cooperation agreement no. 03 / MCC / 511.2-HUK / 2002).

Trade transactions carried out in the RTC not only trade / retail small, but also large retail and it is very influential on regional income. One indicator to measure the economic progress of a region is regional income. Regional income is basically the Gross

Domestic Product minus depreciation, plus indirect taxes and net income flows from other regions. Judging from the calculation on the basis of current prices, GDP increased by 13.87 percent Serang, namely from 5657.28 billion in 2010 to 6441.73 billion in 2011. The percentage distribution PRDB Serang City at current prices of major trade sector and little is 18.02 in 2010 and 17.76 in 2011. (BPS:2012). Increasingly increased economic activity showed the economic growth and income generation in the community. role or rau rau market trade center as a place of economic transactions plays an important role for the development of the local economy and increase local revenues Serang.

The revenue contribution of market activity, among others, parking fees, hygiene and company profit sharing to local governments. The following Serang city government revenue realization in 2011 of the original income sector.

Table 2: Government Revenue Realization In 2011

PAD component	Revenues
Local Tax	28.955.917.249
Retribution	7.326.935.396
Regional owned company and other revenues	0
Other legitimate PAD	5.607.482.114
Total revenue	41.890.334.759

Sumber : BPS: 2012.

From the table above, note that the local revenues derived from levies still low. The number of people both traders and visitors to rau market in 2012 reached 2300 people. With this amount, it can be assumed contribution rau parking fees in the market is very large. But the above data shows the contribution of parking fees are still low.

1.2. FORMULATION OF THE PROBLEM

Based on the above background exposure, researchers are interested to study more about the analysis of the implementation of public private partnership in the management of market rau (Rau Trade Center) Serang.

2. THEORY

2.1 IMPLEMENTATION OF PUBLIC POLICIES

Cooperation between the government and business entities in the provision of infrastructure governed by Presidential Decree No. 13 in 2010. As a public policy, of course, the implementation of these policies should be assessed according to the theories of experts. In this study will be submitted understanding of public policy and public policy implementation.

Carl J Frederick mendefinisikan policy as a series of actions / activities proposed by a person, group or government within a given environment where there are constraints (difficulty - difficulty) and opportunities for the implementation of the policy proposals in order to achieve certain goals. Meanwhile Riant Nugroho said there are two characteristics of public policy, namely:

- 1) public policy is something that is easy to understand, because the meaning is the things that are done to achieve national objectives;
- 2) public policy is something that is easily measured, because the size is clear that the extent to which progress towards the ideals has been taken.

While Thomas R. Dye declared "public policy is whatever government choose to do or not to do" (Any and elected government to do or not to do). This definition emphasizes that public policy is the embodiment of "action" and not a statement of the government's desire or public officials alone.

Public policy process does not stop after the policy defined and approved. The next concern is the implementation of the policy. Implementation is widely regarded as the implementation of the law in which various actors, organizations, procedures and techniques work together to carry out the obligations in an effort to achieve policy goals or program. On the other hand, the implementation of the complex is a complex phenomenon which can be understood as a process, output, as well as an impact / outcome.

In the research on the application of PPPs in market management *rau*, researchers refer to the implementation of the theory according to Charles O. Jones. Jones (1984: 12) *implemntasi* interpret the policy as "getting the job done and doing it". Although the above definition is simple, but it does not mean that the implementation of a policy process that can be carried out easily. In practice, according to Jones demanding requirements, among others, the person or the executor, money and organizational skills.

Jones (1984: 13) formulate restrictions *implementasi* as "a process off getting additional resources so as to figure out what is to be done". Where public policy *implemnetasi* merupknan process of getting additional resources, so it can be calculated what should be done. Charles O'Jones (Harahap, 2004: 15) argues that implementation is an interactive process between a set of objectives to be interactive with the actions or activities wisdom that preceded it, in other words the implementation of an activity that is meant to operate a program with pilar- pillars of the organization, interpretation and implementation. 3 pillars of implementation by Charles O. Jones is:

- 1) Organization, every organization must have an organizational structure, the human resources quality as executive personnel and equipment or work tools and supported by a clear legal devices.
- 2) Interpretation, then those responsible can carry out their duties in accordance with laws or regulations, to be seen whether implementation has been in accordance with the technical implementation guidelines and instructions issued by the competent authority.

Implementation, regulatory / policy such as implementation guidelines and technical guidance has been run in accordance with the provisions, to be able to see this must also be equipped with a clear working procedures, work program and schedule of discipline.

2.2 THE CONCEPT OF PUBLIC PRIVATE PARTNERSHIP

The term "Public-Private Partnerships" itself in the last two years it feels quite familiar to us who are involved in the fiscal world. This term arose when the fiscal capacity of the government in the provision of public infrastructure is very limited amount. Di other hand the quantity and quality of the degree of damage to the existing infrastructure continues to increase.

According to William J. Parente of USAID's Environmental Services Program, PPP definition is "an agreement or contract, between a public entity and a private party, under the which: (a) private party government undertakes the function for the specified period of time, (b) the private party receives compensation for performing the function, directly or indirectly, (c) the private party is liable for the risks Arising from performing the function and, (d) the public facilities, land or other resources may be transferred or made available to the private party. "

Public Private Partnership is a public-private partnership is a cooperation agreement (PKS) where

- 1) The private sector carry out some functions of government during a certain time
- 2) Private parties receive compensation for the execution of these functions either directly or indirectly
- 3) Private parties responsible for risks arising from the implementation of these functions
- 4) Government facilities land or other assets can be handed over or used by private parties during the contract period.

Cooperation contract between the government and the private sector to do a variety of reasons, among others, to acquire additional investment funds, to hold public services are not yet available, to acquire new technologies and proven its superiority. In addition, to improve the level of efficiency, to increase competition, to improve the transparency of the procurement process and to create employment opportunities.

Implementation of PPPs in Indonesia stipulated in Presidential Decree No. 67 of 2005 which has been revised to Presidential Decree No. 13 of 2010 on Cooperation between the Government and Business Entities in the Provision of Infrastructure. In Article 4 of Presidential Decree No. 13 of 2010 describes the types of infrastructure that can be undertaken in cooperation with business entities include:

- 1) transport infrastructure, including the services of airport services, supply and / or service port, railway infrastructure;
- 2) road infrastructure, including toll roads and toll bridges;
- 3) water infrastructure, including raw water bearer channel;
- 4) water infrastructure that includes the building of raw water extraction, transmission networks, distribution networks, water treatment plants;
- 5) waste water infrastructure includes wastewater treatment plant, gathering network and the main

network, and garbage facilities including transport and disposal;

- 6) telecommunications and informatics infrastructure, telecommunications networks and infrastructure include e-government;
- 7) electrical power infrastructure, including power plants, including the development of electricity derived from geothermal, transmission, or distribution of electricity; and
- 8) the oil and gas infrastructure, including transmission and / or distribution of oil and gas.

The forms of cooperation between the government and enterprises, among others:

- 1) The service contract is a contract between the government and the private sector to carry out the task ternetu, such as repair, maintenance or other services. Generally, short-term (1-3 years) with compensation / fee.

Some examples of service contracts; contractual street cleaning, waste collection and disposal, maintenance of roads, river dredging, crane car service.

- 2) The Management Contract is the entire management (operation and maintenance) in an infrastructure or public services to the private sector in the longer term (usually 3-8 years) usually with compensation fixed / fixed fee. Examples of contract management is the improvement and maintenance of roads, disposal and pengurangan garbage (solid waste landfill), the operation of water treatment plants (water treatment plant), the management of public facilities (hospitals, sports stadiums, parking places and schools)
- 3) Leasing (lease) contracts where private parties pay the rent (fixed fee) for use as a public facility and manage, operate and maintain the meneriima payments from users of the facility (user fees). Tenant / private sector bear the commercial risks. Contracts are generally between 5- 15 years.
- 4) Build Operate Transfers / BOT.
BOT is a contract between government agencies and enterprises / private (special purpose company) in which the entity responsible for the final design, financing, construction, operation and maintenance of an infrastructure investment project for several years, usually with the transfer of assets at the end of the contract period. Generally applicable contract period between 10 to 30 years.
- 5) Contract Concessions
The structure of the contract which the government hand over full responsibility to the private sector (including financing) to operate, maintain and build an infrastructure asset and gives the right to develop, construct and operate a new facility to accommodate business growth. Generally applicable concession period between 20 years to 35 years. Some examples of the rental contract, among others, air port (in whole or in part), toll roads, seaports, supply and distribution of clean water.

2.3 COOPERATION AGREEMENT BETWEEN THE GOVERNMENT OF THE DISTRICT SERANG BANTEN PT PESONA PERSADA IN MARKET DEVELOPMENT RAU

Agreement of Cooperation in the construction market Rau in 2002, where as the first party is the Serang District Government in this case represented by the Regent of Serang Drs. H. Bunyamin, MBA and as the second party is PT Pesona Persada Banten represented by M. Adenan as director. Rau market development conducted on the land assets Serang district government area of 49 750 m2 (use right certificate) which consists of 44 229 m2 and 5,521 m2 market location street market environment. Forms of cooperation in the construction market is rau Build, Manage and transfer Owned (Build Operate Transfers).

3. RESEARCH METHODOLOGY

3.1 OBJECT RESEARCH

The object of this research is the application of cooperation between government agencies and enterprises that Public Private Partnership in the management of market rau (Rau Trade Center) in Serang city.

3.2 RESEARCH DESIGN

This study uses a case study with a qualitative approach. Case study method is a method which seeks to bring important meanings of human activities. This method analyzed by descriptive words and phrases are obtained through in-depth interviews. With the case study method statements will be generated through a thorough writings.

3.3 INFORMANT

Informants are set to obtain the necessary data. Informants were obtained ascertained are people who have accurate information about the implementation of public private partnership in the management of market Rau (RTC) Serang. The informants include RTC manager, PT. Pesona Banten Persada, traders who occupy booths / stalls, street vendors in the market rau and visitor market and the Department of Finance and Asset Management Serang, Department of Industry, Trade and Cooperatives, Department of Hygiene and Serang.

The informant, obtained based on the consideration of the function and role of informants in accordance focus on the problem of writing. Subject categories informants are those directly involved in the process of implementation of public private partnership in the management of market rau / RTC Kota Serang. Interviews were conducted repeatedly (in-depth interviews), namely PT. Pesona Banten Persada, traders, market visitors, DPKAD, Disperindagkop, and Serang City Health Department to do triangulation to strengthen previous data in order to complete the writing.

3.4 DATA ANALYSIS TECHNIQUES

Activity data analysis performed concurrently with data collection is through triangulation.

4. RESULT AND DISCUSSION

4.1 DESCRIPTION LOCATION RESEARCH

As the capital of the province of Banten, Serang city has a strategic position. as the administrative center of the province of Banten, as well as alternative and buffer area (hinterland) State Capital, because of Jakarta City is only about 70 km. The northern city of Serang bordering the Java Sea, and the east by Kabupaten Serang, as well as in the south and in the west by the Kabupaten Serang.

The total population of the city of Serang In 2013 amounted to 618 802 inhabitants, with the male population as much as 317 501 lives and more than the female population of 301 301 inhabitants. In 2013 the city of Serang has six districts with 66 villages.

PT. Pesona Banten Persada is a winner of the tender the construction and renovation market Serang Rau. Founded in 2002 in conjunction with the project will dilaksanaakannya. PT. Pesona Banten Persada has a capital of two billion rupiah (Rp 2,000,000,000, -), divided into 2,000 shares. With the nominal value of each share of one million dollars (\$ 1,000,000, -). Of that capital has been subscribed and paid 50% or a 1,000 shares with an aggregate nominal value of one billion rupiah (Rp 1.000.000.000, -) and have taken parts owned by the founders. There is also the rest of the existing shares will be issued if it is felt by the shareholders need additional capital for the development of the company and by the general meeting of shareholders.

4.2 RESEARCH RESULT

Key informants in this study was composed of operational managers Persada PT Pesona Banten, head of rental kiosks and stalls, HR manager, operations manager of PT. Indonesia pizzeria, head of the reception DPKAD Serang, parking attendants in the market rau, parking attendant outside rau market, traders and visitors rau market.

Trading activity in Serang city government market showed significant growth. This can be seen in the growth of the market and the number of traders in some markets Serang city government

Table 3: Trading activity in Serang

Subdistrict	Number location	Merchants
Curug	0	0
Walantaka	1	228
Cipocok Jaya	0	0
Serang	3	5.768
Taktakan	1	150
Kasemen	2	1.032
Total 2013	7	7.178
Total 2012	6	2.659

Sources : BPS; 2014

Application of PPPs in developing markets rau Serang based cooperation agreement No. 03 / MCC / 511.2-HUK / 2002. In the initial agreement with the certificate of use by developers consisted of 44.229m² locations and 5,521 m² market street market environment. PPPs are forms of Build Operate Transfers with a concession period of 20 years. Means

the future governance Persada PT Pesona Banten rau market will expire in the year 2023, approximately eight years.

Based on interviews with operational managers RTC Mr. Khaeruzzaman Aeng rau mentioned that the market is the main market for the city of Serang. Upgrades made to improve the economic activity of society. before it was built as the current market conditions rau consists of only one floor and there is no separation between dry and wet types of merchandise. For now the area of market management rau under Persada PT Pesona Banten about 2 acres with 5,500 good number of traders who have stalls, as well as the Commerce los emprakan / PKL. RTC building currently consists of ground floor, first floor and second floor as well as a parking lot above.

Meanwhile matching the opinion expressed by Mr. Chandra Husaini as rental and sales coordinator mentioned that on the ground floor only remaining unfilled stall 21, on the 1st floor there are still many empty stalls around 230 stalls. On the ground floor the majority of traders have become the property of 2,000 stalls. Total stalls managed by the company was 4,422. Still according to Mr Chandra, for rental kiosk / los depending on the place and block the rent. To the ground floor rent per month at least Rp 500,000 to Rp 1,000,000. As for the first floor is mostly used for salon and children's games the rent is about 250,000 / month with the size of the kiosk / los 2x3.

Subject rental kiosk or los of this, researchers asked traders in Market Rau in different blocks. According to Hj Hapsah clothing seller, stall rental fee which is in front of the block facing the road is 150 million / year. A different opinion was delivered by Mr. H. Suryadi school supplies salesman who was in the front hall. According to Mr H Suryadi, currently occupied stall has become proprietary. At that time, in 2008 they occupy a kiosk selling price of about 500 million dollars, while for the lease of about 25-30 million dollars per year. Still according to Mr. H. Suryadi a shop in front of the hall, years ago in 2012 sold at a price of 1.2 billion. Still on the cost of rental kiosks and stalls, for traders who are in wet areas, namely vegetables, groceries and side dishes, rental prices vary. According to Mrs. Rohayati seller groceries, stall rental price has reached 7 million dollars per year, it was the mother Rohyati rent on his brother who had the stall. Currently rental kiosk in wet areas (seller groceries) has reached 10 million / year. The rental price is different for meat and fish traders, where the average trader is not shaped kiosks / stalls, but the size of 2x1 and made of planks. Rental costs about 250 thousand dollars per year.

Activity in the market rau carried out for 24 hours, at night until the morning usually large vegetable trader activity to be resold by retailers both circumferential and vegetable retailers or small traders who sell on the porch or outside rau market by holding a stall. Merchants who are under the management of PT. Pesona Banten Persada in the market, while traders who sell outside the fence, not the management areas of the company.

Based on an interview with Mr. H. Saparudin a butcher, he sells outside rau market. Kiosk / los they occupy belong to individuals, not the developer. With rental costs about 500 thousand dollars per year. Merchants who are outside the fence of the building blocks of the RTC did not pay rent to the developer, but to individuals who usually referred to as a warrior or champion. When asked the reason why not move into the market, according to Mr H Saparudin, this is due to sell outside the fence of the building RTC has been done for a long time. Anyway berjualannya location close to grinding meat, so buyers who need ground beef directed at the kiosk.

Subject traders who are outside the fence the market, Mr. Chandra Husaini said efforts to merekolasi traders to move into hard to do. despite the lure of free rental fee for 6 months or cuts the cost of rent, but many traders who do not want to move to the quiet grounds of buyers and customers are familiar with the location of where they sell. Trading outside fence, allows buyers to directly purchase merchandise without having to park his vehicle.

Stretching economy grew very fast in the market Rau contributed significantly to the economic growth of Serang. On a typical day visitor numbers peak at market rau 2300 / year includes traders and visitors. If related to government revenue from the sector real parking levy parking fees from the market potential is very large rau. Based on interviews with operational managers PT. Pesona Banten Persada for parking levy contributions managed by the company is 100 million dollars per month deposited into Serang city government. Management of parking in the RTC before the year 2013 is managed directly by PT. Pesona Banten Persada, since the year 2013 in the RTC parking management outsourced to third, namely PT. Indonesia parking. The cooperation is not in Serang city government, but by PT. Pesona Banten Persada. The current tax rates for different parking, for a four-wheeled vehicle, a minimum of two thousand dollars the first hour and a thousand dollars next hour. For two-wheelers, parking tariff amounting to two thousand dollars.

Parking voting before managed by third parties for two-wheeled vehicles of one thousand dollars indefinitely and for four-wheeled vehicles only two thousand dollars. When asked about the potential revenue from parking fees that are currently managed by the private sector, Mr. Chandara states there is a decrease in revenue from parking fees by 30-40% of the total revenue. Similarly, the management of kiosks and stalls, the management of parking fees at rau market, an area of PT. PBP is inside the fence, to park outside the fence market is managed by individuals who are called "warriors".

Regarding cleanliness at rau market, according to Mr Kharuzzaman as operational managers, waste management market in the region rau (the wall) is the responsibility of the developer. With a fleet of trucks carrying as many as four, but only two trucks that are roadworthy. The volume of waste per day is 500 m³ transported by 12 carts and time transporting waste to

be disposed of to TPSA Cilowong is 2 times a day at 10 am and 4 pm. Total janitor including personnel hygiene Salaran as many as 38 people to levy dues amounting to 3000 dollars per day stall. While the outside of the building waste management market conducted by the City Health Office of Serang. According to Mr H Saparudin, traders who are outside the fence is also charged fees for cleanliness and safety, about 3000 dollars per day.

According to Mr. Khaeruzzaman Aeng, cleanliness levy contribution from PT Pesona Banten Serang Persada to the Government amounting to 100 million dollars per month. Good waste management method conducted by PT. PBP as well as those conducted by the City Health Department Serang still using simple methods that gather, transport and waste. Serang City Sanitation Department has the right to levy dues cleanliness of all traders who sell outside the market building area rau or outside the fence. Withdrawal levy cleanliness outside of the building is done at 08.00 until 11.00 pm.

4.3. DISCUSSION

Discussing the application of Public Private Partnership in market management Rau (Rau Trade Center) Kota Serang pursuant to Presidential Decree No. 13 In 2005 researchers using the theory of implementation by Charles O Jones as knives analysis in this study. According to Jones, there are 3 elements, namely the organization of policy implementation, interpretation and application.

Implementation of PPPs according to the Organization pillar management is done by the private sector from the beginning of construction until the current operation is carried out by PT Pesona Banten Persada. The management includes management of rental kiosks and stalls, hygiene and management of the management levy parking fees before the year 2013. Contributions companies to local government in this case is the parking charges of 200 million dollars per month and cleanliness levy of 100 million dollars per month deposited into the local treasury , Starting in 2013 until today the withdrawal of parking fees in the building market Rau conducted by PT. Indonesia parking which is subcontracted PT PBP. Management vendors in terms of rental kiosks / stalls and parking is done individually, while the management of cleanliness retribution carried out by the Department of Health of Serang.

From pillar interpretation, application of PPPs in the management of rau market in Serang city set in the cooperation agreement No. 03 / MCC / 511.2-HUK / 2002, the management has not fully develop the area or areas agreed upon in the agreement, which in the agreement stated that the market management rau area of 44 229 m² to 5,521 m² location street markets and the market environment. Parking space provided by the developer in the roof of the building has not been fully utilized. Most visitors prefer to park their vehicles market in the parking lot managed by individuals. On the first floor is missing a number of stalls are still quite a lot that is 230 stalls, especially on the back of the block. Serang city government as a

hands-off in the supervision of the management of the market in the building, because the concession period or cooperation contract has not been completed. From pillar implementation, the partnership between the City of Serang with PT. Pesona Banten Persada related contributions to local revenues only amounted to 300 million dollars per month. This shows revenues from levies sector is still low, as in the table below.

Table 4: Contributions To Local Revenues

Component PAD	Revenues
Local Tax	45,129,979,193
Retribution	10,539,095,627
Regional owned company and others	0
Other legitimate PAD	9,707,012,605
Total	65,376,087,425

Sources : BPS; 2014

5. CONCLUSION

The implementation of public-private partnership in the management of rau market in Serang city for the improvement of local revenues is not optimal. The cooperation of the concession period lived

approximately 8 years. There has been no decision on whether such cooperation will dilanjutan or rau market management will be left entirely to the City of Serang.

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LEADERSHIP IN THE DEVELOPMENT OF KNOWLEDGE - BASED PUBLIC SECTOR

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ABSTRACT - Various challenges in the era of globalization, decentralization, and knowledge-based economy, and the advancement of information technology in the 21st century requires government institutions in the developed as well as developing countries to develop models of new public sector leadership. In this case, the issues of globalization, decentralization, and advances in information technology should be a major concern for government institutions in this century. Globalization of economic and social policies have led to the importance of having new capacity in response to a variety of opportunities related to the implications of international policy issues and interests of national development. One of the essential components of these issues is leadership in knowledge based public sector.

keywords: Capabilities, Industrial Disaster, Local Government

1. BACKGROUND

In the face of various challenges and respond to opportunities in the era of globalization, decentralization, and knowledge-based economy, accompanied by the rapid advancement of information technology in this century, government agencies, both in developed countries and the developing countries are faced with the need to rethink the existence of the gap between the conditions of the public sector by achieving the current national interests and the expected national development. Decentralization of the larger national policy can increase the fragmentation of responsibility policy, which causes challenges in terms of coordination, accountability, and policy coherence. The rapid development of information technology provides opportunities for the government to address the current issues faster, transparent and flexible.

In order to handle dynamic demands as effectively as competition, employee needs, market demands, advances in information technology, and economic change, it is necessary to some new approaches to leadership, the ability to appropriate the tasks redesigning, remodeling or rediscover and reaffirm patterns established organization, while also strengthening the coherence, accountability, and coordination among the various policies and particular interests.

Talisayon (2013: 1) revealed that in the current global economic climate, many organizations, both public and business sectors, strive for greater efficiency in the implementation of process operations, and more effective in achieving its objectives, through increased productivity, quality, and knowledge-driven practice. On the other hand, the society requires government agencies to use funds optimally, reduce the costs that are not efficient, improve the decision-making process and impact, and find new ways to grow and evolve in implementing national development.

Government and all public sector institutions need to change, adapt, and reinvent and review the governance in accordance with the current conditions.

Structural and management reform efforts in the public sector have been widely applied in order to be in line with the needs and demands of public service. Some of the challenges that generally affect the public sector around the world, among others, related to the increased efficiency throughout public institutions, increase accountability, effective decision making, increased collaboration and strategic partnerships with stakeholders, and preserve the knowledge of previous generations, and improving operational excellence (Sinclair, et al, 2006:7).

Most of the people expect the performance of the public sector in serving is equivalent to the performance of the private sector, although admittedly there are certain differences and characteristics between the public and private sectors. Roste & Miles (2005:18) revealed differences both in terms of the principles of the organization, organizational structure, performance measures, the relationship with end users, systems personnel, chain of supply, sources of knowledge, ownership, employee performance expectations and incentive systems. In private sector organizations, with varying levels of control, efficiency is the most important thing. Economic efficiency is very important in the operation of the private sector, which is not necessarily applicable to the public sector. The focus of the public sector is in the feasibility process and the implementation of achievement of the objectives of public policy, while the profit, revenue, and growth of an organization principles adopted by the private sector. Community expectations and standards of service to the public and the private sector is not much different. Nair (2005: 6) confirms that the increase in government services and the provision of accurate information is the purpose of government. In this case, the government is expected to be a model of efficiency, service quality, and innovation.

Lofgren (2012: 11) observes that the concept of innovation has been a political agenda in the last 20 years, which was followed by various studies in

economics and business. However, the concept of innovation is almost negligible in the field of public administration. In the private sector, innovation as a concept has almost become synonym of entrepreneurship, while the public sector is perceived as a barrier to innovation. In new forms of public organizations, Eglene et al. (2007: 92) states that concepts such as 'innovation, consensus building, and risk taking' remain important, both for the private sector and the public sector. Also stated that knowledge management plays a crucial role in providing a wide range of strategies and techniques for managing e-government so that knowledge can be better utilized and more accessible to all parties.

However, in reality, the reform efforts and the new management still faces some obstacles, particularly in changing the culture of public service and in adjusting to the interests and needs of the community. Lack of dedication government officials in understanding the values of public service and commitment to the communities it serves allegedly still an obstacle in applying governance is good governance. In this case the leader and leadership is an essential component of good public governance.

The concept of a leader and leadership is a concept that is common and compulsory in government administration and public sector. This concept is often discussed in the literature of public management or in business management. Leadership development issues always arise in the public sector. With the changing environment, it is necessary also the right leader with a particular leadership style. Society today has to think and act globally and locally, so it is necessary to have leaders who pay more attention to political coherence. In order for communication between public sector and private sector work effectively and harmoniously, it is necessary to leadership and quality management.

2. THEORETICAL FRAMEWORK

2.1 FOCUS CHANGE IN LEADERSHIP

In a knowledge-based economy, the government is expected to increase the knowledge base and activities to preserve and integrate existing knowledge. This effort requires the presence of the type of leadership that can inspire others to create and share knowledge. With the rapidly changing external environment, public sector organizations must be able to adapt to the external environment on an ongoing basis.

Effective leader in the old paradigm focuses on command and control, in which there is a clear distinction between the role of leader and follower. In this case, the relationship between leaders and followers is based on the authority of the leader and follower submission to the authority. However, in a knowledge-based society, the classic model of leadership is becoming obsolete. Currently, public sector leaders need to gain the commitment of followers, not just compliance. Thus, the current leader needs to find ways to use his authority to influence followers effectively.

Due to downsizing hierarchical structure and the development of information technology, public sector environment requires different competencies than any conventional management. The government found that the managerial skills and quality is essential, but not sufficient anymore to respond to the challenges of the future. Therefore, there is an attempt to re-identify the skills and qualities needed for leaders in the public sector. OECD (2001: 14) revealed several leadership components that require more emphasis, namely:

- focus on the implementation of the results
- make assumptions
- open to learning from the outside
- understand the environment and its impact
- think and act strategically
- establish patterns and new ways of working
- develop and communicate vision changes

Moreover, the new model of leadership, engaged leadership at all levels, although its role is different. Currently, the known existence of three types of leadership in the hierarchy, namely: (1) strategic leadership, (2) team leadership, and (3) technical leadership. Strategic leadership is needed at the highest level for components such as strategic thinking, political skill, vision, external awareness, influencing or negotiating skills, and cultural awareness. At the middle level, there is a team leadership that has the skills team building and interpersonal competence. At the lowest level, employees need any technical leadership, which emphasizes the professional and technical skills. The idea of any kind of leadership in all these levels is revolutionary and initiates any redefinition of public sector leadership.

2.2 THE ROLE OF KNOWLEDGE-BASED LEADERSHIP

One of the important roles of leaders in the public sector is to solve the problems and challenges faced in a particular environment. In resolving the issue, it is necessary to be able to increase the adaptability of social values or organization when there is a gap between expectations and reality. In the public sector, the issue is how the state, government, and public institutions can adapt to a constantly changing environment. In this case, the need for public leadership can improve the adaptation of institutions in the public interest.

In essence, leadership plays an important role in the implementation of public sector reform because it involves two important aspects of the reform, namely the change and people. Leadership is manifested in relation to people. A good leader can inspire people. Changes in the organization will change people's behavior, so that institutions must reform requires leaders who can help to disseminate and defend the values of the old and the new are necessary for success in the public sector.

Leadership is also very important in improving management capacity and organizational performance. In an environment of a particular organizational culture, leadership will determine the level of

management capacity, to mobilize various resources such as human resources, money, and information. In addition, the leadership can affect various management systems such as human resources management, budget system, institutional arrangements, and information technology. Nevertheless, management capacity is not automatically led to higher organizational performance. Coordination between the roles of leadership is crucial in achieving performance targets. It should be noted that organizational culture can affect this process directly or indirectly, which can sometimes facilitate or constrain.

In measuring the performance of the organization, the focus has been shifted from the output into outcomes. This is in line with changes in the civil service culture. The role of a leader is very important in supporting cultural change, communicate the focus is more centered on the community, motivating employees, and facilitate cooperation among public institutions. This outcome-oriented framework in general can provide the freedom and greater flexibility for the organization in achieving outcomes. Leaders must be able to use this flexibility in motivating employees and providing the right incentives to carry out this mission.

In order to carry out that role, the leadership in the public sector needs to better understand its position in the development of knowledge-based public sector. Leaders also need to be able to respond to the gap between the theories of leadership and the development of knowledge-based public sector. In addition, leaders must be able to develop a new framework to look at the dimensions of the development of knowledge-based public sector. Leaders must be able to engage in innovation and the use of knowledge-based processes, including pace in creating and disseminating new knowledge, scale of existing knowledge and development, and depth of knowledge than ever before. The development and application of new innovations that will not be too dependent on the land, raw materials, labor, and capital, but it will be more dependent on the networks. In this case, the public community, together with the academic community, can accommodate cycle of knowledge creation, knowledge exploitation, and dissemination of knowledge. The process of development is very linear (with an emphasis on traditional hierarchical leadership and project management skills) will switch on the process of developing a more 'relational', in which there is association, interaction, and collaboration among individuals, government agencies, private companies, and community other. This relational process is complex, because it involves a number of agencies, companies, and communities that operate independently at different spatial scales, the scale of regional, national, and global. Emphasis on the development of science and advances in information technology also adds to the complexity of the leadership. This does not mean that the skills of traditional leaders was not relevant (such as technical and managerial skills), but in addition to mastering these skills, leaders must be

able to better adapt to the emerging model of leadership today, and can give birth and sustain forms of inter-disciplinary science. From a leadership perspective, this change involves a number of challenges due to new role, new disciplines, new professions, new and community involvement.

Basically, strategic leadership in the development of knowledge-based measures include (1) facilitating the various disciplines within the boundaries of institutions, the themes of technology, regional culture, and the culture of the profession to enhance the development of innovation in the public sector and in the private sector; and (2) ensuring that agreements with local communities as a whole so that the community can contribute and benefit from the resulting outcomes.

Empirical development of leadership at first can not be separated from the influence managerialism inherent in the theories and practice of leadership, especially in leadership in public sector institutions. In its development, public organizations began to approach collaborative and transactional leadership. However, at this time, according to Gibney and Murie (2008: 11), the various theories that have not been able to accommodate managerialism framework for leadership competencies required, the collaboration between organizations, themes, regional, community, and professional disciplines, all of which pursued in achieving public sector outcomes-based knowledge development.

Expansion of network-based trust has to be a way to increase cooperation and collaboration. The concepts of post-modern about the trust between the leaders who did this collaboration need to be maintained. This is different from transactional leadership or trust in respect to the authority granted by the hierarchical structure of the organization. The trust needs to be built by the leader can be seen as an inclusive, open, and fair to the creation, collection, and dissemination of knowledge. For that reason, leaders must be more involved in the operational and strategic responsibilities. This means that accountability should also be an important part of routine leadership, which emphasizes professionalism and administrative structures. The concept and theory of this managerialism sometimes overlap between management and leadership, despite the fact that there is something very different. Management is more focused on output efficiency and regulatory behavior, while leadership is more focused on the catalyst for change and motivate followers. The presence of the term managerialist leadership style does not mean that it is rigid bureaucratic, unresponsive, or not accountable. Nevertheless, some important things that can be learned from this is that managerialism concept of leadership as it will be limited by the hierarchy, function, and space (regional). Leadership as it is no longer sufficient for the emergence of knowledge-based development of the public sector. Such leadership is also not sufficient to overcome the limitations of interests outside of public institutions.

To that end, it is time for the leaders to take a multiple-theory approach.

One alternative theory is that the leadership is seen as a link between the boundaries (boundary-spanner), whose role is to build relationships with leaders in other places. In this condition, the leadership can be taken different roles (multiple roles), such as being a meeting leader, advisor, critical friend, facilitator, and financier. Another theory states that leadership does not have to be a senior manager role, but also the role of middle management, which is known as the position of 'middle-up-down leader' or 'agent changer' (Gibney and Murie, 2008: 11). Such

leadership can operate between the ideals and reality of senior managers in the field.

With the theory of collaborative leadership and postmodern networking, leaders are required to be adaptive at the same vertically and horizontally to the process at the other levels. For this to succeed, all stakeholders must have a balanced effect. In this case, the differences may be ways to improve the practice, which not only emphasize on consensus or endorsement.

The following are the differences between modern leadership (traditional) and the leadership of the post-modern (new).

Tabel 1: Differences between Modern Leadership (Traditional) and Postmodern Leadership (New)

'Traditional' Leadership	'New' Leadership
One function/ one organization	Cross-boundary
Hierarchical	Collaborative/relational
Linear	Composite
A specific problem/task	Integrated vision
Leader leverages personal networks	Brings together diverse networks
Time limited	Time extensive
Commitment to one cause/idea	Holistic
Focus on the 'materiality' of place	Focus on people and on knowledge
Patriarchal/closed - assuming no conflicts of interest	Open/inclusive – recognizing conflicting interests to be addressed
Centralist	De-centered
Output focused	Focus on wider impacts and outcome focused

Adapted from William (2002) and Stough (2003)

Lowe (2009: 39) suggests nine competencies that need to be owned by a leader in the development of knowledge-based public sector.

- 1) Innovative Thinking and Action:
Innovative thinking and action should be pleasant in a rapidly changing environment. Leaders must have the willingness and ability to consider new approaches and calculate risk.
- 2) Effective Communication
Leaders can persuasively communicate ideas and solutions to the various parties. Leaders must be able to hear to understand, maintain an open flow of information, and skillfully presenting and facilitating the communication.
- 3) Achievement Focus
Leaders seek to respond to the challenge, consistently strive to do better in achieving goals, push yourself and others to excel, demonstrate strategies to achieve results, and very self-motivated in showing an attitude of "I can".
- 4) Building and Managing Relationship
Build and maintain a working relationship of mutual respect. Leaders influence others to appreciate what is meaningful for others, and can build trust and mutual understanding.
- 5) Collaboration and Teamwork
Leaders and followers work together cooperatively, make compromises when possible, to share information, ideas and experiences, and seeks to help others and engage others, and showing compassion, care and respect to others.
- 6) Organizational Awareness/Political Savvy
Leaders seek to build networks of influence to achieve goals. Leaders understand the culture of

the organization and the mechanisms/processes needed to achieve the intended purpose.

- 7) Self Awareness and Self Management
Leaders can manage the emotions according to the situation. Leaders combine technical expertise and interpersonal skills to build relationships in the workplace.
- 8) Strategic Thinking
Leaders have a broad view of the various problems. Leaders can capture the big pictures; understand the long-term implications of various actions, aligning business strategy with organizational strategy.
- 9) Coaching and Developing Others
Leadership can train and guide others while improving the effectiveness of individuals and groups. Leadership development mentorship and develop direct reports.

However, not all of the new leadership theories can be adopted in every state, as proposed by Naidoo (2009: 47), that the validity and application of Western models of leadership in public sector organizations in the countries of Africa or Asia is still a question, due to cultural bias.

Transformational or charismatic leadership in the West may not be fully applicable in other countries whose government emphasis on partnerships internal and external stakeholders, active cooperation between them, with particular attention to the support and needs. In essence, a leader in the public sector may not apply a leadership approach that can effectively serve many purposes in an environment of complex public sector. In this case it is necessary to transition or a combination of the traditional leadership models and new leadership. The combined effect of transformational leadership and

managerial leadership to the organization's effectiveness will be greater than simply adopting one approach or model.

In the public sector leadership in Indonesia, for example, leaders must be able to incorporate a variety of perspectives, approaches and sensitivity to the culture and language, socio-economic perspectives and political and strategic leadership with traditional elements. Knowledge-based strategic leadership in the public sector refers to the multi-faceted and multi-dimensional with unique characteristics, and perspectives, approaches, and strategies are diverse. This leadership can serve various aspects of culture, gender, religion, and ethnicity, socio-economic and political. Thus, it can be said that strategic leadership in the public sector based knowledge that is a combination of managerial leadership and transformational leadership. Transformational leadership which is better known as visionaries or charismatic leadership is more future-oriented, and more involved in risk-taking. Managerial leadership, which is also known as transactional leadership, involves the stability and regulation, and preservation of the existing order. Managerial leaders are more comfortable in dealing with day-to-day activities, the short-term orientation. Strategic leadership is the ability to influence others voluntarily in making daily decisions that improve the survival of the organization in the long run. Strategic leadership is believed to be able to accommodate the development of knowledge-based public sector.

Public sector services can survive long-term in length and will be able to maintain stability in the short-term if the leaders use strategic leadership approach. Freedman & Tregoe (2003: 18) states that a strategic leader will improve productivity rather than a managerial or transformational leader alone. Managerial leaders maintain the existing order but may not invest in innovation that will transform organizations and improve the effectiveness of the organization in the long-term. However, transformational leaders can improve the sustainability of the organization in the long-term. Leaders can change and innovate to improve the effectiveness of the organization in the long-term. Merging these two types of leadership can create strategic leadership will enhance organizational effectiveness and high performance in the long term, while helping to maintain short-term stability.

With the strategic leadership in the public sector-based knowledge, the followers believed to be more passionate and more productive in achieving organizational goals. Employees will be happy to work and be more creative and innovative in collecting, storing, and sharing knowledge with the various stakeholders. Employees will better understand the concept of explicit knowledge and tacit knowledge, between linear and nonlinear thinking, and how to combine them for the benefit of the organization.

3. RESEARCH METHODOLOGY

- 1) The Research uses a qualitative approach
- 2) Data and information obtained from key informans (Officials service providers, program managers,

and the community of users).

- 3) The data collection with techniques participant observation and interviews structured free
- 4) To check the validity of the data used triangulation techniques.

4. INTERACTION OF LEADERS AND FOLLOWERS IN THE KNOWLEDGE-BASED DEVELOPMENT PUBLIC SECTOR

Modern organizations face an ever-changing environment. In order to grow or simply survive, organizations must develop the necessary management capabilities, one of which is an effective knowledge management. In turn, this requires the development of a human resource management system that can enhance the organization's ability to acquire and use knowledge resources. Changes in the competitive environment archetype signify that some of the existing knowledge about the human resource management becomes unused again. Therefore, one of the leaders of the main tasks is to manage the competency-based human resources which in turn can increase the knowledge-based development.

To design a human resources management system that facilitates the success of knowledge-based competition, it is first necessary to specify the required behavior in organizations which follow the strategies of knowledge-intensive. Although empirical research is needed to prove the claim that knowledge-based competition that requires employees to engage in some odd behavior (idiosyncratic), a growing consensus in environmental management experts that there are two categories of behavior that is required in a knowledge-based competition: generic knowledge management behaviors and the firm-specific knowledge management behaviors.

In general the generic behaviors necessary for the knowledge-based competition is to acquire knowledge, create knowledge, share knowledge, apply knowledge, and updating knowledge. Although it is important to support these behaviors among employees involved in knowledge, importance of knowledge management, it is also for all employees of the organization who want to achieve a competitive advantage in the knowledge-based economy.

In addition to this generic behavior, behavior that is typical of some companies, which reflects the goals and specific conditions are also necessary. Typical behavior and typical-market industry, located in between the two extremes of the general behavior and typical companies, is also required. However, the discussion in this chapter will only focus on the generic behavior knowledge-intensive strategies.

The initial assumption is that knowledge is an individual attribute. If knowledge is an attribute of the individual, the organization has two general options to acquire the necessary knowledge; which helps existing employees to gain necessary knowledge, or hire new employees who have had such knowledge. Typically, the organization facilitates the acquisition of knowledge for employees through training programs and development. However, in some cases, the old servant

background or lack the skills needed to acquire the necessary knowledge, or they will learn in a relatively long time. In such conditions, organizations can rely on mergers, acquisitions, strategic alliances and contract workers to get members who have specific knowledge. For competition-based knowledge, unique knowledge is precious. By applying their unique knowledge, organizations are able to offer products and services that can not be matched by competitors. Due to the value of this unique knowledge, creative behavior is well known to be important in the knowledge-based competition successfully.

Acquire or create knowledge that is important for an organization to compete effectively in a knowledge-based economy, but these processes can not guarantee success. So that the organization can get the optimum result of knowledge employees, their knowledge should be shared. Sharing knowledge improves learning and reduces the possibility of wasting vast resources to solve the same problem and repetitive. In contrast, the accumulation of knowledge is seen as deviant behavior. Knowledge is available but never applied it is not useful. If employees do not apply their knowledge appropriately, investing in the acquisition and creation of knowledge will produce little benefit. In the case that the use of that knowledge is an intentional behavior, employees must not only have the necessary knowledge but also realize that they have the necessary knowledge, motivated to use it, and believes that knowledge is feasible to use. Recent evidence from laboratory studies indicates that people often fail to apply their knowledge of the problems faced. However, only a few studies those examine the question of how to ensure that the existing knowledge in the organization is effectively used.

5. CONCLUSION

An understanding of the leadership is situational and is a phenomenon of the multi-aspect relations. Leadership takes many forms and leadership approaches that reflect the era and setting, as well as the environment and existing components. In the context of the 'knowledge era', the leadership must be able to facilitate the interaction between the various parties in order to establish the creation of creativity and learning. Here, leaders often move in the space between the various parties in the unity stimulate people, ideas, technology, and collaboration. This requires a knowledge-based leadership is characterized by the presence of the complexity and dynamics in the public sector.

Effective leadership in the development of the knowledge-based public sector should be contextualized and embedded in the culture and local networks, national, and global. Cooperation and trust between the constellations of the triple-helix, which is between the world of business, government, and institutions of knowledge should be synergized with the stimulation of knowledge-based public sector leadership.

Interaction between leader and follower in the development of knowledge-based public sector can be seen from the process of knowledge acquisition, knowledge creation, knowledge storage, knowledge sharing, and knowledge application. Leaders must be able to ensure that employees have the necessary competence in supporting various activities in the public sector based knowledge management behaviors that appear effective knowledge-based. In this case the leader must be able to manage the competence of the employees in the explicit knowledge and tacit knowledge. Leaders must continue to motivate employees to engage in the development of knowledge-based public sector, among others, with involvement in the activities of daily living, self-direction, and the improvement of job design and reward systems. Advances in technology and information should be used as a powerful weapon to carry out development in the public sector based on knowledge, instead of backfire.

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LOCAL GOVERNMENT CAPABILITIES IN INDUSTRY DISASTER MANAGEMENT AT THE DISTRICT CILEGON CITY

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ABSTRACT - Cilegon is the first industrial city in West Java, where the industry in Cilegon had been a city with high activity. Industrialization on the one hand has a positive impact, as it can grow the economy and revenue. However, on the one hand the industry also holds the potential disaster that could threaten public health and safety and the environment or ecosystem damage. So that the industry does not become a threat to the local community and environment industry, there should be an attempt to prevent it. Cilegon City Government as policy makers in the region should have the capability to manage the industry, so that the industry does not become a threat and disaster but gives the value of benefits and positive impact on society, nature is also the government. The capability of the local government in disaster management will be explained based on 6 aspects: Institutional, Human Resources, Policy for effective implementation, Financial, Technical and Leadership. The conclusion of this study indicate that the City of Cilegon have a pretty good capability in disaster management, especially disaster industry, because Cilegon city government realized that the existence of the industry has a tremendous impact on communities and the environment in the event of disasters caused by natural disasters such as earthquakes and tsunami as well as the failure of technology.

keywords: Capabilities, Industrial Disaster, Local Government

1. BACKGROUND

The existence of the industry could not be avoided at the present time, because of the existence of the industry in a region can boost the regional economy, but industry also risk causing a disaster that could afflict society. Koesoemadinata in his book "Industrial Disaster: State Relations, Corporate and Civil Society" at Galeri Cipta III Taman Ismail Marjuki explained that the public no longer possible to live without the presence of the industry, but the government is also required to pay attention to social problems if the local culture in a region established industry.

Disasters due to the failure of the technology in the industry in addition to causing casualties, facilities and infrastructure industry itself, as well as the expense and harm people who reside in the industrial environment. According to the ILO each year 1.1 million deaths occur due to illness or accidents as a result of the employment relationship. 300,000 deaths occurred from 250 million accidents, the rest is death due to the disease due to the employment relationship, where it is estimated there are 160 million illnesses due to the employment relationship.

Two industrial disaster has made the world shocked, grief and at the same time concerned about the impact that will be caused. First, industrial disasters on December 3, 1984 : explosion of the factory methyl isocyanate (MIC) of raw materials peptisida in Bhopal India. Victims reach 50000-100000, death around 2000 to 2500 people. Second Industrial disaster occurred on April 26, 1986, the explosion of the nuclear reactor in Chernobil, causing 30 died on the spot, as a result of nuclear waste and the thousands of people affected will die of cancer (<https://bempolnes.wordpress.com>).

An industrial disaster that is not less great impact and claimed many victims also occurred in Indonesia. The disaster was due to the release of hot mud gas exploration activities conducted by PT. Lapindo Brantas Inc. Porong Sidoarjo in East Java on 29 May 2006. This disaster caused agriculture area , housing and industry in 16 Villages from three surrounding districts, districts Porong, Jabon and Tanggulangin closed by mud. The Lapindo mud disaster caused more than 8200 inhabitants were evacuated and more than 25 thousand people displaced, some 10,000 houses submerged, not to mention livestock and damaged infrastructure. This indicates that industrial disasters have a very broad impact and cause harm is not small.

No matter how small the disaster caused by the industry is certainly not desirable by any party, be it a company, employees, society and government. For industrial disasters bring substantial losses for companies, employees or community who live near industry area.

Cilegon City is known as the City of Industry. Industry Presence in the City of Cilegon begins with the establishment of the first steel company PT. Krakatau Steel at the beginning of the 70. Steel Industry at Cilegon followed by other industries. Cilegon has strategic location .This city located on the shoreline, making industry in Cilegon city continues to grow, especially the chemical industry. Extensive industrial area in the city of Cilegon reached 892 hectares, divided into 3 regional zones, namely: Ciwandan Zone, Zone Industrial Estate Cilegon and Merak Zone.

Industry in Cilegon is different with other cities, such as the city of Tangerang, Bekasi City and other industrial areas is the type of industry. Industry in Cilegon is dominated by the chemical industry and

high-tech foreign-owned enterprise. Based on data from BPTPM City of Cilegon in November 2014 there were 124 industrial Foreign Investment with a total investment is 68.29 trillion and 45 domestic investment with a total investment is 17.67 trillion. The chemical industry is an industry that has a very high risk of disaster, due to an accident at the chemical industry could be catastrophic for the people in Cilegon. Potential Dangers of the activity of the chemical industry, among others, at unloading at terminal for dangerous materials dan Special Chemistry and transportation of dangerous materials, storage / accumulation of dangerous materials, during the production process, the presence of equipment with radioactive components and placement Pipeline Interconnection between plant which contains the technological failure B3. Apabila these activities, can cause leaks that can become industrial disaster.

The disaster caused by the chemical industry as happened in Chernobyl Russia and Bhopal India, not only damage the environment, but also have an impact on health for the long term. Therefore, the central government, local government Cilegon City, as pengampu implementing policies and supervision, should be able to anticipate the possibility of industrial disaster in the city of Cilegon. Indeed, in the city of Cilegon unprecedented large industrial accidents, but nevertheless Cilegon city government should always be alert to the possibility of industrial disasters that will happen. At this time only air pollution that occurred in the city of Cilegon based on research results from 10 different types of diseases in the city of Cilegon, disease Respiratory Infections (ARI) is ranked first, the number of patients in 2010 reached 83 099 and ranks the largest of eight districts / cities in Banten province (Ardina Dwiyaning <http://ardinadwiyaninayah.blogspot.com/2012/05/pengaruh-banyaknya-industri-di-kota.html> accessed on 22 November 2014). This suggests that the potential industrial disaster in the city of Cilegon very large and dangerous, therefore it is necessary seriousness of Local Government in addressing this.

Besides industrial disaster occurred due to a failure of technology, it can also occur as spillovers from natural disasters, for example because of an earthquake. Cilegon City is one of the disaster-prone areas, because apart because of the location close to the volcano "Krakatoa" that had erupted violently in 1883) turned out at the moment is still active, as well as in the Sunda Strait, there is a potential earthquake slab. Earthquake and Tsunami is a potential disaster will most likely occur in Cilegon. If that happens, we can imagine how great casualties and damage will occur, because most of the chemical industry on the shoreline along the city of Cilegon. Therefore, Cilegon City Government should make efforts that is comprehensive to reduce the risk of such disasters. One effort to reduce disaster risk is to do a Mason-prevention technology to minimize the occurrence of failure.

2. MATERIAL AND METHODS

Industrial Disaster Management becomes a must for Cilegon City Government, since the existence of the industry in Cilegon is supporting the regional economy. So that the public and the industry safe from the disaster which caused by the failure of the technology industry or derivative impact of natural disasters, the Cilegon City Government of required to have skills in disaster management, especially industrial disaster. This research attempts to get an overview of the capabilities of Cilegon City Government in disaster management by looking at the six aspects, namely Capability Human Resources, Finance, Engineering, Implementation Policies, Institutions and Leadership. The question in this research is how the capabilities of local government in industry disaster management at District Cilegon?

This study aimed to analyze the capability of local government in industry disaster management in Cilegon. The study used a qualitative approach, the study of data obtained from interviews, documentation and observation. The instrument of this study is the researchers themselves, while the informant of this study are those who have the authority and information related to this study, namely from the BPBDs, BLHD and Industry. Understanding Disasters and Disaster Industry.

2.1 LITERATURE OVERVIEW

2.1.1 Understanding Disaster according to Law No. 24 of 2007 are as follows:

"Disaster is an event or series of events that threaten and disrupt the lives and livelihoods caused by both natural factors and / or non-natural factors and human factors so

resulted in the emergence of human fatalities, environmental damage, loss of property, and psychological impact.

Based on the above understanding, it is broadly distinguished three kinds of disasters:

Natural disasters are disasters caused by the event or series of events caused by nature, among others, in the form of earthquakes, tsunamis, gunungmeletus, floods, droughts, hurricanes, and landslides.

The non-natural disasters are disasters caused by non-natural event or series of events which include the technology failed, failed modernization, epidemics, and outbreaks of disease.

Social disaster is caused by the event or series of events that caused by humans which include social conflicts between groups or communities of society.

Disasters by UNISDR is defined as a serious disruption of the functioning of a society, causing widespread loss of human life in material terms, the economy or the environment and that go beyond the ability of the community concerned to cope using their own resources (UNISDR Terminology on Disaster Risk Reduction 2009). Disaster is the result of a combination of: the influence of danger (hazard), conditions of vulnerability (vulnerability) at this time, a lack of capacity or measures to reduce or cope with the potential negative impact (Gusti Ayu E. Hartati 2012 downloaded from <http://gustiayuendanghartanti>).

blogspot.com/2012/04/tugas-dasar-k3-kesehatan-dan.html on 23 November 2014)

According to the UN International Strategy for Disaster Reduction (UN / ISDR, 2002), there are two main types of disasters are natural disasters and technological disasters. Natural disaster consists of three:

- 1) The hydro-meteorological disasters such as floods, hurricanes, floods, droughts and landslides.
- 2) geophysical disasters such as earthquakes, tsunamis, and volcanic activity
- 3) biological disasters such as epidemics, diseases of plants and animals.

Technological disasters are divided into three groups, namely:

- 1) industrial accidents such as leakage of chemicals, industrial infrastructure damage, gas leaks, and radiation poisoning.
- 2) Transportation accidents such as the crash of air, rail, road and water transportation.
- 3) Accidents miscellaneous domestic form of structure or structures nonindustrial, explosion and fire

2.1.2 Failure of Technology and Industrial Disaster

Failure of Technology according from National Disaster Response Organization Regulation No. 4 of 2008 was disastrous events caused by faulty design, operation, negligence and deliberate human in the use of technology or industry (BPBD Serang, 2014 downloaded from <http://bpbdserang01.page4.me/75.html>).

UN-ISDR (United Nations of International Strategies for Disaster Reduction, 2009) defines the failure of technology (technological hazard) as: "All the disastrous events caused by faulty design, operation, negligence and deliberate in the use of technology and the human or industrial"

The cause of the failure of the technology

- 1) Fire
- 2) Failure / fault plant safety design / technology
- 3) Errors plant operating procedures / technologies
- 4) Damaged components
- 5) Leakage of nuclear reactors
- 6) Accident transportation (land, sea, air)
- 7) sabotage or arson riots
- 8) Impact of follow-up of natural disasters (earthquakes, floods, etc.

Technology failures can cause pollution (air, water and soil), loss of life, damage to buildings, and other damage. Catastrophic failure of technology there is a large scale will be able to threaten the stability of the global ecology.

The causes of industrial accidents, among others:

- 1) Engines
- 2) Conveyance
- 3) Vessel press / boiler, electrical installations
- 4) Chemicals / radiation
- 5) Work environment

Five causes above can certainly be considered the government to conduct a closer input of the

activities of companies engaged in the industrial sector, particularly chemical companies.

2.1.3 Disaster Management

Disaster is an event that is certain to cause casualties and losses for all of the components that were in the disaster area. Therefore disaster management should be handled by the disaster. (Kusumasari, 2014: 19). Disaster management by Shaluf (2008) in Kusumasari (2014: 19-20) is defined as :

"A collective term that covers all aspects of planning for responding to disasters , including activities before and after the disaster that disaster may also refer to the risk management and disastrous consequences . Includes disaster management plans , structures and arrangements made with the involvement of the business of government , volunteer and private parties with a coordinated and comprehensive manner to respond to all the needs of the emergency . Therefore, disaster management consists of all the planning , organizing , and mobilizing the resources needed to handle all phases of disasters as a unique natural event".

2.1.4 Capability of Local Government in Disaster Management

Government capabilities in the management becomes an important thing, and learning capabilities in the management of government into something interesting, because even if the disaster is something that is not necessarily going to happen the government must always be alert to the various disasters that may arise, whether caused by nature or because of the non nature.

Kusumasari (2014: 47) explains that in relation to catastrophic events is very important to identify the claim or demand (dynamic conditions and growing uncertainty of the role and situational constraints) that are characteristic of the environment and develop disaster response management capabilities required to handle the disaster. Cigler (2007) in Kusumasari (2014: 47) defines as the ability of capacity, in this case government in this region must have the capacity of human resources, financial, institutional, technical, leadership and policies for effective implementation.

2.2 METHODS

This study aimed to analyze the capability of local government in industry disaster management at the city of Cilegon. The study used a qualitative approach, the study of data obtained from interviews, documentation and observation. The instrument of this study is the researchers themselves, while the informant of this study are those who have the authority and information related to this study, namely from the BPBDs, BLHD and Industry.

3. DISCUSSION

Disaster management is the responsibility of the government, because there is a disaster management activities of planning, organizing and mobilization of resources is a function of local government. Efforts to do local governments to prevent industrial disasters, among others:

- 1) Perform the planning and control of industrial development.

The local government should plan industrial development in the region will be directed to sectors where. Is the weight of the high-tech industry, or industries with low technology that employs many workers. Because of the type of industry that is developed will have an impact on industrial disaster that would be caused by the industry. The chemical industry with high-tech industries have different disaster risks with industrial disaster in the grocery industry such as flour company. Hazards in the chemical technology is very dangerous and lasting impact. Therefore, local governments must be more selective and rigorous in accepting investment in the chemical industry. Granting permission to build the industry should be based on the technical provisions and technical requirements set by the government. Such as EIA permit, meet the requirements of the B3 waste management, lack of standardization on tools used and the location is far from the settlement

Industrial control can be done by local governments is to limit the amount of investment in the industrial sector, or even stop the construction industry, for example, the chemical industry to consider the impact of water pollution caused, due to the limited industrial land. Because if the industry is not controlled, the more productive land to be used as industrial land, in addition, the industry will also be closer to population centers. Therefore, the local government through the Strategic Plan should not rely anymore industrial sector as a target of development. Similarly in planning, utilization and control layout, the local government must organize any region that is allowed to build up the industry. Structuring the industrial area should also be tailored to the type of industry. This right to prevent a major impact on society in the event of accidents at industrial or industrial disasters.

- 2) Preparation of development plans that incorporate elements of disaster management policy, implementation of policy cooperation in disaster management with the provinces and / or districts / cities.

Cilegon City area is adjacent to the district of Serang, as well as with regional industry. Cilegon industrial area stretching from Ciwandan to Merak, while the north side of the city of Cilegon industrial area stretches Bojonegara that are under the authority of Serang District. The impact of industrial disaster caused by the industry in Anyer and Bojonegara, will be greater to society in the autonomous region of the city of Cilegon, Serang city compared. Hence the need for cooperation with local governments Cilegon City Serang District in planning and controlling industrial development. Do not let the Serang district government continuously provide investment license for the construction chemicals industry,

while its location closer to residential areas Cilegon city. So the Serang District advantaged and disadvantaged Cilegon city, due to air pollution, water and damage to ecosystems, pacing mengaibatkan heavy vehicles damaged roads.

- 3) Setting the use of technology that has potential as a source of threat or hazard in the region.

To regulate the use of technology that has the potential sources of industrial disaster, local governments need to work with BPPT, Department of Research and Technology to conduct a series of tests on the device. While associated with the use of a local government must also ensure that the tools used certified and meet established standards. This is to reduce the potential disasters caused by technology failures or mal-function on the tool.

- 4) The formulation of policy control and prevention of depletion of natural resources exceeds the ability of nature in its territory.

Industry requires land, for the industry in the city of Cilegon, mostly chemical industry certainly needs a fairly wide area. The local government must restrict industrial development, and prohibit companies that build the destructive nature. Construction in Cilegon industrial area largely use land cultivation, partly by leveling and partly hilly areas are paddy fields. Destruction of hills that can be backrest when rain water, can cause catastrophic flooding in the surrounding area. Therefore, local governments must also do surveillance in the construction industry and provide strict sanctions if industrial activities violate the rules and damage the environment.

3.1 The Capabilities of Cilegon District Government in Industry Disaster Management

Cilegon district government capabilities in the management of industrial disasters based on the opinion delivered by Cigler, will be explained on the following aspects: 1) human resources, 2) financial, 3) institutional, 4) technical, 5) Policy Implementation and 6) Leadership ,

From observation, interview and literature study obtained the following results:

1. Human Resource Capability

A key factor in the resource is the human resources in sufficient quantities accompanied by the division of labor and a clear delegation. Industrial disasters in Cilegon , can be caused by two things. The first industrial disasters due to natural disasters, such as earthquakes and tsunamis. Both industrial disaster occurred due to a failure of technology, such as gas pipeline leaks, system improper waste disposal, fire and others. Therefore in disaster management related to industrial disasters, responsibility not only in local government but also the company. For the human resources needed not only from the Regional Disaster Management Agency, but also involves resources from BLHD to ensure a safe environment from exhaust gases and chemicals that pollute the air and CO2 in Cilegon. With the number of personnel 38 people

BLHD Kota Cilegon, always do a routine check on a report it made by chemical companies in the city of Cilegon every 6 months in order to ensure the absence of gas leaks, breaches in waste disposal, to prevent the failure of the technology must be internal company already has people really professional and certification relating to the application of technology. Human Resources in industry disaster management is related to the failure of the technology is already quite good, BLHD already has a list of companies that regularly inspected and assume that the available resources is already quite good in quality

2. Financial Capability

In the management of industrial disasters exact amount is not known, because the budget is spread on several related organization, not to mention the budget spent by each company in preventive medicine, standardization, maintenance and disaster mitigation training, experienced higher if the earthquake or technological failures

By 2015 t BPBD plan to procurement rescue equipment with budget of Rp. 128 776 000, -, Procurement groceries and logistic assistance of Rp. 95.5 million, Activity analysis of the potential hazard preparation of Rp. 92 million. In 2009 the previous Cilegon City Government has built 2 units of sirens for tsunami early warning and industry with a total cost of 1.4 billion. These funds are taken from the budget of the city of Cilegon. Both of these sirens are controlled from Rupusdalop (Ruang Pusat Pengendalian Operasi) or Operation Controll Centre Building and integrated with the tsunami center in Cikarang, Bekasi. Rupusdalop itself was built in 2009 with funds from the budget Cilegon City. Thus it can be said if seen from the financial side Cilegon City Government has the financial ability to carry out disaster management. In addition because it is the city of Cilegon have a great acceptance in the industry sector, the City of Cilegon also get CSR funds from companies that are in Cilegon Industrial area. So if the CSR funds are properly managed, it can be a source of finance in addressing industrial disaster in the city of Cilegon.

3. Institutional Capability

Institutions may be authorized in disaster management in the region is the Regional Disaster Management Agency (BPBD). BPBD Cilegon City was founded in 2015. It can be said that disaster management activities undertaken by BPBD Cilegon currently not optimal. In disaster management in accordance with Law No. 24 of 2007 BPBD has the function of formulation and establishment of disaster management policies and handling of refugees to act quickly and appropriately, effectively and efficiently. In addition BPBDs serves as coordinator implementation of disaster management activities in a planned, integrated and comprehensive.

While the task BPBD Cilegon are:

- 1) Establish guidelines and directives in accordance with government policy and BNPB on disaster management effort that includes disaster

prevention, emergency response, rehabilitation and reconstruction in a fair and equal.

- 2) Establish standardization and implementation of disaster management needs based on legislation.
- 3) Develop, establish and inform the hazard map.
- 4) Develop and establish standard operating procedures of disaster management.
- 5) Implement disaster management in the region.
- 6) Reporting to the Head of the implementation of the Regional Disaster Management once a month in normal conditions and at all times in a state of disaster emergency.
- 7) Control the collection and distribution of money and goods
- 8) Accounting for the use of budget received from the budget.

Disaster management in the city of Cilegon in dealing with industrial disasters is not only done by BPBD course, there are some SKPD are involved, such as the Regional Environmental Agency (BLHD), municipal police, Fire Department, the District Government and the District / Village is located in the industrial area and the industry. In Ciwandan it had a forum discussion to manage industry disaster. In this forum joint of 8 companies in the field of chemical industry joined in Ciwandan Emergency Response Team (CERT). Belonging to the eight companies are PT. Asahimas Subentra Chemical, PT. Bayer Material Science Indonesia, PT. Chandra Asri Petrochemical Tbk, PT. Dongjin Indonesia, PT. Indorama Petrochemical, PT. Indorama Polypet Indonesia, PT. Lautan Otsuka Chemical and PT. Nippon Shokubai Indonesia. The eight companies have cooperated with BPPT (Badan Pengkajian Dan Penerapan Teknologi) had engaged Tsunami Disaster Drill Drill and Industry. Cilegon industrial disaster management can be successful if some institutions associated coordinate with each other, work together to strengthen the prevention of industrial disasters also handling when the disaster occurred.

4. Technical Capability

Technically, some of the businesses that have been implemented by the City Government of Cilegon in disaster management as submitted by Mr. H. Abdul Hakim Lubis, SH, M, Si as Region Secretary are as follows:

- 1) Incorporate disaster mitigation considerations in the review of the Spatial Plan and Regional Plan 2010-2030.
- 2) Establish location for evacuation heights approach ground and accommodated in the Spatial Plan and Regional Plan
- 3) Build a siren for a tsunami early warning and disaster for the industry as much as 2 units.
- 4) Build Space Operations Control Center (RUPUSDALOP) and Crisis Centre and its supporting facilities.
- 5) Hold a natural disaster simulation involving all levels of society. (Tsunami Drill National Level 2007)

- 6) Implement industrial accident drill in cooperation with existing industry-industry
- 7) Make leaflet about disasters, industrial disasters and rescue tips.
- 8) Develop a data base of equipment and disaster management experts that each related institutions
- 9) Establish SKPD BPBDs Cilegon late 2014 personnel charged.

5. Implementation Policy Capability

Disaster management policy in District Cilegon issued on Disaster Mitigation outlined in the Spatial Plan and Regional Plan 2010-2030 years as outlined in the Regional Regulation No. 3 of 2011 stated as follows :

- 1) Retain Suralaya region as a landscape into a green open space (RTH) to protect Suralaya region
- 2) Maintain the landscape of the Merak Besar Island as a protected area to protect the Port of Merak .
- 3) Regional Cigading be built landscape along the 5 km and a width of 100 meters as an urban forest and retaining the wave to protect the area PT.Krakatau Steel .
- 4) Minimize the impact by changing the function of the space industry into the port area (Cigading) .
- 5) The area Ciwandan - Anyer maintaining the landscape into green open space as a limiting area of chemical and non-chemical industry .

This policy will soon realize, to implement this policy Local Government had been said to the budget in APBD Kota Cilegon. Many industries also want to give CSR fund to realize this policy.

6. Leadership Capability

Leadership is the core of management, it indicates that the success of managing an organization will depend on how a lead organization. Leadership is any act committed by individuals or groups to coordinate and give direction to individuals or groups who are members of a particular container to achieve the objectives that have been set previously. The leadership exercised by the head of the region in disaster management is good enough. Starting from the Governor of Banten province until Government Leader of Cilegon DR. Tb. Iman Ariyadi , M.Si all have great support and attention in disaster management. Support and care is demonstrated by the issuance of Regulation No. 3 of 2011 on Disaster Mitigation In RTRW (Rencana Tata Ruang Dan Wilayah) in concept 2010-2013, the establishment of the Regional Disaster Management Agency this year in the city of Cilegon, the availability of budget for provision of facilities and infrastructure that support the implementation of disaster management such as sirens and Rupuskorlap, another thing that shows the responsiveness of the head of the region is also demonstrated by the efforts that have been made by the Cilegon City Government through the Regional Secretariat as mapped the location of evacuation, tsunami drill and drill implement industrial accidents, natural disasters makes leaflets and industrial disasters and how to save in disaster tips. With the support and attention given by the Head of Region, the disaster

management can be done well and achieve its objectives and well coordinated.

Research on disaster management has been done by Bevaola Kusumasari with Title capability Bantul Regency in Disaster Management . The research location is in the district of Bantul , as an area which suffered an earthquake in 2006. Using the same theory , namely the theory Cigler , Kusumasari focuses more on how the handling as a result of the earthquake, so more to the capabilities associated with the handling , reaction and reconstruction and rehabilitation . While the focus of my research is different because this research focuses on the capabilities associated with efforts to anticipate the occurrence of industrial disasters . So that the viewing angle and the results of this research to be different with the research that has been done by Kusumasari .

4. CONCLUSION

The capability of the local government in disaster management industry in Cilegon City is good. Human Resource capabilities seen from human resource capacity in handling activities in industry disaster views of capabilities and expertise as evidenced by participation in training countermeasures disaster. First of BPBD is steering, steering policy must have the ability to formulate a disaster management policy. The steering element is filled by the head SKPD as Chief BPBD, Head BPLH, professionals coming from Rescue unit and academia. The second element is the executive element consists of officers from BPBD, BLHD, Unit Fire, and Rescue team. Capabilities or subsequent ability to be possessed by the Local Government of district Cilegon City is the financial capability. Cilegon city government has a large source of revenue so that there are no difficulties in financial capability. Beside that sources financial from the PAD, the government receive CSR funds of the companies located in the city of Cilegon. The third is the institutional capability, Cilegon City Government already has the institution which has the function of disaster management that is BPBD. BPBD is not work alone but also helped by BPBD Province Banten, Tagana, BLHD Cilegon ,Perindustriaan Office, the Government District and the Village, Satpol PP, Scouts, the Forum CERT (Ciwandan Emergency Response Team), which consists of eight chemical companies around Ciwandan Anyer. The fourth capability is technical capability , the concrete of this capability shown from technical action as prepared sirine for early warning, divide the industry area in four zone, training for rescue team, prepare green area in industry area along beach to prevent waves tsunami and other. The Fifth capability is the implementation of policies, the ability of Cilegon city government in the implementation of disaster management set forth in Regulation No. 3 of 2011. The sixth is the leadership capability, head of the region in Cilegon DR. TB. Iman Ariyadi , M.Si have the ability to conduct briefing in policy making, coordination among agencies also have the support

and attention to disaster management industry in the city of Cilegon.

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THE MODEL OF EMPOWERING POLICY IN MANAGING PREGNANT WOMEN AT RISK OF ANEMIA BY APPLYING THE SOCIO-CULTURAL APPROACH TO COASTAL AREA

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ABSTRACT - Anemia is a condition in which the blood does not have enough healthy red blood cells (lack of iron in a human body). When this condition occurs in pregnant woman, the haulage capacity of oxygen needed by vital organs of the woman and her fetus is reduced. Lack of iron in our body can have serious effects, and maternal mortality during childbirth are often caused by anemia. Data show that the percentage of anemia-related deaths is 75% worldwide, 73% in Asia, and 40% in developing countries. Iron deficiency in pregnant women can cause antepartum bleeding, making them highly vulnerable to infection. To the fetus and new-born babies, anemia can cause premature birth, low intelligence quotient (IQ), congenital abnormalities, and even death. This paper reports on a study of the socio-cultural factors and policy related to the conditions, facts, venue, and time associated to pregnant women at risk of anemia. The study employed a quantitative method and designed as the cross-sectional study. Samples were taken from the whole population, i.e., pregnant woman, in the coastal area of Abeli in Kendari, Southeast Sulawesi, in 2015. Findings of the study revealed a correlation between socio-cultural variables (knowledge, attitude, action, dietary habit, patterns of care, pattern of service, and family roles) and pregnant women who were at risk of anemia. However, there was no correlation between two variables, i.e. sources of information and aspiration, and anemic-prone pregnant women. The results of this study are expected to be taken into account in the policy-making and education to the community, as an effort to help pregnant women prevent anemia.

keywords: anemia, pregnant women, socio-culture.

1. INTRODUCTION

Health is one of humans' basic needs and investments in ensuring their life continuity. One of many threats to health is anemia, a condition in which the blood is lack of healthy red blood cells or an increase in hemoglobin. When this happens, the haulage capacity of oxygen needed by vital organs of pregnant woman and her fetus is reduced. Anemia can be caused by lack of body intakes of iron through food consumption, absorption problems, or because the body loses too much iron. World Health Organization (WHO) [1] reported that the prevalence of pregnant women with anemia all over the world is 41.8%. This prevalence varies, from 31% in South America to 64% in southern Asia. It is estimated that 72.6% of mortality in Asia is caused by anemia. A report by WHO further revealed that 40% of maternal mortality in developing countries is associated with during-pregnancy anemia [2]. According to Aaltjeh [3], 75% of maternal deaths during labor and delivery is closely related to anemia, usually because of heavy bleeding suffered by pregnant women, a long process of labor and delivery, and increased infection as a result of decreased body immunity. Anemia-related complaints

often raised by people are those feelings of lethargic, weak, tired, fatigue, and numb in the body. In addition, people with iron deficiency will suffer from a decrease in their body immunity, making them vulnerable to infections [10]. Furthermore, Liewelm Jones [20] states that babies delivered by mothers suffering from severe anemia (with Hb level less than 6.5 gr%) are three times more vulnerable to prematurity than those born to non-anemic mothers. Babies who are born to anemic mothers are also at a high risk of morbidity, and their mortality is higher than those born to non-anemic mothers. A study by WHO [30] on the impact of anemia on pregnant women reported that: (1) Trimester I: anemia can cause abortus, missed abortus (death of fetus), and congenital abnormal (heart, lungs, form of red blood cells), (2) Trimester II: it causes premature childbirth, antepartum bleeding, impaired fetal growth in the womb, asphyxia intrauterine (respiratory disorders in utero) to death, low birthweight, gestosis and prone to infection, low IQ, and even death, and (3) Trimester III: at the time of inpartu, anemia can cause interference, either primarily (lack of initial reaction) or secondarily (other causes exist), babies are born

carrying anemia and operative delivery due to mother's exhaustive condition, and during the *postpartum* anemia can cause *atoni uterio*, *tension placenta* (cumulated or undeliverable), vulnerability to *febris puerpuralis* (postnatal fever), and problems with *involusio uteri*.

This paper reports on a study on socio-cultural aspects and policy pertinent to conditions, facts, venues, and time related to the management of pregnant women who are at risk for anemia. The study focused on determining the relationship and model of policy on the empowerment and management of anemic-prone pregnant women through the application of a socio-cultural approach in the coastal areas of Abeli in Kendari, the capital city of Southeast Sulawesi.

2. METHOD

The present study employed a quantitative method and was designed as a *cross sectional* study. Population of the study was all pregnant women in the coastal areas of Abeli in Kendari, of Southeast Sulawesi, in 2014, amounting a total sampling of 119 pregnant women. The independent variable of the study was socio-cultural aspects (including knowledge, attitude, action, dietary habits, sources of information, aspiration, pattern of treatment, pattern of service, and roles of family). The dependent variable was pregnant women who were at risk for anemia.

A uni-variable analysis was firstly conducted to obtain a description of each variable so that hypotheses testing by using the *chi-square* (X²) could be performed. This was followed by Focus Discussion Group (FGD).

3. RESULT

3.1 RESPONDENTS' CHARACTERISTICS BASED ON THE VARIABLES OF THE STUDY

Results of the study revealed that the majority of the respondents (43 women or 35.3%) was in the 20-24 age segment, 36 respondents (30.3%) were on their second pregnancy, 105 respondents (88.2%) were housewives, 38 respondents (31.9%) possessed poor knowledge, 77 respondents (64.7%) had poor attitudes, 41 respondents (34.5%) took poor actions, 71 respondents (59.7%) adopted poor dietary habits, 48 respondents (40.3%) came from families with poor roles, 45 respondents (37.8%) had a poor pattern of treatment, 41 respondents (34.5%) had a poor pattern of service, and 79 respondents (66.4%) were pregnant women who were at risk for anemia.

3.2 ANALYSIS OF THE CORRELATION BETWEEN SOCIO-CULTURE AND THE INCIDENCES OF PREGNANT WOMEN AT RISK FOR ANEMIA

Results of statistical analysis using the *chi-square* at 95% level of significance ($\alpha = 0.05$) and $df = 1$ came up with the following values of each variable: knowledge $p = 0.047$, attitude $p = 0.000$, action $p = 0.018$, dietary habits $p = 0.000$, pattern of treatment $p = 0.004$, pattern of service $p = 0.006$, family roles $p = 0.015$. These results indicated a correlation between those variables and pregnant women at risk for anemia. Different values, however, were gained by the other two variables, i.e. aspiration $p = 0.205$ and sources of information $p = 0.252$. All these results are summarized on Table 1.

Table 1. Results of bivariable analysis of socio-culture and pregnant women at risk of anemia

Research Variables	Category n	Status of Pregnant Women					
		At risk		Not at risk			
		%	n	%	total p	score	
Knowledge	poor	30	25.2	8	6.7	38	0.0047
	moderate	49	41.2	32	26.9	81	
Attitude	poor	65	54.6	12	10.1	77	0.000
	good	14	11.8	28	23.5	42	
Action	poor	33	27.7	8	6.7	41	0.018
	good	46	38.7	32	26.9	78	
Dietary Habit	poor	57	47.9	14	11.8	71	0.000
	good	22	18.5	26	21.8	48	
Aspiration	poor	9	7.6	8	6.7	17	0.205
	good	70	58.8	32	26.9	102	
Pattern of Treatment	inadequate	37	31.1	8	6.7	45	0.004
	moderate	42	35.3	32	26.9	74	
Pattern of Service	poor	34	28.6	7	5.9	41	0.006
	good	45	37.8	33	22.7	78	
Sources of information	poor	8	6.7	7	5.9	15	0.252
	good	71	59.7	33	27.7	104	
Family roles	poor	38	31.9	10	8.4	48	0.015
	good	41	34.5	30	25.2	71	

4. DISCUSSION

4.1 KNOWLEDGE AND PREGNANT WOMEN AT RISK FOR ANEMIA

In terms of knowledge, findings of this study revealed that the majority of respondents (25%) had limited knowledge, that is, they had no adequate

understanding of the fact that pregnant women are at risk for anemia. Indicative of this was the fact that the respondents were unfamiliar with the term anemia and the causes of anemia, nor did they have themselves checked at first trimester. They also appeared to be

unaware of the benefits of consuming iron tablet that were provided by healthcare workers.

An important knowledge that the respondents are supposed to possess before they give birth is that pregnant women are at risk of anemia, which means that they need much more iron, particularly in the second trimester of their pregnancy. In this trimester, fetus is already formed along with the formation of bones and brain tissues, and iron is vitally needed in this period. Likewise, pregnant mothers are in great need of iron to maintain the strength of their bones and teeth, as well as to alleviate fatigues. During this period, consumption of iron-rich foods, such as vegetables, meat, fish, and eggs, should be maintained.

This study further discovered that the prevalence of anemia on pregnant women reached 61.3%, a figure much greater than the threshold of anemic prevalence (i.e. 20%) [23]. Also found was a significant correlation between consumption of iron and Hb level of pregnant women in trimester II and III.

4.2 ATTITUDE AND PREGNANT WOMEN AT RISK FOR ANEMIA

Attitude is one's implicit reaction or response to an entity. A manifestation of attitude is not immediately observable rather it can only be interpreted from implicit behaviors. According to Notoatmodjo [4], an attitude is not automatically shown in an action. To transform an attitude in real actions, supporting factors or conditions that make it possible, such as facilities, are needed. Besides facilities, encouragement from significant others including parents, siblings, and husband, are also of great importance. Furthermore, Allport in [5] maintains that our ideas and concept about an entity are correlated to our emotional life to the entity, as well as our tendency to behave. These components altogether create an intact attitude, during which process knowledge, cognitive ability, belief, and emotion play pivotal roles.

In the field of social psychology, attitude refers to readiness or willingness to act, although it is not necessarily a fixed motive. Since an attitude is not always immediately manifested into action or behavior, it constitutes a predisposition of behavior. Attitudes can therefore be assessed directly or indirectly. A direct assessment on attitude is conducted by asking for respondent's opinion or by questioning them about an entity of interest, whereas an indirect assessment is performed by asking hypothetical questions, and respondents' opinion can be unveiled through their answers to the questions.

4.3 TREATMENT AND PREGNANT WOMEN AT RISK FOR ANEMIA

On the cross tabulation (Table 1) between treatment and pregnant mothers at risk for anemia, 27.7% was found to receive poor treatment, with 6.7% at the risk for anemia. There was 38.7% of the respondents receiving good treatment, and 26.9% were not prone to anemia. Based on the results of statistical test by using the *chi-square*, it is conclusive to maintain that a correlation occurred between treatment received by

pregnant women and their state of being at the risk for anemia.

For these reasons, it becomes important to consider health policy which relates to treatment of pregnant women, or to decisions made by the government, individuals, or communities.

Treatments to anemic-prone pregnant women are usually in the forms of, among others, antenatal care, consumption of nutritious food, reduce of activities, and taking account of relatives' advices on what should be and what should not be consumed during pregnancy. A large number of respondents refused to consume iron tablets on the grounds that the tablets had unpleasant aroma that caused nausea. The present study confirmed this phenomenon, that is, a main reason why pregnant women did not take iron tablets was because they experience some side effects of consuming the tablets, such as nausea, unwell feeling, pain, tension in the head, and vomiting.

Most respondents did not have their pregnancy taken care by doctor or healthcare professionals, but by midwife. This particular finding is in line with what was found by a previous study conducted in Abeli [5]. Given this condition, it is urgent that more intensive health educational programs be carried out to raise people's awareness of the issue. This is particularly important given the fact that 56.3% of the respondents of this study received their formal education only at elementary or junior secondary level. Also contributing to this condition is a socio-cultural factor, i.e. it is hard to change old habits that have been inherited from generation to generation.

4.4 DIETARY HABITS AND PREGNANT WOMEN AT RISK FOR ANEMIA

Dietary habits among pregnant women are commonly characterized by low-iron bioavailability since their typical diets are commonly comprised of only rice or tubers with some nuts and a little meat, chicken, fish, and other foods containing vitamin C. There was 47.9% of respondents adopted poor dietary habit and were at risk for anemia, whereas 11.8% were not. Among the respondents who took healthy dietary habits, 18.5% were at the risk for anemia, whereas 21.8% were not.

Using the *chi-square* to conduct a statistical test, the study found that there was a correlation between dietary habits of pregnant women in coastal regions and their state of being at risk for anemia. This finding was corroborated with that of previous study, which discovered that lower bioavailability of iron in food we consume may result in our need for iron being insufficiently fulfilled [20]. It has been demonstrated that, in general, dietary habits are correlated to many incidences of anemia amongst teenage girls.

Pregnant women tend to adopt a habit of consuming a variety of foods containing substances, such as calcium phosphates, brans, phytic acid, and polyphenols, which can reduce the absorption of iron by our body. Phytic acid is abundant in cereals and nuts, and it is a substance that directly contributes to the poor availability of iron those foods. While dietary fiber does not inhibit the absorption of iron, the

inhibitory effect in brans is caused by phytic acid. Polyphenols (phenolic acids, flavonoids, and polymerization products) are present in tea, coffee, and wine. Tannins contained in tea and coffee can decrease the absorption of iron down to 40% and 85% respectively. Therefore, it is important that pregnant mothers carefully manage their schedule for consuming tea or coffee [6, 21].

A study reported that 55.7% of pregnant women were suffering from anemia, and 43.5% of them dropping out consuming iron. To improve pregnant women's eating habits and intakes of iron tablets, it seems crucial that a policy is implemented in the forms of health education and empowerment programs aimed at encouraging pregnant women to adopt healthier dietary habits. Of equal importance is making iron tablets more appealing to the women so that they will be willing to consume them like snacks. Such empowerment policy is realized through "*Keluarga Sehat Cegah Anemia*" (KECE), a program designed to equip pregnant women with knowledge, attitude, and action that can help them prevent anemia.

4.5 ASPIRATION AND PREGNANT WOMEN AT RISK FOR ANEMIA

A most common type of anemia amongst pregnant women is one that is caused by iron deficiency. Iron deficiency is surely unfavorable for pregnant women and infants because pregnant women with anemia are at higher risk of death than those who are non-anemic. At some points, a very high rate of maternal mortality in Indonesia has caused this disease to become a top-priority health problem in the country, since this condition is a reflection of not only how much healthy but also how much wealthy Indonesian people are, as well as how well quality health services have been provided. Direct causes of maternal deaths include complications of pregnancy, delivery, and postnatal period, and any incorrect interventions or treatments for the complications. Therefore, people's aspirations, particularly those expressed by pregnant mothers, need to be given considerable attention since a lot of things can be learnt from them, including their existing conditions, time, facts, and places. Information about these factors are very helpful to enable adaptation to the local socio-cultural conditions, particularly those related to some medical and non-medical aspects in the society. Among the most important non-medical aspects are economic status of the family, mother's level of education, surrounding environment, behaviors, etc. [7]. The present study found that 17 respondents had poor aspiration, 9 of them (7.6%) were at risk of anemia and 8 (6.7%) were not. Out of 102 respondents with good aspirations, 70 (58.8%) were anemia-prone and 32 (26.9%) were not.

With regard to the aspirations of pregnant mothers, a lot of things need to be given serious attention. During pregnancy, women should be approached in multiple ways both by their close relatives and healthcare workers, in order to ensure that they are emotionally stable. Although test result of this study indicated no correlation between pregnant women's aspirations and

their anemic-prone conditions, the respondents of the study expressed their needs for assistance that could help to keep their pregnancy in good conditions. For this reason, it appears urgent to implement an effective model of health policy, particularly one that concerns with pregnant women and how they can avoid the risk of anemia. In this model, each pregnant woman is supposedly assisted by a student from a health educational institution, who is tasked to keep on monitoring the woman until her delivery and informs her with some concepts of healthy lifestyle that must be observed during pregnancy.

People's, and especially pregnant women's, unawareness of the risk of anemia during pregnancy needs to be addressed by intensifying promotional and preventive efforts in the forms of publicizing, advocates, and education to various elements in the society. It must be admitted that without authority's intervention it will be difficult to raise people's awareness of the fatal impact of anemia on pregnant women. People's aspiration can serve as a source of information, on the basis of which considerations can be taken regarding with regular consumption of iron, dietary habits, and behaviors. This is in line with a result of the present study, which indicates that interventions through nutrition education to pregnant women can improve the knowledge, attitudes, and nutritional practices of the women. During the treatment in the study, the women were also asked to consume iron tablets once a week. This study showed that this approach could promote the women's observance on their consumption of iron tablets (83.3%), as well as increase hemoglobin level up to 3.28% gr/dl [8].

The respondents of this study also aspired their needs for training, enlightenment, and education during their pregnancy. This aspiration needs to be taken into serious attention in order to prevent anemia at its early stage. The main focus is on making efforts to increase knowledge, attitudes, and treatment for pregnant women. Furthermore, it is necessary to develop a model/design of planned behavioral changes with a view to increasing pregnant women's ability and knowledge of handling anemia during their pregnancy. KECE model is offered as an alternative program to pregnant women, in which on a regular basis they receive health education specifically designed to teach them adequate knowledge, correct attitudes, and proper actions to be taken in treating anemia.

4.6 SOURCES OF INFORMATION AND PREGNANT WOMEN AT RISK FOR ANEMIA

Sources of information refer to ways that are designed to motivate people to change their behaviors (that have no advantages to themselves, their community, and their environment) for a better life by optimally utilizing sources of information as great medium of learning in ways that are not only more effective and efficient, but also more suitable to the conditions, time, facts, and venue of the coastal communities where the pregnant women live.

Results of the present study show that out of 15 respondents who had poor sources of information, 8 of them (6.7%) were at the risk of anemia, whereas 7 (5.9%) were not. Among 104 respondents who possessed good sources of information, 71 respondents (59.7%) were susceptible to anemia whereas 33 (27.7%) were not. Family has a number of supporting functions, including informational supports, assessment supports, instrumental supports, and emotional supports. In terms of informational supports, family functions to disseminate or spread any available information, as well as to seek information regarding anemia, consult about it, and gain more information from printed media and other available sources. Family also lend supports through verbal information, targets, and real assistance or action provided by those that are close to pregnant women, who can gain emotional as well as behavioral benefits from others' presence [9].

This is important because information provided by family can serve as a model that can motivate pregnant women to minimize the risk of anemia.

4.7 PATTERN OF SERVICE AND PREGNANT WOMEN AT RISK FOR ANEMIA

The relationship between resource and behavior can be positive or negative. For example, services provided at a healthcare center can affect ways in which the center is utilized by people. According to [10], every effort can be made, either individually or collectively in an organization, to maintain and improve health, prevent and cure diseases, and help individuals, family members, groups, or community to regain their health. A regulation is needed to impose sustainable and focused controls over providers of public service, including healthcare centers, as an endeavor to exert positive influences, either directly or indirectly, to the behaviors and functions of both public and private healthcare centers [18]. A main requirement is the availability of decent healthcare facilities, well-trained workers, technology, and enough medicines. However, what makes services inextricably related to pattern of service is because human's behaviors are the results of experience and interaction with its environment, which are then manifested in the forms of knowledge, attitudes, and actions. One's behavior is his/her response to a stimulus originated from either his/her internal or external world, so that the quality and quantity of access to healthcare services can affect maternal mortality rate. According to McGarthy's model in [11], access to healthcare services is influenced by geographical location and condition, type of available services, quality of services, transportation, and access to information. How much efforts are made by people to seek for health-related information reflects their pattern of behaviors in the utilization of healthcare services, and in a broader sense this indicates the level of knowledge and trust people have on the healthcare services. The utilization of healthcare facilities in a community health center can be detected by using several indicators, including the number of visit per office hour and the frequency of visits to the center [12].

The present study found that out of 41 respondents with poor pattern of service, 34 respondents (28.6%) were at the risk of anemia, whereas 7 respondents (5.9%) were not. There were 78 respondents with good pattern of service, 45 of them (37.8%) were vulnerable to anemia and 33 (22.7%) were not. The utilization of healthcare services can be influenced by such factors as time, distance, cost, facility, doctor's rapport with client, quality of service, and the concept of sickness held by the community [13]. One type of services is administration of vitamins to ensure that our body has sufficient intakes of ferric acid and folic. It is important to make sure that at least 27 mg of iron is consumed every day. Thus, a type of service that pregnant women with anemia can receive is the administration of iron supplements by healthcare workers. This study revealed through statistical test using the *chi-square* (X^2) that pattern of service is correlated to pregnant women at the risk for anemia. Following a concept offered by Anderson (1968) in [19], three factors leading to the utilization of antenatal care are *predisposing* component (one's predisposition to seek for services), *enabling* component (one's ability to seek for services), and *need* component (one's need for healthcare services). Anderson's model is then developed to see the relationship between these factors and pregnant women. A model of the utilization of antenatal services is linked to the *predisposing* factors, which include family structure, social structure and trust, health condition, mother's age, parity, birth spacing, education, knowledge, and attitudes. Included in the *enabling* factors are family sources and community sources, such as support from husband, family economic condition, payment, cost, time, availability of services, and distance. *Need* factor is related to sickness or illness, including medical history, complaints, perception of healthy, mother's condition, medication plan, and hemoglobin (Hb). According to [9], instrumental supports are gained from family as a source of practical assistance and contact needed to solve problems.

4.8 PATTERN OF TREATMENT AND PREGNANT WOMEN AT RISK FOR ANEMIA

Behavioral changes are obviously needed if we aspire to achieve a higher level of health in the future, one which is oriented to the optimization of health potentials. Result of the present study, which was obtained by conducting a cross tabulation test, shows that 45 respondents had poor pattern of services, 37 of them (31.1%) were at the risk for anemia and 8 (6.7%) were not. Out of 74 respondents that had good pattern of services, 42 (35.3%) were at the risk of developing anemia, whereas 32 (26.9%) were not.

It is highly important that pregnant women receive decent treatment during their pregnancy, particularly to determine whether or not their pregnancy is at the risk of anemia, so as soon as they know that they are pregnant they have to begin receiving antenatal cares from midwife or doctor. They should be aware of the importance of receiving care during their pregnancy, not only to have their physical conditions and

pregnancy regularly checked up to detect any problems or complications, but also to optimize their physical and mental well-being. If they can receive all these cares and treatments, they will be psychologically more prepared to face any possibilities related to the progress of their pregnancy, fetus condition in their womb, childbirth preparation, breastfeeding, and the return of their reproductive health to a normal condition.

Treatment in form of ANC visit refers to a contact between pregnant women and a healthcare worker where they talk about and share information about babies' health and well-being [24]. A model of approach that can be taken by healthcare workers is a nursing intervention aimed at helping client reduce health-risk behaviors. This model of treatment has been successfully applied to pregnant women, as well as to their families and communities.

4.9 FAMILY ROLES AND PREGNANT WOMEN AT RISK FOR ANEMIA

Women who function as housewives usually play double roles in their family, all the more if they have out-of-house occupational or social activities. It is often the case with wives who also work out-of-house job that, in preparing food for their family, they tend to attend more to the quantity, rather than the nutritional quality, of the food. Nutrition plays a vital role in the physical and mental development of our body. According to [14], family roles or supports refer to efforts, in the forms of moral and/or materials supports, exerted to others, as a way of promoting motivation to carry out their activities. If a husband shows his support by accompanying his wife to an integrated healthcare center for mothers and babies (posyandu), then the pregnant wife can feel more motivated to visit and receive services from the center. Support from husbands greatly affect their wives' willingness to utilize services provided by an integrated healthcare center for mothers and babies (posyandu), since it is commonly held by local communities that husbands are the leader of their family and all their decisions must therefore be respected. This means that the greater a husband's role in his family, the more likely it is that his wife be willing to receive services provided by an integrated healthcare center (posyandu).

Furthermore, gaining social supports from families is a process that occurs in our entire life, albeit they differ in terms of the types and natures of the supports in each life cycle. Nevertheless, family supports can enable all members of the family to perform their different functions by utilizing their minds and senses, which in turn can improve the health level and adaptation of the family [15]. One factor that affects a nutritional status is intakes of nutrition. For this particular reason, family plays important roles in ensuring the availability of nutritional foods, such as energy and protein, which are vitally needed by pregnant women and her fetus. The energy can be obtained from foods containing carbohydrates, fats, and proteins. The energy can then be used to fulfill

our needs, supports our growth process, and enable us to do our day-to-day activities.

A lack of protein in our body can degrade our nutritional status down to malnutrition, in turn causing anemia. Pregnant women need a lot of protein not only for their own body but also for her fetus. Protein functions to develop, grow, and maintain body tissues, as well as to run our body's self-defending mechanism and regulate our body metabolism. In this case, the roles of husbands and families are of great importance. They need to have adequate knowledge and understanding of the need to give considerable attention to their wives, always standing by their sides to fulfill their wives' needs and answer to their requests. Besides, some families may have some useful experiences that they can share to pregnant women, such as abstinence and suggestions concerning what should/must be and what shouldn't/mustn't be done by a pregnant woman.

5. CONCLUSION

This study attempted to look into the behaviors of anemic-prone pregnant women, who live in coastal areas of Abeli in Kendari of Southeast Sulawesi, and their correlation to the socio-cultural aspects of the local community. The study concludes that the variables of knowledge, attitudes, actions, dietary habits, pattern of treatment, pattern of services, and family roles are correlated to the pregnant mother who are at risk of anemia, whereas aspiration and sources of information were found to have no association to the respondents.

It is suggested that a cross-sectorial cooperation between the Regional Office of Health and related institutions is fostered so that the conditions of those living in the coastal areas can receive more serious attention from the local government. Community healthcare centers are suggested to run health education programs, in the forms of counseling, workshop, and training, for healthcare workers and traditional midwives.

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THE VALUES OF DEMOCRACY IN THE IMPLEMENTATION LOCAL POLITICAL AGENDA IN KENDARI

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ABSTRACT - The objective research are: 1) Describe and analyze the application of the values of democracy that is a participate guarantee, stakeholders representation, equal rights in the decision making, dissemination of information, responsiveness, and supervision community, implemented in stage of local political agenda at Kendari 2) Describe and analyze the community consistency to participate in the implementation of local political agenda at Kendari. Using qualitative research, done interviews with informan, focused group discussion (FGD), observation and documents study.

The result of research are: 1) The values of democracy as described Dahl namely: citizens guarantee to participate, stakeholders representation, equal rights of the community in decision-making, transparency, community control, responsiveness and accountable, manifested in every stage the implementation of the election mayor in Kendari. Implementation of local politic agenda that accompanied by the rule can prevent the conflict and able to create a harmonious and safe democracy. 2) The general, local communities are consistent to participate in the election mayor, it can be seen from a commitment and our deepest concern residents to create the high-quality election, and political rights motivation to use that constituted by awareness to give birth to local leaders. However, it is still there are communities who have not yet been consistent participate in local political agenda.

Need to enlightenment on, so that the people are aware that mayor election means provide the values of democracy, using the right politics is an ideal, and carrying out a quality local political agenda.

Key Words: Democracy, Local Politic

1. BACKGROUND

Democratic political practice a feature, as well as conditions that must be fulfilled by a country that has adopted a system of government democracy. Political process that is democratic according to Dahl (2001) requires participation citizens, stakeholders representation, equal rights in decision-making, dissemination of information to build transparency, accountability, responsiveness and the community control to the political agenda and local policies. According Stoker (2002:36) local political arena is a forum to establish a potential relationship for state and society. The public can take part in the political process, while local institutions have the capacity, interests, and details knowledge of the decision-making process, public services providing and the government's democratically. Through the implementation political agenda as the learning process local democracy and the application of democracy values can be realized will continuously, since practices implemented more real, and people can take directly to control.

After the reformation in 1998, the Indonesian country began to assume a democratic system. Democratization process will be done through national political agenda, including legislative elections have been carried out 4 times in 1999, 2004, 2009 and 2014, and the election of the president and vice president has been carried out 3 times in 2004, 2009 and 2014. While local political agenda will be done through the election Governors, regents and mayors, carried out every five years, and village head election by the people, will be done every 8 on the village heads in line. According Bake (2007), since the

reformation, each rule and laws related to local interests, always carrying mission application of the values of democracy, because Indonesia has embraced democratic system, as stated in the 1945 Constitution. In Kendari, the implementation local political agenda as a learning tools democracy and has been dynamic is mayor election, in 2007 election for mayor and assistant mayor of the city for the period 2007-2012, and in 2012, mayor and assistant mayor election period 2012-2017. The regulation is confirmed, the election was held in a democratic, direct, general, free, secret, honest and fair. Reaches began with the establishment voters, determining schedule, refistrasi candidates, candidates determination, the campaign, the period of calm, the voting, the count, settlement of disputes over the announcement of the winners in the election, and the announcement mayor and deputy mayor was elected.

In the election on 7 July 2012, there is rejection group of people, when the committee election city announced the results. The rejection groups observer democracy with one of the candidates. They called cheating in the election (as revealed in local media), the announcement is fixed voters, City Election Commission inconsistency enforcing the Law related to the determination ballot is valid and that is unlawful, the number of votes over many voters, forgery, intimidation, a mistake to vote counting, and the indication collaborative systematic, structured and massive, City Election Commission which will be done with the winner. Candidates who wronged, then a requirement of the law through the Constitutional Court, with the lawsuit was a breach material election and accused City Election Commission did not

democratic in running local political agenda.

The phenomenon is interesting to be examined. The problem's are: 1) What is the values of democracy as a guarantee participate, stakeholders representation, equal rights in the decision making, dissemination process of information, response and control community be realized. in the process of carrying in local political agenda at Kendari? 2) How community consistency to participate in the implementation local political agenda?

The aim of the research are: 1) Describe and analyze the application of the values of democracy that is a participate guarantee, stakeholders representation, equal rights in the decision making, dissemination of information, responsiveness, and supervision community, implemented in stage of local political agenda at Kendari 2) Describe and analyze community consistency to participate in the implementation of local political agenda at Kendari

2. THEORY

In a democratic system, every one are free to make his life, have the right and carry out their duty consistently, political role in the framework a balanced. According to Gould (1993:93) the development of democracy latest have relevance to the theory human rights, political rights.and social rights. Hobbes, Locke and Rousseau in Gould (19993) said, human rights including freedom and freedom of speech a law of nature, if broken will give birth to the dispute.

According to Dahl (2001:63) the characteristics of a democracy is a commonality rights campaign, political parties competed for support of the people, the recognition rights and freedom of speech, come together, determine organizational and freedom of the press. To be free according to Hegel's concept in Gidens (1986:279) people need to have a special autonomy, not be forced by the great force extreme outside the control its rationale. Freedom referred to is not to selfishness, but freedom rational political rights to use creatively as members of the community civilized. More specific, according Dahl (2001:52-53) process politics or policy democratic characterised by the existence of guarantee for every citizen to participate, stakeholders are represented, there are equal rights in decision-making process, the information equivalence, and the community can monitor political agenda and the government. Smith (1985:24-28) insisted that local governments democratic marked with the political equality, local accountability and local responsiveness. In democracy according Held (1996:270-271), required rights recognition that period participated in the conduct of the state, to determine personal choice and people can monitoring the political agenda.

Schumpeter (1942) and Sorensen (1993) describes its participation in democracy started with institutional politics arrangement, where individuals have the power of region autonomous, the competition is healthy to gain support. McClosky (1972) explained participation is voluntary activity citizens, and by

Parry, et al call it will take part in the process of electing the authorities. Liberal democracy according to Held (1996) requires that individual freedom, direct participation in the event, equal rights to determine life, as well as an obligation to not abolish rights of others. Dewey (1954) in Varma (1975) and Effendi (2001:218) called participation as warner philosophical basis theory participatory democracy with the concept utilitarianism, always insist on its own is subjective, which resulted in an open society, promote the individual and his rejection of absolute power. Pateman (1970) in Grugel (2002:23) reveals main attention modern democracy is the participation by and for any representation system, it is not an elitist who often claimed as the core democracy. The necessity of freedom began with The participation of an active, mutual trust, the confession right of every citizen, and the government to ensure the participation. It was asserted Barber (1984) in Arato and Cohen (2002:18),

..... The Participatory model of democracy maintains that what makes for good leaders also makes for good citizens – active participation in ruling and being ruled (i.e. the exercise of power) and also in public will and public opinion formation. Democracy in this sense would allow all citizens, and not only elites, to acquire a democratic political culture. For it is through political experience that one develops a conception of civic virtue, learns to tolerate diversity, to temper fundamentalism and egoism, and become able and willing to compromise. Hence the insistence that without public space for the active participation of the citizenry in ruling and being ruled, without a decisive narrowing of the gap between rulers and ruled, to the point of abolition, politics are democratic in name only.....

Participation produces the decision that can be received by all parties, and execution more easily be realized for public resentment decreased. According to Fung, participation in politics and decision-making has been developed by, among others Pitkin and Shumer (1982), Barber (1984), participation in local democracy through the meeting (Mansbridge, 1980), community policing to public services (Arnstein, 1969; Kotler, 1969). Participation can take place in various political arena and is usually associated with operation policy, on the officers, regulation, and other policies. The chief executive's commitment to apply democratic values often influence quality participation. Wilcox (2005) explains that there is a public access to information, transparency and accountability organizer policy implementation is a good governance principle. Quality and consistency participation in local democracy according to Bake (2011:124) related to commitment, our deepest concern, common purpose, motivation, mutual trust, the individual open, and sense the suspect. Stakeholders representation in the decision-making

process, according to Dahl (2001) is to make decisions that produced by can describe their aspirations all parties. According to Janda, et al (1989:44) in democracy the majority, because of the many interests while resources limited, then the majority will be prioritized, whereas the voice minority set aside. That was different from understand democracy pluralist, where the winner is not always the majority, but believe that was conveyed by the skilled in championed it. In Indonesia today according to Bake (2007:5), the decision-making process is often done by voting to reach the majority if failed to engage in deliberations. In the community plural and differentiation between the various groups, wide area (such as Indonesia) model of democracy in the majority cannot be expected to be the only means for decision-making, because the minority groups (the poor) more alienated. Model of democracy to a pluralist is alternative, and stakeholders representation is a prerequisite. Representative democracy according to Nordholt (1987:35) should be supported community in policing, the information is equal, government and community sinerjik partnership, based on by the spirit mutual trust, through the process transparent, accountable and obey the rules. To maximize their representation in the decision-making process, people need to trust each other, common purpose and equality information, and community representation in the decision for them.

The information dissemination, is a greater transparency and accountability organizer of government. Dahl (2001), Smith (1985), Betham (1996), Manor (1998), Gaventa and Valderama (2001) describes the local authorities autonomous critical market provide democratisation, as long as information policy and its implementation will be available to the public and the local government responsive to the problem. Parry and Lampe (1995:203-204) connect the democratisation with the current openness government, and the closed government, escaped or vague. According to him, the administration of government that is a manifestation of open democracies. Equality information aimed, strengthen cooperation between stakeholders with solutions that performance coincide with common interests through collaborative decision. Any policy relating to the community be communicated, disseminated, and institutionalised to involve the concerned. This, according to Abers (2000:107) is the consequence to choose the democracy system, which require personnel who are loyal to the people, bureaucrats, and resources adequate in organizing so that it could be autonomous government.

According to Bake (2007) transparency characterized by the public access to information, the clarity information, the mechanism for delivering the lawsuit over government policy, while public accountability describes how far the organizer explained about what should be done, how to manage and resources, budget and the benefit and the impact in improving the quality of life. Dahl (2001) overseeing the community for the political agenda as key positions as well as to

mark the growing democratization. How far their effectiveness in relation to community recognized its presence in the event policy. Civil society (Gramsci, 1931), is a friend lower for the country, as current status, have part function hegemony, will be done by the dominant group through the establishment and implementation of the law, the strength is bound to become a role model with a value. According to Parson (1968) and Durkheim (1933) in Hardiman (1993:280), common people unite, while a contradiction can make the people could not be united.

3. RESEARCH METHOD

Using qualitative research; was done interviews with informants, focused group discussion (FGD), observation and documents study. The values of democracy referred is a citizens participate guarantee, stakeholders representation, equal rights in the decision making, the information equivalence, transparency, accountability, community supervision, and responsiveness. Political agenda locally referred the election in July 7, 2012 to select the mayor and vice mayor of the Kendari Government City period 2012-2017. Informant are members of the City Election Commission, members of supervisor election committee; every candidate witnesses; the pair observers, and the candidat who were lost.

4. RESULTS

4.1. The organizer Recruitment

Local political agenda that was carried out by mayor election to the application of the of democracy values. It can be seen from the existence of guarantee the rights of countries participating in it, both as the organizer, a supervisor and voters. As the organizer, was formed City Election Commission, the sub-district election committee, a Group Organizer Vote Election), and the election committee, consists of local residents. Selection process organizer will be done in the open. Anyone who wanted to become the organizer was given the opportunity to register themselves as long as to meet the requirements. Conditions to the physical and among other healthy spiritual, having competency to hold on to Pancasila tasks, faithful and Act 1945, and that which is true, fair and have integrity, and neutral. Recruitment mayor election done openly with the opening announcement in the mass media local. It can also be listened to the informant:

..Recruitment process caught in the chief executive members election, that every citizen given equal opportunities to participate ... City general election Commission announced through local media such as newspapers and Local Radio, disseminate information about the candidate mayor election organizer, the schedule selection, registration procedures for implementation process. selection which is the result was announced in local mass media.

Information is providing an image that recruitment process election organizer done openly. Each person was assigned chance to participate in a democratic

processes. The announcement of selection process, requirements and jabwal selection and selection which is open described the existence of an accountability in the selection and determination of penyelenggara. Result of the selection delivered to the public so that the people know about it assessment team. The community to provide information to the committee's reputation candidates. It describes the scrutiny community in the selection process candidates for the organizer. Information about a reputation for candidate status organizer, and membership in political party to community concerns. A informers states:

.. in selection of prospective operators, input community about the status keanggotaan candidate in political parties considered. If a person is still a party politics, the candidate is canceled, because it is against the rule. for one of the conditions to become a member organizer is not the hand of the party politics

Responsivitas selection to become candidates for the organizer was realized in the determination committee sub-district, the organizer village level, and the general election. According to the Law 22/2007, about the General Election, and the National Election

Commission regulation, that the number of organizer every level as much as 5 people, This is referred to in the interests democracy in the decision making process. Decisions are produced by the organizer will be done in a democratic, through mutual consultation or voting with the most number of votes, to ensure equal rights in the decision making process.

... .. Every decision made by always determined in a democratic, where each member executive have right to vote in decision-making. Election committee will be done through determination of deliberation, and voting to decide result of the selection. If not it was agreed by acclamation, decision-making will be done through voting

City Election Commission is responsible for implementation of the election for mayor, aided by: 1) Sub-district election committee) as much as 50 people spread out 10 sub-district; 2) Group organizer vote as many as 448 people were spread in 64 villages; 3) The election committee as many as 3,310 people, who spread in 662 of the vote location; 4) The Committee voters data updating as many as 1,324 people, who spread in 662 the vote location. Organizer of Mayor election Kendari in July 7, 2012 as many as 5,137 people. More clearly served in matrixes follows.

Table 1:

The organizer components	Number	Person	Quantity	%
City general election Commission	1	5	5	0.09
sub-district election committee	10	5	50	0.93
Group organizer vote	64	7	448	8.72
The election committee	662	5	3,310	64.43
The Committee data updating voters	662	2	1,324	25.83
Total			5,137	100.00

Source: Processed from secondary data City Election Commission, Kendari, 2014.

The determination process organizing members carried out in a democratic, the process was given the opportunity to every citizen to participate, it was done in a transparent, accountable, there are equal rights in decision-making process, there are supervising the community as well as responsiveness done with a follow-up to report from the society for the existence of the prospective organizer who still has a status as a member as the political party.

4.2. The Announcement of Right to Vote

The Announcement of fixed voters determine the quality democracy is associated with the existence of guarantee for every citizen of use their political rights. The stage data collection consists of: **First**, City Election Commission reported data request the potential voters to the city and city government data referred to as the appointed time. **Second**, according to data election commission, the city general draw up a list voters, and delivered to the general election sub-district election committee through. **Third**, based on the data, the general election committee which helped voter data updating the officer did, passed and announce Temporary Voter List. The Data are tracked in a way posted voters' data collection through additional field with the pillars of neighbors and received a report on the family members who have not

yet been registered as voters.

Fourth, the general election voters list set and voter list was announced and reported that had been passed on City Election Commission to the sub-district election, through to the National Election Commission given respectively and the Province Election Commission. This process is proved by letter, signed by all member of the Committee Vote. Based on the data voters, City Election Commission to draw up and to announce the recapitulation number of voters and the number of the voting station which was classification in every sub-district and sub-district in Kendari area. Voter Data is still delivered to The organizer vote, supervisors and the witnesses.

Fifth, City Election Commission, making the cards voters in accordance with the number of people who have registered. The final, the general election together with the chairperson of his neighbor or the Chief Pillars of residents, voter cards to every citizen, through the head of the family with system the address each. When delivering the voter cards, the officers brought receipts acceptance voter cards that was signed by the head of the family or the vice head of the family, as evidence that voter cards had been accepted by at once. This is a manifestation accountability in give a guarantee and reassuring to

people to vote, dimama with voter cards, the right people to choose to be sure

Through the determination process voter data political rights on this, and guarantee participated in the election for mayor be realized. Announcement on the list names temporary voters fixed voters list and shows that the process of the transmission of information that is open and accessible community. In response to report of local people and also the officer in making sure every citizen registered voters and get to voter cards depicting the responsivity and accountability. Delivery to supervisors field, and the witnesses to indication that the determination process voter data is open to be monitored by the community. All of that show the imposition and values of democracy in the announcement voters' data. In addition, local government, participation rates from government of the city, the sub district, sub-district, the management of his neighbor, and the wider community pillars of the illustrate the democracy is thick through mayor election especially when setting permanent voter list

4.3. The Announcement Candidates

According to the Law No. 12 of 2008, concerning the Regional Government, every citizen can nominate himself as the mayor, as long as a real support or community was nominated by political parties that had the number of seats at least 15 percent of the total seats in city parliament. As a candidate to be opportunity to be the mayor is open to every citizen. Selection process done from the announcement, the registration, the investigation file completeness, verified the determination of the field, and. They must not stiff, where and when the file that raised candidate has not been completed, was given the opportunity to meet the applied to poverty. There is no was disqualified because of the shortage candidate documents. One of City Election Commission members, explains:

us as the acting to give the opportunity to every citizen city for a candidate for mayor. For those who have been registered political parties, only checking conditions support from the political parties that carry." if we had been fulfilled the requirement we set as a candidate. .. Period also, individual candidates, was given the opportunity to improve documents, after that we profess to fulfill the requirement passed selection and nominated as a candidate. This is done to build in local political agenda that is fair, open and controlled community

Democratization process can be observed through a selection process that is open, there is a chance every citizen of nominate himself, representation political parties to propose a candidate, that every citizen can access information related to mayor election, which was published through print media local newspaper (Kendari Post, newspapers Kendari express), electronic media (local TV, local radio). Other Media socialization are billboards and banners, all easily for community accessible. Dissemination of information, be realized through concerning the stage, a requirement, development of the process mayor

election in 2012. This was a informers:

..... at every stage penjarangan was published, for example, the rules of the potential for the people, was published peseorangan know about it to provide an opportunity for those who are able to real votes and have the support, nominated himself as the candidate mayor in Kendari. The process will be done in a transparent and every citizen was given the opportunity as a candidate to be

The statement clarified that stages of selection for the mayor will be done in a democratic, there is a chance for everyone to be a candidate, the process transparent and accountable marked with the explanation of the stage, requirements and the selection process for candidacy mayor. Media involvement the owned by the government and private mayor election in publicizing shows our deepest concern related parties and at the same time show there are in the process of carrying local media to political agenda, that is democratic

4.4. The Campaign

One of the stage in the election for mayor crucial is a campaign to express his vision and mission of the candidates in the eyes of the people. Every candidate got the opportunity period campaign, and will be done in rotation in different locations. This is done to avoid the conflict open among the supporters. Implementation campaign involves a team from each candidate who are listed by the City Election Commission, supervisor and election committee, implementation of the campaign monitored by the election watchers easy election monitors and implementation of the campaign.

Based on that must be kept the campaign team among others: 1) did not involve government officials, army, members of the police and civil servants in the campaign team; 2) did not use facilities such as government buildings, pool office, vehicles; 3) did not use the public services such as roads, schools, hospitals, mosques, government offices as the campaign; 4) campaign material not revealing issues racism, degrading, commenting on the tribe, race, religion and the reason can trigger a conflict; 5) should not underestimate other candidates, not black, the campaign materials (money, goods and other forms) to voters be implicated to buy the voice of the voters; 5) did not pass the campaign that interfere with such public such as the parade' behavior.

The campaign by giving money to voters, sooner or later, reduce the quality democracy in local political agenda. Those traditions have a negative impact on the laity politics. She thought that it was a process the election is an opportunity to get money. That was proven in one of the residents who always get the money in the election, he said that the election without money, it seems quiet because no gift from the campaign team. Following his remarks:

.... This election this time is not interesting I think we will have nothing, from anyone. Usually there is a gift if there is a presidential election like this, but this time there is no. So

lazy went to vote what more can walk a long way. We choose also did not know who he is willing to be elected. not directed at, who is good and who is not good ... so we are reluctant to choose

These information indicates that habit money given to voters in the campaign process, can have a negative impact on the locally democracy development, among others: *first*, discourage participation, the only want to use their political rights if getting materials/money from candidates. *Second*, made quality democracy decreases because someone choosing a leader is not because it's reputation and competency, or their programs both to the people, but because they have money and it was possible for the mayor of the city that are not able to lead the region. *Third*, can be a force sprouting corrupt practices in the region, because activity the election, they spend their money, and after being elected political costs have made an effort to return it releases To overcome, it needs a lesson sustainable democracy so that they are aware that the process direct election is an opportunity to choose regional leaders. Number of people like this is relatively many , continue to grow, if not prevented will hamper democratization process at the local level. Some people began to high-quality care with the election. When there is a campaign violations, the people went to school supervisors, and supervisors to respond to this report, by calling on the campaign team who had broken. The Council will be done to give admonition to them is proven to be done violations. Violation that happened in the election for mayor Kendari is just a general election administration and just get it. There is no candidate team that were disqualified because of the violation criminal violations of ethics or mayor election campaign time Kendari carried out.

4.5. The Election, The Count And The Announcement Of Winner.

The most exhilarating for every candidate is election day, starting at 08 started opening ballot box until the hour 13 00 deadline of the vote and calculations votes in each Voting Center. The general election comes into play guide election process, called the owner sound card that comes, providing ballots, leading to the voting for perforate picture to his choice. The witnesses sat side by side use their right to vote to observe a citizen. In other seat the supervisors field sitting in a row to wait in line, and the local people to vote. The process, however,, queuing one by one according to the seeded arrival. The security forces are far from the location of the vote, there is no intimidation election time.

The population of the Kendari City is composed of various ethnic groups (Muna, Tolaki, Bugis, Makassar, Buton, Central Java, and other ethnic groups), to use their political rights There is a solidarity in the party local democracy in the plural communities are composed of various tribes, religion, race, and the different language, describes the characteristics of the province in Indonesia. The election will be done transparently, and the rules of

law. There is no one who did not use their right to vote, except on his own. In carried out but it is rather strained they saw the vote, accompanied by laughter and the sound was so upset (huuuuu) when they fighter are not mentioned the vote. Method of counting done by raising each ballot, was shown to witnesses, school supervisors and residents who were present and were numbered. After the elections and benefit in completed signed, a witness in paper counting result, posted the number of votes each couple. Ballot which had been calculated was included in the box, sealed, then handed over to city general election commission for recapitulation.

Every citizen has given rights and opportunities use their right to vote. For those who were at the location of the vote but did not bring Voter cards, only to bring their identity, is still have been given the opportunity to choose the voting place where they reside, as long as it shows Resident Identity Card identity as. This shows that the existence of guarantee participate as well as responsivity in the election. Surveillance society as a sign democracy according to Dahl, will be done by the officers civilians who are appointed to supervisors field and witnesses from each candidate Organizer accountability reinforced by: 1) officers posted residents who come and show voter cards; 2) guide the people take ballots; 3) guide folding paper voice, putting the ballot boxes; 5) guide people toward the exit, and dye in the bottle their fingers ink to ensure that he had use their right to vote. People know election information by socialization, or through their fellow members of the community. There is no residents who did not choose only because they did not know the schedule and the election place. Accountability is also shown at the vote controlled, the witnesses, election supervisor, and every candidate represented to monitor the election process. The announcement of winner will be done by the City Election Commission after the count is finished. Phases: a) vote counting result delivery certificate by the committee vote to the committee sub-district; b) Delivering ballot boxes were locked and sealed, contains news and vote counting result certificate sub-district election committee; c) Delivering news fast and the recapitulation sub-district election committee to City Election Commission; d) Preparing recapitulation city level dan announcement of the winners election by the City Election Commission. Mayor Election in July 10, 2012 . done transparently, the calculation was published, it was known that every candidate, and confirmed by the school supervisor elections. Result of the election was announced, to get the lawsuit from other couples. The contents the lawsuit with regard to practice self-restraint in the election. This claim was not proven to be the truth commission members. That the claim that submitted groups who at that time at that time is not based on report is true, and could not be proven by shah. The suit was not followed up because the proof is weak, does not have a legal force on which to base to annul the election result mayor Kendari period 2012-2017th .

5. DISCUSSION

Participation emphasized recognition, freedom citizens, the agreement, the consensus, stability and integration in the relationship functional. Right to determine decision with the needs of the society according to related George and Wilding (1992:2) and Dahl (2001) demands participation and recognition of the obligations residents in relations between the community and the government through the controlled. In the election for mayor Kendari, participate guarantee, equal rights, information equality, the community monitoring be realized by each every election stage, so that cooperation and coordination among the suspects can be run well. Agenda mayor election administration system will be through open, as part of efforts to maximize their community participation. Such practices, according to Downs (1967) in Caiden (1969:131-132), is a reflection administration reform of the system that will be environment administration, in the direction of the changes political system and the government. Frederickson (1984) said that form administration open, flat, managed in a democratic, the authority given to levels that are close to the people, such as practiced in the election for mayor Kendari, gave the maximum participation. The values power tanggap realized right to vote in the determination, to the organisers and follow the rules of the game administration election is being open, according to Dahl (2001) can guarantee that there is a public access to public information.

The information in relation to implementation of public policy according to Smith was the clarity, community access, and its consistency to decision communicate. In the election for mayor Kendari, the residents knew the information the election organizer and a commitment to disseminate information about local political agenda. Each component executive given authority, decided what to exercise according to the rule, starting from the general election, the group organizer vote, the committee sub-district and the city election commission. Fleksibilitas illustrated Stoker done by giving the opportunity to the people registered to focus is when it has not been registered, even though it has been announced. This is the gift citizens to lose their political right in the election for mayor. The values of democracy that is described Dahl, such as collateral participate, equal rights representation stakeholders in the decision making, dissemination of information, responsiveness and supervision community realized through the implementation political agenda, starting from recruitment right to vote, the determination organizer, the determination a candidate, implementation of the campaign, the election, the vote to the announcement of the winners in the election.

Selection process done in an open, fair, where each person was given the opportunity, information conveyed through local media that everyone knew it. The team selection responsive in input residents, decision-making will be done in a democratic. Each of

the members have the same rights, consults or voting and the decision was published by local media that describes a democratic election. Community Results very dominant in the implementation mayor Kendari. Such a condition, according to Locke (1690) in Hikam (1999:42) shows and enforced by civil society groups organized built to achieve common purpose. They interact, without compulsion, orderly, create regulatory institutions for, carry out freely and guided by regulation. Gramsci (1931) in Hikam (1999:3) emphasizes scholars as actors in the process social change, the independence act, bound by common values civil society is the image. What is called, is a feature of on civilians that have a role in the implementation local political agenda through mayor election Kendari.

Guarantee participate using political rights will be done, that every citizen getting voting cards. Attention: the organizer in making sure every citizen to be registered voters is the image responsiveness election process. In candidate filtering, values of democracy invested through a chance to each person nominate through the political party and individuals. Nomination through the political party is determined by the hand of the party as the owner authority. It is often the hand of the party to conditions must have money to use political parties as vehicles in the nomination. Political parties to reduce the domination, at the same time to create a more democratic process, established rules that provides the opportunity as individually to be a candidate, as long as a real support of 5 percent of the total population of the municipality.

The campaign will be done justice, the campaign ethically, works just loyalty to mutual respect for the rule, campaign did not discuss issues, religion, race, the party to avoid conflict in the election process. Mayor election Kendari is based on the principle directly, age, free, secret, honest, fair, pransparan, use their right to vote every citizen the recapitulation, open, according to the rule, accountable. Practical politics that give priority to the values of democracy as the existence of participate guarantee, equal rights in the decision making, community supervision, responsiveness, fair and loyalty to the rule as portrayed by Dahl (2001) is able to create a good election, peace, there is no anarchism because the parties related to follow the rules of the game

Our deepest concern to the implementation of political agenda with quality and motivation residents to use their political rights, are two aspects that are used to assess the consistency community to participate in a democratic local political agenda. There are four categories in explaining the consistency community participation, described in a wick XY. Like a burning wick X describe motivation participate using political rights, and a wick Y reflects our deepest concern for choosing high-quality, is described as follows.

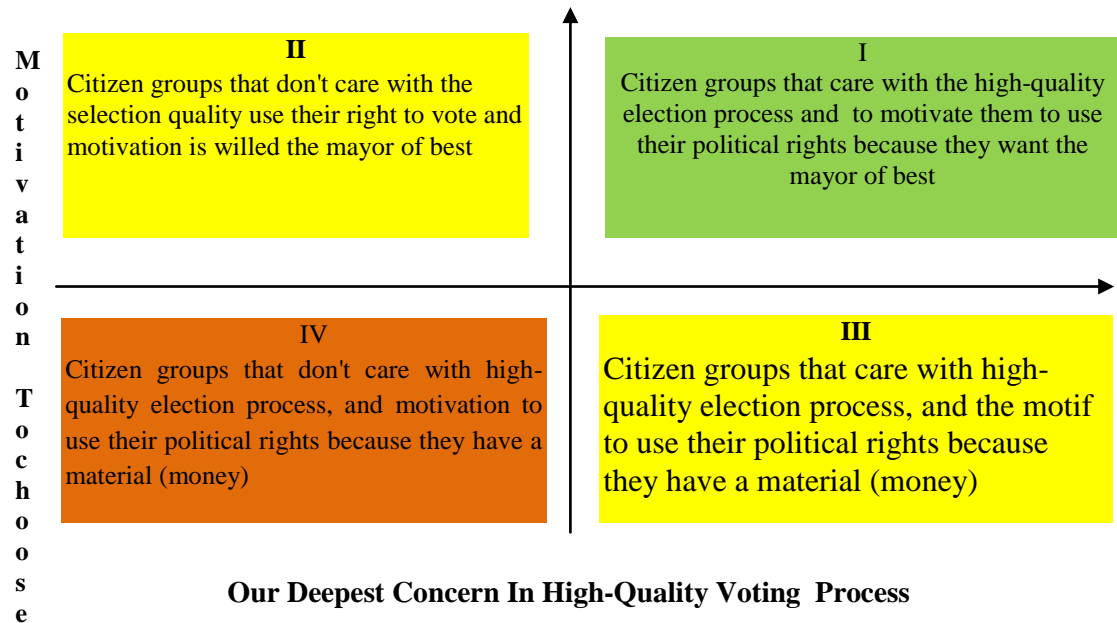


Figure 1: Categorisation Of Community Groups Based On Its Consistency Participated In The Mayor Election At Kendari, On July 7, 2012

Developing community consistency to participate in local political agenda as described in a wick XY, moved from left down to right over. *First*, green area, community groups that have our deepest concern to quality of local political agenda, participated in the process of the election, to the perpetrators, to oversee the implementation, of being a witness. Use their right to vote motivation is the realisation for choosing a mate mayor of the best, so that there is a leader who can develop the region. They are the characteristic community groups that are continuously participate in the implementation local political agenda. They are the pioneer in such aspiration institutionalization and values of democracy through local political agenda. The local political will run well when all people are in this group, which is continuously participate in local political agenda (Quadrant I).

Secondly, yellow area, the people who don't care with high-quality selection process, however the implementation of the election for mayor of the city, they don't care, and not to be involved in the execution, merely to use their political rights. Factors that pushed them use their right to vote is because political awareness, chose to be a head of a region best candidates who are considered to be able to build local authorities and to fulfill the community. They are the ones that are busy with pkerjaannya, don't care with the process mayor election, they think, political process can walk even without being monitored. They believe, the organizers applied fair, honest, reliable and be able to carry out the election in practice and high-quality (Quadrant II)

Third, yellow area, the group the election process high-quality, participating's attention and our deepest concern to local political agenda are high-quality. They became the event, monitor and a witness in the election process of the election with the hope that

process was fair, open and accountable. They used political rights to get materials. They chose to be paid, and participate because were mobilized to matter, which describes inconsistency participate in local political agenda. According to Huntington and Nelson (1984) they are usually poor residents, who was affected and easy to be directed to choose a man with enticement (Quadrant III). *The four*, red area, citizen groups use their right to vote because materials were mobilized, and they did not involve themselves in the election. Such behavior is a bleak portrait local political practice that is democratic. Need to enlightenment to change this mindset, so it can use their political agenda locally as a means provide the values of democracy and participate will continuously in its implementation (Quadrant IV).

Participation that continuously as our deepest concern provide high-quality election, and political rights motivation to use that will give birth to local leaders who are able to develop the region and its citizens is the final target community participation in local political agenda. This will encourage local democratic practice a prosperous, not a democracy that expand poverty, the democratic practice that one direction, because the community for the essence ignorance and democratic values.

6. CONCLUSION

Implementation political agenda through local mayor election Kendari it is a learning tools democracy for local people. The values of democracy as described Dahl namely: citizens guarantee to participate, stakeholders representation, equal rights of the community in decision-making, transparency, community control, responsiveness and accountable, manifested in every stage the implementation of the election mayor in Kendari. Implementation of local

politic agenda that accompanied by the rule can prevent the conflict communities and able to create a harmonious and safe democracy.

The general, local communities are consistency to participate in the election mayor, it can be seen from a commitment and our deepest residents concern to create the high-quality election, and political rights motivation to use that constituted by awareness to give birth to local leaders. However, it is still there are communities who have not yet been consistent to participate in local political agenda.

Need to enlightenment on, so that the people are aware that mayor election means provide the values of democracy, using the right politics is an ideal, and carrying out a quality local political agenda.

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EVALUATION OF HEALTH SERVICES REGIONAL PUBLIC HOSPITAL BESEMAH IN PAGAR ALAM CITY OF SOUTH SUMATRA

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ABSTRACT - Hospital (Hospital) Besemah Pagar Alam is the property of the City of Pagar Alam in organizing the service is often a gap between perceived service with the services provided at the hospital. Problems that occur in hospitals Besemah Pagar Alam is the number of medical personnel, infrastructure, information and communication systems less. This study aimed to evaluate health care in hospitals Besemah Pagar Alam is then expected to acquire a new concept for the development of Public Administration. This study used a qualitative approach. Collecting data using literature study, observation and interviews, Focus Group discussions and study documents. The survey results revealed that the quality of health care at the Regional Hospital Besemah Pagar Alam city seen from the dimensions of service quality dimensions tangibles seen less and Responsiveness enough. Equip assessment results Model of The Australian Council on Health Care Standards (Achs) achievement rating Some few then obtain Achievement (SA), the level of achievement Hospital Accreditation Standards are lacking.

keywords: evaluation, service standards, the hospital, the patient.

1. INTRODUCTION

Hospital is one of the agencies that carry out public services, as institutions that provide public services in the areas of services such as medical services that provide health services to patients in the form of promotive, preventive, curative and rehabilitative services in order to improve the health status for the Economic Community. Contend of Asean (MEA) hospitals in Indonesia needs to improve the quality of service. Various types of health professionals with scientific devices each interact with one another. In accordance with Law No. 44 of 2009 Article 36 (16), mandates "Every hospital should organize Governance Hospitals and Clinics Good Governance", The main purpose of the hospital health care is devoted to patient care. Patients with health problems and needs of service are entitled to the same quality of care in hospitals, to implement quality health care in the hospital is required human resources skilled and competent health and to implement services in accordance with the standards of hospital accreditation in accordance with service standards international. Through the accreditation process, the hospital can: 1) Increase the public confidence that the hospital focuses its target on patient safety and public service. 2) Provide of safe working environment and efficient so that staff satisfied feel. 3) Listening to patients and their families, respect their rights, and involve them as partners in the process pelayanan. 4) Creating a culture willing to learn from safety incident medical record. 5) Build leadership that promotes cooperation. (MoH RI, 2012) (19). Evaluation is a systematic way to learn from the experiences of using the lessons learned to improve activity is being done and to improve better planning carefully the selection of various alternative actions that will taken. Research function evaluation (Scriven, cit. Arikunto, 2000) (2) are as follows:

Formative evaluation, functioned as an evaluation activity at the time was berlangsung. Evaluation activity programme summative, held when the activity/programme had actually been completed. This evaluation was also conducted to determine the programme has to what extent a value something expediency, especially when compared with the implementation of the other programs. In evaluation process needs to use certain indicators, indicators referred to in the form of variables that can be used to measure Ahan. Besides indicators are also used criteria is a standard for measuring the action action, when no indicators or criteria should be submitted questions concerning directly the activities to be evaluated. The evaluation process in question should be used flexibly and must be adapted to the circumstances in which the process will be used. The evaluation process consists of components or steps set goals, topics and targets (objects) that will be evaluated and set methods (means) necessary measurements. Carry out measurements with standard values (criteria) that exist and informing the results of the evaluation, including providing recommendations. Evaluation of the program is a series of activities done on purpose to see the level of success of the program. The program is carefully planned activities. In other words, to evaluate the program means that the activities are intended to know the how high the level of success of planned activities (Suharsimi, 2000) (2). An evaluation of a health program is not only quite done with qualitative methods, but also necessary for qualitative, ie formal interviews, in-depth interviews, observation structured and focus group discussions (Prawitasari, 1998) (10). Performance evaluation is an analysis and an interpretation of the success or failure of performance. Evaluation that is associated with the resources that are below such as human resources,

funding/finance, infrastructure, methods and other things related. The goal is to be known whether the achievement of performance that does not fit (failure) caused by factors that are less supportive or failure of management (BPKP, 2000) (3). Evaluation of service delivery in hospitals is a way to see the appearance of

the hospital in the process of service delivery. All system for evaluating the performance of service delivery at the hospital refers to the system approach, namely:

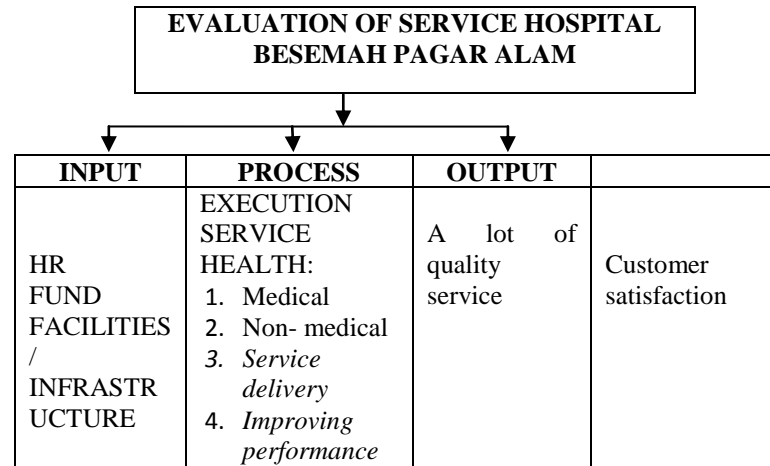


Fig. 1: Evaluation Of Service Hospital Besemah Pagar Alam

Evaluate the process undertaken to assess whether the process of quality improvement will be, carried out systematically, and continuously, whether Comprehensive, whether there are clear indicators, whether the periodic data collection, whether the result is to overcome the existing problems and whether integrated (Kuntjoro, 2000) (7). Accordant by Act No. 25 of 2009 (15) on Public Service that includes service Public goods and public services as well as administrative services: education, teaching, work and effort, shelter, communication and information, environment, health, guarantees social, energy, banking, transportation, natural resources, tourism. Good health care is a reflection of excellent service. Some definitions of excellent service as proposed by some opinions the following experts: excellent service quality is reflected in: (1). transparency, ie services that are open, easy and accessible to all those in need and provided adequately and easily understood. (2) accountability is services that can be justified in accordance with the law. (3) conditional, namely services in accordance with the conditions and the ability of the giver and the recipient of the service by sticking to the principles of efficiency and effectiveness. (4) partisipatif is services which can encourage community participation with the aspirations, needs and expectations of society. (5). equal rights, that service does not discriminate views of any particular aspect of ethnicity, race, religion, class, social status. (6). the balance of rights and obligations, ie services which consider the aspect of fairness between providers and recipients of public services. (Harbani Pasolong 2007: 133) (9). Quality and service excellence is an appropriate strategy to realize any wishes and expectations. Quality hospital services as social capital to be invested to build a healthy community is needed in the development of

the nation. One of the government's efforts to create a quality service to public service organizations, including the organization of health services in hospitals is to issue regulations and decisions support towards the achievement of the targeted service quality. In accordance with the Decree of the Director General of Health Efforts Depkes. RI. Number: Hk.02.04 / I / 2790/11 (19). The benefits that can be gained degan their service standards are: 1) .to give assurance for the public that they got in the quality of service that can accountable. 2). To provide focused service to customers/ society.3) Being a means of communication between the customer and the service provider in an effort to service increase. 4).Being tools to measure service performance as well as a means of monitoring and evaluating the performance of health service. Service in Hospital consists of: 1) Medical services, the services provided by professional medical personnel in the field both general practitioners and doctors specialists, nursing services, ie services which are not medical procedures on patients, but is nursing actions performed by nurses according to the rules of nursing, and 2) the medical support services are support services provided to the patient, such as nutrition services, laboratory, pharmacy, rehabilitation medical, and others. 3) non-medical services, namely administrative and financial services and supplies (logistics) .Home Pain is one of the agencies that carry out public services, as institutions that provide public services in the areas of services such as medical services that provide health services to patients in the form of promotion, prevention, curative and rehabilitative services in order to improve the health status for the community. Problems faced by the society have as a result of non-fulfillment of the expectations of the customers, such as requirements and cost certainty, and a health

service that is not clear, comfortable environment and service procedures are still low and the performance of personnel in providing care for patients at the General Hospital of Besemah Pagar Alam is still lacking. Efforts to achieve quality health care still receive public complaints, particularly concerning services provided by medical personnel at the General Hospital of Pagar Alam Besemah still be found. Abovementioned phenomena should be recognized not as expected as the Minister of State Apparatus Empowerment No. 26 of 2004 (17), arranged on Technical Guidelines for the Implementation of Transparency and Accountability in the Public Service. Chapter 11, item 9 KEP / 26 / M.PAN / 2004 mentioned about the necessity of any organization of government services have service standards. The preparation of these standards are intended to ensure the quality of care received by the community organization of government services, both concerning the timeliness of service, which includes waiting time and processing time, the accuracy of the service, which includes error-free, courtesy and hospitality in providing services, the ease of getting service, convenience in obtaining services and other services supporting attributes.

2. METHOD AND ANALYSIS

This study used a qualitative method with case study approach, is used to investigate carefully a situation objectively about Quality Health Care at the Regional General Hospital Besemah Pagar Alam. According to Creswell (2010: 4) (4). Qualitative research is methods to understand the meaning that by the number of individuals or groups of people considered to be derived from social or humanitarian issues. Consideration using qualitative research methods for the study to reveal comprehensively on a fairly complex problem related to the quality of health care in hospitals Besemah Pagaralam. While of City, the method of analysis used is descriptive method is to find facts with accurate interpretation of the nature of some the phenomenon of groups or individuals that resulted from the discovery of the purpose of clarification on a number of phenomena or social reality. It is appropriate that delivered by Koentjaraningrat (1988: 29) (5) which says that the purpose of the descriptive method is to give an idea precisely know the properties of an individual, state, or frequency of symptoms of a particular relationship between a symptom with other symptoms in the community, According Moleong (1997: 3) (6) qualitative research methods as a research procedure that produces descriptive data in the form of written or spoken words of people and behaviors that can be observed. According to research problems and objectives that have been established then the unit of analysis of this research is the clerk who provide health care in hospitals Pagar Alam, namely medical care, non-medical in hospitals Pagar Alam. To obtain data and information, the researchers needed an informant. Determination of the informants in this study are based on the parties who control the

problem, have the data, and willing to provide the data, as it also is based on objective criteria and benefits such as: patient, structural and functional officers in hospitals BesemahPagar Alam. Tehnic data collection in this study performed by field observation, interviewing the parties related to hospital services. Then, observations and interviews were processed back through benchmarking activities in the relevant literature in the process of documentation. The data used consist of primary data is the data obtained through interviews and observations, while secondary data is written data obtained from a variety of documents, archives, relating to services in RSUD. Instrumen for this study is the researchers themselves who use the guidance documentation, observation, in-depth interviews, the primary document used in qualitative research is the researcher himself. The EQUIP Guide (1998) (1), is a model developed by the Australian Council on Health Care Standards (Achs) to help and guide a service organization in preparing for accreditation. Corporate EQUIP program provides a framework that is sure to set and maintain the quality of customer service and improve the performance of the organization or company. Besides, The EQUIP Corporate Guide also describes the self-assessment and continuous improvement for a service organization. The process is required is to see how the quality of service increases. To measure the quality of services / public services, especially health services, using the dimensions of service quality from Parasuraman, et al., All. by looking at two dimensions of service quality are tangibles and responsiveness. Tangibles / tangible objects / real feel that is: the performance of the employee or employees. The look and comfort facilities service infrastructure as well as display equipment or supplies that support the service. Responsiveness / responsiveness / sensitivity is awareness or a desire to help customers and provide prompt service or responsiveness, Effective and efficient. While the system is to compare the EQUIP Assessment standard of health services in hospitals Besemah city of Pagar Alam who rated seen from the level of achievement whether little, moderate, good, or better. Equip the model that most closely in research evaluation in hospitals Besemah Pagar Alam city of South Sumatra Province. Rating Equip: If the criteria assessed achievement less then the rating Little Achievement (LA). If the criteria were assessed attainment Some few then obtain rating Achievement (SA) .Apabila criteria assessed achievement is good enough then obtain a Moderate rating Achievement If the criteria assessed its achievements better then obtain a rating Achievement (EA). If the criteria were rated gain excellent achievement rating Outstanding Achievement (OA). If the criteria can not then obtain a rating Not Applicable (NA). Based of theoretical basis - the theory conceptualized that the services at the General Hospital of Pagar Alam Besemah organized in order to improve the quality of service to masyarakat. Kualitas Health Care in hospitals Besemah Pagar Alam according to the dimensions of service

quality are tangibles, responsiveness, in accordance with the standards of home care sakit. Analysis data and information used in this research is qualitative descriptive analysis. Validity of the data in this study using triangulation.

3. RESULTS AND DISCUSSION

Regional General Hospital Besemah Pagar Alam seen from the dimensions tangibles is location Besemah Pagar Alam City Hospital around 500 m from the main highway capital city of Pagar Alam, and easily accessible by the public to use public transportation, building facilities Besemah Pagar Alam hospitals spacious enough and it looks attractive and comfortable. Responsiveness dimension in health services provided by the hospital, including medical and non-medical personnel to complaints of patients or relatives of patients, and responsiveness in resolving any problems faced by patients in hospitals and aspects of service delivery and their behavior is good enough. Equip Model of Achs used to measure of the level of achievement of the quality of health care in hospitals Besemah Pagar Alam. Service Delivery (Operation Services) to Marketing, needs analysis and planning of development partnership and respond to the needs and expectations of customers Regional General Hospital Besemah Pagar Nature. Hospital Besemah Pagar Alam has established that customers were patients from the village, district in the city of Pagar Alam, Lahat and Empat Lawang and health institutions, both private and governmental. In identifying and meeting customer expectations Besemah Pagar Alam Hospital in cooperation with several universities to improve health care in hospitals. To resolve the conflict between the needs of patients and service delivery quality has not held a working group. The impetus for innovation continuously performed either by hospital administrators and officers in the house sakit. Akses Service Delivery. Several functions have been devolved services such as medical care and non-medical services or medical support. Types of products and services has not been formulated in strategic planning as well as planning perasional, but not include in detail the characteristics of the products or services provided. Monitoring to know the expectations and needs of customers new hospital partly dilakukan. Upaya product marketing services in hospitals to Customer / patient has not done optimally through leaflets, brochures about the types of services offered to patients. Information on the type and availability of resources has been done, but not optimal so that an understanding of staff about the type of service and the availability of human resources is still lacking. Not all service units have clear procedures that facilitate a customer requests are handled correctly, especially with medical services and medical support services at hospital. Needs of each health care unit in the hospital has not received a response quickly and accurately from the hospital management, Technology systems that support in response to external and internal customers hospitals

have not been well defined, communication and information strategy is not maximized. Availability of staff / healthcare workers at those hours of service, are generally well served by appropriate work units, service outside working hours is well managed in order to improve the quality of care in hospitals. Working procedures between work units in dealing with complaints from customers are very helpful in improving health services to pasien. Evaluation performance in improving the quality of health care to patients in hospitals Besemah Pagar Alam needs to be done on an ongoing basis. Indicators and performance assessment of each unit of service is very important to be developed. Improving Performance. That relating to the responsibilities in the development and enhancement of cultural and organizational planning purposes such as hospital services need sustainable improvements. Plan of quality health services is being drafted with work programs. Commitment to quality health care in hospitals was developed through meetings with extracting value oriented customers and increase the number of medical personnel and hospital health infrastructure in accordance with the vision, mission hospitals Besemah Pagar Alam. The importance of the hospitals Besemah Pagar Alam perform benchmarking with other hospitals to share experiences in health care. The importance of evaluating health care program aims to find out how high the level of success of planned activities. Thus, it is necessary to find a solution in order to improve the quality of health services at the hospital through a variety of policies that kongkret. First, necessary additions and improvement of Human Resources for Health (doctors Specialist) in hospitals Besemah Pagar Alam by recruiting from the centers and provides duty learning to a higher level in accordance with the areas of expertise. With the capabilities gained from specialization, it will manifest a quality service. Secondly, the City of Pagar Alam can provide financial support for financing and fulfillment infrastructures facilities at the General Hospital of Besemah in order to improve the status of the class Hospital. Third, there is a commitment between the community health workers in the public service in the field of public health, supported by adequate health facilities, so the government is able to guarantee its citizens to obtain equal access to public service in the field of health. Fourth, increased assurance of health services implemented through the application of the Standard Operating Procedure (SOP) that has been set, and improve the knowledge, attitudes and skills for health workers through education and training programs, both in technical and in the field of health services management in order to improve the quality of public services in the field of health. Empirically that the success of public organizations in improving the quality of health services depend on the program to improve health care in hospitals in implementing its vision supported by government policies. Factors that play a role in the process of health care in hospitals is a policy, human resources, health funds, materials or medicines, health equipment, standard operating

procedures (SOP, and conducive working environment that is supported by the commitment of health workers and the public in the administration of health services will have an impact on improving the quality of health services in accordance with the dimensions of tangibles, responsiveness and standards of hospital services.

4. CONCLUSIONS

Based on the results of the discussion of the research, it can be concluded that the quality of care in hospitals Besemah Pagar Alam is part of the public service in the city of Pagar Alam South Sumatra Province with regard to the dimension and the dimension of responsiveness tangibles less pretty. Because: first, the dimensions tangibles where Pagar Alam city Besemah hospitals understaffed, infrastructure, operational funds. In the form of government policy Pagar Alam to facilitate health infrastructure in accordance with the standard of hospital services, so that health care quality in the hospital. Dimensional responsiveness of health services provided by the hospital, including medical and non-medical personnel to complaints of patients and families of patients is quite responsive. In line with the above conclusions, it is recommended that some of the following: public services, especially health as part of the science of public administration rightly treated as a concept of public service performance is planned, comprehensive, and integrated. By applying the Hospital Accreditation Standards as a reference to improve the quality of various aspects of health care, including health personnel quality, the quality of health infrastructure. Hospital Besemah Pagar Alam, health workers need to be improved its professionalism by improving the competence and the addition of specialist physicians, and other health professionals as well as the need to complete the facilities (infrastructure) medical and medical support to support the purposes of the health service in order to realize the reliability, responsiveness. Need to increase community participation in improving the quality of health services, in order to achieve the vision and mission of the hospital as well as the policies and programs of the Regional Hospital featured services Besemah Pagar Alam South Sumatra Province. There needs to be a commitment by community health workers in the form of community empowerment to improve health services.

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THE IMPACT OF IT SOCIAL NETWORK PATH IN THE STUDENTS OF COMMUNITY (A Research Study at UBL Campus)

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ABSTRACT - Most social media network users in the world are the ones generation The young are born in the late 80's or early 90's. Nielsen (2011) report user that dominated by women and 18-34 year-old is the most active in social media networking. They use rapidly new media and the latest technology. They are interested and more interested in everything related to the Internet and its applications. they are very active and tend to engage with social networks such as page Facebook, Twitter, Google+ or Path. This study aims to know the definite acceptance and user experience in using social media especially among university students using Technology Acceptance Model (TAM) by Davis (1989) as a theoretical background. additional change that is a factor and the circuit connection between the personal and the social has been added to the model origin.

keywords: Social Media Network, Technology Acceptance Model (TAM), The Circuit Connection

1. INTRODUCE

The approach used in this study is a qualitative approach. Forms of research is descriptive. Data collection techniques used is observation, interview and documentation. Data collection tool in this study is the use of guidelines for observation, interview and documentation. Researchers concluded that utilization of networking media computer-based social responsible by students and used as media technologies effectively to deliver or transmit material learning so that the learning environment more accommodating and fun so to improve the quality and learning outcomes. There are some suggestions that will be presented in this research that schools and educational institutions need adopting / using active learning methods (yet controlled) to utilizing Internet technology applications, especially social networking media-based computers such as Facebook, Twitter, Path to be used as a learning media optimal in the activities of teaching and learning process. The need for parents to know the use of social networking media so that they can provide insight good with regard to the utilization of social networking media-based computer committed by their children. So that cases of crimes that often occur through misuse of social networking media performed by actors who are not responsible as kidnapping underage girls (students) fraud, rape and so on can be avoided.

Social networking media is a computer-based media types are Virtual can provide immediate response to the results of study conducted by students. Moreover, computer-based media have the ability store and process and transmit information in accordance with needs. Development of Internet technology very rapidly now has allowed computer loading and displaying various forms of media in it. The use of the internet and social networking web not only can provide positive contribution to the academic activities of students but also for teachers. Internet and social networking web can make it possible for teachers to explore as well as exchanging information

and knowledge in subjects into a field knowledge. Through the use of internet and social networking web, the teacher will always be ready to teach cutting-edge science to students. This of course requires the teacher's own ability to always enterprising access website in areas of expertise. This is in line with the definition or the meaning of the media and learning technologies in schools in a broad sense, that is includes hardware (hardware), software (software), and human resources (humanware) which can be used to enrich student learning experience. Media in learning has a function as a tool for clarify the message delivered teacher. The media also serves to learning where individual media position fully serve the needs of students' (Pattern of media).

2. BACKGROUND

Now this is the use of computer-based social networking media not only among adolescents, college students, and students only, but has penetrated to all groups such as domestic servants, street vendors, homemakers stairs, artisan vegetables, their driver's belonged to lower middle strata social, economic and technology where they are used to not know term average internet now using social networking as social media a site that contained in the internet.

Students who use the internet facility with a variety of reasons including:

1. Finding the source of reference tasks assigned by the lecturer,
2. Learning to use the internet / computer
3. Using social networking media like face book, twitter, Path etc.
4. Playing games on line

Of the various reasons above it turns out most of the students who come to the internet is to find the source of reference the assignment of teachers in schools apart from that they are also using or accessing social networking media. In terms of positive media social networking can provide motivation and passion for students to have greater insight and conversation using

technology that is expected to improve results / learning achievement them. However, social media can also base on computer a bad influence or negative for the students, because they will be more often in front of a computer, laptop or using a mobile phone than develop interpersonal intelligence that can lead students into lazy to do his duty and decreased motivation to learn better at home and at collage.

In addition, the presence of social media has led to changes towards the inclusion of an online community. Community participation is not only

happens in the real world but also in cyberspace (Ali & Samsudin 2012). In fact, social media has given the impact on the community engagement in issue during. These include the active involvement abreast of issues during connect blog, online form groups to express their aspirations, create a blog about contemporary issues, giving comments in online news, articles / blog, take a portion in the online discussion, loading down or spreading news related to the issue during the (PewInternet 2009; Ali & Samsudin 2012).

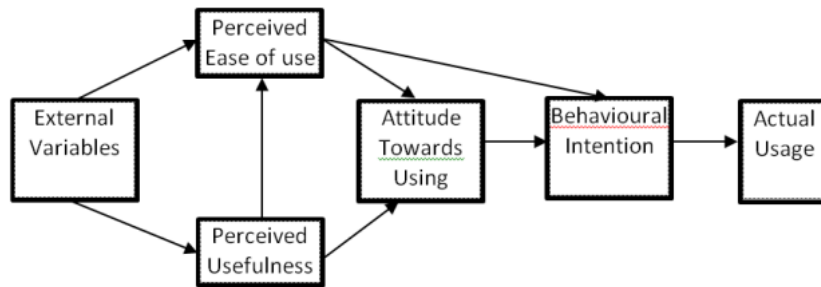


Fig 1. TAM Model by Davis (1989)

Model studies have been designed to form two phases. Factors that brings easy to use, a factor of expediency, the circuit between the personal and social and the connection is an initial step in individuals using or accessing social media. The fourth change is assessed to see how far where accessing social media is influenced by these factors. On The second phase of this study, can see change of use. User change use to see the purpose of the user activity associated by accessing social media. Among user change the indicator on this portion is social interaction, entertainment, identity formation and intimation partnership.

3. IMPACT

In the current era of globalization is a lot of emerging social media. Not only adults who use social media, and even high school students and children who are not old enough also already familiar with social media are now being developed. Starting from Friendster, and Facebook, Twitter, Skype, Foursquare, Line, What's App, Path, Instagram, and many more. Many of the impacts that may result from the use of social media, following the positive and negative effects of social media:

Positive impact:

- To raise a family, brothers, relatives are scattered, with social networking is very useful and serves to reunite the family or distant relatives and have not met, then through the virtual world it could be done.
- For media information dissemination. Information up to date is easily spread through social networking sites. Within a few minutes after the incident, we have been able to enjoy such information.

- Expanding the network of friends. By using social networks, we can communicate with anyone, even with people who have not even known to us from different corners of the world.
- Social networking sites make children and young people become more friendly, caring and empathy.
- As a means to develop skills and social. Can users learn how to adapt, to socialize with the public and manage a network of friends.
- Internet as a communication medium, any Internet user can communicate with other users from around the world.
- Media exchange data. By using a network of web sites of Internet users around the world can exchange information quickly and cheaply.
- As a media campaign in the business. This allows small businesses can promote their products and services without spending much money.

Negative impact:

- Hard to socialize with people around. This is because social media users become lazy learn to communicate real. This is absolutely true, because I have a friend who is very active in social media, he always post whatever he was doing, but different circumstances 180 degrees if it met real. People who are active in soaial media, if met in fact are quiet people and not a lot of hanging out.
- Social media sites will make a person more self-centered. They become aware of the environment around them, because most of spending time on the internet. Have you ever walks or traveling with someone, but the person who you invite even cool way to mobile phones and social media itself?

- Disadvantaged and terlupakannya formal language. Because social media users often use informal language in their daily life, so that their formal language rules be forgotten.
- Reduce performance. Company employees, students who play social media at the time was working on the job will reduce work time and time to learn them.
- Reduced personal privacy. In social media we are free to write and to share anything, often without realizing we publish things that should not need to be submitted to the social sphere.
- Cybercrimes. Crimes known as cyber crime. Cyber crimes are extremely diverse. Among them: carding, hacking, cracking, phishing, and spam.

Pornography. With the ability to deliver information that is owned by the Internet, pornography was rampant. Sometimes someone posted a photo that should be the privacy of her own in the social media, it is very dangerous because it could be pictures that

are only in post on social media is misused by irresponsible parties.

4. SURVEY

Social networks from the United States, Path, which was rising more and caught the public's attention lately. Besides being a platform that is more exclusive, limiting the number of friends in the network up to 150 people, Path names are increasingly being touted as Bakrie Global Group bought some shares Path, in early February.

Although not the investment rate Bakrie Global Group in Path, Chief Executive and founder of Path, Dave Morin claimed shares purchased Bakrie company was less than one percent. Morin also stated that if the investment does not affect the number of users Path in Indonesia. "User Path in Indonesia remains the number one in the world," said Dave Morin.

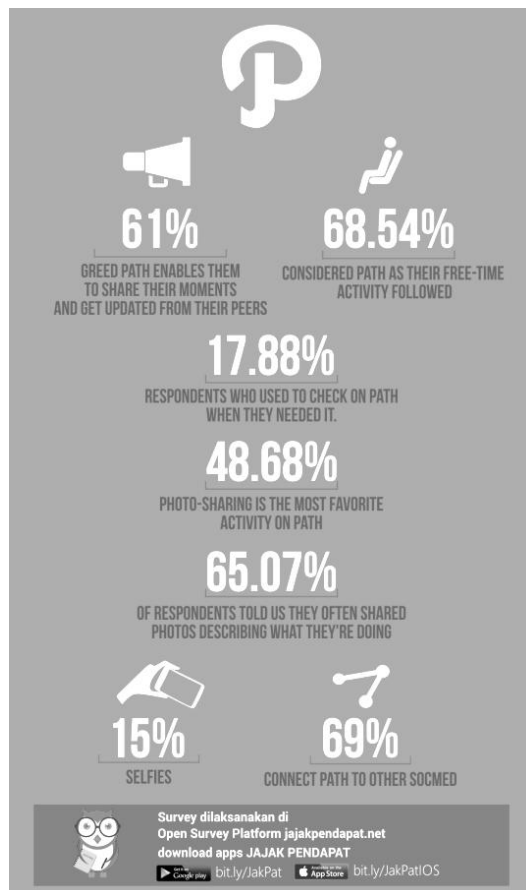


Fig.1: Path Survey Result

1. DO YOU HAVE PATH?

Single Answer, Total Answer : 500

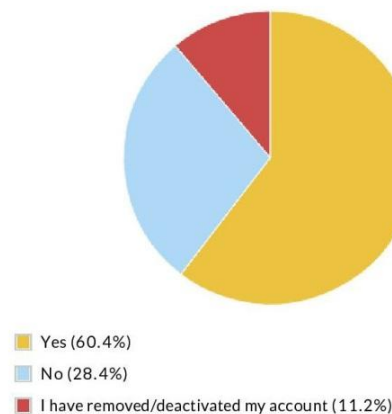


Fig.2: Survey Path

2. WHAT IS YOUR MAIN PURPOSE IN USING PATH?

Single Answer, Total Answer : 302

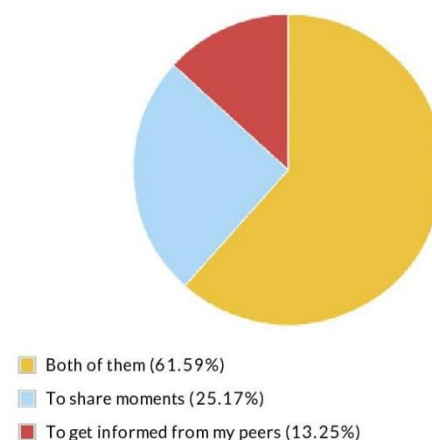


Fig.3: Survey Path

5. RESULT

This study has achieved the objective to be achieved by knowing for sure factors that provide a significant impression on the acceptance and the use of social media. These studies also have known surely other factors which has not been described by Davis (1989) in the Technology Acceptance Model (TAM). Another factor that added to the models include factors linked and the circuit between the personal and the social. These factors are promoting Internet users use social media all day in the life them. Kewujudan social media as an application in the Internet has become the new media in the digital age and the era has brought changes in the various aspects of human life. It is certainly an impact posed by rapid technological advances. Thus, this case is considered important because it is now being not only recognized

as being social, but also active as a creature of social networking.

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AN ANALYSIS OF STUDENTS' GRAMMATICAL ERROR IN USING PASSIVE VOICE AT GRADE TEN OF SMA PERSADA BANDAR LAMPUNG 2014

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ABSTRACT - *The purpose of this research was to analyze students' grammatical error in using passive voice at grade ten in SMA Persada Bandar Lampung 2014. The data were collected by incorporating test to measure the students' error in using passive voice based on surface strategy taxonomy. They did the structure tests that were a set of Indonesian sentences to be translated into English. Error analysis is a technique of analyzing, classifying, and describing the noticeable errors made by the students in learning process. Surface strategy highlights the way surface structures is altered. There are four types of error based on Surface Strategy Taxonomy: omission, addition, misformation and misordering. From 25 students, 436 total error were found that are classified into 4 types of error. They are 120 omission error or 27,52 % (TOM : TE X 100 %), 19 addition error or 4,35 % (TAD : TE X 100 %), 249 misformation error or 57,11 % (TMF : TE X 100 %) and 48 misordering or 11,00 % (TMO : TE X 100%). Results indicate that of all types of errors on Surface Strategy Taxonomy we found the most dominant error was misformation and the least dominant error was addition. Therefore, it is recommended that students are required to improve their grammar understanding by studying passive voice sentence more deeply.*

keywords: Error; Analysis; Surface Strategy Taxonomy; Grammar; Passive voice

1. INTRODUCTION

Language is a means of communication that is used to deliver human idea or thoughts. Language is very important for human being because language is used to deliver message to give information and also to build relationship with others in their social life. English has been considered to be the first foreign language in Indonesia. It functions to help the development of the state and nation, to build relations with other nations, and to run foreign policy. In relation to that Indonesia has been carrying out teaching English as a foreign language in almost level of schools, starting to be taught in basic primary school until university. English consists of four skills namely listening, speaking, reading, and writing and it has also elements, they are pronunciation, grammar, and vocabulary. Here, the students often produce many grammatical sentences, So English teacher sometimes still finds errors made by students. It happens because the students do not know and understand grammar as they seldom practice their English. One of the topics in English grammar that must be learnt by the students is about passive voice. Passive voice is the verb form where the subject receives the action. Passive of an active tense is formed by putting be verb into the same tense as the active verb and adding the past participle of the active verb. For example: (1) They sent James to prison for two years (Active), (2) James was sent to prison (by) them for two years (Passive) (Martinet et.al., 1976). Learning passive voice cannot be separated from the errors. It does not mean that the errors give the negative effect for the learners. In second language learning, the learner's errors are indicative both of state of the learner's knowledge and of the ways in

which a second language is learned. The students must learn through error and the students will not get improvement if they think that errors are fault that should be avoided. In addition, errors and mistakes are different. Dulay et.al. (1982) as cited in Richards (1974) state "Mistakes are commonly caused by the performance factors such as fatigue and inattention. On the other hand, errors are caused by the competent factors which are continuous and consistent. In other words errors are resulted from lack of knowledge of the rule of English. Based on the pre survey done by the researches it was found that a student wrote: (1) The ball was kicked by Ali yesterday become (1) The ball was been kicked by Ali yesterday, (2) A letter is being written by Ratu become (2) A letter is been being written by Ratu (3) The meal was being cooked by mother when I arrived become (3) The meal being cooked by mother when I arrived. In the example number 1, the grammar should be written in past passive but the students add "been" as the part of perfect tense. In the sentence number 2, the sentence should be written in present continuous in passive form but the students add "been" as the part of perfect tense. The last, the sentence number 3, should be written in passive past continuous tense but the students omit "was" as the to be of passive past continuous. The researcher assumes that it happens because they lack of the grammar and lack of practice in their classroom activities. So, they do not know how a good way to use grammar well in writing. Because of that, the researcher conducts the research entitled "An analysis of students' grammatical errors in using passive voice at grade ten of SMA Persada Bandar Lampung 2014".

2. STATISTICAL MODEL AND ANALYSIS

Error and mistake are being wrong or get a wrong idea about something. Errors are students' wrong utterance or sentence in speaking or writing because they have lack of knowledge of English structure or language rules. Error is a noticeable deviation from adult grammar of a native speaker, reflecting the inter language competence of the learner. (Brown, 1994)

Surface strategy taxonomy high lights the ways surface structures are altered in systematic and spesific ways (Dullay et.al., 1982) as cited in Richard, 1974). Students' error in this type are based on some logic as the result of the students' use of interim principles to produce a new language

2.1 Omission Errors

Omission errors are characterized by the absence of an item that must appear in a well-formed utterance. There are two most common errors in omission: the omission of content words and the omission of grammatical morphemes.

2.2 Addition Error

Addition errors are the opposite of omissions. They are characterized by the presence of an item which must not appear in a well-formed utterance. Three types of addition errors are:

A. Double markings

Many addition errors are accurately described as the failure to delete certain items which are required in most linguistic constructions, but not in others. For example most English sentences some semantic features such as tense may be marked syntactically only once. The following example addition double marking errors: she **didn't went**. Because two items rather than one are marked for the same feature (tense, in these example)

B. Regularization (*eated for ate, childs for children*)

A rule typically applies to class of linguistic item such as the class of main verbs or the class of nouns. In most languages, however, some members of a class are exceptions to the rule. For example, *the verb eat doesn't became eated*, but ate the noun sheep is also sheep in the plural, not sheeps. Whenever there are both regular and irregular forms and constructions in a language, learners apply the rules used to produce the regular ones to those that are irregular, resulting in errors of regularization. Regularization errors that fall under the addition category are those in which a marker that is typically added to linguistic items is erroneously added to exceptionaly items of the given class that do not take a marker.

C. Simple additions (*The fishes doesn't live in the water*)

Errors are "grab bag" subcategory af additions. If an addition error is not double marking nor a regularization, it is called a simple addition. No particular features characterize simple additions other than those that characterize all addition errors- the use of an item which should not appear in well-formed utterance. The following example simple additipn errors: the fishes **doesn't**live in the water, the rain is gonnabroke it.

2.3 Misformation Errors

Misformation errors are characterized by the use of the wrong form of the morphemes or structure. The types of errors are :

A. Regularization Errors

That full under the misformation category are those in which a regular marker is used in place of an iregular one, as in *runned*for *ran* or *gooses* for *geese* of overregularizations errors observed in the verbal production of child L2 learners. Regularization error abound in verbal output of both first and second language learners, child and adult, in host and foreign language learning situations. The overextension of lingusitic rules to exceptional items occurs even after some facility with the language has been acquired, since the pervasive principles governing the form and interpretation of more advanced and complex structures. Example: I have two **mice** became I have two **mouses**.

B. Archi-forms

The selection one member of class of forms to represent others in the class is a common characteristic of all stages of second language acquisition. We have called the form selected by the learner an archi-form For example, a learner may temporarily select just one of the English demonstrative adjectives *this, that, that, and those*. The particular form selected for such archi-use varies for different learners but, the use of archi-forms is a typical phenomenon in the acquisition new language. Example: I love **these** books became I love **this** books.

C. Alternating forms

It defines as fairly free alternation or various members of a class with each other it is simplify by considering cases where just two members are involved. Example: I **do not** have money became I **no** have money.

2.4 Misordering Errors

Misordering errors are characterized by the incorrect placement of a morpheme or group of morphemes in an utterance. It occurs systematically for both L2 and L1 learners in constructions that have already been acquired, specifically simple (direct) and embedded (indirect) questions. For example: What **daddy is doing**? I don't know what is that.

After doing the test and got the data, they would be analyzed by using some techniques. In analyzing the data, the researcher used two ways. They were identifying the students' error and finding the dominant type.

Identifying the students' error, the researcher identified the students' errors in terms of surface strategy taxonomy by giving codes for each data, for example: OM (for omission), AD (for addition), MF (for misformation), and MO (for misordering), then the researcher calculated the errors in each type.

Finding the dominant type, after identifying and calculating students' errors, the researcher found the dominant or the most frequent types of errorsthat students made.

Calculating the percentage of errors was carried out with the following formula in figure 3.1.

$$\frac{\text{Total Error}}{\text{Total passive voice error}} \times 100 = \dots\dots\dots\%$$

(Nasution, 1981 as cited in Kurniawan, 2013)

3. RESULT AND DISCUSSION

This previous study is conducted by H. Abdul Qodir, entitled 'An Error Analysis on Changing Active Voice Into Passive Voice'. The aims of this study are to know the kinds of errors on changing active voice into passive voice, and to know which tense has the highest frequency of errors. The errors are identified on four categories, namely : omission, addition, misformation, and misordering. Based on the type of tenses namely: Type A (the sentences using simple present tense), type B (the sentences using present continuous tense), Type C (the sentences using simple past tense), type D (the sentences using future tense. Type B has the highest number of errors. So, it is better for the English teacher to give more attention in teaching grammar, especially passive voice.

The second previous study is conducted by VonyPurnamaAgung from program Udayana Denpasar University, entitled the problem in English using passive voice. This study aims to know the understanding of the students regarding to the use of English passive voice. There are three main theories used in this study. They are the theories of English Grammar, Error Analysis, and Language Teaching. Theory of English Grammar is used to know and understand the structure of English passive voice. While, theory of Error Analysis was used to analyze the students error based on the Linguistic Category Taxonomy particularly for the English passive voice, and Contrastive Analysis Hypothesis is used to find out the similarity and the difference between English and Indonesian passive voice. Language Teaching theory is used to know the teaching and learning process and the important things that have to be prepared prior the process. Those three theories are correlated since this study is discussed about the understanding of the students in using English passive voice. The data is taken from the field research in STIKOM Bali, particularly in semester 1 students, intake year 2011, Dual Degree Program. There are 20 students as the sample in this study. The method of collecting data is a quantitative method. The data analysis in this study is the students works, regarding to the forming of English passive voice. The descriptive qualitative method is used in presenting the result of data analysis. There are 3 similarities and 2 differences between English and Indonesian passive voice found in this study. In the part of the error analysis, there were 11 categories of error found in this study. The highest percentage of error was 31.3% in the error category related to the misformation of present perfect in passive voice. While, the lowest percentage of error was 0.9% for the category of error related to the incorrect use of past participle. Based on

the Comparative Taxonomy, the source of students error is Interlingual Error. Then, lesson plan is designed based on the findings of the students error categories and it is expected to help the students in understanding the use of English passive voice in the future, in order to minimize the students error.

The similarity between this research and two previous studies is the use passive voice and the method of collecting data was a qualitative method. For the differences from the first previous study is conducted by H. Abdul Qodir, the previous research is focusing on to know which tense has the highest frequency of errors and the error analysis based on surface strategy taxonomy that has four classifications of errors. They are omission error, addition error, misformation error, and misordering error. The differences from the second previous study that is conducted by VonyPurnamaAgung, his research focuses on theory of Error Analysis was used to analyze the students error based on the Linguistic Category Taxonomy particularly for the English passive voice, and Contrastive Analysis Hypothesis was used to find out the similarity and the difference between English and Indonesian passive voice. Language Teaching theory was used to know the teaching and learning process and the important things that have to be prepared prior the process.

Based on the result of the research, the researcher summarizes the finding as follows:

The grade ten in SMA Persada Bandar Lampung do all types of errors based on surface strategy taxonomy. They are omission, addition, misformation, misordering errors. After the researcher analyzes students' test, the researcher finds that the most – to – least frequent error are misformation, omission, addition, misordering.

The total of error from the most – to – least frequent error from 25 students' works, the researcher finds 436 errors. Based on the students' errors, the researcher classifies into 4 kinds of errors: omission is 120 (27,5%), addition is 19 (4,35%), misformation is 249 (57,11%), and misordering is 48 (11,00%). It means that misformation is the most frequent error while the least error is addition.

From the data above where the most frequent error is misformation error and the least error is addition error, it can be concluded that the students' grammar mastery specially passive sentence is still low. Almost all students get confused in changing the active to passive. therefore the students must learn and practice grammar more in using passive voice sentence.

4. CONCLUSION

The conclusion from conducting this research is that the grade ten of SMA Persada Bandar Lampung make all types of error based on surface strategy taxonomy. They are omission, addition, misformation, and misordering.

The total of error from 25 students' works, the researcher finds 436 total errors which are classified into 4 types of errors. They are: omission is 120 errors,

and the percentage of error is 27,5% (percentage omission = total omission : total error x 100%). Addition is 19 errors, and the percentage of error is 4,35% (percentage addition = total addition : total error x 100%). Misformation is 249 errors, and the percentage of error is 57,11% (percentage misformation = total misformation : total error x 100%). Misordering is 48, and the percentage of error is 11,00% (percentage addition = total addition : total error x 100%). It means that the dominant type or the most frequent error is misformation error while the least error is addition error.

The students are still low in English grammar mastery especially in using passive voice. Almost all of the students get confused in changing the form of tenses in it. It because that the teachers don't emphasize in teaching passive voice forms to the students. The teachers think that passive voice forms are easy to be understood, and also the students are not aware when they are learning passive voice forms

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CHARACTERISTICS FUNCTION OF THE THREE-PARAMETER GENERALIZED F DISTRIBUTION

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ABSTRACT - On this article will be described about characteristics of the three-parameter of Generalized F (G3F) distribution. The G3F distribution is a particular form of generalized F distribution. The main objective of this article is to derive the characteristics function, the moments, the cumulants, the skewness, and the kurtosis of the three-parameter of generalized F (G3F) distribution. By utilizing MacLaurin series expansion and Stirling formula, one is shown that with parameterization of its characteristics function, the generalized F distribution might have special relationship to several well-known generalized distributions, such as generalized beta of the second kind (GB2) and generalized gamma (G3G) distributions.

Keywords: Three-parameter generalized F (G3F) distribution, characteristics function, moments, cumulants, skewness, kurtosis, maclaurin series, and stirling formula.

1. INTRODUCTION

The generalized F is one of the most well-known generalized distributions in probability modeling. In fitting survival data of carcinoma patients, Ciampi and Hogg Kates (1985) discussed the properties and maximum likelihood inference of the family of the generalized F distribution. Peng, Dear, and Denham (1998) investigated the application of the generalized F distribution to a mixture model from lymphoma patients. Kalbfleisch and Prentice (2002) discuss the use of the generalized F distribution.

The generalized F distribution is parameterization of other well-known generalized distributions, such as the generalized beta and generalized log-logistic distributions (Pam-Ghia and Duong, 1989). Based on the gamma distribution (Malik, 1967; and Dyer, 1982) and generalized beta with three-parameter distribution (Pham-Ghia and Duong, 1989) obtained three-parameter of generalized F distribution with the following pdf :

$$f_{G3F}(x) = \frac{\alpha^{m_1}}{B(m_1, m_2)} \frac{x^{m_1-1}}{[1+\alpha x]^{m_1+m_2}} dx; x \geq 0$$

Where $a > 0$, $m_1 > 0$, $m_2 > 0$ and $B(m_1, m_2)$ is beta function.

Moreover, as noted by a number of authors (Ciampi, Hogg, and Kates, 1986; Peng, Dear, and Denham, 1998; Kalbfleisch and Prentice, 2002; and Zhou *et al.*, 2011), the generalized F contains several commonly used distributions as special cases or limiting distributions, such as exponential, gamma, lognormal, and Weibull distributions.

The rest of the article is outlined as follows. In Section 2, the author provides characteristics function by using definiton and trigonometrics expansion. Section 3, by using parameterization of the moment generating function of the G3F distribution we derive the moments. Section 4 contains cumulants of G3F distribution by using its moments. Section 5 skewness and kurtosis of G3F distribution by using its cumulants. concluding remarks are noted in Section 7.

2. CHARACTERISTICS FUNCTION OF THE GENERALIZED F (G3F) DISTRIBUTION

Theorem 2. Let X be a random variable of the G3F (α , m_1 , m_2) distribution, then the characteristics function of X is given by

$$\varphi_{G3F}(it) = e^{\frac{it m_1}{\alpha m_2}}$$

2.1. Proof by Definition

$$\varphi_X(it) = E(e^{itx}) = \int_0^\infty e^{itx} f(x) dx$$

$$= \int_0^\infty e^{itx} \frac{\alpha^{m_1}}{B(m_1, m_2)} \frac{x^{m_1-1}}{(1+\alpha x)^{m_1+m_2}} dx$$

Let $y = \alpha x$ and $x = \frac{1}{\alpha} y$ then

$$\begin{aligned} \varphi_{G3F}(it) &= \frac{\alpha^{m_1}}{B(m_1, m_2)} \int_0^\infty e^{itx} \frac{\left(\frac{y}{\alpha}\right)^{m_1-1}}{(1+y)^{m_1+m_2}} \frac{1}{\alpha} dy \\ &= \frac{1}{B(m_1, m_2)} \int_0^\infty e^{itx} \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} dy \end{aligned}$$

By using of a well-known property of Mac Laurin

series of e^{tx} then it can be rewritten as :

$$\begin{aligned} \varphi_{G3F}(it) &= \frac{1}{B(m_1, m_2)} \int_0^\infty \left[\sum_{n=0}^\infty \frac{(itx)^n}{n!} \right] \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} dy \\ &= \frac{1}{B(m_1, m_2)} \int_0^\infty [1 + itx + \dots] \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} dy \end{aligned}$$

$$\begin{aligned}
&= \frac{1}{B(m_1, m_2)} \int_0^\infty \left[\frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} + itx \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} + \dots \right] dy \\
&= \frac{1}{B(m_1, m_2)} \left[\int_0^\infty \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} dy + \frac{it}{\alpha} \int_0^\infty \frac{y^{m_1+1-1}}{(1+y)^{m_1+1+m_2-1}} dy + \dots \right] \\
&= \frac{1}{B(m_1, m_2)} \left[B(m_1, m_2) + \frac{it}{\alpha} B(m_1+1, m_2-1) + \dots \right] \\
&= 1 + \frac{it}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + \frac{\left(\frac{it}{\alpha}\right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \\
&= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha}\right)^n}{n!} \frac{B(m_1+n, m_2-n)}{B(m_1, m_2)} \\
&= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha}\right)^n}{n!} \frac{\frac{\Gamma(m_1+n)\Gamma(m_2-n)}{\Gamma(m_1+n+m_2-n)}}{\frac{\Gamma(m_1)\Gamma(m_2)}{\Gamma(m_1+m_2)}}
\end{aligned}$$

Therefore, the characteristics function of G3F is

$$\varphi_{G3F}(it) = \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha}\right)^n}{n!} \frac{\Gamma(m_1+n)\Gamma(m_2-n)}{\Gamma(m_1)\Gamma(m_2)}$$

Make it simpler by using Stirling's Approximation, obtained:

$$\varphi_{G3F}(it) = \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha}\right)^n}{n!} (m_1)^n \left(\frac{1}{m_2}\right)^n$$

By MacLaurin series, it can be expressed as

$$\varphi_{G3F}(it) = e^{\frac{it m_1}{\alpha m_2}}$$

2.2. Proof By Trigonometrics Expansion

$$\begin{aligned}
\varphi_{G3F}(it) &= E[\cos(tx) + i \sin(tx)] \\
&= \int_0^\infty (\cos(tx) + i \sin(tx)) f(x) dx \\
&= \int_0^\infty \cos(tx) f(x) dx + \int_0^\infty i \sin(tx) f(x) dx
\end{aligned}$$

i. Let $\int_0^\infty \cos(tx) f(x) dx$ be equation (i)

$$\cos(tx) = \sum_{n=0}^{\infty} C_n (tx)^n; \quad C_n = \frac{1}{n!} f^{(n)}(0)$$

$$\cos(tx) = 1 - \frac{1}{2!} (tx)^2 + \frac{1}{4!} (tx)^4 + \dots$$

Then equation (i) can be rewritten as follows:

$$= \frac{\alpha^{m_1}}{B(m_1, m_2)} \int_0^\infty \left(\sum_{n=0}^{\infty} C_n x^n \right) \frac{x^{m_1-1}}{(1+\alpha x)^{m_1+m_2}} dx$$

Let $y = \alpha x$ then $x = \frac{1}{\alpha} y$ so the equation (i) becomes

$$\begin{aligned}
&= \frac{\alpha^{m_1}}{B(m_1, m_2)} \int_0^\infty \left(1 - \frac{(tx)^2}{2!} + \frac{(tx)^4}{4!} - \dots \right) \left(\frac{y}{\alpha} \right)^{m_1-1} \frac{1}{(1+y)^{m_1+m_2}} \frac{1}{\alpha} dy \\
&= \frac{1}{B(m_1, m_2)} \int_0^\infty \left(\frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} - \frac{(tx)^2}{2!} \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} + \dots \right) dy \\
&= \frac{1}{B(m_1, m_2)} \left[\int_0^\infty \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} dy - \frac{\left(\frac{t}{\alpha}\right)^2}{2!} \int_0^\infty \frac{y^{m_1+2-1}}{(1+y)^{m_1+2+m_2-2}} dy + \dots \right] \\
&= \frac{1}{B(m_1, m_2)} \left[B(m_1, m_2) - \frac{\left(\frac{t}{\alpha}\right)^2}{2!} B(m_1+2, m_2-2) + \dots \right] \\
&\int_0^\infty \cos(tx) f(x) dx = 1 - \frac{\left(\frac{t}{\alpha}\right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots
\end{aligned}$$

ii. Let $\int_0^\infty i \sin(tx) f(x) dx$ be equation (ii)

$$\sin(tx) = \sum_{n=0}^{\infty} C_n x^n; \quad C_n = \frac{1}{n!} f^{(n)}(0)$$

$$i \sin(tx) = itx - \frac{1}{3!} i (tx)^3 + \frac{1}{5!} i (tx)^5 + \dots$$

Then equation (ii) can be rewritten as follows:

$$\int_0^\infty i \sin(tx) f(x) dx = \frac{\alpha^{m_1}}{B(m_1, m_2)} \int_0^\infty \left(\sum_{n=0}^{\infty} C_n x^n \right) \frac{x^{m_1-1}}{(1+\alpha x)^{m_1+m_2}} dx$$

Let $y = \alpha x$ then $x = \frac{1}{\alpha} y$ so the equation (ii) becomes

$$\begin{aligned}
&= \frac{\alpha^{m_1}}{B(m_1, m_2)} \int_0^\infty \left(itx - \frac{i(tx)^3}{3!} + \dots \right) \left(\frac{y}{\alpha} \right)^{m_1-1} \frac{1}{(1+y)^{m_1+m_2}} \frac{1}{\alpha} dy \\
&= \frac{1}{B(m_1, m_2)} \int_0^\infty \left(itx \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} - \frac{i(tx)^3}{3!} \frac{y^{m_1-1}}{(1+y)^{m_1+m_2}} + \dots \right) dy
\end{aligned}$$

$$\begin{aligned}
 &= \frac{1}{B(m_1, m_2)} \left[i \left(\frac{t}{\alpha} \right) \int_0^\infty \frac{y^{m_1+1-1}}{(1+y)^{m_1+1+m_2-1}} dy - \dots \right] \\
 &= \frac{1}{B(m_1, m_2)} \left[i \left(\frac{t}{\alpha} \right) B(m_1+1, m_2-1) - \dots \right] \\
 &\int_0^\infty i \sin(tx) f(x) dx = i \left(\frac{t}{\alpha} \right) \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} - \dots
 \end{aligned}$$

From the equation (i) and (ii) we obtain:

$$\begin{aligned}
 \varphi_{G3F}(it) &= \int_0^\infty \cos(tx) f(x) dx + \int_0^\infty i \sin(tx) f(x) dx \\
 &= \left[1 - \frac{\left(\frac{t}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \right] + \left[i \left(\frac{t}{\alpha} \right) \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} - \dots \right] \\
 &= 1 + i \left(\frac{t}{\alpha} \right) \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} - \frac{\left(\frac{t}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} - \dots \\
 &= 1 + (i) \left(\frac{t}{\alpha} \right) \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + (-1) \frac{\left(\frac{t}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots (1)
 \end{aligned}$$

Known that $i = \sqrt{-1}$ and then the equation (1) can be rewritten as:

$$\begin{aligned}
 &= 1 + \frac{it}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + \frac{\left(\frac{it}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \\
 &= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} \frac{B(m_1+n, m_2-n)}{B(m_1, m_2)} \\
 &= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} \frac{\Gamma(m_1+n) \Gamma(m_2-n)}{\Gamma(m_1+n+m_2-n)} \\
 &= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} \frac{\Gamma(m_1) \Gamma(m_2)}{\Gamma(m_1) \Gamma(m_2)} \\
 &= \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} \frac{\Gamma(m_1) \Gamma(m_2)}{\Gamma(m_1+m_2)}
 \end{aligned}$$

So, the characteristics function of G3F is

$$\varphi_{G3F}(it) = \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} \frac{\Gamma(m_1+n) \Gamma(m_2-n)}{\Gamma(m_1) \Gamma(m_2)}$$

Make it simpler by using Stirling's Approximation, obtained:

$$\varphi_{G3F}(it) = \sum_{n=0}^{\infty} \frac{\left(\frac{it}{\alpha} \right)^n}{n!} (m_1)^n \left(\frac{1}{m_2} \right)^n$$

By MacLaurin series, it can be expressed as:

$$\varphi_{G3F}(it) = e^{\frac{it m_1}{\alpha m_2}}$$

3. MOMENTS OF THE GENERALIZED F (G3F) DISTRIBUTION

3.1. First Moment

$$\begin{aligned}
 M'_{G3F}(t) &= \frac{d}{dt} (M_{G3F}(t)) \\
 &= \frac{d}{dt} \left(\sum_{n=0}^{\infty} \frac{\left(\frac{t}{\alpha} \right)^n}{n!} \frac{B(m_1+n, m_2-n)}{B(m_1, m_2)} \right) \\
 &= \frac{d}{dt} \left(1 + \frac{t}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + \frac{\left(\frac{t}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \right) \\
 &= \left(\frac{1}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + \frac{2t \left(\frac{1}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \right)
 \end{aligned}$$

When $t = 0$ then obtained:

$$M'_{G3F}(0) = \mu'_1 = \frac{1}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)}$$

3.2. Second Moment

$$\begin{aligned}
 M''_{G3F}(t) &= \frac{d}{dt} (M'_x(t)) \\
 &= \frac{d}{dt} \left(\frac{1}{\alpha} \frac{B(m_1+1, m_2-1)}{B(m_1, m_2)} + \frac{2t \left(\frac{1}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \dots \right) \\
 &= \left(\frac{2 \left(\frac{1}{\alpha} \right)^2}{2!} \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)} + \frac{6t \left(\frac{1}{\alpha} \right)^3}{3!} \frac{B(m_1+3, m_2-3)}{B(m_1, m_2)} + \dots \right)
 \end{aligned}$$

When $t = 0$ then obtained:

$$M''_{G3F}(0) = \mu'_2 = \left(\frac{1}{\alpha} \right)^2 \frac{B(m_1+2, m_2-2)}{B(m_1, m_2)}$$

3.3. Third Moment

$$M_{G3F}'''(t) = \frac{d}{dt} \left(M_x''(t) \right)$$

$$= \frac{d}{dt} \left(\frac{2 \left(\frac{1}{\alpha} \right)^2}{2!} \frac{B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)} + \frac{6t \left(\frac{1}{\alpha} \right)^3}{3!} \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} + \dots \right)$$

$$= \left(\frac{6 \left(\frac{1}{\alpha} \right)^3}{3!} \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} + \frac{24t \left(\frac{1}{\alpha} \right)^4}{4!} \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)} + \dots \right)$$

When $t = 0$ then obtained:

$$M_{G3F}'''(0) = \mu_3' = \left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)}$$

3.4. Fourth Moment

$$M_{G3F}''''(t) = \frac{d}{dt} \left(M_x'''(t) \right)$$

$$= \frac{d}{dt} \left(\frac{6 \left(\frac{1}{\alpha} \right)^3}{3!} \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} + \frac{24t \left(\frac{1}{\alpha} \right)^4}{4!} \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)} + \dots \right)$$

$$= \left(\frac{24 \left(\frac{1}{\alpha} \right)^4}{4!} \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)} + \frac{120t \left(\frac{1}{\alpha} \right)^5}{5!} \frac{B(m_1 + 5, m_2 - 5)}{B(m_1, m_2)} + \dots \right)$$

When $t = 0$ then obtained:

$$M_{G3F}''''(0) = \mu_4' = \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)}$$

4. CUMULANTS OF GENERALIZED F (G3F) DISTRIBUTION**4.1. First Cumulant**

$$K_1 = \mu_1' = \frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)}$$

4.2. Second Cumulant

$$K_2 = \mu_2' - \mu_1'^2$$

$$= \left(\frac{1}{\alpha} \right)^2 \frac{B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)} - \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right)^2$$

So the second cumulant of G3F distribution is:

$$K_2 = \left(\frac{1}{\alpha} \right)^2 \left(\frac{B(m_1, m_2) B(m_1 + 2, m_2 - 2) - B(m_1 + 1, m_2 - 1)^2}{B(m_1, m_2)^2} \right)$$

4.3. Third Cumulant

$$K_3 = 2\mu_1'^3 - 3\mu_1'\mu_2' + \mu_3'$$

$$= 2 \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right)^3 - 3 \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right) \left(\left(\frac{1}{\alpha} \right)^2 \frac{B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)} + \left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} \right)$$

$$= 2 \left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 1, m_2 - 1)^3}{B(m_1, m_2)^3} - 3 \left(\frac{1}{\alpha} \right)^3 \left(\frac{B(m_1 + 1, m_2 - 1) B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)^2} + \left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} \right)$$

So the third cumulant of G3F distribution is:

$$K_3 = \left(\frac{1}{\alpha} \right)^3 \left(\frac{2B(m_1 + 1, m_2 - 1)^3 - 3B(m_1, m_2) B(m_1 + 1, m_2 - 1) B(m_1 + 2, m_2 - 2) + B(m_1, m_2)^2 B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)^3} \right)$$

4.4. Fourth Cumulant

$$K_4 = -6\mu_1'^4 + 12\mu_1'^2\mu_2' - 3\mu_2'^2 - 4\mu_1'\mu_3' + \mu_4'$$

$$= -6 \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right)^4 + 12 \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right)^2 \left(\left(\frac{1}{\alpha} \right)^2 \frac{B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)} + \left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} \right)$$

$$- 4 \left(\frac{1}{\alpha} \frac{B(m_1 + 1, m_2 - 1)}{B(m_1, m_2)} \right) \left(\left(\frac{1}{\alpha} \right)^3 \frac{B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)} \right) + \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)}$$

$$= -6 \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 1, m_2 - 1)^4}{B(m_1, m_2)^4} + 12 \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 1, m_2 - 1)^2 B(m_1 + 2, m_2 - 2)}{B(m_1, m_2)^2} - 4 \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 1, m_2 - 1) B(m_1 + 3, m_2 - 3)}{B(m_1, m_2)^2} + \left(\frac{1}{\alpha} \right)^4 \frac{B(m_1 + 4, m_2 - 4)}{B(m_1, m_2)}$$

So the fourth cumulant of G3F distribution is:

$$K_4 = \left(\frac{1}{\alpha}\right)^4 \frac{-6B(m_1+1, m_2-1)^4 + 12B(m_1, m_2)B(m_1+1, m_2-1)^2 + B(m_1+2, m_2-2) - 3B(m_1, m_2)^2 B(m_1+2, m_2-2)^2 - 4B(m_1, m_2)^2 B(m_1+1, m_2-1)B(m_1+3, m_2-3) + B(m_1, m_2)^3 B(m_1+4, m_2-4)}{B(m_1, m_2)^4}$$

5. SKEWNESS AND KURTOSIS OF GENERALIZED F (G3F) DISTRIBUTION

5.1. Skewness

$$Skewness = \frac{K_3}{(K_2)^2}$$

$$\begin{aligned} & \left(\frac{i}{\alpha}\right)^3 \left(\frac{2B(m_1+1, m_2-1)^3 - 3B(m_1, m_2)B(m_1+1, m_2-1)B(m_1+2, m_2-2) + B(m_1, m_2)^2 B(m_1+3, m_2-3)}{B(m_1, m_2)^3} \right) \\ &= \frac{\left(\left(\frac{i}{\alpha}\right)^2 \left(\frac{B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2}{B(m_1, m_2)^2} \right)\right)^{\frac{3}{2}}}{\frac{2B(m_1+1, m_2-1)^3 - 3B(m_1, m_2)B(m_1+1, m_2-1)B(m_1+2, m_2-2) + B(m_1, m_2)^2 B(m_1+3, m_2-3)}{B(m_1, m_2)^3} \times \frac{B(m_1, m_2)^3}{(B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2)^{\frac{3}{2}}}} \end{aligned}$$

Then the skewness of G3F distribution is :

$$Skewness = \frac{2B(m_1+1, m_2-1)^3 - 3B(m_1, m_2)B(m_1+1, m_2-1)B(m_1+2, m_2-2) + B(m_1, m_2)^2 B(m_1+3, m_2-3)}{(B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2)^{\frac{3}{2}}}$$

5.2. Kurtosis

$$Kurtosis = \frac{K_4}{(K_2)^2}$$

$$\begin{aligned} & -6B(m_1+1, m_2-1)^4 + 12B(m_1, m_2)B(m_1+1, m_2-1)^2 + B(m_1+2, m_2-2) - 3B(m_1, m_2)^2 B(m_1+2, m_2-2)^2 - 4B(m_1, m_2)^2 B(m_1+1, m_2-1)B(m_1+3, m_2-3) + B(m_1, m_2)^3 B(m_1+4, m_2-4) \\ & \left(\frac{i}{\alpha}\right)^4 \frac{+ B(m_1, m_2)^3 B(m_1+4, m_2-4)}{B(m_1, m_2)^4} \\ &= \frac{\left(\left(\frac{i}{\alpha}\right)^2 \left(\frac{B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2}{B(m_1, m_2)^2} \right)\right)^2}{\left(\frac{B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2}{B(m_1, m_2)^2} \right)^2} \end{aligned}$$

Then the Kurtosis of G3F distribution is

$$Kurtosis = \frac{-6B(m_1+1, m_2-1)^4 + 12B(m_1, m_2)B(m_1+1, m_2-1)^2 + B(m_1+2, m_2-2) - 3B(m_1, m_2)^2 B(m_1+2, m_2-2)^2 - 4B(m_1, m_2)^2 B(m_1+1, m_2-1)B(m_1+3, m_2-3) + B(m_1, m_2)^3 B(m_1+4, m_2-4)}{(B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2)^2}$$

6. CONCLUSION

1. Characteristics function of G3F distribution is parameterization of the generalized beta of the second kind and the generalized gamma (G3G) distribution.

$$\text{It's given by : } \varphi_{G3F}(it) = e^{\frac{it m_1}{\alpha m_2}}$$

2. Skewness of G3F distribution is :

$$Skewness = \frac{2B(m_1+1, m_2-1)^3 - 3B(m_1, m_2)B(m_1+1, m_2-1)B(m_1+2, m_2-2) + B(m_1, m_2)^2 B(m_1+3, m_2-3)}{(B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2)^{\frac{3}{2}}}$$

3. Kurtosis of G3F distribution is :

$$Kurtosis = \frac{-6B(m_1+1, m_2-1)^4 + 12B(m_1, m_2)B(m_1+1, m_2-1)^2 + B(m_1+2, m_2-2) - 3B(m_1, m_2)^2 B(m_1+2, m_2-2)^2 - 4B(m_1, m_2)^2 B(m_1+1, m_2-1)B(m_1+3, m_2-3) + B(m_1, m_2)^3 B(m_1+4, m_2-4)}{(B(m_1, m_2)B(m_1+2, m_2-2) - B(m_1+1, m_2-1)^2)^2}$$

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DEVELOPING STUDENTS' WRITING SKILL BY DIARY WRITING HABIT

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ABSTRACT- Writing is a process of expressing feelings, thoughts, and ideas in the form of graphic language and it is one of English skills that should be mastered by the English language learners (Harmer, 2004; Meyers, 2005). To develop and improve students' writing skill, diary can be used as one of teaching media (Ningrum, Rita & Hastini, 2013). The paper presents a preliminary study on developing the writing skill of the students by diary writing habit. The participants in the research are the 4th semester students, Teacher Training and Education Faculty, English Education Program, Bandar Lampung University. It is found that the habit is useful to develop the students' writing skill.

Keywords: Writing skill, writing diary, English skill, teaching media,

1. INTRODUCTION

Writing is a process of expressing feelings, thoughts, and ideas in the form of graphic language and it is one of English skills that should be mastered by the English language learners (Harmer, 2004; Meyers, 2005). According to Ningrum, Rita and Hastini (2013), to develop and improve students' writing skill, diary can be used as one of teaching media. By writing diary in English, the students can practice writing English. In the diary, they can write about anything in daily life. The research, then, focus on developing the students' writing skill by diary writing habit in Teacher Training and Education Faculty, English Education Program, Bandar Lampung University. It is a preliminary study and take some students as the participants.

2. MATERIALS AND METHOD

The participants are four students (DW, RS, KR, and YP) at the fourth semester, Teacher Training and

Education Faculty, English Education Program, Bandar Lampung University. DW and RS are in experimental group, and the others, KR and YP, are in control group.

The data were collected from the following tests:

- Pre-test, to find out their writing before the treatment given.
- Post-test, to find out their writing after the treatment given.

The treatment is asking the students in the experimental group to write diary for seven days. In the control group, the students are not asked to write the diary. In the pre-test and post-test, the students are asked to write a recount text. Those texts are scored by following the scoring rubric of writing given in Table 1 (Ningrum, Rita & Hastini, 2013:6). Thus, both tests were conducted to measure the students' improvement in writing skill and to know the effectiveness of diary writing as a teaching medium.

Table 1: Scoring Rubric of Writing

No	Writing Components	Score	Explanation
1	Content	3	Relevant and adequate answer to the task set
		2	For the most part answer the task set, though there may be some gaps or redundant information
		1	Answer of limited relevance to the task set. Possibly major gaps in treatment of topic and/or pointless repetition.
		0	The answer bears almost no relation to the task set. Totally inadequate answer.
2	Organization	3	Overall shape and internal pattern clear.
		2	Underlying structure not sufficiently controlled. Some of organizational skills in evidence, but not adequately controlled.
		1	Organizational skill adequately controlled.
		0	Very little organization of content No apparent organization of content
3	Vocabulary	3	Almost no inadequacies in vocabulary for the task. Only rare inappropriacies and/or circumlocution.
		2	Some inadequacies in vocabulary for the task. Perhaps some lexical inappropriacies and/or circumlocution.
		1	Frequent inadequacies in vocabulary for the task. Perhaps frequent lexical inappropriacies and/or repetition.
		0	Vocabulary inadequate even for the most basic parts of the intended communication.

4	Grammar	3	Almost no grammatical inaccuracies
		2	Some grammatical inaccuracies
		1	Frequents grammatical inaccuracies
		0	Almost all grammatical pattern inaccurate
5	Mechanics	3	Almost no inaccuracies in punctuation and spelling
		2	Some inaccuracies in punctuation and spelling
		1	Low standard of accuracy in punctuation and spelling
		0	Ignorance of conventions of punctuation and almost all spelling inaccurate

3. RESULT AND DISCUSSION

The mean scores for the writing components evaluated from the students's writing in the pre-test and post test for both experimental and control groups are shown in Table 2 and Table 3 respectively. From the total of the mean scores, it is seen that in the pre test, the experimental group has lower scores than the control group (10,5<11), but in the post test, it is higher

(13,5>11). It is seen that writing diary has good influence on the students' writing.

Then, students' scores are calculated with the following formula:

$$S = T/M \times 100 \quad (1)$$

Where S: Score; T: Total; M: Maximum Score

Since the maximum score is 15, then the score in each group can be calculated. The result is given in Table 4 and Table 5.

Table 2: Total of Mean Scores in Pre-test

Group	Content	Organization	Vocabulary	Grammar	Mechanics	Total
Experimental	2,5	2	2	2	2	10,5
Control	3	2	2	2	2	11

Table 3: Total of Mean Scores in Post-test

Group	Content	Organization	Vocabulary	Grammar	Mechanics	Total
Experimental	3	2,5	3	2	3	13,5
Control	3	2	2	2	2	11

Table 4: Students' Pre-test Score in Experimental Group

No	Students	Content	Organization	Vocabulary	Grammar	Mechanics	Total	Score
1	DW	3	2	2	2	2	11	73
2	RS	2	2	2	2	2	10	67
	Mean	2,5	2	2	2	2	10,5	70

Table 5: Students' Post-test Score in Experimental Group

No	Students	Content	Organization	Vocabulary	Grammar	Mechanics	Total	Score
1	DW	3	3	3	2	3	14	93
2	RS	3	2	3	2	3	13	87
	Mean	3	2,5	3	2	3	13,5	90

Further, t-test is conducted to see if the influence is significant in the experimental group by following the formula (Arikunto, 2010).

$$t = \frac{Md}{\sqrt{\frac{\sum x^2 d}{N(N-1)}} \quad (2)$$

Where t : t-test score

Md : mean deviation

$\sum x^2 d$: sum of square deviation

N : number of students

Mean deviation is calculated with the following formula.

$$Md = \frac{\sum d}{N} \quad (3)$$

Where

Md : Mean score

$\sum d$: The total score of deviation.

N : Number of students

Square deviation is calculated by using Formula.

$$\sum X^2 d = \sum d^2 - \frac{(\sum d)^2}{N} \quad (4)$$

Where:

$\sum x^2 d$: the sum of square deviation

$\sum d$: the sum of deviation

As seen in Table 6, it is found that the influence is significant (t-value > t-table).

Table 6: T-test in Experimental Group

No	Students	Score		Deviation $D = (X_2 - X_1)$	D^2	Md	$\sum X^2 d$	t-value	t-table
		Pre-Test (X_1)	Post-Test (X_2)						
1	DW	73	93	20	400	20	400	1.73	1.64
2	RS	67	87	20	400				
	Total	140	180	40	800				

4. CONCLUSION

In this preliminary study, it is found that writing diary has good influence on the students' writing and the influence is significant.

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DEVELOPMENT INSTRUMENT OF CHARACTER STUDENT IN MATHEMATICS INSTRUCTIONAL

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ABSTRACT - Education have an important role in character building of students. The characters that can be developed in learning mathematics are honest, disciplined, diligent, responsibility, and self-confidence. The characters can be done through a process of habituation, integrated in subject and the teacher as a model for students. Achievement of the characters in learning Mathematics is often difficult to detect because the teacher does not have an instrument that can measure the character achieved by student. Therefore an instrument to measure the characters building in mathematics instructional will be useful for teachers to see an indication of the character of student achievement.

The purpose of this study was to develop an instrument to measure the character building of students in mathematics instructional. This study was carried out from the development of the conceptual definition, operational definitions, determination constructs, dimensions, and indicators, preparation of the blue-print and item, expert validation, field testing, and data analysis. Data trial results were analyzed using factor analysis and structural equation modeling analysis. The results showed that there are five main factors constructed the instrument character with good validity and reliability.

keywords: Student Character, Mathematics Instructional

1. BACKGROUND

Education has a very important role in the life of a nation. The better the quality of education in a country, the more qualified human resources as well. In general [1] state that education has the power to promote the growth of manners (inner strength, character), mind (intellect), and body of student. In another word, it can be stated that education is not only aimed at producing intelligent and skilled personal, but also private character. Education is character building efforts so that students can have a good character, which is necessary for their survival as a human. Education is not just a transfer of knowledge but to be able to change, improve and build the character of man in particular, intelligent, independent and good moral.

In the education system in Indonesia [see 2], education declared a conscious and deliberate effort to create an atmosphere of learning and the learning process so that learners are actively developing the potential for him to have the spiritual power of religion, self-control, personality, intelligence, noble character and skills needed himself, society, nation, and state. The similar thing was stated by [3] that education is a conscious effort devoted to the development of human beings as a whole, through a variety of its dimensions (religious, moral, personal, social, cultural, temporal, institutional, relational, etc.), for the sake of the process of perfecting it self continuously over the meanings of life and history of the world in solidarity with others

As a conscious and deliberate effort, the quality of education including the character building of students can also be planned, of course with due regard to the various aspects of the implementation process. One of the most important aspects that determine the quality of education is a learning process, where in the evaluation of student achievement is one very important element.

During this time, learning outcome assessment conducted by teacher based on test scores only. Assessment of student achievement that is only based on the value of the test lead teachers lack proper understanding of the character of the students were held and required students in learning mathematics. On the other hand, establishment of the good character of students is one of the objectives in studying mathematics. Therefore, it needs a valid and reliable instrument that is able to measure the character of students in mathematics instructional.

Character is a latent variable that can not be measured directly as the physical variables. In order to measure the characteristics of latent variables, the manifest variables can be used to be measured the latent variables. Measurement of the manifest variables requires a standardized instrument [4]. The problem now is how the teacher can have a standardized instrument and be qualified to measure the students' Character.

On the other hand, the limited knowledge and time the high school math teachers have in developing a valid and reliable instrument to measure the students' Character becomes a constraint for the lack of attention in achieving the fundamental objectives in Mathematics instruction. Therefore, it is necessary to develop a Character instrument in mathematics instruction in high school.

2. METHOD

Operationally, this study aimed to: (1) generate the indicators of Student Character, (2) determine the construct validity and reliability of the Character instrument in the mathematics instruction. Development procedure of the non-test character instrument was done in some steps [4, 5, and 6], so in this research the procedure consisted of: theoretical review for building conceptual definition,

building operational definition, defining construct, dimension, and indicators, constructing blueprint and items, analyzing readability and social desirability, field testing, and data analysis. This field testing was conducted in two senior high school and two junior high school in Manokwari, that were followed by 250 students studied mathematics.

The data analysis was performed in two steps using exploratory factor analysis and confirmatory factor analysis (Structural Equation Modeling - SEM). The results of the confirmatory factor analysis using IBM SPSS Statistics program package 22 was the establishment of several factors as a model which is a linear combination of the items. The model obtained is then analyzed by using the SEM analysis lisrel 8.8 program package. By using the lisrel program, the testing of Confirmatory Factor Analysis (CFA) was conducted.

There are several requirements in exploratory factor analysis, namely: (1) the correlation between the variables. The first stage in the analysis of factors is to calculate the correlation between variables. If the observed variables are not significant, it is not possible formation of one or more factors [7], (2) the adequacy of the sample size by using Kaiser-Meyer-Olkin (KMO) formula, and (3) test whether the observed data is a sample from a multivariate normal population distribution by using the Bartlett test of sphericity (χ^2). Analysis factor can not be used if the value of χ^2 has a probability (sig) is greater than 0.05 [8, 9], and (4) examine the Anti-image correlation (AIC) with the criterion measure of sampling adequacy (MSA) ≥ 0.50 . According to [10], the MSA item smaller than 0.50 released one by one from the models ranging from the smallest, to the next item remaining factors analyzed again until all remaining items meet the existing requirements.

There are three tests was performed, in order to conduct CFA, namely: (1) the suitability of the data with the model, (2) the validity and reliability of the model, and (3) the significance of the coefficients of the structural model. Hair *et al.* as cited by [11], states that the evaluation of the degree of fit of the data to match the model through the entire model (overall model fit), the measurement model fit (measurement model fit), and the suitability of the structural model (structural model fit). The suitability of the whole models was tested by using several measures, as proposed by [11], among others: (1) Normed Fit Index (NFI), (2) Non-Normed Fit Index (NNFI), (3) Parsimony Normed Fit Index (PNFI), (4) Comparative Fit Index (CFI), (5) Incremental Fit Index (IFI), (6) Relative Fit Index (RFI), (7) Goodness of Fit Index (GFI), (8) Adjusted Goodness of Fit Index (AGFI), (9) Parsimony Goodness of Fit Index (PGFI), (10) Root Mean Square Residual (RMR), and (11) Root Mean Square Error of Approximation (RMSEA). After match of the model and the data are met, further analysis according to [11] is to test the measurement model fit, with an evaluation of each constructor separate measurement models through evaluation of

the validity and reliability. Reliability measurements performed using Constructed Reliability (CR) and Variance Extracted (VE). A construct have a good reliability and validity when every indicator has a value of $CR \geq 0.70$, and the value of $VE \geq 0.50$.

3. RESULT AND DISCUSSION

3.1. Constructing the indicators

According to the Oxford Advanced Learner's Dictionary, character is (a) mental or moral qualities that make a person, group, nation or etc. different from the others [12], while the character in the Webster's New World Dictionary [13] stated as follows: "The distinctive trait, distinctive quality, moral strength, the pattern of behavior found in an individual or group". The word character comes from the Greek word meaning "to mark" and focuses on how to apply the value of kindness in the form of action or behavior. The term character is closely related to personality a person, which a person can be called a person who has the character if the behavior in accordance with the moral norms. Thus it can be stated that the character is a personality, the pattern of behavior, or quality trait found in an individual or group, or nation.

The Character Education according to Informational Handbook and Guide as mentioned by [14], there are about the eight traits of character education for inclusion in character education instruction, they are: (1) **Courage**. Having the determination to do the right thing even when others don't; having the strength to follow your conscience rather than the crowd; attempting difficult things that are worthwhile, (2) **Good Judgment**. Choosing worthy goals and setting proper priorities; thinking through the consequences of your actions; and basing decisions on practical wisdom and good sense, (3) **Integrity**. Having the inner strength to be truthful, trustworthy, and honest in all things; acting justly and honorably, (4) **Kindness**. Being considerate, courteous, helpful, and understanding of others; showing care, compassion, friendship, and generosity; and treating others as you would like to be treated, (5) **Perseverance**. Being persistent in the pursuit of worthy objectives in spite of difficulty, opposition, or discouragement; and exhibiting patience and having the fortitude to try again when confronted with delays, mistakes, or failures, (6) **Respect**. Showing high regard for authority, for other people, for self, for property, and for country; and understanding that all people have value as human beings, (7) **Responsibility**. Being dependable in carrying out obligations and duties; showing reliability and consistency in words and conduct; being accountable for your own actions; and being committed to active involvement in your community, and (8) **Self-Discipline**. Demonstrating hard work and commitment to purpose; regulating yourself for improvement and restraining from inappropriate behaviors; being in proper control of your words, actions, impulses, and desires; choosing abstinence from premarital sex, drugs, alcohol, and

other harmful substances and behaviors; and doing your best in all situations.

According [15], there are three major components in the character, those are moral knowledge, moral feeling, and moral action. Moral knowledge include: moral awareness, knowledge of moral values, perspective knowledge, moral reasoning, decision making, personal knowledge. Moral feelings include: conscience, self-esteem, empathy, look for the good, self-control, humility, whereas moral action include: competence, desires, and habits. Specifically, the values of good character in Indonesia comes from religion, Pancasila, culture, and national education goals. The values of these characters consists of 18 character value that is: (1) religious, (2) honest, (3) tolerance, (4) discipline, (5) hard work, (6) creative, (7) independent, (8) democratic, (9) curiosity, (10) the national spirit, (11) love of the homeland, (12) the achievements, (13) a friendly communicative, (14) love peace, (15) likes to read, (16) environment care, (17) social care, and (18) responsibility [16].

Further [17] states that the character can be formed in mathematics instructional, among others, the ability of students in logical, analytical, systematic, critical, and creative thinking. Critical thinking is the ability to think, which is focused on making the decision on what is believed to be or to be done, while creative thinking is to think consistently and continuously

produced something creative/original and useful in solving the problem.

Based on some of the above description, it can be stated that there are indicators of characters that can be achieved by students in the learning of mathematics, namely: (1) logical thinking, (2) systematic thinking, (3) analytic thinking, (4) critical thinking, (5) creative, (6) communicative, (7) kindness, concerned, (8) diligently, (9) nationalist, (10) responsibility, (11) self-discipline, (12) honest, (13) self-esteem, dignity (14) humility, low profile (15) intelligent, (16) independent, (17) hard work, (18) religious, (19) likes to read, book lover (20) eager to learn, diligent (21) Integrity, (22) self-confidence, (23) empathy, and (24) control themselves.

The research continued with construct the items of instrument. There are 3 items for each indicator, so that there are 72 items that justified by expert. Criticisms and suggestions from experts used to select items of instrument, in order to obtain items for field testing. There are 48 items, 2 for each indicator conducted field testing.

3.2. Statistical Analysis and Discussion

Data from field testing were analyzed using factor analysis. The statistics based on the analysis, both exploratory and confirmatory factor analysis given in Table 1 and Table 2

Table 1: Statistics of Exploratory Factor Analysis

No.	Variable	Statistics
1	Correlation between variables	0.85
2	Kaiser-Meyer-Olkin	0.920
3	Chi-Square of Bartlett Test	24645.759
4	Measure of sampling adequacy	0.732 – 0.827
5	Number of factors (matrix component analysis)	6
6	Number of factors (matrix rotation analysis)	5
7	Total Variance Explained	84.841%

Table 1 shows that the statistics produced in accordance with the criteria required in exploratory factor analysis, see [7], [8], [9], [10], and [18]. There are more than 50 percent of variables that have a significant relationship, so factor analysis could be continue. If there are no significant correlations between these items, then this means that they are unrelated and that we would not expect them to form one or more factors. In other words, it would not be worthwhile to go on to conduct a factor analysis [7].

Three other statistical values in Table 1, namely: KMO, Chi-Square Test of Bartlett, and MSA, also indicate that further analysis of the factors for the formation of a factor is do. KMO has been produced showing the fulfillment of the adequacy of the required samples. Result of Chi-square value of Bartlett and the value of the MSA is also in accordance with the terms required in exploratory factor analysis. KMO value obtained is 0.920. KMO values greater than 0.90 are included in

the eligibility criteria very well for the sample size needed in factor analysis [8]. The same opinion was expressed by [9], which states that if the value of KMO is greater than 0.5 and significance smaller than 0.05, then the sample can be further analyzed by factor analysis

Further analysis is performed using image Anti Correlation (AIC). AIC method aims to examine the feasibility of an item to be used in the grouping variables. The value of good AIC for the criterion measure of sampling adequacy (MSA) is greater than 0.50. If there is an item with MSA value smaller than 0.50, then the item is issue each one of the models from the value with the smallest value of MSA. Furthermore, there are maining items were analyzed factor again until all there maining items have value $MSA \geq 0.50$ [9].

Further analysis using Matrix Component analysis shows that the factors that formed from 24 variables (48 items) that is constructed resulted in 6 factors. However, the group that is formed can not be interpreted properly. Rotation of factors need to be

done if the method of extraction of factors has not produced a clear component to the main factors. The purpose of the rotation of these factors in order to obtain a simpler factor structure to be easily interpreted [8]. After the matrix rotation, there are five factors resulted. The five factors can be interpreted more easily.

Based on the result of matrix rotation, the 24 indicators can be grouped into 5 factors. The five

factors are: (1) hardwork, diligent, creative, independent, fond of reading, and eager to learn, (2) self-esteem, honesty, discipline, responsibility, and confidence, (3) logical, systematic, analytical, critical, and intelligent, (4) care, self-control, empathy, and communicative, (5) religious, integrity, nationalism, low profile (humble). Further, the model obtained be analyzed use confirmatory factor analysis

Table 2: Statistics of Confirmatory Factor Analysis

No.	Variable	Statistics
1	Normed Fit Index	0.91
2	Non-Normed Fit Index	0.92
3	Parsimony Normed Fit Index	0.90
4	Comparative Fit Index	0.76
5	Incremental Fit Index	0.76
6	Relative Fit Index	0.90
7	Goodness of Fit Index	0.91
8	Adjusted Goodness of Fit Index	0.82
9	Parsimony Goodness of Fit Index	0.71
10	Root Mean Square Residual	1.12
11	Root Mean Square Error of Approximation	0.101
12	Standardized Loading Factor	0.71 – 1.93
13	Constructed Reliability	0.80 – 0.87
14	Variance Extracted	0.57 – 0.73

Tabel 2: show that the structural model is fit. The suitability of the whole models was evaluated by using several measures, among others: NFI, NNFI, PNFI, CFI, IFI, RFI, GFI, AGFI, PGFI, RMR, dan RMSEA [10], [11]. The next statistics, i.e: CR and VE show that model tested have good validity and reliability. The model have good validity and reliability when every indicator has a value of $CR \geq 0.70$, and the value of $VE \geq 0.50$ [10, 11, and 19].

Based on Table 2, it appears that of the 11 criteria used, there are five criteria that match the criteria for suitability of the model and the others not match the criteria, see [8], [10, [11]. According to [8], it is very difficult to get all the criteria that match the degree of suitability or goodness of fit (GOF) between the data and the model. As a rule of thumb, if one of the criteria has been match, then the model considered appropriate. So, the character instrument consist of five factors, where the first group is referred to smart student, group two is confidence student, the third group is thinking student, the fourth group is care student, while the student care fifth group call integrity student.

4. CONCLUSION

Based on the results of research and discussion, it can be concluded that, there are five factors that construct the instrument of student character in mathematics instructional, namely: (1) smart student, (2)

confidence student, (3) thinking student, (4) care student, and (5) integrity student.

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DISCOURSE ANALYSIS OF GETTYSBURG ADDRESS

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ABSTRACT - Text is a common instrument in delivering a language from the first person (addresser) to the second person (addressee). However, different text means different purpose. A political speech text is such an example. It can function as a political agreement between two countries, or it can be as a letter of a world peace arrangement, such as Gettysburg Address. This political speech was made along time ago in America by President Abraham Lincoln to set peace that was longed for by the northern side (The Union) and the southern side (The Confederacy). In a deeper look of the text, it is more than just a text of peace proposal. The content, which is divided into three divisions, gave the positive result for the unity of the separated nation at that time. The successful delivering of the speech makes this text is worth to be analyzed. The study will concern only about the theme of the text and the intended meaning of the speech which is based on historical background of this political speech. The organization of the text itself is seen from the transitivity study. Still, there are many things to be analyzed based on the sentences of each division of the text.

Key words: Gettysburg Address, the content, the intended meaning, and, the organization

1. INTRODUCTION

The battle of Gettysburg was a well-known major battle between the southern forces (called as Confederacy) under General Robert E Lee and the northern forces (called as Union) led by General George Mead during the American Civil War in 1863. More soldiers, over forty thousand men on both sides, died or wounded than in any other battle in US history.

The President in charge at that time was Abraham Lincoln has a duty to settle the dispute between both parties. However, he did not use his armed forces to do his job. Instead he used a text as his peace proposal known as Gettysburg Address. He believes that a pen is more powerful than the gun.

The Gettysburg Address is speech which is considered as one of the most well-known speeches in the history of United States. The speech consisted of only ten sentences, and Lincoln thought it would soon be forgotten. The speech was chosen as it is part of the peace treaty of the civil war in United States of America. It was delivered by the president during the American civil war.

Lincoln carefully invokes the principles of human equality advocated by the Declaration of Independence. He also redefines the civil war as a struggle for a new birth of freedom which will bring a true equality to all citizens. It ensures the real meaning of democracy where the people's rights are the most dominant part in creating a nation. He believes that they all will win because they have faith, courage, and enthusiasm to rebuild the country.

A. Problem Formulation

The aim of the study is to analyze the discourse of Gettysburg Address seen from:

1. What is the content, and how is the speaker's intended meaning delivered?
2. How is the speech organized to support the achievement of the intended meaning?

2. THEORETICAL REVIEW

A. Review of Related Studies

The textual function is the creation of a text. Butler (2003) says that a text is the basic unit of the semantic unit. In relation to the textual function, the language user can show the meanings in distinct ways. Lincoln presents the text in a cohesion and coherent way. He marks the theme to give certain emphasis.

The textual function analysis can be used to see the level of organization of the clause which enables the clause to be packaged in ways which make it effective given its purpose and its context (Eggin, 2004). Lincoln organizes the clause effectively. This makes the delivering of the content successfully hits the two sides. Although many political speeches are forgettable, only a few stand out as more than rhetorical oratory used as a means to an end.

Different ways to deliver a speech public speaking involves delivering a speech or talk before an audience. The purpose of delivering a speech can be to entertain, educate or persuade. There are four different methods for delivering a speech (Lucas, 2004); improvising, reading, memorizing, and outlining.

Grammar usage is also useful in managing a speech. The term "Parts of Speech" is used to divide words into categories according to their function. English words are traditionally divided into eight parts of speech: nouns, pronouns, verbs, adverbs, adjectives, prepositions, interjections and conjunctions. Each of these parts of speech plays a different role in communicating meaning.

B. Theoretical Framework

Historically, rhetoric has proven a great theory and subject in Athenian culture, and has affected the greatest minds of ancient Greece. There is no question that political speech in Athens improved or at least empowered the government. Without rhetoric a number of societies, including America, would not be what they are today had it not been for the great ideas conceived by the great minds of Athens.

It has been said when truth and justice fail through inefficient advocates, the skilled rhetorician will set this right. Rhetoric is not limited to simple oration: it is also a writing technique. Both the oral and written forms were considered tools in the art of persuasion. The purpose of rhetorical speeches is to persuade. Rhetorical speeches are best suited for topics that are political or ceremonial in which an argument is made by a person or prudent character to appeal to the emotion of people.

Based on Oxford English Dictionary the definitions of rhetoric are: 1. the skill of using language in speech or writing in a special way that influences or entertains people, 2. a speech or writing that is intended to influence people, but that is not completely honest or sincere. Rhetoric was thought of as an art because it allowed men to express themselves through more than just facts and solid knowledge but also through emotions.

Lincoln employed many rhetorical devices in his artistry with words, but his mature speeches are especially characterized by grammatical, parallelism, antithesis, alliteration ("fathers ... forth" and "new nation"), and repetition.

Systemic Functional Grammar is a theory of grammar which treats language as a means to convey people's ideas in various ways and purposes. Grammar in SFG refers to resource for creating meaning by means of wordings (Matthessen and Halliday, 1997). In other words, the language elements are the resource to create the meaning. Butler (2003) also supports that grammar is the resource available to the language users for making meanings.

The Ideational Function concerns with the processes, participants, and circumstances found in the clause. Halliday (2004) defines that the ideational function is the function including Lincoln's experience from the speech that he embodies language in his experience of the phenomena in the great battlefield.

In order to analyze the ideational function, transitivity is the appropriate tool to conduct. Transitivity aims at identifying the participants or things which are involved, the actions and event taking place, and any relevant surrounding circumstances (Morley, 2000). Some clauses or phrases are identified in the transitivity system to get to know better about the organization of the text. In this part what is happening, what is being done, what is felt and what the state can be recognized.

A mental process is the process of *sensing* and *feeling*. Downing and Locke (2006) state that mental processes are those through that we organize our mental contact with the world. Furthermore, Halliday (2004) explains that mental clauses are concerned with our experience of the world of our own consciousness. There are four subtypes of a mental process name *perception*, *affection* or *affectivity*, *cognition*, and *volition* or *desideration* (Halliday, 2004). Perception, affection, cognition, and volition or Desideration are presented with *shall not have died*, *dedicated*, *engaged*, and *never forget*.

There are two participants in mental processes, namely a senser and a phenomenon. Halliday (2004) defines a senser as the one that senses, feels, thinks, and wants to perceive. Senser is endowed with consciousness. In the text the participants attached to mental process are *we* and *the world*.

2. ANALYSIS

The Content and How The Speaker's Intended Meaning Delivered

To know what is being analyzed in the study, Here is the content of the text taken from <http://www.sweetsspeeches.com/s/769-abraham-lincoln-gettysburg-address>.

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate -- we can not consecrate -- we can not hallow -- this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain -- that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth.

Gettysburg Address filled with first-person references with everyone as a plural individual. From the text Lincoln uses the plural "we" ten times and three times the word "us." This shows that he represents both sides that are in dispute. He does not make order as presidents do. He mentions the civil war as the starting point to remake a free nation.

The brevity of the text with only ten sentences and 271 words starts with allusions to the Bible and the Declaration of Independence. It is also filled with poetic and rhetorical constructs. It serves to speak for all dead soldiers in the civil war.

The sentence ***Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal*** sets time and place to establish the scene and directly references the Declaration of Independence, considered a sacred

document to both disputants. Lincoln makes the audience calculate backward from the nation's starting point in 1776. The phrase itself is taken from the bible version King James Psalm 90:10.

"The days of our years are threescore years and ten"

Scores, i.e., 20 years, are also a shorthand way of measuring generations. Lincoln shows that they have lived more than an average of one's life expectancy which is about 60 years. In the bible it says three score and ten years. The last phrase of this first part is taken from declaration of Independence.

"We hold these truths to be self-evident, that all men are created equal, ..."

The main overt reference is the "all men are created equal" line in both. Whether a man is rich or not, they were equal both before the law and before God. Lincoln wants to tell people about creating a new nation should be based on experiment in liberty and equality.

Lincoln chooses the bible as the source of his to state in people's mind that the Bible is more than just a document. It is the wisdom of God that most Americans accept without question. Lincoln mentions "our fathers" for both sides to be united again. It is as the common heritage of the Founding Fathers of United States of America.

Now we are engaged in a great civil war, testing whether that nation, or any nation, so conceived and so dedicated, can long endure.

The first line of the second paragraph establishes the moment of the speech in its precise political context. At the beginning of the body of his address he uses two perfect parallels: "that nation so conceived" and "any nation so dedicated." He constructs the content of his political purposes by repeating key words: "great civil war," "great battlefield," "so dedicated," and "come to dedicate." The rhetorical purpose is presented by the repetition.

We have met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live.

The speech happens during active wartime and the battle has almost finished. He makes everyone who fights or not gets each own part in the field. One who has died is buried in one part of the land and the rest who is still alive has his part to continue the fight for the nation in a good way. This fight for the country makes the nation live.

It is altogether fitting and proper that we should do this.

The line establishes the justification for the audience to be at the event, while the following sentence immediately contradicts the importance by shifting the emphasis on the dead.

But, in a larger sense, we can not dedicate — we can not consecrate — we can not hallow — this ground.

This is clear that he wants to expand people's attention because he needs to speak on a wider subject. On the grammatical point he makes spaces for all the modal "can" and negative "not" in order to

emphasis what he says to the audience. Furthermore, these three parallel clauses focused on the present space: "this ground."

"... We can not dedicate — we can not consecrate — we can not hallow ..."

What is most notable in a poetic sense is the use of two Latinate root words, "consecrate" and "dedicate". They are synonymous, too formal, too unemotional, and too lofty. The word "hallow" which rooted from English carries more weight and more emotionally sincere. This word is very important as it is placed right before the object. The word "hallow" seems to be the final choice as the structure of the sentence shows that Lincoln is trying to find the right word for the object "this ground".

The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract.

The line presents a dramatic antithesis. He contrasts "the brave men" with "our poor power." He simultaneously frames "living and dead" at the beginning of the sentence, and "add or detract" at the end of the sentence, in another parallelism.

The world will little note, nor long remember what we say here, but it can never forget what they did here.

The line emphasizes the importance of his words with the support of the dead. He contrasts "what we say here" with "what they did here" in another antithesis. Lincoln also speaks in the plural "we" that places his identity among the listeners. He does not speak as the leader of the nation or the most important person in the country.

It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

The initial words of the sentence achieved energy from contrasts: "It is for us the living," contrasted with "those who gave their lives here"; "the unfinished work which they who fought here," was an invitation to finish the work. The line continues to empower the audience to take inspiration from the deeds of the dead and continue the struggle for union.

"work which they who fought here have thus far so nobly advanced," means that the dead gave all they had but can go no further. The emphasis is that from what they did to the audience to continue to struggle with all they have in the true way to rebuild the nation.

It is rather for us to be here dedicated to the great task remaining before us — that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion In the sentence he puts the passion of the dead as the rise of people's spirit to dedicate and devote to the nation. The words "dedicate" and "devotion" are religious words which appear for churches services during the war. The phrase "The last full measure of devotion" means that the dead died for a purpose, struggling toward a goal, but they failed to reach it. The younger generation is responsible to continue to pursue. Lincoln suggests that the dead has the purpose to

reunite the nation and remake the country as it should have been.

that we here highly resolve that these dead shall not have died in vain — that this nation, under God, shall have a new birth of freedom —

The phrase “under God” continues the theme of past and future. He feels the United States has both religious and political parents. “Under God” also aims at the future in “shall have a new birth of freedom.” Without the twin guidance of God and the liberty and unity of the nation, Lincoln argues that freedom isn’t possible. “A new birth of freedom” was layered with political and religious definitions.

and that government of the people, by the people, for the people, shall not perish from the earth

“Government of the people, by the people, for the people,” is a perfectly parallel structure that essentially sums up the American democracy. The use “not” in the last line demonstrates the threat of annihilation if they fail. The use of “shall not perish” implied that the nation was potentially on its deathbed. Through the address, Lincoln created the idea of a unified nation in which states’ rights were subject to the rights of the nation as a whole. Before the American Civil War and the Gettysburg Address, they were **A United States of America**, but afterward, they were **The United States of America**.

B.2 The Speech Organization to Support The Achievement of The Intended Meaning

The best persuasive speeches have an introduction, a body and a conclusion. The speech should be fact-based and delivered by a speaker with passion, conviction, and sincerity. The pattern of the speech is organized in a chronological way. This relates to the life of a human being of the past, the present, and the future.

The first part which is only formed in one sentence provides the basis information about an event in the past. The birth of the nation is identified as the foundation of where they come from. The event becomes what the remainder of the text depends on.

The second part covers the present situation of where they were at that time. The war makes them grow from a born child to a young manhood. This young manhood is tested to be survived based on what he has done. The individual young men are sacrificed their lives for the best of the nation which is still young. This young nation still has a chance to live well in the future.

The final part sets forth the task for all people and for the future that this country has passed the major test to be a grown states. Every person died in the battlefields must be remembered for what they believed in the process of being mature. The country has to keep onward for its resurrection from the deads in battlefields. In God, they realize the power to grow for the maturity of the people.

Material Process by:	Meaning	Participants	Examples	Identification
Halliday (2004)	Happening: intransitive	Actor	we are engaged in a great civil war	What happened to X?
	Doing: transitive	Actor – Goal	we can not dedicate -- we can not consecrate -- we can not hallow -- this ground.	What did X not do?

Mental Processes

Mental process by:	Types	Participants	Example	Identification
Halliday (2004)	Perception: see, hear, notice, feel, taste, smell	Senser - Phenomenon	... and dedicated to the proposition ...	Senser: human – like, noun group Phenomenon: Acts, facts: nominal group, non finite clauses
	Affection: like, love, admire, miss, fear, hate		... we are engaged in a great civil war ...	
	Cognition: think, know, doubt, remember		The world will little note, nor long remember what we say here, but it can never	

			forget what they did here	
	Volition/desideration: want, need, intend, desire, hope, wish		... that we here highly resolve that these dead shall not have died in vain ...	

Verbal Processes

Meaning	Participants	Examples	Identification
Saying	Sayer – Receiver	... our fathers brought forth on this continent, a new nation ...	Sayer: nominal group, human or non human
	Sayer – Verbiage	... we are engaged in a great civil war ...	Verbiage: what is said or name of saying, nominal group
	Sayer– Target	... that this nation, under God, shall have a new birth of freedom ...	Target: ‘sub type’ of verbal clause

Relational Processes

No	Meaning	Participants	Examples	Identification
1	Attributive: X is a member of A	Carrier - Attribute	It is for us the living ...	Participants: cannot be made into passive form
2	Identifying	Token _ Value	The brave men, living and dead, who struggled here, have consecrated it, ...	Participants: nominal groups Reversible
3	Possessive	Possessor - Possessed	... that this nation, under God, shall have a new birth of freedom ...	Participants: nominal groups Reversible

Circumstances Based on Downing and Locke (2006)

No.	Types of Circumstances		Identification	Examples
	Name of Circumstances	Category		
1	Place and time	Location	Where?	on this continent
		Source	Where ... from? Since when?	Four score and seven years ago
		Path		conceived in Liberty
		Direction	Where?	a new nation
		Goal	Where?	
		Extent	How far? How long?	
		Extent + goal		
		Relative		Four score and seven years ago, now
2	Manner	Distributive	How often?	
		Manner	How?	Dedicated
		Means	How?	under God
		Comparison	What ... like?	for which they gave the last full measure of devotion
		Instrument	What ... with?	that government of the people, by the people, for the people

3	Instrument		With ...	Consecrated
4	Contingency	Cause	What cause?	a great battle-field of that war
		Purpose	What ... for?	a new birth of freedom
		Reason	Why?	of the people, by the people, for the people
		Concession	Despite what conditions?	a great civil war
		Behalf	Who/what for?	a new nation
		Condition	Under what conditions?	that all men are created equal
5	Accompaniment	Togetherness	Positive	We, us, the world
			Negative	
		additionality	Positive	
			negative	
6	Modality	Possibility		Might live
		Probability		
		Certainty		
7	Degree	Emphasis		
		Attenuation		Hardly
8	Role	Capacity	What as? in what capacity?	As a president
9	Matter		In a reference to ...	With regard, about her wedding
10	Evidence		As X says, according to X	As the saying goes, according to him

Modality

Types of modality		Meanings	Examples
Modalization	Possibility	Judgment of likelihood or probability	... that nation might live
	Usuality	Judgment of frequency	The world will little note ..., it can never forget ...
Modulation (proposals)	Obligation	Necessity	... we should do this.
	inclination	How willing I am to do something for you	... and that government of the people, by the people, for the people, shall not perish from the earth

Parallelism		Juxtaposition		Repetition	
Of the people	Weaving the great nation together (even though they were apart, they came together on a piece of paper)	The north	Should become one	We	Unity or group of nation instead of using 'I' and 'you'
By the people		The south		Our	
For the people		Life	See each side by side	us	
		death		dedicate	Appeal to pathos or emotional appeal

FINAL REMARKS

The Gettysburg Address states that this new nation is a creation resulted from the civil war. Everything is worth fighting for this dedicated field, so that the people who have fought in the war have a good impact for the future of this country. Those who have died have "passed the torch" to those who survive, who then owe a duty to continue carrying it. The present and future people of America have to dedicate their lives for the unfinished work. The new birth of freedom let people think about the better strategy to keep the nation alive and united. The government based on people continues to grow well and not perish.

Organization and transitivity overlook critical success factors of this text. The phrases in the speech that make the nation unique. They are conceiving in Liberty and Men are equal. The visions that shared to the audience are about the new birth of freedom and government of the people, for the people, and by the people.

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ENHANCING STUDENTS' CRITICAL THINKING IN WRITING THE BACKGROUND OF A RESEARCH PROPOSAL THROUGH PEER EDITING

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ABSTRACT - Writing an English research proposal is one of the seventh semester students' priority to accomplish their study in English Education Department of FKIP-Untirta. In this case, the researchers who are also act as the advisors, found some problems on the students' background of the research proposal. Whereas, the background of the research proposal is the most important point as the basic reason to guide the student who will be the researcher to conduct the research and get the answer of what they search for. This writing is a report of a minor research conducted to describe the process of the implementation of Peer editing in the effort of enhancing students' critical thinking in writing the background of a research proposal and to find out the development stages of the students' critical thinking in writing the background of English research proposal through peer editing. The research method is action research in two cycles and the subject of the research is 20 students. The data were collected through semi structured interview, observation and documentation (students' research proposal). Further, To ensure that the data was valid, the researchers used triangulation on technique. The data analysis was conducted using Miles and Huberman analysis. On the first cycle, the result showed that the students felt happy to have peer editing. They could solve their problems in writing, especially to cope in grammatical mistakes and specific writing techniques for academic paper and to maximize their self-confidence in writing a good paragraph. In the second cycle, the students did peer editing and they could write accurately and systematically focus to the topic discussed. The urgent point is, they students keep encouraging each other to keep writing, quick revising and keep exploring the thoughts/ideas related to their topic of a research proposal. Peer editing also made the students learn how to appreciate the friendship. Based on the analysis of development stages in critical thinking after they conducted peer editing, there were 0% students in the stage of the unreflective thinker; 5% students in the stage of the challenged thinker; 25% students in the stage of the beginning thinker; 30% students in the stage of the practicing thinker; 20% students in the stage of the advanced thinker; and 20% students in the stage of the accomplished thinker

Keywords: peer editing, critical thinking, writing the background, English research proposal

1. INTRODUCTION

Writing is a productive skill that needs certain efforts to enhance the skills. For English learners, it is challenging skill to be able to communicate the ideas through written text. Writing is defines as a communication process, between a writer and the readers [1]. Further, Raimes[2] states that through writing, a writer does not just display what he knows, he can also discover what he knows and thinks. So, by doing the process of writing, a writer have a certain area in communicating ideas, thoughts and feelings. In English education department of FKIP-Untirta, the students must take five series in learning writing, started from the first semester to the fifth semester. In the fifth semester they learn and practice about writing an article, essay and a research proposal. It means, that they have much theories and practices of writing in various products.

In writing an English research proposal, the students should consider certain points. One of them is by deciding what he is going to focus about. It should be based on his interest in searching the problems related to his study and his high desire to find out the solution or to answer briefly related to the problems arousing. The urgent point is the writer should inform the readers why he is interested in conducting the research. In the research proposal, it is called a

background of a research. Having a clear reason of he is willing to conduct the research is a must because it will be the torch to guide the writer to continue and finish his project, a research paper.

In informing background of the research, the writer needs specific ability in elaborating the intention of why the study should be conducted. The writer should think critically of how to make readers not only can get the information clearly about the writer's intention related to his study and but also can realize that the research is very useful for the society/certain field.

By thinking critically, the student will think clearly and rationally also understand the logical connection between ideas. In writing the background of the research, the writer should communicate briefly about his ideas in conducting the research. He ought to give responsible and scientific arguments to the readers either as the real reader or the next researcher. As Fisher [3] states that critical thinking is skilled and active interpretation and evaluation of observations and communications, information and argumentation.

In this case, the researchers, who also have a task to be advisor of writing a research paper, have found that the students get difficulties in writing the background of the research. The researchers have realized too, that some students could not inform to

reviewers and the audiences (their friends) of a proposal seminar about the reasons why they want to conduct the research.

The researchers consider that *peer editing* would be an appropriate technique to help the students improve their writing. As Phillipson [4] mentioned that peer editing is a technique often used in composition and other writing-intensive courses. Students engaged in peer editing trade drafts of material they have written and provide each other with suggestions for improvement. This technique can be used at any point in the writing process--idea formation, outlining, draft revision, or copy editing a final draft.

2. THEORETICAL FRAMEWORK

Writing a Research Proposal Background

For some EFL learners, writing in a target language is not an easy task to do. It needs careful and high effort to produce the project. A writer has to generate ideas, make planning (outlining), write the draft, edit the draft, revise the mistakes and add the lacking points, and the project is ready to be produced. It is a process of writing if the writer wants his writing product is qualified. Raimes [2] writes that the process in writing involves recurring activities. They are planning (critical thinking and reading; determining purpose, audience, voice and media); prewriting (generating and a topic and ideas, establishing a focus and a thesis, considering multimedia); drafting (organizing and developing ideas, composing drafts); reading and feedback; revising and editing (working on style, revising for clarity, coherence and unity editing, proof reading, designing the document).

Further, Langan [5] explains that there are three stages to the revising process. They are revising content, revising sentences and editing. In editing, a writer has a task to check and correct for the errors in grammar, punctuation and spelling. Editing is an integral part of effective writing and it serves an important closing step in the writing process.

Writing an English research proposal is one of the seventh semester students's priority to accomplish their study in English Education Department of FKIP-Untirta. The purpose of the proposal is to help the student to focus and define the research plans. The plans will have some progress and some changing during the process of completing the study/ the work. The background contains the researcher's concepts, questions, and theory. It shows the empirical embodiment of the research problem section. The background should also explore the researcher's experience, knowledge, and passion. The researcher writes about certain reasons of why he is interested in doing the research and it can reveal a great deal about the knowledge and interested in the subject.

Background provides background information relating to the social/political/historical/ educational context of the study. It may include certain field such as historical, social and political information. The context of the topic, discussed and elaborated to help the readers know the researcher's intention. It gives the readers relevant facts to be understood. It simply

provides the researcher's understanding and approaches to the certain issues of related topic.

According to Wiezielitonga [6], there are three simple steps of writing a background study: data gathering, selection of information, and evaluation of information. All three steps are used to prove one single point: the relevance of existing data to the new study. Therefore, the researcher is needed to gather qualified data.

Critical Thinking

Paul in Fisher [3] says that critical thinking is mode of thinking, about any subject, content or problem, in which the thinker improves the quality of his/ her thinking by skillfully taking charge of the structures inherent in thinking and imposing intellectual standards upon them. While Scriven in Fisher [3] explains that critical thinking is skilled and active interpretation and evaluation of observations and communications, information and argumentation. It means that critical thinking is an academic competency to Reading and writing and it is fundamental to be developed.

Glaser in Fisher [3] stated some basic critical thinking abilities. They are (a) to recognize problems, (b) to find workable means for meeting those problems, (c) to gather and marshal pertinent information, (d) to recognize unstated assumptions and values, (e) to comprehend and use language with accuracy, clarity and discrimination, (f) to interpret data, (g) to appraise evidence and evaluate statements, (h) to recognize and existence of logical relationships between prepositions, (i) to draw warranted conclusions and generalizations, (j) to put to test the generalizations and conclusions at which one arrives, (k) to reconstruct one's patterns of beliefs on the basis of wider experience; and (l) to render accurate judgments about specific things and qualities in everyday life.

Those basic abilities can be enhanced through certain technique or method in learning specific language skill. By applying peer editing technique, hopefully the critical thinking of students at English education department of FKIP Untirta can be enhanced maximally in the area of writing a background of the English research proposal

The Stages of Critical Thinkers Development

Napier [7] states that a critical thinkers have certain points. They usually pay attention to detail; consider different points of view, evaluate their own position, develop an accurate understanding of an issue, identify trends and predict outcomes, consider broad implications and long-term consequences. He adds the arguments by saying a critical thinkers will critically analyse the task, identify the author's purpose and position, consider whether the evidence presented is sufficient, identify any flaws in the author's reasoning, determine whether the author's position is persuasive and support an argument with evidence.

A critical thinker can enhance his/ her critical thinking by considering the stages of critical thinker's development which used by Elder and Paul [8]. It is presented in the table below:

No	Stages	
1	The Unreflective Thinkers	The students as unreflective thinkers. They are largely unaware of determining role that thinking is playing in their lives and of the many ways that problems in thinking are causing problems in their lives. They are lack of the knowledge, and they may have developed a variety of skills in thinking without being aware of them.
2	The challenged Thinkers	In this level, students become initially aware of the determining role of thinking in one's life and of basic problems that come from poor thinking. They may develop an initial awareness of thinking as involving concepts, assumptions, inferences, implications, points of view, etc.
3	The Beginning Thinkers	In this level, the students become beginning thinkers. They begin to modify some of their thinking, but have limited insight into deeper levels of the trouble inherent in their thinking in order to begin to see the importance of developing as a thinker, to begin to seek ways and to develop as a thinker
4	The Practicing Thinkers	The students have a sense of the habits they need to develop to take charge of their thinking into deeper levels of the problems embedded in thinking, and they have enough skill to begin to regularly monitor their own thoughts.
5	The Advanced Thinkers	The students have good general command over their egocentric nature in order to develop depth of understanding into deep levels of problems in thought.
6	The Accomplished Thinkers	The students have not only systematically taken charge of their thinking, but also continually monitoring, revising, and re-thinking strategies for continual improvement of their thinking. They have not only a high degree of knowledge of thinking, but a high degree of practical insight as well.

The stages of critical thinking are also to indicate the levels of intellectual development in order to develop students as thinkers. Levels of intellectual developments are also needed to be enhanced to reach the point of qualified thinkers which refers to the accomplished thinkers.

Peer Editing

Phillipson [4] states that peer editing is a technique often used in composition and other writing-intensive courses. Students engaged in peer editing trade drafts of material they have written and provide each other with suggestions for improvement. This technique can be used at any point in the writing process--idea

1. Pass out copies of the sample student work-4 points, and divide the class into small groups of three to four students each.
2. Ask students to fold a blank sheet of paper into thirds and label the first column *compliments*, the second column *suggestions*, and the third column *corrections*.

Note: You may want to have students make corrections (the third step) directly on the writing sample, especially if they are using editing marks.

3. Have students work with their group to peer edit the writing sample. They should follow the three steps learned in the previous session: start with compliments, then suggestions, and finally corrections. Remind students to review their notes from the previous session if they get stuck on any step.
4. When students are finished, bring the class back together and have the groups share their compliments, suggestions, and corrections.

3. METHOD

The research method was Classroom Action Research using Kemmis and Traggart design cycles. The design consists of Planning, Observing, Acting and Reflecting. The subject of this research were 20 students who were on process writing an English

formation, outlining, draft revision, or copy editing a final draft. It infers that the students have productive written text then they are asked to give correction and suggestion to the draft. Those suggestions and corrections are conveyed orally or written toward the improvement of the writing skill in term of the written products.

Hfitzgerald [9] describes about peer- editing implementation. There three kinds of peer editing implementation, peer editing as a whole group, a mall group and individual settings. This research used small group practice. The implementation is as follow:

research proposal. The data gathered then analyzed by using

Miles and Hubberman matric analysis (data reduction, data display, data verification) and Data Credibility was Triangulation in technique.

4. RESULTS AND DISCUSSION

The researchers is really willing to inform to both readers (students and teachers/lecturers and writers (the next researchers) that peer editing is urgent to be implemented in the writing class either in the purpose of writing academic paper or in the purpose of writing non academic paper. The result was described below:

First cycle

a. **Planning:** Based on the direct observation and the researcher's task as the advisor for the students in writing a research paper, the researchers decided an indicator to be achieved by the students in the first cycle. The first cycle was focused on writing technique (grammatical components and the understanding of points in writing background of a research proposal).

b. **Acting:** For the first meeting, the researchers focused on introducing what peer editing is and simple practicing with the prepared example of the research proposal brought by the researchers. The researchers shared the students about using peer editing their research proposal before giving their product to the advisors. These are the steps:

- Learning the definition of peer editing
- giving products, which is a background of a research proposal prepared by the researchers
- then distributing them to different groups
- Understanding and practice the steps of peer-editing process

The students responded well and they were active in asking for deeper information of peer editing. They really enjoyed the class.

In the second meeting, the researchers implemented peer editing to make the students enhance their writing skill in writing the background of the study. For the second meeting the researchers divided the class into five groups. Each group consisted of four students. Here is the process:

- Deviding the class into five groups
- Collecting the research proposals written by themselves
- Deviding the research proposals to different persons
- Peer editing implemetation
- Using their knowledge of peer editing to develop a peer-editing assessment tool search backgrounds

The students enjoyed giving suggestions and correcting their friends research background. They could correct the grammatical mistakes and identify complete and incomplete paragraph, word choice and sentence structures.

- c. **Observing:** During the process of implementing peer editing, it can be shown that students felt happy to have peer editing. They could solve their problems in writing, especially to cope in grammatical mistakes and specific writing techniques for academic paper and to maximize their self-confidence in writing a good paragraph.
- d. **Reflecting:** The researcher analyzed that there were good points, in this case learning

improvements. There were students participation and responds. They had higher motivation in witing the background by minimizing even avoiding grammatical mistakes. They were more active in complimenting, suggesting and correcting the background of a research paper. The stages of critical thinkers were also improved. There were not any students on the level of unreflective thinkers (They are largely unaware of determining role that thinking is playing in their lives and of the many ways that problems in thinking are causing problems in their lives).

Second Cycle

a. **Planning:** In the second cycle, the researchers focused on the revising of the research background after the treatment of implementing peer editing. The researchers directed the students to consider their friends suggestions and corrections.

b. **Acting:** In the first, the researchers distributed the students' background of the research to different groups and different persons. The students implemented peer editing with the procedure as the previous one. In this time, the researchers asked the students to take notes every suggestions and correction from different editors. Then the researchers suggested the students to revise them. And in the second meeting, the researchers distributed the revised version of the background of the research to different persons in different groups. The students implemented the process of peer editing in 10 minutes. Then, they gave back the revised ones to the owners. The results showed that no more grammatical mistakes in the tems of tenses, capitalization, punctuation. There was not any spelling mistakes. The students were also getting better in writing scientific sentences.

c. **Observing:** The researchers saw and analized that the students wrote more sistematically and appropriately (either grammatically or based on the points of writing background). The students could realize about writing techniques such as Word choice, Organization, Sentence structure, Opening and closing sentences. The students were more active not only in revising their research background but also in giving their suggestions and corrections to their friend's proposals. They regarded this activity as the way in improving their skills in writing the english proposal, especially the background of the research.

d. **Reflecting:** The students did peer editing and they could write accurately and sistematically focus to the topic discussed. The urgent point is, they students keep encouraging each other to keep writing, quick revising and keep exploring the thoughts/ideas related to their topic of a research proposal. Peer editing also made the students learn how to appreciate the friendship.

DISCUSSIONS

After implementing peer editing toward students' critical thinking, the researchers had many positive points to be shared to other students and lectures. During the process of implementing peer editing, it

was proven that students could realize about writing techniques such as Word choice, Organization, Sentence structure, Opening and closing sentences. They also successfully enhance their way in complimenting, suggesting and correcting techniques to their friends's proposals. They also believe that they just need friends who have good critical thinking and need many notes as the considerations to revise their background of the research. By doing peer editing, they were able stimulate themselves to write better and clarify the reasons of writing the chosen topic of their proposal. They also realized that implementing peer editing, they could have better friendship in the effort of finishing their research proposal.

Based on the analysis of development stages in critical thinking done by the researchers, there were development on the stages of critical thinkers after they conducted peer editing. There were 0% students in the stage of the unreflective thinker; 5% students in the stage of the challenged thinker; 25% students in the stage of the beginning thinker; 30% students in the stage of the practicing thinker; 20% students in the stage of the advanced thinker; and 20% students in the stage of the accomplished thinker.

5. CONCLUSION AND SUGGESTIONS

After conducting the research, the researchers concluded two points related to the research questions. The implementation of peer editing in writing background of the research make the students have positive and significant improvement in the activities of writing background, in the development of being critical thinkers and in the effort of keeping good friendship among the students. The students not only could motivate themselves to write a good background of research (writing techniques such as Word choice, Organization, Sentence structure, Opening and closing sentences and fulfilled the urgent points to be written in the background of a research) but also they could learn well how to give compliment, suggestion and corrections to their friends' proposal. There also a clear improvement based on the stages of critical thinkers developments. There were 0% students in the stage of the

unreflective thinker; 5% students in the stage of the challenged thinker; 25% students in the stage of the beginning thinker; 30% students in the stage of the practicing thinker; 20% students in the stage of the advanced thinker; and 20% students in the stage of the accomplished thinker.

Based on the statements above, it is suggested for other students, teachers and lecturers to implement peer editing in the effort of making the students' writing enhanced well. It would be better, if the students really apply this technique when they are making an English proposal, especially in writing the background of their research proposal to give important information to the readers that the research is urgent to conduct because of the significant uses for the society.

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ERROR ANALYSIS OF SMA PANGUDI LUHUR BANDAR LAMPUNG STUDENTS' TRANSLATION IN USING MEANING-BASED TRANSLATION

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ABSTRACT - The purpose of this research is to analyze the errors of SMA Pangudi Luhur Bandar Lampung Students' Translation in Using Meaning-Based Translation. This research focuses on discovering the errors that may arise, and the most dominant type of error in students' translation. After analyzing the students' translation, the result shows that there are many errors in students' translation. Those errors include Global Errors, Local Errors, Omission Errors, Addition Errors and Misformation Errors. Global Errors and Local Errors are parts of Communicative Effect Taxonomy while the others are parts of Surface Strategy taxonomy. The errors that writer found were divided based on two taxonomies. The percentage of Global Errors in this research is 4.83% while the percentage of Local Errors is 95.1%. The percentage of Omission Errors is 45.6%, the percentage of Addition Errors is 19.2%, and the percentage of Misformation Errors is 35.2%. After quantifying the students' translation, it can be concluded that almost all errors from two taxonomies arise in the students' translation and the most dominant errors in this research are Local errors and Omission errors.

Keywords: Translation, Meaning-Based Translation, Error Analysis, Communicative Effect Taxonomy, Surface Strategy Taxonomy

1. INTRODUCTION

Translation is an activity of changing the form of information from a language to the other. Translation, by the Merriam-Webster Dictionary definition (1974) consists of changing from one state or form to another, to turn into one's own or another's language (Larson, 1998, p.3). The person who conducts translation is called as a translator. Translation can be conducted by everybody who is able to use more than a language. Translation involves not only Indonesian and English but also all languages which have written form. Translation is generally divided into form-based translation and meaning-based translation. In translation, errors have some possibilities to arise. The errors may be caused by the grammatical differences between the original text and the other language that the text will be translated to, and the translator's ability to translate the text. It is hard to translate information to other language exactly the same as the original one. There is a possibility that the translator paraphrases his text because he finds some difficulties in translating.

Senior high school students have studied English for around 7-10 years. They have much experience in learning English. However, there are some possibilities that they make error in studying English or do an activity which uses English such as translation, although they have much experience in studying English. This phenomenon has increased researcher's curiosity to analyze error in translating. Therefore, the researcher conducts this research which is entitled "ERROR ANALYSIS OF SMA PANGUDI LUHUR BANDAR LAMPUNG STUDENTS' TRANSLATION IN USING MEANING-BASED TRANSLATION."

There are two problems of this research. First, what type of errors may arise in students' translation when

they use meaning-based translation? Second, what type of errors is more dominant in the students' errors when they use meaning-based translation? Some factors that trigger the errors to arise are not researched.

2. MATERIALS AND METHOD

2.1 CONCEPT OF TRANSLATION

Translation is a part of language learning. It can be conducted by everybody who is able to use more than a language. A fundamental assumption of this study is that a person with knowledge of the source and target languages, has a basic *translation ability* (Dimitrova, 2005, p.10). There are various definitions and points of view about translation. Translation, by dictionary definition (the Merriam-Webster Dictionary 1974) consists of changing from one state or form to another, to turn into one's own or another's language (Larson, 1998, p.3). Translation is an Operation performed on languages: a process of substituting a text in one language for a text in another (Catford, 1978, p.1). In brief, translation is the process of expressing the meaning of information from a language to the other languages which may have different form with the source language. Source language is the language of the information which is going to be translated is taken. Target language is the language that the information is going to be translated to.

The process of translation involves Exegesis (discovering the meaning from the source language), transfer and initial draft (initial draft is made by translator after he translates the text part by part or make a rough translation and fix it later), evaluation, revised draft, consultation and final draft.

Exegesis is the first step of translation. Exegesis means discovering the meaning from the source language (Larson, 1998, p.53). In this step, translator

does not write anything in target language yet. Translator starts to read the source language document several times to understand the semantics structure, culture and the language. Translator usually writes an outline in this step to understand the whole text. The goal of exegesis is to determine the meaning which is to be communicated in the receptor language text (Larson, 1998, p.53). The next steps are transfer and initial draft. Transfer and initial draft are in the same step because the transfer results in the initial draft (Larson, 1998, p.53). In this step, some translators write a quick rough translation and correct it again to make sure that there is no addition and omission. On the other hand, other translators make a semantic-draft then work it in the target language. The next step is Evaluation. The purpose of evaluation is threefold: accuracy, clearness and naturalness (Larson, 1998, p.54). Translator has to check the accuracy of the text which has written in the target language, whether the text communicate the meaning as the same as the source language. Clearness is also important. Translator must make sure that the reader who read the target language text can understand it clearly. The naturalness is the last. Translator has to check that the text which has been translated by translator is sound like written originally in the target language. After evaluation is done carefully, there will need to be a revised draft made on the basis of the feedback received (Larson, 1998, p.55). Revised draft is not the final step in the translating process. There are possibilities that translator may revise his text more than twice. Consultation is the next step if the translation is conducted by a team. If the translation is conducted by a single translator, consultation is not required. The last is the final draft. In this step, translator checks the whole document. It also refers to how the document will be published.

2.2 CONCEPT OF MEANING

Meaning is a part of language. Researcher creates a provisional definition that meaning is the part of communication which is related to real thing and is intended to be shared. In studying *meaning*, Semantics and pragmatics are two parts of linguistics which can give a clear path about it. There are a definition of each Semantics and Pragmatics according to Griffiths (2006, p.6):

“if you are dealing with meaning and there is no context to consider, then you are doing semantics, but if there is a context to be brought into consideration, then you are engaged in pragmatics. Pragmatics is the study of utterance meaning. Semantics is the study of sentence meaning and word meaning.”

From those definitions, researcher is going to be more focus on semantics because it matches with translation which is written. There are some parts in semantics which are important to analyze the meaning of words and sentences.

Word meaning is known as lexical semantics. In order to know about word meaning in detail, it is important to know about the semantic word per se. the semantic

word is also known as lexemes and those lexemes are listed in lexicon. In order to know the meaning of word, Lexical relation which is a way to know the relation of lexemes can be used. There are also deeper way to analyze the meaning of a word by using Componential Analysis (CA) which analyses semantic component (also known as semantic primitives) (Saeed, 1997, p.232).

2.3 CONCEPT OF MEANING-BASED TRANSLATION

Meaning-based translation is a type of translation that focuses on meaning. There are two kinds of translation, form-based translation and meaning-based translation. Larson (1998, p.17) stated that meaning-based translation make every effort to communicate the meaning of the source language text in the natural forms of the receptor language. In meaning-based translation, translator does not have to focus on the relation between the form of the source language and the target language. Translator only must focus on delivering the meaning as close as the source language. Form-based translations attempt to follow the form of the source language while meaning-based translations make every effort to communicate the meaning of the source language text in the natural forms of the receptor language (Larson, 1998, p.17).

2.4 CONCEPT OF ERROR

Error may arise everywhere such as in language learning and language practice. According to James (1998, p.78) If the learner is inclined and able to correct a fault in his or her output, it is assumed that the form he or she selected was not the one intended, and we shall say that the fault is a mistake. On the other hand, if the learner is unable or in any way disinclined to make the correction, we assume that the form the learner used was the one intended, and that it is an error (James, 1998, p.78).

In practice, there are many kinds of error. Burt, Dulay, and Krashen (1982, p.146) have classified errors into four categories for the descriptive classification of error. The first is Linguistic Category. This paradigm classifies errors according to either or both language component or the particular linguistic constituent the error affects (Burt, Dulay, and Krashen, 1982, p.146). Language components include phonology (pronunciation), syntax and morphology (grammar), semantics and lexicon (meaning and vocabulary), and discourse(style) (Burt, Dulay, and Krashen, 1982, p.146).

The second is Surface Strategy Taxonomy. This taxonomy focuses on the ways surface structures are changed. There are four sub-taxonomy on Surface strategy taxonomy; omission, addition, misformation and misordering. Omission errors are characterized by the absence of an item that must appear in a well-formed utterance (Burt, Dulay, and Krashen, 1982, p.154). Omission occurs when a learner lacks a particular word. The other sub-taxonomy of surface strategy taxonomy is additions. They are characterized

by the presence of an item which must not appear in a well-formed utterance (Burt, Dulay, and Krashen, 1982, p.156). Addition has three sub-type, they are double markings, regularizations and simple additions. Double markings usually occur when a learner fails to delete some parts of language in order to construct appropriate grammatical sentence. Because two items rather than one are marked for the same feature (tense, in these examples), this type of addition error has been called *double marking* (Burt, Dulay, and Krashen, 1982, p.156). The other sub-type of addition is regularization. Regularization errors that fall under the addition category are those in which a marker that is typically added to a linguistic item is erroneously added to exceptional items of the given class that do not take a marker (Burt, Dulay, and Krashen, 1982, p.157). The last sub-type is simple addition. If an error is not a double marking nor a regularization, it is called simple addition (Burt, Dulay, and Krashen, 1982, p.158). Misformation is third sub-taxonomy of surface structure taxonomy. Misformation errors are characterized by the use of the wrong form of the morpheme or structure (Burt, Dulay, and Krashen, 1982, 158). Misformation has three types hitherto, they are regularizations, archi-forms and alternating forms. Regularization errors that fall under the misformation category are those in which a regular marker is used in place of an irregular one, as in *runned* for *ran* or *gooses* for *geese* (Burt, Dulay, and Krashen, 1982, p.158). Archi-forms is the other type of misformation errors. The selection of one member of a class of forms to represent others in the class is a common characteristic of all stages of second language acquisition (Burt, Dulay, and Krashen, 1982, p.160). That form is called as an archi-form. The last type of misformation is alternating forms. As the learner's vocabulary and grammar grow, the use of archi-forms often gives way to the apparently fairly free alternation of various members of a class with each other (Burt, Dulay, and Krashen, 1982, p.161). The last sub-taxonomy of surface structure taxonomy is misordering. As the label suggests, misordering errors are characterized by the incorrect placement of a morpheme or a group of morphemes in an utterance (Burt, Dulay, and Krashen, 1982, 162).

The third descriptive classification of error is Comparative Taxonomy. The classification of errors in a comparative taxonomy is based on comparisons between the structure of L2 errors and certain other types of constructions (Burt, Dulay, and Krashen, 1982, 163). There are two types in comparative taxonomy, they are developmental errors and interlingual errors. Developmental errors are errors similar to those made by children learning the target language as their first language (Burt, Dulay, and Krashen, 1982, p.165). In this kind of error, learner may lack many words in constructing an utterance. The other type in comparative taxonomy is interlingual errors. As mentioned earlier, interlingual errors are similar in structure to a semantically

equivalent phrase or sentence in the learner's native language (Burt, Dulay, and Krashen, 1982, p.171).

The last is Communicative Effect Taxonomy. This taxonomy deals with errors from the perspective of their effect on the listener or reader and focuses on distinguishing between errors that seem to cause miscommunication and those that don't (Burt, Dulay, and Krashen, 2012, p.189). Communicative effect taxonomy is divided into two based on the effect. The error that hinders communication is global error while the another is local error.

Error that affects overall sentence organization significantly hinder communication is labeled as Global errors (Burt, Dulay, and Krashen, 1982, p.191). There are 4 systematic global error according to Burt, Dulay and Krashen (1982, p.191):

“1. Wrong order of major constituent.

e.g. English language use many people

2. Missing, wrong, or misplaced sentence connectors.

e.g. (if) not take this bus, we late for school.

He will be rich until he marry.

(when)

He started to go to school since he studied very hard.

3. Missing cues to signal obligatory exceptions to pervasive syntactic rules.

e.g. the student's proposal (was) looked (by) the principal.

4. Regularization of pervasive syntactic rules to exceptions.

(in transformational terms, not observing selectional restrictions on certain lexical items)

e.g. We amused that movie very much.

(that movie amused us very much.)’

Another type of error is labeled as local error. Local error affects single elements in a sentence. Errors that affect single elements (constituents) in a sentence do not usually hinder communication significantly (Burt, Dulay, and Krashen, 1982, p.191). This kind of error includes errors in noun and verb inflections, articles, auxiliaries and the formation of the quantifiers.

2.5 THE CONCEPT OF ERROR ANALYSIS

According to Gass and Selinker (2008, p.103), there are some steps in conducting error analysis. Collecting the data is the first step. The data can be either oral data or written data. If the data is oral data, researcher has to make the transcript before continue to the next step. Identifying error is the second step. In this step, researcher tries to find the error from the data. The third is classifying the error. In this step, researcher classifies the error which is found on previous step. Quantifying error is the last step. In this step, researcher quantifies the number of error in each category.

In this research, researcher uses Ethnography Research Design. Ethnographic Design are qualitative research procedures for describing, analyzing and interpreting a culture-sharing group's shared patterns

of behavior, beliefs and language that develop over time (Creswell, 2012, p.461). Researcher considers that ethnographic design matches with the students who shares pattern of behavior and language. This consideration is influenced by the fact that the students have been together since they study in this school. This event has increased the possibilities that they have developed shared values, language or beliefs.

In this research, the design will be more specific to case studies. Researcher finds that this type of ethnography can give a clear path for the researcher to conducting a research with a single interest. Case study researchers may focus on a program, event, or activity involving individuals rather than a group per se (Stake, 1995, in Creswell, 2012, p.465).

The population of this research is all students of grade eleven of SMA Pangudi Luhur Bandar Lampung in academic year 2014-2015. In this research, I choose 5 students from social-science class and 5 students from natural-science class.

Before I conduct the research, I make a procedure in order to arrange the research to be more systematic. These are the steps that researcher will follow:

1. Determining the research subject.
2. Giving translation task to the students.
3. Analyzing the students' work and classifying it according to communication effect taxonomy.
4. Reporting the result of the research
5. Making conclusion.

In collecting the data, I will use Document. Students must translate a text which is written in Indonesian into English. This form is selected because I focus on the students' work. Document is a kind of data collecting technique for qualitative research. Document represents a good source for text (word) data for a qualitative study (Cresswell, 2012, p.223).

In analyzing the data, I will use some steps in error analysis. According to Gass and Selinker (2008, p.103), there are some steps in conducting error analysis, they are Collecting Data, Identifying Error, Classifying error, and Quantifying Error. Collecting the data is the first step. The data can be either oral data or written data. If the data is oral data, I have to make the transcript before continue to the next step. The second is to organize the data. Organization of data is critical in qualitative research because of the large amount of information gathered during a study (Cresswell, 2012, p.238). Third, I will classify the errors by using Communicative Effect Taxonomy and Surface Strategy Taxonomy. The Fourth, I will quantify the error in each category. The last, I will write the conclusion.

3. DISCUSSION

The result of the research will be explained as follows. In analyzing some students' work, I followed some procedures. First, I collected the students' work and changed their names into codes in order to simplify the process of analysis.

Table 1: Students' Code

No	Name	Class	Code
1	Putri Ferirra Zumaris	NSC	A1
2	Debby Via Gracellia	NSC	A2
3	Namira Dwi Yulia	NSC	A3
4	Elizabeth Eka Gita Meilani	NSC	A4
5	Ayu Sundari	NSC	A5
6	Cindy Elita	SSC	S1
7	Hana Septiana Dewi	SSC	S2
8	Desta Nugraha Saputri	SSC	S3
9	Ricky Zasinto M.	SSC	S4
10	Shanti Pratiwi	SSC	S5

Second, I analyzed the text by using two taxonomies, they were surface strategy taxonomy and communicative effect taxonomy. For the first analysis, I used communicative effect taxonomy, because the focus of this research is to analyze some errors that influence the meaning. Communicative Effect Taxonomy is divided into Global Errors and local errors (Burt, Dulay, and crashen, 1982, p.189), so the first analysis will focus only on Global Errors and local error. For the second analysis, I used Surface Strategy Taxonomy, because there is a possibility for the students to do grammatical errors. Surface Strategy Taxonomy is divided into 4 categories, they are omission errors, addition errors, misordering errors, and misinformation errors.

3.1 ANALYSIS BASED ON COMMUNICATIVE EFFECT TAXONOMY

In this part, the analyses will focus on finding Global Errors and Local Errors.

1. Kura-kura dan Sepasang Itik.

Correct : A turtle and a couple of ducks.

Incorrect :

- a. Local error : (A2, S1, S2, S3, S4, S5)

There are some errors on the articles.

Example : turtle and couple duck.

- b. Global Errors : there are no Global Errors in the sentence.

3.2 ANALYSIS BASED ON SURFACE STRATEGY TAXONOMY

In this part, the analyses will be divided into 4 analyses which are based on Surface Strategy Taxonomy.

A. Omission Error

Omission errors are characterized by the absence of an item that must appear in a well-formed utterance (Dulay, Burt, & Krashen, 1982).

1. Kura-kura dan Sepasang Itik

Correct : A turtle and a couple of ducks

Incorrect : (S2, S3)

Some students omit an article "a", preposition "of", and suffix "s" from the sentence.

Example : The turtle and couple duck.

B. Addition Error

Addition has three sub-type, they are double markings, regularizations and simple additions. They are characterized by the presence of an item which must not appear in a well-formed utterance (Burt, Dulay, & Krashen, 1982).

8. Suatu hari dia bertemu dengan sepasang itik dan menceritakan semua masalahnya.

Correct : One day, the turtle met a couple of ducks and told all of its problems.

Incorrect : (A1, A3, S1, S3)

Some students add "with" to the sentence.

Example : One day, the turtle met with a pair of ducks and told all its problems.

C. Misformation Error

Misformation errors are characterized by the use of the wrong form of the morpheme or structure (Dulay, Burt, & Krashen, 1982). Misformation has three types hitherto, they are regularizations, archi-forms and alternating forms.

4. Setelah bertahun-tahun, si kura-kura mulai berharap agar suatu saat dia bisa menghadiri pesta pernikahan.

Correct : After some years, the turtle began to hope that one day it could attend a wedding party.

Incorrect : (A2, A3, A4, A5)

Some students use the wrong form of a pronoun. The pronoun "her" which is object pronoun should be replaced by subject pronoun.

Example : after many years, the turtle began to hope that one day (her) could attend a wedding.

D. Misordering Error

As the label suggests, misordering errors are characterized by the incorrect placement of a morpheme or a group of morphemes in an utterance (Dulay, Burt, & Krashen, 1982).

1. Kura-kura dan Sepasang Itik

Correct : A turtle and a couple of ducks

Incorrect : there is no misordering error in the sentence.

Tables below are the numbers of errors that I found in analyzing the sentences. The first table is showing the numbers of error that can be classified as Global Errors and local errors.

Table 2: Total numbers of students' error according to communicative effect taxonomy.

No	students' code	communicative effect taxonomy		
		global errors	local errors	total
1	A1	1	5	6
2	A2		6	6
3	A3	1	6	7
4	A4		6	6
5	A5	1	7	8
6	S1		5	5
7	S2		5	5
8	S3		5	5
9	S4		7	7
10	S5		7	7
TOTAL		3	59	62

Based on the table above, researcher has calculated the percentage of students' errors based on the communicative effect taxonomy as follows:

1. The total number of Global Errors is 3 and the percentage is 4.83% based on the following calculation.

Percentage of Global Errors

$$= \frac{\text{Total Global Errors}}{\text{Total errors}} \times 100\%$$

$$\text{Percentage of Global Error} = \frac{3}{62} \times 100\% = 4.83\%$$

2. The total number of Local errors is 59 and the percentage is 95.1% based on the following calculation.

Percentage of Local Errors

$$= \frac{\text{Total Local Errors}}{\text{Total errors}} \times 100\%$$

$$\text{Percentage of Local Errors} = \frac{59}{62} \times 100\% = 95.1\%$$

Table 3: Total numbers of students' error according to surface strategy taxonomy

no	students' code	surface strategy taxonomy				total
		Omission errors	Addition errors	Misformation errors	Misordering errors	
1	A1	5	4	4	0	13
2	A2	3	4	6	0	13
3	A3	4	3	9	0	16
4	A4	5	2	11	0	18
5	A5	5	4	9	0	18
6	S1	7	2	0	0	9
7	S2	8	2	1	0	11
8	S3	8	3	2	0	13
9	S4	6	0	2	0	8
10	S5	6	0	0	0	6
total		57	24	44	0	125

Based on the table above, researcher has calculated the percentage of student error type based on the communicative effect taxonomy as follows:

1. The total number of Omission errors is 57 and the percentage is 45.6% based on the following calculation.

Percentage of Omission Errors

$$= \frac{\text{Omission Errors}}{\text{Total errors}} \times 100\%$$

Percentage of Omission Errors

$$= \frac{57}{125} \times 100\% = 45.6\%$$

2. The total number of Addition errors is 24 and the percentage is 19.2% based on the following calculation.

Percentage of Addition Errors

$$= \frac{\text{Total Addition Errors}}{\text{Total errors}} \times 100\%$$

Percentage of Addition Errors

$$= \frac{24}{125} \times 100\% = 19.2\%$$

3. The total number of Misformation errors is 44 and the percentage is 35.2% based on the following calculation.

$$\begin{aligned} & \frac{\text{Percentage of Misformation Errors}}{\text{Total Misformation Errors}} \times 100\% \\ &= \frac{\text{Percentage of Misformation Errors}}{\text{Total errors}} \times 100\% \\ &= \frac{44}{125} \times 100\% = 35.2\% \end{aligned}$$

4. The total number of Misordering error is 0 and the percentage is 0% based on the following calculation.

$$\begin{aligned} & \frac{\text{Percentage of Misordering Errors}}{\text{Total Misordering Errors}} \times 100\% \\ &= \frac{\text{Percentage of Misordering Errors}}{\text{Total error}} \times 100\% \\ &= \frac{0}{125} \times 100\% = 0\% \end{aligned}$$

4. CONCLUSION

The grade eleven students of SMA Pangudi Luhur Bandar Lampung did some types of error based on communicative effect taxonomy and surface strategy taxonomy. They were Global Errors, Local Errors, Omission Errors, Addition Errors, and misformation Errors. From 10 students' translation, I found 62 errors based on communicative effect taxonomy. I have classified and calculate the errors into 2 kinds of errors: Global Errors is 3 errors (4.83%), and local error is 59 errors (95.1%). On Surface Structure Taxonomy, there are 125 errors that are the sum of 57 omission errors (45.6%), 24 addition errors (19.2%), 44 misformation errors (35.2%), 0 misordering errors (0%) After researcher analyzes students' translation, researcher finds that the most dominant error is Local Errors on Communicative Effect Taxonomy while

Omission Errors are the most dominant error on Surface Strategy Taxonomy.

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ERROR ANALYSIS ON STUDENTS' WRITTEN AND SPOKEN ENGLISH

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ABSTRACT: Making error in using a language is the result of incomplete command of the language system (Corder, 1974). A language learner might commit errors while trying to use the target language either in written or spoken form (Ellis, 1994; Richards, 1974). To look at the possible error, the paper presents a preliminary study on error analysis of students' written and spoken English. It focuses on the students' essays for using English in a written form and monologues in a spoken form. The participants are two students in the 6th semester at Teacher Training and Education Faculty, English Education Program, Bandar Lampung University. It is found that the errors involve subject-verb agreement, tenses, part of speech and vocabularies. For surface strategy taxonomy (Dulay, Burt & Krashen, 1982), the errors include omission, addition, misformation and misordering.

Keywords: Error, language learner, surface strategy taxonomy, written and spoken English.

1. INTRODUCTION

A language learner might commit errors while trying to use the target language either in written or spoken form (Ellis, 1994; Richards, 1974). It is the result of incomplete command of the language system (Corder, 1974). To look at the possible error, the paper presents a preliminary study on error analysis of students' written and spoken English. It focuses on the students' essays for using English in a written form and monologues in a spoken form. It aims to classify the elements of error made by students.

2. MATERIAL AND METHOD

The data are written and spoken texts taken from two students of Bandar Lampung University at the 6th semester of English Education Study Program. The written texts are essays with different topics and the spoken texts are recorded monologues. The data are analyzed in terms of the errors in subject-verb agreement, tenses, part of speech and vocabularies. Further, the analysis also includes the surface strategy:

omission, addition, misformation and misordering (Dulay, Burt & Krashen, 1982).

3. RESULT AND DISCUSSION

The errors made by students involve Subject-Verb Agreement, Part of Speech, Tense and Vocabularies below.

- (1) *She always suport me.*
(Instead of *She always supports me*)
- (2) *And I think I have to be succes woman.*
(Instead of *And I think I have to be a successful woman*)
- (3) *I enter in my university in 2012 years.*
(Instead of *I joined my university in 2012*)
- (4) *Mylecture gave me homework or presentation.*
(Instead of *My lecturer gave me homework or presentation*)

Figure 1 shows the calculation of errors involving subject-verb agreement, part of speech, tense and vocabulary from the data.

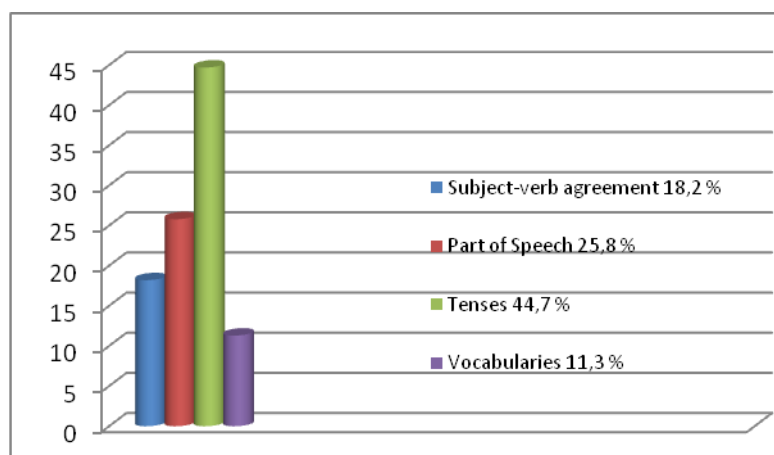


Fig 1: Graph errors for subject-verb agreement, part of speech, tense and vocabulary

From the total (159), mostly errors are in using tenses (44,7%; 71 errors). And errors in using vocabularies are the least (11,3%; 18 errors). It is also found that

errors in subject-verb agreement are 18,2% (29) and errors in part of speech are 25,8% (41 errors).

Student also made errors in terms of omission, addition, misinformation and misordering as in the following.

- (5) *She....always strongth.*
(instead of *She is always strong*).
(6) *But I always to do the best for it.*
(Instead of *But I always do the best for it*)
(7) *I always interest to do my activity in my life.*
(Instead of *I am always interested to do my activity in my life*)

- (8) *I don't know what will i do in the future.*
(Instead of *I don't know what I will do in the future*)

Figure 2 shows the calculation of errors in terms of omission, addition, misinformation and misordering from the data.

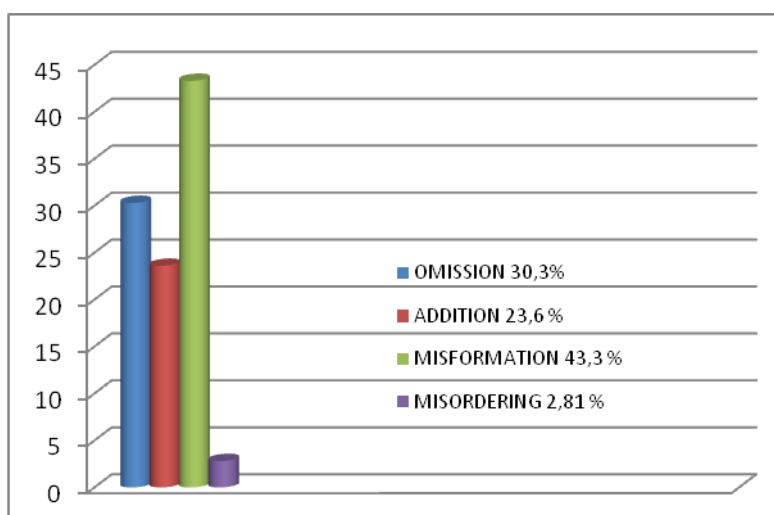


Fig 2: Graph errors for subject-verb agreement, part of speech, tense and vocabulary

From the total (178), the most errors are in misinformation (43,3%; 1 errors). The least errors are in misordering (2,81%; 18 errors). It is also found that errors in omission are 30,3% (54 errors) and in addition are 23,6% (42 errors).

4. CONCLUSION

Types of errors committed by students involve subject-verb agreement, part of speech, tenses, and vocabularies. The finding shows that students are mostly made errors in tenses. In terms of omission, addition, misinformation and misordering, students also made errors and mostly errors are in misinformation.

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FIGURATIVE ANALYSIS OF KANTOLA ON TUNUHA CELEBRATING IN MUNA SOCIETY, SOUTH EAST SULAWESI

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ABSTRACT - This study investigated the kinds and meaning of figurative languages used on kantola. The problem statements were what kinds of figurative languages used in kantola and what were the meaning of figurative languages used in kantola. The objective of the study were to describe the kinds of figurative languages which used in kantola. The writer classified the kinds of figurative languages based on Perrine and Joyet's theory. The design of this study was descriptive qualitative. The technique of the data collection were: 1) Transcribe the data from oral to written data, 2) identified and finding the figurative languages, 3) Underlined the figurative language, 4) Identified the kinds of figurative language. In this study, the data analyzed by using pragmatic approach, it was analysis of kinds based on the fifteen kinds of figurative languages which accurate in the theory, and analysis of the meaning based on the context. The result of the study showed that there were five kinds of figurative languages that found in kantola. They were figurative languages of hyperbole (overstatement), understatement, synecdoche, personification and allegory.

Keywords: Figurative, Kantola, Tunuha, Tradition, Language

1. INTRODUCTION

The investigation of culture is needed because the oral tradition is sources which never die to perfection and integrity of the national culture. The oral tradition is one part of the regional culture that needs to maintained and preserved. But nowadays, the study of oral tradition especially *kabhanti* currently getting less known by the public and extinct threatened because less of people who master of *kabhanti*, it needs serious attention from all people.

According to La Mokui (1991) *kabhanti wuna* can be divided into four kinds, namely *Kantola*, *Watulea*, *Gambusu* and *Modero*. *Kantola* is kind of traditional game, where the players stand facing the male and female players. *Kantola* event is usually held at night in the dry season after the completion of the harvest cassava and sweet potatoes. According to informant, *tunuha* is one of tradition burn cassava in the soil. The implementation of *tunuha* as the expression thanks to Allah for harvest is abundant. Since morning, the men had prepared a hole in the ground, Hole area of five square meters prepared to bury cassava. While, women prepare ingredients such as brown sugar, bamboo, teak leaves, string ties, and than cassava being the main ingredient. *Watulea* always use rhythm and usually sung at the time of cutting woods or gardening. *Gambusu* *iskabhanti* sung to the accompaniment of stringed instruments rhythm. *Modero* is sung during the play *Modero*. *Modero* is a dance area is almost the same as lulo dance. The players form a circle holding hands while singing in rhythm with the dance steps.

Kantola is a song with a rhythmic song, loud voice, tone and tempo has regularly as the characteristic of the song *kantola*. In implementation, *kantola* is divided into two act. The first act of the sound form without poem called *rurunte*. *Rurunte* committed by men and woman. The second act is sound form with poem.

Before starting of *kantola*, each group determines who became chairman of the group. Chairman of the selected group is the person skilled utterance songs; carefully interpret the meaning of the song/poem, adept and intelligent. The other members follow or complete lines rhyme, lines that have been utterance it. The poem was done spontaneously and memorized by a member of the group at that time.

One of language application in *kantola* is figurative language. It is an indirectly expression which there is a change of meaning. Of course, the using of figurative language has a purpose. Based on the statements in background, there are two kinds will be discuss in this study, they are:

- 1). What are the kinds of figurative languages in the lyrics of kantola?
- 2). What is the meaning of figurative languages used in the lyrics of kantola?

2. MATERIAL AND METHOD

Base on the problems above, the objective of the study were to describe the kinds of figurative languages which used in *kantola*. The writer classified the kinds of figurative languages based on Perrine and Joyet's theory. The design of this study was descriptive qualitative. The technique of the data collection were: 1) Transcribe the data from oral to written data, 2) identified and finding the figurative languages, 3) Underlined the figurative language, 4) Identified the kinds of figurative language. In this study, the data analyzed by using pragmatic approach, it was analysis of kinds based on the fifteen kinds of figurative languages which accurate in the theory, and analysis of the meaning based on the context.

3. DISCUSSION

In Muna language found a number of figurative languages used in *kantola*. There are 22 figurative languages found in articles in *Kantola*. They are 4

hyperbole, 1 understatement, 1 synecdoche, 2 personification, and 14 allegory. It means that there are five kinds of figurative languages that found in *Kantola*. The writer did not find some kinds of figurative languages in *Kantola*, such as apostrophe, simile, metaphor, metonymy, symbol, paradox, verbal irony, onomatopoeia, alliteration and idiom. It means that there are 10 kinds of figurative language that did not occurred from fifteen kinds of figurative languages based on the theory.

The Analysis of Kinds and Meaning of Figurative Languages Used in *Kantola*

1. Hyperbole (overstatement)

This kind of figurative languages occurred in some stanzas. From all of the data, there were four stanzas contained hyperbole (overstatement). The data analyzed as follows:

Stanza 1: This poem is about the invitation of the men who ask the girls to join humming together.
Excerpt:

L: **wangkuni Maimo tonda** = wangkuni come join

Ombadha ngkoalomamo = the body is already sweaty
The data that considered as hyperbole in excerpt above is the phrase "**ombadha ngkoalomamo**". It is considered as hyperbole because it is simply exaggeration in the service of truth, the which the word '**ombadha ngkoalomamo**' as a marker indicate that it is the hyperbole sentence. In the clause the word '**ombadha ngkoalomamo**' indicate the men's body already sweaty waiting for the girls to join singing together but the use of the word seems hyperbole, because it is not showing the truth or the fact of the real happen. It means that the word '**ombadha ngkoalomamo**' only implies that the men had long time wait the girls to sing together. The meaning of the excerpt above is that the men had long time the girls to join humming together.

Stanza 2: This poem is about a man who still consider his decision whether the girl who will be his wife or not.

Excerpt:

L: **koemo bhela mpenaghaane** = do not ask about him

Nando nolentu-lentu lalono = the man still count his heart

The data that considered as hyperbole in the excerpt above is the phrase '**nando nolentu-lentu lalono**'. It is considered as hyperbole because the word '**nolentu-lentu lalono**' here refers to exaggeration. The man did not make wrong decision. **Nando nolentu-lentu laono** like the man have a lot heart or more than one. However, in reality, it is not evidence that the male from the still count his heart, because there is no certainty about the real fact. Therefore, the data is is considered as the figurative language of hyperbole.

The meaning of the excerpt above is that the man's still consider his decision whether the girl who will be his wife or not.

Stanza 3: This poem is about a man who make so much time to consider his decision. So it makes the girl wait too long.

Excerpt:

P: **kalomponano olentu lalo** = you counted your heart too long

Onaefie efie himo = need a long time to make decision

The data that considered as hyperbole in the excerpt above is the phrase '**kalomponano olentu lalo**'. It is considered as hyperbole because The word '**kalomponano olentu lalo**' here refers to exaggeration. It exaggerates that why the heart should count while the heart is only one that is an expression that describes that this man is still doubt to marry his love. The true meaning is a man who make so much time to consider his decision so that make the girl waited for a long time. **Nando nolentu-lentu lalono** like the man have a lot heart or more than one. Therefore, the data is considered as the figurative language of hyperbole.

The meaning of the excerpt above is that of a man who make so much time to consider his decision. so that, he makes the girl wait for a long time

Stanza 4: This poem is about a girl who complained to her boyfriend for a long time already waiting for confirmation or marrying and he was worried that she will be old, if the man did not come to make sure about their relationship.

Excerpt:

P: **kalomponano olentu wula** = you counted the month too long

Tanaomba-ombamo ghua = gray hair will grow

The data that considered hyperbole in the excerpt above is the phrase "**tanaomba-ombamo ghua**". It is considered as hyperbole because the word '**tanaomba-ombamo ghua**' here refers to exaggeration. It exaggerates that **Tanaomba-ombamo ghua** is excessive expression because this girl said they would already old when he did not immediately marry her. But he said that he still considers and count the good days he also remember their relationship not too long ago and they are still young. So why should they hurry. However, in reality, the man and the woman still young and reviews their relationship has not been too long, because there is no certainty about the real fact. Therefore, the data is considered as the figurative language of hyperbole. The meaning of the excerpt above is about a girl who complained to her boyfriend because she already waited too long for confirmation or marrying, and she was worried that she will be old, if the man did not come to make sure about their relationship.

2. The Understatement

The next kinds of figurative languages that occurred in *Kantola* was understatement. There were one stanza represented in this *Kantola* understatement. The analyzed data were as follows:

Stanza 1: This poem is about a man who said to the girl do not worry about things that have not happened because they are still young. So, don't be so hurry because their relationship is still on beginning stage.

Excerpt:

L: **onsariafa naomba ghua** = gray hair will not grow

Naho setanga-setanga wula = just a half month

The data that considered understatement in the excerpt above is the phrase "**Naho setanga-setanga**

wula". It is clearly seen that phrase is understatement because the man says less than what he means, What he actually means is a few years not 15 days. Thus, it is concluded that understatement is a way of statements that does not relate with the real situation, which in this case the speaker or writer reduce or degrading words of the actual situation.

The meaning of the excerpt above is that this man told the girl not to worry about age because they are still young. So, don't be hurry and their relationship still in beginning stage.

3. Synecdoche

Besides reviews those kinds of figurative languages, synecdoche also appears in this *Kantola*. The data that considered as synecdoche consist of one stanza. The analyzed data were as follows:

Stanza 1: The poem is about a statement of female why should hurry to marry while they are not old enough to step into marriage.

Excerpt:

L: *ohaemo daehamba* = why we should hurry?

Mbadha kohende- hendeno = the chest began to grow up

The data that considered as synecdoche in the excerpt above is the phrase "*mbadha kohende-hendeno*". It is synecdoche because the speakers use *mbadha kahende-hendeno* as a part to explain a whole. Thus, the sentence means that the speaker want to say that they are still young. Therefore, it is concluded that synecdoche is a figurative language which mention a part of something to explain a whole. The meaning of the excerpt above is that the statement of female why should hurry to marry while we are not old enough to step into marriage.

4. Personification

The kinds of personification also found in this *Kantola*. The personification of the data consisted of two stanzas. The analyzed data were as follows:

Stanza 1: This poem is talking about if they serious with their relationship, it is good thing and soon they can marry immediately

Excerpt:

P: *ane-sumuli dasumuli kundo* = if we get together again

Dameabhamo bhela ngkarete = we have to ask the yard

The data that considered as personification in the excerpt above is the phrase "*Dameabhamo bhela ngkarete*". It is regarded as personification, because it is considers the *ngkarete* as human being. Meanwhile, the yard is an inanimate object that cannot speak. The meaning of the excerpt above is that if they had a serious relationship it would be nice to come to marry the girl.

Stanza 2: This poem is about a man who said that since she went to complete her studies, there appears to be another man who falling in love with this girl. So, this guy is doubt to get engaged because of the third person in their relationship.

Excerpt:

L: *arunsa ngkarete ini* = I leave this yard

Nando bhe kombiritan = someone bring the news

The data that considered as personification in the excerpt above is the phrase "*arunsa ngkarete ini*". It is regarded as personification because it is considers the *Arunsa Ngkarete* as human being that means leaving the girl. Meanwhile, the yard is an inanimate object that cannot speak. The meaning of the excerpt above is that this man said since he went to finish his studies, it seems that there is another man who falling in love with this girl. So, this guy is doubt to get engaged because of the third person in their relationship.

5. Allegory

After analyzed all the data, the writer also found fourteen figurative language allegoris. The analyzed data were as follows:

Stanza 1: This poem is about if married with the family, the impression is not good

Excerpt:

P: *domondo simbasitie* = married with the relatives

Nokara bhela Oeno ntopa = not good enough

The data that considered as an allegory in the excerpt above is the phrase "*Nokara bhela Oeno ntopa*". It is regarded as an allegory because in the phrase the speaker means that the hearer is going to get bad reaction. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that if we get married with the relatives, the impression is not good.

Stanza 2: This poem is about even though she was already very old, but a woman will not offer themselves for a man to marry immediately

Excerpt:

P: *kaasi bhela Malonda ngkuni* = although they are not meant to be

Naekapundu bhela ngkaasi = she offers herself

The data that considered as an allegory in the excerpt above is the phrase "*kaasi bhela Malonda ngkuni, Naekapundu bhela ngkaasi*". It is regarded as an allegory because in the phrase means that the speaker does not deserve a woman offers herself to a man to marry. The meaning of the excerpt above is that even though he was already very old but they will not offer themselves to men to marry immediately.

Stanza 3: This poem is about a girl who said that they did not get married because no one likes her but if the man did not get married, what causes it?

Excerpt:

P: *Malonda ngkuni nokae henga* = there is no man who love her

Malonda dhangka nokae hae? = What causes a man does not get married

The data that considered as an allegory in the excerpt above is the phrase "*Malonda ngkuni nokae henga, Malonda dhangka nokae hae?*" It is regarded as an allegory because in the phrase the speaker means that the woman does not get married because there is no man who love her. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that the girl said that they did not get married because no one likes her, and

she questioned the reasons why a man does not get married.

Stanza 4: This poem is about a girl said that they did not get married because no one likes her but if the man did not get married, it means that they do not have enough money to get married.

Excerpt:

L: *Malonda ngkuni nokae henga* = there is no man who loves her

Malonda dhangka nokae kupa ee = there is no money to get married

The data that considered as an allegory in the excerpt above is the phrase "*Malonda ngkuni nokae henga, Malonda dhangka nokae kupa ee*". It is regarded as an allegory because in the phrase the speaker means that a woman does not get married it was caused by no man love while if a man does not get married, it was because he did not have enough money to marry. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that the girl said that they did not get married because no one loves her but if the man did not get married, it means that they do not have enough money to get married

Stanza 5: This poem is about the who hoped their party will take place in implemented accordance with customary

Excerpt:

L: *mpilikumo dua idi* = I hope so

Tabea bhela ngkario-rio = should accepted the proposal

The data that considered as an allegory in the excerpt above is the phrase "*Tabea bhela ngkario-rio*". It is regarded as an allegory because in the phrase the speaker means that the party must take place appropriately to the local communities and accordance with customary. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative.

Stanza 6: This poem is about hopes of the girls that this marriage will take place and implemented in accordance with customary.

Excerpt:

P: *otolakumo odua idi* = I hope so

Tabea bhela ngkario-rio = should take the proposal

The data that considered as an allegory in the excerpt above is the phrase "*Tabea bhela ngkario-rio*". It is regarded as an allegory because in the phrase the speaker means that the party must take place appropriately to the local communities. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that his prayer was also during this time that this marriage will go well and in accordance with customary

Stanza 7: This poem is about a wedding don't have to be made difficulty be make difficult because all of it can be arranged kinship because they are neighbors.

Excerpt:

P: *onahali ohaenono* = why so expensive

Sewataha mpanguale = we are neighbor

The data that considered as allegory in the excerpt above is the phrase "*onahali ohaenono, Sewataha mpanguale*". It is regarded as an allegory because in the phrase the speaker means that it's not complicated and all arranged amicably because we are neighbors. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that it's not complicated all arranged amicably because we are neighbors. So, just make it simple.

Stanza 8: This poem is about if everything is fine, a man will be soon delivered to his parents to come in the girl's house and immediately marry.

Excerpt:

L: *ane namedamo anagha* = if it's like that

amoratomo nsangiaku e = I will tell my parents

The data that considered as allegory in the excerpt above is the phrase "*ane namedamo anagha, amoratomo nsangiaku e*". It is regarded as an allegory because in the phrase the speaker means that if he hopes that's it true, and he will convey to his parents and come to her house and everything's fine marry immediately. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that if he hopes that it is true and he will convey to his parents to her house immediately and everything fine marry marry immediately.

Stanza 9: This poem is about a statement by a girl when he was taking it seriously, then he should immediately deliver and invite his parents to come to her home and marry her.

Excerpt:

P: *oforatomo onsangiamu* = tell your parents

Sumuli angkamo kundo = you will back through backside

The data that considered as an allegory in the excerpt above is the phrase "*oforatomo nsangiamu, sumuli angkamo kundo*". It is regarded as an allegory because in the phrase the speaker means to say that if men taking seriously then go to the girl's home and get married. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that when he was taking seriously then he should immediately deliver and invite his parents to come to the girl's home soon and marry

Stanza 10: This poem is about do not make bad impression about our relationship, because all of that can be arranged amicably.

Excerpt:

L: *komodopoga-pogai kundo* = we should not take from backside

Mina bhelaha-lahaenoe = no one can tear us apart

The data that considered as an allegory in the excerpt above is the phrase "*komodopoga-pogai kundo*". It is regarded as an allegory because in the phrase the speaker means that do not make bad impression about their relationship, all of that can be arranged amicably.

Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is do not make bad Impression about their relationship, because all of that can be arranged amicably

Stanza 11: This poem is about, if there is one of the families who do not agree, it's not going to be a problem as long as they love each other

Excerpt:

P: **aligho bhela ombasitie** = if one of our families

Dawuno bhela Negai kundo = did not agree with us

The data that considered as an allegory in the excerpt above is the phrase "**Negai bhela Dawuno kundo**". It is regarded as an allegory, because in the phrase the speaker means that the things are did not matter as long as they love each other. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is all things that did not matter as long as they love each other.

Stanza 12: This poem is about a girl who says that it is man that is what they mean.

Excerpt:

P: **koemo bhela mpogau mpuka** = don't avoid them

Ingka ndosintu-sintumo itu = it's you that I choose

The data that considered as an allegory in the excerpt above is the phrase "**koemo bhela mpogau mpuka**". It is regarded as an allegory because in the phrase the speaker means that a girl who says that a man would shows clearly what does he mean. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative.

The meaning of the excerpt above is that of a girl who says that a man should shows clearly what does he mean

Stanza 13: This poem is about a girl that considers a man really in love with her but why this man suddenly doubt about his feeling to her.

Excerpt:

P: **sikatonduno bhela lalomu** = you really love her

Ombara oangka hae = why are you suddenly doubt

The data that considered as an allegory in the excerpt above is the phrase "**sikatonduno bhela lalomu**". It is regarded as an allegory, because in the phrase means that the speakers are really in love to the girl. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is that a girl considers this man really in love or great for her but suddenly, this man doubt about his feeling.

Stanza 14: This poem is about a man who asked for time to counting for the good days to hold the engagement ceremony, because of the women were urged to married immediately.

Excerpt:

L: **Sabara Kasami Deki** = you should be patient

Odalumentu deki owula = we have to count the month

The data that considered as an allegory in the excerpt above is the phrase "**Odalumentu deki owula**". It is regarded as an allegory because in the phrase the speaker means that a man who asked to counting the good days to hold the engagement ceremony, because of the women were urged to married immediately. Thus, it can be concluded briefly as the representation of abstract ideas or principles by characters, figures, or events in the narrative. The meaning of the excerpt above is a man who asked to counting for the good days to hold the engagement ceremony, because of the women were urged to married immediately.

4. CONCLUSION

Based on the result of this study which is described on the previous chapter, the writer concludes that:

1. The speaker of *Kantola* use combination language, in the case figurative and literal in their poem.
2. There were twenty two items of stanza which used figurative languages that used as the data of this study
3. There were five kinds of figurative languages that used in *Kantola* in performance process, the figurative language were hyperbole (overstatement), understatement, synecdoche, personification, and allegory are there in *Kantola*. Meanwhile, the figurative languages apostrophe, simile, metaphor, metonymy, symbol, paradox, verbal irony, onomatopoeia, alliteration and idiom are not founds in *Kantola*.

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IMPROVING STUDENTS AFFECTIVE DOMAIN THROUGH ASIAN PARLIAMENTARY DEBATE TECHNIQUE

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ABSTRACT - The objective of this research is to see the improvement of the students' affective domain through Asian parliamentary debate technique at English club of SMK Negeri 3 Terbangi Besar Lampung Tengah. Affective Domain is related to the students' motivation, value, attitude and behavior. Affective domain consists of some levels, receiving, responding, valuing, organization, characterization which also consists of some operational verbs in each level. Affective domain is one of the domains that should be improved during teaching and learning process. Observation, interview and questioners were used to collect the data. The researcher conducted observation for 3 times, interview for 2 times. The result of this study revealed that most operational verbs in each level were achieved during the Asian debate activity. However, at the level of characterization only some operational verbs were not well achieved based on the result of the questioners. Moreover, the student's perception during interview was figured out that there was some improvement before and after the debate. Therefore, teachers are expected to implement the Asian debate technique to see the improvement of the students' affective domain in learning English.

keywords: Affective Domain, Asian Parliamentary Debate

1. INTRODUCTION

The roles of teacher in education field are not only to give or to transfer knowledge to students, but also to facilitate the students' learning needs. A good teacher has to try hard to change the students' attitude. A good teacher cares more about their students' learning than they do about their own teaching [1]. Teachers are required to have a comprehensive preparation before, when, and after the teaching. Making a lesson plan is one of the teachers' tasks before teaching. Teacher should decide the material which is appropriate for the level and decide the objectives and indicators of their teaching and learning process. Indicator is used as a basis to arrange an instrument of assessment by using some operational verbs [2]. The operational verbs which are used contain some domains, cognitive, affective and psychomotor domains which are known as Bloom's Taxonomy.

In addition to the teachers' roles, teachers are assigned to deliver material to students using interesting technique. Technique is a particular trick stratagem, or contrivance used to accomplish an immediate objective [3]. So using more interesting technique may create the atmosphere of teaching and learning process to be more comfortable and will motivate students to learn better to accomplish the learning objectives. In teaching English as a foreign language, teacher should motivate the students to be active to speak in order to improve their ability in speaking. It means that students are expected to be able to apply their ability in a real situation for example students are motivated to communicate in the target language. Individual motivation is seen as innate behavior which is influenced by the outcomes and the process of a task, and the role of external factors such as teachers in influencing individual motivation [4]. For this, it is an appreciable chance for teacher to develop their teaching to improve students' motivation, ability and

also students' attitude which are discussed in relation to the domains of Bloom's Taxonomy. The three domains of Bloom's Taxonomy are cognitive (knowledge), affective (motivation, attitude, and value) and psychomotor (physical ability). Cognitive domain is about intellectual aspect, for example knowledge and thinking skill. Affective domain is about emotional of students which includes motivation, value, and attitude. Psychomotor domain involves behaviors that require neuromuscular coordination. Furthermore, affective domain includes the manner which deals with things emotionally, such as feelings, values, appreciation, enthusiasm, motivation, and attitudes [5]. There are some levels in affective domains. They are receiving, responding, valuing, organization, and characterization. Receiving is the ability to show an attention and to respect other persons for example, students listen to another persons' opinion in a discussion. Responding is the ability to actively participate in learning for example; students participate in a discussion and respond some information. Valuing is the ability of students to determine which one is bad and good for example; students propose opinion in discussion when there is different perception. Organization is the ability to form a value system by harmonizing different value, for example dealing different opinion in a discussion. Characterization is to control behavior and to improve intrapersonal and interpersonal social relation for example students confidently to get involved in discussion [6]. The present situation in teaching and learning process does not proportionally cover the three domains. Teacher only focuses on the cognitive (knowledge) domains which refer to the ability of the students to identify the social function, text structure/grammar, and the elements of narrative text for instance. The Association of Teachers of English as a Foreign Language in Indonesia (TEFLIN) claimed

that there is unequal result on students' attitude and has not achieved to affective and psychomotor domains. However, the purpose of learning foreign language is that students are able to use the language in communication. The motivation of EFL (English as Foreign Language) student is still a problem in Indonesian school context. The problem is that students in Indonesia show low motivation (affective) in learning English. They come to class to fulfill the requirements that students have to be present in class. Most of them are passive in teaching and learning process. Only few are brave to communicate in English. They are shy to speak English. Even they feel hesitant that they think they will produce a lot of mistakes when they communicate in English [7]. In order to find solution to the problem, teacher should select interesting techniques for the teaching and learning process. An interesting technique may create class atmosphere to be more joyful and improve students' motivation and performance. Interesting technique can minimize students' nervousness and hesitation. One of the example techniques which can be used by teacher is a debate. More specifically it is Asian Parliamentary debate technique. Debate is as an educational strategy that fosters critical reasoning and thinking skills as well as heightens awareness of attitudes, values, and beliefs [8]. It means that debate can foster students to think critically by giving some evidences trustfully and good manner in communication. Generally, debate is an activity to exchange ideas between 2 persons or more in which the idea influences other persons in the team to receive suggestion. Debate seems to be a suitable technique which can improve students' motivation, attitude, and value (affective domain). There are three kinds of debate technique which are usually used in debate competition. They are British Parliamentary debate technique, Australian parliamentary debate technique, and Asian Parliamentary debate technique. British Parliamentary debate technique consists of 4 teams and 2 speakers in each team. Asian and Australian Parliamentary debate technique consists of 2 teams and there are 3 speakers in each team. The team that supports the topic is called the government and the team that opposes the topic is called the opposition. Each speaker speaks for 7 minutes in alternating order. There are some terms used in debate, such as motion, case building, and point of information, rebuttal, and definition of motion. In this study, the researcher decides to carry out a research entitled "Improving Students' Affective Domain through Asian Parliamentary Debate Technique". Students' affective domain is hoped to be improved by using Asian Parliamentary debate technique which is applied in teaching and learning process. Furthermore, Asian Parliamentary debate technique is expected to give good motivation for students to communicate in English.

Materials Bloom Taxonomy Bloom's Taxonomy was created in 1948 by psychologist Benjamin Samuel Bloom and several colleagues. It was originally developed as a method of classifying educational goals for student performance evaluation. Bloom's Taxonomy focuses on three major domains of learning: cognitive, affective, and psychomotor. Cognitive domain is about intellectual aspect, for example knowledge and thinking skill. Affective domain is about emotion of students which includes motivation, value, and attitude. Psychomotor domain involves behaviors that require neuromuscular coordination.

Affective Domain

Affective domain is about emotion of students which includes motivation, value, and attitude. Furthermore, affective domain refers to emotions as well as outward expression. Emotion is at the core of the affective domain. This is because emotion is often seen as involving three subcomponents: feeling, cognition, and behavior. Feeling is the psychological sensation one experiences. Cognition is the subjective thoughts that accompany the sensation. Behavior, which might be facial display, body positioning, or a variety of other actions, is related to both feelings and accompanying cognition [9]. Emotion is an impetus to act, an instant plan to solve a problem [10]. Affective domain was the emotion side of human behavior, and it may be juxtaposed to the cognitive side [11]. The development of affective states or feeling involves variety of personality factors, feeling both about ourselves and about others whom we come into contact. There are some levels of affective domain, they are: Receiving is the first level of affective domain. In this level, persons must be aware of the environment surrounding them, be conscious of situations or phenomena and be willing to receive and to tolerate a stimulus. Responding is the second level that persons or students are willing to respond voluntarily without coercion, and receive satisfaction from that response. Valuing is the third level which takes on characteristics of beliefs or attitudes as values are internalized. Individuals do not merely accept a value to the point of being willing to be identified with it, but commit them to the value to pursue it, seek it out, and want it. Students actually begin the process of learning as they compare and contrast new material with their existing ideas, beliefs and attitudes [12]. The fourth level of affective domain is organization. This is organization of value into a system of beliefs, determining interrelationships among students, and establishing a hierarchy of values within the system. Characterization is that individuals act consistently in accordance with the values they have internalized and integrate beliefs, ideas, and attitudes into a total philosophy or worldview. More than that, in every level of affective domain consists of some operational verbs. The operational verbs at the level of receiving are: Ask, choose, describe, follow, give, identify, select, reply and use. The operational verbs at the level of responding are, assist, discuss, conform, present, read, select, tell, write, answer, practice,

2. MATERIALS AND METHOD

report, comply. The operational verbs at the level valuing are, complete, describe, explain, follow, form, initiate, invite, join, propose, share, justify, study and work. The operational verbs at the level of organization are, arrange, combine, generalize, identify, integrate, modify, order, organize, prepare, relate, synthesize, defend, complete. The operational verbs of characterization are, act, display, influence, listen, modify, perform, practice, propose, qualify, question, serve, solve, use, verify and revise [13].

Concept of Debate

It has been stated that debate is as an educational strategy that fosters clinical reasoning and thinking skills and heightens awareness of attitudes, values, and beliefs. There are 3 styles of debate which are used in some debate competitions. They are British Parliamentary Debate, Australian Parliamentary Debate, and Asian Parliamentary Debate. A debate guide that is written by Morgan explained that British Parliamentary Debate is one of the standard forms used at university level, particularly for international competition, and is the chosen format for both the World and European University Debating Championship (WUDC, and EUDC, respectively) on page 4. British Parliamentary Debate consists of 4 teams of two speakers, opening government, and opening opposition, closing government or opposition, closing opposition. Australian Parliamentary Debate is almost the same as Asian Parliamentary Debate. It consists of 2 teams of 3 speakers. There is PoI (Point of Information) in Asian Parliamentary Debate, but there is no PoI in Australian Parliamentary debate. There are 2 teams which consist of 3 speakers in each team in Asian parliamentary debate technique. The team that supports the topic is called the Government and the team that opposes the topic is called Opposition. Each speaker speaks for 7 minutes in alternating order. There are 3 speakers from government (affirmative) they are first, second, and third speaker. And it is the same as government, the speakers from opposition (negative) are first, second and third. Moreover, there are some parts of the debate. They are, motion, definition, argument, status quo, rebuttal and PoI (Point of Information). Motion is an issue that will be debated [14]. The issue should have positive and negative aspect. It is phrased in a sentence that favors one side. Motion is also called as a topic that will be debated. Motion is usually begun with "This House"; This House Believes That "THBT" and also "THW" This House Would. If motion uses THW, it means that the speaker in debate should make a proposal that contains some policies related to the motion. The example of a motion is "This house would legalize drug for athlete". Definition is that the speaker should define the motion. Argument is reason why the speaker should agree or disagree to the motion. Status quo is that a situation that is occurring, a hot issue. Attacking in every argument by showing strong evidence is rebuttal. Point of Information is a formal question by member of the opposing team [15].

Benefits of Debate

There some benefits of debate. Debate will give opportunity to see new people and new ideas [16]. Giving opportunity is exact time for speaker or debater to stand up and to argue with someone in public. Debate will foster students to be active to participate in front of public to solve an issue that is being debated. This means that when the speaker stands up in front of the public, he/she communicates to each other. Moreover, debate will improve the students' soft skills. Affective is related to the students' soft skills. A soft skill is the ability of someone to communicate to another people (inter-personal skills) and the ability to manage their self (intra-personal skills). Inter-personal skills for example students are able to communicate, have good relationship building, motivation, leadership skills, public speaking skills, negotiation skills etc. Intra-personal skills, students are able to manage their self for example, transforming character, transforming beliefs, change management, stress management, time management, creative thinking process etc [17].

2.1 Method

This was qualitative research which focused on case study. Qualitative research focused on the social phenomena and explained how the relation between individual or group in their interaction and communication [18]. Case study may focus on a program, event, and activity process involving individual rather than a group [19].

2.2 Data Resource and Participant

This research used qualitative data which was based on the real situation of the research setting where the debate technique was being carried out. The participants in this research were students of SMK Negeri 3 (Vocational High School) Terbanggi Besar, Central Lampung who are members of GOES 3 (Genk of English of SMK N 3). There were 6 students who got involved to be participants of the debate were being investigated.

2.3 Data Collection Technique

The Data collection technique used triangulation, observation, interview, and questioners. Research question was used during the observation [20],[21]. The research questions were designed by using the operational verbs in every level of affective domain. More than that, the researcher used interview. The type of focus group interview was used because debate is also in a team. By this, the researcher interviewed the team of the debate which consisted of 3 students in every team. Interview was used to know the students' perception before and after learning the debate. Another data collection technique was questioner. The questioners were designed by looking at the operational verbs of affective domain in every level. The questioners consisted of a hundred questions. The questioners were shared to 22 respondents/student Data Analysis

After collecting the data, researcher re-read the data from observation and interview. After reading the data, researcher coded the data. Coding was conducted by labeling some information which was noted during

observation. The researcher described the coding by relating it to the operational verbs of affective domain.

3. RESULT AND DISCUSSION

3.1 Result of the first observation

The first observation was conducted on Monday, 16th March 2015 at 14.00 p.m. in one of classes of SMK N 3 Terbanggi Besar. There were 6 students who participated in the debate. They were divided into 2 teams, affirmative team and negative team. The researcher as the participant observer prepared a piece of paper and wrote down number 1-6. The students were asked to take the number. Then the researcher asked to every student to mention what number she was. The researcher wrote down the number on the white board. The affirmative team was number 3-2-5 and negative team was number 4-1-5. In this first observation the researcher just gave a motion. The researcher did not explain about what was Asian debate technique and also about the debate rules, how to make the argument for instance. The first motion was about *This House Would Allow Students to Date*. After giving the motion, researcher let the team to have a case building. Each team was given 30 minutes to have the case building. Researcher figured out everything which happened during the case building and the debate. During the case building, the researcher found that there were 4 students who were not really capable in debate and 2 students were capable in debate. The 4 students who involved in debate were newbie (beginner) and the 2 students ever joined learning debate before. The two students who ever joined in debate helped the students who were newbie in debate especially how to make the argument. The 4 students who were newbie looked very serious to learn debate; however their ability were different from the students who ever joined learning debate. In the affirmative team the student who was really active only one student. The others just listened to the explanation which was given by the student who ever joined learning debate before. The two students in the affirmative team kept respecting to the explanation of the students who ever learned debate. When the debate was started, the first speaker of negative team looked very shy to deliver the argument. She looked confused and suddenly she stopped her speech to deliver the argument. Additionally, the second speaker of affirmative team was really afraid to stand up to deliver the argument.

Result of the second and Third Observation

In the level of receiving, the students were really active. The students were able to ask something which related to the motion. They asked to their friends and asked to the tutor during the case building and the debate. The students were able to choose the appropriate ideas in giving arguments during the case building. The students always worked together to solve the case. They choose some information to give and to strengthen the evidence. For example one of students of affirmative team said her idea "by using drug, the athlete can be more spirit", "because if use drug, can make dependent the athlete, and drug make

the athlete not healthy". Additionally, to choose the appropriate argument and to relate to the motion, students select some information from the internet and every speaker gave their own idea. For example the second speaker of negative team said "increasing jobless in Indonesia because many cigarettes companies are closed".

The students were able to describe and define the motion. For example one of the students of affirmative team define the motion "drug is metter danger can to make a people addictive, so drug can to make a people crazy and death", and "athlete is some people hobbies sport and have talented sport it". Moreover, the students were able to follow the explanation which was given by every speaker in the team. During the case building the student who had an average understanding about debate tried to give explanation to the student who had fair understanding about debate. For example one of the students said "with drug athlete will be more spirit" and the other students respected to the explanation by hearing and adding more explanation "first we define and describe what is drug"? and then why they use drug?" to make not sick, increase body endurance and appetite". The students were able to identify the case during the case building. Every speaker in every team identified the case by selecting some information from internet. They really supported to each other. Especially when the first speaker explained the reason to other speaker in the negative team "if the government close one cigarette company, so many employees who will be discharged", then the other gave a response "oh yea discharged and jobless". The students were able to replay the ideas from other speaker during the case building. To replay the different ideas, students in every team kept respecting to the other speaker. They elaborated the ideas by using their own word. When the second speaker of negative team dictated, the other students listened and ensured that idea, she said "How is it?" then the other student who dictated the sentence did the repetition. One of the students in affirmative team tried to force or to invite the student who was not really capable in debate to find the status quo. She said "please find the status quo!"

In the level of responding, the students were able to assist their friends in the team. Especially the first speaker of affirmative team focused to find the information from internet while the other speakers wrote down the information on the book. For example when the motion was this house would close all cigarette companies in Indonesia. The students wanted to know one of the companies which had been closed and fired 2700 employees. Moreover, the student who had a good ability in English tried to help the student who had fair ability in English. One of the students in negative team dictated in English and told the arrangement to deliver the argument. She said "like this how to say it, ok ladies and gentleman I am the first speaker of the opposition team I want to deliver my argument. This motion is this house believes that drug . . ., our motion today is?". The students were able to conform their team. Every student in the team

was able to manage their team to determine the duties. For example one of the students as the second speaker said *"you give the example, hurry up!"*. This was the expression of the second speaker to invite the other speaker in their team to find the example of evidence for their argument. To conform they team, they tried to manage their team by dividing the duties. For example one of the students found the definition of the motion and the others found the status quo. The students were able to create a harmonious condition by greeting to each other. Before delivering their argument, every student greeted to other speakers by saying *"ladies and gentleman good afternoon"*. More than that, the students' performance during debate was challenging. It was very challenging because every student was able to perform bravely. The students who were newbie looked very enthusiastic. They were not afraid and shy anymore to deliver the argument. Every student tried to perform in front of the other speakers. However they brought their book and still read it. Their performance was in consistency. This means that their ability to deliver the argument had close relation to the argument which was delivered by the other speaker. For example, when the first speaker said *"the drug can give negative impact for the athlete and their life is destroyed"*, finally the second speaker added *"smoking makes Indonesia youth addicted to smoking and ruin of the nation"*.

The students were able to tell the hot issue or the status quo which was related to the motion. One of the speakers said the status quo of the motion **This House Believes That Drug Is Good for Athlete**. She said *"what happen in the status quo: I think some people using drugs, he is cannot live good, always fancy, and I think negative impact can to make people crazy and also death"*. Another status quo was uttered by the one of students/speakers by the motion **This House Would Close All Cigarettes Company in Indonesia**. She said *"now welcome to the status quo that smoking makes Indonesia youth addicted to smoking and the ruin of the nation"*.

The students were able to respond the point of information by answering it. The student accepted and answered the PoI from other speakers. Besides that, the students were able to report some evidences which related to the motion. To report the evidence or information, every speaker tried to find from the internet then they discussed it to determine whether the information could support their argument or not. For example when they debated a motion this house believes that drug is good for athlete the first speaker of affirmative team gave evidence *"suffocated body and can make some people crazy"*.

The students were able to comply the rules of the debate. For example, when they did the case building, they were given 30 minutes and they finished it within 30 minutes. Moreover, to make the argument the speaker was able to use AREL formula with the motion this house would close cigarettes company in Indonesia. For example for the Assertion, one of students said *"because the existence of smoking we are slowly tantamount to kill yourself slowly"*,

Reason, *"because smoking contain many chemicals"*, Evidence, *"nicotine is the substance that has the impact of negative for smokers because it is just the same as treat drugs and can damage organs gradually"*, Link Back, *"I think I agree if all close cigarettes companies in Indonesian, because smoking can make people become addicted and wasteful"*.

In the level of valuing, the students were able to complete their discussion on time. For example they spent 30 minutes for case building. They discussed the motion together in order to manage the time. They determined the duties of every speaker in the team. For example when one of the speakers in affirmative team said to other speaker, she said *"athlete who died! Please find athlete who died!"* and also one of speaker of negative team said *"I found the status quo"*. The students were able to explain their argument by using the AREL formula. The students organized their argument in good structure. They were also able to invite the students who were passive to participate during the case building and the debate. During the case building, the ability of the students was different, because there were some students who never joined in debate. They were scrabble player, but they had good motivation to learn debate. The students who never joined in debate guided to the students who never learned debate for example one of the students guided her friend how to speak when they wanted to perform. She said *"Like this how to say it? Ok ladies and gentleman I am the first speaker of opposition team, I want to deliver my argument. This motion is this house believes that drug is"*. Another example was figured out when the second speaker looked very passive, but she became active because the third speaker of the affirmative team invited her to find the information from internet. She wrote down the information which was found from the internet and suddenly she asked to her friend *"what is pemulihan in English?"*. During the observation, the researcher also found that the initiative of every student was really good. Every student respected to the duties which had been determined. For example a student of affirmative team said *"I am browsing yea"*. Another example was the affirmative team, especially the first speaker asked to the third speaker about how to say at the beginning when she wanted to deliver the argument. She said *"I read this one and not this one, right?"*. More than that, to learn every new motion, the students were really curious and tried to work in team to solve the problem. They always asked to the tutor and asked to their friends in the team if they got confused. The students were able to justify their argument. For example, the argument from the third speaker she said *"I think if all close cigarette companies in Indonesia, because smoking can impact the health of smokers and make people become addicted and wasteful, therefore I agree that cigarette companies are closed, as the successor of the nation is good. Should keep away from danger of smoking"*. During the debate, every the student was able to propose and to share different ideas. The different idea which was proposed by every speaker was explained by every speaker to

ensure that the idea was appropriate. For example the speaker of affirmative team said *"we use AREL, is it right? Why does athlete use drug, the reason perhaps with drug the athlete become more spirit"*. The third speaker also proposed an idea by saying *"the effect can make stroke because the blood vessel is broken"*. The students were able to deliver their argument in good arrangement. For example, the first speaker of the negative team, when she was called by the tutor, she came in front and greeted to each other, then she delivered her definition of the motion. She explained her motion, she gave the argument for example the motion was THW close cigarettes companies in Indonesia. From the first speaker of negative team she said *"good afternoon ladies and gentleman our motion today is this house would close cigarette companies in Indonesia, company is an organization of resources such as materials and labor that was founded by person or group, cigarette is mix tobacco with substances that nicotine and tar which can pose a danger to the body and the environment"*.

In the level of organization there were some operational verbs which were achieved by the students during the case building and the debate. They were, arrange, combine, generalize, identify, integrate, order, organize, prepare, relate, synthesize, defend and complete. The students were able to arrange their argument into good structure they complied the rules to make the argument by using AREL. The students were able to combine the different ideas which were shared by every speaker in the team. For example when the second speaker of negative team said *"I disagree because it will increase jobless in Indonesia"* then the third speaker replied *"oh yea firing the workers or the employee."* *"The employee will be fired, then the country because the tax is high"*, and the third speaker explained again *"jobless first then poverty"*. The students were able to generalize their explanation during the debate. After delivering the argument, the speaker concluded the speech. For example the conclusion which was given by the third speaker of the negative team. she said *"and the conclusion is smoking has negative impact for our healthy", our stance is clear, why we want to disagree drug is good for athlete because the drug negative impact for the athlete, just make tired, weak, sick, not healthy, always fancy, not spirit, the lives is destroyed., crazy and make athlete died"*. Moreover, to integrate the different ideas every the students added more opinion for example the second speaker of the negative team said *"I disagree because it will increase jobless in Indonesia"* then the third speaker replied *"oh yea firing the workers or the employee."* *The employee will be fired, then the country because the tax is high"*. Finally the third speaker explained again *"jobless first then poverty"*. The speaker of the negative team discussed together to select the appropriate ideas for example the second speaker shared the idea and said *"if the cigarettes companies are closed, there will be many jobless and the employee will be fired."* suddenly the third speaker said *"societies"* and the first speaker added *"I think it*

is not for the societies, now this is for the company". Students were able to relate the argument to the motion and able to defend their argument. To relate the argument to the motion, the student in every team tried to dig more reasons and the evidences. For example one of the student argued *"I think I agree if all close cigarette companies in Indonesia. Because smoking can impair the health of smokers and make people become addicted and wasteful"*. To defend their argument, students were able to give the real fact of the status quo to strengthen their argument. They tried to rebut the argument from the opponents and to explain their rebuttal. The second speaker of negative team said *"before I bring my argument I will give rebuttal from second speaker of the affirmative team, I don't agree that smoking make me confident but smoking is not good activity, because smoking cannot make smoker relax from the world activity of the day but it will kill them"*. *"I disagree with you said smoking is very relax. I think smoking can make people unhealthy and many people cause to death ehmm, make people death"*.

In the level of characterization, the students were able to act bravely and in a good manner to deliver the argument. Students were able to verify their arguments. Students were able to influence the passive students to be more active. Students were able to qualify the rules of the debate when the performed. Students were able to solve the motion. Students were able to revise their utterance during the performance. To verify the arguments, students gave more evidences which are related to the motion. They tried to find the information from social media. They discussed the information which was got with their friends in the team. For example when they debated the motion this house believes that drugs are good for athlete. One of speakers in negative team said *welcome to the status quo: for example in Jakarta not only the people using drug but the athlete using drugs, there is also the fact of their lives not well ordered and just the winning the future course and besides create crazy, drug also lead to death"*. Additionally, the speaker of negative team gave example of the reason to defend the argument. She said *"cigarette companies evoke a sense of nationalism Indonesian citizens who have sunk. Indonesian cannot be separated from smoking because it has penetrated almost all of aspects of live"*. During the debate and the case building, not all students were really active. There were also passive students. To influence the passive students, the active students always helped the passive students. The students who had good ability in English helped the students who had low ability in English. The second speaker of the negative team directly guided the first speaker who asked how to say at the beginning to deliver the argument. The second speaker said *"like this how to say it, ok ladies and gentleman I am the first speaker of negative team"* then the third speaker added and said *"I am the first speaker of negative team "ehh is it the first? This house believe that, good afternoon"* the second

speaker guided again *“I am the first speaker from negative team, I want to deliver my”*.

To qualify the rules of the debate, students could finish their case building on time. However, they were not really able to speak within 7 minutes to deliver their argument because most of the students were newbie and only 2 students who ever learned debate. So they brought their note and read it. This was their first time to join in the debate. To solve the problem, students worked together, they assisted each other. They tried to find some information from the media; they filtered the ideas from their friends. For example, the speaker of the negative team discussed together to select the appropriate ideas which related to the motion. The second speaker for instances, she said *“if the cigarettes companies are closed, there will be many jobless and the employee will be fired”* Then suddenly the third speaker said *“societies”* and the first speaker said *“I think it is not for the societies, now this is for the company”*.

3.3 Result of Interview

To report the result from the interview, the researcher also gave an example of the students' talk during interview which related to the questions. The questions were developed by the researcher by looking at the operational verbs of affective domain. During the first and the second interview, the researcher asked about the students' experience to learn English from elementary school until senior high school. Most of them told that learning English in senior high school was different because they also joined in English club. So they were able to develop their English ability in English club. Moreover, they told that to learn English in the class was not really enough because they said that the English teacher just gave them dialog and more exercises to answer some questions. In English club, the students could find many kinds of interesting ways to learn English especially scrabble, speech, debate and conversation. The researcher asked about their perception during learning the debate. Students told that debate was interesting, sharpening togetherness, and improving their creativity, creative thinking and critical thinking

for instances. One of students said *“really good, because we are forced to be brave to speak, we learn to be brave to express our ideas, using our own language”*. Debate could motivate students to develop their vocabularies and gain more information. For example student said *“opening dictionary and finding new words which can be memorized”* Before learning the debate, students were afraid and could not express their ideas. They did not have broad knowledge especially about information nowadays. They always got confused in the first time to learn debate and nervous because they did not know what should they do. The researcher gave an example which was uttered by the student during interview *“afraid, doesn't have broad knowledge”, “cannot express the idea, confuse, nervous and do not know what should be done”*. Students also explained that debate had many values for them especially to improve their motivation to read much information, to perform to speak English and to engage students to be more active. Students were able to work together, to respect to others' ideas, to value a bad and good impact which was related to the motion. Debate made students to be more socializing with each other. This was proved by one of students during the interview. She said *“To socialize with another school, so we can get information about debate competition or new motion”*. Moreover, the students explained that debate could improve their ability in managing time and managing their team. They said that debate made them to be more discipline to use time specially when they did the case building within 30 minutes. One of students said *“for me, especially about the time, we are able to be more respect to the time by? Debate, we know the time which is given to the participants, because the time is limited so we can respect it”*. In managing their team, students always invited their friend who was passive in the discussion. For example the active students asked to do something during the case building. *“i admonish her, lead, after that yea.. if she is still passive, yea... we give her duties or we ask her to note or ask her opinion”*. 3.4

Questioners

Table 1. the result of the questioners in the level receiving

Operational verbs	Before learning the debate					After learning the debate			
	Strongly agree	Agree	Disagree	Strongly disagree		Strongly agree	Agree	Disagree	Strongly disagree
Level of Receiving									
Ask	27.27%	54.54%	13.63%	4.54%		31.81%	54.54%	4.54%	0%
Choose	22.72%	40.90%	27.27%	9.09%		50%	54.54%	0%	0%
Describe	31.81%	59.09%	9.09%	0%		31.81%	63.63%	0%	0%
Follow	18.18%	68.18%	4.54%	4.54%		31.81%	63.63%	4.54%	0%
Give	18.18%	54.54%	27.27%	0%		45.45%	54.54%	0%	0%
Hold	27.27%	18.18%	45.45%	9.09%		40.90%	45.45%	9.09%	4.54%
Identify	13.63%	77.27%	9.09%	0%		13.63%	86.36%	0%	0%
Replay	36.36%	31.81%	22.72%	9.09%		31.81%	68.18%	0%	0%

Table 2. the result of the questioners in the level responding

Operational verbs	Before learning the debate					After learning the debate			
	Strongly agree	Agree	Disagree	Strongly disagree		Strongly agree	Agree	Disagree	Strongly disagree
Level of Responding									

Assist	4.54%	50%	36.36%	9.09%		27.27%	63.63%	0%	9.09%
Conform	18.18%	31.81%	45.45%	4.54%		27.27%	54.54%	9.09%	9.09%
Greet	9.09%	45.45%	22.72%	22.72%		45.45%	45.45%	0%	9.09%
Perform	27.27%	50%	18.18%	4.54%		40.90%	50%	4.54%	4.54%
Present	27.27%	45.45%	18.18%	4.54%		31.81%	59.09%	9.09%	0%
Read	40.90%	31.81%	18.18%	9.09%		31.81%	54.54%	13.63%	0%

Table 3. the result of the questioners in the level valuing

Operational verbs	Before learning the debate					After learning the debate			
	Strongly agree	Agree	Disagree	Strongly disagree		Strongly agree	Agree	Disagree	Strongly disagree
Level of Valuing									
Complete	27.27%	54.54%	18.18%	0%		40.90%	54.54%	4.54%	0%
Explain	31.81%	36.36%	31.81%	0%		31.81%	54.54%	4.54%	9.09%
Form	13.63%	50%	36.36%	0%		31.81%	68.18%	0%	0%
Initiate	18.18%	36.36%	31.81%	9.09%		50%	50%	0%	0%
Invite	27.27%	36.36%	36.36%	0%		40.90%	45.45%	13.63%	0%
Join	13.63%	27.27%	50%	9.09%		22.72%	68.18%	9.09%	0%
Justify	13.63%	31.81%	45.45%	9.09%		27.27%	59.09%	13.63%	0%
Propose	9.09%	36.36%	50%	0%		27.27%	63.63%	9.09%	0%
Share	13.63%	36.36%	36.36%	13.63%		27.27%	63.63%	9.09%	0%
Study	54.54%	36.36%	4.54%	4.54%		50%	50%	0%	0%
Work	40.90%	40.90%	9.09%	9.09%		31.81%	63.63%	0%	4.54%

Table 4. the result of the questioners in the level organization

Operational verbs	Before learning the debate					After learning the debate			
	Strongly agree	Agree	Disagree	Strongly disagree		Strongly agree	Agree	Disagree	Strongly disagree
Level of organization									
Arrange	54.54%	36.36%	9.09%	0%		40.90%	54.54%	4.54%	0%
integrate	22.72%	54.54%	13.63%	4.54%		31.81%	63.63%	4.54%	0%
Generalize	31.81%	36.36%	31.81%	0%		13.63%	77.27%	4.54%	0%
Combine	31.81%	54.54%	13.63%	0%		36.36%	59.09%	4.54%	0%
Modify	54.54%	40.90%	4.54%	0%		36.36%	63.63%	0%	0%
Order	31.81%	31.81%	27.27%	9.09%		31.81%	54.54%	13.63%	0%
Organize	40.90%	45.45%	13.63%	0%		18.18%	68.18%	13.63%	0%
Relate	27.27%	63.63%	9.09%	0%		22.72%	77.27%	0%	0%
Synthesize	18.18%	63.63%	9.09%	9.09%		18.18%	77.27%	9.09%	0%
Defend	36.36%	27.27%	36.36%	0%		18.18%	72.72%	0%	9.09%

Table 5. the result of the questioners in the level characterization

Operational verbs	Before learning the debate					After learning the debate			
	Strongly agree	Agree	Disagree	Strongly disagree		Strongly agree	Agree	Disagree	Strongly disagree
Level of characterization									
Act	36.36%	31.81%	9.09%	18.18%		22.72%	68.18%	9.09%	0%
Display	13.63%	68.18%	18.18%	0%		27.27%	63.63%	4.54%	4.54%
Influence	22.72%	36.36%	27.27%	9.09%		45.45%	50%	4.54%	0%
Listen	63.63%	31.81%	4.54%	0%		31.81%	59.09%	9.09%	0%
Question	40.90%	27.27%	22.72%	9.09%		36.36%	54.54%	0%	0%
Serve	50%	31.81%	13.63%	4.54%		18.18%	68.18%	13.63%	0%
Solve	36.36%	50%	13.63%	0%		31.81%	54.54%	45.45%	4.54%
Verify	36.36%	63.63%	0%	0%		31.81%	50%	13.63	0%
revise	54.54%	36.36%	9.09%	0%		36.36%	63.63%	0%	0%

3.2 Discussion

From the result of the first, second, third observation, interview and the questioners, the researcher figured out that there was improvement of the student's affective domain by debating. When the first observation was conducted there were only one student of affirmative team who gave more contribution in solving the problem during the case building and the debate. Also in the negative team only one of students who let the team to solve the problem. The two students who was mentioned actually ever joined to learn debate before. In the first observation, students look confused and didn't know anything about the debate. The utterance bellow was an example from the interview:

Confuse, nervous, don't know what should be done, the way to arrange". Afraid doesn't have broad knowledge, so cannot express the idea". (A-7),

After entering, it is enjoyable, we brave to speak, to read more, read news". (A-8), I am shy to speak in front of many people, but during I join in debate, I am confident". (B-27)

The example above meant that there was good improvement of the students' motivation, emotional to learn debate. More than that, to discuss the result of the research, the researcher would like to describe the data which was related to the affective domain and the operational verbs in every level of affective domain.

Level Receiving

In the Level of receiving was explained that students were able to participate in a discussion. Students were able to respect another's ideas. This was the same that during the case building and debate, students were able to ask to their friends when they got difficulties, students were able to choose appropriate ideas to make an argument, students were able to describe the motion, students were able to follow the explanation which was given by every speaker/student in a team, students were able to identify the case, students were able to select appropriate ideas from different idea which was got from medias and also from their friends' ideas, students were able to reply the idea from other speaker. The students were able to ask to their friends and also the tutor during the case building and the debate. For example, during the case building one of the students of affirmative team asked to the second speaker to find the opinion and the reason. The example bellow is quoted from the students' utterance during the case building.

"You find the opinion and the reason!". To answer the response, she asked again "what do you mean". Suddenly the second speaker of affirmative team asked to the first speaker "what is relaksasi, aktifitas in English?"

This means that there was an emotional/willingness which rose from the students that the students curiously wanted to get information. Students also had good relationship building in their team to solve the problem because they help and ask to each other. Moreover, during the interview students also stated that when they got confused they said:

"Questioning, so we communicate to each other, so it improves socializing values from our self"

Students were able to identify and to select appropriate ideas to make an argument. For example the negative team work together to decide the arguments:

"Increasing jobless in Indonesia because many cigarette companies are closed and decreasing job vacancies".

This was also the example of the students' attitude that they were able to determine the bad impact of drug. Additionally, when the students worked together, this was a social skill which was showed by the students. When students help each other, it was meant that the students had good empathy to their friends in solving the problem.

The students were able to follow the explanation from their friends and to reply their friends' explanation. For example when the students in the team divided the duties for every speaker, first speaker find the status quo, second speaker find evidence, third speaker make the conclusion. During the case building, students who had an average understanding about debate tried to give explanation to the student who had fair understanding about the debate, for example she said:

"With the drug athlete will be more spirit".

First we define and describe what is drug?" and then why they used drug?" "to make not sick", increase body endurance and appetite".

And the others follow the explanation by respecting and hearing it. In dividing the duties, this was also the ability of the students to learn how to manage their team and this was a leadership skill. Another example of the team management was uttered by one of the students during interview

"I give a warn, and lead her. I give her job to find information, to note, get her opinion".

Moreover, there was good improvement which could be compared from the questioners. For example, before learning the debate there were 27.27% students said strongly agree that they were not able to choose the ideas to make argument. It increased to be 50% students said strongly agree that after learning the debate students were able to choose and decide the ideas to make argument. Based on this improvement, it could be figured out that they were good improvement of the students' attitude in choosing the appropriate ideas based on their own perception. Because, in choosing ideas it was also the students opinion.

In the level of responding is that students were able to select attention and heard stimulus from others. In this level, students were able to assist their friends during the case building and the debate. Students were able to conform their team to determine the duties, students were able to perform to deliver the argument in front of the others, students were able to tell the status quo during the debate, the students were able to answer the PoI (Point of Information during the debate, Students were brave to speak English during the debate, students were able to report the case during the debate, and students were able to comply the debate rules.

Confuse, nervous, don't know what should be done, the way to arrange".

During the case building the students were able to assist each other. For example when one of the student who had good ability in English tried to help the student who had fair ability

y in English. One of the students in negative team dictated in English and told the arrangement to deliver the argument. She said:

"Like this how to say it, ok ladies and gentleman I am the first speaker of the opposition team I want to deliver my argument. This motion is this house believes that drug is good for athlete".

By this, the student who assisted her friend to teach how to speak at the beginning to deliver the argument had good social skill or communication skill. Moreover, this was proved by one of the students during the interview. She said:

"To socialize with another school, so we can get information about debate competition and new motion".

Students were able to conform the team during the case building and the debate. To conform the team, the speaker determined the duties. They were able to manage their duties by running their responsibility as the first, second and third speaker. Additionally during the interview the researcher found that one of the students said:

"We give idea, let her to elaborate it, so she can learn to do that".

This meant that students were really caring to the others and students were able to give a task to improve their skill in working/team work. Again, during the performance to bring the argument in front of the others, this was the inter-personal skills of the students to communicate persuasively. To persuasively communicate, students were confident to convince by giving the reason.

Additionally, it was noted that there ability of the students to assist their team had good improvement. For example, the data from the questioner showed that it is about 4.54% students said strongly agree that before learning the debate students were seldom to assist their friends' problem. After learning the debate, it is about 27.27% students said strongly agree that they liked assisting their friends' problem.

Level of Valuing

In the level of valuing the students were able to teach them self to be discipline. They were able to complete the case building on time. The example bellow was taken from the student's opinion during the interview:

"For me, it is about the time, we can respect more to the time. Debate, we know the time which is given to the participants, the time is limited so we can respect more, then we get more information".

Additionally, when the students accomplished their discussion on time, it meant that students had good time management especially in team work. Students had a good motivation that they were able to show their initiative to share ideas and to guide the student who didn't know how to say to deliver the argument. During observation she said:

"like this how to say, ok ladies and gentleman I am the first speaker of negative team". Then the

third speaker added and said *"I am the first speaker of negative team ehheh this one first ya! This House Believe ..goodafternoon.* Finally the second speaker guided again. She said *"I am the first speaker from negative team, I want to deliver my....".*

Students were able to propose their ideas during the debate and case building. this meant students has good communication skill to demonstrate their perception. In demonstrating their perception, this meant that the students' attitude, because they were able to determine the bad and good thing which based on the motion. For example, during the case building student said:

"The effect can make stroke because the blood vessel is broken".

To invite the passive students to participate in the case building or during the debate, it showed that the students had good social skills to have good relationship building.

During the observation in the case building, one of the students said "athlete who died! Please find athlete who died!"

More than that, the students gave their solution if there were passive students during the case building during the interview. She said:

"We divided the duties, for example a team to find the argument, status quo and conclusion".

Additionally, from the questioners, it could be figured out that it is about 27.27% of students said strongly agree that before learning the debate they were difficult to complete another people's ideas. It increased to be 40.90% students said strongly agree that after learning the debate students were easily completed other people ideas.

To complete the different ideas, meant that students were able to respect the different point of view. By this, students also transformed believe that they have to be able to convince their ideas to others.

Level of Organization

In the level of organization, students were able to arrange their argument by complying the rules of making an argument. They had complied the AREL formula to make argument. For example:

A: The existence of smoking we are slowly tantamount to kill yourself slowly

R: Because smoking many contain a chemical

E: Nicotine is the substance that has the impact of negative for smokers because it is just the same as treat drugs and can damage organs gradually

L: I think I agree if all close cigarette companies in Indonesia, because smoking can make people become addicted and wasteful.

This meant that students could obey and deal with the rules. They tried to implement the rules of the debate. Moreover students were really flexible to receive much different ideas, and then they integrated the different ideas to be one principle. This example below was coded during the case building.

The second speaker of negative team shared the argument. She said *"I disagree because it will increase jobless in Indonesia".* Then the third speaker replies *"oh yea firing the workers or the employee".* *"The employee will be fired.* Then the suddenly

the third speaker said “*societies*” and the first speaker said “*I think it is not for the societies, now we think for the country*”.

Integrating the different ideas was the ability of the students to negotiate in the team. They respected the different ideas and generalize it. For example, the statement from one of the students during the interview, she said:

“We have to be friendly to each other, about her opinion/ideas is it right or wrong?”

It was also proven by the data which was got from the questioner. For example, there were 227.72% students said strongly agree that before learning the debate students got difficulties to integrate the ideas from their friends. However, after learning the debate there were 31.81% students said strongly agree that they could integrate their friends’ ideas easily.

Level of Characterization

In the level of characterization, the students were able to perform bravely to deliver the argument. The braveness of the students meant that the students had well emotional to act to have a speech. However, the students brought and read their note.

To verify the argument, students gave some evidences by stating the status quo. This meant that students were able to teach them to be honest person, because to debate a motion they have to say accurately based on the fact. The example bellow was coded from the student in the negative team:

“Cigarette companies evoke a sense of nationalism Indonesian citizen who have sunk. Indonesia cannot separated from smoking because it has penetrated almost all of the aspects of live”. (E-2-7)

The third speaker of negative team said and gave the fact. She said, “*losers is an employee and country. Eployee are more termination of the employment relationship for example from PT Sampoerna 2700 employess*”.

The active students were able to influence the passive students during the case building. For example the student guided her friend to write a sentence in English. She said:

It creates the time refresh”. Then the first speaker followed by saying “*will hasten*” then the second speaker guided again “*refresh after exercises*”.

The example above was an example from the observation. It was also a proof that students had good social skill to each other. They had good empathy to each other, because they had a willingness to help a friend in the team.

Moreover, the students were confident to work in team and to serve the reason, evidence during the debate. They tried to filter the ideas from their friends. The example bellow was taken from the observation: The second speaker said “*if cigarette companies are closed. There will be many jobless and the employee will be fired*”. Then suddenly the third speaker said “*societies*” and the first speaker said “*I think it is not for the societies, now this is for the company*”.

However, the result of the questioners also gave the example that it is about 22.27% students said strongly agree that before learning the debate they were afraid to influence their friends to give ideas. After learning the debate, it is about 45.45% students said strongly agree that they were brave to influence their friends to give ideas.

4. CONCLUSION

The research conclusion was based on data analysis. Based on the data analysis, it was concluded that the use of Asian Parliamentary debate technique had been advocated in teaching English for affective domain purpose. There was improvement that the students were able to achieve all the operational verbs in every level, except the operational verbs of the level characterization. In the level of characterization, there were some operational verbs which were not well achieved. Debate can give students much opportunity to develop their soft skills, inter-personal skills and ability to manage their intra-personal skills. Students are able to improve their creative thinking, critical thinking, public speaking skills, leadership skills and social skills. Moreover debate can improve the students’ attitude, especially when they could identify and consider in problem solving during the debate. Teaching through debate can be enjoyable for both teacher and students.

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JUNIOR HIGH SCHOOL STUDENTS' MATHEMATICAL CRITICAL THINKING ABILITY UNDER REALISTIC MATHEMATICS APPROACH

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ABSTRACT- *These days, critical mathematical thinking is increasingly of demand. This paper is concerned with a report on the superiority of the Realistic Mathematics Education (RME) approach compared to the conventional approach in teaching mathematics based on experimental research. Its superiority was shown by the outcome achieved and the process underwent by students in developing their mathematical critical thinking. The subjects of the study were Year IX of SMPN 6 Kulisusu, studying the topics of Congruence and Similarity. Purposive sampling, which was followed by class random, was employed. The design of the study was Pretest-Posttest Control Group Design. The study found that (1) Critical mathematical thinking of the students under RME approach was at high category. As for the aspects of analyzing algorithms they were still low, while that of identifying and justifying concepts, generalizing, and solving problems, they were well developed. (2) Critical mathematical thinking of the students studying under conventional approach were at mid level category. (3) Improvement of the critical mathematical thinking of students studying under RME was better than those underconventional approach. (4) The students responded positively to studying under RME positive, they enjoyed the process of the teaching.*

Keywords: Critical Thinking; Mathematical Thinking; Realistic Mathematics

1. INTRODUCTION

The goal of teaching mathematics to all students since elementary schools is to equip them with logical, analytical, systematic, critical, and creative thinking, as well as with an ability to work cooperatively. Therefore, the teaching of mathematics should be aimed at developing three aspects of ability: (1) ability to solve problems in mathematics, other subjects, and real life; (2) ability to use mathematics as a means of communication; (3) ability to reason and applicable in any situation, such as in critical, logical, and systematic thinking, being objective, honest, and disciplined in viewing and solving problems.

The three abilities indicate how important it is to study mathematics as a basic capital in developing thinking pattern, communication, and attitude useful to societal life in our daily life, at work. These competences are required by the students that they would possess the ability to obtain, manage, and make use the information to survive in this changing, uncertain, and competitive life.

At the operational stage at school, the three abilities are embodied in the teaching of every material of mathematics. Deductive-inductive process of thinking is introduced as the primary element. Also, the logical reasoning is utilized as the processing tools for the presence of logical reasoning in every mathematical concept. Symbolic and steady language of mathematics makes it consistent in its norms and rules. Hence, communication in mathematical language is more practical, systematic, and efficient. Through this kind of teaching process, as well as the use of everyday life

problems, students learn to reason, communicate, and solve mathematical problems systematically and efficiently. This helps students to form a complete, consistent personality, honesty and self-confidence.

In order to attain the goal of mathematics teaching above, it is still common that teachers in their instructions (1) elaborate mathematical concepts and operation, (2) exemplify problem solving, and (3) asking students to answer problems similar with the problems they worked on before. This way emphasizes the memorization of concepts and procedures in answering questions. This way of teaching is called mechanistic way [4]. Teachers do not emphasize the teaching of mathematics on the understanding of mathematical concepts and operations, but on the recognition of mathematical symbols with more emphasize on the provision of information and the exercises in the implementation mathematical algorithm Teachers emphasize [15]. Teachers rely on lecture method, students are passive, true answers are accepted, small number of ask-question, and students copy from a white board. This is still common at schools in Southeast Sulawesi, at SMPN 6 Kulisusu in particular.

The application of the mechanistic teaching of mathematics results in weak slow development of critical thinking ability of students. Students are only skillful in answering questions similar with the ones given in the classroom. When they are faced with different questions, they have difficulties to answer. Students' problems are commonly related with identification and justification of concepts, analysis of algorithm, generalization, and problem solving. This

certainly affects the mathematics learning achievements of students.

It should be admitted that both teachers and students currently have problems in developing critical thinking in the teaching of mathematics. In general, teachers have not presented sufficient exercises to gear up the development of critical thinking, because every exercise given are just oriented to outcome ignoring the process of learning by students. In addition, students rarely familiarize themselves to do exercises related with the ability to think critically.

Principally, critical thinking is a high level of thinking. The ability to think critically should be possessed by students to face real life problems because critical thinking is one of the bases for someone to further decisions. Critical thinking is also a mental process involving critical things, such as induction, deduction, classification, and reasonings. According to Ennis, critical thinking is a rationally reflective way of thinking or based on reasoning, in deciding what should be done and to be believed [2,13].

In the process of thinking, analyzing, criticizing, and drawing conclusions based on inference of careful thoughts are often in presence. By thinking critically people will understand argumentation based on different values, inference, and capable of interpreting, recognizing mistakes, capable of using language in debating, realizing and controlling geocentricism and emotion, and responsive to different views.

Critical thinking ability is a cognitive process to gain knowledge. According to Fahroyin[3], the critical thinking activate the ability to analyze and evaluate evidence, identify questions, logical conclusion, to understand implication of arguments. He further argues that critical thinking is a crucial activity to be developed at schools, teachers are hoped to be able to practice instructions that activate and develop critical thinking ability of their students. If this ability is continuously trained, it will become a habit. This habit will become the basic attitude, and in the end will form a disposition to think critically[10].

In an effort to improve critical thinking ability, one should pay attention to the phases of critical thinking. Garrison *et al.*[5] divide the phases of critical thinking into four: (1) *Trigger event* – identifying or recognizing an issue, problem, dilemma in one's experience, instructor's or other students' utterances, (2) *Exploration* – thinking of personal and social ideas for the preparation of decision making, (3) *Integration* – constructing the intention/meaning of the ideas, and integrating relevant information set in the previous phases, and (4) *Resolution* – proposing a hypothetical solution, or directly applying the solution to an issue, dilemma, or problem, and testing the ideas and hypothesis.

Furthermore, [2] with regard to the teaching materials of mathematics subject, critical thinking ability classification should take into account: (1) aspect related to concepts, which involves identification of the characteristics of concepts, a comparison of concepts, identification of examples of concepts, and

identification of contra examples of concepts, with justification; (2) aspect related to generalization, which involves decision on which concepts are part of the generalization, decision on conditions in which generalization will be applied, formulation of generalization formula and provision of evidence supporting generalization; (3) aspect related to skills and algorithm, which involves classification of conceptual base of the skills and comparison of students' performance and exemplary performance; (4) aspect related to problem solving, which involves providing common form for the purpose of solution, deciding the information given, deciding whether information is relevant or not, choosing and justifying a strategy, suggesting an alternative method and indicating similarities and differences between problem given and others.

Even though experts give redactionally different definitions of critical thinking, in principle all agree that it refers to reflective thinking in making a decision or solving a problem. In relation to classroom instructions, particularly at junior high schools, critical thinking in this study refers to Ennis and Facione's comprising aspects of identifying and justifying concepts, generalizing, analyzing algorithm, and solving problems.

Student oriented mathematics teaching seems to be potential in training and improving students' critical thinking ability. It allows students to actively construct their own knowledge based on their existing knowledge and experiences, under adults (teachers) assistance and guidance. Teachers allow them to think and act freely to understand and solve problems. They do not simply present teaching materials, but should be good mediators and facilitators. They should provide media stimulating productive thinking of their students, opportunities and experiences supporting learning process; they should encourage students; and they also need to provide conflicting experiences [7, 10].

In constructivism, students are assumed to have had ideas/knowledge of their environment and events/phenomena around them. This is in line with the view that the main thing in educational activities is to start the process from "students' existing knowledge". This enables students to construct by their own knowledge and understanding, from non-scientific ideas to scientific knowledge. Teachers become "facilitator and provider of condition" for the process of learning to take place. Classroom interactive discussions, demonstrations of scientific procedures, and the testing of the finding in a simple observation are conducive learning condition. This kind of classroom condition will give students opportunities to ask, answer, discuss, and express ideas and concepts in systematic ways. Such a condition can make a school become a center of democratic life valuing ability, upholding justice, application of equal opportunities, and considering diversity and difference among students and environments.

In mathematics teaching, an approach which is in accordance with the philosophy above is Realistic

Mathematics Education (RME) which was originally introduced in Holland in 1975, and based on the philosophy [4] viewing “mathematics as human activity and all mathematical elements in everyday life should be utilized in the teaching of mathematics in the classroom”. By using contextual, everyday issues, students are faced with situations they know, so that they become motivated in using their basic knowledge of mathematics they have learned and understood.

Beside mathematizing everyday problems, students are also given an opportunity to put concepts, notations, models, procedures, operations and solution of other mathematical problems into mathematical form. As human activity, mathematics material should be found by students themselves, and therefore, they learn to form a mathematical model (formally or not) based on the problem presented. In the end, they will form their own mathematical structures and understanding, and knowledge.

Provision of opportunities to work on mathematical problems taken from their own everyday life, using their own knowledge and experience will help students to build new understanding of concepts and mathematical operations [6]. Teachers' guidance and discussions with classmates are assistance for students to find formal model of mathematics. This is the main foundation in the formation and development of students' learning attitudes in the real sense [1].

According to [6], there are three main principles in RME: guided reinvention and progressive mathematization, didactical phenomenology, and self developed model.

a. Guided reinvention and progressive mathematization

The main idea of realistic education is that students should be given opportunities to reinvent mathematical concepts and principles under the guidance of adults [6]. According to this view, activities of students are important. They have to have opportunities to find mathematical concepts by themselves by working on various contextual problems. Those contextual problems lead them to form concepts, set up model, apply known concepts, and solve them based on applicable mathematical norms. Based on the problem, they build a model based on the model of the situation of problem (formally or not), then build mathematical model for solving in so that they gain knowledge of formal mathematics.

Invention of a mathematical model, concept, and procedure starts in mathematizing process in which students formulate problem structure in both formal and nonformal mathematical forms. They take this step by presenting mathematical concepts and procedure they know to solve problems. Problems given are contextual problems and are intended to support reinvention process that give students opportunities to formally understand mathematics [6]. The invention process itself involves inventions and application of mathematical formal and informal models.

Progressive mathematizing can be divided into two components: horizontal and vertical mathematizing [12,

16]. In horizontal mathematizing, students identify that contextual problems should be transferred into a mathematical form to be further understood. Through scheming, formulation, and visualization, students try to find similarities and relation between problems and transfer them into the form of mathematical models they have known. These mathematical models can be formal or nonformal. In vertical mathematizing, students work on formal or nonformal mathematical problems taken from contextual problems by using mathematical concepts, operations, and procedures applicable and known by students. Rules, formulations, and conditions applicable in mathematics should be applied correctly to get correct answers or results. In the end, students formulate and generalize problems by comparing answers and problem's contexts and condition. In such a case teacher's roles is very dominant. Under the assistance of teachers, students show the relation between the formulae used, prove mathematical rules applying, compare models, and formulate mathematical concepts and generalize [11].

b. Teaching Phenomena

The teaching phenomena emphasize the importance of contextual problems to introduce mathematical topics to students. In using contextual problems it is necessary to take into account the first two aspects: suitability of context for teaching and suitability of the impact in the reinvention process of mathematical forms and models of the contextual problems. Contextual problems in realistic mathematics approach function in: (1) concept formulation (to help students utilize mathematical concepts); (2) model formulation (to form mathematical basic model in supporting mathematizing thinking pattern); (3) Application (to utilize real condition as the source of application); (4) Training (to train students with special ability in real situation) [16].

In RME, students study individually or in groups to determine steps and strategies to be taken in solving contextual problems. The strategies are created and developed by students themselves (free production) in the forms of informal mathematics (diagrams, pictures, codes, symbols, etc.) and also formal mathematics (concepts and algorithm) they learned previously. Teachers only guide and facilitate them and become a bridge taking the informal mathematics to formal, standard mathematics.

c. Self Developed Model

Self developed model function as a bridge the gap between students' informal mathematical knowledge and their formal one. In RME, mathematical models are raised and developed by students on their own. They develop the models starting with solving contextual problems from real situation students have known, then to model of situation (informal model), followed by invention of model for the informal form (formal form), until getting problem solving in the form of standard mathematical knowledge. For the RME to take place well and the result is optimal, the teaching process should bring out the principles and characteristics of RME

2. METHOD

This experimental study employed Pretest-Posttest Control Group Design. The population was year- IX students of SMPN 6 Kulisusu, in the district of Buton Utara of Southeast Sulawesi province of Indonesia.

Sample was drawn by way of purposive sampling technique followed by *Random Class*. This resulted in the chosen of class IX₂ as experimental class and class IX₃ as control class, [14]. The design of this research can be seen in Table 1 below:

Tabel 1: Desain Penelitian

	Measiument (pre test)	Treatment	Measurement (post test)
Eksperiment group (E)	O ₁	X	O ₂
Control group (K)	O ₃	-	O ₄

Remarks:

EK = Experiment class

KK = Control class

X = Treatment, Teaching under RME-

O₁ = Pre-test of experiment class before treatment.

O₃ = Pre-test of control class before treatment

O₂ = Post-test of experiment class after treatmentsiswa kelas eksperimen setelah pembelajaran

O₄ = Post-test of control class after treatment.

Prior to the analysis of data, the improvement of critical thinking ability was calculated using N-gain:

$$N\text{-Gain} = \frac{S_{\text{post}} - S_{\text{pre}}}{S_{\text{max}} - S_{\text{pre}}}$$

Notes: S_{post} = post test Scores

S_{pre} = pre tests Scores, and

S_{max} = Possible maximum Score

Attained by a student. with the indicator:

High, if N-Gain > 0.7

Mid, if $0.3 < \text{N-Gain} \leq 0.7$

Low, if $\text{N-gain} \leq 0.3$

N-Gain was utilized to take away student's guess factor and the effect of highest score so bias conclusions could be avoided[8], [9]. N-Gain value was then analyzed with Paired Samples T-Test and Paired Samples T-Test to find out the significance of the increase and the difference of the mean scores of the two groups, using level of significance $\alpha = 0.05$.

3. RESULT

The mean score of posttest on mathematical critical thinking ability of experiment class was 70.24, higher than that of the control class which was 59.52. Whereas the N-Gain mean score on mathematical critical thinking of experiment class was 0.68, higher than that of the control class which was 0.53. This indicates that the improvement of mathematical critical thinking of experiment class was better than that of control class.

In general, the quality of the improvement of mathematical critical thinking of experiment class was in the mid category as shown by its N-gain mean score and the N-gain mean score of the control class presented in Table 2 below.

Table 2: N-Gain Mathematical Critical Thinking Data

Descriptive Statistics					
	N	Mean	Std. Deviation	Minimum	Maximum
N_GAIN_EXP	25	.68	.13653	.42	.88
N_GAIN_CONT	25	.53	.18510	.14	.75

The comparison between N-Gain mean and standard deviation of mathematical critical thinking between

experiment and control groups is presented in the bar diagram in figure 1.

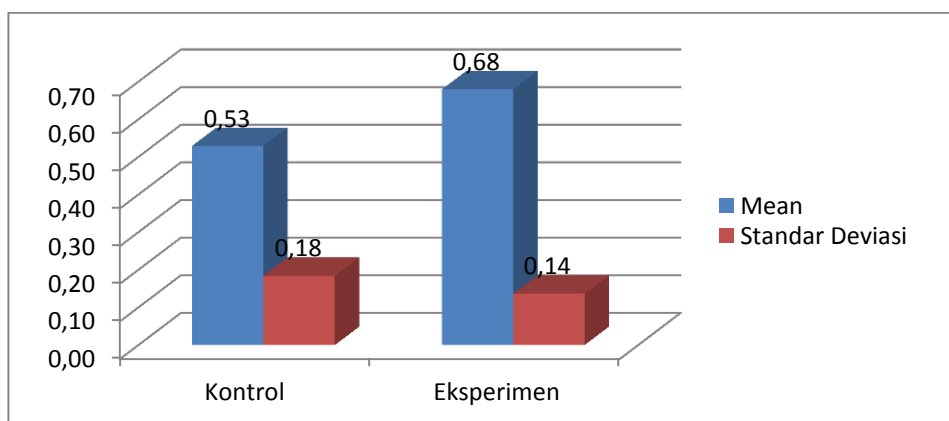


Fig 1 : Mean and Standard Deviation of N-Gain of Mathematical Critical Thinking Ability of Experiment and Control classes

After normality and homogeneity test was done on the data of experiment class and control class, the test of significance of improvement of mathematical critical thinking ability of both experiment and control classes was done by mean of *Paired Sampels T-Test*. The result of the test of significance, as shown in Table 3,

was 0.000. Because the significance was smaller than 0.05, it was concluded that there was a significant improvement of mathematical critical thinking ability of the experiment class, from the result of the pretest to the posttest.

Table 3. The Result of Significance Test of Mathematical Critical Thinking Ability of Experiment Class

Paired Samples Test									
		Paired Differences					t	Df	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean	95% Confidence Interval of the Difference				
					Lower	Upper			
Pair 1	PRE_TEST - POST_TEST	-6.09600E1	10.72567	2.14513	-65.387	-56.532	-28.418	24	.000

The result of statistical analysis t-test (difference test) of mathematical critical thinking of experiment class and that of control class, summary of the result of the analysis of t-test of the data of the two groups

are presented in Table 4, and the t-count was 3.287 with the significance value of 0.002 (smaller than the significance level 0.05) meaning that H_0 rejected.

Table 4: Test of Difference of Two Means of N-Gain of the Mathematical Critical Thinking Ability of Experiment and Control Classes

Independent Samples Test										
		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	Df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
N_GAIN_C ONT_EXP	Equal variances assumed	3.725	.060	3.287	48	.002	.15120	.04600	.05871	.24369
	Equal variances not assumed			3.287	44.15	.002	.15120	.04600	.05850	.24390

Looking at the four aspects of mathematical critical thinking developed under RME, students' mean score for the aspect of concept identification and justification was 3.28; for algorithm analysis was 2.92; for generalizing was 3.84; and for problem solving was 3.76 of 5.0, the maximum score.

Students' responded very positively in the teaching under RME as indicated by their answers to the questionnaires. The average percentage of students answering happy being taught under RME was 80.5%. Mean while, student's activities during the teaching process under RME in the first meeting was 72.8% ; in the second meeting was 74.6%; in the third meeting was 77.9%; in the fourth meeting was 83.8%; in the fifth meeting was 84.8%; and in the sixth (last) meeting was 86.3%.

4. DISCUSSION

The result of data analysis indicates that experiment class's mean score on the mathematical critical thinking in the posttest was 70.24 (high category), and the mean

score of the control class was 59.52 (mid category). There was an increase in both experiment and control classes' mathematical critical thinking. The N-Gain mean score of experiment class was 0.68 whereas that of control class was 0.53. This means that the N-Gain means score of the class taught under RME was higher than that of the class taught under conventional method. The result of Paired Sampels t-test showed that $t = -28.418$ with the significance of 0.00 meaning that the improvement of the mathematical critical thinking ability of students taught under RME was significant. The result of t-test (test of difference) showed that $t = 3.287$ with significance of 0.002. This means that there was a significant difference between the improvement of mathematical critical thinking of the class under RME (experiment class) and that of the class under conventional method (control class). Therefore, it can be said that teaching approach has significant effect on mathematical critical thinking ability of the students, meaning that there is a difference in improvement of mathematical critical thinking ability

due to the use of different teaching approaches used. Based on the average value of improvement (N-Gain) of the two classes, that is, $0.68 > 0.53$, it can be said that the teaching under RME approach is better in improving mathematical critical thinking of the students compared with the teaching of mathematics under conventional approach, especially for the topics of congruency and similarity.

This is possible because in RME approach, the formation of mathematical knowledge starts from working on everyday life problems. By working on mathematical problems recognized by students and taking place in their real life, students build their mathematical concepts and understanding using their instinct, reasoning ability, and mathematical concepts they have known. They form by themselves mathematical knowledge structure under teacher's assistance by discussing possible alternative answers, in which case the most efficient answer is expected, without ignoring other alternatives [7].

The formation of mathematics understanding by working on the problem from everyday life will bring advantages for students, in the following ways: (1) Students can understand more the situation, condition, and event around them. Around them are different cultures containing mathematical elements. (2) Students are skillful in solving problems independently making use of his/her own capability (instinct, reasoning, logics, and science). In such case, improving "Learning for living" and "life skill" have their real portion. (3) Students build their comprehension of mathematical knowledge on their own, and as a consequence, increase their self-confidence proportionally in doing mathematics. They will not be afraid of mathematics subject.

Basically RME approach focuses on reinvention the ability of students, an ability to reinvent mathematical concepts through contextual problems presented in Student Activity Sheet (Indonesian: LAS). The context developed is in accordance with the characteristics of RME containing everyday life problems. Then, from the beginning of the context informal mathematics is designed (model off), and students are expected to be able to develop or apply it in formal mathematics (model for). It is the process of mathematical modeling which can improve students' mathematical critical thinking ability.

RME also trains on mathematical critical thinking. Students identify that contextual problems should be transferred into mathematical model to be further understood. Through scheming, formulation, and visualization, students try to identify the problem similarity and relation and transfer them into mathematical models they are knowledgeable of. The mathematical model can in formal or informal form [15]. Here, the role of the teachers is to help students find the models by describing models suitable to present the problems.

RME approach to teaching basically train students to work on formal or informal mathematics from contextual problems using mathematical concepts,

operation, and procedures which apply and understood by the students. Rules, formulas, and condition applying in mathematics should be implemented in the right way to get correct answers. Under teacher's help, students show the connection of applied rules, prove the applying mathematical rules, comparing models, make use of different models, combine and apply models, and formulate mathematical concepts and generalize them. With this way students' ability to think critically is developed and trained.

Students' activities in the teaching under RME can take place well, since in the process of the teaching activities are done in groups, between groups, (class discussion) to solve contextual problems using students' activity sheets. In addition, RME trains students to form their knowledge by themselves through a set of problem solving, while LAS are designed to trigger reinvention by students.

The students of the experiment group were better since they were better due to their activities during the teaching process in the experiment. Observation's findings indicated that the percentage of the activity of individual student tended to increase in every teaching until the last meeting in this experiment, some students' activities relating with mathematical critical thinking reached 86.3% (very active category). In the first meeting, the activity of the students in the teaching process was just 72.8%. However, in the second meeting, the percentage tended to increase because the students had adjusted with the teaching approach used. This was shown by students' activity in expressing ideas, asking questions, giving comments, and their seriousness in presenting their work.

In regard to response to RME approach, 80.5% of the students expressed that they were happy with the approach, and this means that they responded positively.

5. CONCLUSION

Mathematical critical thinking ability of students taught under RME approach was at high category of the four aspects improved, algorithm analysis aspect was still low, whereas the aspects of identifying and justifying concept, generalizing and solving problem aspects developed well.

1. Mathematical critical thinking of students taught under conventional approach was at the mid category.
2. Improvement of mathematical critical thinking taught under RME was better than that of students taught under conventional approach.
3. Students' response to the teaching under MRE was positive, they were happy about the teaching process. In addition,, students'partipation in activites were good and tended to increase.

6. SUGGESTIONS

1. RME approach is one of many approaches to the teaching of mathematics, and is good to apply for improving mathematical critical thinking ability.

2. Teachers who apply RME approach in their teaching are suggested to pay special attention to algorithm analysis aspect.
3. Mathematics teachers, especially the ones in Southeast Sulawesi, in their efforts to improving thinking ability in the teaching of mathematics are suggested to frequently use constructivism-based approaches.

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LANGUAGE SHIFT: A CASE STUDY OF A SRI LANKAN STUDENT IN BANDAR LAMPUNG UNIVERSITY

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ABSTRACT- *Language-shift is an inevitable phenomenon because of globalization. The globalization has set English as international language; a language that forces communities around the world to abandon their mother tongues to be spoken. This research was conducted to find out the necessity behind the language shift done by the respondent. The respondent of this research was Balapuduge Upeka Deewani Mendis (Upeka). She was purposefully selected as the data resource for she was the one that fulfilled the criterion to be the one that shifted language for she emigrated from Sri Lanka. Interviewing her gave the researcher some findings to discuss. Asking open-ended question was the method used in the interviews. The topics of the interviews were about her profile, her language repertoire, and competence check. In competence check, the researcher asked her Indonesian word meanings of some English ones. The results showed that there was indeed necessity in shifting language. Reasons behind the shift are social, economic, and demographic factors, thus included into Sociolinguistic aspect.*

Keywords: Language, language shift, globalization, international language, language competence

1. INTRODUCTION

Language-shift is an inevitable phenomenon because of globalization. The globalization has set English as international language; a language that forces communities around the world to abandon their mother tongues to be spoken.

There is a perception that shift towards the use of English at the expense of other mother-tongues and home languages occurs largely all around the world (De Klerk 2000; Kamwangamalu 2003). New English speakers appear all around the globe and without being noticed the number is continuously increasing. This also means that ethnic or region of native languages is going into extinction.

Blommaert (2010) has said that each time when a well-known language like English appears in a foreign territory, the local language of that territory will die. English is considered as a killer language, a language that kills others which stand in its way, which unconsciously forces the speakers of those other languages to speak it. Even though people are aware that their languages are gradually shifted, they do not have other choices to speak it to survive the globalization.

The globalization has established English is an international language; a language to use for communication among communities in every aspect of life, such as education, business, trade, etc. Since the globalization has set English as a standard, to cope with it, there is a trend to abandon native language in order to focus in gaining English mastery. The most obvious example for this case is that most families in Indonesia, that do not teach the youth their ethnic languages anymore, think that their ethnic languages will not give the youth any benefits at all.

Seeing no benefits in maintaining a mother tongue will lead people to gradually shift to speak another language. Language-shift will always be related to code switching. It is move from one code (language, dialect, or style) to another during speech for a

number of reasons such, to signal solidarity, to reflect one's ethnic identity, to show off, to hide some information from a third party, to achieve better explanation of a certain concept, or to impress and persuade the audience.

Baker (1992) and Fasold (1990) state that people's language attitudes define the ways in which they rank the different languages in their repertoire, language domains, how they feel about those languages, and how they behave towards them and their speakers.

The respondent in this research is Upeka Mendis, currently a fourth semester student of English Education study program in Bandar Lampung University. However, she is not an ordinary student around the college, for she is an expatriate from Sri Lanka. She is trying so hard to master Bahasa Indonesia mixed with English sometimes when she speaks to her friends in campus, the researcher does not think the shift is necessary, for the researcher supposes her friends understand English as well.

Seeing her effort in mastering Bahasa Indonesia to blend with her friends makes the researcher thinks whether it is really necessary. If it is, then there must be some reasons leading her to shift language. In this research, the researcher will try to answer some questions:

Is it really necessary for the respondent to shift her language, when even with her native language, in this case English, her friends still can understand her?

What are her reasons in doing so?

The aim of conducting this research is to find out the necessity behind the shift is the first goal. After it is confirmed that there is indeed necessity behind the action, the researcher will be able to conclude what factors leading to the language-shift phenomenon are.

I will describe how far the respondent's mastery in gaining the local language to socialize among her friends in her daily life has increased. I will explain how much of the percentage of her Indonesian words

mixed with English. Knowing the percentage will be done by analyzing her competence and performance in using Bahasa Indonesia.

Language is a way in how people portray their thought by speaking, gestures (body language, and symbols (written expressions). It enables them to exchange information. People use different languages for different circumstances. They will use formal language when they are in formal situation and not vernacular one. On the other hand, they will use vernacular language in less formal situation.

Longman Online Dictionary (2015) defines language as a system of communication by written or spoken words, which used by people of a particular country or area. Spoken words means speaking and written words means they communicate in form of letters. Those two ways used by a group of people in a particular community.

Merriam-Webster Online Dictionary (2015) defines language as a system of words or signs that people use to express thoughts and feelings to each other. Here mentioned words and signs as the form of the communication. Expressing thoughts and feelings mean communicating or exchanging information used by people.

Collins Online Dictionary (2015) defines a language as a system for the expression of thoughts, feelings, etc, by the use of spoken sounds or conventional symbols. It is used in communicating and sharing information and feelings among people by speaking or written form.

Chomsky (1958) states that language is people's process to make something new, the rules or the structures of the language itself are fixed, but how people use it is up to them and how they interpret other's language is also free. This means that language keeps renewing, because people never stop creating new language and its usage is up to them, it is right that the rules of it is fixed, but the usage is in the hand of the language users. People also have the freedom how to interpret others' language usage.

Bloch and Trager (1942) say that language is based on or subject to individual will or preference. It is arbitrary. Arbitrary here means that a language has its own form and use for different people, and there is no any connection between a language to another for those people in how they use it to name things.

The International Reading Association and the National Council of Teachers of English members (2010) conclude that language is very much like a living organism. It cannot be put together from parts like a machine, and it is constantly changing. Like a living organism, it exists only in interaction with others, in a social interdependence. Language is a system of signs through and within which we represent and make sense of the world and of ourselves. Language does not contain meaning; rather, meaning is constructed in the social relationships within which language is used. Individuals make sense of language within their social relationships, their personal histories, and their collective memory. In order to make sense of even a single word, people take

into account the situation and their relationship with the speaker or writer.

Cambridge Online Dictionary (2015) defines shift as to (cause something or someone to) move or change from one position or direction to another, especially slightly. From the phrase "to move or change from one position or direction to another, especially slightly", we can understand that there is a move from an original position to a new one. For the research this means that from the mother tongue to English as the new language.

Potowski (2013) states that language-shift is the replacement of one language by another as the primary means of communication and socialization within a community. Here he points the language-shift as a replacement, means that when someone replaces something, means that he/she has a new thing to replace the old one, in this case replacing a mother tongue with English.

Weinreich (1953) says that language-shift is a gradual change from the habitual use of one language to that of another. This is as same as what Potowski has said. There is a new language gradually changes the old one which is usually used.

Fishman (1971) and Baker-Jones (1998) state that language-shift is a progressive abundance of language of origin done by people, while at the same time they adopt a new language of the socially or economically dominant group. In this sense, language-shift represents an alternative to language use and usually occurs among speech communities in a subordinate or minority position in continued language contact with a super ordinate, dominant speech community.

The phenomenon of language-shift commonly occurs in bilingual and multilingual societies. The most obvious factors for language-shift are that a community sees an important reason for learning a new socially and economically higher status group's language. It is, to be able to get benefits from the higher status group.

Attitude is what makes the phenomenon of language-shift possible to happen. How people value their language is what makes them decide to adopt a new language to use. Economically higher status group's language is one that usually highly appreciated and preferred by people.

A case study is a detailed investigation of a single individual or group. Detailed investigation allows us to fully understand about a particular phenomenon or case. A study can be qualitative or quantitative or even the combination of those two.

Yin (1984) defines a case study as an empirical research that investigates social phenomenon or developed issue on an individual or a community in his or their real life. Empirical means that the data are collected using observation rather than theory. Sometimes, even though there is a theory, the research findings will also lead to another conclusion that contradicts the theory.

Parkinson and Drislane (2011) state that a qualitative research is a research using methods such as participant observation or case studies which result in

a narrative, descriptive account of a setting or practice. It means that when we conduct a research to find explanation about a phenomenon, the research is called a qualitative research. The explanation will be in the form of narrative or descriptive essay. The method used in this kind of research usually is participant observation, just as same as what i use in this research.

Lambert and Gardner (1959) propose to measure bilingual dominance by demonstrating its ability to predict performance in the L1 and L2. Performance in language can be measured with reading and speaking. The faster someone reads and speaks. The better their performance is.

Macnamara (1969) administered tests in two languages to bilingual sixth graders in Montreal and also measured how rapidly these bilinguals could read French and English passages. A faster reading rate in one of the two languages was said to indicate dominance in that language. The reading speed measure proved to be the best predictor, of several measures that were considered, of skill in reading, writing, speaking, and understanding the two languages. In the case of the respondent, the researcher analyzes her speaking performance.

2. RESEARCH METHOD

This research uses a descriptive qualitative research design, since the researcher wants to retrieve deep understanding about the language shift issue done by the respondent. The design is effective to be used in identifying such of the language shift issue for it is included in social norms. It is also appropriate to be used in seeking answers for the research questions.

The respondent's mastery of Indonesian words is what to be observed here. There will be one individual to be the respondent. The respondent is a university student in Bandar Lampung. After choosing the respondent, there will be multiple methods that used in gaining the data namely, observation, interview, documentary and transcription. Firstly, there will be an observation to see how often she speaks using Indonesian words. **II.1** can be in her class and outside of it. Next is interviewing her about some topics such as her biography, her preferences, and her dream. While interviewing there will be documentation. It will be in the form of audio (voice recordings). They will be the data sources and the basic fundamental to have some analysis.

In this research, the only variable investigated or observed is the language shift of the respondent. It is the basic unit of the information studied or interpreted in this research. It is the thing that is to be reported without any conclusions drawn about influence or causality.

This research will be conducted in Bandar Lampung University, one of the universities in Bandar Lampung which has six faculties and twelve study programs. They are Law, Economic, Social Science and Political, Computer, Engineering and English Department. English department is the youngest faculty and only has one study program namely English education study program. This study program is located at Z.A Pagar Alam Street number 26, Labuhan Ratu, Bandar Lampung. The observation will be done on that street. It is on the third floor of rectorat building in the speaking three class. However, the observations are in the class, the interview can be in the class or outside the class. Since, the consideration of the interview time is on the third week of January where Bandar Lampung university students have done their final tests and got holiday. The respondent might not probably come to their campus. The interview can be held outside the class, such as in their boarding house, cafeteria, and so on. Moreover, this research is expected to be done from March to April 2015.

The data of this research is taken from the respondent in Bandar Lampung. There will be some characteristics of the respondent. She is a student of Bandar Lampung University. She is from a minority group in her community, since she is the only one foreigner. She is not only the most appropriate source to gain clear data but also she will be able to provide answers of the research questions.

In collecting the data, the respondent will be observed and interviewed. Those will be recorded especially for the interviews. The respondent will also be observed in some of her classes.

After having the observations, she will be interviewed about some topics such as her biography, her language repertoire, and competence check. The interview will be done to retrieve answers from some questions. Each interview will be recorded. Since the respondent is a university student, so the researcher has to arrange the schedule which is suitable to her. The interview will take place in March to April 2015

2.1 INSTRUMENT

It is not only the research procedures but there are also instruments that are needed to reach out the goals. The foremost instrument in this case is the researcher herself, for her acts not only as the instrument but also as the data collector, since she has important participation in this research. Besides her, there will be documentation. It will be a cell phone as the main recording tool in the interviews. The recordings will be transcribed and the transcription is used for the data analysis. Note taking is also necessary in this research. After that the data will be typed and saved into a computer. Below is the list of the questions asked in the interviews and competence check.

Table 1: The list of questions for the interviews

No	First Interview	Second Interview
	“biography”	“language repertoire”
1	What is your full name	What language do you use at home with your family?
2	Where were you born?	What language do you use with your family but not at home?
3	Where do you live now?	Do you still remember what the first word you know in Bahasa Indonesia was?
4	Do you have sisters and brothers?	Why with those words?
5	Can you please tell me about your family?	What are Indonesian words you often use in your daily conversation?
6	Is there a special sentence that can represent your family?	Can you tell me the difference between Singhala and English?
7	What is your favorite food?	Which is more important, English or Singhala?
8	Why do you like it?	Why is it more important?
9	What do you do in your spare time?	Do you think Bahasa Indonesia is important?
10	In your opinion, what does a dream mean to you?	

The questions listed above are asked to the respondent in the first interview and the second one as well. It is to retrieve some information needed for answering the research questions.

Table 2: The list of the words used in competence check

No	Noun	Verb	Adjective	Colors
1	Clothes	Eat	Good	Red
2	Bag	Drink	Bad	Black
3	Book	Sleep	Ugly	White
4	Pen	Walk	Tall	Yellow
5	Trousers	Go	Long	Green
6	School	Come	Short	Brown
7	House	Study	Delicious	Pink
8	Chair	Bring	Beautiful	Blue
9	Table	Take	Big	
10	door	Give	Small	

The words listed above are the competence check the researcher proposes to the respondent, the researcher asks her the Indonesian meaning of them, her answering them without hesitation shows her competence of Bahasa Indonesia.

To know whether the data are right or wrong, data analysis is needed in the research. The data that are going to be analyzed are all the recordings from the interviews. In this step, the researcher will listen to all the conversations and take some notes for some Indonesian words said by the respondent then the researcher will transcribe the conversations. After taking notes and transcribing, she will analyze and relate the findings to the theories.

3. RESULTS AND DISCUSSION

Results found from the interview sessions will be the data that are going to be discussed. The data are some word switches done by the respondent. Those switches indicate that there is indeed code switch and code mixing in between her sentences. Below are some word switches she does in the interviews

Table 3: Some words she switched in the first interview

No	Words	Meaning	Sentences
1	<i>Apa</i>	What	My name Upeka Dewani Mendis, but I have <i>apa</i> family surname...
2	<i>Ya</i>	Yes	Very long name, <i>ya</i> ?

1.2

1.3

In the interview, the researcher speaks full English with her so she replies also in full English. She uses the word number 1 in the example of sentence above as filler in between words to complete her sentences. This happens quite a lot and it tells that her performance in English speaking is not very good. Lots of pauses in between her sentences make it as if she speaks stutteringly with many fillers. It can be said that she does not practice a lot to improve her speaking skill. If she did so, she would speak flawlessly or at least with fewer pauses and fillers.

The word number 2 in the sentence example is used as a tag question. The use of it is influenced by Bahasa Indonesia Indonesia's structures while it should be “very long name, isn't it?” or in English vernacular sentence form as in sentence “very long name, right?”. Instead of using either of the latter forms, she uses the one of Bahasa Indonesia's structures to show her fondness of it.

Still in the first interview, the researcher also notices that her English is heavily-accented by a foreign dialect. This happens because her first language (L1) is Singhala. As she says that English is the second language (L2) for her, it can be concluded that Singhala is her mother tongue. It is well-known that the first language will influence the second one, either negatively or positively. In this case, her L1 negatively influences her L2

In the second interview, the theory about attitudes is implied because she switches between English and Bahasa Indonesia quite a lot. This happens because I asked her to do so before the interview. My request can be considered as a stimulus for her that she takes it as a guarantee to answer the interview questions

using some Indonesian words as required. The theory of attitudes is applied in this case as they can be found simply in the responses people make to social situations. She switches and mixes English with Bahasa Indonesia because of the request the researcher proposes before the interview.

Table 4: The list of some Indonesian words from the second interview

No.	Word	Meaning
3	<i>Terima kasih</i>	Thank you
4	<i>Nasi goreng</i>	Fried rice
5	<i>Sudah makan?</i>	Have you eaten?
6	<i>Nggak mau</i>	Do not want
7	<i>Nggak apa-apa</i>	It is okay
8	<i>Pulang</i>	Go home
9	<i>Hati-hati</i>	Be careful

Most of the words she utters above in the second interview are common daily-used language. This language variety is called as vernacular language. It is the ordinary, everyday speech form used by a particular community. It is usually used in less formal situations.

The word number 3 is the first word she hears when she arrives at the airport as the stewardess says farewell to passengers, she catches the word for it is repeated over and over again. Exposure to a language will lead to curiosity to know it. So she asks her father seeking the meaning of the word. Knowing the meaning of it has increased her competence.

The word number 4 is the name of the first food she has after her arrival at the airport. After eating the food she comes to like its taste and it becomes her favourite food since. Liking something will also increase our curiosity to know about it.

The phrases 5, 6, 7 are other examples of daily-used/vernacular language. The standard forms are listed below.

Table 5: Standard Indonesian form of the phrases 5, 6, 7 and its meaning in English

No	Indonesian vernacular form	Indonesian Standard form	English standard form
1	<i>Sudah makan?</i>	<i>Apakah kamu sudah makan?</i>	Have (subject) eaten
2	<i>Nggak mau</i>	(subject) <i>tidak mau/ingin</i>	(subject) do/does not want
3	<i>Nggak apa-apa</i>	<i>Tidak apa-apa</i>	It is okay

The respondent knows the standard form of those phrases. In other word, she is competent of it. Even though she knows it, she always uses the vernacular one instead of the standard one for it is used more frequently by her friends.

The word number 8 and the phrase number 9 are the most commonly used and always exposed to her in her daily interaction with her friends. The frequency of the exposure to those words makes her familiar with them. It makes her gradually acquires them.

In the third interview, the researcher does not ask her open-ended questions. The researcher asks her the Indonesian meaning of some English words. This is to check whether she knows more of those words than ones she does not. From the 48 words consisting nouns, verbs, and adjectives, she knows 41 of them. This means that she knows about 85% of the total. Knowing those words is her competence in Bahasa Indonesia. Competence here means her knowledge about Indonesian words.

Table 6: Some Indonesian words she knows about.

No	Indonesian words	English meaning
1	<i>Makan</i>	Eat
2	<i>Bagus</i>	Good
3	<i>Baju</i>	Clothes
4	<i>Kecil</i>	Small
5	<i>Meja</i>	Table

The words listed above are well-known by her. She answers the meanings of those words without any hesitation. The absence of the hesitation indicates that she knows them very well and she is sure her answers are right.

Table 7: Some words she does not know.

No	Indonesia words	English meaning
1	<i>Memberi</i>	To give
2	<i>Celana</i>	Trousers
3	<i>Tinggi (for person)</i>	Tall

She does not know the word number 1 on the table above. This is caused by her knowledge of the other form “*untuk kamu*” which means “for you” that is usually used in conversation. Her friends say “*ini untukmu*”, means “this is for you” and not “*saya memberimu ini*” which means “I give you this”.

The respondent also does not know the word number 2 above, this is caused by its generalization to the word “clothes” which has the same category as the things we wear. This means there is a lack of competence in the specific term used to name the thing.

The word number 3 on the table about is not known by her either. The cause is that she always uses “*panjang*” which means “long” that is used for things or “high” which is also used for things, this is also categorized as generalization. It indicates the limitation of her competence in some specific term used for specific thing.

Based on the results, it can be concluded that there are two principles applied in the respondent’s case. The first principle is the principles of Second Language Acquisition (SLA), and the other one is Sociolinguistics. SLA principles explain the way how she acquired the performance of her mastery of Bahasa Indonesia. While Sociolinguistics explains the use of language she applies in her daily conversation.

a. Second Language Acquisition Principles.

There are two things I highlight at this point. The first one is the heavily-accented speech. The other is the omission of some words from the sentences she utters. Heavily-accented speech is influenced by her regional dialect. The omission is influenced by the difference of the language structures of her mother tongue, Singhala, and English.

The heavily-accented sentences uttered by the respondent are influenced by her L1, Singhala. It is known that the first language knowledge will interfere the new one. This interference is called transfer. Mistakes made in the transfer process are called negative transfer. Those mistakes are caused by the markedness or the differences in the two languages. The similarities or unmarkedness between L1 and L2 are thought to help the SLA. It is called as positive transfer. In other words, the distinctions between L1 and L2 cause difficulties and mistakes in SLA, while the similarities help the transfer from L1 to L2.

In the case of dialect, experts have different opinion. The first opinion says that dialect assigns us to a geographical area and often is considered to be degenerate variation of a standard version. The other considers it as a unique part that identifies or differentiates something from others. In the case of the result it is considered as uniqueness that characterizes the respondent apart from her Indonesian friends.

b. Sociolinguistics Aspect

Sociolinguistics is the study of the relationship between language and society and how language is used in speech communities. I will discuss the results that are pinpointed to factors leading her into shifting language. There are social, economic, and demographic factors, linguistic varieties, and her language attitudes. The social factor explains the way she tries to fit in a contact with her friends or/and me as the interlocutors. Economic factor tells us the reason behind the shift related to economic field. Demographic factor is related to the place she shifts or switches between languages. Linguistic varieties portrays about language repertoire chosen by her. And the theory of attitudes explains about how she values languages she is competent of.

In social life, it is normal that speakers will accommodate their speech in order to win interlocutors' approval or they will maintain their style to differentiate themselves from other individuals or groups. In the case of the respondent, I can estimate that her effort to master Bahasa Indonesia is not to be considered as a stranger among her friends in campus. So, mastering it is important for her to be accepted as part of the community itself. This can lead to making new friends, thus, they can understand each other as long as they accommodate one another.

Getting a job is a consideration she puts in mind in shifting language. Knowing or mastering a language can help her in getting a well-paid job. In this case, she aims to apply to Indonesian embassy in Sri Lanka. It is also considered prestigious for her to master a language that no one of her compatriots knows about it.

Demographic factor is related to the place of the speech community. Language shift occurs faster in the urban area where the inhabitants have different languages. In the respondent's case, she shifts language for she is from the minority group and the one with no higher status than her friends.

On the point of linguistic varieties which portrays the language repertoire and based on the result that most of the words or phrases she mastered are from vernacular variety, it shows us her social network; her relationship among people. Let us take a look at her social network in the campus as her friends are also students and who also use vernacular or common daily-used language and not the standard form of Bahasa Indonesia. The use choice of this variety is because they usually have conversations during breaks, since it is not possible for them to talk much in the class during lectures and in which the situation is more formal. Related to the accommodation theory, her mastery of vernacular form of Bahasa Indonesia also can signal her solidarity for those friends of hers. Furthermore, it can show her appreciation or even more her loyalty to them.

The researcher estimates that she values her language as highly as everyone does, but in seeing no benefits in maintaining it, she does not have other choices except to adapt and shift language in order to survive in the new community. Her interaction with her friends in the campus community will gradually make her master Bahasa Indonesia. Since it is the language of the majority, and she does not have her own group or community to help her maintaining her language, the shift will always take place. Having a group that has same language can slow the shift process down or even prevent it from happening.

4. CONCLUSION

The finding of Indonesian words that are mixed with English indicates that there is indeed code switching or mixing in the respondent's sentences. This points that there is indeed a necessity to shift language. The factors leading to language shift are social, economic, and demographic factors. Shifting language in order to make new friends and to be accepted as part of the community is included in social factor. Economic factor leads to shifting language for getting a well-paid job. Being minority in a new place and having no group to help her maintaining her own native language forces her to adapt to new language is the demographic factor. Those factors are categorized as Sociolinguistics aspect.

The same as everyone else who learns a new language, the principles of Second Language Acquisition (SLA) is applied in her case as well. Some word omissions and heavily-accented dialect in her sentences are the negative influence from her mother tongue. The latter cases happen because of the markedness or differences between the languages she masters.

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ONLINE AUTHENTIC MATERIALS FOR LEARNING ENGLISH

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ABSTRACT - Online authentic materials can be used for teaching English. This paper observes the use of some online authentic materials such as Edmodo, Podcast, and Instagram. It focuses on students' motivation and skills in learning English by using those online authentic materials. The participants are students at the sixth semester, Teacher Training and Education Faculty, Bandar Lampung University. It is found that the students are motivated in learning English and there is improvement in speaking and writing skill. In addition, students's comprehension in listening gets better.

Keywords: Authentic materials, Edmodo, Podcast, Instagram, English skill.

1. INTRODUCTION

Online authentic materials can be used for Learning English such as Edmodo, Podcast and Instagram. Edmodo is an educational website that takes the ideas of a social network and refines them and makes it appropriate for a classroom. In Edmodo, students and teachers can reach out to one another and connect by sharing ideas, problems, and helpful tips. Another online authentic material is Podcast. Podcasting is a means of publishing audio and video content on the web (Deal, 2007). The other online authentic material is Instagram. It is a media to share photos or videos with comments from the users.

These online authentic materials can represent the actual goal of language learning. They can also bring the means of learning and the purpose of learning close together. This paper observes the use of those authentic materials by focusing on students' motivation and skills in learning English by using those online authentic materials.

2. RELATED STUDIES

Erbaggio (2015) has shown that through online authentic materials students positively relate to integrating instructional technology in the foreign language and classroom. They address how the online learning strategies made them feel empowered as a learner and how comfortable the learning process become. They associated learning with fun and they benefited from the instant responses provided by the online testing system.

Minh (2014) found that Edmodo can be successfully blended into the curricula. It can be used to save all the online quizzes and exam for the easier online review. It made a better way of management of large-

sized class, an easier and more effective method of assigning homework, more convenient way of giving a test and assessment, and a more eye-catching and powerful way of giving preliminary discussion. Anusienė and Kavaliauskienė (2009), have examined the challenges that students face in listening to various authentic English podcasts, and to analyze learners' self-evaluation data on various techniques of improving listening skills. They addressed into learners of learning online of Podcast, self-evaluation of one's performance in individual learning practice and reflection of improving listening skill. They found that individual online listening to podcasts at one's own pace and at the convenient to a learner time encourages and motivates learners to improve skills of listening.

Further, in Blair and Serafini (2014), it is found that that technology has disrupted the decades of methods strategies in learning and students expect more engaging activities to apply course content. Using social media networks can improve the delivery of content and retention.

3. METHODOLOGY

The study evaluated students at the sixth semester, Teacher Training and Education Faculty, Bandar Lampung University. Their motivation and skills in learning English after using Edmodo, Podcast and Instagram are analysed through the observation and questioner. The texts of writing are scored by scoring rubric of writing given in Table 1 (Ningrum, Rita & Hastini, 2013:6). Both pre-test and post-test were conducted to measure the students' improvement in writing skill.

Table 1: Rubric of Writing

No	Writing Components	Score	Explanation
1	Content	3	Relevant and adequate answer to the task set
		2	For the most part answer the task set, though there may be some gaps or redundant information
		1	Answer of limited relevance to the task set. Possibly major gaps in treatment of topic and/or pointless repetition.
		0	The answer bears almost no relation to the task set. Totally inadequate answer.

2	Organization	3 2 1 0	Overall shape and internal pattern clear. Underlying structure not sufficiently controlled. Some of organizational skills in evidence, but not adequately controlled. Organizational skill adequately controlled. Very little organization of content No apparent organization of content
3	Vocabulary	3 2 1 0	Almost no inadequacies in vocabulary for the task. Only rare inappropriacies and/or circumlocution. Some inadequacies in vocabulary for the task Perhaps some lexical inappropriacies and/or circumlocution. Frequent inadequacies in vocabulary for the task.. Perhaps frequent lexical inappropriacies and/or repetition. Vocabulary inadequate even for the most basic parts of the intended communication.
4	Grammar	3 2 1 0	Almost no grammatical inaccuracies Some grammatical inaccuracies Frequent grammatical inaccuracies Almost all grammatical pattern inaccurate
5	Mechanics	3 2 1 0	Almost no inaccuracies in punctuation and spelling Some inaccuracies in punctuation and spelling Low standard of accuracy in punctuation and spelling Ignorance of conventions of punctuation and almost all spelling inaccurate

4. RESULT AND DISCUSSION

In the observation, it is found that after using Edmodo, the students get more motivation in learning English. There is significant improvement of students' motivation in learning English especially in writing and speaking skills. The data from the questionnaire shown in table 2 indicates that the students give the positive response that they are really like Edmodo and they are motivated in learning English after using

Edmodo. Further, it is found that students using the material from podcast got higher scores in listening comprehension test. The scores differ between experimental class by podcast and control class by using short video. Then, it is also found that students using Instagram got higher scores in writing recount text. It can be proved from the scores in pre-test and post-test that showed the significant improvement in writing recount text.

Table 2: The Result of Questionnaires

No	Question	Response "No"	Response "yes"	Response "little bit"
1	Do you like using Edmodo		2	
2	Do you enjoy using Edmodo?		2	
3	Do you happy with consulting the teacher personally?		2	
4.	Do you pleased with studying English by using Edmodo		1	1
5.	Do you like having an online class via Edmodo?		1	1
6.	Do you like submitting work and getting feedback by using Edmodo		1	1
7	Are you motivated in learning English after using Edmodo?		2	

Table 3: Listening Scores

The Number of Respondent	Pre Test	Post Test
One control class	50	60
One experiment class	54	70

Table 4: Student's Pre-Test Score in Writing

Class	Content	Organization	Vocabulary	Grammar	Mechanics	Total	Score**
Control	1	3	2	2	2	10	66,67
Experiment	1	2	2	2	2	9	60

Table 5: Students's Post-test Score in Writing

Class	Content	Organization	Vocabulary	Grammar	Mechanics	Total	Score**
Control	2	2	3	3	2	12	80
Experiment	3	3	3	2	2	13	86,67

**The formula: $\text{Total} \times 100 : 15$
(15 is the maximum scores)

5. CONCLUSION

Learning English by using Edmodo, Podcast and Instagram as online authentic materials gives positive effect in mastering the main skills in English. The materials provide easier ways since students like multimedia exercises. Using those materials, students can proceed the learning in their own places and make their own choices how to work through the materials. By using those materials, the students are motivated in learning English and there is improvement in speaking and writing skill. Further, students's comprehension in listening gets better.

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POLITENESS STRATEGIES AS PERSUASIVE TOOL IN MAGAZINE ADVERTISEMENTS CIRCULATED IN LOMBOK TOURISM SPOTS

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ABSTRACT - This research aims to illuminate the pragmatic function of politeness in the world of advertising as a rarely-talked-about communicative act. Politeness theory presented by Leech (1983) and analyzed by Brown and Levinson (1987) in the form of taxonomy is known to be one of the most important factors for a successful communication and it is highly guaranteed as the most persuasive instrument. The main focus of this research is to explore the politeness strategies adopted and adapted in English and Indonesian ads and to find their persuasive factors by comparing and contrasting them. To reach the objective, a corpus of 100 advertisements both in English and Bahasa Indonesia were collected from some magazines which are mainly available at the main tourism spots in Lombok. Each advertisement containing words was then analyzed in term of category and sub-category of politeness strategy in the two languages. The frequency of each strategy was then computed. From the research, it was ultimately found out that the politeness strategy, based on the Brown and Levinson's taxonomy, indicated that English ads exploits more Positive politeness strategies while in Indonesian ads tend to use Negative politeness strategies.

Keywords: *politeness strategy, politeness marker, advertisement, persuasive tool, Lombok tourism spot.*

1. BACKGROUND

In the world of business, the language of advertisement plays an important role and it is considered as a directive speech act, (Searle, 1970) or "a speech act" (Amir, 2013:44) and its nature is impositive (Leech, 1983), which influences and motivates people to buy products. Advertisers use different kinds of language strategy to reach the goal and one of them is the use of politeness strategy. This strategy is usually employed to strengthen rapport and to maintain social equilibrium, (Fraser dan Nolen, 1981).

People in general tend to pay more attention when they face polite language that shows deference and consideration to others. Therefore, it is critically important for advertisers to catch the readers' attention and maintain social and emotional relationship with their customers. In order to reach the goal, they are expected to use politeness strategies in their advertisements with a careful consideration from many different aspects. Moreover, one thing that must also be considered is every community has a different culture, it is therefore, as stated Hughes (1984) one way to understand cultural view and understanding of a community is by analyzing the advertisements presented in various kinds of media including advertisements as found in business magazines. So long as those people working in the world of advertisements want to try change the purchasing or consumption behavior of the consumers by influencing them to do what they want them to do, it must be certain that an advertisements presented in every culture and language employs a different persuasive strategy which is in line with the politeness principle and strategy uphold in that culture.

Lakoff (1975) has his own view that politeness has been developed to lessen the friction in social communication and interaction so that politeness can

be seen as a constrain in human communication in human communication which is aimed at considering others' feeling, establishing degree of mutual comfort, and promoting rapport. Further, Ide (1989:225) sees it as 'language usage associated with smooth communication'. All these understandings reveals the true fact that politeness is an important element in creating effective relationships with other people, and it is therefore any failure in using these strategies can debar the effective communication, leading to individual disappointment and dissatisfaction.

Knowing the fact that different cultures employ different politeness strategies, it seems that exploring into the nature of these differences can be of great interest and help to researchers and practitioners. This study aimed at investigating different linguistic politeness strategies which are often used in ads to persuade people to buy different products in the form of goods and services.

1.1 PURPOSE OF THE STUDY

One way to understand politeness strategy in one culture is by way of contrasting it with the politeness strategy used in other cultures.. This study aims to compare and contrast linguistic politeness strategies used by advertisers of printed media in Bahasa Indonesia and English.

Therefore, this study is expected to answer the following questions:

- a. Are there any significant differences between politeness strategies as used in Bahasa Indonesia?
- b. Are there any significant differences between politeness strategies as used in English?
- c. Are there any significant differences between politeness strategies as used in Bahasa Indonesia and in English?

1.2 RATIONALE

Naturally, business communication is very persuasive. Persuasive language is believed to be able to influence people's purchasing behavior. In this way, it is called that the goal of business is reached. One important element of persuasive language is the employment of politeness strategies that are in line with the need of market target. In Lombok itself, there are many people who want to start business since there is a great opportunity as the logical consequences of the development of tourism sector. Those business people are new entrepreneurs who are not enough only by relying on opportunities and other capitals. The other important variables that determine the success of business is their ability in business communication including politeness strategies.

This study is expected to fill the gap and be considered as an important knowledge asset in running entrepreneurship mainly at the tourism spots. It is also strongly hoped that it could be eventually published in an international journal or could be disseminated in an international conference. After completing this research, the researcher plans to prepare a book deals with a Guide to Successful Business Communication to help the new businessmen or entrepreneurs in their business activities at tourism spots.

2. THEORETICAL REVIEW

2.1 POLITENESS

Politeness as a communication phenomenon has attracted much attention of researchers (e.g. Brown & Levinson, 1987; Geis, 1982; Lakoff, 1973; Scollon & Scollon, 2001) in analyzing many theoretical and practical issues which are relevant to the politeness itself. Using Grice's Cooperative Principles and Speech Act Theory as its background (Watts & Mesthrie, 2003), politeness theory has been a milestone by which acceptable and correct behavior can be analyzed. Because of its importance in identifying the elements related to the politeness behavior and discourse, some studies have been conducted (e.g. Hardin, 2001; Matsumoto, 1989; Pishghadam, 2011; Schmidt, Shimura, Wang, & Jeong, 1995) in the area related to theory of politeness in Pragmatic Linguistics which revealed and introduced researchers with the politeness strategies in various cultures

In everyday interaction, people exchange various politeness strategies among them to maintain effective communication. Johnstone (2008:145) for example, observes that people in every culture can hire politeness marker to interpreted language appropriate to a given situation. The important point in every interaction can be recognized through the kinds and numbers of politeness strategies being used by a speaker and listeners to enable them establish an appropriate interpersonal relationship (Woods, 2006).

In the field of Pragmatic linguistics, the advocates like Lakoff (1973) and Leech (1983) provide definitions of politeness theory in line with their specific rules. Leech's ideas, for example, mainly focus on the goal-

oriented speech situation in which a speaker uses language in an effort to provide a particular effect in the part of a hearer. Criticizing Leech's (1983) politeness model as too abstract and theoretical, Brown and Levinson (1987) proposed a politeness model which was based on social interaction and viewed the strategic choices of people in social interactions to reflect the cross-cultural diversity presenting in communication. In their theory, which is later popular as the most comprehensive and influential theory of politeness, Brown and Levinson (1987) tried to base their view on "face" similar to Goffman's (1955) argument. For them, there are two goals that any interactant wants to convey to his/her addressee, i.e. "his/her desires not to be impeded or limited in his/her actions (negative face) and his/her desires to be approved (positive face)". Both faces are considered as a part of a view on "face" by Johnstone, (2008:146).

In accord with the idea that everyone, as much as possible, tries to save his/her face in the duration of social interaction, it is expected that all people involved in all social interactions try to reduce face-threatening acts (FTAs). However, Brown and Levinson's (1987) model indicates that whenever a person is forced to execute a face threatening act as a logical response over a positive face threat or negative face threat of his interlocutor, he would surely employ some strategies that can reduce or "redress" the coming threat. Woods (2006) emphasized that there are at least five super-strategies proposed by Brown and Levinson (1987) which are employed by an addresser to reduce FTA. Those five superstrategies start from strategy that tends to increase the risk of losing (Bald on-record strategy) that is FTA without any redressing effort to a strategy that reduces the level of risk (Avoidance strategy).

One among the arguments that makes Brown and Levinson's (1987) model as a credible source of doing politeness strategy analysis is its universality in nature and the real fact is that almost all our everyday interactions are in this category. Another important point of this model is its emphasis on the culture of the addressee based on the three variables that trigger Face Saving Act in every interaction. Those three variables are as follows;

1. The different social gap which is perceived between participants (D)
2. The different power between an addresser and an addressee (P)
3. The level or rank of speech act culture (R).

Analyzing culture using this model is supported by considering the quantity of negative and positive face strategies and also by considering those strategies among one another in every culture to get to know which solidarity or imposition is more dominant. By the same reason Scollon and Scollon (1981) emphasized that in a different culture, negative politeness determines the seriousness of imposition, whereas positive politeness emphasizes the general nature of the relationship of the interactants.

2.2 ADVERTISEMENT LANGUAGE

From various researches on politeness strategies, there some researcher that analyzed advertisement

at the intercultural scale. Written persuasive discourse on advertisements have influenced many researchers (such as Geis, 1982; Hardin, 2001; Lakoff, 1982; Lin, 2005; Schmidt, et.al. 1995) who conducted studies on certain societies and cultures in their connection with the roles of advertisement. Written advertisement as a verbal interaction is considered as a politeness discourse. Lakoff (1982) as the pioneer on the study of politeness more specifically on the advertisement discourse (see Lin, 2005;77) who defines politeness discourse as “non-reciprocal effort or intention of one side to influence or change attitude, feeling, intention, or point of view other people through communicative”.

According to Reardon (1991), communicative media are divided into three main categories from interpersonal persuasion, organizational persuasion, and the most common one is mass media persuasion such as advertisement. In 1982, Lakoff conducted studies on the apparatus of politeness strategy and provided some examples of advertisements that deviate from Grice's Cooperative Principle and Maxim of Manner.

Further, Geis (1982) conducted wider studies on TV ads and concluded that aside from using certain language techniques, advertisers tended to use indirect ways in making claims over their products. Pearson (1988) also conducted a research to get data on how people in their business meetings at a church asked for a support on their opinion by using politeness strategy. He also found out that in such meetings, the religion leaders, who did their main duties, employed more positive and negative politeness strategies compared to those of other strategies that made him seem more talented, stronger, and more persuasive. Matsumoto (1989) emphasized on the importance of Japanese culture in interpreting the politeness phenomena and he also underpinned the importance social context in the politeness theory applied in Non-Western society

The TV ads had also been analyzed by Schmidt et.al. (1995) with their main purpose was to find out the differences in using speech act in various different culture. In their studies, they compared advertisements from United States, Japan, China, and South Korea and they found out that ads on consumer products in the United States were more persuasive compared to those of the same kind in Asian countries in the case of message frequency to buy products and in the imperative level as used in their ads. In another research, Obeng (1997) analyzed politeness strategies which were used by professionals in the legal field and found out that they used politeness strategies like when they used different term of addresses and other complimentary remarks to soften the coming face saving act locution and it therefore became polite and negative.

Further, in connection with the study on negative strategies which are often used in TV ads, Hardin (2001) analyzed a corpus consisting of 214 advertisements from three countries: Chile, Spain, and United States. Politeness Strategy which is one of pragmatic instruments in the study was compared and contrasted based on the model proposed by Brown and Levinson (1987) and the results show interesting differences on the use of positive and negative politeness in the culture of each country.

Benkendorf, et.al., (2001) studied politeness strategies on some indirect sentences as used by medical consultants. In his study, they found out in that in conveying their ideas to their patients, they decreased the level of direct imposition to their patients by using “impersonal and indirect language”. However, in other research, Daly, et.al.,(2003) focused his attention on the way of one ‘Expletive’ form used in two face saving acts i.e. ‘direct complaint’ and ‘refusal’ by workers in one industry teamwork. By analyzing the use of expletives by the workers based on politeness strategies, they found out that the use of particular expletive forms indicate socio-pragmatic functions of the words and the ownership of the community where the words were used.

In other study, Lin (2005) observed the use of politeness strategy in a business dialog in Chinese language by introducing the newest data collection method called Natural Data Elicitation Technique. In other study, Lin (2005) concluded that the sellers used different politeness strategies and the highest level of the strategies is that a strategy that emphasizes on the collectivist nature of Chinese culture. By analyzing the impact of impoliteness of TV quiz performance, Culpeper (2005) demonstrates how impoliteness could increase the possibility of face-damage. In the research, he concluded that how creative is the nature of a discourse and how by prosodic analysis, valuable information on politeness is collected. The other research in the context of health was conducted by Brown and Crawford (2009) where they explain the importance of appropriate politeness markers telephone conversations a health consultant and his patient. They reported that the health consultant tried to reduce the level of imposition and increase co-operation by applying acceptable politeness markers.

2.3 MARKETING AS A DISCOURSE

As communication in general, communication in the world of advertising is determined by various factors. Those determinant factors can be seen by presenting questions as:; who speaks what to whom in what purpose, in what media, in what way and in what circumstances? Those questions are often used to get data from questionnaire as can be seen in the following figure:

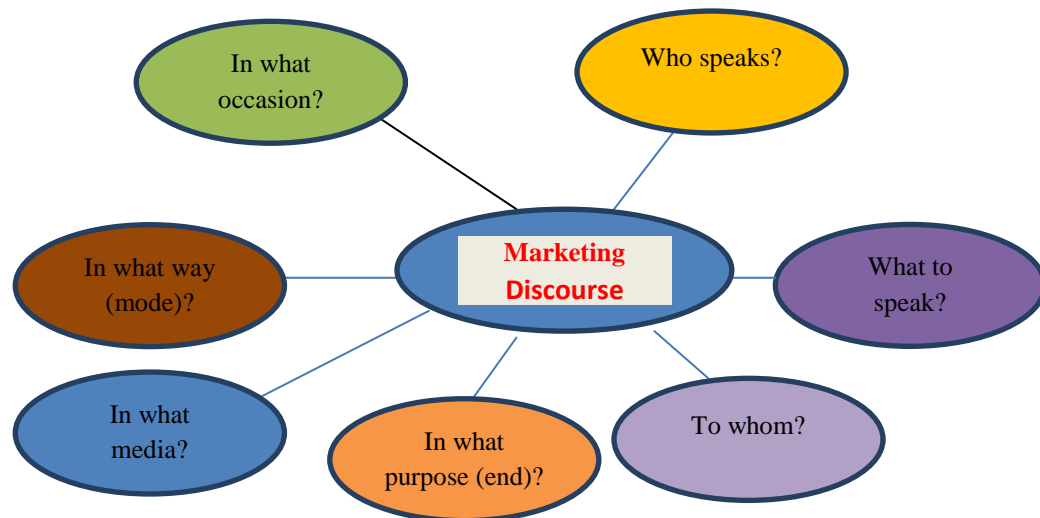


Fig 1: The determining variable in a marketing discourse

2.4 THE WORLD OF ADVERTISING

It has been 250 years since advertising language has found itself as a specific textual model of its own, (Gieszinger:2001). This model can be distinguished from other models because it has a specific features both in lexical, morphological, syntactic, stylistic and pragmatic level. The propelling power behind the development of those unique textual models lies on the specific function of advertising text which is mainly determined by the relationship between a sender and his recipients and the goal of the sender (Sternkopf, 2004). Further, (Kroeber-Riel: 1993) enumerates the functions of ads in some groups as follows:

- 1) Provides Information source about products and services,
- 2) Motivates consumers to buy products,
- 3) Strengthens purchasing motivation,
- 4) Provides socialization function
- 5) Provides entertaining function.

If we shed light from pragmatic point of view, an advertising speech act can be considered as a recommendation act or a presentation act, (Cf. Nusser, P. (ed.), 1975) but naturally most of the advertisements could be categorized as a persuasive or impositive language act.

Most consumers do not agree with the statement that the purpose of an advertisement is to improve information about goods and services. In 1992, there is 20% of the consumers who believe that the advertisements provided true information about goods and services. As a comparison, 20 years before nearly double number of people believed an advertisement conveyed true and useful information (Felser, G 1997).

The problem of truth in the world of advertisement constitutes a hot debate topic in the philosophy of advertisement. Daniel Boorstin, for example, argues that advertising has significantly changed the whole concepts of truth, (Hughes, G., 1987). The duty of experts is to make persuasive statement which is not true nor false.

However, the informative function of an advertisement cannot be underestimated. Providing markets with every information about products and services is one of the oldest and most important functions of advertisement. Of course the content of one advertisement differs from the others. It all depends on product circulation which is advertised. There are four general function of advertisement in relation to the life cycle of a product:

1. *Introductory Advertising*: When there is a new product that be launched to the markets, consequently information about it needs to be provided for consumers so that they are familiar with and in an effort to persuade them to the use of the product.
2. *Penetration advertising*: After the new product was launched, it should be easily distinguished from other competitors' brand. At this stage, there are two most common strategies, i.e., there are some brands that struggle hard to establish their own brand image by providing factual information, whereas the others rely themselves on emotional support. .
3. *Cutthroat advertising*: This stage is achieved when the markets haven saturated. The purpose of this kind of advertisement is to win over the competitors' markets. At this stage, information is no longer relevant since the consumers have already good knowledge of the products.
4. *Expansion Advertising*: This strategy aims to get new customers for the product that has already been so popular in the market. The new market targets will not be confiscated from the competitors, but the main goal is to convince customers the benefit of the product. The information content is of crucial importance at this stage.

2.5 THE FUNCTIONS OF ADVERTISEMENT

Leech (1966) argues that there are four functions of the so called a successful advertisement each of which is interconnected with the language used to come to the main objective:

1. Attention Value

An ads needs to be attentive and arouse curiosity. On the language level, this goal can be achieved if it is done through breaking language conventions, for example by using wrong spelling, neologism, the use of pun, grammatical solecism, rhyme, semantic deviation, or the use of language in the wrong or inappropriate context.

2. Readability

After an ads succeeds to steal readers' attention, simple information needs to be provided that can be cached in a second. Therefore, the presentation style needs to use general vocabulary (Caples, 1994). That kind of language gives informal and friendly impression and often conveyed by using spoken language style.

3. Memorability

A message in an ads is a very important point in order that it will be easily memorable so that it will become something usual. Therefore, repetition is considered the most common technique for that purpose in line with the nature human's short memory (Sowinski, 1991).

4. Selling Power

Ultimately, because the final goal of any ads is to sell a product, persuading people to buy can only be achieved by a clear instruction about what should be done next. Imperative language constitutes the most appropriate for the purpose.

3. RESEARCH METHOD

3.1 THE CORPUS OF RESEARCH

The corpus of this study is a collection of 91 written Indonesian and English advertisements. The

advertisements were collected some of the most-read and popular magazines available at some tourism spots in Lombok. All kinds of ads were taken so long as a stretch of language is provided to accompany the visual base. All the ads taken are considered representative of persuasive ads.

3.2 PROCEDURE

The first step in analyzing the data in this study was to identify the politeness strategies used in the corpus as proposed by Brown and Levinson (1987). Based on the model, there are five superstrategies that could be exploited by any individual during his FTA. Those superstrategies include: 1) bald-on record; 2) positive politeness; 3) negative politeness; 4) Off-record; and 5) Avoidance.

Every ads line was grouped based on the above five categories. The groups were the tabulated in term of frequency. To find out the significant difference of the data in English and bahasa Indonesia Chi Square test was applied.

4. RESULTS

As shown at the Table 1 there is significant difference between the total numbers of advertisements written in Bahasa Indonesia and in ($\chi^2 = 24.28$). Both Indonesian and English ads do not employ avoidance strategy in their ads. Of the strategies used in bahasa Indonesia with N=22, it is clear that positive strategy outnumbers the other strategies, whereas the English ads are dominated by three strategies; Off-record N= 27, Bald-on record N=22 and Positive Strategy N=19. one interesting point is both ads in Indonesian and English have the same frequency in using negative face strategy.

Tabel 1: Frekuensi Penggunaan Strategi Kesantunan dalam BI dan BE

Bhs. Iklan	Bald on	Positive	Negative	Off-record	Avoidance	Total
BI	4	15	1	2	0	22
BE	22	19	1	27	0	69

As it is clearly presented at the table1, there is significant difference ($\chi^2 = 22.73$) of politeness strategies used in Indonesian. As could be seen at the above table, Indonesian ads heavily relies on the use of positive politeness outnumbers the other strategies or far above expected N=5.5. Whereas the other three strategies;

Bald-on record (N=4), Negative (N=1) and Off-record (N=2) are under the expected N=5.5. From the existing span of the data, it can be said that Positive face strategy>Bald on record>Off record>Negative face strategy.

Tabel 2: The result of Chi Square test on politeness strategies as used in Indonesian

Bhs. Indo.	Strategies	Observed N	Expected N	Df	χ^2 test	χ^2 table
	Bald on record	4	5.5	3	22.73	11.341
	Positive	15				
	Negative	1				
	Off record	2				

The result of Chi Square test over politeness strategies used in the English ads shows significant difference ($\chi^2 = 22.31$) higher than Chi Square on the table ($\chi^2 = 11.341$). As shown at the Table 3 below, it is clear that the frequency of each strategy; Off Record (N=27), Bald-on record (N=22) and Positive face (N=19) have been intensively exploited more than expected (N=17.25). On the other side, Negative Face

strategy (N=1) was used much lower than expected (N=17.25). From the data span, it is quite clear that advertisements in Indonesian differs significantly from those of English where three main strategies were highly employed; Off record, Bald on record, and Positive Face strategies. Whereas in Indonesian advertisements, the only strategy which was intensively employed was Positive Face strategy.

Tabel 3 : The result of Chi Square test on politeness strategies as used in English

Bhs.	Strategies	Observed N	Expected N	df	X2 test	X2 table (1%)
Eng.	Bald on record	22	17.25	3	22.31	11.341
	Positive	19				
	Negative	1				
	Off record	27				

As presented at the table below, it is clear that there is a tendency of significant difference between Bald On-record strategy used in English and Indonesian ads. In Indonesian ads, Bald On-record strategy was used four times (N=4) less than expected N=13, while in English ads N=22 was used more than expected N=13. By computing the Chi Square of the data, it was found out that $\chi^2 = 12.46$ higher than Chi Square table $\chi^2 = 6.635$, therefore the difference is considered significant.

On the other side of the data, Positive Face strategy used in the both kinds of ads shows that there is no significant difference ($\chi^2 = 0.46$), that is the advertisement in Indonesian (N=15) and in English (N=19) with expected N=17. Almost the same

happens in the use of Negative Face strategy in both kinds of advertisements where English version has N=1 and Indonesian version also has N=1. It is therefore concluded that the Negative strategy tends to be quite avoided in both versions.

A very interesting phenomenon happened in the use of the Off-record strategy because the real fact is that in both versions of advertisements there is a significant difference was found out. In the English version, the use of this strategy occurs as many as N=27 with expected number N=14.5, whereas the same strategy used in Indonesian appears with only N=2. This difference will be an interesting point of discussion in the next session.

Table 4; The contrast of the two versions of advertisements

Bald on record	Strategies	Observed N	Expected N	df	χ^2 test	χ^2 tabel
	BI	4	13	1	12.46	6.635
	BE	22				
Positive	BI	15	17	1	0.46	6.635
	BE	19				
Negative	BI	1	1	1	0	6.635
	BE	1				
Off record	BI	2	14.5	1	21.55	6.635
	BE	27				

5. DISCUSSION

It is almost certainty that advertisements in Indonesian are primarily intended to provide information about products to and influence the speakers of the language no matter what their nationality. The other certainty may also applies to the advertisements written in English. Back to the very basic principles behind any establishment of advertisement are to influence or persuade prospective buyers to follow whatever intended by the advertisers. This makes very clear that the language of advertisement has the characteristic to influence readers, in other words, it is very impositive in nature. Therefore, it could be concluded that an advertiser in designing his advertisement will make any effort to understand his prospective buyers both in terms of the most appropriate strategy of politeness and language that fit them.

This kind of understanding, made this study important in that it tries to understand the tendency of the advertisers to use certain strategies rather than the others. This knowledge and understanding will finally reveal the most favorable strategy and language used at by some promotional magazines in Lombok. It is also the rule that the advertisers are fully aware their

audiences, otherwise they will fail to communicate harmoniously and effectively with them.

The main objective of this study is to reveal the politeness strategies applied by the Indonesian and English advertisers. With the specific regard to the Indonesian advertisements, if we thoroughly analyze them, we will clearly see that the most favorable strategy used is Positive Face with N=15 from the total 22 ads. The characteristics of this strategy are to show concerns, interest, optimism, promise, guarantee, offer, to give reason, to show solidarity, to express compliment, to express joke, sympathy and approval.

In accord with its nature, positive politeness strategy was dominantly in Indonesian advertisement showing the collectivist nature of Indonesian culture as part eastern (Nisbett, 2004) that dominantly shows in-group solidarity or tends to show one's affiliation to his interlocutors (Khalik, 2013). This kind of strategy is commonly used by street vendors, market vendors, or sellers in general. This is also in line with the two main functions of advertisement; to communicate effectively with its audience, and to persuade its audience to buy the advertised products. Brown and Levinson (1987) considers that the Positive Face

strategy is an effort to bring social distance of the advertiser and his audience closer that enable them to make more harmonious inter-personal relationship. An understanding of the audience interest and characteristics is highly important in the world of advertisement in order that the goal of advertising could be achieved. On the other hand, the English version of the advertisements highly rely on three main strategies, i.e., Off-record N=27, Bald-on Record N=22, and Positive Face N=19 strategies. From these data, it can be interpreted that English advertisements are more flexible to choose politeness strategies. Something behind the dominant use of the Off-record strategy in English advertisement is because this strategy provides the most polite way to perform a face threatening acts (FTA) by presenting an idea indirectly to the audience.

Meanwhile, the other politeness strategies were not intensively used in Indonesian advertisements which can be understood as the strategy of avoiding business communication failure. Bald-on record strategy, for example, in the context of Indonesian culture, not to mention Sasak, is considered highly risky, aggressive, and could also be offensive in certain circumstances. Almost the same thing happened to the Negative face strategy, who for the most part of Indonesian people, creates a very formal communication situation. Whereas the last politeness strategy rarely used in Indonesia advertisement is off- record N=2. This fact can be interpreted as an effort to avoid misinterpretation to the content of the ads since the nature of everyday communication in Indonesian is quite direct and straight to the point.. It is very different from the characteristics of Off-record strategy itself which is more indirect way of providing information through only providing hints, association, presupposition, contradiction, irony, metaphor, rhetorical question, through understating, overstating, the use of tautologies, presenting ambiguity, vagueness, overgeneralization, incomplete statement, and ellipses which may potentially give misunderstanding on the part of readers.

6. CONCLUSION

Having analyzed the corpus of 91 advertisements as provided in some of the most widely circulated in Lombok tourism spots, it was found out that the English advertisements (N=69) outnumber significantly the total of Indonesian advertisements (N=22) with Chi Square test χ^2 test= 22.73. The logic behind this phenomenon is the advertisers are really aware that nowadays Lombok enjoys its status as the primary tourist destination spot after Bali. By this status, they are really aware that the primarily targeted buyers of any product they advertise are foreigners whom are believed to be able to understand English. On the other hand, they also target their products to the local or domestic visitor as a less important part of the buyers if it is seen from the impression of their purchasing power. But the most interesting finding of the study is the different

tendency of both versions of advertisements in employing politeness strategies. Indonesian version highly relied on the use of positive politeness strategies, whereas English version was considered to be more flexible in that it employed three dominant strategies; Off-record N=27, Bald-on Record N=22, and Positive Face N=19 strategies.

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PROFESSIONAL IDENTITY VIA HEAD ACTS, SUPPORTIVE MOVES, AND INTERNAL MODIFICATIONS IN TEACHER'S REQUESTING

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ABSTRACT – This research focuses on head acts, supportive moves, and internal modifications in teacher's requesting. The data are utterances taken from the teacher's talk while teaching in the classroom. The teacher who participates in this research is an English teacher. These utterances are analyzed based on Blum-Kulka's theory (1989) of requesting which categorized head acts, supportive moves and internal modifications into several types. The head acts function as an illocutionary force of the intention of requesting. This intentions can be delivered into several types of strategies. Types of head acts' strategies consist of directs, conventionally indirects, and nonconventionally indirects. The head acts of directs are as mood derivable, performatives, hedge performatives, want statement, and obligation statement. The conventionally indirects are suggestory formulae and query preparatory. The nonconventionally indirects consist of strong and mild hints. These strategies involve the aggravating and mitigating supportive moves and internal modifications realised into downgrading and upgrading internal modifications. The supportive moves and internal modifications function to give imposition in the requesting intention. This imposition can greatly affect the response of the hearer whether he does or not what the speaker said. This condition depends on what context lied in the interaction between the teacher and the students. Finally, the result shows that the choice of head act, supportive move, and internal modification types related to the professional identity of the teacher in order to reach effective teaching. This effective teaching will lead the students to have ability in English and show that the teacher has professional knowledge and skill in teaching language.

Keywords : head acts, supportive moves, internal modifications, professionalism, effective teaching

1. INTRODUCTION

The concepts of professionalism and professionalization are 'essentially contested', as philosophers say. Outside education, professions have been represented theoretically, in the image of those who belong to them, and who advance their interests as having a strong technical culture with a specialized knowledge base and shared standards of practice, a service ethic where there is a commitment to client needs, a firm monopoly over service, long periods of training, and high degrees of autonomy [1].

An important factor influencing whether professional learning activities have a positive impact on outcomes for students is the extent to which those outcomes form the rationale for, and ongoing focus of, teacher engagement. Such a focus requires teachers to understand the links between particular teaching activities, the ways different groups of students respond, and what their students actually learn. Professional knowledge and skills that do have a positive impact on student outcome are consistent with evidence-based principles of teaching effectiveness. Teachers need knowledge and skills in assessment to maintain a student focus: the ability to identify exactly what students know and can do is a prerequisite for teaching that is responsive to each student's needs [2]. Therefore, developing a strong sense of a professional identity as a teacher may be crucial to the well-being of new members of the profession and the process of envisioning the self as a professional in the development of an effective teacher identity [3].

Professional knowledge and skill are shown in the teacher's talk. Specifically, this way is realized in the

speech act of requesting appearing in teacher's instruction while teaching in the classroom. Requesting has an intention that represents what are said to someone to do something [4,5]. It is classified from the directive acts. It also can be speaker's expression for his 'need' or 'desire' about something to be done [6]. This desire or need is emphasized to be the speaker's 'benefit' after his requested doing the act [7]. In the requesting itself, there are parts consisting the strategy, the external modifications, and internal modifications. The other things exist in a requesting can be aliter and perspectives [8]. The strategies are how a head act of requesting performed in an utterance. The internal components of it, are specifically used in various categories that imposing the intention of the request [5]. Meanwhile, the supportive moves are externally added into head acts of requesting. These positions are aroused before or after head acts performance. The moves also are for determination to reduce the impression on the asking in order to be done as like as a smoothly force. These additional parts, following or modifying head acts, function to be aggravating and mitigating. When it minimizes the imposition, it mitigate the head acts of requesting. On the other side, to make the request to have worse imposition, aggravating is performed [4]. Those parts are like a motivation for the students because the teacher shows his role [9].

2. MATERIALS AND METHOD

The English teacher is investigated while teaching in the classroom. Her talk is identified as utterances through observation and test. This talk is considered as teacher the major resources of comprehensible

target language input learners are likely to receive in the foreign language teaching which creates a description that latterly the non-native teachers similarly have the same role in teaching, although they have their own styles in teaching [10]. The observation of teacher's talk was performed through a recording of the teaching process in classroom. From this way, the types of language behavior teachers tend to use in the classroom. For example, teachers mainly ask questions [11]. In addition, in the aspects of classroom talk, the focus is on talk between the teacher and pupils, or between different pupils, or both [12]. This observation can mainly reach the exploration of what the teacher is saying in the classroom to the students who are in class discussion or in a group. Meanwhile, test given is discourse completion test. This test is arranged based on the activities setting in the teaching learning process. The setting are pre, core, and post activities where utterances lied in the interaction between the teacher and her students. The teacher responds six setting of those activities done in the classroom.

3. RESULT AND DISCUSSION

Head acts, supportive moves, and internal modification of requesting taken from the teacher's talk realize the certain function in that kind of interaction. This interaction are described into several types and their intentions.

Head Acts of Requesting

Head acts are categorized into direct, conventionally indirects, and non-conventionally indirects strategies. It is to deliver the core of the utterance intention which function as effort of her to get attention from her students. The attention taken from the students are from the efforts of the teacher to do strategies in the utterances. In the direct strategies, she uses mood derivable, performatives, hedges performatives, and want statement to convey a very clear instruction. The other expressions emphasize that in the direct strategies the intention is clearly identified in the surface of utterance. The conventionally indirects are indicated by implicit requesting. This can be done by suggestory formulae and query preparatory. The suggestory formulae is to give the way in cooperating with the speaker in order to volunteering the hearer in doing the request, and there is also negotiating support. The nonconventionally indirects seem to hide a real intention of the request. These are categorized into strong and mild hints. Strong hints are that the request still has the related elements to the previous information of the utterance topic. Comparing with the strong hints, mild hints have no reference for the topic

talked. In this case, the hearer consideration and knowledge is needed.

Supportive Moves of Requesting

The role of moves is an additional parts of the requesting. The parts can be placed before, after, or the combinations of the requesting. The functions of these modifications are to aggravate and mitigate the requesting it self.

To aggravate the requesting, there are various subtypes in the utterances. These subtypes are threat and moralizing, which make the requesting intention to be worse. It means that the imposition of the want to realize is shown by how the speaker emphasizes the requesting and how she gives advice as the reason to soften the force. To mitigate the requesting can be realized into preparator, grounders, imposition minimizer, disarmers, and getting a precommitment.

Internal Modifications of Requesting

Internal modifications have the downgraders and upgraders. The downgrades modify the requesting in order to have the decrease effect, while the upgraders are for increasing the effect of the request. These are related to the condition when taking another person's feelings into consideration, people speak or put things in such a way as to minimize the potential threat in the interaction. In short, a request will make the speaker in the position of the boundaries of 'face', whether she is secured or not from the rejection [13].

Requesting and Teacher's Professionalism

The teacher has to present and represent knowledge in education, both as an agent of an institution and as a person [14]. The teacher's professional identity structure consisting of 4 components: professional "self-concept", harmony of professional identity, successful self-determination and creative professional activity was elaborated by adding criteria notions [15]. When it is about developing elements of professionalism. It is a matter of awareness, commitment, and practice [16]. The fact that teacher professionalism is regarded as one of the basic variables that determine the quality of learning and teaching in the classroom [17].

Therefore, professionalism is as a care that provides motivation, commitment, and condition resulted in the intensification and as control of the teacher's work [18]. At last, the quality of teacher's linguistic acts influences the efficiency in all aspects of methods, techniques, and strategies used in the instructional process [19]. When giving instruction, the teacher does requesting. The variation of using this acts are relevant to Blum-Kulka's [8]. The form of requesting is also various in every cultures [20,21, 22].

Table 1. The Types of Head Act Strategies

Strategies	Subtype	Utterance
Direct	Mood derivable	Hello class, please listen and attention to me.
	Performatives	Allright. I'd like to ask you to discuss within the group for reading comprehension. Page ninety, please. Page ninety
	Hedge performatives	Ok. If you still confuse about this materi, you can ask me.
	Want statement	<i>Nanti diperbanyak fotokopinya.</i> This is very nice day! Hai students! How are you today? I hope you will be spirit always, because this material is very interesting for you.
Conventionally Indirect	Suggestory formulae	Don't forget to do the assignment if you want to add your score. This material is very interesting for you, so comprehend it deeply, Ok?
	Query preparatory	Do you understand my questions? Don't you understand what I explained? Are you nervous? Do you know what time our subject begin?
Nonconventionally Indirect	Mild hints	Your talking is nice. Let me know what are you talking about. This is very important for you in English lesson.
	Strong hints	Good question! It must be answered well. By that let me look for another information to answer your amazing questions! I can't answer it now. I'll read the material about it, so next meeting, I will give you the answer.

Table 2. The Types of Supportive Moves

Supportive Moves	Subtypes	Utterance
Aggravating	Threat	Please, do the homework independently and submit it on time! Follow the direction, OK! <i>Banyak?</i> But, can you guess the meaning of the words? <i>Saya bilang tidak usah. Jangan dulu membuka kamus</i> as long as you can predict the meaning you can guess the meaning. <i>Gituya. Jadi jangan sampai satu kata yang tidak tahu...burn...ngaco...membuat the comprehension itu jadi kacau atau stuck kita membacanya. Ya Kang, Ya?</i>
	Moralizing	Are you afraid to give questions? Don't be afraid, don't be nervous. Once you try, you'll repeat that again. Ask me! Your spirit & your smile will accompany me in the next material. Don't forget to study. See you!
Mitigating	Preparator	<i>Ada lagi? Ada lagi? Yang di belakang</i> , what did you say?
	Getting a precommitment	Do you understand? If you don't understand I will re explain about this. <i>Udah belum?</i> Any idea?
	Grounders	I'm not sure with the answer but I promise to find out the answer of your questions. Next meeting I'll tell you the answer Give your attention just for me please, This material is very important for you.
	Imposition minimizer	I'll repeat the questions, listen carefully and answer the questions.
	Disarmers	Come on, no question? I'm sure some of you would like to ask me but I don't know what makes you silent.
	Imposition Minimizer	I'll let your mark blank if your task don't exist in my table at 9 a.m. Wow..it's amazing! Hei you..someone who is playing gadget! Please mention the generic structure of procedure text!

Table 3. Types of Internal Modifications

Internal Modifications	Subtypes	Utterances
Downgraders Syntactic downgrader	Interrogatives	Any idea? <i>Kira-kira summary nyaapa?</i>
	Subjunctives	Don't forget to do the assignment if you want to add your score.
	Conditional clause	If you're sleepy you look so ugly.
		I will give you assignment, and please collect it next meeting on time, if some of you late collect it, I will not mark your task.
		Attention, please!
	Lexical downgrader	Ah, that's easy dong?
	Politeness Marker	As far as I know...but I will looking for about this more deep and next meeting I will share about it.
	Subjectivizer	
	Appealer	Come on, no question? I'm sure some of you would like to ask me but I don't know what makes you silent.
	Hedge	Assalamualaikum students. Are you understand what I explain in the next material if you are not. I will explain again.
Upgraders	Commitment Indicator	Alright class, I think enough for meeting today, thank you for your attention, wasalam!
	Time intensifier	I'm not sure with the answer but I promise to find out the answer of your questions. Next meeting I'll tell you the answer.
	Repetition of request	What are the keyword? What are the keywords?

4. CONCLUSION

The use of requesting is a way of the teacher showing her knowledge and skill. These also represent her competence and performance while teaching language. The supports of both parts are the effort of the teacher to reach professionalism which needs process and development. This gain is an indication may an indication of how the students motivated to be attractive and eager to study English in the classroom where there are a lot of complex context around that atmosphere.

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SIMPLE PAST TENSE OF THE FIRST GRADE STUDENTS OF SMP NEGERI 1 SEPUTIH BANYAK IN ACADEMIC YEAR OF 2014/2015

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ABSTRACT - In teaching grammar, especially simple past tense, the teachers must have more ability on how to teach it. They can use kinds of methods and medium to support their teaching-learning process. One of the media which can be used in the class is short video. The use of short video as a media in learning a material can give any influence. The researcher conducted this research to find out whether there was any influence of using short video as a media in learning simple past tense. This research used experimental research as the research method. The subject of the research were the students of the first grade students of class VII.D(30 students) and class VII.E (30 students) of SMP Negeri 1Seputih Banyak in academic year of 2014/2015. To collect the data, the researcher gave pre-test to those two classes to measure the students' initial understanding about simple past tense before teaching learning process. After teaching learning process had been given, the students of both classes were tested again by given post-test to find the final result. The result of this research shows that using video as a media gives positive influence in learning simple past tense. It can be proved by the result of t-value which is 9.28. It shows that t-value is higher than the p-value at significance 5% is 2.00 and at significance 1% is 2.66. Therefore, it can be concluded that using short video gives positive influence in learning simple past tense. In other words, using short video helps the students to improve their understanding about simple past tense.

keywords: simple past tense, experimental research, video as a media

1. INTRODUCTION

As a foreign language, English is important to learn. Due to English is a universal language to communicate, it has been included in Indonesian Education Curriculum. Students from primary school to college were in demand to be able to use English well. For simplicity we study these four skills: listening, speaking, reading, and writing, we need to learn the base first, the grammar. Harmer, (2001: 12) defined grammar as the description of the ways in which words can change their forms and can be combined into sentences in that language. stated that as a part of language, grammar, especially tense, is a very important thing in studying English. The words tense stands for a verb form or series of verb form used to express time relation. Tenses may indicate whether an action, an activity, or a state is in the past, present or future time.

At school, junior high students will begin to be taught to communicate an experience they had in the past both orally or written. "My holiday" is the theme which is often used as a learning topic. To be able to do the work related to that theme the students must be able to master past tense, because it relates to the past. In the past tense form, the verb must be changed into past form, understanding the past tense would make students know which word has to be changed into its past form and know what the word change is. If students have a sufficient understanding of the past tense, then it will be easier for them to do the exercises or something that they have to do by teacher's order. Besides, in some texts as narrative, recount and spoof, the type of the texts is the text that uses past tense as the language of communication.

There will be a lot of learning materials about the text that uses past tense as its grammatical feature such as fable, legend, folklore, and fairy tales. Good understanding of simple past tense will greatly assist students to understand those texts. It would also facilitate them in answering questions related to the text.

Sulistyorini (2013) stated that students have assumed that learning grammar is the most difficult subject to learn. It is because English grammar is different from Indonesian grammar. Students feel hard to memorize the grammars formula and it has become a scourge for students before entering the classroom. As the grammar is considered difficult, it will worsen the situation, and learning conditions. Moreover, tenses in the form of the past tense, have a change in the verb, thus, if the students do not master past tense well, it will be difficult for them to understand the text that uses the past tense. It would also be difficult for them to answer the questions that need a good understanding about the past tense. In this study, the researcher tries to introduce a way to solve these problems by using a media that will attract students' attention. With the interesting method, hopefully, it can make students more focus and eager to heed the lessons. If the teachers have got the students attention, then it will help them to deliver the subject matter. One of the interesting media is to use visual audio or video media. Using visual audio or video as media is helpful because the video is a media which show pictures and sounds. While in the class, students who usually saw the teacher and the blackboard, now they can see something new and more diverse as they can also listen to the sound of the video.

Video as a media is expected to help students to get better understanding about the material being taught. Most teachers teach tenses with boring traditional way. Whereas to understand the material and answer the questions that use the past tense as the language of communication, students are required to have a sufficient understanding about past tense then they will be able to understand and answer the question correctly.

Therefore, researcher wanted to find new ways for a more interesting way to learn grammar by using video as a media. This research is discussing whether by using video as media it can give good influence to student in learning English grammar or not

2. STATISTICAL MODEL AND ANALYSIS

This study is focused on the use of short video media as a learning medium. The design of this research is there are two classes selected by cluster random sampling, one class is as experimental class and another is as control class. Each class is given a pretest to see students' initial understanding about simple past. Furthermore, in the learning process, the experimental class were treated by using short video media as a medium of learning while the control class does not use video media as a learning tool. In this research, the method which is used to collect the data is test. The test is a series of questions or exercises and other tools which is used to measure the skills, knowledge, intelligence, ability or talent possessed by an individual or class (Ibid as a cited in A'mal, 2011). In this research to analyze the data, the researcher uses t-test formula. T-test formula is used to analyze the students' learning result. The steps are, the first is giving the pre-test and the second is calculating the score in order to know students' initial understanding about simple past tense before they are taught by using different media. The post-test is to prove the different score between two classes. To calculate those two tests the writer used t-Test formula:

$$t = \frac{Mx - My}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{Nx + Ny - 2}\right) \left(\frac{1}{Nx} + \frac{1}{Ny}\right)}}$$

Explanation:

Mx = Mean of the group x score

My = Mean of the group y score

x = Deviation of the individual score from

y = Deviation of the individual score from

Nx = Number of students in class x

Ny = Number of students in class y

3. RESULT AND DISCUSSION

To calculate t-value, it is needed the mean score (My), (Mx) and the sum square of deviation score ($\sum y^2$), ($\sum x^2$) from both class experimental class and control class. After all scores have been calculated then t-value can be calculated. To gain the variance of both scores, the formula and the calculation of t-Test for two group design is presented below in figure below:

Calculation of t-Test

$$t = \frac{|Mx - My|}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{Nx + Ny - 2}\right) \left(\frac{1}{Nx} + \frac{1}{Ny}\right)}}$$

$$t = \frac{|3 - 19.7|}{\sqrt{\left(\frac{718 + 5568.7}{30 + 30 - 2}\right) \left(\frac{1}{30} + \frac{1}{30}\right)}}$$

$$t = \frac{16.7}{\sqrt{\left(\frac{6286.7}{58}\right) \left(\frac{2}{60}\right)}}$$

$$t = \frac{16.7}{\sqrt{(108.3)(0.03)}}$$

$$t = \frac{16.7}{\sqrt{(3.249)}}$$

$$t = \frac{16.7}{1.8}$$

$$t = 9.28$$

From the computation above, it shows that the formula of t-Test for two group design is t equals Mx 3 minus My 19.7 divided by the root from the bracket $\sum x^2$ 718 plus $\sum y^2$ 5568.7 divided by Nx 30 plus Ny 30 minus 2 times in the bracket 1 divided by Nx 30 plus 1 divided by Ny 30. After that, the result of 3 minus 19.7 is $|-16.7|$ it is mean 16.7 and in the bracket 718 plus 5568.7 divided by 30 plus 30 minus 2 and the result is 108.3. Therefore, 16.7 divided by the root from in the bracket 108.3 time the bracket 0,03 get the result of 16.7 divided by the root of 3.294. Therefore, the root of 3.294 is 1.8. So, t equals 16.7 divided by 1.8 and the result of t is 9.28.

After calculating t-value, the researcher calculated the number degree of freedom. Degree of freedom is the number of values in the final calculation of a statistic that are free to vary. The function of degree of comparison is to find out whether the hypothesis is rejected or accepted. The formula is the degree of freedom (df) equals the number of the students in control class (Nx) plus the number of the students in experimental class (Ny) minus the number of variable (2). The statistical calculation of the degree of freedom is in figure below:

Calculation of the Degree of Freedom

$$df = (Nx + Ny - 2)$$

$$df = (30 + 30 - 2)$$

$$df = 58$$

Based on the calculation above, the formula is the degree of freedom (df) equals the number of the students in control class (Nx) that is 30 plus the number of the students in experimental class (Ny) that is 30 minus the number of variable, that is 2. The result of the calculation of the degree of freedom is 58. In degree of significance 5% from 58 in t-table is

2.00 and for 1% from 58 in t-table is 2.66. From the calculation above the result of t-value is 9.28. Because the result of t-value is higher than t-table ($9.28 > 2.66$), it shows that the alternative hypothesis (H_a) is accepted and the null hypothesis (H_o) is rejected.

In the experimental class which used video media in learning activities, its average score is higher than the control class which does not use video media in learning activities. Learning outcomes achieved by students are influenced by internal and external factors, in this case the influence by external factor is the use of media in learning. This fact is in line with studies carried out in many countries, the positive influence of video media is that audiovisual can improve knowledge, foster a desire or motivation to obtain further information and knowledge, improve vocabulary, terms, and proficiency in verbal and nonverbal, increase the power of imagination and creativity of learners, improve critical thinking of students faced with the reality of the image of two worlds; and spark interest in reading and learning motivation of learners (Warsita, 2008 as a cited in A'mal, 2011).

In comparison with the use of printed media which was applied in this study, where the results show that the score is lower than the score in the experimental class. It is possibly because the students feel bored with the monotone learning situation. There is nothing new in the class which can attract students to study more.

The implementation of using short videos can improve the students' understanding in learning simple past tense. The improvement can be examined from the results of the students' answers tests in the pre-test and post-test. The result of the research in this study is the mean score of the post-test from the experimental class is higher (59) than the mean score of the post-test from control class (36.4). From the explanation above, the researcher can conclude that the use of video as a media gives good influence in the learning simple past tense.

Based on the result of the calculation, it can be seen that the students' understanding on simple past tense in the experimental class after the treatment is significantly improved. It is showed in degree of significance 5% from 58 in t-table is 2.00 and for 1% from 58 in t-table is 2.66 and the t-value is 9.28. It means that the p-value is lower than the t-value. It is found that the null hypothesis (H_o) is rejected and the alternative hypothesis (H_a) is accepted. Learning simple past tense by using short video as a media is more effective than learning simple past tense by using printed media as used in control class. So, there is good influence of using short video in learning simple past tense.

4. CONCLUSION

The students' simple past tense understanding of class which is taught by using video (experimental class) shows significant improvement. As the finding result shows in pre-test to post-test mean of experiment class (39.3 to 59). The students in experimental class are

more enthusiastic and more interested in the teaching learning process because the teacher used video as a media when teacher was explaining the materials. From the video, the students can understand well about the form of simple past tense. They got new vocabularies, learnt about how to construct a sentence grammatically and how to pronounce a word directly from the video. They were not only giving their attention and feedbacks for the materials but also answer the teacher's question well.

From the analysis result, the researcher finds that there is an improvement score of students' simple past tense understanding in class which is not taught by using video as a media (control class) but the improvement is not as significant improvement as in class which is taught by using video as a media (experimental class) during the learning process. It can be proved by pre-test to post-test mean of control class (33.4 to 36.4). It could happen possibly because the teacher used traditional method and printed media when teacher was explaining the materials, so, most of the students were in their own business because they feel bored in the classroom. The students were not enthusiastic during the learning process.

Based on the result of t-value calculation, it shows that the score of t-value is higher than the score of t-table. From the result, it can be concluded that the alternative hypothesis (H_a) is accepted and the null hypothesis (H_o) is rejected. It means that the use of video as a media give good influence in the learning simple past tense.

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SPEAKING ABILITY IN INDONESIAN LEARNING BASED ON SCIENTIFIC APPROACH

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ABSTRACT - Curriculum 2013 appears to reply the challenge of globalization era that marked by science and technology development, knowledge based society, and future supporter interest. The learning based on curriculum 2013 includes some competencies such as knowledge, attitude, and skill. Curriculum performing supported by learning process of scientific approach that utilizes 5 learning stages, those are observe (observing), ask (questioning), natural existence (associating), try (experimenting), and communicate it (networking). This Process requires the learners to be more active and have language competence. Learning to communicate can not be separated from the involvement of the four language skills. It is underlined that teachers should encourage students to have communicative competence. The learning focuses on how teachers are able to concept and design students' speaking activities. One of the success of language learning based on the scientific approach is how the learners communicate the results of the process of learning activities. This research tried to describe how to develop, concept, and design the speaking ability in Indonesian learning based on scientific approach. This research used descriptive qualitative method. The results showed that the speaking ability is one of the priority in learning on curriculum 2013 for preparing and motivating students to communicate their feelings or ideas.

Keywords: Speaking ability, Indonesian Learning, Scientific Approach, and Curriculum 2013.

1. INTRODUCTION

The curriculum renewal is undertaken to enhance of the previous curriculum and as a significant step in the effort of curriculum adjustment to the challenges and the development of globalization. Living in the age of globalization is decorated with the development of science and technology and are faced with various challenges and free access to the mass media, especially internet social media. The free access has resulted in a wide range of effects on humans, especially in education. The impact may be positive or negative. One of the positive impact that can be felt by human beings with the ease and freedom of use of internet media is the ease in obtaining information and knowledge without knowing the limits of distance and time. However, the negative effects can emerge by itself, that is the ease and freedom of the media is causing people can get caught up in negative behavior, one of which is pornography.

The curriculum 2013 comes as an answer to the challenges in an era of globalization and free markets. The curriculum 2013 is designed to respond to the challenges in an era of globalization and prepared by considering the competencies needed in the future, including the ability to communicate, the ability to think clearly and critically, the ability to consider the moral aspects of a problem, the ability to become responsible citizens, the ability to try to understand and tolerant against a different view, the ability to live in a globalized society, as well as having the readiness for work. The curriculum is designed to include three domains, namely knowledge, attitudes, and skills. The three domains will produce creative, innovative, and character human being.

The real step of development and implementation in curriculum 2013 can be seen from the application of the scientific approach to the learning process. This

approach includes observe (observing), ask (questioning), reasoning (associating), try (experimenting), and forming networks (networking). This approach is expected to improve and maintain the balance between the ability to be a good man (soft skills) and people who have the skills and knowledge to live properly (hard skills). This is in line with the vision and mission of the national education (Education Strategic Plan of Ministry of National 2010-2014) with the vision 2025 to produce intelligent and competitive Indonesian people.

Relating to Indonesian language learning, scientific approach can be interpreted as an empirical approach that is carried out in a systematic, controlled, and critical, which starts from the observation, questioning, collecting data and information, analyzing, linking to the stage presentation / reporting (Mahsun, 2014: 123). The learning process pursued by an empirical learning activities. Empirical learning process which begins with the activity of observing natural phenomena that can be seen by students in the neighborhood. This observation activities should be carried out systematically, this means that observations should be done gradually, targeted, and measurable. One example is the systematic empirical study of students doing the learning starts from the building context stage towards modeling process, followed by a process to produce something and effort to create something together. Furthermore, the definition of a controlled learning is the learning process which is involving teacher in controlling. Controlling the activities carried out by conducting an evaluation of learning outcomes. The scientific approach is not only done systematically and controlled but also critically. The empirical approach that is critical is done by examining the relationship between the facts with other facts.

Scientific approach to language learning requires learners or students to actively learn and have the language competence. The language competence involves the four language skills, namely listening, speaking, reading, and writing. From these four skills, speaking ability is especially needed during the process of Indonesian language learning by using the scientific approach. Activities or steps of scientific learning requires many learners do vigorous activities, such as observing, questioning, reasoning, trying, and communicating the results of learning. The activity requires ability to talk more than other skills.

This is in accordance with the purpose of language learning, learning means learning to communicate (Halliday cited by Richards and Theodore, 2006: 153). The most basic requirement is the use of language in the interests or needs that exist in the real world. Learning to communicate, one of which is connecting speaking ability to learn to communicate verbally. It is inevitable that teachers should equip learners language skills, such as speaking ability so that learners can apply their learning to good scientific learning.

Speaking ability, as a competence mastery, the use of communication technology tools needed to support learners in language learning. Learners in addition to master the technology must also have the speaking ability to communicate. Basic ability to speak either one-direction or multi-direction is required by the learners to face the scientific-based learning process. Therefore, the implementation of Curriculum 2013 can be done well if learners as learning agents have additional competencies, ie, the mastery of technology and communication (speaking ability).

Based on the background above, the researcher is interested in discussing the importance of speaking ability to support the learning process in the curriculum of 2013. The discussion of this paper focuses on the concept and design of learning speaking ability of students in secondary schools. The concept and design of this study will be directed at supporting role as Indonesian language learning curriculum 2013 in secondary schools.

2. MATERIALS AND METHOD BASIC ABILITY TO SPEAK

The term communication is derived from the Latin word *communication* that originates in the word *communis* which means the *same*. The word *same* refers to the *same* meaning. Human beings can communicate to each other if there are conversations that have the same meaning. The similarity of meaning allows them to exchange thoughts, feelings, ideas, and opinions to others. Communication between human beings generate displacement of information from the communicator to the communicant.

Communication activity is a process of delivering a message from the source to the recipient via the media. According to Trenholm and Arthur (2004: 4): "*a process by which a source transmits a message to a receiver through some channel*". Communication is a process in which the source transmits the message to the recipient

through a variety of channels. Communication requires a process, the process of delivering a message from the source to the recipient. The delivery of messages conveyed through various channels. The intended channel is the media used in communication, namely language.

Man in everyday life requires communication to interact with the environment around him. One form of communication is talking to his fellow. Speaking aims to convey the message of the speaker to listener. Speaking is a language skill whose main purpose is to convey the message. According to Trenholm and Arthur (2004: 13): "The most obvious part of message competence is verbal competence, the ability to process and use linguistic devices to convey content in effective ways". The function and role of speaking is as a bridge or verbal communication tools to interact with other, as well as a means of getting information conveyed by speaker to the listener. Communication can be regarded as speaking activities if such communication activities using spoken language that emit meaningful sounds or voices that are not in the form of symbols, colors, or cues. Speaking has very important role in communicating because speaking is an activity to convey information, ideas, opinions, and purposes to others or listener.

2.1 ONE-DIRECTION BASIC SPEAKING ABILITY

One-direction speaking activity is speaking activities that involve only listener as the recipient of the message. The process of speaking does not expect interaction or feedback from listener. This speaking activity occurs only in the event of delivering a message from the speaker to listener and there is not any verbal interaction. Listener only receives messages and does not respond to the speaker. Speaker becomes the central in conveying the message. The information is transmitted, but it is not necessarily received or understood (Littlejohn, 2002: 7). The emphasis of this type of speaking remains lie in one direction, ie, the message to listener. Examples of one-direction activities are: presentation, verbal report, lecture/ speech/ sermon, welcome speech, and introducing oneself.

In the Indonesian language learning based on scientific approach, the basic ability to speak that's generally done is giving a verbal report and presentation. The presentation is a means of communication to convey the message by explaining or describing material systematically. The type of presentation done by the students is the presentation for scientific and educational activities. This presentation is done in the learning process to convey information. The presentation is one of the basic ability to speak that prioritizing personal appearance while talking. The personal appearance that must a presenter has is how to dress, how to talk, how to act, mental readiness, time management, and systematic presentation (Darmastuti, 2006: 104-106). The following is a table of supporting elements at the time of presentation.

Table 1: The Supporting Elements at The Time Presentation

No.	Personal Appearance	Supporting Elements
1.	How to Dress	Speakers prepared with attention to the clothes worn, neatness, and completeness attributes.
2.	How to Speak	Speakers are required to not boring, speak naturally, not made-up, stating something believed to be true, precise sound pressure, do not use terms that are not popular, and uses effective sentence.
3.	How to Act	Speakers are required to act with the aim of reducing boredom or burnout of listener. The ability of the speaker is done by using proper expression and gesture.
4.	Mental readiness	The speaker must be able to control emotions and calm down when the presentation.
5.	Time Management	The speaker must know the duration of his time during the presentation.
6.	Systematic Presentation	Speakers convey a message to the systematics: introductory stage, stage descriptions subject matter, and the concluding phase.

2.2 MULTI-DIRECTION BASIC SPEAKING ABILITY

Multidirectional speaking activities involve listener to interact. Each person serves simultaneously as a speaker and a listener. Devito (2004: 24) said the process of this communication is circular: one person's message serves as the stimulus for another's message, which serves as a stimulus for the other person's message, and so on. This communication is a mutually interactive process, called interpersonal communication. Speaking process is usually done by a question and answer, discussion, brainstorming, or the existence of a collective agreement. In of this second type of speaking activities, speakers and listener have the same position so that both verbal interaction to achieve certain goals. Speaking activities is speaking group or speaking in front of people and expects reciprocity between speaker and listener. Multidirectional speaking activities include: question-and-answer, debate, dialogue, interviews, and various discussions (seminars, symposiums, panels, brainstorming, colloquiums, workshops, conferences/ congresses, etc.).

The basic ability to speak multi-directions is required in the Indonesian language learning is based on a scientific approach. Basic ability to speak is mostly done when the learners get through the stages of building a context, modeling, and build text together. The type of basic ability to speak of multi-directions are widely used today through the stages of learning are question-and-answer and discussion. Discussion is an exchange of information or a process of effort to solve a problem that is accompanied by the occurrence of interaction (Arsjad and Mukti, 1988: 37). Discussions usually marked by a question and answer session. The main purpose of the discussion is an attempt to resolve the problem with the exchange of opinions and generate ideas together. In the process of the discussion, each participant of discussion needs to pay attention to the rules in the discussions, including equal opportunity and freedom of expression, must try to put ourselves time of the debate or the opinion inequality, and a willingness to engage directly in discussions (Saddhono and Slamet, 2014: 81-82). The regulation of discussion and action can given in table 2.

Table 2: The Regulation of Discussion and Action

No.	Regulation of Discussion	Action
1.	Equal opportunities and freedom of expression	Discussion participants have an equal chance in the expression, respect the opinions of others, do not interrupt, talk politely, humorist, and realize a turn to speak.
2.	Efforts to put themselves in the right time of the debate or the opinion inequality	Discussion participants must try to put ourselves and try to be a listener and give opinions and thoughts during a debate; not only be a listener.
3.	Willingness to engage directly in discussions	Participants should be aware and active discussions to engage in discussion; follow the discussion.

In addition to the rules of discussion, participants should know and understand the developmental phases of discussion groups, namely the introduction, establishment of relations, and mutual acceptance (Darmastuti, 2006: 76-78). The following is a table of the phase of discussion.

Table 3: The Phase of Discussion

No.	Phase Of Discussion	Stages
1.	Introduction	Participants observed a selective discussion of the other participants, seeing their diverse opinions, and try to gain influence on others
2.	The formation of Relationship With Others	Forms of relationships that can occur in the discussion are: (1) the relationship between the members of which marked the emergence of a small group consisting of people who support each other, (2) the emotional connection that marked the establishment of a personal nature to look more prominent, and (3) conflict, marked by dissent.
3.	Accepting each other	Participants receive one another the results of discussions as collective thought.

2.3 SCIENTIFIC APPROACH TO INDONESIAN LEARNING

Scientific approach can be a bridge to achieve the learning objectives, that is to develop the knowledge, attitudes, and skills of learners. The knowledge domain brings substance transformation or teaching materials are directed to students "know what". Attitude domain aims to transform the substance or teaching materials so

that students "know why", while the skill domain steps up to the transformation of substance or teaching materials so that students "know how". The scientific approach is developed to achieve the learning outcomes that touches the three domains so as to produce productive, creative, innovative, and affective learners (Mulyasa, 2014: 99). Graph of Learning Process Based on Curriculum 2013 given in Fig 1.

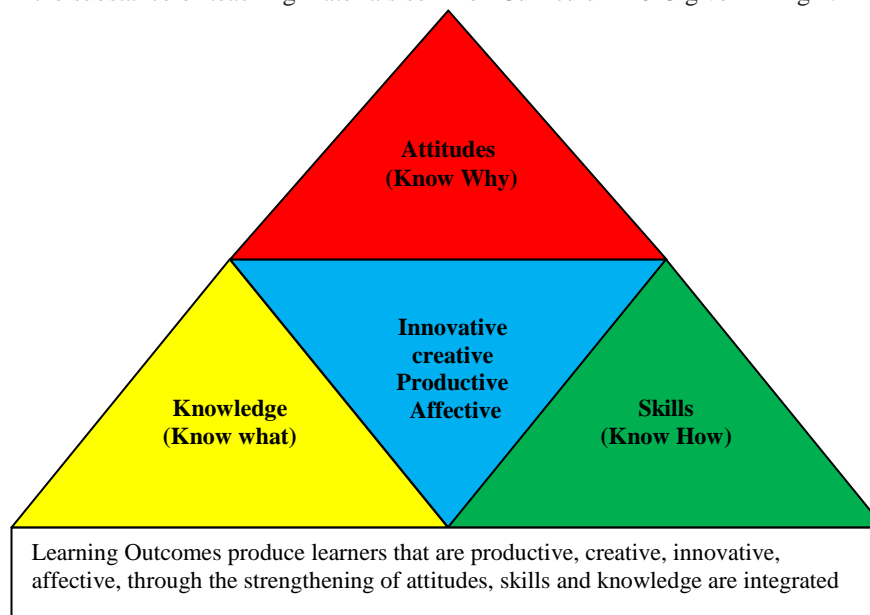


Fig 1: Learning Process Based on Curriculum 2013

The graduate competency standard (*Standar Kompetensi Lulusan/ SKL*) in Curriculum 2013 is based on the three domains. In Indonesian language learning, knowledge domain emphasis on the rule of Indonesian language competence. The attitude domain emphasizes on the pride in Indonesian language and Indonesian language priority. The domain of skill emphasize on listening, speaking, reading, and writing.

The three domains are spread in the learning steps based on a scientific approach. This approach is used to

formulate core competencies (*Kompetensi Inti/ KI*) and basic competence (*KD/ Kompetensi Dasar/ KD*). With this approach, KI and KD are designed to manage the process involves learners as optimally as possible (Mulyasa, 2014: 97). The application of this approach will provide the widest possible opportunity for learners to play an active role in the process learning. This approach looks real step in observing activities, asking, reasoning, trying, and communicating the results of learning. The step of learning process based on scientific approach given in Fig 2.

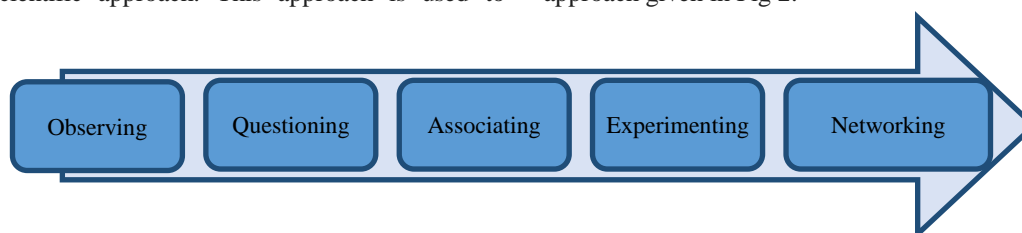


Fig 2: The Learning Process Based on scientific Approach

The learning process based on scientific approach can be viewed as a scientific process. This approach emphasizes more on inductive reasoning than deductive reasoning (Majid, 2014: 97). The inductive reasoning sees at the phenomenon of or specific situations to then draw conclusions overall. The inductive reasoning puts specific evidence which is then used as the relation of ideas to involve the scientific method in learning. Scientific method refers to the investigative techniques used for digging or observe a phenomenon, as well as acquire new knowledge, or correcting, and integrating previous knowledge. The characteristic of this method

can be realized through the use of method of inquiry. The method of inquiry should be based on evidence of the observable, empirical, and measurable object, with the principles of the specific reasoning. Thus, the scientific method generally includes a series of activities of collecting data through observing or experimenting, processing information or data, analyzing and formulating, and testing hypotheses.

3. RESEARCH METHODS

The method used is a Research and Development (R&D), where research is designed to produce a

product and continuing with the process of testing the effectiveness of these products in order to function in society. The products produced in this study were policy proposals on improving the students' speaking

ability as supporting the use of the curriculum in 2013 on Indonesian language learning. The steps that researcher do the research can be described as follows:

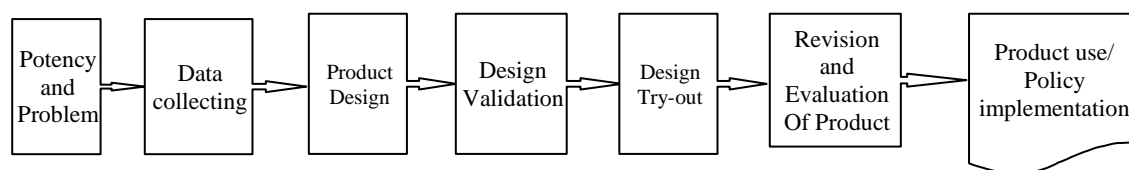


Fig 3: The Steps of Research

In the first stage, the researcher looks at the potential and problems found in the implementation of Indonesian language learning which uses the curriculum 2013. The next stage, researcher collects data through observation and interviews students and teachers at the secondary school curriculum in 2013 in Serang city. After the data collection stage, researcher examined data and information and then compiles the design of a suitable product to improve the speaking ability on Indonesian learning in the curriculum 2013. The next stage, researcher proposes a design to be tested, evaluation, and revision of the design. The last stage, researcher proposes learning design that is useful to improve speaking ability of students in Indonesian language learning in the curriculum 2013.

3.1 DATA SOURCE

The data used in this research is the learning process of Indonesian language at secondary school in Serang that uses the curriculum 2013.

3.2 DATA COLLECTION TECHNIQUES

In this study, researcher uses several data collection techniques include:

- Observation
Observations carried out to see the learning process of Indonesian language at secondary school in Serang as the main data.
- Interview
Interviews are conducted to complete the data to a resource that is considered competent and appropriate qualifications based on the implementation of the curriculum 2013.
- Literature Review
This technique is used by researcher to complete the data to see that the literature has relation to the research.

3.3 THE BENEFIT OF RESEARCH

The results of this research are expected to contribute to research in education, especially in the process of implementing the curriculum 2013 and became the basis for further research.

4. RESULTS / DISCUSSION

4.1 THE CONCEPT OF SPEAKING LEARNING IN INDOONESIAN LANGUAGE LEARNING AT SCHOOL BASED ON SCIENTIFIC APPROACH

The placement of Indonesian language as a puller of science in Curriculum 2013 becomes the basic design of the text-based Indonesian learning. There are several reasons in designing the text as a basis for

Indonesian language learning. First, through the text, students' thinking skills can be developed; The second, more text-based learning materials relevant to the characteristics of the curriculum 2013 that set SKL includes the domain of knowledge, skills, and attitudes (Mulyasa, 2014: 97). Therefore, the text-based Indonesian language learning demands teachers to direct students through the four stages of learning, namely (1) the stage of building of context, (2) the stage of text modeling, (3) the stage of making the text together, and (4) the stage of making the text independently (Mahsun, 2014: 112-113). The learning emphasizes on active learners in learning activities through tasks, either in groups or independently.

For getting through the above steps, the text-based Indonesian language learning is done on the basis of scientific approach. It is based on the assumption that the preparation of the text is a complex activity requiring regular activity, controlled, empirical, and critical (Mahsun, 2014: 124). The stages of text-based Indonesian learning are pursued by the learners through the process of observation, interview/questioning, experimenting, and literature. The process is a form of scientific method. In other words, Indonesian language learning has a text-based scientific approaches in the learning process.

The text-based Indonesian language learning requires scientific learning steps. This is necessary because the Indonesian language learning placing text-based language theory as the basis of language learning, namely the theory of structural linguistics and functional linguistics. Structural linguistics views of language learning as a mastery of structural elements (phonology, grammar, etc.). Functional linguistics focuses on language learning content based on the language that is the communication function of language. With two of the theoretical basis, a text-based Indonesian language learning is given to the students not only a knowledge of the language, but as a unit of contextually meaningful language. The text-based Indonesian language learning carried out by applying the principles that (1) the language should be viewed as text, not merely a collection of words or linguistic rules, (2) the use of language is a process of selecting forms of language to express the meaning, (3) language is functional, that is the use of language that can never be separated from the context as in the form of the language used is reflected ideas, attitudes, values, and ideology of the users, and (4) language is a

means of formation of human thinking skills (Kemendikbud, 2013).

The text-based Indonesian language learning requires speaking ability during the learning process. Learning to speak in Indonesian language learning in secondary schools actually integrated in the learning steps, such as observing, asking, questioning, reasoning, experimenting, and communicating the results of learning. Speaking ability is needed for the learning process. Armed with this speaking ability, learners will be able to seek information from various sources of observation, able to formulate the problem by asking, and being able to present and disseminate the lessons learned back verbally.

Moreover, speaking ability is one of the domain skills that must be achieved in the SKL. The domain of skill is acquired from process elements, including activities of observing, questioning, and presenting. The objective of this domain of skill is that learners have the capability of the development of what they learn in school in accordance with their talents, interests, and abilities.

The text-based Indonesian language learning involves material that emphasizes the domain of knowledge, skills, and attitudes. This learning prepared by teacher to lead learners through the four stages of learning, namely (1) the stage of building a context, (2) the stage of text modeling, (3) the stage of making the text together, and (4) the stage of making the text independently. The stage of building context actually occurs in the context of the modeling stage. However, this stage occurs before learners are given models of a particular text. The stage of building context is important to be given in the beginning of learning to determine the readiness of learners. The stage of building context is an effort to create the intermediary conditions (Mahsun, 2014: 114).

Furthermore, the stage modeling is done by displaying ideal model texts. The stages of modeling done by introducing values, social objectives, language features, and comparing with another text. Speaking ability that can be used in this phase are questions and answers about the content of the meaning of the text and group discussion.

After the modeling stage, the learning stages that should be passed by is working together to build text. The activities at this stage are building values, attitudes, and skills through the complete text together. The learning activities can be done by summarizing the contents of, responding to, and processing text. Speaking ability that can be done in this stage is responding in the preparatory discussions to jointly develop the text of the same type.

The last stage of learning is to build text independently. Individually, students independently is assigned to build a text, starting from the activities of collecting data/ information/ facts, data analysis, to the activity of presenting the results of the analysis. The speaking ability that can be used in this stage is to create and present a verbal report. The steps Indonesian learning based on texts given in Fig 4.

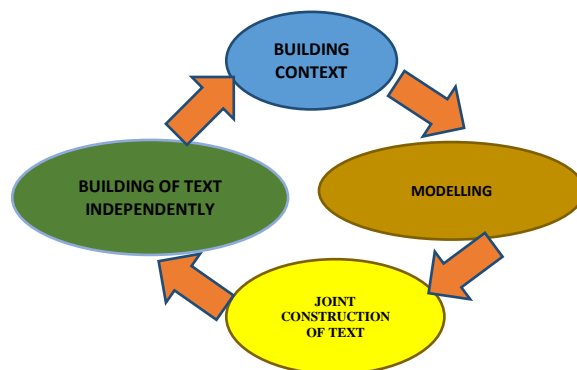


Fig 4: The Steps Indonesian Learning Based on Texts

Learning stages above is a cycle in the learning process. These stages should ideally be done in stages starting from the modeling process consisting of building context and modeling, building a joint text, to build text independently. However, we need to realize also that this learning stage can take place without that stage. It relies on the state of students' factor. For example, teachers after building the context and perform modeling, directly directing learners work independently to build text. Building joint text can be skipped because seeing learners have understood the material or the given text. In other words, the implementation of this learning stage is determined by the conditions in the learning process.

4.2 SPEAKING LEARNING DESIGN IN INDONESIAN LANGUAGE LEARNING IN SECONDARY SCHOOL BASED ON SCIENTIFIC APPROACH

Indonesian language learning goals based on scientific approach directed at the activities of learners. Learning is directed to develop a curiosity of learners. Learning conditions are expected to direct the learners are able to formulate the problem with many activities of questioning, not only solve the problem by answering. Learning formulated to train the analytical thinking not thinking mechanically.

The scientific approach in Indonesian language learning demands learners or students to actively learn and have the language competence, particularly competencies or speaking ability. Speaking ability are required by the learners in the Indonesian language learning process by using scientific approach. The steps of scientific learning is conducted in stages of observing, questioning, reasoning, experimenting, and communicating the results of learning.

Speaking ability are needed to support learners in Indonesian language learning. Apart from having to master the technology, teachers must also have speaking ability to communicate and through the stages of learning based on a scientific approach. Speaking ability required learners to support the learning process based on scientific learning is a basic ability to speak either one-direction or multi-direction. The following table of learning stages involving speaking ability as supporting the Indonesian language learning process based on scientific approach. Speaking ability integrated in stages of learning given in Table 4.

Table4 : Speaking Ability Integrated In Stages Of Learning

Learning stages	Speaking activities	Speaking abilities
Modelling	Context building: questioning	Multi-Direction Basic Speaking Ability
Modelling	Questioning	Multi-Direction Basic Speaking Ability
Joint construction of text	Discussuion and responding	Multi-Direction Basic Speaking Ability
Independent construction of text	Making report orally/ verbal report (presenting)	One-Direction Basic Speaking Ability

Basic ability to speak both one-direction and multi-direction must be owned by learners to support the learning process. In the modeling stage, which consists of building a context and modeling text, learners will be doing a lot of speaking activities, which is questioning. At this stage, speaking ability which is needed is a basic ability to speak multi-direction.

The steps of joint construction of text are conducted jointly develop the text of the same type. Speaking activities that can be done in the learning stage are discussions between teachers and learners in developing the text. Speaking ability needed in this activity is the activity of speaking multi-directional.

The steps of independent construction of text demand independent effort in doing the task. The task that the learners do is to build text. Speaking activities undertaken in this learning stage is to make a report and present it orally. Speaking abilities needed in the stages of building text independently is a basic ability of one-direction speaking. The following chart of the stages of the text-based Indonesian language learning.

4.3 SPEAKING LEARNING DESIGN OUT OF INDONESIAN LANGUAGE LEARNING IN SECONDARY SCHOOL

The development of speaking ability learning out of the Indonesian language learning is performed with habituation pattern. Implementation of this habituation pattern can be done outside of school hours in the form of extra-curricular activities. In addition, the development of skills out of learning hour can be done through training, workshops, or simulations to improve students' speaking ability. This outside learning activity can be implemented in the activities of the Period of New Students Guidance (MABIS). The material of speaking ability becomes part of the implementation of MABIS. With the placement of this activity in the beginning of school would be the right step to equip students to be skillful in speaking. In the end, students will have the ability to deal with the implementation of Curriculum 2013.

Table5 : Speaking Learning Out of Indonesian Language Learning

No.	Activities	Implementation	Goals
1.	Habituation	Extracurricular	Students can develop a personality, talent, and ability to speak.
2.	Training	Period of New Students Guidance	Students can develop a personality, talent, and ability to speak and simulate when the activities take place at the beginning of school.
3.	Workshop	Period of New Students Guidance	Students can develop a personality, talent, and ability to speak and simulate when the activities take place at the beginning of school.
4.	Simulation	Period of New Students Guidance	Students can develop a personality, talent, and ability to speak and simulate when the activities take place at the beginning of school.

4.4 THE ISSUES OF CURRICULUM 2013 AND ITS IMPLEMENTATION IN FUTURE

The implementation of Curriculum 2013 continues to become the spotlight and turns up are some pros and cons from the various parties. That problem is being taken seriously by Kemendikbud (The Ministry of Education and Culture) through the policy of Minister of Education and Culture, Anies Baswedan, by limiting the implementation of Curriculum 2013. This decision was made by taking into account the notes and evaluation of the replacement of School Based Curriculum (Kurikulum Tingkat Satuan Pendidikan/ KTSP) (Nadia, 2014). The Limited Implementation of Curriculum 2013 to schools that have implemented this curriculum for three semesters, while new schools implementing this curriculum for a semester are encouraged to re-apply the KTSP.

The discussion on the implementation of Curriculum 2013 continues by discussing the scheme consideration and determination of feasibility criteria that schools can implement the curriculum 2013. The criteria set including accredited schools, the availability of curriculum 2013 books, and the readiness of principals

and teachers (Zubaidah, 2014). The readiness of principals and teachers to the considerations of principals and teachers must have training curriculum implementation 2013. In addition, teachers in these schools have been certified profession and the ratio of the number of teachers has been ideal.

The feasibility criteria are appropriate. A school with accreditation A allows the implementation of the implementation of Curriculum 2013. The school has a potential value of adequate facilities, including availability and access to communication technologies, The teachers are competent, the ideal ratio of the number of teachers, as well as the availability of books to support the implementation of Curriculum 2013. The criteria of the feasibility of which has been discussed and considered only based on the viewpoint of schools and teachers.

Discussion and consideration from the standpoint of learners has not been touched by both the government and the implementer of curriculum. In the implementation of Curriculum 2013, in fact learners are the main subject of the curriculum 2013. The learning process is mostly done by students (student centered).

Thus, it would need to be prepared a concept and design which can form the readiness of learners in facing of Curriculum 2013.

One of the intended concepts and designs is the ability to communicate. The ability to communicate can be trained to develop speaking ability, in the form of a basic ability to speak one-direction and multi-direction. This conversational ability will be a support for learners in the implementation of Curriculum 2013 in addition to the ability to use information technology. This is in line with the opinion of Hamalik (2007) quoted by Majid (2014: 3) suggests that the principles of curriculum 2013 development one of them is to meet the challenges of information and communication technology.

In addition to being the principle of curriculum development, the ability to communicate is also the key skills that are needed in the coming era. Learners as a potential successor to the nation would be prepared to have that ability. The successful generation in the future is the generation that is able to communicate well.

The ability to communicate is going to be a provision for learners in facing the challenges of globalization and a definite step in dealing with the implementation of Curriculum 2013. The ability to communicate can be developed to train students for speaking ability. This ability can be improved by sharpening the potential learners in developing the basic ability to speak one-direction and multi-direction. The development of speaking ability can be done in two ways, namely integrated in learning Indonesian language or outside the learning.

The steps become writer's recommendations to the government in the implementation of Curriculum 2013 in the future. This can be realized well when the government has been able and willing to realize education budget of at least 20% from state and local budgets. The realization of this budget are listed on basic law UUD 1945 article 31, verse 4, 4th Amendment which states that the State Education Budget prioritizing at least 20% of the national (Anggaran Pendapatan Belanja Negara/ APBN) and regional (Anggaran Pendapatan Belanja Daerah/ APBD) budgets to meet demands for the Implementation of National Education.

5. CONCLUSION

The ability to communicate is one of the skills needed to face the challenges of learners in the age of globalization and provision in facing the implementation of Curriculum 2013. The ability to communicate is directed at the potential of speaking ability. The communication skills can be improved by sharpening the potential learners in developing the basic ability to speak one-direction and multi-direction.

The development of communication skills can be done in two ways, namely integrated in learning Indonesian language or outside the learning. The integrated development of speaking ability in learning can be done before or when learning takes place as speaking learning in the Indonesian language learning based on a scientific approach. Furthermore, if the development of speaking ability is done outside the learning so that it requires habituation that directs students to skillfully speak. The habituation may include extracurricular activities. In addition to habituation, the activities to enhance the speaking ability of outside learning can be done outside of school hours in the form of training, workshops, or simulation performed at the time of Period of New Students Guidance (MABIS).

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SUPPORTING LEARNERS' AUTONOMY THROUGH DISTANCE LANGUAGE LEARNING

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ABSTRACT - Computer has been widely use in all over the world. The functions of computer and modern technologies have influenced many educational institutions in developing networking language teaching learning processes that link participants from any places to join such learning processes. This situation of language learning is called distance language learning. It leads the participants or learners to be independence and responsible to their learning process, their self-assessment, self-actualization, and self-evaluation that bring them to the practices of promoting the autonomy. Thus, this paper tries to dig out how distance language learning influences language learning processes in promoting learners' autonomy.

Keywords: distance learning, language, autonomy, language learning

1. INTRODUCTION

The use of computer has been rapidly expanded in many parts of the world. Almost all fields of work use computers to help them dealing with important activities such as saving data, counting statistics, making papers, doing presentations and keeping communication as well. As time goes by, the expanding use of computer transforms and increases the way we communicate with other people. People no longer use computer merely for the sake of saving and collecting data or doing statistics but expansively making use of computer networking for communicating and accessing essential and useful data or texts and multimedia information.

Interestingly, in the context of language education, the use of computer networking has been influencing the improvement of teaching learning process. This learning process provides the learners communicative learning experiences. They can access and/or publish texts and multimedia materials to extend their communicative learning with the world far beyond the classroom. Therefore, these activities can be done by providing learning materials for the learners that can be easily accessed anytime and anywhere. Those processes on computer networking learning activities have been expected to facilitate the learners to enhance their language learning as well as to invite them to be autonomous learners.

The expanding of computer networking has led the development of language education into an education in which the teaching learning processes are conducted through networking or the website provided by certain educational institutions. This kind of teaching learning process is sometimes called as distance education in which the learners experience distance learning in interacting altogether with other learners and the teachers. This kind of education, as stated by Mark et al. (2000), enables the learners who could not attend the classes for one reason or another to experience learning processes in a course to achieve a certificate, a diploma or a degree. Students could stay in their homes, offices, or in other places while they do and finish assignments then mail them to an address at a distant location to the teachers or the

educational institutions. Besides, for some chances, they are invited to share and discuss the discourses they have made about particular topic discussions so that they may share knowledge and improve it from both the teachers and other students by publishing them on the website provided for them or sometimes by being online and interacting with the teacher and other students. Thus, learners in a distance learning context are possible to get a degree without going to a certain campus and attending all the classes provided for the courses.

When a learner is involved in a distance learning context, he or she is engaged to be an autonomous learner. Being autonomous learners, according to Little (2003) as cited by Linda (2007), they should "understand the purpose of their learning programme, explicitly accept responsibility for their learning, share in the setting of goals, take initiatives in planning and executing learning and evaluate its effectiveness". Therefore, those who are experiencing a distance learning education at the same time can improve their knowledge and communicative learning as well as promote their learning autonomy since they should deal with activities that involve their independent learning.

2. DISCUSSION

Holec (1981) defines autonomy as "the ability to take charge of one's own learning". It is as what Benson (2001:8) states that autonomy is a natural product of the practice of self-directed learning in which the learners determine the objectives, progress and evaluation of learning by themselves. These definitions lead the concept of 'knowing how to learn' where the learners, the ones who involved in the learning process, are those who take the lead of being autonomous learners helped by the teachers as their facilitators. When the learners are trying to be autonomous or even more autonomous learners, they begin to encourage developing their own learning strategies.

Sarah Cotterell (2000, 143) as cited in Leaver and Ehrman (2005:394) suggests that having a number of defining characteristics for language courses is helpful

for promoting learner autonomy. Those typical characteristics are closely related to first, the learners' goal in its language, tasks and strategies should be reflected. By raising the students' awareness of ways of identifying goals, specifying objectives and identifying resources they will realize these goals. Second, tasks should be explicitly linked to a simplified model of language learning. It allows the learners develop an awareness of language learning theory and adopt the learning strategies. Third, the course should formulate real-world communicative task. When the students are engaged to the tasks and share them by publishing them, they are automatically trying to communicate their thought to others, the teachers and other students or even other readers, that may bring comments or responses to what they have written. Here, when discussions of such topics start, they start the real-world communication with others. Forth, it should promote reflection on learning. A learning process would be best supported by having a reflection for getting better comprehension of what have been learnt, what activities work best or worst and what things should be done for improving better learning. Thus, a reflection is needed for the sake of both the teacher and students' improvements.

According to Benson (2001:22), variety of approaches within the field of language learning has influenced and has been influenced by the concept of autonomy in language learning. It is believed that autonomous learning contributes positive influences to educational reform, adult education, the psychology of learning and political philosophy. Philosophical view sees learners as good responsible to learning, problem solvers, critical, reflective, and self-actualizer. Thus, education should direct the goals to promote learners' autonomy. By promoting their learning autonomy, they can become better learners in applying those elements and to some extents of other aspects of language learning. It is also assumed that self-directed learning preserve that learning is psychological process. It encourages the learners to be aware and participate in the learning processes. By getting actively involved in the learning processes they can get more benefits and deeper knowledge and experiences.

In developing learners' autonomy, Kohonen (2001:36) as cited in Danjun, states that teachers need to base the goal of autonomous language learning on broad experiential learning approach. He argues that "becoming an autonomous language learner is a question of a conscious and ongoing reflection of the tasks, based on personal experiences of language use". Therefore, experience and reflection, Kolb's model of experiential learning, become two keys of effective learning process. As a matter of fact, choosing appropriate learning process and content as well as reflecting both of them and being aware and responsible of the achievements are some essential elements of developing learners' autonomy (Kohonen, 2001:45, cited in Danjun).

According to Linda (2007:74), distance learners are often assumed to be learning autonomously because

they control a number of aspects of their learning. They take their responsible of the time to study, the pace of their study, what content and when they want to study. However, they are not necessarily in charge of setting the goals, planning or evaluating learning. Thus, the materials of distance learning should be able to anticipate a wide range of potential language learning needs and provide sufficient materials access of students' being isolation without direct access to the teachers or their peers. Thus, teachers should be aware and pay much attention of this condition that they should facilitate the learners efficiently. They, according to Dickinson (1987) and Chamot (2001) as cited by Linda (2007), are to support and participate in learners' development and encourage themselves to reflect critically and make decision among their students.

Autonomy development in the context of distance learning will be closely related to discourse since the interaction among teachers and learners are gained. Teachers can understand better how their learners improve their autonomy on their learning through the discourses they share to them. Meanwhile, if the teachers provide a particular website as for the tools that both teachers and the learners use for the means of communication, where the teachers as well as the learners are able to share any of their developments through the discourses, they will create the atmosphere that the learners can learn from others' work in order to give them other samples of good or even better understanding to particular materials that a particular learner has. Thus, it can lead them to have harder work to improve their knowledge and interestingly their autonomy as well.

Some previous researches had conducted researches on finding out how distance learning influences the learners' autonomy. One of the researches was conducted in a three-module-course for teachers of English as a foreign language, Teacher's Links (TL). The participants came from various kinds of educational institutions, private and state schools. The main purpose of the course was to help teachers become fully aware of the possibilities for development in worldwide context, in the classroom, and in the academic sectors as researchers.

From the finding of the research it is concluded that distance learning brought some influences for the participants. First, the forum provided for the participants can be considered as a privileged source of data. The forum provided to share the discourses can facilitate the participants a locus to a path of gaining their autonomous behavior. They were engaged to the opportunity for planning and reflecting on their learning that were considered as the essential processes of growing their awareness. Since the learning processes were conducted online, it is expected that they achieve higher degree of online interaction with other teachers participants in which they were engaged to challenge of some interactional processes including brainstorming, questioning, personal reporting as well as responding to opinions.

Second, to some of the participants who had the strong disposition and systematic process of informed and content-relevant decision making, in the learning process, they promoted autonomous learning behaviours. However, to some others who thought that the learning process in the course was less demanding and too easy that they didn't activate their autonomous learning, they seemed unsuccessful. They considered the demanding processes as a wasting time, whereas, distance learning autonomy depends good search skills. It requires the students to develop the ability to evaluate the quality the pages they brought to their screen telling to good or bad. Therefore, as what has been stated before that the teacher play a big role in preparing and developing interesting and challenging materials to motivate the learners to improve their knowledge and their critical learning as well.

Another research tried to find out how the teachers or tutors encourage critical reflection and decision making, how they are aware of difficulties in critical reflection and decision making and how they develop the practices of autonomization. However, from the result of the research, it may encounter us to the influences of distance learning in promoting the learners autonomy. When the tutors had strong commitment to develop learners' capacity of being critical in reflecting and deciding something, the learners are in processing of increasing their control over their learning, particularly to overcome workload problems and to break their 'comfort zone' and focus on their weaknesses to enhance their performance. Moreover, the learners become more aware on the difficulties on prioritizing their work and difficulties with self-assessments and self-evaluation they faced during the learning process. Having been helped by the teacher, the learners have developed their positive enthusiasm toward the feedback the teachers gave them a critical support for their reflection and basis for future development. The tutors gave them comments showing their responses to the learners' expectation of the language practice as what Little's (1999) concern as cited in Linda (2007) about the teachers' willingness to risk diverting time. Thus, by reflecting to the responses the teachers gave to them, they demonstrated their "theory-in-action" and practiced the concept of autonomy itself as learning to learn (Ehrman, 2005:395).

3. CONCLUSION

From the result of those two researches we can conclude that distance learning, with all those processes and strategies, to some extents, brings the learners the chances to promote their learning autonomy and interestingly, gives positive effects to the teachers as well. Learners are engaged to the process of being independent and critical in developing their skills as well as their knowledge, practicing autonomous behavior, becoming aware of their developmental growth including brainstorming, questioning, and giving personal report in delivering opinions. Furthermore, the students are encouraged to become aware on digging out their weaknesses and

reflecting on what the teachers respond to their works as the support for future development. They also become more aware on fulfilling their self-assessment and self-evaluating during the learning processes they experience. Besides, the teachers also gain positive impact of becoming more aware in encouraging the learners to be more critical and reflective and moreover in finding difficulties happening to the learners. This concept of teaching learning in distant places is an effective way to apply in order to build interactional teaching learning processes in order to gain more knowledge both from the teachers and from other learners or participants by 'jumping across' the boundary of being in far away different places. The most important support for this kind of teaching learning processes is good and manageable computerization since all the learning processes deal with the computers, internet and networking. Thus, teachers should be skillful in dealing with the networking or at least facilitated by an assistant to manage all those things related to mailing the materials.

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TEACHERS' STRATEGIES IN CONFRONTING WITH PUPILS' BEHAVIOR PROBLEMS

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ABSTRACT - One of a key factor in success teaching is the ability to manage the classroom. Without strong classroom management, it is very difficult for pupils to thrive academically and socially in a non stimulating environment. Therefore, understanding how to respond to behavioral concerns and being responsive to each child begin with understanding of problem behavior and how one can prevent it from occurring through effective classroom behavior management strategies. This research is conducted to know the most common behavior problems exhibits by the students during the learning process and the teacher's strategy in dealing with those problems. This research employed a descriptive and qualitative design from Maxwell (1996). This research used the descriptive method using the case study conducted under the naturalistic participant observation technique. The participants were 12 teachers from 5elementary schools in Serang Banten. The data for this research were collected through observation and interview. The result showed that the most common behavior problems exhibits by the pupils during the learning process are chatting (100%); less attention to the lesson, making unnecessary noisiness such as laughing, whispering to each other, and interrupting the teacher talk (92%), moving around the class (92%); and cheating other task (75%) during the learning process in the classroom. While the teachers strategies in dealing with these behavior problems are mostly giving verbal warning (75%) such as reminding and warning the pupils to stop their behavior; only some teachers (33%) who use non verbal warning by showing gesture or giving punishment.

Keywords: Teachers' strategies, pupils, pupils' behavior problem.

1. INTRODUCTION

Effective teaching is one of the central purposes of educational practice and research in improving learning. However, creating an effective learning in class is not an easy task. All teachers throughout their career will encounter pupil behavior problem no matter how effective their teaching is. Teachers are presented with disruptions in classes each day. They have to face with negative or disruptive behaviors of pupils. Students do not always act within the rules of the classroom, no matter what precautions the teacher may take. Good behavior is often easy to identify and encourage verbally, but behavior problem can demand consequences in order to remind the student that the action is not acceptable. However, the consequences of behavior problem must match the severity of the action in order to teach students the proper way to act. Being able to deal with such behavior is extremely important toward ensuring all students' in the class can progress their full attention and not be held back by other in the class. Without strong classroom management, it is very difficult for pupils to thrive academically and socially in a non stimulating environment [1]. He added that taking the time to improve upon one's classroom management would result in a positive outcomes or academics performance for pupils with behavior problems. Therefore, discipline problems are listed as the major concern for most teachers. Handling disciplines in class create a calm, supportive atmosphere for pupils to learn [1].

Managing pupils' behavior has always been a demanding task [2]. When teachers are not successful

in helping pupils learn and enjoy the activities in the classroom, they experience difficulties in managing classroom. Therefore, understanding how to respond to behavioral concerns and being responsive to each child begin with understanding of problem behavior and how one can prevent it from occurring through effective classroom behavior management strategies. Without effective strategies for dealing with unacceptable and troublesome behavior, teachers are unlikely to have a career in teaching, and even less likely to enjoy and be successful in their chosen profession. This research was to analyze the common behavior problems exhibits by pupils during the process of learning in the classroom and the teachers' strategies in dealing with those behavior problems.

2. THEORETICAL REVIEW

Classroom Management

There are various definitions of what management consists of. One of the experts [3] defines classroom management as actions taken to create and maintain a learning environment conducive to successful instruction — arranging the physical environment of the classroom, establishing rules and procedures, maintaining attention to lesson and engagement in academic activities. On the other hand, the other expert [4] defines it as actions and strategies teachers use to maintain order. Similary, [5] the term management is also defines as the procedures needed to establish and maintain an environment in which instruction and learning can occur. Classroom rules, routines, and order play an important part in the classroom management.

Classroom managements [6] cover three main areas. They are creating and maintaining motivation, maintaining classroom control and disciplines, and organizing classroom activities. In order to create a good learning atmosphere during the teaching and learning process, there some strategies that can be done by a teacher. Establishing clear rules, teaching appropriate and inappropriate behavior, giving rewards, balancing activities, and providing specific feedback on students' behavior are some classroom management strategies that can facilitate an effective learning environment [7].

Meador [8] listed five effective classroom management strategies than can be applied by a teacher. They are as follow:

1. Have a Positive Attitude: A teacher who teaches with a positive attitude will often have students who have positive attitudes. When you praise your students instead of tearing them down, they will work harder to please you.
2. Set Your Expectations Early: It is important that your students know from the beginning what your rules and expectations are and who is in charge.
3. Develop a Good Rapport with your Students: It is extremely important to build an individual relationship with your students from the beginning. You should also seek out activities and methods to gain your students trust.
4. Have Clearly Defined Consequences: Establishing the consequences for each offense during the learning. By knowing the consequences will keep students from making poor choices.
5. Be Consistent: Staying consistent with your student discipline will go a long ways in keeping students from repeating offenses. Make the students understand that there are consequences for their actions.

Types of Students Behavior problem

Amy Watson on Pupils' behavioral problems [9] can be classifies as follows:

1. Slight Disruptions and Minor Problems.
Slight disruptions such as short spans of inattention, talking while changing activities or taking a short break during an activity are not problems in themselves. Other minor problems include moving throughout the classroom at inopportune times, calling out answers or passing notes or candy. Using a non-verbal or short verbal cue can remind students of the expected behavior.
2. Limited Problem
Problems such as chronic inattention or continually failing to complete homework are severe, but will seldom spread throughout the classroom. This would also include isolated acts of malice such as vandalism or theft, as well as attempts to steal attention from the teacher during instruction. These problems need to be dealt with briskly, but with understanding as to

the intent of the actions. Consequences should be studied to ensure that they are not actually encouraging the activity.

3. Growing Problems

Growing problems such as continual movement throughout the room, social talking that continues after the teacher called for quiet or open hostility and defiance to the teacher have the ability to spread throughout the class, and can restrict the learning of the entire class. These behaviors need to be dealt with as a class, and should be dealt with in a manner that is fair to each student in the class, but is also conducive to building a proper classroom environment.

4. Specific Problems

Specific problems are often the most severe, and are usually dealt with in the school code of conduct. These problems include fighting, bullying, chronic absenteeism and other activities that are malicious in their intent. Many of these problems stem from less severe behaviors. Continued hostility or inattention to teachers would also fall in this category, though the behavior itself would begin as a limited problem.

Modifying problem behavior

When students behave disruptively or uncooperatively, teacher first task is to find out what the problem is. The following are some strategies [10] that a teacher can do to modify student problem behavior.

- Act immediately: it is vital to act immediately when there is a problem since the longer a type of behavior is left unchecked, the more difficult it is to deal with. Immediate action sometimes means no more than stopping talking, pausing and looking at the student in question.
- Keep calm: when we are trying to modify student behavior, we need to look disruptive student in the eye, approach them, keep looking at them and speak in a measured tone. We can start by asking them questions to find out why they are behaving in the way they are.
- Focus on the behavior not the student: Try not to humiliate an uncooperative student. It's the behavior that matters, not the student's character.
- Take things forward: It is always better to be positive rather than negative. It is usually more effective for a teacher to say *Let's do this*, rather than *Don't do that*.
- Talk in a private: it is appropriate to talk student's behavior in private and talk about how to improve it. If we have to deal with in front of the whole group, speak it quietly by approaching the student.
- Use clearly agreed sanction: students need to know what penalties are for bad behaviors. This provides a sense of justice and a feeling of confidence in the system.

- Use colleagues' and the institution: when the problem is threatening to get beyond our control, we could talk to coordinator, director of studies or principal.
 - Much behavior management in the classroom can be resolved quickly with a look or stance; however, there are inevitably times when a teacher must address behavior problem using a more formal approach [11]. Such approaches can be placed into three categories.
 - Verbal – including orders to cease, reprimands, threats of punishment, statement of rule, use of humor, and statements encouraging work.
 - Non-verbal – including gestures, facial expressions, proximity, touch, and dramatic pause.
 - Punishment – including extra work, moving a pupil, confiscation, detention and involving another teacher.
2. Limited Problem: From 4 points (2, 6, 8, and 12), the most frequently *limited problem behavior* exhibit by pupils is point **cheating other task** (75%).
 3. Growing Problem: there are 5 points included in this category (7, 9, 10, 13, and 18). From those 5 points, the most frequently *growing behavior problems* exhibits by elementary schools students were **less interest in the lesson/ do not pay attention to the lesson** (100%) and **moving around the class** (92%).
 4. Specific Problem: Points 14, 15, 16, and 17 are belonging to this category. From those 4 points, the most frequently *specific behavior problem* exhibits by elementary schools students was **disturbing friends** (42%).

While the least behavior problem exhibit by pupils during the process of learning are quarrelling/fighting (33%), singing (25%), doing other lesson (1,7%), and daydreaming (0,8%).

Teachers' strategy in dealing with behavior problem of pupils

The analysis indicated that teachers' strategies in dealing with students' behavior problem is mostly giving verbal warning and directives to stop the behavior. When confronting with behavior problems where the pupils chatting during the learning activities, whispering, laughing, or do not pay attention to the lesson, most teachers (75%) give verbal warning such as reminding and warning the pupils to stop their behavior. While 1,7 percent of the teachers prefer approaching the pupils and/or giving non verbal warning such as stop explaining and looking at the students intensively. However these strategies are not effective since after sometimes the pupils do the same thing again.

Some teachers (33%) would give a sanction or punishment (such as asking the student to get out of the class, standing in front of the class, or even the reduce his score) when pupils do screaming, fighting/quarrelling, or doing other lesson during the learning activities. They do this with the intention to cure the pupils' bad habit or to humiliate the student so that they won't do the same thing again.

These strategies considered ineffective. What was absent from the student teachers' responses were proactive measures to prevent such behavior or attempts to socialize pupils to cooperate with learning goals. As suggested by Harmer (2007) when trying to avoid defiant behavior, teacher should keep calm. She/he should find out why pupils behaving that way. Teacher should correct the pupil behavior in a private rather than humiliating him. It will help to model the acceptable behavior and always take care of the behavior problem with the least amount of disruption to your lesson and the other students.

On the other hand, some teachers (25%) employed good strategies in dealing with pupils' behavior. They are accustomed to call the students name directly as

3. RESEARCH METHOD

Research Design

This research employed a descriptive method using the case study conducted under the naturalistic participant observation technique [12]. This research investigated the common behavioral problems exhibit by pupils of elementary schools during the learning process in the classroom and the teachers' strategies in dealing with those problems. This research was conducted at some elementary schools in Serang Banten. The participants of this research were 12 teachers from 5 elementary schools. The data for this research was collected through observation and interview. The collected data then, transcript and analyzed through qualitative data analysis using thematic data analysis [13] and categorized based on the research questions stated in this research.

4. RESEACH FINDINGS

The common behavior problem exhibit by pupils

There are 17 behavior problem listed in the classroom observation guide and 13 questions in the interview section which is given in order to find out the common behavior problem exhibit by the pupils during the learning process and the teachers' strategies to deal with those problems.

Those behavior problems are analyzed and presented based on the types of behavior problem stated in previous chapter. The result is as follow:

1. **Minor Problem:** From 13 behavior problems listed, there are 5 behavior problems (1, 3, 4, 5) included as minor problem. The data from the classroom observation and interview revealed that the most frequently *minor behavior problems* exhibits by elementary schools students were **chatting** (100%), making unnecessary noisiness such as laughing, whispering to each other, and **interrupting the teacher talk** (92%) during the learning process in the classroom.

the problem behavior exist, approaching the pupil to find out the problem, and talk privately to remind him/her. This is of course in line with Linse (2005) who suggest that teachers should build good rapport with his pupils. By calling the pupil name directly, it indicated that the teacher knows better his pupils.

5. CONCLUSIONS

Based on the research findings and data analysis, the researchers conclude that the most common behavior problem expose by pupils are chatting, less attention to the lesson, making unnecessary noisiness such as laughing, whispering to each other, and interrupting the teacher talk, cheating other task and moving around the class during the learning process in the classroom. Teachers strategies in dealing with these behavior problems are mostly giving verbal warning such as reminding and warning the pupils to stop their behavior; only some teachers who use non verbal warning by showing gesture or giving punishment.

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TEACHING ENGLISH THROUGH LITERATURE IN EFL CLASSROOM

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ABSTRACT- *Literature as a source of authentic material can be taught in ESL/EFL classroom to achieve the language development of the learners (Brumfit & Carter, 1991; Carter & Long, 1991; Collie & Slater, 1987). Literature, according to Cruz (2010) and Llach (2007), then is used not only to enhance the language development but also to enrich the cultural representations. Therefore, this paper aims to provide the information about the role of literary texts and the benefits of using literary texts for EFL classroom in English Education Study Program, Teacher Training and Education Faculty, Bandar Lampung University. Reasons in choosing literary texts in the EFL classroom are evaluated and main criteria to select the literary texts are discussed such as motivation and language of the learners. These criteria can facilitate the enjoyment of the learners while they are reading literary texts.*

Keyword: Literature, English, role, criteria, EFL classroom.

1. INTRODUCTION

Now, English has become a lingua franca - a language, for Harmer, is widely used for communication between people who do not share the same first or second language. English then becomes a subject in educational institutions in every country. Therefore, it has a special position in education. As a subject, English is taught by teachers with various teaching methods such as writing, grammar rules, translation, etc. Most English teachers use referential materials rather than representational sources such as literature to teach English. It is because for Carter and McRae (2004), literature was for the first time to be regarded pedagogically as something separate from language. However, since in the 1980s, literature has been considered as an authentic material that can be taught in an ESL/EFL classroom to achieve the language development of the learners (Brumfit & Carter, 1991; Carter & Long, 1991; Collie & Slater, 1987). In addition, language and literature cannot be separable because Naik (2011:1) states that “no literature lives without language and no language survives without literature”. The real success of communicative approaches to language teaching lies in the ability to involve learners in the dialectic of meaning production which can be easily provided by literary text as it is more dialogic (Kramsch, 1993). Therefore, as an authentic material in relation to language, literature, Brumfit & Carter say, can be exploited as a material in EFL classroom. Harmer (2007) adds an example such as poetry as one of literature genres which can be used in language classroom.

2. LITERATURE AND LANGUAGE TEACHING

Literature, Long (2004) says, is the expression of life in words of truth and beauty; it is the written record of man's spirit, of his thoughts, emotions, aspirations; it is the history, and the only history, of the human soul. It is characterized by its artistic, its suggestive, and its permanent qualities. Boas then adds that literature is the record of experience interpreted by personality that behind every book which the race has preserved is

a human being's eager effort to give life meaning, to create beauty, to express vivid emotions and ideas, to make men aware of themselves and the life they lead. Therefore, Naik says that literature and language are inseparable. It can be exploited as a material in EFL classroom. Literature, for Lazar (1993: 19), is also “a particularly good source for developing students' abilities to infer meaning and to make interpretations”. Because of the richness of meaning in literary texts the EFL learners can develop actively to find the interpretations. The language learners are able to respond directly because literature adopts the language in real contexts.

In addition, Collie and Slater (1987) throw light that literature offers a great written material covering human issues. They again say that in literature the characters depicted are from varied social background. Thus, it makes a language learners who read can get the insights regarding the culture of people from English speaking countries.

In the last decade, according to Irene, literature has been an authentic sample for teaching reading. It aims that learners can communicate actively in language classrooms. This way is closely related to Reader-Response approach mentioned by Van (2009). For him in Reader-Response approach students have learning experience which increases their participation and motivation. It can make EFL classroom alive.

In relation to the language, McRae (1991:3) says that literary texts consist of representational language which opens up, calls upon, stimulates and uses areas of mind, from imagination to emotion, from pleasure to pain and they can create “personal between text and reader”.

3. THE ROLE OF LITERATURE IN EFL CLASSROOM

As seen from the relationship between literature and language, the role of literature is very important in EFL classroom to enrich both language and culture. For example, in English Study Program, English Training and Education Faculty, Bandar Lampung University, literature plays an important role because

the students can develop their language skills – reading, listening, speaking, and writing as well as literary skill. In addition, when using literature as a teaching material in their classroom, the four basic language skills and literary skill which are taught become an integrated way such as Literature with Reading, Writing, Speaking and Listening.

For Literature with Reading, as an example, the students in English Study Program, English Training and Education Faculty, Bandar Lampung University are given a literary text such as a poem, *My Last Duchess* by Robert Browning. The students read the poem literally. After reading it, they are given the questions regarding setting, speaker, listener, and plot which can be answered from the text. After answering the questions they move to the next step i.e. they work collaboratively to make evaluation covering the theme as well as the author's point of view. This is also a suitable time for them to share their reactions to the cultural issues and themes.

For Literature with Writing, the students are taught *My Last Duchess* to stimulate and motivate them to share their ideas in the form of writing. Because the poem talks about the life during Italian Renaissance, it offers immense variety of themes to write on. The students are advanced learners so the activity which is suitable for them is paraphrasing or summarizing. In paraphrasing, students are required to use their own words to rephrase the words in a poem. This paraphrase relates the students' effort to make sense of the poem. Although Robert Browning's *My Last Duchess* is in a form of poetry, there is a story in it. The activity which can be used is summarizing or rewriting the story. According to Stern (1991) Summarizing or rewriting enables students to be aware of the variations between written and spoken English.

For Literature with Speaking and Listening, *My Last Duchess* can play an equally meaningful role in teaching both speaking and listening. According to Hismanoglu, having students read literature aloud contributes to developing speaking as well as listening ability. Thus, asking students to read aloud can improve their pronunciation and be used to listening English vocabulary. After reading aloud, the students move to the group activities. All of these group activities for Hismanoglu both develop the speaking abilities of the students and give importance to pronunciation practice. The pronunciation errors of the students during the act of such activities can be indicated and corrected as well.

4. THE BENEFITS OF LITERATURE IN EFL CLASSROOM

According to Yaesmin et.al, literature can help students develop interpretative abilities, increase learner's insight and bridge the cultural gap. In literary texts, language learners, for Zhen, can learn about the social descriptions represented by the author. It means that literature is closely related to social culture which belongs to the author himself. For example, Robert Browning's *My Last Duchess* talks about the Duke's wife during Italian Renaissance or Margaret Mitchell's *Gone with the Wind* tells of the American Civil War.

Not only do learners have knowledge about English language skills but also they enrich the social culture of English people through author's point of view.

Zhen also says that although language in literary texts is relatively more free and flexible the learners are exposed to various forms of language and aware of norms of the language use. In this case, literature is different from materials for language teaching which are sometimes rigid and dull. She asserts that it is in literary material that the learners can also find enjoyment to achieve the language development.

Therefore, while the students in English Study Program, English Training and Education Faculty, Bandar Lampung University are discussing Robert Browning's *My Last Duchess*, there are benefits they get such as:

- The poem can provide with a different insights towards language use.
- The poem can stimulates them to find the meaning of the vocabulary.
- The poem evokes feeling and thought.
- The poem makes the students familiar with the cultural issues or themes based on the social contexts of the author.
- The poem develops the sensitivity for words and discoveries that may later grow into a deeper interest and greater analytical ability.

The poem *My Last Duchess* by Robert Browning offers a good enough knowledge of the English language that the students as advanced learners can find enjoyment and satisfy their curiosity in language development. While they are learning language they simultaneously enrich the culture of people from English speaking country. Thus, Lazar (1993), states that the advantage of using poetry as literary text in teaching a foreign language can be beneficial for the students to see different uses of language in relation to vocabulary, syntax, morphology.

5. REASONS IN CHOOSING A LITERARY TEXT IN EFL CLASSROOM

Most literary texts are great in length. Thus, it needs consideration to choose them in EFL classroom. According to Lazar (1993), in selecting a literary text as a material to teach, teachers should think of time which is available for the students to work on the text. Because of this reason, the literary text such as a poem *My Last Duchess* by Robert Browning is chosen as a material to be taught for the students in English Study Program, English Training and Education Faculty, Bandar Lampung University. Because it is not too long it is suitable for them. Although the poem is from the 18th century, the students can understand the language since they have experience in studying literature. The other reasons why *My Last Duchess* is chosen and used for them are:

- The poem provides material in developing language skill
- The poem can supply interesting subjects that link to the students' idea and interpretations
- The poem can be used in many language based-activities such as exercising reading aloud,

- summarizing, and paraphrasing
- The poem shows the universal issues and themes that can be discussed in class
- The poem motivates the students to give their opinion through dialog.

6. CRITERIA IN SELECTING A LITERARY TEXT IN EFL CLASSROOM

To select a suitable literary text in EFL classroom becomes an important thing that should be done by teachers. Criteria in selecting a literary text for EFL classroom are based on students' motivation, as well as their language level (Lazar, 1993; Collie & Slater, 1987; Hismanoglu, 2005).

For students' motivation, a selected text should motivate the learners to touch the theme and universal issue delivered by the author. Irene states that a literary text which is selected should have strong power to motivate the students to read as well as to interpret the meaning.

For students' language level, Carter and Long (1991: 5) mention, "as a general rule, it is better to choose for teaching literary texts which are not too far beyond the students' normal reading comprehension". Therefore, it is necessary to select a literary text which is based on students' language proficiency so it can give enjoyment to students while they are reading.

In relation to criteria in selecting a literary text in EFL classroom, Robert Browning's *My Last Duchess* is a suitable text taught for students in English Study Program, English Training and Education Faculty, Bandar Lampung University. The language of the poem is not far from their language level. As the poem tells the story of few people in the specific time period the students are motivated to explore the theme, setting, character. The poem also stimulates them to paraphrase.

7. CONCLUSION

In conclusion, literature as an authentic material has an important role in EFL classroom. Thus, literary texts can be utilized to facilitate language teaching and learning. Literary texts help the students to learn the language in context. For example a poem such as *My Last Duchess* used in EFL classroom can motivate them to do language based activities. Also, it can stimulate to find the surface meaning and the underlying meaning in the poem. The universal issues discussed in the poem broaden the knowledge of the students regarding with the cultural enrichment. Finally, for the teachers, teaching English through literature in EFL classroom enriches experience. The learners gain not only language skill – reading, speaking, listening, and writing but also literary skill – the skills of paraphrasing, summarizing and interpreting.

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TEACHING POETRY IN ELT CLASSROOMS: SOME CHALLENGES AND SOLUTIONS

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ABSTRACT - Literature is one of the important things in the ELT classrooms. One of literary activities that EFL teachers can do to help students in learning English is through learning poetry. In ELT classrooms, teaching poetry is a challenge for teachers and a challenge for students to be learnt. There are some challenges in teaching poetry in ELT classrooms such as teachers and students should have extra thinking to get the meaning of poem that they read, they get difficulty because of linguistic aspects, some students feel bored in reading poetry activities, and teachers do not have the confidence to struggle. This paper presents not only some challenges but also some solutions to overcome with the challenges faced by teachers and students in teaching and learning poetry in ELT classrooms.

Keywords: Literature, teaching poetry, ELT classrooms, challenges, solutions

1. INTRODUCTION

Literature is one of the important things in ELT classrooms. According to Hennessy, Hinchion and McNamara (2010, p. 178), English literature and traditional school subjects are the essential parts of the curriculum. Boas (1931, as cited in Violetta-Irene, 2013, p. 74) defines literature as the collection of human's expression, ideas, and emotion. It could be in written form and spoken form such as novel, short story, poetry, and many other forms of literature. Moreover, in the second language courses, literature has the important role especially for being resources in language teaching (Sharminnie, Vasuthavan & Kunaratnam, 2009, p. 3). It means that in teaching English, literature can be used as one of the authentic sources. Teachers can implement teaching English through literature in their ELT classrooms.

There are many benefits of literature. It can promote cross-cultural understanding and be a part of language teaching. It is also as the potential sources to know and identify the aspect of history, social, and culture of foreign language. Widdowson (2003, as cited in Chen, 2009, p. 49) states that through literature, students are able to identify and involve in multiple identities. In addition, Obediat (1997, as cited in Khansir, 2012, p. 244) states that students are able to learn English competence, show their creative thinking, learn the modern form of English literature, learn the linguistic system in English, and have the critical and analytical thinking through literature. In other words, there are many benefits that students can achieve in learning literature. It gives the positive effect for them to develop their skill in learning English.

In learning English, literature is very familiar used as a technique to teach four language skills and language aspects (Hismanoglu, 2005, p. 54). According to Collie and Slater (1993, as cited in Hismanoglu, 2005, p. 54), there are some important things why teachers use literature in the classroom. Teachers can get the

authentic material from literature, they can gain cultural knowledge to their students, they can help students to improve their skills in language, and students can develop their personalities through literature. It means that literature is a powerful material that can be used in the classroom.

One of the literary activities that can help students in learning English in ELT classrooms is learning poetry. Poetry is all words that represent the author's feelings and experiences. Additionally, Olila and Jantas (2006, p. 1) state that "poetry is any kind of verbal or written language that is structured rhythmically and is meant to tell a story, or express any kind of emotion, idea, or state of being and it is used to achieve this artistic expression in several ways". Students can share their ideas and stories through learning poetry.

By learning poetry, students can improve four language skills (listening, reading, writing, and speaking). By listening and reading poetry, students can exercise both skills in order to guess the meaning and exercise to listen the words in English. Moreover, they can write other poems that are related to their experiences. By writing a poem, students can improve the language aspects such as grammar and vocabulary. After writing a poem, they can show up their writing in front of the class. This activity helps them to develop intonation, self-confidence, gesture, and emotion.

Although there are many advantages in integrating poetry in ELT classrooms, teachers should know the challenges in implementing poetry activities and how they overcome with these challenges. Killander (2011, p. 18) states that in Foreign Language Teaching (FLT), teaching poetry is a challenge for teachers and students because they should have extra thinking to get the meaning of poem that they read especially if it is written in foreign language. In this paper, the writer would like to describe not only some challenges but also some solutions in teaching and learning poetry faced by teachers and students.

2. LITERATURE AND ITS IMPORTANCE

Literature has the important role in teaching and learning language. Vural (2013, p. 15) states that "literature can be a good means to achieve motivation in ELT classes". They can get motivation to develop their English skill through literature. Additionally, Ferradas (2009, p. 27) explains that there are some positive roles of literature in ELT classrooms as follow:

1. Literature gives motivation to students.
2. Literature gives the easy way to memorize the new vocabularies and structures, and motivates students in acquiring, learning, and developing language awareness.
3. Literature helps students to interpret context easily.
4. Literature gives the access for getting new socio-cultural meaning, providing the chance to develop cultural awareness.
5. Literature supports students' imagination and response whether in positive or negative response.

Literature supports students to develop four language skills. Reading and writing skill can be enhanced through literature by transferring both skills from the first language to the foreign language. Literature helps students gain their knowledge of language and improve reading and writing ability (Hedge, 1985, as cited in Vural, 2013, p. 18). In addition, Parkinson and Thomas (2000, as cited in Sell, 2005, p. 87) list the importance of literature as follow:

1. Students can understand about cultural awareness through reading literature.
2. Students can learn a good composition in writing through literature.
3. Students can exercise their mind and sensitivity.
4. Students can learn more about linguistic competence.
5. Students can learn directly because literature is an authentic material.
6. Students can learn how to memorize poetry and songs well and it can be applied in learning English when they want to memorize the new words.
7. Students can motivate themselves through literature because it is generated by some authentic impulse on the part of the writer and deals with subjects and themes that are interesting to the students.
8. Students can interact with each other because literature gives open interpretation in terms of meaning.
9. Students can write directly because it is a handy resource.

Moreover, Lazar (1993, as cited in Sell, 2005, p. 87) suggests that "literature in the FL classroom motivates, offers access to cultural background, encourages language acquisition, expands language awareness, develops students' interpretative abilities and educates the whole person in so far as it enhances our imaginative and affective capacities". Alam (2007, as cited in Yeasmin, Azad, & Ferdoush, 2011, p. 285) points out that literary texts can stimulate the

imagination, offer learners specimens of real language use, allow for group discussions and individual exploration, and are intrinsically more dialogic.

3. TEACHING AND LEARNING POETRY AND ITS IMPORTANCE

Teaching poetry is one of the important activities in ELT classrooms. Khansir (2012, p. 241) states that "poetry is example of a more intense use of language". Through learning poetry, students can use the language more and express what they want to write. Teaching and learning poetry give many advantages in ELT classrooms. Hismanoglu (2005, p. 61) explains that there are some benefits of poetry in ELT classrooms as follow: Students can appreciate the process of writing poetry, students understand about the composition and structure in composing poetry, students are to be sensitive for new words and are able to find out the meaning to get deeper interest and to be analytic person. Moreover, Saraç (2003, as cited in Hismanoglu, 2005, p. 61) also explains the educational benefits of poetry as follows: Literature provides readers with a different viewpoint towards language use by going beyond the known usages and rules of grammar, syntax and vocabulary; literature triggers unmotivated readers owing to being so open to explorations and different interpretations; literature evokes feelings and thoughts in heart and in mind; literature makes students familiar with figures of speech (i.e. simile, metaphor, irony, personification, imagery, etc.) due to their being a part of daily language use. Moreover, poetry employs language to evoke and exalt special qualities of life, and suffices readers with feelings. "Poetry is one of the most effective and powerful transmitters of culture. Poems comprise so many cultural elements- allusions, vocabulary, idioms, tones that are not easy to translate into another language" (Sage, 1987, as cited in Hismanoglu, 2005, p. 61).

Other advantages of teaching poetry in ELT classrooms are explained by Panavelil (2011, p. 177) that teaching poetry can promote cooperation and communication among students in the classrooms. Hughes (2007, as cited in Ward, 2013, p. 17) explains that "poetry is a powerful medium for building on students' knowledge and allowing for the connection to self, others, and the world because poetry encourages expression of emotions, can help to develop higher order thinking skills, and develop ways of knowing".

A reeve (1963, as cited in Khansir, 2012, p. 241) argues that "in the teaching of poetry, basically there are four factors to be considered. The pupils; the poems to be taught; the methods adopted and the personality of the teacher". Chen (2009, p. 56) states that it is important to point out that including poetry in the curricula of foreign language classes can help develop greater awareness of and sensitivity to (foreign) language and culture and at the same time introduce a cross-cultural difference to discussion.

Additionally, Ruurs (2001, as cited in Nieuwenhuis, 2009, p. 4) poetry can be so satisfying and support a

wide range of learning because rhythm of poetry comes naturally to children. The use of poetic language in the classroom brings along with certain energy, a joy that is hard to capture in prose. Moreover, Harrison and Holderith (n.d, as cited in Nieuwenhuis, 2009, p. 5) explain that "poetry helps children and adults to ponder, to observe, to ask questions, to discover sights, sounds, and feelings that otherwise might remain untapped". It brings balance and beauty to our increasingly complex world. Poetry can awaken our senses or bring the element of surprise into our lives. It makes us laugh, teaches us powerful lessons, and renews our souls.

Kalli Dakos (2001, as cited in Nieuwenhuis, 2009, p. 5) states that "...children need healthy places, like poems and stories, to put their feelings of sadness, pain, and loss" (p. 35). She has found that writing poetry has helped her students to work through their emotions over events like death or their parents' divorce.

Panavelil (2011, p. 12) states that teaching a poem in an EFL class will also promote cooperation and communication as well as individual expression in the EFL classroom. According to Lazar (1996, as cited in Panavelil, 2011, p. 12), poems also provide students with insight into developing cross-cultural awareness and this in turn will help them in acquiring fluency in the target language.

3.1 THE CHALLENGES IN TEACHING POETRY

Killander (2011, p. 18-19) describes four challenges in teaching and learning poetry in ELT classrooms: Teachers and students should have extra thinking to get the meaning of poems that they read, teachers and students get difficulty because of linguistic aspects, some students feel bored in reading poetry because they cannot get the benefits from that activity, teachers do not have the confidence to struggle, bare all or take such chances in teaching. Teachers sometimes do not know the level of their students. They just give the material without considering students' level. Additionally, Cubukcu (2010, p. 7886) explains that "poems pose a challenging cognitive task. Readers must first have a basic understanding of a concept or emotion and then transform that understanding into meaningful creative expression by exploring and distilling complex ideas". It is difficult for students to know the meaning of poem because they have to understand the basic concept of poem.

3.2 THE SOLUTIONS IN TEACHING POETRY

There are some solutions to overcome some challenges in teaching poetry in ELT classrooms. Dymoke and Hughes (2009) state that it is important for teachers to be teacher-writer and to model themselves as both writers and readers of poetry to support students in writing, although it is not embedded with the curriculum (p. 92).

Additionally, Hennessy, Hinchion and McNamara (2010, p. 182) state that to gain pupils' understanding in poetry, the use of illustration of poetry, drama-in-education techniques and poetic composition are very helpful in the classroom.

Moreover, Stange and Wyant (2008, pp. 202-208) give the solutions to face the challenges during teaching and learning poetry as follow:

1. Teachers should create a positive classroom to encourage their students and to improve learning process of literacy.
2. Teacher should incorporate some strategies in curriculum that are useful in the classroom.
3. Students should write their own poetry to improve the ability and teacher must support them.

Sharminnie, Vasuthavan, and Kunaratnam (2009, p. 7) explain that in helping students develop an appreciation and understanding of poetry, there are two fundamental principles to keep in mind. First, poetry must be read aloud. Second, poetry should be enjoyed. In teaching poetry, teachers must have great effort to make students enjoy with this activity in order to get the effective teaching and learning especially in poetry material.

4. CONCLUSIONS

Literature is one of the important means in ELT classrooms. It is as the authentic material and be a part in language teaching. Poetry is one of the interesting materials that can be integrated in teaching and learning language in ELT classrooms. There are some challenges when teachers implemented poetry in their classrooms. Some of them are: Teachers and students should have extra thinking in learning poetry to get the meaning of poetry that they read, teachers and students are difficult to learn poetry because of linguistic aspects, some students feel bored because they cannot get the benefits from learning poetry activity, teachers and students are shy when they read poetry in front of the classroom. There are some solutions to overcome those challenges. The solutions are teachers should create a positive classroom to encourage their students and to improve learning process of literacy, teachers should incorporate some strategies in curriculum that are useful in the classroom, students should write their own poetry to improve the ability and teacher must support them.

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TEACHING SCIENCE THROUGH OBSERVING PLANTS CLOSE TO STUDENTS: METHODOLOGIES AND STRATEGIES IN TEACHING, LEARNING AND ASSESSMENT

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ABSTRACT - The study describes about how to teach and learn life-science lesson using various plants close to the students. The purpose of the study was to analyze the process and outcomes of teaching and learning life science through observing plants that were around the students. Through observation activities, students can learn actively. Student active learning through practical works aimed to students could have the abilities, skills, behaviors, and attitudes needed to deal with the challenges in the twenty first century. The study was conducted in September to December 2013 in the fourth grade class of 3 public and private elementary schools in South Tangerang, Banten, Indonesia. The results of the study revealed that the students (1) were ready to learn through observing plants that were around them, (2) were very enthusiastic and passion for learning, although still frequent try to find information to the teacher, (3) tried to implement all tasks and reported results, (4) demonstrated quite good ability to perform observation and to report the results, however they still showed less good ability to draw the inferences, in addition (5) showed have positive attitude, moderate interest, moderate self confidence and good perceptions toward science and learning science. The conclusion is that teacher can use various things close to the students and prepare their own lesson plans and worksheets in order to develop student abilities and skills in science.

Keywords : science lab, attitudes, interests, self confidence

1. INTRODUCTION

Teaching students in elementary schools to get to know life and living be conducted through a active that is oriented on the observations of / experiment / lab work by the use of skill, the ability of the imagination, and creativity (Ayala, et al, 2006; Harlen, 1992; Millar, 2001, 2004; Paliwal, 2005). Observation / experiment / lab work is a vehicle to develop the understanding, skills, attitudes, and interests (Hofstein, 2004; Hofstein & Lunetta, 2004; Hofstein & Mamlok-Naama, 2007; Millar, dkk., 2002; Millar, 2004; Tiberghien, 2000). Through observation activities, students can learn actively. Student active learning through practical works aimed to students could have the abilities, skills, behaviors, and attitudes needed to deal with the challenges in the twenty first century. However, there are the usual problems encountered in the implementation of observation / experiment / lab work, among which are (1) the activities of more attention as a practical procedure, (2) assessment has not been carried out in accordance with the competencies to be practiced through the lab, (3) the implementation of the lack of attention the teachers and principals because of limited resources, time, space, facilities (Greco, et al., 2010; Hofstein, 2004; Hofstein & Lunetta, 2004; Yung, 2001).

In recognizing that there are living beings around students, students need to be facilitated to observe plants and animals. Observation activities do not need to use the tools or materials that are difficult to have, but can use a plant or animal life or is available around the students. Encourages students to recognize and learn parts of plants and their function is one of the material taught in the fourth grade in Indonesia.

Teachers teach the material to encourage students to observe and conduct experiments, using a variety of plants that are around students. Plants that can be used can obtain from the student environment around home or school.

This paper describes the results of the study about preparation and implementation of teaching learning process and learning outcomes. The purpose of the study were to analyze and describe (1) preparation and implementation of lesson plans, (2) students activities during the teaching learning process, and (3) assessment of learning processes and outcomes.

2. METHODS

This research has been conducted in three elementary schools, which consists of 1 public and 2 private schools, in South Tangerang City, Banten Province. The three elementary schools were categorized as good, moderate, and less good schools based on the score of UAN results (National Final Examination) at the level city. The study was conducted in the first semester of the academic year 2013/2014, from September to November 2013. Textbooks used were based upon the based competencies curriculum of 2006, while the Student Worksheet which contains practical tasks and activities developed by teachers through adapting practicum that listed in the textbooks. The information and data collected in this study consisted of the process and result of developing lesson plans and worksheets as well as conducting learning and assessment, and results of student learning outcomes. The instruments were used in this study included worksheets, activity recording format, tests, and questionnaires. Data and formation

collected by using observation, worksheets, tests, and questionnaires. The source of data and information derived from students and teaching and learning activities. Descriptive analysis was used to analyze and describe the data and information that has been collected.

3. RESULT AND DISCUSSION

Student worksheets composed through the procedure as follows: (1) to develop student worksheets draft, (2) to review the draft, (3) to revise the draft based on teacher review, (4) to determine the activities that

need to be conducted, and (5) to finalize worksheets. Components that listed on the student worksheets comprised of learning objectives, learning targets to be achieved, the tools and materials that were needed to support teaching learning activities, teaching learning scenario or procedure activities, tasks or questions which have students to do. Student worksheets could be produced in accordance with target of the study. Worksheets completed and distributed to student to be learnt before the learning process.

Table1: Description of Lesson Plan about Identifying Characteristics and Types of Plant Parts

No	Component	Description
1	Topic of observation	Characteristics and types of Plant Parts
2	Purpose of observation	Getting to know the characteristics and types of plant parts
3 a	Tools and materials needed	Characteristics and types of roots: Grass, Reeds (Weeds), Spinach, Frangipani, Jambu air (Rose water), Corn, Guava, Peanut, Kale (<i>Ipoemaea aquatic</i>), Soybean, Hibiscus, Mango, Jackfruit, Rice, Rambutan, Cassava, Betel. Characteristics and types of flowers: Frangipani, Bunga kembang dara, Pacar air (Henna), Putri malu (<i>Mimosa pudica</i>), Celery, Aster, Crysant, Dahlia, Lily, Mango Flower, Sunflower, Rose, Jasmine, Bunga kembang sepatu (Hibiscus), Lotus
3 b		Types of stems: Putri malu (<i>Mimosa pudica</i>), Reeds (Weeds), Aster, Bamboo, Spinach, Corn, Guava, Kale (<i>Ipoemaea aquatic</i>), Bunga kembang sepatu (Hibiscus), Mango, Rice, Palm, Papaya, Grass, Celery, Cassava, Betel, Sugarcane Types of leaves: Putri malu (<i>Mimosa pudica</i>), Grass, Reeds (Weeds), Aster, Bamboo, Spinach, Corn, Guava, Kale (<i>Ipoemaea aquatic</i>), Bunga kembang sepatu (Hibiscus), Mango, Rice, Palm, Papaya, Celery, Cassava, Betel
4	Tasks	Recording Characteristics and types of root, stem, leaves, and flower. Make inference from your observation
5	Assessment	Readiness for observation, Performance and behavior during carrying out observation, Recording, Formulating inference/ conclusion, Understanding the characteristics of roots, stems, leaves and flowers in plants, Interest and Perceptions

Table 2: Description of Lesson Plan about Root and Stem Function

No	Component	Description
1	Topic of lab works	The Function of Plant Stem and Root
2	Purpose of observation	Explaining the function of the stem and root in plants
3 a	Tools and materials needed	Function of Stem: Spinach, Celery, Aster, Chrysanthemum, Lily, Rose, Pacar air (Henna), Water, Knife / Cutter, Clear glass, Food dyes
3 b		Function of Root: Red bean sprouts, Knife /Cutter, Pot,
4	Tasks	Recording The changing of the color and the time needed until the color changes Make inference from your observation
5	Assessment	Readiness for observation, Performance and behavior during carrying out observation, Recording, Formulating inference/ conclusion, Understanding the characteristics of roots, stems, leaves and flowers in plants, Interest and Perceptions

After developing of student worksheet, Guidelines for Teachers was developed. This guidelines explained the steps that the teacher should do in the teaching learning activities, include assessment. The worksheet had to distributed to the students before the day of teaching learning activity so that students learnt and understood the objectives, procedures, and assessment, as well as participated in preparing materials. Students should be guided for identifying the types of roots, stems, leaves, and flowers of plants. In addition they should be guided for doing

experiment in order to explain the function of root and stem. Thus, students had to guided for observation, doing experiment, recording results, and drawing conclusions. Students would also be guided and informed if there are procedures that harm. In addition, students were given the information that their readiness to learn, performances during observation, and behavior to be assessed during teaching learning activities.

Students had worksheets before the implementation of learning. Students' understanding of how conducting

lab works (observations or experiment) was considered as an indicator of their readiness to do lab works. They were assigned to bring a variety of plants and the tools that were needed. Therefore, every student carried an assortment of plants, the number and types of plants that should be observed were too much. As a result of observation required more time. So that learning could be implemented according to the time available, it should be set out clearly the tasks of the students who brought the plants to be observed. However, the number and type of plants should represents sample for each type of roots, types of flowers, types of stem and leaf types. Students can share their experiences and observations on a variety of plants with the guidance of the teacher.

The students worked in groups, but each student could do their own observations. Students were free to identify the attributes that observed from the roots and flowers. Observations on the characteristics of the students seemed have highly variation. Students observed characteristics of root based on direction of growth (35%), texture of root (25%), and size of root (25%). However, the data showed that the most students (nearly 50%) reported the type of root (root fibers or taproot. Students seemed to be able to identify the characteristics of 1-4 kinds of roots. A total of nearly 50% of students reported one characteristic, and approximately 35% reported 2 kinds. When students were asked to identify the type of roots of plants observed, more than 90% of students could indicate the type of plants that have a taproot or fibrous root correctly.

Observations on the characteristics of students' interest showed that 50% of students pay attention to the existence of the pistil and stamens, almost 30% noticed a crown of flowers, almost 25% noticed a flower petal, and about 40% attention to the color of flowers. Students seemed to be able to identify the characteristics of as much as 1-3 wide. When students were asked to identify the types of flowers (flower perfect or imperfect flowers) of the plant were observed, approximately 65% of students could demonstrate that plants have flowers perfect or imperfect correctly.

In addition, students identified the type of stem and leaf type of plant. The students observed as many 4-9 plant. Students had to be able to identify whether the observed plant has woody stems or trunks wet and whether the plants have parallel leaves, resemble fingers form of leaves, curled leaves, or pinnate leaves. Almost all students (over 90%) could determine the type of plant stems observed correctly. In addition, more than 80% of students could determine which kind of leaves observed correctly.

Furthermore, for the observation of the function of the stem and roots, students (nearly 50%) seemed to record the observations in detail. Color changes that were occurred in the stem, leaves flowers custom noted. In observing the function of the stem, all the students recorded the time of observation. However, students were less able to explain why it changes color. Furthermore students also could not use the observations to make conclusions. Nearly 30% of students could make a conclusion but the conclusion was not in line with the information contained in the observations. Conclusions based on the knowledge that had been obtained of previous learning. For observation of root function, students could not explain that the root is very necessary for plant life. Approximately 50% of students could be mentioned that the roots can grow well. The observation of the students indicated that students take measurements of growth (by measuring plant height were observed). However, these observations were less clearly, thus the students could not infer function for plant roots.

From the data obtained it appeared that students record observations sometimes was not based on observations by using all five senses owned, but is sometimes based on the knowledge that has been acquired previously. Suppose that at the time had to observe the roots, written observations were kind of roots that have been studied previously, namely taproot root fibers, rather than write about root fibers form, branch roots, root length of fibers, direction of growth of roots and so on, which can be observed. Similarly, when observing flowers, most students wrote existence of male genitalia and female genitalia plant that is the pistil and stamens (although probably not the visible) rather than write about the completeness characteristics of flower parts. Tasks to be performed in addition to record student observations were made conclusions. Students seemed to be difficult to make conclusions. How to formulate conclusions based on observation (data / information) seems to be taught. The data showed that students who could make the conclusion less than 40%. Students could make decisions with the help of the teacher, so that the conclusions made reference to the results of the previous study was not referring to the observations obtained.

Assessment was conducted on the readiness for observation, performance and behavior during carrying out observation, observation records, formulation of inference or conclusion, understanding of the content, interests and perceptions. The analysis showed the results as listed in Table 3. Other measurements conducted on students' interests and perceptions toward learning science and practice. The results are listed in Table 4.

Table 3 Assessment of Readiness Learning and Learning Outcomes

No	Components	Score
1	Readiness for observation (before observation process)	
	Characteristics and types of Plant Parts	0.90
	The Fuction of Stem	0.70
	The Fuction of Root	0.70
2	Test (5 weeks after observation)	
	Stating the procedure :	
	Function of Stem	0.60
	Characteristics and types of Plant Parts	0.80
	Function of Root	0.60
3	Explaining how to observation :	
	Function of Stem	0.40
	Characteristics and types of Plant Parts	0.80
	Function of Root	0.80
4	Formulating result of observation :	
	Function of Stem	0.40
	Characteristics and types of Plant Parts (leaves)	0.50
	Characteristics and types of Plant Parts (stems)	0.95
	Characteristics and types of Plant Parts (leaves)	0.50
	Characteristics and types of Plant Parts (flowers)	0.40
5	Formulating of inferences:	
	Function of Stem	0.30
	Function of Root	0.70

Table 4: Interest and Perception toward Science and Observation

No	Component	Mean (Scale 1-4)	Std Dev
1	Attitudes	2.78	0.28
2	Interests	2.49	0.30
3	Self-Confidence	2.47	0.34
4	Perception:		
	Work based evidence	3.03	0.87
5	Being skeptical of the results obtained	2.82	0.93
6	Accepting which are ambiguous	2.74	1.35
7	Be cooperative	2.92	1.02
8	Positive attitude towards failure	2.59	1.04
9	Scientific Attitudes	2.82	0.53

4. CONCLUSION

The results of the study revealed that the students (1) were ready to learn through observing plants that were around them, (2) were very enthusiastic and passion for learning, although still frequent try to find information to the teacher, (3) tried to implement all tasks and reported results, (4) demonstrated quite good ability to perform observation and to report the results, however they still showed less good ability to draw the inferences, in addition (5) showed have positive attitude, moderate interest, moderate self confidence and good perceptions toward science and learning science. The conclusion is that teacher can use various things close to the students and prepare their own lesson plans and worksheets in order to develop student abilities and skills in science.

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TEACHING VOCABULARY BY USING HYPNOTEACHING TO SECOND SEMESTER STUDENTS OF BANDAR LAMPUNG UNIVERSITY

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ABSTRACT- *Success of a teaching learning process is influenced by a method of learning that is used in a class. A method can support the teaching learning process. Therefore a teacher must choose an appropriate method. There is a new method that is recently talked in Indonesian educational world. It is called hypnoteaching. "Hypnoteaching forms of a learning method which is creative, unique and also imaginative"[1]. The purpose of this research is to observe whether the hypnoteaching influences students in learning English vocabulary. Moreover a researcher also wants to know how this method influences students in vocabulary teaching learning process. The research is a qualitative research that uses 15 second semester students as samples. It is held in Bandar Lampung University. The research uses interview, observation and test in collecting data. The research finds that hypnoteaching influences the teaching learning process. Hypnoteaching can create happy, relaxed and enthusiastic condition in vocabulary class so it can improve student's vocabulary mastery.*

Keywords: Hypnosis, Hypnoteaching, Teaching Vocabulary, New Method, Action Research

1. INTRODUCTION

A success of the teaching learning process is influenced by a method of learning that is used in class. Method can support a teaching learning process. Therefore teachers must choose an appropriate method. Choosing exact and good method can influence achievement of the teaching learning process' goals. Therefore, in this new era, educational world needs new method to fulfill that necessity. Teachers and schools have to be more creative to create and develop new method.

Nowadays, there are so many new methods that have been developed and applied in schools. They are created in order to make the teaching learning process become more attractive and effective. They can support and enrich the educational world. The examples of new methods are quantum learning, mind mapping and hypnoteaching.

One of the new methods that is recently talked in Indonesian educational world is hypnoteaching. It is a good method to improve students' ability and enthusiasm in learning English. Actually, this method is not really a new method in several countries. It has been applied in some countries but unfortunately it has not been used in many Indonesian schools yet. This method is still new method in our country. The research wants to know whether the hypnoteaching influences students in learning English vocabulary. The researcher also wants to find how hypnoteaching influences the vocabulary teaching learning process.

"Hypnoteaching is a learning method that in extending materials, a teacher uses the subconscious language that can grow students' interest. Hypnoteaching can be called as improvisation from a learning method"[2].

This method uses positive and motivational words as the language in the teaching learning process. By using positive word the instruction that is given by the teacher will be well received by students' subconscious. In the other hand the use of negative word such as do not, can not, will be rejected by students' subconscious.

In hypnoteaching, teachers use the subconscious language that can avoid anxiety of students in the teaching learning process. In hypnoteaching, a teacher is as a hypnotist and student is as a suyet. The suyet is a person who is hypnotized by a hypnotist[3]. In the teaching learning process, teachers are not necessary to lay students down when they give suggestion. They use persuasive language to students. Moreover the important thing of hypnoteaching is using simple and easy language by teachers in suggesting students so they can understand well what teachers said. If students cannot understand what the hypnotist said, the hypnosis will not run effectively. Teachers are expected to make students become focuses. Then, if students already focused, teachers can give positive suggestion.

"Hypnoteaching is an effort of how a teacher hypnotizes students so that students always feel happy and excited in teaching learning process"[4]

In this method, teachers can make students' brain condition always become happy and enthusiastic during the teaching learning process through certain ways and tricks. This method also can make students become easier to memorize and understand learnt materials especially vocabulary.

It is a method that tries to create comfortable and happy condition in the teaching learning process. Comfortable and happy condition can support students in learning English. The concept of this method is related to psycholinguistics concept.

"The process of language acquisition is a natural unfolding of genetically based neurological organization in response to the linguistic experience of the environment"[5]

Acquisition of language is affected by psychology and environment. Psychological condition of students and environment when they learn a language, it gives big contribution in learning language process. Hypnoteaching creates good condition and environment

in class in order to students can learn and master the second language.

Hypnoteaching has some main steps. There are motivating, pacing, leading, using positive words, giving credit and punishment, and modeling [6]. Moreover the application of hypnoteaching method in the school can be done by some ways. The first way is yelling. Yell is used to direct students' concentration to lesson. Teachers can do yell when students do not focus on the lesson anymore. Second ways is teaching and giving the credit. Teachers can request students to teach and explain about lesson to other students alternately. The third ways is giving miraculous question. Teachers can give miraculous question that related to lesson to raise students' enthusiasm. The last way is applying an emotional hour. The emotional hour is an hour to manage and organize the emotion. The emotional hour consists of four parts such as quiet hour, discussion hour, free hour, and button hour [7].

The research focuses on learning English vocabulary of second semester in Bandar Lampung University. Second semester students in Bandar Lampung University learn vocabulary in vocabulary class. The research wants to find how hypnoteaching influences the teaching learning process and the students' vocabulary "Vocabulary is all about words. Vocabulary is the words in a language or a special set of words you are trying to learn"[8].

Vocabulary is one of important parts in language. If we want to learn a language, we will learn about its vocabulary first. It is impossible to mastery a language without mastering its vocabulary. Vocabulary of a language especially English is many and various. It will be good if students learn vocabulary by using a new method, hypnoteaching.

Vocabulary becomes very important element in a language. Vocabulary becomes a basic foundation of learning language. Learning vocabulary is important before learning how to arrange phrases, clauses and sentences [9]. Many learners see second language acquisition as essentially matter of learning vocabulary, so they devote a great deal of time to memorizing lists of L2 words and rely on their bilingual dictionary as a basic communicative resource. Language teachers and applied linguistic researchers now generally recognize the importance of vocabulary learning and explore ways of promoting it more effectively. Thus from various point of view; vocabulary can be seen as a priority area of language teaching.

Motivation is needed in the teaching learning process. High motivation can support the success of the teaching learning process. Moreover happy and cheerful condition of class also can support the teaching learning process. Happy feeling is an element that is sought by students. Teachers can create happy feeling in the class. It can be created from joke, a friendliness of teachers, bonus of score, prize, and interactive and fun teaching method [10]. Teachers need a teaching method to create fun condition.

"There are so many different variables that affect second language vocabulary acquisition, such as L1, age, amount of exposure, motivation and culture, that it

is very difficult to formulate a theory of acquisition that can account for them all"[11]

The variables that influence vocabulary acquisition will determine success of vocabularies acquisition. In this research, one of variables, motivation of vocabulary acquisition, will be enhanced by hypnoteaching. Strong motivation of students can support second language vocabulary acquisition.

In vocabulary teaching process, teachers have a major role in motivating students to learn vocabulary seriously and in inspiring them about the way of learning vocabulary[12]. Teachers have an important role in motivating students. Motivation from teachers can help students to improve their spirit in studying vocabulary.

2. MATERIALS AND METHOD

The research is a qualitative research. Furthermore, the research uses an action research designs to get the data.

"Thus, action research designs are systematic procedures done by teachers (or other individuals in an educational setting) to gather information about, and subsequently improve, the ways their particular educational setting operates, their teaching, and their students learning"[13]

In an action research, the teacher teaches students and also collects data from the teaching learning process. In this research, the researcher also has a role as the teacher. The researcher teaches students by using hypnoteaching method. There are 3 teaching learning activities, tests, and interview in this research.

The researcher uses three instruments in this research. The researcher does the test, observation and interview. Three instruments are used to collect detailed data of students' improvement and the process of the teaching learning activities.

Interview is a tool to collect the data by oral one way questioning[14]. The interview is done after three teaching learning activities. The interview is done to know the students' vocabulary mastery and what they feel after they study vocabulary by using hypnoteaching. The researcher wishes that she could find students' difficulties in learning vocabulary. The researcher also wants to know what students' motivation and feeling when they learn vocabulary.

Test is a measurement tool that is used to measure ability of subject toward materials[15]. The researcher gives some tests to know students' ability after study by using hypnoteaching. The scores of the tests are not used to the main measurement of the research but only an additional measurement. Type of the test is an instructional test. The tests consist of pre-test and post-test. The pre-test is held before the teaching learning process. Then the post-test is held after the teaching learning process. The tests are done at each teaching learning activity.

The researcher also does an observation when the teaching learning process goes on. The observation is a way to collect data by observing and taking note systematically about phenomena that occur to subject[16]. The observation is done to know how hypnoteaching influences students. The researcher

wants to find the indications that appear when teaching learning process goes on. The researcher observes the motivation, expression, confidence, bravery and participation of students in the teaching learning activity. All teaching learning activities are recorded so the researcher can observe more at home.

Population of this research is the second semester students in Bandar Lampung University. There are 15 second semester students. The population is students that study in the vocabulary class. The researcher uses all students of the population as the subjects of research. The research is conducted in March. It is held in Bandar Lampung University. The university is located at Zainal Abidin Pagar Alam Street No. 26, Labuhan Ratu, Bandar Lampung.

3. RESULT AND DISCUSSION

The research has three instruments to collecting the data. The first instrument is an observation. The observation is done while the teacher teaches in the class. She teaches for three times. She teaches the vocabularies by using hypnoteaching. The teacher also does the observation in the teaching learning process. She observes about students' expression, ability and spirit in studying vocabulary.

The teacher finds that almost all students have little the background knowledge about the materials that will be studied. It is seen from their expressions and answers when the teacher asks about the material in the beginning of study. Some of them are just silent. The rest gives the wrong answers. Students' background knowledge also can be seen from their pre-test result. The result shows that they just can give a few vocabularies. Indeed, some students cannot give the vocabulary at all. They submit blank paper in the pre-test.

After the teaching learning process, the teacher gives the pre- test. The questions of the post- test are the same with the questions of the pre-test. Students can write more vocabularies than before. Some students even write so many vocabularies. The blank paper is not blank anymore. The complete scores of pre-test and post-test can be seen in the table below.

Table 1: Pre-Test Post-Test of Adjective Suffixes (1st meeting)

No	Name	Pre- Test		Post-Test	
		Exercise I	Exercise II	Exercise I	Exercise II
1	Adisty	10	0	14	27
2	Ayu A.	3	3	12	14
3	Ayu N.	10	1	22	21
4	Dedi	0	0	17	20
5	Dian	27	9	42	49
6	Imaniar	14	0	15	23
7	Indah	8	3	15	15
8	Laya	0	0	33	24
9	Mela	0	0	10	30
10	Monica	9	4	24	17
11	Putri Winda	9	6	23	21

Table 2: Post-Test and Pre- Test of Zero Affixation (2nd meeting)

No	Name	Pre- Test		Post-Test	
		Exercise I	Exercise II	Exercise I	Exercise II
1	Adisty	5	0	13	3
2	Afrianto	5	0	12	3
3	Ayu A.	3	0	17	2
4	Ayu N.	1	0	20	3
5	Dedi	0	0	19	3
6	Dian	6	3	17	3
7	Imam	0	0	23	2
8	Imaniar	0	0	12	2
9	Indah	4	0	21	3
10	Laya	0	0	20	3
11	Mela	5	0	17	3
12	Monica	3	2	17	3
13	Oka	5	0	15	3
14	Okti	1	0	23	3
15	Putri	9	0	21	3

Table 3: Pre-Test and Post-Test of Compound Noun (3rd meeting)

No.	Name	Pre-Test	Post-Test
1	Adisty	6	13
2	Ayu A.	9	19
3	Ayu N.	0	11
4	Dedi	20	22
5	Dian	19	24
6	Imaniar	14	21
7	Indah	10	34
8	Laya	0	51
9	Mela	17	18
10	Monica	8	20
11	Putri Winda	6	19
12	Okti	16	22

In the teaching learning process, the teacher gives some exercises from the book to students. Students feel confused about how to do exercises. Then the teacher gives direction and explanation to students. Furthermore the teacher goes around giving direction for each group when they are in discussion hour. Leading is needed in the discussion hour. Because of the directions that are given by the teacher, students can do exercises well.

Students' successful of doing exercises can be indicated by the accuracy of students' answers. Moreover, the indication can be seen from the ability to finish all exercises. They can do all of exercises.

The effectiveness of this teaching learning process can be caused by happy, relaxed and cheerful conditions of the class. Those conditions are created by steps and principals of hypnoteaching such as motivating, giving positive words, leading, pacing, modeling, yelling, emotional hours, giving compliment and relaxation. Those things can bring students into an amazing learning experience that they have never felt before.

Students can study effectively when they are in happy and relaxed condition. Happy and comfortable atmospheres in the class can increase their spirits and motivations in studying vocabulary. If students are happy, they will absorb and memorize the material easily. They even do not realize that they are studying. Good atmosphere makes students to be brave and confident to answer the question. They are not afraid

anymore to make mistakes. Every time they make mistakes, teacher always states that mistakes are common when we are learning. The teacher also always suggests that students have to learn from their previous mistakes.

Besides they are brave to answer the question, they are brave to ask questions to the teacher too. If students find the difficulties in doing the tasks and understanding the materials, they will ask the teacher. Students are not shy to ask the teacher because there is not space anymore between students and teacher. Moreover the position and the brain wave of the teacher and students are same. Those are caused the teacher and students having close relationship and smooth communication.

In every teaching learning process, there must be obstacles that can disturb the teaching learning process. There are 2 obstacles in this teaching learning process that the teacher has found. The first obstacle is the limited time to do post- test. The teaching learning process is held in the afternoon so students do the post-test in hurry. In teacher's opinion students do the post-test ineffectively. They are afraid that the building has closed before they finish the teaching learning process. Besides that they are afraid of not getting bus to their hometown. Because of their reason, almost students do not do the post-test optimally.

The result of the post-test is good. The numbers of correct answers increase but those are different from teacher's expectation. The teacher has high expectation for the results of the post-tests because students can answer the yelling and do the exercise correctly in the teaching learning process. Doing the post- test in hurry can break students' concentration. Moreover, students cannot do their best effort to answer the post-test.

The second obstacle in this teaching learning activity is the limitation of dictionary. Many students do not bring dictionaries moreover the rest of students do not have dictionary. This condition hampers the teaching learning process. The teacher often asks students to find extra examples of vocabularies in the dictionary. Teacher also instructs students to do exercises by seeking the vocabularies in the dictionary. Because of not bringing dictionary, students cannot finish exercises quickly. They must queue to borrow other students' dictionaries. The limitation dictionary slows students' performance in finishing exercises.

The problem of the limitation of dictionary is solved in the third meeting. The teacher asks them to bring their laptop. Then the teacher gives them the master of Cambridge dictionary. After they have their own electronic dictionaries, they can do their task quickly. They can find more examples easily. The teaching learning process runs much better than before.

After three teaching learning processes are held, the teacher does interview. The teacher interviews three students that always attend all meetings. The objective of interview is to know students' understanding of the materials and students' feeling of the teaching learning process. Interviews are recorded in order to play recordering of interview repeatedly so the teacher can get the accurate information.

There are eight indicators in this interview. Indicators are formed in order to facilitate the analysis of interview. The teacher can only focus to eight indicators. Eight indicators are:

1. Students' Feelings of Relaxation

In the teaching learning process, relaxation becomes an important step. Relaxation is done to create the relaxed, free and fresh feelings. They will absorb and memorize the material easily if they feel those feelings. There are some responds from students that are indicated those feeling.

My feeling is **peaceful and calm** (Interview – I 1)

I am relaxed. (Interview-L3)

Students feel relaxed, calm and peaceful when they do relaxation. Those feelings can bring them into sub consciousness. The indication of entering sub consciousness is sleepiness. Students feel sleepy even some of them fall asleep for a while. Students' respond of feeling sleepy:

I Fall asleep for a moment, then I wake up again. (Interview-L 2)

I feel the same with Laya, My head become heavy, **I think that I also sleep.** I enter to my **sub consciousness.** (Interview- P 1)

When they have already entered to sub consciousness, the teacher can gives advice and motivation easily. The teacher persuades students that learning is a fun activity. The teacher also asks students to focus and enjoy the teaching learning process.

...the learning process is **fun**, what is it? **I focus**, I absorb **the materials very quickly**, usually, we think about other things. (Interview-P 3)

The respond above is indicated that the suggestions and motivations from their teacher can enter to their sub consciousnesses. They can focus in the teaching learning process. They only think about the material. Furthermore they can absorb the material quickly. It seems the material is easy.

2. Students' Feelings of Yelling

...for me it feels like **a shocked system**, because if the teacher suddenly yells, **we must answer quickly** so it seems like the shocked system (Interview –L 9)

Those are some expressions from students about their feeling in doing yelling. Lisa thinks that yelling is a shocked system that makes her always focus. When the teacher suddenly does yell, students have to answer the yell quickly. It makes students to be standby to answer the yell every time. Yelling also can bring students' focus back.

When yelling, I feel **how to respond quickly** so **we must be quick** to give the respond (Interview – I 5)

The yelling helps, it demands the brain **to think more quickly. It is effective enough.** (Interview-p 6)

The yelling also can train our brain to think quickly. This activity can make brain processing the memory of vocabulary quickly. The responds above shows how it influence the brain to think quickly.

The repeated yells can make us remembering the vocabularies.

(Interview- I 8)

Imel feels that the repeated yells helps her to remember vocabularies easily and quickly. The repetition is one of stresses in yelling besides spirit and accuracy. The more students yell vocabularies repeatedly, the more quick they memorize them.

3. Students' Feelings of being Motivated and Given Compliment

The teacher often gives motivation while the teaching learning process is running. The teacher motivates them to have confidence and bravery in answering the question. The teacher also motivates students to have great Spirit in learning. The respond from a student can indicate that the motivations are effective.

Yeah, I am **more motivated than before**. (Interview – I 9)

The teacher often goes around motivating student while they are discussing and doing exercises. Two students, Lisa and Pita feel that the motivating activity when they discuss disturbs their concentration. The statements bellow can express their feelings.

Actually, the motivations are needed. We need the motivations from lecturer. But if there are too many pushes and motivations that are given, they will break the concentration. (Interview-L 13)

If the teacher gives **too much motivation**, it will **disturb my concentration**. I become **less relaxed** when I am given motivation. (Interview- P 8)

From students' statement, the teacher can conclude that giving motivation is still needed as long as the portion is appropriate. Giving too many motivations maybe disturb discussion process.

The teacher always gives compliments when students ask the questions. She always does it even students give wrong answer. She still gives the compliments because she wants to appreciate student's bravery in answering questions. The teacher always gives the credit for every good thing that is done by students. The teacher wants that students feel that they are valuable and smart.

I **feel happy**, actually I'm **very happy**, I'm **very happy instead** (Interview – I 10)

We need the compliment. Moreover we need it when we feel tired. When we have done the tasks well, we need the appreciation. If we accept

The compliment, of course we are happy then it will motivate us to be more diligent. (Interview-L 16)

I'm happy, when the teacher says that **"it is good job"**. So we feel that we are already good. I am happy. (Interview-P 10)

Students really feel happy when they accept the compliments. The compliments can bring many miracles to them. The compliments can be motivation, happiness and pride for them. They also feel more confident after the teacher gives compliments. The compliments can stimulate the to do better than before. Students also become more diligent in doing exercises in order to get more credit from their teacher.

4. Students' Feelings about Playing Instrumental Music and Applying Emotional Hours

Yeah, it's **fun** if there is the music, so the discussion is **not boring** (Interview – I 14)

The teacher plays instrumental music while students discuss and do the exercise. It is played in order to give spirit to students. Imel enjoys the music. The music makes the discussion becomes fun. She can enjoy the music while she is discussing and doing exercises.

For me, Playing instrumental music when teaching learning process **has less influence**, it is not too much. (Interview- L 18)

I **focus to the music** instead, I cannot study in noisy condition, it must be quiet (Interview-P 12)

On the other hand, Lisa and Pita do not enjoy the music. In Lisa's opinion, playing music in discussion hour has less influence. If it is omitted, it will not give the effect to the discussion process.

In Pita's opinion, playing instrumental music can break her focus. She cannot study in noisy condition. She needs silent condition to focus exercises. If there is instrumental music, she will listen it instead. She cannot focus the tasks anymore.

It is good and effective because if we have to concentrate too long, we will be bored. Many students will sleep if they are given so many materials and thus the emotional hours are needed by students. (Interview- L 19)

It is effective because there are sections of time. Students are silent in concentration hour. They are not noisy. After that we are given the time to discuss. At that time, we are allowed to be noisy because we have to discuss the tasks. **It is helpful and effective** (Interview- 14)

There is the division of time in the teaching learning process. It is called as Emotional hours. It divides when students have to concentrate and discuss. It also has free hour, the time when students can do what they want to do. Some students feel that the emotional hour has benefits to them. They can concentrate and discuss effectively. Then they can take a rest when they feel tired. In Lisa and Pita's opinion, the application of emotional hours is effective and good.

What is the **meaning of emotional hours**? The emotional hours, the emotional hours? (Interview – I 17)

On the other hand, the usage of emotional hour does not have any influence to Imel. When interview asks her, she does not know about it. She asks interview back about emotional hours. There are two possible reasons why she does not know about emotional hour. First, Imel does not focus when the teacher explains about emotional hour. Second, maybe the teacher explains it unclearly.

5. Students' Impressions of Whole Teaching Learning Process

Yeah, it is **fun**. The **togetherness** of learning process is **good** (Interview – I 18)

Imel thinks that the teaching learning process is fun. She enjoys the whole teaching learning process. She feels that there is great togetherness between her and her friends.

The togetherness of students can be seen when they discuss exercises together. They try to finish exercises together. Each student participates fully in discussion. The togetherness is showed by yelling together. Students always yell together. They also laugh together when they make mistakes in yelling. The teacher and students like the togetherness that is created in the teaching learning process.

Actually, I feel this method is **good**, usually I feel that the duration of teaching learning process, 2 hours is too long. Yesterday vocabulary class was not long. **It feels quick because there is interlude such as a game.** There is **the hour for resting the brain.** It seems like **installing the memory.** (Interview- L 20)

I feel the same; I feel that the time runs quickly, whereas it is long duration, right? I forgot about time, it means that I focus of the learning. I enjoy the learning process. (Interview- P 15)

Lisa and Pita enjoy the teaching learning process and focus of the materials so they forget about the time. Actually, the duration of the meetings is supposed to be 100 minutes. Each of the three meetings runs for more than two hours. The teacher and students forget about the duration. There are not complaining about the time from students. They still enjoy the learning even though they study in the afternoon.

6. Students' Understanding about Adjective Suffixes
The adjective suffixes such as lonely, kindness, friendly, helpful, painless, painful, useless, useful. (Interview – I 22)

The first is musical, after that political, valuable, careful, breathless, thoughtful, wonderful, grateful, then, beautiful, dirty, sunny, cloudy, dirty, tidy. (Interview-L 28)

Homeless, musical, logical, useful, then hopeful, useful, There are too many. (Interview-P 20)

Hopeless, Miraculous, comfortable, washable, invisible, those are enough. (Interview-P 21)

Imel, Pita and Lisa can mention examples of adjectives that are formed by suffixes. They can give many examples. It is a good indicated that they have memorized well about the vocabularies that they have learnt. The vocabularies have been saved in their long-term memories. Moreover they can mention the vocabulary fluently and quickly.

All of Pita's answers are correct. She can give all the vocabularies that she has memorize in the teaching learning process. On the other hand, Lisa and Imel make mistakes. Imel mentions Kindness and Lisa mentions tidy.

Imel Thinks that kindness is an adjective that is formed by suffix- ness. The mistake can be causes by misunderstanding about word class and suffix. Maybe Imel thinks that if she add suffix- ness to a word, it will change its word class becomes

adjective. The teacher does not teach about suffix –ness in the first meeting because it is out of context. The adding of suffix –ness does not form the word becoming adjective but noun.

Lisa thinks that the word, “tidy” is an adjective that is formed by suffix –y. It is not formed by suffix –y. It is formed by the zero affixation. It has function as a verb and an adjective. She generalizes that all adjectives that ends with letter “y” are formed by suffix –y.

7. Students' Understanding about Zero Affixation

Dream, queue, ring. (Interview – I 25)

Cost, wait, like, close. (Interview- L 43)

Need, cost, rest, breath, hit, love. (Interview- P 32)

Imel, Lisa and Pita can mention some vocabularies that are formed by the zero affixation. All of their answers are correct. The answers can be indicated that they can memorize the vocabularies that have been learnt.

Before they study about the zero affixation, they can not mention the examples of vocabularies that are formed by zero affixation. Moreover they have not known about what the definition of zero affixation. Then after they learn about it, they can answer the question about it in interview. They can mention the vocabularies. They can identify the word classes of vocabularies correctly. Furthermore they can make some sentences by using them correctly. It can be indicated that they can understand and memorize the materials well.

8. Students' Understanding about Compound Noun

As many as possible? Such as sunglasses, cupcake, firework, postman, cupboard. (interview-I 39)

Brother in law, step mother, ski pants, basketball, subway, stop, stop, bus stop, ski pants , underwear, earring, hand phone, baby sitter, lipstick, post man, box office, sun block, sunglasses, film star, pop star, rock star. (Interview- L 69)

Yeah, newspaper, lipstick, notebook, postman, sister in law, step sister, grandfather, girlfriend, boyfriend, baby-sitter, then pop star, traffic jam, alarm clock. (Interview- P 57)

Students' responses above show that they can memorize the vocabularies. All vocabularies that they mention are correct. All vocabularies that are mentioned by students are the vocabularies that have been learnt in the second meetings.

In interview, the teacher also asks students to make some sentences by using the vocabularies. All of students can produce some sentences easily and correctly. The success of mentioning compound noun and producing some sentences can indicate that the third teaching learning process by using hypnoteaching is effective.

4. CONCLUSION

The researcher finds that hypnoteaching influences the teaching learning process. The hypnoteaching can create happy, relaxed and enthusiastic condition in the vocabulary class. Students feel relaxed, happy and enthusiastic to learn vocabularies. Students' feeling can stimulate students become confident, active and

brave in the class. They can answer the questions and do the exercises well.

The relaxation can bring students into their subconscious. By entering their subconscious, they become more relaxed and focused. They can focus on the teaching learning process so they can absorb and memorize the material well.

Yells can help students to be focus and cheerful. The repeated yells can make students memorize the vocabulary easily and quickly. The more they yell the vocabulary, the more they can memorize the vocabulary.

Giving motivation and positive words can persuade them that they can do the best. It can make them become more confident. It can make them believe in their own abilities. The usage of positive words in the teaching learning process makes students follow the teacher's instructions.

The usage of emotional hours can manage students' emotion and time of teaching learning process. Students have to focus when they are in quiet or concentration hour. It can help them to be more focused. Students have to discuss in the discussion hour. It can grow teamwork and togetherness. Then the free hour can make them feel free. They can use this time to take a rest. In the free hour, they can laugh, chat, joke, eat and drink. They can do everything that they want to do. The management of time and emotion can support the teaching learning process.

There are improvements of students' abilities in the teaching learning process. Improvements can be seen from the results of observation, test and interview. Students can answer questions, memorize vocabularies, identify vocabularies and produce sentences. The researcher can conclude that hypnoteaching can give influences the teaching learning process. The influences of hypnoteaching can be seen from the results of observation, test and interview. They indicate that the usage of the hypnoteaching is effective in vocabulary class.

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TEST DESIGN AND THE MEASUREMENT OF LANGUAGE SKILLS TEST AS THE BASIC LEARNING TREATMENT

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ABSTRACT - Language skills test is needed by foreign learners to enroll the university in Indonesia and to review their progress in that language. For these reasons, there will be one kind of internet based test which is called Indonesian Language Competency Test (UKBI) to test listening, grammar, and reading. The result shows that the validity of the test is 100% where 16 items of listening, 10 items of grammar, and 14 items of speaking are not valid respectively. Besides, the reliability of the test is very high which is represented by the coefficient 0.989299. In addition, based on the test result and BIPA course syllabus, there are several steps of learning method to reach the targets of Indonesian language skills. The steps are: 1) the availability of the target level, 2) breakdown of the items into syllabus criteria, 3) breakdown of the syllabus into class level, 4) the arrangement of suitable learning models for each meeting and class level, 5) the arrangement of suitable final test for each level, and 6) learning evaluation. However, review of these six steps must be evaluated to reach the targets and improve the next learning method.

keywords: design, measurement, learning treatment

1. BACKGROUND

Test of Proficiency in Indonesia (UKBI) is a test to examine personal skill in Indonesian language. In UKBI, participants are tested their ability in listening, linguistic rules, understanding the text, speaking, and writing. This test is initiated by the Agency for Development and Fostering Language, Ministry of National Education and manifested in the early 1990s. UKBI is useful for government or private agencies to determine the ability of employees or prospective employees in the Indonesian language. In addition, UKBI is also beneficial for admission in college. Through the Decree of the Minister No. 152 / U / 2003 dated October 28, 2003, the Minister of National Education has established UKBI to determine Indonesia proficiency in the community. From the results of the field trials, these are carried out repairs to be composed about UKBI (UKBI like) which have high levels of validity and reliability. Validity and reliability problems of the UKBI will describe the level of proficiency test participants. Level of proficiency will be classified from low to high groups. This grouping will be the basis for determining the treatment of language learning. Treatment to be developed includes the preparation and compilation of modules and learning strategies in the classroom. Thus this result can be a reference for BIPA teachers (Indonesian for Foreign Speakers) in designing and implementing learning strategies including developing the test. The general objective of this study is to design a test of Indonesian language proficiency and treatment plan for learning Indonesian. The detail includes a) determining and describing the design criteria as a measure UKBI about Indonesian language proficiency, b) testing and explaining the validity and reliability UKBI, c) designing and describing the learning of Indonesian treatment based on the UKBI results.

2. METHOD

The research method is done by the following steps.

- a. Literature
In this step, the researchers collect the relevant literature and study the previous studies in order that the design problems can approach the maximum level of high validity and reliability. Related literature evaluation and measurement as well as learning techniques will underlie this study.
- b. Designing a Matter UKBI
Based on the results of the above study literature, UKBI matter will be designed and appropriated teaching methods to the level of participants of proficiency test. UKBI expected test results can accurately describe the level of participants of proficiency test so that placement classes and learning methods applied also appropriate to achieve the desired goal.
- c. Testing Matter UKBI
UKBI was tested for Telkom University students at odd semester 2014/2015. Of course, the test was tested before students begin the learning Indonesian in class.
- d. Repair UKBI Test
From the test results, it will be evaluated the validity and reliability of the UKBI matter. If needed to repair the test, it will be corrected and tested again until obtained the high level of validity and reliability.
- e. Upload UKBI Test
UKBI matter which has been formulated and tested, then uploaded on a web-based application.
- f. Design Learning
UKBI test results will illustrate the level of proficiency test participants. From here, it will be designed teaching methods which appropriate to

the skill of participants level in order to achieve the desired proficiency.

g. **Implementation and Testing of UKBIn Learning Outcomes**

Lesson plan that had been developed is applied in the classroom and tested the results by giving the test UKBIn after the learning process is completed.

h. **Improvement of UKBIn Learning Design**

If the average UKBIn results showed no significant increase in language skills, the teaching methods are needed to improve. This step is repeated to obtain the most appropriate learning method for most trial participants.

i. **Preparation of Conclusions and Reports**

The results will be summarized and then reported to the next packaged in the form of an article for publication.

3. RESULTS AND DISCUSSION

Outcomes that have been achieved from this research are: a) the types of problems and aspects studied, b) the results of the validation of experts, c) UKBIn test (listening, understanding the rules, reading), d) web-based test application, e) validity and reliability of the results field test, f) design of learning method. Here is an explanation of the achievement of the above.

a. **Type of Questions**

UKBIn test consists of listening, understanding the language rules, and reading. Each of these types of tests is determined by the following criteria.

Table 1. UKBIn test criteria

Section	Aspects examined
Listening	testing the ability to understand the implied meaning
	testing the ability to understand the meaning expressed
	testing the ability to understand some of the information in the dialogue / monologue
	testing the ability to remember things that are in dialogue / monologue
	test the ability to conclude the dialogue / monologue
	test the ability to interpret the dialogue / monologue
	test the ability to understand the topic of dialogue / monologue
Section	Aspects examined
Understanding Rule	testing the ability to understand the common mistakes language
	testing the ability to understand the use of conjunctions
	testing the ability to understand the use of prepositions
	testing the ability to understand the effective sentence (parallels / variation)
	testing the ability to understand the idiomatic use of conjunctions
	testing the ability to understand the use of spelling
	testing the ability to understand the use of formal word
	testing the ability to understand the use of the term
	test the ability to understand the use of form active / passive
	test the ability to understand the use of effective sentence (parallels / words variation)
Section	Aspects examined
Reading comprehension	determining the ability of said test reference
	testing the ability to use synonyms
	testing the ability to understand the content of reading
	testing the ability to understand the main idea of a paragraph
	testing the ability to interpret things contained in the passage
	testing the ability to understand the topic of reading

b. **Criteria of Validation**

Based on that criteria, the matter is prepared and checked to find out the accuracy to the objectives of the details of the criteria. Checking process has been carried out, based on predetermined criteria. Before making the matter, it should be a matter of quite valid which is adapted to the purpose, and this will be proven by checking the validity of the testing table by experts, that can be said about valid UKBIn 100%.

c. **UKBIn Matter**

After UKBIn validity tested by experts, any matter has been completed, both listening

section, understanding the rules, and reading. The listening section to the audio recording had been completed.

d. **Web-Based Test Application**

Web-based applications of UKBIn tests have been completed 100%. The upload process has been completed including the layout and contents editing (adjusted to about the original text) so that the field trial tests have been done.

e. **Validity and Reliability Testing Results Fields**

Validity and reliability of field test results can be seen from the description below.

Validity in Field Testing

Validity test of UKBin was done to answer whether UKBin able to measure the actual competency to measure. To test the validity of multiple-choice questions on UKBin, Poin Biserial correlation formula will be used as follows.

$$r_{pbis} = \frac{M_p - M_t}{S_t} \sqrt{\frac{p}{q}}$$

r_{pbis} = Coefficient of Poin Biserial correlation,

M_p = The average of the subjects who answered correctly the items being sought correlation

M_t = The average total

p = Proportion of subjects who answered correctly the items being sought correlation

$q = 1 - p$

S_t = Standard deviation of total

The validity of the correlation coefficient points biserial categorized by the following criteria.

Table 2. Criterion Validity of The Instrument Test[3]

r_{pbis} Value	Criterion Validity
0.81 – 1.00	Very high
0.61 – 0.80	High
0.41 – 0.60	Fair
0.21 – 0.40	Low
0.00 – 0.20	Very low

After the correlation coefficient obtained, the coefficient value or significance will be measured by the normal distribution curve by using a statistical t-test, namely

$$t_{hitung} = r_{pbis} \sqrt{\frac{N-2}{1-(r_{pbis})^2}}$$

by t_{hitung} is the calculated value of validity coefficient and N is the number of subjects tested. Then the value of t_{hitung} compared with the value of t_{table} in table-t at 90% confidence level and degrees of freedom $dk = N - 2$. If $t_{hitung} > t_{table}$ then it can be said items are valid. With a 90% confidence level, it can be concluded that 40 items were declared invalid by the following details.

- Listening Section (16 items): tes number 8, 9, 17, 20, 21, 22, 26, 27, 28, 29, 31, 32, 33, 37, 39, and 40.
- Section Grammar (10 items): tes number 3, 10, 11, 13, 18, 23, 24, 25, 31, 32.
- Reading Section (14 items): tes number 6, 9, 10, 16, 19, 21, 24, 28, 31, 36, 37, 40, 43, and 45.

Therefore, those items which are declared invalid should be reviewed or revised so that the future can be produced valid items.

Reliability Test

The reliability test of UKBin was done by measuring whether these tests will provide results that remain the same while the test is carried out at different times and

places. To test the validity of multiple-choice questions on UKBin, it is used the following Kuder Richardson formula (KR-20) in (Syaifuddin, 2014).

$$r_{11} = \left(\frac{k}{k-1} \right) \left(1 - \frac{\sum_{i=1}^k p_i(1-p_i)}{S_t^2} \right)$$

r_{11} = Coefficient of reliability

k = Number of valid items

p = Proportion of subjects who answered correctly on an item

S_t = Standard deviation of total

The level of reliability of the reliability coefficient can be categorized by the following criteria.

Table 3. Criterion of Reliability Test Instruments [1]

r_{11} Value	Criterion of Reliability
0.81 – 1.00	Very high
0.61 – 0.80	High
0.41 – 0.60	Fair
0.21 – 0.40	Low
0.00 – 0.20	Very low

The reliability test was carried out on the test items which declared valid by the validity test points biserial correlation. Based on validity test, only 80 items were valid. Therefore, the reliability of the test is calculated only for the 80 items. Furthermore, we calculate the coefficient of reliability based on the formula KR-20 using the following calculation results.

$k = 80$

$$\sum_{i=1}^{80} p_i(1-p_i) = 17.64286$$

$$S_t = 27.65605$$

Therefore, we obtain the coefficient of reliability:

$$r_{11} = \left(\frac{80}{80-1} \right) \left(1 - \frac{17.64286}{27.65605^2} \right) = 0.989299$$

With the reliability coefficient of 0.989299, we can conclude that the gauge UKBin have a very high level of reliability.

f. Draft Learning Methods

This test was originally objected to examine the Indonesian language proficiency, both for regular students and foreign students. Based on trial results, the ability of regular students and foreigners can be seen from the description below.

Implementation of this test by inviting 30 students, but only 14 students attend. Sequence numbers 1 to 7 are regular students (citizens who have studied Indonesian in schools for 12 years). While the number of 8 to 14 is the new foreign students coming 2 months at this campus. Only two foreign students who have learned Indonesian before coming to this campus. One of them is from Thailand who was as a student of Indonesian in Malaysia and the other is from Korea who is majored in Indonesian. From the

description it is understandable why the four other foreign students' score are very small.

The results of tests that followed the regular students can be said in general that results are adequate and even superior to that problem so that the learning strategies need not be discussed here because, both in theory and practice, the regular students have got intensively learn in a long time (over 12 years).

The important thing which need to be discussed here is the learning strategy on Indonesian courses for Foreign Speakers (BIPA). Before the strategy came

up, the syllabus of the BIPA course was examined. The discussion is how to structure and streamline the learning strategies that the course participants can master the Indonesian BIPA quickly indicated by a score of adequate UKBI embodied in the ability to communicate is adequate. It should also need syllabus structured for advanced to the skilled level. Syllabus should refer to the material that becomes the criteria in UKBI matter. The learning draft should begin with the steps in the following strategy.

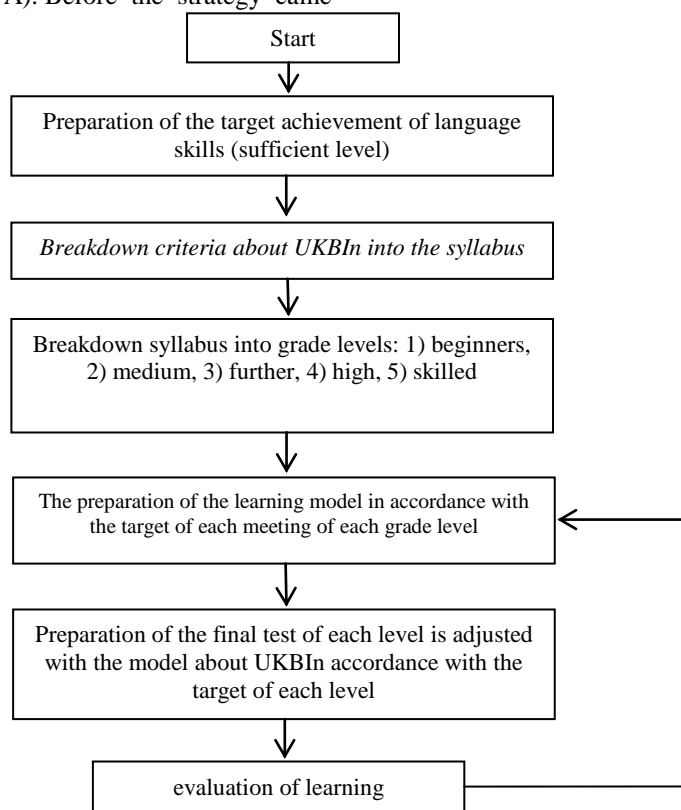


Fig 1. Learning draft

4. CONCLUSION

Based on testing, it can be concluded that in the matter of UKBI that have been prepared, it has the validity of the expertise of 100% and it is based on field testing that were 16 items of listening, 10 items of understanding the rules, and 14 items of reading are invalid. The reliability coefficient is 0.989299 which means the measuring instrument UKBI has a very high level of reliability.

The result of the test and syllabi at BIPA course preparation is proposed learning methods in order to achieve the target of skilled Indonesian language.

- Preparation of language skills attainment targets (target level is adequate)
- Breakdown criteria about UKBI into the syllabus
- Breakdown syllabus into grade levels
- The preparation of the learning model in accordance with the target of each meeting of each grade level
- Preparation of the final test of each level is adjusted with the model about UKBI in accordance with the target of each level
- Evaluation of learning

The six steps above should always be evaluated at the end of the lesson for subsequent improvement of learning methods in order to achieve the desired target.

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THE APPLICATION OF BRAINSTORMING TO IMPROVE STUDENT'S WRITING SKILL

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ABSTRACT - Writing is one of the four basic language skills (reading, listening, writing, and speaking) that should be mastered by students. The aim of this research is to investigate the effect of brainstorming in improving student's writing skill. The participants are students of English Study Program of Bandar Lampung University. The study shows that teaching writing by brainstorming method is successful. The students can develop their ideas in writing essay by using brainstorming technique because it helped them in organizing and arranging ideas into written text.

keywords: Brainstorming method, writing, pre-writing stage, student's writing skill, student's writing essay.

1. INTRODUCTION

Every individual has got their skills of understanding and expression of language in their social lives. Those all skills are also had by the students of Bandar Lampung University, especially the students of this research subject. And writing is one of the important skills of the four basic language skills (reading, listening, writing, and speaking). Writing is a very complicated process of problem solving in controlling the text, reaching the purpose of writing the thoughts in written text, planning and arranging the thoughts, and collecting data for what to write. According to Chen and Zhou (2010) writing is the product of cognitive process and original creation. People have their own creativity of thought. Therefore the writing style of every person is different. Richards (1990) discovered that the interaction of the students was a very important part in developing the cognitive skills involved in generating ideas, and found brainstorming was one of the effective ways to gain this. Result from this research showed that experiment students who were trained by using brainstorming method were more efficient in organizing and generating ideas than control students who did not get the treatment. He has elaborated on how to apply brainstorming technique in developing students writing ability.

2. METHODOLOGY

The participants are 4 students of English Study Program of Bandar Lampung University. They are

divided into two groups as experiment and control group. The students who get the treatment of brainstorming method are in experiment group, and students who do not get the treatment are in control group.

Brainstorming method was applied to experiment group for 5 times including pre-test, treatment and post-test. At the first activity, the researcher did pre-test to both of group by asking them to write an essay about "Gadget". The second activity is a first treatment. The researcher as a teacher did the treatment of brainstorming method to experiment student by giving them the direction how to produce their thought as many as possible about "Global Warming" as a core of brainstorm and map it on the paper. The second treatment, the students make their independent brainstorming about "Drugs Abuse", and then write their thought into essay. At the third treatment the theme is about "Teacher", with the help of this concept, the brainstorming study is done. To ensure the effectiveness of brainstorming method, free writing task was given before treatment is identified as a pre-test. In the last-test, the students were asked to write about "My Dream" using brainstorming method. The data are students' essay writing and video records. To score the writing, the scale scoring categories are used as seen in Table 1 (Hughes, 2005).

Table 1: Scoring Indicators of Students Writing Essay

Categories	Score	Criteria
Content	30-27	EXCELLENT TO VERY GOOD: Knowledge. Substantive. Thorough development of thesis relevant to assigned topic.
	26-22	GOOD TO AVERAGE: some knowledge of subject. Adequate range. Limited development of thesis. Mostly relevant to topic, but lacks detail.
	21-17	FAIR TO POOR: limited knowledge of subject. Little substance. Inadequate development of topic.
	16-13	VERY POOR: does not show knowledge of subject. Non-substantive, non pertinent, or not enough to evaluate.
Organization	20-18	EXCELLENT TO VERY GOOD: fluent expression. Ideas clearly stated/supported. Succinct. Well organized. Logical sequencing. Cohesive.
	17-14	GOOD TO AVERAGE: somewhat choppy. Loosely organized but main ideas stand out. Limited support. Logical but incomplete sequencing.
	13-10	FAIR TO POOR: non-fluent. Ideas confused or disconnected. Lacks logical sequencing development.

	9-7	VERY POOR: does not communicate. No organization or not enough to evaluate.
Vocabulary	20-18	EXCELLENT TO VERY GOOD: sophisticated range. Effective word/idiom choice and usage. Word form mastery. Appropriate register.
	17-14	GOOD TO AVERAGE: adequate range. Occasional errors of word/idiom form, choice, usage but meaning not obscured.
	13-10	FAIR TO POOR: limited range. Frequent errors of word/idiom form, choice, usage. Meaning confused or obscured.
	9-7	VERY POOR: essentially translation. Little knowledge of English vocabulary, idioms, word form. Or not enough to evaluate.
Language Use	25-22	EXCELLENT TO VERY GOOD: effective complex constructions. Few errors of agreement, tense, number, word order/function, articles, pronouns, prepositions.
	21-18	GOOD TO AVERAGE: effective but simple constructions. Minor problems in complex constructions. Several errors of agreement, tense, number, word order/function, articles, pronouns, prepositions but meaning seldom obscured.
	17-11	FAIR TO POOR: major problems in simple/complex constructions. Requent errors of negation, agreement, tense, number, word order/function, articles, pronouns, prepositions and/or fragments, run-ons, deletions. Meaning confused or obscured.
	10-5	VERY POOR: virtually no mastery of sentence construction rules. Dominated by errors. Does not communicate. Or not enough to evaluate.
Mechanic	5	EXCELLENT TO VERY GOOD: demonstrates mastery of conventions. Few errors of spelling, Punctuation. Capitalization. Paragraphing.
	4	GOOD TO AVERAGE: occasional errors of spelling. Punctuation. Capitalization. Paragraphing. Meaning not obscured
	3	FAIR TO POOR: frequent errors of spelling, Punctuation. Capitalization. Paragraphing. Poor handwriting. Meaning confused or obscured
	2	VERY POOR: no mastery of conventions. Dominated by errors of spelling. Punctuation. Capitalization. Paragraphing. Handwriting illegible. Or not enough to evaluate

After getting the mean of each elements of writing, the researchers formulated the result to get the total mean score. In testing the hypothesis the researcher tests the data by using statistical quantitative approach to build the finding of this research. The finding would support the researcher to generalize the result. In the end of the study, the researcher conclude the result of the study.

3. RESULT AND DISCUSSION

After analyzing scores of the experimental group on the pre-test and post test in essay writing, the researcher concluded that there was statistically significant difference between the mean scores of experimental group on the pre-test and post test in essay writing, where the pre-test score of the experimental students is 65,5, while in post-test score, students get 89,5 (Table 3). It is shown that the improvement of control group student's is not higher than experimental group (Table 2). The result of analyzing data proves that the brainstorming method

had a positive effect on developing essay writing skill of the experimental

group students. Students of experimental group showed the improvement in their written essay in terms of the content, the organization of the content, vocabulary, language use, and the mechanic of language. In another hand, the control group students who did not get the treatment, they felt difficult in finding the idea of their essay. They only did a free writing method during the observation, they emphasis in producing and directly write their thought without doing and planning pre-writing activities (including brainstorming method). Therefore, in the middle of their writing, they stop it while thinking another ideas. Past research has often shown that training brainstorming strategy has a significant effect on the mean scores of the student's English writing skill scores (Ibnian, 2013). In other words, the mean scores of student's English writing skill showing significant variation between experimental and control study groups.

Table 2: Pre-Test and Post-Test Scores in Control Group

INDICATORS	PRE-TEST	POST-TEST
Content	18	21
Organization	15	15,5
Vocabulary	12,5	15
Language Use	16	19,5
Mechanic	3,5	4
Mean	65	75

Table 3: Pre-Test and Post-Test Scores of Experimental Group

INDICATORS	PRE-TEST	POST-TEST
Content	17,5	27,5
Organization	14	18,5
Vocabulary	12,5	17,5
Language Use	17,5	21,5
Mechanic	4	4,5
Mean	65,5	89,5

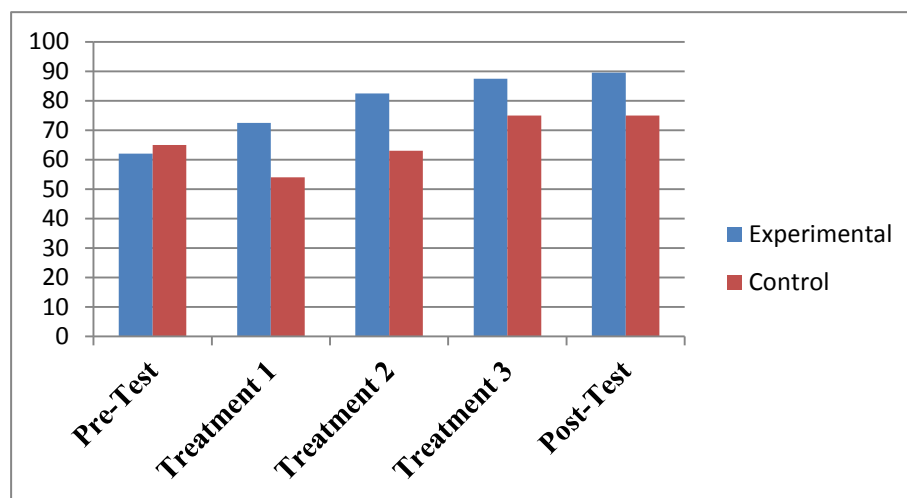


Figure 1: The Improvement in Experimental and Control Group

4. CONCLUSION

The study shows that teaching writing by brainstorming method is successful. The students can develop their ideas in writing essay by using brainstorming technique because it helped them in organizing and arranging ideas into written text.

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THE APPLICATION OF USING LETTERLAND TECHNIQUE TOWARDS STUDENT'S VOCABULARY MASTERY

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ABSTRACT - Vocabulary is one of elements which is important in language learning. Teaching vocabulary requires an effective way especially for teaching children. The paper describes the application of using Letterland technique for teaching children English vocabulary. Participants are students at Elementary school of MIMA 7 Labuhan Ratu Grade 2, Bandar Lampung. It is found that there is good influence of using letterland technique towards the students' vocabulary mastery.

Keywords: Letterland, vocabulary, language learning, language teaching

1. INTRODUCTION

Language is tool that is using to communicate with the people. One of the elements that English has is vocabulary. According Yusup (2002) vocabulary is the component word to build speaking, listening, reading, writing skill. In teaching vocabulary, teachers need appropriate technique. One of techniques to teach vocabulary is Letterland. It is proved from the observation done by the writer to the second grade students in MIMA 7 Labuhan Ratu, Bandar Lampung. They do not have a lot of vocabulary, they just have a number of vocabulary mastery that makes them difficult to communicate. This research focuses on how students can improve vocabulary.

Judi Manson and Mark Wendon state that letterland is a phonic based system, this means that children learn the actual sounds that letters make in words by using the special letterland character's name (e.g. Clever Cat 'c'). The letterland pictogram activates every learning channel, links all the things that the children love: social interaction, movement, art, craft, rhyme, directly to letter knowledge. Teaching vocabulary will be effective by using letterland technique. Why it will be effective because it can motivate students and they can memorize the words. Because letterland is new in Indonesia, so the writer only got one person who uses the same technique in doing research. The research was done by researcher Siti Maisyaroh, in 2007, entitled "Using Letterland as a Technique in Teaching Vocabulary to Playgroup in Pondok Indah Jakarta". The method used in this research is comparative method. The form of research used in accordance with this research is a form of survey (survey studies). The nature of this research is a Classroom Action Research. The result of this research shows that there is an improvement in the students' activity.

2. METHODOLOGY

This research is using action research. The subjects that involve are students who study at MIMA 7 Labuhan Ratu, Bandar Lampung in academic year 2014/2015.

(Daryanto, 2011:1). Action research is started from the level of designing after the problems have been found in learning and teaching activity and it will be continued by action, observation and reflection.

Hypothesis is used to predict temporary answer about the question on the impact of using letterland technique towards students' vocabulary mastery at grade two in MIMA 7 Labuhan Ratu, Bandar Lampung. Therefore, on the basis of this theory, the hypothesis is formulated as follows: the null hypothesis (H_0) and the alternative hypothesis (H_a). The null hypothesis (H_0) is applied if there is no. To analyze the data that got the research will use the simple formulation:

$X: \sum X / \sum N$

Notes :

X : Average Value

$\sum X$: Number of Students' Scores

$\sum N$: Number of Students

The category of mastery in learning when students can pass of kkm (the minimum of pass category) it has been fixed by this school as much as 65. Calculating of learning mastery will use *One Sample T Tes* in SPSS 16.0 (*Statistical product and service solution*). In addition to determine the investigator assessment using interval data.

Table 1: Interval of value (Fauzy, 2009)

Letter	Percent
A	80 – 100
B	69 – 79
C	60 – 68
D	50 – 65
E	≤ 49

3. RESULT AND DISCUSSION

Collecting the Students' Scores

After conducting the class about 3 until 5 meetings, the researchers have done the test (cycle 1) to determine if the students can understand the material very much or not. Form cycle 1 has been got the scores as follows:

Table 2: the result of cycle 1

No	Subjects	Scores		Letter	A	B	C	D
1	Dicky Saputra	60					1	
2	Dimas Rizky Syaputra	70				1		
3	Habib Mahesa Putra	65					1	
4	Hamdan Ilyas Maulana	40						1
5	Harvam Khosyi'ilKholis	50						1
6	M. Fadhil Prayoga	60					1	
7	M. Ukhei Affandi	70				1		
8	Muammar Hidayah	60					1	
9	Muhammad Rizaki Al-Akbar	75				1		
10	Mukhlis Saputra Farhan	50						1
11	Novely Chera	45						1
12	Reza Aditia	50						
13	Siti Holizah	65					1	
14	Azza Al Aqila	60					1	
	Total of score	820						
	Avarage of score	59				21,4%	43%	29%

Table 3: the percentage of the result cycle 1

80 – 100 = A	
69 – 79 = B	3 students or 21,4%
60 – 68 = C	6 students or 43%
50 – 65 = D	4 students or 29%

Table 4: the cycle 2 result

No	Subjects	Scores	Letter	A	B	C	D
1	Dicky Saputra	80		1			
2	Dimas Rizky Syaputra	75			1		
3	Habib Mahesa Putra	75			1		
4	Hamdan IlyasMaulana	85		1			
5	Harvam Khosyi'ilKholis	70			1		
6	M. Fadhil Prayoga	75			1		
7	M. Ukhei Affandi	80		1			
8	Muammar Hidayah	70			1		
9	Muhammad Rizaki Al-Akbar	85		1			
10	Mukhlis Saputra Farhan	70			1		
11	Novely Chera	65				1	
12	Reza Aditia	75			1		
13	Siti Holizah	80		1			
14	Azza Al Aqila	85		1			
	Total of score	1070					
	Avarage of score	76, 4		43%	50%	7%	

Table 5: Percentage of result cycle 2

80 – 100 = A	6 students or 43%
69 – 79 = B	7 students or 50%
60 – 68 = C	1 student or 7%
50 – 65 = D	

Before implementing cycle 1, the researcher administered pre-test by asking the students to produce the vocabularies. The result of the test indicates that most students can not produce vocabulary. Based on the observation and interview to the students, the problem is that they are difficult to find an idea to mention the vocabularies based on pictures of letter.

In cycle 1 the researcher presented the Letter land and how can produce the vocabularies by using picture series (letter). First of all, the students are given some pictures with incomplete words. Based on the pictures the students complete the words. After that, the students are given some pictures without any clue. The students produce the words their own vocabularies based on their understanding about the pictures.

When the students were producing the vocabularies by using word that exists in *Letter Land Technique*, the writer observed the students activities. It is done to know the students motivation and their activeness in doing the task as influence of the use of picture series media. In this activity, the researcher wrote the students' development happened during the observation.

The result of the implementation of cycle 1 shows that the students' writing ability is improved, but it has not achieved the criteria of success. The minimal standard criteria of the students' mastery of vocabularies when the mean score of all the students is 65 but the result had low only about 59 in avarage, most of them got C. It means that the study has not been successful yet. From table above, it can be known that researchers have 14 students but students can pass score (B) only 3 students and the others get lower score.

Based on the data presented in the table above, it can be stated that the implementation of Letter Land Technique to improve the students' ability in increase vocabularies mastery is not successful yet. The criterion of success is if the mean score of the students is at least 7.00 and the students are active in the vocabularies mastery. In terms of the students' activeness in activity, the result of observation shows that some students are active, but some others are not active in the activity. Although some students show their improvement in vocabulry learning motivation and score of vocabulary, the cycle 2 needs to be conducted. This is done because some students get score under the standard which is determined. Many students get score below 7.00.

In cycle 2, researchers used Letterland Technique to present how to produce the words (vocabularies). The result shows that some students get improvements in their scores and in their activeness in producing vocabularies activity, but some others are still under the target or the criteria.

In cycle 2, the researcher still used letterland to teach vocabulary. But in this cycle, the strategy used is different from the strategy applied in cycle 1. The strategy applied is the researcher gave more examples of how to produce words by using *Letterland* technique. After the students understand and have confident, the researcher gave them again picture series, and the students were asked to produce vocabulary.

Based on the table above can be explained that only one student that failed, only got 65 if we compare most students got scores more than KKM. 7 students got B (50%) and 6 students got A (43%).

4. CONCLUSION

The study has shown that there is good influence of using letterland technique towards the students' vocabulary mastery. The technique can also motivate students in teaching learning process.

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THE APPLICATION OF QUIZ TEAM TECHNIQUE TO IMPROVE STUDENTS' UNDERSTANDING ON SIMPLE PRESENT TENSE AT GRADE SEVEN AT SMPN 26 BANDAR LAMPUNG

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ABSTRACT - This research is based on students' low participation and understanding on grammar especially in simple present tense by using Quiz Team Technique. It can make the learning process fun and not threatening. The quiz competition helps develop the students' responsibility in mastering the materials individually or group. The purpose of this thesis is to find out the improvement of the students' understanding by using Quiz Team Technique. Result of the study shows that the application of Quiz Team Technique in teaching simple present tense at SMPN 26 Bandar Lampung can be improved and get good responses. It can be seen that there is significant improvement from pre test to post test mean of experiment class (39.4 to 63.05). The other result using t-Test, t-value is greater than p-value. In the other words, 5.07 is greater than 2.71 and 2.02. The result indicated that there was a improvement of students' understanding on Simple Present Tense by using Quiz Team Technique.

keywords: Quiz Team Technique and Simple PresentTense.

1. INTRODUCTION

Grammar has become one important part which has to be learnt because without a good knowledge of grammar, learners will be constrained to develop their language competence. It is stated that "The study of grammar has had a long and important role in the history of second language and foreign language teaching (James E.Purpura, 2004)." When people start learning a new language like English, they need to study grammar. Because to understand English language, we can not neglect to learning grammar.

There are some problems in learning grammar. The researcher finds that there are still many students do not understand grammar. They assume that grammar is difficult to learn, because in teaching grammar, teacher only explains and gives some notes of the formula which will be used in learning grammar. On the other hand, the students have low motivation to study grammar, because the teacher only asks them to memorize the formula.

We also know that in the context of EFL, teaching grammar has been dominated by traditional method. It is Grammar Translation Method (GTM). The students have to translate the target language into the native language. They focus to translate that language where the target language and the native language have different grammatical rules. So, the difficulties of learning English are also caused by the grammatical system which is different from that of Indonesia language.

Learning grammar is as one of the English learning process. According to Paradis, Kirova, and Dachyshyn (2009: 2), children gradually move from memorized sentences to original, productive and spontaneous English conversation. When young children learning English can engage in conversational English, this does not mean that they have mastered the English language. In fact, their English often has errors in pronunciation, vocabulary and grammar, and these errors may last a long time. Learning grammar relates with language acquisition and language learning.

There are the distinction between language acquisition and language learning. The result of language acquisition is subconscious. We are generally not consciously aware of the rules of the languages we have acquired. Instead, we have a 'feel' for the correctness. Grammatical sentences 'sound' right, or 'feel' right, and errors feel wrong, even if we do not consciously know what rule was violated (Krashen, 1982:10). 'Learning' henceforth to refer to conscious knowledge of a second language, knowing the rules, being aware of them, and being able to talk about them. In nontechnical terms, learning is 'knowing about' a language, known to most people as 'grammar' or 'rules' (Krashen 1982: 10).

According to Richards, Platt, and Weber in Nunan (2005:2) grammar is a description of a language and the way in which units such as words and phrases are combined to produce sentences in the language. Without grammar knowledge, it is difficult for students to make sentence or send message though they have a lot of vocabularies and fix expressions.

Grammar is now viewed as one of the components of communicative competence (Canale and Swain 1980; Hymes 1972). It can help to avoid misunderstanding between teacher and the students while teaching learning process. Grammar also gives many influence on the four skills. It is very important in speaking, because mastering grammar can help the students to speak good English without any fear.

The students who do not understand grammar give more difficulty in constructing a sentence. Long and Richards (1987) add that it cannot be ignored that grammar plays a central role in the four language skills and vocabulary to establish communicative tasks.

According to Anita K. Barry (2002: 1), another reason people sometimes give for studying the grammar of English is to find out what is "correct". Speakers of English are sensitive to the social judgments that accompany variations in structure, vocabulary, and pronunciation. We are aware that not everyone speaks

the same way and more importantly, we are acutely aware that some forms of English have higher social value than others and bring respect to their users.

Simple present tense as one of the basic rule for students to learn relates to the sentences consisting of daily activities. The use of simple present tense is to express the idea that an action is repeated or usual. The action can be a habit, a hobby, a daily event, a scheduled event or something which often happens. It is also used to express a statement, an opinion or a fact at present time. The simple present tense can also indicate the speaker believes that a fact was true before, is true now, and will be true in the future. We are not only thinking about now, but it is used to say something is true in general (Krohn : 1971).

Quiz Team is kind of active learning models which is developed by Mel Silberman. This technique is an enjoyable and non-threatening way to increase the participants' accountability for what they are learning from a lecture or a presentation (Silberman, 1996: p. 130). The word "Quiz" comes from English, which means, "playing of riddles". Here the tutors usually give some prize, reward or gift. Quiz Team Technique gives good motivation because it consists of giving and answering questions and provides a reward or gift for the winner. The word "Quiz" means a test of knowledge, especially as a competition between individuals or teams as a form of entertainment.

In Quiz Team Technique, each team will present certain topics and play a competition. First, the students are divided into several teams (team A, B, C, and D). Each team will be given a certain topic. Then, each team has to discuss the topic and prepare to present the topic. When team A presents its topic, team A also has to prepare several questions to be given to other teams. The other teams should check their notes of team A's presentation and try to answer those questions to get score and become a winner. So the competition starts by answering several questions correctly.

2. METHOD

This research was experimental research. It used two group design. There were two variables of the research. They were independent and dependent variables. The independent variable is Quiz Team Technique (X), and the dependent variable is the students' understanding on simple present tense (Y). The population of this research is the students at grade seven in the second semester at SMPN 26 Bandar Lampung. The number of the population was 225 students. It was divided into nine classes (VIIA, VIIB, VII C, VII D, VII E, VII F, VII G, VII H, VII I). Each class consisted of more or less 25 students. Two classes were taken to be experimental class and the control class. In this writing, the class is also considered of group.

The sample of the research was determined by cluster sampling technique because it was the most appropriate technique to take the sample. It was chosen based on no factors as long as all probabilities had an equal chance of being selected. The nine

classes were shuffled to choose two classes consisted of one class as the experimental group and the other class as the control group. Each class consisted of more or less 25 students. Class VII H and VII I were found as the classes to be investigated. The experimental group was class VII I which was taught by using Quiz Team Technique and the control group was class VII H which was taught by using traditional teaching. In this study, traditional teaching means the researcher only gives explanation and exercises in the teaching learning process without a certain technique and method.

To get the data in this research, the researcher applied test. There were two kinds of test, they were pre-test and post-test. In the pre-test, two pre-tests were administered in order to find out the students' current understanding on simple present tense before the treatment. In the test, the students' were given test and they have to answer 35 questions. The test was on their understanding of simple present tense.

The treatments were conducted twice a week. Each meeting was held in 90 minutes. In that treatment, understanding on simple present tense was taught using Quiz Team Technique in the experimental class, and traditional teaching in control class.

Two post-tests were conducted after the treatment. In this test, the students were given a test again. The test was the same as in the post-test. Then the result of the test was calculated to find out the improvement of using Quiz Team Technique on students' understanding on simple present tense. And the last, the result of the research was reported.

The process of evaluating data using analytical and logical reasoning to examine each component of the data provided using statistics. Evaluating the data taken through pre-test and post-test was done. The result of tests of the experimental group and the control group statically was analyzed using t-test for two group design in order to find out if there was a significant difference between the means of the two groups

3. FINDINGS AND DISCUSSION

Based on the score, it was shown that the total number of students were 20 students. The average score of pre-test was 39.4 and the average score of post-test was 63.05. The highest score of pre-test was 59 and the lowest score was 23. Meanwhile, the highest score of post-test was 77 and the lowest score was 48. The total ($\sum y_1$) of pre-test score was 788 and the total ($\sum y_2$) of post-test score was 1261. Meanwhile, the deviation (y) was 473. It was acquired from the result of post-test subtracted by the result of pre-test. Therefore, the total ($\sum y^2$) was 13517. To calculate the mean score (M_y), the deviation was divided by the number of the students. Then the result was found 23.65. The function of the mean score for experimental class was to calculate t-value. After calculating the mean score of experimental class, the researcher calculated $\sum Y^2$.

The degree of deviation was found by calculating of the total ($\sum y^2$) subtracted by the total ($\sum y$)² divided

by the total number of the students of experimental group. It was 2330.55.

Based on the score of control class, it was shown that the total number of students were 20 students. The average score of pre-test was 42.05 and the average score of post-test was 52. The highest score of pre-test was 54 and the lowest score was 32. Meanwhile, the highest score of post-test was 63 and the lowest score was 40. The total ($\sum x_1$) of pre-test score was 841 and the total ($\sum x_2$) of post-test score was 1040. Meanwhile, the deviation (x) was 199. It was acquired from the result of post-test subtracted by the result of pre-test. Therefore, the total ($\sum x^2$) was 2419. To calculate the mean score (Mx), the deviation was divided by the number of the students. Then the result was found 9.95. The function of the mean score for control class was to calculate t-value. After calculating the mean score of control class, the researcher calculated $\sum X^2$. The degree of deviation was found by calculating of the total ($\sum y^2$) subtracted by the total ($\sum y$)² divided by the total number of the students of control group. It was 439.9.

From the calculation of t-value, it was shown that the formula of t-Test for two group design is t equals (Mx) 9.95 subtracted by (My) 23.65 divided by the root from the bracket ($\sum x^2$) 439.95 added by ($\sum y^2$) 2330.55 divided by (Nx) 20 added by (Ny) 20 subtracted by 2 times in the bracket 1 divided by (Nx) 20 added by 1 divided by (Ny) 20. After that, 9.95 subtracted by 23.65 the result was 13.7 and in the bracket 439.95 added by 2330.55 divided by 20 plus 20 minus 2 and the result was 72.9. Therefore, 13.7 divided by the root from in the bracket 72.9 times 0.1 and the result was found 7.29. Then the result was 13.7 divided by the root of 7.29. Therefore, the root of 7.29 was 2.7. So, t equals 13.7 divided by 2.7 was 5.07.

To find out p-value, the researcher calculated degrees of freedom (df). After getting the degrees of freedom (df), the researcher found p-value. The function of p-value was to know which hypothesis was rejected and accepted.

Based on the calculation of t-value, it was found that t-value = 5.07 Therefore, $p < t$ 2.71 / 2.02 < 5.07. The data was analyzed by using t-Test formula. It indicated that p-value 1%=2.71, 5%=2.02 and t-value = 5.07. The result of the analysis showed that p-value was smaller than t-value. Based on the result, null hypothesis (H_0) was rejected and alternative hypothesis (H_a) was accepted. Based on the findings of this study showed that there was an improvement of students' understanding on simple present tense by using Quiz Team Technique at grade seven at SMPN 26 Bandar Lampung

Based on the results, it was seen that there was no significant difference in pre-test score of the two classes. After the teacher gave the treatment for experimental class, it was seen that there was significant improvement from the average score of experimental class. The average score of experimental class was higher than control class in the post-test. It could be seen that 63.05 was higher than 52.

Meanwhile, the highest score of post-test was 63 and the lowest score was 40 in control group. Then the highest score of post-test was 77 and the lowest score was 48 in experimental group. It was concluded that there was a significant improvement of experimental group because the highest score of experimental group was higher than the highest score of control group. The result of t-Test was 5.07. Meanwhile, the score of p-value was 2.71 for 1% and the score of p-value was 2.02 for 5%. The result of the analysis showed that t-value was greater than p-value. It can be seen that 5.07 was greater than 2.71 and 2.02.

Based on the research findings, it was inferred that using Quiz Team Technique was better than without using Quiz Team Technique in learning simple present tense. It was proved by the t-value that is greater than p-value. It concluded that the alternative hypothesis (H_a) was accepted and the null hypothesis (H_0) was rejected. So, there was improvement of the application of Quiz Team Technique towards the students' understanding on simple present tense at grade seven at SMPN 26 Bandar Lampung.

4. CONCLUSION AND SUGGESTION

Based on the data, the researcher concluded that teaching simple present tense using Quiz Team Technique in junior high school could be applied to improve students' understanding on simple present tense. The Quiz Team Technique applied in simple present tense should be improved in the next application.

The students of experimental class were taught using Quiz Team Technique. Then the students of control class were taught without Quiz Team Technique. There was a significant improvement of the students' score of experimental class after the treatment of teaching by using Quiz Team Technique.

It was shown that the average score of experimental class was higher than control class. The score of experimental class was 63.05 and the score of control class was 52. Meanwhile, the highest score of post-test was 63 and the lowest score was 40 in control group. Then the highest score of post-test was 77 and the lowest score was 48 in experimental group. It was found that the highest score of experimental group was higher than the highest score of control group.

Based on the result of the analysis, t-Test was greater than p-value. The result of t-Test was 5.07. Meanwhile, the score of p-value was 2.71 for 1% and the score of p-value was 2.02 for 5%. Therefore, null hypothesis (H_0) was rejected and alternative hypothesis (H_a) was accepted.

Based on the findings of this study, it was found that there was an improvement of understanding on simple present tense by using Quiz Team Technique of students' at grade seven at SMPN 26 Bandar Lampung.

After applying Quiz Team Technique in improving students' understanding on simple present tense, the researcher would suggest in the last part of the paper

and it is hopefully useful for all readers, especially for teachers and students.

Grammar mostly known as difficult subject, the use of Quiz Team Technique in teaching learning is as interesting technique because it can attract students in teaching learning process. So the students are more fun and enthusiastic in the class. Therefore, English teacher should apply Quiz Team Technique as one of interesting technique which applied in teaching learning.

Grammar is an important subject to be learnt. But, most of students are difficult in learning grammar because there are some structure or grammatical such as some tenses in English and there are no tenses in Indonesia language system. Then to improve students' understanding on grammar, the students have to do many exercises to get a better achievement.

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THE EFFECT OF THE APPLICATION OF THE NEWS PRESENTATION TOWARDS STUDENTS' SPEAKING ABILITY OF GRADE ELEVEN AT SMK NEGERI 1 SEPUTIH AGUNG

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ABSTRACT - The objective of this research was to find and to observe the effect of the application of the news presentation towards students' speaking ability of grade eleven at SMK Negeri 1 Seputih Agung. This was quantitative research. The data was collected by using observation (pre-test, treatment, post-test). The sample consisted of sixty students and they were divided into two classes. A class was as experimental group and another class was as control group. The research focused on speaking. It was a productive oral skill and it consisted of producing systematic verbal utterances to convey meaning in our daily life. In speaking, there were some components to understand such as grammar, pronunciation, vocabulary, fluency, and comprehension. The data collection was obtained from the tests. The pre-test was committed for the experimental and control group before the treatment. The post-Test was done for experimental and control group after the treatment. The data was analyzed by making use of t-Test of two group design. The results indicated that it was statistically significant $p\text{-value } 1\%=2,68$ and $5\%=2,01$, $t\text{-value was } 3,93$ in order that $p < t$. Therefore, the null hypothesis (H_0) was rejected and the alternative hypothesis (H_a) was accepted so there was effect of the application of the news presentation towards students' speaking ability. From the percentage, the research indicated that the application of the news presentation was successful in their speaking so that the researcher concluded that the news presentation was a good for teaching speaking in English

keywords: Speaking, Media, News, Presentation, News Presentation

1. INTRODUCTION

Language is important for communicating with other people in daily life. It is also resorted to express feeling, ideas, opinion, and information through communication because language is a complex entity (Hutchinson, 1987). Everyone can make a correlation by other people toward language. Moreover, they can not understand what other people talk deprived of the language. English is the first foreign language which has been showed as compulsory subject at school in Indonesia. However, the outcome of teaching English has not been satisfactory yet (Kasbolah, 2001). The Ministry of Education and Culture of Republic of Indonesia affirmed that English became the first foreign language educated in formal schools. It was begun from junior high school until university.

In language teaching, the English teacher always discusses the four language skills which are in English such as (speaking, listening, reading, and writing) for learners' understanding. Understanding refers to the knowledge of the language (whether it is oral or written). One of the objectives of teaching English is to make the learners able to transfer using the language in the oral form. This research focuses on speaking. Speaking is the productive oral skill. Speaking consists of producing systematic verbal utterances to express meaning. Speaking is an interactive process of constructing meaning that involves producing, receiving, and processing information (Florez, 1999, p.1).

Based on the experience of internship at SMK Negeri 1 Seputih Agung, the English teaching learning process carried out focus on grammar. There is little casual for the students to exercise speaking English. It is better to give much chance for the students to

mature their speaking. Actually, there are many techniques in teaching and learning process to make class run well. It can be also be utilized to make the students can catch the point of the material. One of the interesting techniques for teaching English is toward news presentation in the class.

News is an attempt to deliver the essential event to the hearer or reader through mass media such as radio, internet, television, magazine or newspaper. Moreover, news will be conveyed by using presentation. According to (Catur, 2009) Presentation is an activity which is conducted by the person or group of people. It is used to inform or present the idea, topic, material or opinion to other people orally or it can make use of visual media. Based on the information, the researcher writes a thesis to develop on students' speaking. The thesis is entitled: "The Effect of the Application of News Presentation towards Students' Speaking Ability."

2. MATERIAL AND METHOD

This chapter discusses the effect of the application of the news presentation towards students' speaking ability. There are concepts of speaking, concept of teaching speaking, concept of news, concept of presentation, concept of news presentation, and concept of teaching news presentation. These theories are taken to espouse some ideas to analyzing the data. Concept of speaking is used to produce the meaning of the purpose in real communication and concept of teaching speaking which is used to look controlled language practice. Concept of news is purposed to consider the possibility how to achieve the objective. Concept of presentation is purposed to method in

teaching. Concept of teaching news presentation is used to convey information.

Concept of Speaking

Speaking can be called as one of the skills that have to be mastered by the pupils in learning English because speaking is an essential tool for doing communication in daily activity or daily life (Grognet, 1997). Meanwhile, (Johnson, 1996) in Goh, (2012) said that speaking is a combinatorial skill for doing various things in the same time. Speaking attends to the content language and the rules for using all under the constraint capacity.

On the other side, speaking is effective for producing the meaning of the purposes in real communication because speaking consists of producing systematic verbal utterances to convey meaning to other people and it is an interactive process for constructing meaning (Florez, 1999, P.1) in Bailey, (2005). Additionally, speaking involves producing, receiving, and processing information.

In teaching learning speaking English, Speaking English needs some important components to be well understood to know and asses the increasing of the learner's speaking. For the test of speaking, there are some categories. They are grammar, vocabulary, pronunciation, fluency, and comprehension (Syakur, 1987). They are described in the following term:

Grammar studies about how words and their component parts combine to form sentence and structural in a language. It refers to study the correct way to get expertise in the language in oral or written form.

Vocabulary means the appropriate diction which is used in communication. It refers to learn of language rule and vocabulary is a part of the selection of the suitable words to the content.

Pronunciation refers to the candidate's ability to produce clearer language when the learners speak. It refers to the production of individual sounds, the appropriate linking of words, and use stress and intonation to convey the intended meaning.

Fluency is the ability to speak fluently and accurately. Signs of fluency include a reasonably fast speed of speaking and only a small number of pauses.

Comprehension studies to understand the language where it can help the students for increasing their understanding in speaking. It is used to require a subject to respond to speech as well as to appreciate it. Based on the explanation of the assessment of criteria for speaking, speaking has the analytic rating scale of the test of the spoken English. The test of speaking test takes gave a holistic score ranging from 1 to 6. The scoring scale for the test provided five points scale for grammar, vocabulary, pronunciation, fluency, and comprehension (Burhan, 2012:414) as cited in Darisman, (2012)) as showed in the table below:

Table 1 Analytic Rating Scale

Grammar	
1.	Grammar is always inappropriate
2.	There is an error in using of basic pattern exactly which always disrupt communication
3.	Grammar often occurs an error in a specific pattern
4.	Sometimes, error occur in using a particular pattern but it does not interfere with communication
5.	There is a little bit error occur but it is not in using pattern
6.	No more than two errors during the communication
Vocabulary	
1.	Vocabulary is inappropriate in dealing task or it is not exactly in simple sentence
2.	Vocabulary is limited on the basis personal needs
3.	Vocabulary is often imprecise and limited mastery hamper communication in social and professional issues
4.	Vocabulary is sufficiently but the use of common vocabulary is excessive
5.	Vocabulary is more extensive and accurate. It appropriates to their circumstances
6.	Vocabulary is general broad and precise
Pronunciation	
1.	Speech is often unintelligible
2.	There is a big mistake and a strong accent that make complicate of understanding. They always repeat the words
3.	The effect of foreign words so that the listener listen to carefully and they still have a mistake to lead for misunderstanding
4.	The effect of foreign words and speech error does not make understanding
5.	There is not happen mispronunciation striking, approaching the standard utterance
6.	Speech is standard
Fluency	
1.	Speech always stops
2.	Speech is very slow and inappropriate
3.	Speech often seems hesitant, incomplete sentence
4.	Sometimes, speech is still doubt and the words are inaccurate
5.	Speech is smooth and delicate but in a moment is not appropriate
6.	Speech is everything smooth and silky
Comprehension	
1.	Understand too little for the simple type of speech
2.	The simple speech is slowly. It needs explanation and repetition
3.	The simple speech is understood well but in some cases still need explanation and repetition
4.	The speech is normal understanding but sometimes need repetition and explanation
5.	Understands everything in a normal speech
6.	Understands everything in both formal and colloquial speech to be expected of a native speaker

Concept of Teaching Speaking

Teaching is a form of interactiveeffect to change the behavior prospective of another person. Teaching is a cooperative process between teacher and Pupil. Moreover, teaching is defined as a principle and efficient activity.

Teaching speaking is considered as a simple process. Speaking is natural speech in a language. Our language is everything but simple thing. Spoken language has significant way (Van Lier, 1995, p.88) in Nunan, (2003). When we teach speaking, it is important to remember

that speaking and writing English differ in many ways (Van Lier, 1995) in Bailey, 2005).

In teaching and learning process, every teacher usually changes the strategy of the lesson. That is used to discovery the appositeness of the lesson activity of the material. The teacher acts as a facilitator, an informer, a parent, and a friend to the learners in the school. For instance, while the learners do a presentation in front of the class. It provides the language input to give students the foundation for their knowledge of the language. This Input comes from the teacher and the course textbooks. The teacher can be called as an instructor and he makes sure that the students do what he wants them to do.

In learning a foreign language, one big challenge of the language learner is to speak fluently and accurately. We have to speak and think in the same time. We must control our output and correct any mistakes. Speaking practice starts by practicing and drilling set phrases and repeat models. It can also mean communicating with other people in different situations. For Instance (Mackey, 1965:266) in ByGate, 1987:5) said that: "Speaking not only uses of the right sound in the right patterns, rhythm and intonation, but also the choice of the words and inflection in the right is needed to convey the right meaning".

There are three basic reasons to give students speaking tasks which can provoke them to use any language in teaching language. They are rehearsal, feedback, and engagement. Rehearsal is a free discussion to give students a chance to rehearse outside the classroom. Feedback is speaking task where students must use their language and the teacher can see what language problem they have. Engagement is a good speaking activity that can be highly motivation for the students (Harmer, 1998:87).

Based on the statements above, speaking is a good activities which can be a highly motivation. It can contribute them enormous confidence. The teacher's direction can inspire them into further study until the students have inspiration to preparation their speaking inside or outside the class. There is a good feedback between teacher and pupils to improve their speaking ability.

Concept of News

In this part, there are some theories that tell about the concept of news. News is important new information of the current event. It is information about something that is happened in the world. News is a report that is occurred in newspaper, television, radio or internet. We can define news as a development that is happened in the past 24 hours which generates curiosity among listeners (Commission, 1957) in McManus, 1988).

Meanwhile, (Rumanti, 2002) said that news can also be defined as a fact, opinion, message, and information and they have the contents which will be announced or informed to other people, to public through mass media. Additionally, news is defined as an attempt to convey the essential framework of the event to the listener or reader by providing and including interesting thing

through mass media such as radio, television, magazine and newspaper (Schramm, 1949) in McManus, 1988).

Based on the theories of news above, the researcher defines that news is called as an occurrence which contains the curious thing, incredible and current evidence. Not only all of the events are suitable and needed to be delivered, but also the important and exciting event which is suitable to be delivered.

Based on the explanation above, content of news comes from some questions. Those can be called as 5 W and 1 H. They are when, where, what, why, who and how. They are described in following term:

When	: Explains adverb of time of the object
Where	: Expounds adverb of place of the object
What	: Describes the event which happened of the object
Why	: Clarifies the reason to find the fact of the object
Who	: Explicates the person or people of the object and
How	: States to ask about the reason

From the report above, the researcher defines that news is one way to convey the meaning or information. There are four things to consider when delivering back some information in news, namely accurately, completely, clearly, and actual.

Accurately is information which must be submitted as it is, it may not be deducted or added. Completely is an information that must fulfill the 5W (what, where, when, who, why) and 1H (how) and it is correlated with the existence of an event, the info contains the name of event, actors, time and place, the cause of the incident. Clearly is information which is transported. It is not misinterpreting to the person who reads or hearer. Actual is news which is delivered, Essential, and beneficial.

Concept of Presentation

In this section, there are some theories concerned about presentation. Presentations are communication which is carried out by the person and the other people listen while he is speaking. In the presentation, we focus to the visual aids that is used rather than on the language spoken. The presenter's role has different ways to convey the material or information (Frendo, 2005:69).

On the other hand, presentations are ways of bringing or communicating the product, idea, project, opinion, program or information in front of the group of people. Presentations are carried out by the speakers' personality (Mulianto, 2006). Moreover, (Catur, 2009) means that presentation can be defined as an activity which is conducted by person or group of people. It is used to inform or present the idea or opinion to other people orally or using visual media

Additionally, presentation is an activity or skill which is done by someone to show, to describe or to explain something, information, and the topic to group of people (www.meriam-webster.com).

Concept of News Presentation

In this section, there is a theory that tells about news and presentation. This theory is shown to make a teaching method to improve students' speaking at school.

News is taken as a report about the incident or the event which is distributed through the mass media such as radio, television, newspaper, magazine or internet. News is also an event containing interesting thing and the contemporary outstanding (Purwaningtyastuti, 2005).

Presentations skills are particularly interesting to teach because it is way to extend the information, the message or the content that uses the language (Frendo, 2005:70).

Based on the explanation above, the researcher combines those theories become news presentation that is used as teaching method in the classroom. News presentation is a report about the incident, the event, or the entertainment in mass media that is transported by using presentation in front of the class while the person speaks to transfer a message or evidence and the other listen.

Concept of Teaching News Presentation

In this section, there are some points to describe the exact procedure of how to set up the class activity of the news presentations to intend in teaching learning because presentation is particularly important (Frendo, 2005:70-71).

1. Students need to prepare the material which will be presented.
2. Students welcome and do greeting in front of the class.
3. Students do the introduction.
4. Students deliver the topic, message, or information.
5. Students practice the presentation skill to accomplish and communicate to develop their speaking English.

Based on the description above, the researcher would like to arrange the concept of teaching speaking through news presentation. The first, the student watches you tube or video. The second, the students make summarize of the content from video or you tube. After that, they speak in front of the class.

3. RESULT AND DISCUSSION

This chapter discusses two points which refer to the research. They are result and discussion. The result explains the main findings related to the hypothesis and method which are used in the research. The discussion restates the finding of the research result. It offers an interpretation or punctuation of the result.

In the result, the researcher computes the output from experimental and control group by using t-test two group designs, and the equation of t-Test two group designs. t equals Mx minus My per root in the bracket $\sum x^2$ added by $\sum y^2$ per Nx plus Ny subtracted by 2 times in the bracket 1 per Nx plus 1 per Ny . t equals 0,77 subtracted by 1,51 per root in the bracket 10,76 plus 8,91 per 30 added by 30 subtracted by 2 multiplied by 1 per 30 added by 1 per 30. t equals 0,74 per root in the bracket 19,67 divided by 58 times in the bracket 2 per 30. t equals 0,74 per root in the bracket 0,34 times in the bracket 0,07. t equals 0,74 per root 0,02. t equals 0,74 divided by 0,14. t equals 3,93 so the result of t is 3,93.

After obtaining the yield of t-Value, the researcher does sum degree of freedom (df). It can be resorted to go after p-Value 1% and 5% and furthermore I compare with t-Value. The calculation for degree of freedom is indicated in the figure .1 below.

Formula :

$$df = Nx + Ny - 2$$

$$df = 30 + 30 - 2$$

$$df = 58$$

Figure 1 calculations for degree of freedom (df)

The figure above punctuates that the degree of freedom (df) is 58. This is procured from total number of subject for control group (Nx) 30 added by quantity number of subject for experimental group (Ny) 30 subtracted by two variables (2).

After all of the computations are finished. T-value will compare by p-value 1% and 5%. This is inferred to the critical value of t-Test to examine whether t-Value is significant or not. It is presented in figure 3.2 below.

$$t = 3,93$$

$$p\ 1\% = 2,68$$

$$p\ 5\% = 2,01$$

so that :

$$p < t \rightarrow 2,68 / 2,01 < 3,93$$

or

$$t > p \rightarrow 3,93 > 2,68 / 2,01$$

Figure .2 the result of p-value and t-value

The figure shows that t-value is 3,93. The significant level 1% is 2,68. The significant level 5% is 2,01. Therefore, it is summarized that t-value is greater than t table and we can call in the other word that 3,93 is greater than 2.01 and 2.68 so that the researcher can relate to the problem for taking a conclusion that there is an effect of the application of the news presentation towards student's speaking ability.

In the discussion, this part explains the discussion of the research result. It is dismembered into four discussions. They are the student's score in speaking ability by using the application of the news presentation technique, the pupil's score in speaking ability by using traditional teaching, the calculation of the t-Test two group designs, and the calculations of all the results which give the final finding.

The scores show that most students obtain good speaking result based on the score and the average point. The highest score is 6,3 and the lowest is 4,0 in experimental group. After I extend the treatment by using news presentation, the highest point is 8,0 and the lowest is 6,0. It seems that the application of the news presentation can affect in becoming different their speaking ability that they have previously. Next, the student's point of speaking by making use of traditional teaching presents that most students procure adequate point based on the score and the average score. The highest score is 6,3 and the lowest is 4,0. After traditional teaching is conferred, the highest score is 7,3 and the lowest is 5,0. It is mean that their achievements are still intermediate and it needs to be improved more. Furthermore, the calculation of the t-Test two group designs, it is made to use of finding out some indicators which are put into the formula. Those indicators are put into the equation to discover whether t-Test is greater

than *t*-Table or not. The last, the results have been discovered. The research finds the indicator that there is effect of the application of the news presentation on their speaking ability through the statistic analysis. It is found that there is positive effect. It is proved by the value of *t*-Test that is greater than *t*-Table. The value of *t*-Test is 3,93 and the *t*-Table with *N* = 58. It shows that *t*-Table is 2.01 in 5% and 2.68 in 1% so it can describe clearly that the value of *t*-Test is greater than the *t*-Table.

From the discussion above, it can be said that the application of the news presentation technique gives a useful contribution for their speaking ability in learning process. From the output of the research, it can be concluded that the alternative hypothesis (*H_a*) is accepted and the null hypothesis (*H_o*) is rejected so there is effect of the application of the news presentation toward student's speaking ability of grade eleven at SMKNegeri 1 SeputihAgungand teaching speaking by making use of this technique is better than traditional teaching.

4. CONCLUSION

Based on the result of the research, the researcher concludes that there is effect of the application of the news presentation towards student's speaking ability of grade eleventh of SMK Negeri 1 SeputihAgung. The conclusion is taken from some reviews. They are the average score of the student's speaking ability, the result is obtained of the *t*-Test calculation for two group designs, and the hypothesis of the research.

The first consideration is the average score before I conduct the treatment. The average score is 5,61 for pre-test in experimental group. It is obtained from 30 students scores that consist of two students who get 4,6. Three students who get 5,0. Seven students who get 5,3. Seven students who get 5,6. Six students who get 6,0. Four students who get 6,3. A student who gets 6,6. Furthermore, the average score is 5,29 for pre-test in control group. it is also gained from 30 pupils scores which contain of a pupil attains 4,0. Three pupils who attain 4,3. Three pupils who attain 4,6. Four pupils who attain 5,0. Five pupils who attain 5,3. Seven pupils who attain 5,6. Six pupils who attain 6,0. A pupil who attains 6,3. After I give the treatment, the average score becomes 6,83 for post-Test in experimental group. it is gained from a student who procures 6,0. Two students who procure 6,3. Eight students who procure 6,6. Three students who procure 7,0. Seven students who procure 7,3. Six students who procure 7,6. Two students who procure 8,0 and a student who procures 8,6. Additionally, the average score is 6,04 for post-test in control group. It is gotten from a pupil who gains 5,0. Three pupils who gain 5,3. Five pupils who gain 5,6. Eight pupils who gain 6,0. Five pupils who gain 6,3. Seven pupils who gain 6,6 and a pupil who gains 7,3.

The second consideration is the result of the research. It is attained from the *t*-Test calculation for two group designs in student's speaking. It finds that *t*-value is 3,93. Then, the researcher matches with the critical value for *t*-table 5% and 1%. The critical value for *t*-

table with 5% significant is 2,01 and the 1% significant is 2,68. It means that the result which is obtained from the calculation is greater than the critical value. The last consideration is the hypothesis of the research. It presents that the *t*-value is 3,93 which is greater than *t*-table so the alternative hypothesis (*H_a*) is accepted and the null hypothesis (*H_o*) is rejected. Therefore, the researcher can say that there is effect of the application of the news presentation towards student's speaking ability.

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THE EFFECT OF THE TEACHER'S FEEDBACK APPROACH TOWARDS STUDENTS' DESCRIPTIVE WRITING SKILL AT GRADE TENTH OF SMK BHAKTI UTAMA BANDAR LAMPUNG

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ABSTRACT - A teacher needs to give motivation to the students to increase their writing quality. The teacher should be a good guide for the students by giving a good feedback when they improve their knowledge in writing. This research is to study the effect of the teacher's feedback approach towards students' descriptive writing skill. Most of the teachers believe that providing students with effective feedback on their writing is vital as it helps students to correct their own mistakes and be more independent writers, which will in turn train them to become better writers [5]. This research was conducted to two group design, which represented of tenth grade students of SMK Bhakti Utama Bandar Lampung. The group was selected with Cluster Sampling Technique. There are 20 students in experimental and control class. The data were collected with a pre-test, treatment and post-test. Then, they were analyzed with t-Test for two group design.

Based on the result of calculation, It can be seen that the students' ability in writing descriptive text in the experimental group after the treatment is significant, p 1% is 2,71, p 5% is 2,02 and the t value is 4,11. It means that the p value is smaller than the t value. It is found that the null hypothesis (H_0) is rejected and the alternative hypothesis (H_a) is accepted. The students' ability in writing descriptive text is taught by using teacher's feedback is more effective than writing descriptive text using traditional method. So, there is effect of the teacher's feedback approach towards students' ability in writing descriptive text.

keywords: teacher's feedback; students' descriptive writing; quantitative research

1. INTRODUCTION

Writing is one of four basic skills. It is very important in teaching and learning English. Writing involves some language components (spelling, grammar, vocabulary, and punctuation). Writing clear sentences requires you to learn the rules of English grammar and mechanics such as the correct use of verbs and pronouns, as well as commas and other marks of punctuation [1].

There are various ways to organize the sentences in a piece of writing. One of them is descriptive text. Descriptive text is a text which says what a person or a thing is like. Its purpose or function is to describe and reveal a particular person, place, or thing. The content of text of course has a rule and formation called generic structure or text organization. The generic structures of descriptive text are identification, identifying the phenomenon to be described. Descriptive text also has grammatical features and significant characteristics. Significant grammatical structure as follows: focus on specific participants use of attributive and identifying processes frequent use of epithets and classifiers in nominal groups use of simple present tense. The purpose from the text above that description is used in all forms of writing to create a vivid impression of a person, place, object or event e.g. to: Describe a special place and explain why it is special. Describe the most important person in your live.

2. METHOD

Writing helps students to learn English. First, writing reinforces the grammatical structure and vocabulary that they have learned. Second, when students write, they also have a chance to be adventurous with the

language to go beyond they have just learned to take risk. Third, when they write, they necessarily become very involved with the new language and they have an effort to express new ideas [3].

"Even more significant in current methodology are moves to involve students in revising their own work successfully so that feedback becomes part of the process of writing and a genuine source of learning for them." [4].

Losing mood in writing is as one effect of the limitation of knowledge, and it gives a burden for them. The student's confusion in using word and tense needs a right guide in the process of writing. The positive response from the teacher will give the students confidence.

The teacher gives a feedback in correcting their mistake and does not blame them for their mistake, but gives suggestion and clear explanation about what they should do in their work. With this idea, the student will realize their ability or their skill. They will try to make true sentences and explore their ability in writing.

[6] We know that the students are a receiver from the teacher's feedback, if the teacher gives a good explanation, of course the students will have a good competence because the students are as good receiver, it will make the teacher easier to give explanation. But it is not as easy as it can be, because most of English teachers do not give a good feedback for the students and the disincentive feedback will produce negative reinforcement.

Feedback, [2] "It means allowing learners to experience the effect of what they produce as a guide in their future efforts." Brown believes that feedback

must be more than encouragement, for 'empty and automatic encouragement is often pointless'.

The quotation above tells about giving feedback does not mean that the teacher has a responsibility to make all student task. But the teacher is a guide for his student. The teacher should let the students make their own writing based on their idea. They should find their own difficulties and do their mistakes as a learning process. The mistake which they have done will be corrected by the teacher, from this process they will memorize it and learn more. They will remember their mistake and try hard to avoid the same mistake to do in the future. It is called as a process in learning from mistake.

[7] The information component of teacher feedback is crucial to the learner's learning process. [7] Feedback is most effective when it, point out critical features of the language, gives information that allows the student 'to discover oneself' rules and principles of language, and reduces ambiguity of choice for the learner.

Besides correcting the students' word, the teacher should have knowledge in understanding the word choice and the principles of language to avoid miss understanding from the students. In the first step, to know the students' idea what they refer to in their writing, the teacher should allow them to use word based on their ideas or their own words. He should know what the students means. After that he gives the correction and chooses the appropriate words and tenses to substitute students' wrong words or reduces ambiguity of choice for the learners.

Based on the theory above, feedback is the response given by the teacher to what learners produce in the classroom. It does not mean the teacher has responsibility to make all student tasks. Besides correcting the students' word, the teacher should allow the student to use word based on their ideas or their own words. So it will motivated student to have better writing skill.

3. RESULT AND DISCUSSION

In this part, there are three discussions that are talked. They are the result of the students' score of the pre test and the post test after give the traditional teaching in the control group, the result of the students' score of the pre test and the post test after giving teacher's feedback as the treatment in the experimental group, and the results of all the calculation which gives the final findings. Based on the result, it indicates that there is effect of the teacher's feedback of tenth grade in SMA Bhakti Utama Bandar Lampung. Therefore, the use of the teacher's feedback needs to be applied in teaching writing learning process. Descriptive text helps the students to get new vocabulary to develop their words, idea, imagination and knowledge so that their English ability will be better.

4. CONCLUSION

The conclusion is taken based on five considerations. They are the average score of the pre-test of the experimental group, the average of post-test the

experimental group, the average score of pre-test of the control group, the average score of post-test of the control group, the results obtained from the calculation by using *t-Test* and hypothesis result of the research.

After finding the result of the two pre-tests and two post-tests, the result is applied in the equation of *t-Test* for two group design. The statistical *p-value* was $p\ 5\% = 2.02$, $p\ 1\% = 2.71$ with degree of freedom (*df*) = 38 and *t-value* = 4.11. The result is that the alternative hypothesis (H_a) is accepted and the null hypothesis (H_o) is rejected. It means that there is effect of the teacher's feedback on the students' descriptive writing ability of tenth grade in SMABhakti Utama Bandar Lampung. Therefore, the students who are taught by giving teacher's feedback get better score than those who are taught without teacher's feedback. Teacher's feedback can help students to write English fluently and it can be applied as one of techniques in teaching English especially in teaching writing.

5. SUGGESTIONS

From the conclusion above, there are some suggestions that can be given. They are for teachers and students. Teachers are suggested to use teacher's feedback in teaching writing. The teacher should giving a good feedback to make the students interesting their learning in the classroom. Therefore, the teacher should become a facilitator. The teacher has to encourage the students to be active in teaching and learning process.

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THE IMPROVEMENT OF STUDENTS' VOCABULARY ACHIEVEMENT BY USING DIRECT METHOD OF SMP WIYATAMA BANDAR LAMPUNG

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ABSTRACT - The objective of this research was aimed to find out the improvement of students' vocabulary achievement by using direct method of SMP Wiyatama Bandar Lampung. Bandar Lampung: English Education Study Program, Faculty of Teacher Training and Education, Bandar Lampung University. The main objective of this research was aimed to identify whether the use Direct Method was effective in improving the students' vocabulary achievement. In learning a language, the first step students will be watch a video. In order to learn a language well, she or he must be watching the video. Data were collected by incorporating two pre-test and two post-test in experimental group and control group. Treatment using the application of direct method that administered in experimental group, while control group received traditional teaching (TT). Data analysis was attempted using t-Test for two group design. Result indicated that $p\text{-value } 1\% = 2,66$, $5\% = 2,00$, and $t\text{-value} = 7,6$. It means $p\text{-value}$ is smaller than $t\text{-value}$. Therefore, hypothesis testing showed that null hypothesis (H_0) was rejected and alternative hypothesis (H_a) was accepted. The researcher concluded that The Improvement of Students' Vocabulary by using Direct Method more than traditional teaching. So, the students who taught by using Direct Method will perform better and get the higher score than the students who only taught y traditional teaching.

Keywords: vocabulary achievement, direct method

1. INTRODUCTION

There are several methods and approaches in foreign language teaching. Every method and approach has advantages in learning and teaching activities. There are 2 advantages in teaching vocabulary through direct method. Firstly, the students pay more attention to word and use in oral communication because this method is more focus on the grammar and the ability to use it. Secondly, the teachers and students are like partner in teaching and learning process because they give questions and answers for each other. Some of them are more widely spread and put in practice than others. Here, the methods that would like to discuss on this research is Direct Method.

The direct method uses the target language. The students are not allowed to use their mother tongue to speak. They have to use the target language in the class because it is the rule of this pronunciation. It is the learning strategy of a direct method (Nosrati et al, 2013)

The requirement for learning strategy is used to get the direct impact on vocabulary achievement, the students need some progresses, so that they should learn the context and various properties of vocabulary knowledge, such as meaning, collocation, form, and register. Meaning is nation in semantics classically that has 2 components that are reference and sense. Reference is a word or expression. Sense is the system of a lexical unit and other lexical units in a language. Collocation is two or more words that often go together. Form is a window or screen that contains numerous fields or spaces to enter data. Register is used to indicate degrees in language use. The different registers or language styles that we use are sometimes called codes. Code is a system of words, letters, figures, or other symbols substituted for other words

or letters, especially for the purposes of secrecy. The students should be able to demonstrate the appropriate tactic to learn all of them. Student's progress can be seen from how much their activity and how much they use the tactic in the classroom (Schmitt, 2008).

2. THE IMPROVEMENT STUDENTS' VOCABULARY ACHIEVEMENT THROUGH DIRECT METHOD

The direct method developed one based on the process of L1/native language acquisition. The students of this method always give instruction by using L2/target language. So, in the learning process they have to use target language not native language. Classroom activities have a pragmatic purpose and teachers use action, pantomime, and context to convey meaning. Grammar rules are taught but not really clear because it is focus on the ability to use the language (Alosh, 2000). Meanwhile, Vocabulary has three basic parts of important elements. They are phonetics, vocabulary, and grammar. Vocabulary is the most important element in learning English as a foreign language. Base on the research of English teaching, grammatical translation is a common way to teach new words. The result is not satisfying when teachers teach words and phrases one by one, giving several sentences that are far from students' comprehension, and asking students to learn and remembering new words (Pan and Xu, 2011). Vocabulary knowledge should be improved for better learning and acquisition of second language. Listening comprehension is very much influenced by lexical knowledge. Moreover, students should have good skill in reading comprehension because without it, a second language student is not able to understand the meaning of written material completely that teachers' give (Nair, 2014).

The keyword method is shown to be an effective procedure for the acquisition of vocabulary in L2 learning. A number of studies have investigated the effects of instruction based on mnemonics on vocabulary learning. For example, compared the keyword technique, in which students learn words through the combination of an auditory and imagery link, with the context method and found the method before to be significantly more facilitative to learning than the latter (Tavakoli and Grami as cited in McDaniel and Pressley, 1989).

3. METHOD

The research was quantitative research and it was analyzed the data taken through pre- test and post test. The result of tests of the experimental group and control group statistically was analyzed using t-Test for two group design in order to find out if there was a significant difference between the means of the two groups. The formula of t-Test for two group design was :

$$t = \frac{I M_x - M_y I}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{N_x + N_y - 2}\right) \left(\frac{1}{N_x} + \frac{1}{N_y}\right)}}$$

df: (+ - 2)

This study involved 78 senior high school students of grade XI at MAN 2 Tanjung Karang. There are 31 students in control group class and 31 students in experimental group class.

4. RESULT AND DISCUSSION

The Calculation of pre-test and post test of experimental group (y)

$$\begin{aligned} N &= 31 \\ \text{Pre Test } \sum y_1 &= 1576 \\ \text{Post Test } \sum y_2 &= 2414 \\ \sum y &= 838 \\ \sum y_2 &= 23652 \end{aligned}$$

There were 31 numbers of subjects; the score of experimental group (y) was gained from the score of post-test (y2) which was reduced by the score of pre-test (y1), after that the summary of the score of experimental group (y) was 838 , the score of experimental group (y)times 2 to gain quadrate score, and the summary was 23652. Based on the results of pre-test and post-test which administered control group (x), the writers calculated both of them to find out the score of experimental group (y) and y2.

To know the calculation of pre-test and post-test of control group (x) were

$$\begin{aligned} N &= 31 \\ \text{Pre Test } \sum x_1 &= 1448 \\ \text{Post Test } \sum x_2 &= 1866 \\ \sum x &= 418 \\ \sum x_2 &= 6500 \end{aligned}$$

There were 31 numbers of subjects; the score of control group (x) was gained from the score of post-test (x2) which was reduced by the score of pre-test

(x1), after that the summary of the score of control group (x) was 418, the score of control group (x) times 2 to gain quadrate score(x2), and the summary was 6500 . From the calculation above, the writer found the result of two pre-tests and post-tests of two groups. Furthermore, the writer statistically calculated to gain the whole score based on the

Equation of t-Test whether the treatment towards experimental group would have the improvement of students' vocabulary achievement by using direct method and control group was not without direct method. Below is the statistical calculation experimental group and control group as follows:

$Mx = \frac{\sum x}{N}$	$\sum x^2 = \sum x^2 - \frac{(\sum x)^2}{N}$
$Mx = \frac{418}{31}$	$\sum x^2 = 6500 - \frac{(418)^2}{31}$
$Mx = 13,48$	$\sum x^2 = 6500 - \frac{174724}{31}$
	$\sum x^2 = 6500 - 5636,26$
	$\sum x^2 = 863,74$

Fig 1: Calculation of pre-test and post-test of Experimental Group

$My = \frac{\sum y}{N}$	$\sum y^2 = \sum y^2 - \frac{(\sum y)^2}{N}$
$My = \frac{838}{31}$	$\sum y^2 = 23652 - \frac{(838)^2}{31}$
$My = 27,03$	$\sum y^2 = 23652 - \frac{702244}{31}$
	$\sum y^2 = 23652 - 22653,03$
	$\sum y^2 = 998,97$

Fig 2: Calculation of pre-test and post-test of control group

$t = \frac{I M_x - M_y I}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{N_x + N_y - 2}\right) \left(\frac{1}{N_x} + \frac{1}{N_y}\right)}}$	
$t = \frac{13,48 - 27,03}{\sqrt{\left(\frac{863,74 + 998,97}{31 + 31 - 2}\right) \left(\frac{1}{31} + \frac{1}{31}\right)}}$	
$t = \frac{+13,55}{\sqrt{\left(\frac{1862,71}{60}\right) \left(\frac{2}{31}\right)}}$	
$t = \frac{+13,55}{\sqrt{(31,04)(0,06)}}$	
$t = \frac{+13,55}{\sqrt{1,86}}$	
$t = \frac{+13,55}{1,36}$	
$t = 9,92$	
df	$\begin{aligned} &= nx + ny - 2 \\ &= 31 + 31 - 2 \\ &= 60 \end{aligned}$
P Value	$\begin{aligned} 1\% &= 2,00 \\ 5\% &= 2,66 \end{aligned}$

Fig 3: Calculation of t-Test of experimental group and control group

Result indicated that $p\text{-value} = 1\% = 2,00$ $5\% = 2,66$ and $t\text{-value} = 9,92$ it means $p < t \longrightarrow 2,00 / 2,66 < 9,92$. It was statistically significant. This calculation shows that $p\text{-value}$ was smaller than $t\text{-value}$. Therefore, null hypothesis (H_0) was rejected and alternative hypothesis (H_a) was accepted. So direct method can improve students' vocabulary achievement.

5. CONCLUSION AND RECOMENDATION

It belong the result score and the result of conclusion of this chapter.

The whole score of $\sum y_1$ is 1576. The whole score of $\sum y_2$ is 2414. The whole score of $\sum y$ is 838. The score of $\sum y^2$ is 23652. The result of the mean is 27,03. The result of $\sum y^2$ is 998,97. The whole score of $\sum x_1$ is 1448. The whole score of $\sum x_2$ is 1866. The whole score of $\sum x$ is 418. The score of $\sum x^2$ is 6500. The result of the mean is 13,48. The result of $\sum x^2$ is 863,74. The result score of $t\text{-Test}$ is 9,92.

The degree of freedom is 60. $p\text{-value}$ 1% is 2,66 and 5% is 2,00. The score of $p\text{-value}$ is smaller than $t\text{-value}$ ($p < t$). The result scores of pre-test and post-test of experimental group have significant progress. The result scores of pre-test and post-test of control group have lower progress than the students score in the experimental group. There were some recommendations that can be given.

The researcher would like to propose some recommendations For the teachers in general a want to improve the learning product, especially students' vocabulary achievement, by using Direct Method should be able to construct the students' knowledge (entry behavior) based on the teacher's performance because the teacher will use the action, pantomime, and context to convey meaning. The teacher should motivate students to be active in the classroom by giving them the activities that can stimulate interaction for example asking some questions or preparing some interesting media before going to the materials. So, the students should increase their ability in learning English from many sources. Moreover, they should learn actively in the classroom when the teacher gave the instruction.

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THE INFLUENCE OF LAMPUNGNESE ETHNICITY ACCENT ON DIALECT A TO LAMPUNGNESE STUDENTS' PRONUNCIATION ABILITY AT ENGLISH EDUCATION STUDY PROGRAM

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ABSTRACT - This research was a qualitative research. Multiple methods were used in this research. They were observation, interview, transcription, and documentary. After getting the data, there were some influences in segmental and suprasegmental features. At the segmental features, it influenced some consonant and vowel sounds. Those consonant sounds were [v] and [f] sound became [p] sound, [th] sound became [t] sound, [z] sound became [s] sound, [ch] sound became [c] sound, and [j] became [ng]. Meanwhile, at the vowel sounds influenced monophthongs and diphthongs. At monophthongs, they were [ɛ] sound became [ə] sound, [ə] sound became [é] sound, and [ɪ] sound became [e] sound. Meanwhile at the diphthongs, it was [ei] sound became [e] sound. At the suprasegmental features, there were some influences on the words' stress and intonation. Some words and sentences were given inappropriate stress and intonation. Those things happened for some reasons. They were the intensity time in using English, the difference in phonological system between English and Lampungnese language, the sociolinguistic factor, the learner's age, and the learner's attitude and personality.

Keywords: Ethnicity accent; influences; Pronunciation features; Factors.

1. INTRODUCTION

Studying English in senior and junior high school is different with studying English in university. In the university, students are expected to realize that English is not their foreign language anymore. They should master all four basic skills of English especially speaking. However in fact, many university students especially in English education study program at Bandar Lampung university, some of Lampungnese students still speak with their heavy accent. It can arise some misunderstandings. To avoid misunderstanding usually listeners need to make sure what speaker talk about since they speak with heavy accent. Accent is not the only important part when you speak your ethnicity language. It is really needed to make yourself look better than others. It can be as our identity. Meanwhile ethnicity is

However, in this case only some university students in Bandar Lampung who can understand and realize it well. They do not need to avoid their accent but they have to develop their accent which is close to the standard variety. However, in fact they do not speak ordinarily. They can decrease the sense of English itself and make other people feel confused and think hardly to understand what they say. To avoid those misunderstandings, students are expected to be able to use English maximumly and be professional in the target language.

2. RESEARCH METHODOLOGY

In this research, it focused on influence of ethnicity accent to English pronunciation ability with two participants. This research explained the influence of Lampungnese ethnicity accent to English pronunciation ability. There were two individuals as the participant. Those participants were university students in Bandar Lampung. After choosing the participants, there were multiple methods that were

used in gaining the data namely, observation, interview, documentary, and transcript. Firstly, there were some observations to see how often they spoke English incorrectly and how often they practiced English. It could be in the class and outside of the class. Next it was the interview section to the participants. They were interviewed some topics such as family, hobby, and dream. While doing the interview, there was also documentary, the kind of documents that were used namely audio (voice recordings) and audio visual (video). Those documentaries were as the data sources and the basic fundamental to have some analysis.

In collecting the data, the participants were observed and interviewed. Both observation and interview section were recorded especially for interviews section. The participants had been observed for about three times in their classes. The first observation was in the first week of December, the second was in the second week of December and the last was in the third week of December.

After having some observations, they were interviewed about some topics such as family, hobby, and dream. Every interview consisted of ten questions. Every interview was about five to fifteen minutes. Each Interview was recorded. Because the participants were two university students, the writer had to make the schedule which was suitable to them. The interview was held on December 2014 to February. The first interview was in the Fourth week of December. It told about English, there was only recording since the writer considered that was warming-up interview. Then the second interview was in the second week of January 2015. It was about family so the participants were needed to tell about their families. The third interview was in the third week of January 2015. It was about their hobby. The last interview was in the first week of February 2015.

The topic was about dream. The interview topics were very common and easy, so it was expected that the participants did not need to think heavily. They were expected to speak naturally and spontaneously.

After getting those recordings of all interviews, they were listened carefully by the writer. The writer had to transcribe the interview sections in some pieces of paper. Then the writer took some notes of the words and utterances that were spoken incorrectly and not standard. After that, it was needed to re-listen the interview recordings to measure the result. After doing those steps the writer tried to find out the causes why they did not speak English standardly.

The data analysed were all the recordings from the interview section. In this step, the writer listened all the conversations that they had done and took some notes for some words that were said incorrectly. After taking notes, the writer checked all the pronunciation of those words by using Oxford learner's pocket dictionary, Cambridge dictionary, and English phonetic transcription online as the reference. Then the writer shared the result with the person in triangulation. It was also needed to re-ask the participants about the words they said. Those activities above were needed to avoid incorrectness in taking the data, to make sure all the data and to make sure whether those words were continuously spoken incorrectly or only at the interview.

3. RESULT AND DISCUSSION

After finishing the interview sections, there are some research findings from the first and second participant. Those findings influence the segmental and suprasegmental features. At the segmental features, it influences some sounds. The first sound is consonant sounds namely, . At the consonant sounds, [v] and [f] sounds become [p] sound as in *have, family, feel, live, feel, five, motivate, successful, improve, believe, funny, and familiar*. At the consonant [th], it becomes [t] sound as in *fourth, with, and both*. Then [z] sound becomes [s] sound as in *result, present, and as*, and [ch] sound becomes [c] sound as in *change and much*.

Moreover at the vowel sounds, it is influenced some vowel sounds. It influences monophthongs and diphthongs. At monophthongs, [é] sound becomes [ə] sound, [ə] sound becomes [é] sound, and [i] sound becomes [e] sound as in *English and Experience*. Meanwhile at the diphthongs, [ei] sound becomes [e] sound as in *same and make*.

Other things are at words' stress and intonation. Those two participants almost use words' stress and intonation inappropriate place. Some words are spoken with incorrect stress. The stress is expected to be put in another sounds or segments but those two participants put the stress anywhere they want. Meanwhile at the intonation, they are produced bad intonation. They almost speak with flat intonation. There is no raising and down intonation at the right place. They directly sometimes speak with rising and down intonation. So that, it is pretty hard to listen the intonation at the correct place.

Those things above can happen because of some factors. They are the intensity time in using English, in phonological system between English and Lampungnese language, Learner's attitude and personality sociolinguistic factor, the learner's Age.

4. CONCLUSION

By having the data analysis, it is clearly seen that there are some influences from Lampungnese ethnicity accent on dialect A to Lampungnese students' English pronunciation ability at English education study program. Those influences are at segmental and suprasegmental features.

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THE INFLUENCE OF USING SCRAMBLED PICTURES TO IMPROVE STUDENTS' ABILITY IN WRITING NARRATIVE TEXT OF ELEVENTH GRADE STUDENTS OF SMK BHAKTI UTAMA BANDAR LAMPUNG

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ABSTRACT - Most students get difficulties in writing narrative text because in getting the ideas of the story is not easy for them. Therefore, the teacher needs something to stimulate their understanding about narrative text. In this research, the researcher used scrambled pictures as a medium to improve the students' ability in writing narrative text. The objective of the study is to find out the influence of using scrambled pictures towards the students' ability in writing narrative text. Related to the research, the researcher used experimental research as the research method. The subjects of the research were the students of two classes (XI KR 1 and XI SM 1) of the eleventh grade students of SMK Bhakti Utama Bandar Lampung in academic year of 2014/2015. The number of the subjects were 40 students and in each class there were 20 students. The pre-test and post-test were given to those two classes in order to measure the students' improvement of the ability in writing narrative text. The result showed that the average score of pre-test to post-test of control group (the class who was taught without scrambled pictures) was 52.45 to 63.3. In the experimental group (the class who was taught by using scrambled pictures), the average score of pre-test and post-test was 58.7 to 74.25. From those results, it can be concluded that there was a significance improvement of students' score in experimental group which was higher than the score in the control class. From the t-test result, it can be seen that the t-value (4.08) was higher than the p-value (2.02 or 2.71). It indicates that using scrambled pictures can improve their ability in writing narrative text effectively.

Keywords : narrative text, scrambled pictures, writing

1. INTRODUCTION

Writing is one of four basic skills. It is very important in teaching and learning English. Writing is a means to develop imagination, which is a means to develop thinking dispositions. In writing process, the second learners pour the ideas or imagination into written form.

There are many kinds of text in writing. One of them is narrative text. A narrative is a time-ordered text that is used to narrate events and to create, entertain and emotionally move an audience. Usually narrative is organized based on the event in the past that happen in society life. The main structural components of a narrative are orientation, complication and resolution. Social function of narrative text is to entertain the reader or audience and this text culturally has its own generic structure levels of generic analysis. Students sometime feel difficult to find ideas in writing narrative. Therefore, the teacher should find something to stimulate them in writing process. Media have an important role in teaching the students about writing. there are many kinds of media that can be used for teaching the students.

Picture as media in teaching English is useful for a variety of communication activity such as playing games, describing something, and creating ideas and thinking. Therefore, in this research, the writer uses picture as media for teaching writing of narrative text. There are many kinds of picture that teacher can use to teach their students. Picture also can be modified into various uses such as scrambled.

Scrambled pictures help students get ideas because by looking at the picture students can guess story that happen first and what will happen next. The pictures itself help them to imagine based on what they see. From that case, the ideas will be appeared from their mind and it inspires them to create a story and written in a form of narrative. After students are showed scrambled pictures, the students arrange the scrambled pictures based on the chronological event and then they have to write a story based on what the pictures tell about. An activity of arranging scrambled pictures will motivate students to be more interested in learning narrative. After students arrange the scrambled pictures correctly, they will write a story in a narrative form easily because they have already get the ideas. By using scrambled pictures, it is expected that students learn about narrative text easily.

It is useful to use scrambled pictures because it helps students to get ideas and try to explore the ideas into good writing. Students also can write narrative paragraph based on the chronological event of pictures adjusted to the structure of narrative text components (orientation, complication and resolution).

From the explanation above, the writer wants to investigate the influence of scrambled pictures towards students ability in writing narrative text. This research is done to find out whether scrambled pictures will improve students' ability in writing narrative text. Therefore, this research is entitled as The Influence of Using Scrambled Pictures to Improve Students Ability in Writing Narrative Text.

2. METHOD

This research was designed as experimental research. The researcher used an experimental design because in an experiment, the researcher tests an idea or practice to determine whether it influences a dependent variable. An experimental design is used when you want to establish possible cause and effect between your independent and dependent variables (Creswell : 2012 : 295). Experimental research means an approach to find out the influence of a particular treatment towards other particular aspects. In this case, the researcher tested the scrambled pictures to teach narrative writing to the students. The researcher wanted to know whether the scrambled pictures influenced the students' writing skill of narrative text. The subject of the research were the eleventh grade students of SMK Bhakti Utama Bandar Lampung in the academic year 2014/2015.

To conduct the research, the researcher did some procedures. The procedures of this research were divided into some steps. They were determining population and sample, selecting material, giving pre-test, doing treatment, and giving post-test.

Cluster sampling technique was used to take the sample. Class XIKR1 was experimental group and class XISM1 was control group. The sample of class XI KR1 consisted of 20 students and class XISM1 consisted of 20 students. In selecting the materials, the researcher used narrative text that adopted from syllabus. It used their writing ability.

In the pre-test, the researcher gave two pre-test in order to find out the students' writing ability in writing narrative text. In the test, students were asked to make paragraph about narrative text. The writing test was about a story of legend in Indonesia and they should make a text consists of minimum three paragraph.

Furthermore, the treatments were conducted twice a week. Every meeting was taken about 90 minutes of teaching learning process. During treatment, the experimental class was taught by using scrambled pictures and the control class was taught in conventional way without scrambled pictures.

The last, two post-test were implemented after the treatment. In post-test, the students were asked to write about narrative based on the particular topics. After it was done, the researcher calculated the result of the test to find out the influence of scrambled pictures towards students' ability in writing narrative text then reporting the result of the research.

The instrument of writing test was used to get the data of the research. The writing test was chosen because it explored students' ideas through writing. The test was related to the particular topics of narrative text that were a story of legend, fable, tale, etc.

In collecting the data, the researcher used tests. The tests were the pre-test and post-test. They were used to find out the influence of scrambled pictures towards students' writing ability of narrative. The data collected included pre-test and post-test from experimental group and control group. The pre-test was given to the experimental group and control group before the

treatment. The function of pre-test was to find out the students' writing ability of narrative text before giving treatment. The material of the test was a written test. The students were asked to write narrative text based on the topics that the researcher gave to them.

The treatment was given after the pre-test. In experimental group, the treatment was given by using scrambled pictures. However in control class, the treatment was given by using conventional way. After giving treatment, the post-test was administered to experimental group and control group. The post-test was used to find out the influence of scrambled pictures towards students ability in writing narrative text.

Data analysis was taken from pre-test and post-test, the researcher should score the data before analyze them. The result of the tests of experimental group and control group was analysed using t-test in order to find out the difference of mean between the two groups. The formula of t-test was described as follows:

$$t = \frac{|M_x - M_y|}{\sqrt{\left(\frac{\Sigma x^2 + \Sigma y^2}{N_x + N_y - 2}\right) \left(\frac{1}{N_x} + \frac{1}{N_y}\right)}}$$

3. RESULT AND DISCUSSION

In this part, there are three discussions that are talked. They are the research procedures of the experimental and the control group, the statistical calculation of the experimental and the control group, and the calculation of *t-Test* for two group designs of the experimental and the control group. To get the students' score of pre-test and post-test, I use the scoring system of writing ability by (Tribble : 1993). There are five considerations that are used to give score to the students such as language (L), content (C), organization (O), vocabulary (V), and mechanics (M).

Based on the result, there is an improvement result in control class but the improvement is lower than the improvement result in experimental class which is more significant. Therefore, it indicates that there is positive influence of using of scrambled pictures at eleventh grade in SMK Bhakti Utama Bandar Lampung. It means that the use of scrambled pictures media helps the students to sequence the story. Besides, the scrambled picture helps them to explore the ideas of the story and it also helps the students to learn about narrative easily because they are motivated to learn it.

4. CONCLUSION AND SUGGESTIONS

4.1 CONCLUSION

The conclusion is taken based on five considerations. They are the average score of the pre-test of the experimental group, the average of post-test the experimental group, the average score of pre-test of the control group, the average score of post-test of the control group, the results obtained from the calculation by using *t-Test* and hypothesis result of the research.

After finding the result of the two pre-tests and two post-tests, the result is applied in the equation of *t-Test* for two group design. The statistical *p-value* was $p\ 5\% = 2.02$, $p\ 1\% = 2.71$ with degree of freedom (*df*) = 38 and *t-value* = 4.08. The result is that the alternative hypothesis (H_a) is accepted and the null hypothesis (H_o) is rejected. It means that there is influence of using scrambled pictures media on the students' narrative text writing ability of eleventh grade students of SMK Bhakti Utama Bandar Lampung. Therefore, the students who are taught by using scrambled pictures get better scores than those who were taught without scrambled pictures media. Scrambled picture is a good medium to be used in teaching writing narrative text. It can also help the students to write narrative text and explore the ideas about narrative text.

4.2 SUGGESTIONS

From the conclusion above, there are some suggestions that can be given for the teachers and students. The teachers are suggested to use scrambled pictures in teaching writing especially narrative text. The teacher should apply scrambled pictures to make the students interested in their learning in the classroom. Therefore, the teacher has to encourage the students to become more active in teaching and learning process.

The use of scrambled pictures media becoming especially important because students can work and discuss with their friends in the class. The students can easily get the ideas about what they are going to write from the pictures that given by the teacher. They can

also share their ideas because they have found some information from the scrambled pictures itself. From scrambled pictures, the students can understand the generic structure of narrative text easily because they know where is the part of generic structure from sequence of pictures.

The teacher can use this kind of media for engaging students involvement such as in arranging the scrambled pictures into good chronological events and discussions. In addition, students are motivated to learn writing especially narrative text.

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THE USE OF LETTERLAND METHOD IN TEACHING READING AT EARLY YEAR LEVEL TO PRE-SCHOOL STUDENTS IN AN INFORMAL EDUCATION IN BANDAR LAMPUNG

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ABSTRACT- *Letterland method was phonics based system that children learned about the correct sounds in English text. In every Letterlander had a story, action trick, singing a song and several activities thus it would make children improve their interest and encourage them in reading. This research also aimed at knowing the process of children learning in reading to early stage of reading and to know the way Letterland method would help children to be able to read. The subjects of this research were 3 to 9 years old in Bandar Lampung. They were purposefully selected as the data resource because they were in appropriate Letterland level. The instrument in conducting this research were observation and documentation from students worksheets. The results of the research concluded that the use of Letterland method to early year level would help and develop children learning process in reading.*

Keyword: Letterland, Letterland method, phonics, letter shapes and letter sounds, action trick.

1. INTRODUCTION

Letterland is provided for young learners from 3 to 8 years old who have got difficulties in reading. Wendon created Letterland for helping young learners in starting early stage of reading. Therefore, it is suitable to use this method for early stage of reading because it uses phonics as the basis of learning. Phonics becomes an important part in learning because there are so many researchers believe that phonics is very important part in the early stage of reading (Graham and Kelly 2008). Adams (1994) stated that phonics is the best way to teach young learners to read in the word level. Therefore, phonics is the effective approach to teach the alphabetic and also helping young learners in decoding unknown words.

Letterland method can be used not only to teach reading to young learner but also to teach others skills such as listening, speaking, phonics, and whole word recognition (Wendon (1987) as quoted in Yeverbaum, 2003). In developing listening, young learners may be accustomed to hear the real words in letters. For example, the letter 'k' in Letterland there will be a character such as 'Kicking King'. He represents this letter and he helps young learners remember the 'k' sound by simply starting to say his name. During speaking activities, they may utter the letters correctly from what they heard. During listening and speaking activities, they are able to recognize the whole of the words and they are going to produce all of the sounds correctly.

Letterland can be used for young learners for 3 to 8 years old where the emphasis is on having fun, thus young learner may absorb learning naturally. Most of young learner got difficulties in reading. When a child found the difficulty on comparing the letters then Letterland comes to provide the easy way. It gives a unique mark on every character such as the pictures that explain each letter and also sing a song, thus, it

makes easier for young learner to remember the letters.

Besides, during learning process using Letterland method, young learners may get several advantages in learning to read. Letterland method helps young learners to learn all of the letters. By using Letterland method, young learners are facilitated with fun and enjoyable learning situation by experiencing learning with hidden objects in each letter that begin with the character's sound. For example, on Golden Girl's there is a goat, grapes, gate, geese, green house and lots more. There is also a short narrative about the character, using lots of words beginning with her sound. This is very suitable to be used in teaching to young learners where the learning is very creative and colourful, thus, it makes young learner interested since it provides enjoyable and comfortable learning situation. After joining the whole learning process, young learners should be able to compare the letters and produce the sounds properly.

Letterland method helps both language learners who learn English as a second language and those who learn it as a foreign language to practice English reading more easily. As stated by Yaverbaum (2003) Russian children had been taught of reading by using Letterland method in learning for their foreign language. It becomes successful in teaching reading to young learners and it will develop an effective foundation to develop EFL teaching program.

Referring to the previous explanation, this research is intended to investigate how Letterland method is applied in teaching early stage of reading to young language learners. It is also aimed at providing help for young learners in their early stage for reading by applying Letterland method. From all of the problems described above young learners will possibly get improvement in reading skill since they experience learning using Letterland method. So, using Letterland as a teaching method to teach young learners will help them to be able to read because Letterland provides

the easy way in reading since it invites them to recognize things they familiar with and thus, it is easy for them to memorize the words. Therefore, to create a successful and fun learning, the writer chooses Letterland method as an appropriate teaching method to use in teaching reading to young learners. From the problem above the writer proposes the research entitled: "The Use of Letterland Method in Teaching Reading at Early Year Level to Pre-school students in an Informal Education in Bandar Lampung".

1.2 IDENTIFICATION OF THE PROBLEM

The problem formulation of this research deals with the use of Letterland method in teaching early stage reading to young learners. The writer wants to know how Letterland facilitates young learners in the early stage of reading. In reference of the background above, the problem can be formulated as follows:

How does the use of Letterland method facilitate teaching the early stage of reading to young learners?

1.3 OBJECTIVES OF THE RESEARCH

In this research, Letterland is a method used for children in learning English. Learning English with Letterland may provide children fun learning and make them easy to remember all of the alphabets. In relation to the problem formulated above, the objectives of the classrooms action research is to find out how Letterland method is used and to what extent Letterland facilitates teaching reading to young learners.

1.4 LIMITATION OF THE PROBLEMS

The problem limitation of this research is to find out the use of Letterland method to teach reading to the early stage of reading. Helping the students in the early stage of reading, Letterland method provides the students a simple way in overcoming reading difficulties. This research is intended to help them in improving reading skills. Letterland was designed to help the teachers clarify the intricacies of reading in English and it focuses on Letterland letters from a to z, learning sounds and shapes, learning capital shapes, and long vowels in order to avoid confusion over similar shape and sound letters. Besides, this research will be conducted in the level of pre-school. It is because of the budget and the time to find the children in that level are limited. Therefore, in conducting this research the writer chooses young learners of pre-school level. The condition of the learning process is based on Letterland curriculum that was made by the British educator.

1.5 BENEFITS OF THE RESEARCH

The implementation of Letterland concept may give the influence into several objects, it will be explained as follow:

1. For the students

Letterland can give students the ease of reading and understanding of reading and fun learning. It can improve students' participation during teaching learning process.

2. For the teachers

Letterland is as an appropriate method to young learners of pre-school level in order to facilitate the teachers in teaching learning process and improve student ability in English.

3. For the writer

The writer hopes that it will be useful in the development of English teaching learning especially for children in pre-school level and from this research the writer will get many benefits from Letterland method because she must learn how to treat young learners in teaching learning in order that children do not feel bored in their learning.

2. MATERIAL AND METHOD

The characters that will be given to the children from the characters of Clever Cat, Annie Apple, Dippy Duck, Harry Hat Man, Munching Mike, Talking Tess, Sammy Snake, Impy Ink and Noisy Nick. It was because those characters will easy to make a word, such as the word of 'it', 'is', 'cat' and etc.

The research method that was used in this research is qualitative method. Qualitative research is as the method in implementing the action research. Bell, (2005:4) defined Action research is inquiry or research which focused on the efforts to improve the quality of organization and its performance.

This type of research is being chosen because it is very appropriate in improving items in measurement instruments, as the object of this research is to develop a measurement that will assist in conducting the research, the writer is going to see the phenomenon of problem in her area research object by participating as an observer in the use of Letterland method in teaching reading to early stage of reading in Sukabumi, Bandar Lampung, Lampung.

Meanwhile, qualitative research is the researcher's description of what participants do or say about themselves and their activities in an educational setting (Cresswell, 2012).

However, the researcher will try to analyze the development of early stage of reading for 3 to 5 years old in reading activities by using Letterland method which is doing at early year of reading level. This observation placed on JIPulauButon, Palmsville Residence Blok AB, JagaBaya 2, Sukabumi, Bandar Lampung, Lampung, Indonesia. The home belongs to Indonesia's Letterland trainer. The trainer's name is IndaAriestiya. She is also the lecturer of Bandar Lampung University.

In order to find out more detail information of this research the researcher have gained the ethical approval from the university and also obtained permission from Letterland trainer of Indonesia to conduct an observation in early year level of reading. Thus, the research will be conducted by doing observation or field note and giving some documentation. Then the data from those is going to be analyzed. The result of the analyses is going to be reported.

2.1 RESEARCH SUBJECT

The subject of the research was the children who have not been able to read. Letterland provides early year level that the level is from 3 to 5 years old. This research was conducted to children around 3- 9 years old. To measure on the level relates to this research children were allowed to follow Letterland method because they are lack in reading. All of children come from PulauButon Street, Sukabumi, Bandar Lampung, Indonesia and they stay around teacher's house. For the purpose of the research, the researcher took 7 children as the sample to be observed. They are, Kayla (3 years old), Ocha (7 years old), Ajeng (4 years old), Satria (6 years old), Madi (7 years old), Juan (9 years old), and Una (6 years old).

2.2 DATA COLLECTING TECHNIQUE

There are many ways to collect data, information, and test both the data and information. The ways to collect the data are by using interview, issuing questionnaire, observing and even by using literature research (Miles and Huberman, 1994). So, the researcher used two instruments in gathering the information or data. They were observation and documentation.

In observation, the writer will take a note about what is happening through the use of Letterland method in teaching reading in the learning process, especially in the early stages of reading. Then in documentation, the writer was going to take a recording on the whole activities during the learning process.

2.3 INSTRUMENT

In selecting the instrument, it should be considered whether or not they could provide the data that contribute to answer the research question. The present research applies qualitative analysis. Thus, there were two research instruments used observation and documentation.

Observation or field note that describe the teaching and learning process, and documentation from the students worksheet that described the students learning achievements in using Letterland method.

The first instrument explored about the teaching and learning process of using Letterland to young learners, especially in reading activities in the classroom. The second one explored the students' activeness during learning process. The activeness can be imitating the teacher's utterances and any other participation during learning process as the evidence to support the research project.

2.4 DATA ANALYSIS TECHNIQUE

In this research, the writer is going to use the analyzing of data includes data reduction, data display and conclusion drawing/verification.

2.4.1 Data reduction

Data reduction is in which the writer summarize the result of data observation and documentation. They are classifying into categories to get the main data.

2.4.2 Data display

After the data reduction, the data were synthesized into displays to choose whether the data is important to be studied or not. In qualitative research, data display is the form of short description, sketch or plan, flowchart, etc.

2.4.3 Conclusion drawing/verification

According to Miles and Huberman (1994), the last step in data analysis of qualitative research is conclusion drawing/verification.

It uses to describe all of the data into conclusion, which is easy to be understood by the writer and other. Qualitative research has a purpose to analyze and to interpret the data which needs creativity and of course critical thinking. In qualitative research, the data is usually analyzed descriptively. Besides, when getting the data (by observing) about the use of Letterland method, the writer will find the accurate data by using documentation in childrens' worksheet.

In analyzing the data, the writer will combine all of data both from the observation and documentation. For observation, the writer is going to explain all of the process activities in teaching and learning by using Letterland method in developing reading skill for young learners. Besides, for documentation the writer will record the activities in the class which focuses on Letterland method in reading activities.

2.5 RESEARCH PROCEDURE

In conducting this research, the researcher identified and selected research problem, after that she decided the research subject to classify the subject to be more specific. Next, she selected the concept term for research problem. To specify the research topic the researcher limited and formatted problem of the research. Then, she determined and arranged research instrument to give several evidences during the research. For getting the evidence in conducting the research, she collected and interpreted all of data by analyzing the data.

3. RESULTS AND DISCUSSION

3.1 RESULTS

3.1.1 Teaching Reading by using Letterland method for Early Year Level

The research was conducted from March 15th until April 4th, 2015. The opportunity that was given by the university for doing this research about a month then the research would be conducted in six times. The research was conducted in Letterland trainer's house. It was informal school. It is because the schools which use Letterland method were rarely in Lampung province.

In order to gain the information of using Letterland method for developing children reading, the trainer and also as the teacher would give nine characters of Letterland. They were, Clever Cat, Annie Apple, Dippy Duck, Harry Hat Man, Munching Mike, Talking Tess, Sammy Snake, Impy Ink and Noisy Nick.

The lesson was started by praying together. Under the teacher guidance, teacher asked one of child that would lead to pray together. It means that the children would have the sense of leadership.

After that, it was continued with singing a song together entitled 'welcome to Letterland' to introduce Letterland characters. It means that this activity invites the children to come to Letterland world. Letterland

characters might help children to decode the letters that may help children were confused about the letters. In Letterland world, children would meet so many friends with their familiar characters to introduce the sounds. It would be delivered by fun stories and action trick. Actually, children might not be able to decode the plain letter of 'a' but they might be able to remember the character that represented as the letter of 'a' like 'Annie Apple'. Teacher then asked the children's readiness to learn, in order that children would absorb the material of Letterlanders character easily.

In the post lesson, teacher gave a simple story about Letterland character. In Letterland, there could be a hundred stories that it was provided by Letterland related to the letters. When the letters came together with the story that could be explained the sounds of the letters.

Before learning process, children were going to be introduced several words related to the Letterland characters. For example, in introducing the letter of Letterland in a word of letter 'a' the teacher introduced the character name of the letter in order to invite the children to get accustomed to the word of 'a'. Letterland provides 'Annie Apple' character representing for the letter of 'a'. Because in Letterlanders that every character of the letter sound always starts with the same letter sound and also the second character repeats the beginning of the sound of the letter.

To avoid children boredom in learning process, there were always full with many activities, such as playing puzzle, playing magnet, making a hat, sticking the apples on the tree, and so on. All of the activities were depended on the type of the letter itself.

After finishing introducing the letters, children needed to do a worksheet to measure that children ability in understanding the material. Children might write the answer in their worksheet paper after teacher explanations about the worksheet activity.

Giving oral speaking or praiseworthy such as "Good Job", "good", "nice", "excellence" and "well done" was necessary to do. Those rewarding words were given by teacher to the children who did the work very well, like answering question correctly, making good behaviour and so on. Sometimes, the researcher took a role in teaching Letterland by guiding from Letterland trainer. There were several Letterland characters that the researcher taught like the characters of *Annie Apple*, *Harry Hat Man*, *Sammy Snake*, *Impy Ink* and *Noisy Nick*.

Before going home, teacher tried to remind the children about the materials they had learned before and it's about the letters names and sounds of the characters and also the action trick for each character. After finishing the learning, teacher asked one of them to lead a pray.

Based on the researcher's observation, she found that in teaching reading by using Letterland method, the first activity that the teacher did was explaining about the letter characters to children. The teacher told the children about Letterland alphabet letters. Then the

teacher explained each Letterlander by using story. In Letterland, the Story became the emphasis of learning after phonics. To facilitate the children who like to hear stories therefore Letterland had around a hundred stories related to the characters.

Then after recognizing Letterland letters, children were going to be introduced about letter sounds by using action trick. Action trick may help children who learn well visually. So, when children were familiar with the character of Letterland or just called Letterlander, children might be introduced several vocabularies around them which had the same sounds. After all of the activities were done, children were going to be given a worksheet. It was related to the character that children learned. After finishing doing their worksheet, they would have another activity, like fishing, making a hat and so forth.

Letterlanders had been given such as 'Annie Apple', 'Clever Cat', 'Dippy Duck' 'Harry Hat Man', 'Munching Mike', 'Talking Tess', 'Sammy Snake', 'Impy Ink, and Noisy Nick. The names of those characters represented the letter sounds of c, a, d, h, m, t, s, i, and n.

The first day of the research was that the children would meet new friends, they were Clever Cat and Annie Apple. Before introducing a new friend, teacher will give them several clues related to the character and children may explore their knowledge. These kind of sentences might possible used in the short story "let's look at this card. Do you see who is this? She is a cat, because she lives in Letterland she has a name, her name is Clever Cat. Let's say together who is she? She is Clever Cat. She likes to cook a cake and she also likes to see the beautiful cloud from her castle. Do you know why is Clever Cat has a car? It is because Clever Cat's hobby is to travel in all over the world. Commonly cat says 'Miaow' but this cat is so clever that she makes special sound, like this, 'ke...'ke...'ke...'. After they recognized the character of the letter from the short story they would have a worksheet.

The first meeting was introducing two characters; they were Clever Cat and Annie Apple. Before introducing Clever Cat, children felt enthusiasm because they would meet new friends and they had meet this character before, and then, the teacher told several things related to Clever Cat, for example her favourite foods or hobbies and so on. Children should guess the characters after teacher told all the characteristics of the character. After children knowing the Letterlander, the teacher told that Clever Cat would have special sound and the sound like this /ke/. By using action trick to link the entire alphabet it may help the children to remember with their multi-sensory.

Continuing to the next character was Annie Apple. The action trick that the teacher might give was pretending by eating apple. Apple had already been common to them. When introducing this character made children soon recognized it and guessing what the character was. After they were already known, the teacher gave them several words that linked to the letter of 'a' such as 'arrow', 'ant' and 'apple'. There

would be several times to repeat if the time was enough.

The second meeting was introducing two characters they were Dippy Duck and Harry Hat Man. The first character that would be introduced was Dippy Duck. Before starting the lesson the teacher gave the warming up activity such as singing "banana, banana yellow or green, banana, banana full of vitamins, banana, banana so soft and sweet, banana, banana, It's good to eat, One two three four". The children were happy and enjoyed the warming up. Then, when the teacher introduced the character, she gave a story like "today we are going to meet our new friend, and he likes playing drum, and then let's play your drum". When children were interested to the lesson, they might pay attention and feel happy during learning process. By the end of this learning, children would have dinosaurs puzzle. It became an activity that it was another activity which replaced doing worksheet. Next turn was introducing the character of Harry Hat Man. When the teacher introduced Harry Hat Man, teacher would begin the lesson if the children had already been quiet and no one was speaking at all. It was because the character Harry Hat Man would feel horrible headache if he heard noises. Harry Hat Man had special sound just whisper /heh/. For the action trick, children should put their hand in front of their mouth then blew it on to their hand. If it was felt warm then children had succeed to produce correct sound. The activity of this letter was making a hat.

In the third meeting three friends were introduced, they were Munching Mike, Talking Tess and Sammy Snake. Before starting the lesson the teacher gave instruction to children that the activity they would take was playing magnet, and then she asked the children to pay attention, and they were not allowed to disturb other friends and to make a noisy. Then, they agreed to the statements of the teacher. As Wening (2013) stated that children agreement is very important in order that children would be able to be consistent to their commitment. The teacher introduced Munching Mike. The character represented the letter sound of 'm'. This Letterlander has also special sound, he said /me/. The words had introduced some sound liked to the character were milk, map and mountain.

After finishing the first character, the teacher was going to introduce Talking Tess and she said /teh/. The children then were invited to meet Talking Tess as their new friend. They would go to their friend's house by pretending to use train in order to get Talking Tess' house. After coming to their destination, they would have several things connected to the character like toy and tree. It would be easy to memorize if the children saw the object immediately. The activity used was a train's puzzle.

The last friend for this meeting was Sammy Snake. He said /ss/. Then, the teacher would always the guide children in their activity while learning process. After all of characters were delivered, teacher would like to review the material to check that the children remembered the characters that had been given. Before going home, they would have fishing activity.

The material that the teacher used was papers, magnet and also paper clips. The papers were cut and form into fishes and then stucked by clip paper on it. They felt happy and enthusiastic when the teacher asked them to queue in order to get their turn to fish the paper fishes. It represented the letter of Munching Mike.

The forth meeting was meeting the characters Impy Ink and Noisy Nick. Children would meet two friends. He said /n/. These letters were explained by the researcher. For the first was Noisy Nick. The researcher tried to explain what kind of food that Noisy Nick likes because he stands for the letter of 'n' then noodle became his favourite food. From Noisy Nick's picture there were 3 kinds of words represented the letter 'n' such as newspaper, nut, and noodle.

Impy Ink was the last friend that they met. The researcher showed Letterlander picture to children in order that children were able to recognize the shape and Impy Ink's picture. Impy Ink had special sound, his sound like /i/. There were several things in the picture such as insect, ink, ink pen, iguana, and invitation.

The fifth meeting was reviewing all the characters of Letterlanders. Children were able to remember all Letterlanders together. Teacher taught by using videos of Letterlanders. There would be singing a song of each Letterlanders, it made children wanted to follow the song happily. When they had felt bored the teacher gave them several things to do, like ringing her laptop by pushing the button of laptop until several children took their turn. They felt more enjoyable in learning because they met Letterlanders in different ways.

The sixth meeting was trying to blend the letters. They would find harder to blend the characters. The words learnt were 'it', 'is', and 'cat'. The teacher taught children to read 'it'. First, teacher showed a flashcard of the letter of 'i', it represented the picture of Impy Ink. Next, teacher asked children to decode the letter one by one. Teacher reminded the children each sound of the letters by doing action tricks, such as giving them the picture of the Letterlander of Impy Ink, pretending to have a telephone (to remind the children the sound of Talking Tess). Then, the teacher gave the examples of how to blend the letters /i/t/ into it. Teacher said /i...i...i...t.t/, children were imitating teacher's sound slowly until they could form the word of 'it'.

After that, teacher taught to read the word 'cat' in a similar way. The teacher asked the student the name of Letterlanders and how to produce the sounds. With slowly teacher taught the children how to blend the letters into word until they were able to blend perfectly. The children really felt cheerful and joyful during learning process.

From the explanation above, it can be concluded that the teaching learning process of reading has nine parts that had been done in the learning. It purposed that nine letters were the easiest to make a lot of words. The teacher has 'Annie Apple', 'Clever Cat', 'Dippy Duck', 'Harry Hat Man', 'Munching Mike', 'Talking Tess', 'Sammy Snake', Impy Ink, and Noisy Nick

which several important parts in learning to read in every activity in the learning process. It also aimed at making the children master the material given.

3.1.2 Children's Difficulties and Achievement in Reading

During learning process, the students had an achievement and the difficulty in their learning by using Letterland method. It was easier for them to remember Letterland characters because it was friendly and familiar to children. Moreover, the difficulty of children by using Letterland method was different difficulty, such as some of them only remember the action trick and some of them remember the characters name.

The researcher had observed and taken worksheets as documentation. It showed that children were very attractive in learning and doing worksheets. They would feel bored more easily than adult learning. There should be more activities to avoid children boredom. Making children aware of the characters the teacher would have Letterlanders character which was colorful, friendly and easy to memorize and it was used by introducing the letter sounds by using action trick. The children were expected to be able read in the early stage from Letterland method learning, and also automatically applied those beginning rules in the early year level. By the end of their learning, children should become a good reader independently and produce the fluent reader as a native alike.

Based on the researcher's observation in the field of research, the teacher got difficulties in determining an appropriate technique for the children who had low ability to catch Letterland method, choosing an activity that could encourage and attract children's attention and arranging the activities which were going to be used in the learning process.

There are several children's name who joined learning process by using Letterland method: Ocha, Satria, Ajeng, Kayla, Juan, Una and Madi

3.2 DISCUSSION

Based on the result of observation and worksheets, the researcher found that the children had been taught by Letterland method will have courage in reading English as well. It is because the characters are easy to memorize and friendly for the children thus, it also makes the children enthusiastic in learning. When the teacher guided them to sing a song or to take a part in learning they would be happy to do it.

However, all children were happy and excited to learn about the materials by using Letterland method. Whenever the children were introduced new characters with song and action trick they would pay attention, but when the learning was too long the children might feel bored and lazy to answer the question that the teacher gave. The teacher would give reward to children who still pay attention and could answer the question correctly. It also stated by Roth (1998) as cited in Ariestiya (2010) that reward is one of the strategies to get children attention. Learning process to the children like playing, because children might feel bored and happy during learning process however it depended on the teacher whether or not the

teacher bring the learning process could be entertaining or boring.

To be more specific, the researcher discussed the use of Letterland method for the early stage of reading in early year level that taught by the teacher's trainer of Letterland. Letterland method would help children in recognizing the letters easily because the letters were alive in Letterland. Thus, it makes the children were able to remember the characters easily.

Based on the result of the children's achievement and difficulty by using Letterland method, the researcher found that there were two children who were difficult in focusing the learning, they were Ajeng and Una. They need more time to identify Letterlanders character. For the other children they were in the same range when they were having difficulty to learn the letter sounds by using Letterland method.

4. CONCLUSION

Based on the research result, the researcher concluded that in using Letterland method related in teaching reading had given the influence to the early stage of reading. Actually, the teaching learning process of reading by using Letterland method had nine letters that was done in the learning process. After having six meetings, most of the children could remember the letters' sounds, Letterlanders' characters' names from nine letters that had been taught.

The teacher had introduced nine Letterland characters and introduced the sounds of letters. Moreover, the teacher had some strategies in reading by using Letterland method such as stories, songs, action tricks, and also flash card. The teacher needs to see children's reading development because the students need to have achievement during learning process. The teacher gathered the information about children learning that would inform about the teaching process that it helps children to learn more.

Based on the observation, the researcher also agree with Ariestiya's opinion (2010) stated that children will not look bored when they learned to read but they looked excited in learning. Children may get easy to imitate to what the teacher said.

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THE INFLUENCE OF USING SHORT VIDEO TOWARDS THE STUDENTS' SPEAKING SKILL AT GRADE VII OF SMPN 22 BANDAR LAMPUNG

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ABSTRACT - The main objective of this research was aimed to identify whether the use of short video was influence in improving the students' speaking skill. The population was the first year students of SMPN 22 Bandar Lampung in academic year of 2014-2015 with a total number of 165 students. Out of this population, 54 students were taken as sample. There were two groups, each of which consisted of 27 students. One class became the experimental, while the other one became the control group. Different treatments were given to both groups, that was short video given to the experimental group while the control group taught by traditional teaching. The test of speaking was the instrument and then administered in two sections: pretest and posttest. The score obtained was analyzed by using t-test formula. The experimental data revealed two important results. First, adopting a technique of short video technique could significantly improve the students' speaking skill because it was supported by sounds and pictures. The result obtained from experimental group revealed that short video performed better on the post test. Second, the final findings of this research were formulated. From the t-test calculation of the pre-test of experimental group was 1,416 and the post-test was 1,914. Whereas in control group the result of pre-test was 1,239 and the post-test was 1,522. The result of this study showed that the students taught by using short video technique got better ability. By calculating the scores of the t-Test, the result was $P_{\text{value}} 1\% = 2,68$, $P_{\text{value}} 5\% = 2,01$. Moreover, the t-Test value was 6,92. It is described clearly that the t-Test value was greater than p value. This meant that the application of short video technique was very effective. Therefore, it could be concluded that short video technique improved the students' speaking achievement.

keywords: Speaking Achievement; Video; Short Video

1. INTRODUCTION

1.1 BACKGROUND

English is one of the main subjects in Junior high schools. There are four major skills which have to be taught in the English teaching and learning process. They are listening, speaking, reading and writing. Chaney (1998:13) states speaking is the process of building and sharing meaning through the use of verbal and non-verbal symbols in a variety of contexts.

Speaking is often considered as the most difficult to be learned by the students because speaking involves all aspects in English language, like vocabulary, grammar, fluency, and pronunciation. The student understands the language and knows a lot about grammar and vocabulary. On the contrary when they have to speak, they seem to be at loss all the vocabulary they know. This is also a problem usually other people face in learning English. According to Tatham and Morthon (2006: 273) many people report that they can understand a language but they cannot speak it. The students have some problems, like lack of self confidence, fear of making mistake, and lack of vocabularies and grammar. Thornbury (2006) states that essentially, learner speaker faces two main areas of difficulties, namely knowledge factors and skill factors that affect other factors such as lack of confidence, lack of vocabulary and so on.

Commonly students have difficulty to speak English. They think that speaking is a tough task for them. They cannot express their thoughts as free as they speak Indonesian. One of the reasons is because the English teacher still conducts the inappropriate

technique namely traditional teaching in teaching speaking. It is a huge problem if it is not solved by the teacher through a good technique. In brief, a teacher as an educator has to use good technique in teaching learning process (Neha Maria Joy Sahyadri, 2011).

Responding to the problems, there are many ways to encourage students to overcome their problems. The first one is a way that the teachers do to the students. It is considered necessary for the teachers to force the students only to speak English during the class of the lesson. The teacher himself must be able to convince his students to be bold enough to speak English. It has no matter if they have very bad grammar. Just say whatever the students want to say. Also the teacher must convince the students that making errors is a normal thing in learning. This way raises the students' confidence in speaking English. It is better if the teacher give no correction every time about the students' errors, but teacher should give feedback and explanation for every error after the students finish their speech.

In that case, appropriate teaching technique is an excellent solution. The technique should be able to help the students understand how to express their message in speaking. There are some techniques that can be used in teaching speaking. One of the teaching techniques that can motivate in teaching speaking is video. As media, video can help English teachers to deliver the materials and convey the message. It also motivates students as well. Surpriantna (2009:4) states the use of video in learning can provide a meaningful experience for students. Video can be used to support learning process in the classroom. Using short videos

to the student can help them to play their imagination based on the words and pictures. Short video also helps the students be active in the classroom. They try to guess what the passage of the story is about. Teaching English by using short videos has good result. Video can improve students' motivation and their speaking skill. The visual descriptions provided by the video give some clues to convey the message to the students and make the students easier to understand the materials. The visual clues include situation, environment, gesture, facial expression, and so on.

Canning Wilson (2000) states that images contextualized in video can help learners see the direct meaning in terms of vocabularies recognition in their mother tongue. Besides, video can create link between students in the classroom and society, can be related to students' personal experiences, contains a lot of vocabularies, communicative language and cultural context, entertains students and is simple to use. Video can create fun environment in learning English and motivate students to learn.

Therefore, the researcher decided to conduct a research to improve the speaking skill of seven grade students at SMPN 22 BANDAR LAMPUNG by using short video. The researcher, the English teacher and the students worked collaboratively to identify and find the solution.

1.2 FORMULATION OF THE PROBLEM

Based on the background above, the problem of the research is formulated as follows: Is there any influence of using video towards students' speaking skill?

In this case, the researcher concerns with the title: the influence of using short video toward the students speaking skill study at VII grade of SMPN 22 Bandar Lampung in academic year 2014-2015.

1.3 OBJECTIVE OF THE RESEARCH

Based on the research statement, this particular study aims at finding out the influence of using short video toward the students speaking skill study at VII grade of SMPN 22 Bandar Lampung in academic year 2014-2015. It is done by the researcher after checking their speaking skill by using short video. It decreases the difficulties to find out the influence of video towards students' speaking skill.

1.4 SCOPE OF THE PROBLEM

The scope of research is the limitation of the study. The study is limited to the subject, the object and the place investigated. The subject of this research is the students at grade VII of SMPN 22 Bandar Lampung 2014/2015. The subject only consists of two classes; one experimental class and one control class. The object of this research is the students' skill in speaking. The place of the research is at SMPN 22 Bandar Lampung of the second semester in April 2015.

1.5 THE BENEFITS OF THE RESEARCH

This research is expected to give a valuable contribution to the following parties:

1. To the students

The results of this study is suggested to apply the video technique to increase the students' competence in English speaking skill.

2. To the English teachers

It is expected that the English teacher can improve the quality of teaching speaking by using videos for the students.

3. To the school

It would function as the first step to be efforts in improving students' speaking skill.

2. MATERIAL AND METHOD

2.1 DEFINITION OF VARIABLE

A variable was a characteristic, a number, a quantity that increases or decreases over time, or takes different values in different situations. Two basic types were independent variable and dependent variable. The operational definitions of variables in this research were video and students' speaking skill. Video was applied technique of teaching speaking in this research. Moreover, students' speaking skill was the ability in expressing ideas and thought in spoken test.

2.2 VARIABLE OF RESEARCH

There were two variables of the research. They were independent and dependent variable. The independent variable is video (X), and dependent variable is students' speaking skill (Y).

2.3 POPULATION AND SAMPLE

In this part, the population and sample were mentioned clearly.

2.4 POPULATION

The population was grade VII students of SMPN 22 Bandar Lampung. The numbers of the population were 165 students. It was divided into six classes (VII.a, VII.b, VII.c, VII.d, VII.e, VII.f). Each class consisted of ± 27 students. Two classes were taken to be experimental and the control group.

2.5 SAMPLE

The sample of the research was determined with cluster sampling technique because it was the most appropriate technique to take the sample. It was chosen based on no factors as long as all probabilities had an equal chance of being selected. The six classes were shuffled to choose two classes consisted of one as the experimental group and other class as the control group. Each class consisted of ± 27 students. Class VII.a and VII.c were found as the classes to be investigated. The experimental group was class VII.a, which was taught by using video, and the control group was class VII.c which was taught by using traditional teaching.

2.6 RESEARCH CONTEXT

SMPN 22 Bandar Lampung was located at JL. Z.A. Pagar Alam No. 109 Bandar Lampung. The headmaster of SMPN 22 Bandar Lampung was Dra. Hj. Rita Ningsih.MM.

2.7 RESEARCH PROCEDURE

In conducting the research, the research procedures were used in the experimental and the control group. The procedure of this research was described into

some steps. They were determining the population and sample, selecting the materials, doing the pre-test, the treatment, and the post-test.

Cluster sampling technique was used to get sample. Class VII.A was the experimental group, and class VII.C was the control group. The sample for class VII.c consisted of 27 students, and 27 students for class VII.a. Selecting the materials was done next. In selecting materials, the syllabus in the second semester of grade VII was adopted. Arranging the test instrument was done after selecting the materials. It used their speaking skill.

In the pre-test, two pre-tests were administered in order to find out the students' current speaking skill before the treatment. In the test, the students' were asked to speak out in about 10 minutes. The spoken test was about particular topic, such as describing famous person.

Next, the treatments were conducted twice a week. Each meeting was held in 90 minutes. In that treatment, the speaking was taught using video technique in the experimental class., and traditional teaching in control class. The topics in the speaking were particularly the given topics in the pre-test.

The last, two post tests were conducted after the treatment. In this test, the students were asked to make group to speak based on the particular topics in 10 minutes then calculated the result of the test to find out the influence of using video toward students' speaking skill. And the last, reporting the result of the research.

2.8 RESEARCH INSTRUMENT

The speaking test instrument was used to get the data. The speaking test was chosen because the understanding of the students' ability was required to explore their thoughts and ideas. It was related to particular topics. It was describing famous person.

2.9 DATA COLLECTION

Data collection was defined as a collection of data from surveys, from independent, or networked locations via data capture, data entry, or data logging. The pre-test, the treatment, and the post-test were the data collection of this research. They were attempted to find out the influence of using video toward students' speaking skill. The data was collected incorporating the pre-test and the post-test for the experimental group and the control group. Two pre-tests were administered before the treatment to experimental and control group. The test administered was a spoken test. The respondents were asked to speak based on the topics given.

The treatment was administered after pre-test. The treatment by using video technique was designed for experimental group. Control group was treated with traditional teaching. After that, two post-tests were administered for control group and experimental group. In the post test, the students of experimental group were instructed to speak out using video. They were divided into groups, where in each group consisted of two or more students. They had ± 10

minutes to speak based on the particular material given by the teacher.

2.10 DATA ANALYSIS

In term analysis was the cyclical process of collecting and analyzing data during a single research study. The process of evaluating data using analytical and logical reasoning to examine each component of the data provided using statistic. Evaluating the data taken through pre-test and post-test must be done. The result of tests of the experimental group and control group statically was analyzed using t-test for two group design in order to find out if there was a significant difference between the means of the two groups. The formula of t-Test for two group design was presented as the figure below.

$$t = \frac{M_x - M_y}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{N_x + N_y - 2}\right) \left(\frac{1}{N_x} + \frac{1}{N_y}\right)}}$$

$$df = (N_x + N_y - 2)$$

Figure 1. the equation of t-test two group design

Description:

M is the mean of the group result, X is Deviation of (X_1) and (X_2) of control group, Y is deviation of (y_1) and (y_2) of experimental group, DF is degree of freedom, N_x is the number of the students in control group, and N_y is the number of the students in experimental group.

3. RESULT AND DISCUSSION

In conducting this research, there are some points discussed. They are the research subject, the sample of the research, the tests of the two variables and the calculations from the students' results of the tests. In this research, the research subject is the students of grade seven of SMPN 22 Bandar Lampung in the second semester in March 2015. The population and the sample were determined in March 2015 where the sample of the research was taken using a cluster sampling technique. The sample consists of 27 students from the population 165 students. The sample was taken from the lists of classes by suffling. Two classes were taken from six classes. The two classes are VII A and VII C.

Class VII A was selected to be the experimental group to be taught using short video and class VII C was selected as a control group to be taught using traditional technique. The pre-test for experimental group and control group were conducted after choosing the sample. Next, treatment was attempted for experimental group and control group which were given for four times. Then, post-test for two groups were administered after the treatment had been carried out.

The result of pre-test and post-test was statistically analyzed using t-Test in order to know the influence of using short video towards the students' speaking skill of grade seven of SMPN 22 Bandar Lampung. The t-Test for two group design is appropriately adopted in

some steps to calculate the result of t-Test. The steps are calculation of the scores of pre-test and post-test of experimental group, calculation of the scores of pre-test and post-test of control group, calculation of

both to find out the score of experimental group (y) and y^2 , calculation of both to find out the score of control (x) and x^2 . First, the researcher calculated the scores of pre-test and post-test of experimental group

Table 1. Calculation of pre-test and post-test of experimental group (y)

Experimental Group (y)				
Subject	Pre-test (y_1)	Post-test (y_2)	Y	y^2
1	56	74	18	100
2	58	71	13	169
3	45	65	20	441
4	56	70	14	196
5	65	90	25	400
6	46	64	18	324
7	50	70	20	784
8	63	85	22	625
9	54	68	14	256
10	56	76	20	484
11	60	80	20	324
12	56	70	14	36
13	40	65	25	484
14	48	66	18	324
15	56	76	20	400
16	50	65	15	100
17	53	78	25	256
18	43	60	17	100
19	54	74	20	484
20	54	70	16	256
21	46	72	26	400
22	48	64	16	324
23	45	63	18	676
24	46	65	19	196
25	45	68	23	441
26	60	70	10	81
27	63	75	12	196
N = 27	$\sum y_1 = 1,416$	$\sum y_2 = 1,914$	$\sum y = 498$	$\sum y^2 = 9,648$

In table 3.1 there were 27 subjects. The score of control group (y) was gained from the score of post-test (y^2) which was reduced by the score of pre-test (y^1). The summary of pre-test ($\sum y_1$) is 1,416, post-test ($\sum y_2$) is 1,914, and the score of experimental group (y) is 498. The scores of experimental group (y) was multiplied by 2 to gain square score (y^2). The summary is 9,648.

Fourth, after getting the results of pre-test and post-test which were administered for control group (x), the researcher calculated both of them to find out the score of control (x) and x^2 . The calculation of pre-test and post-test of control group (x) is presented in the Table 4.6 below:

Table 2. Calculation of pre-test and post-test of control group (x)

Control Group (x)				
Subject	Pre-test (x_1)	Post-test (x_2)	X	x^2
1	50	64	14	324
2	48	50	2	4
3	46	60	14	196
4	60	78	18	484
5	36	46	10	324
6	40	42	5	16
7	45	50	5	196
8	30	46	16	256
9	50	68	18	200
10	40	50	10	100
11	35	48	13	196
12	63	72	9	81
13	40	40	0	0
14	45	38	10	0
15	47	50	9	256
16	45	50	15	256
17	40	46	10	144
18	60	64	8	196
19	56	68	10	144
20	40	50	10	100
21	42	60	12	324
22	40	55	15	225
23	60	70	10	196
24	45	39	10	256
25	50	66	16	144
26	45	40	13	400
27	41	40	11	144
N = 27	$\sum x_1 = 1,239$	$\sum x_2 = 1,522$	$\sum x = 283$	$(\sum x)^2 = 3,485$

There were 27 subjects. The score of control group (x) was gained from the score of post-test (x^2) which was reduced by the score of pre-test (x^1). The summary of pre-test ($\sum x_1$) is 1,239, and the summary of post –test ($\sum x_2$) is 1,522, and the score of control group (x) is 283. The scores of control group (x) were multiplied by 2 to gain quadrate score(x^2), and the summary is 3,485.

Based on the calculation above, the researcher found the result of two pre-tests and post-tests of two groups. The researcher statistically calculated the whole score based on the equation of t-Test whether to find out the treatment towards experimental group had influence.

To clearly understand the first column is the total numbers of subject (N). The second column is the total scores of pre-test (x_1). The third column is the total scores of post-test (x_2). Next, and the column X is the scores taken from the calculation of the scores of (x_2) reduced by the scores of (x_1). The column X is the calculation of squaring the scores. The results of the calculation of all scores are used to find out some indicators which are put into the formula. The total numbers were collected of score (Mx) from the calculation of ($\sum x$) divided by (N). Scores ($\sum x^2$) was found from the calculation of $\sum x^2$ subtracted by $(\sum x)^2$ and divided by (N). The total numbers of score (My) from the calculation of ($\sum y$) divided by (N). The

scores ($\sum y^2$) from the calculation of $\sum y^2$ minus $(\sum y)^2$ divided by (N).

Below is the statistical calculations of experimental group and control group:

The calculation for control group (x)

Before calculating t-value, the researcher calculated the score of the mean for control group (Mx). The function of the score mean for control group is to calculate t-value. After getting the mean score, the researcher calculated t-value as seen in figures 4.1 and 4.2 below.

$$M_x = \frac{\sum x}{N} = \frac{283}{27} = 10.48$$

Figure 2. Mean for control group

$$\begin{aligned} \sum x^2 &= \sum x^2 - \frac{(\sum x)^2}{N} \\ &= 3485 - \frac{(283)^2}{27} \\ &= 3485 - 2966.25 \\ &= 518.74 \end{aligned}$$

Figure 3. Calculation of Degree of Deviation

The calculation for experimental group (y)

Before calculating t-value, the researcher calculated the score of the mean for experimental group (My). The function of the score mean for experimental group

is to calculate t-value. After getting the mean score, the researcher calculated t-value.

$$My = \frac{\sum y}{N} = \frac{498}{27} = 18.44$$

Figure 4. Mean for experimental group

$$\begin{aligned}\sum y^2 &= \sum y^2 - \frac{(\sum y)^2}{N} \\ &= 9648 - \frac{(498)^2}{27} \\ &= 9648 - \frac{248004}{27} \\ &= 9648 - 9185.33 \\ &= 462.67\end{aligned}$$

Figure 5. Calculation of Degree of Deviation

After getting the mean score of control group and the mean score of experimental group, the researcher calculate t-value. The score of t-value was used to find out the influence of using short video towards the students' speaking skill.

The equation of t-Test for two group design was presented as follows:

$$\begin{aligned}t &= \frac{|Mx - My|}{\sqrt{\left(\frac{\sum x^2 + \sum y^2}{N_x + N_y - 2}\right) \left(\frac{1}{N_x} + \frac{1}{N_y}\right)}} \\ &= \frac{|10.48 - 18.44|}{\sqrt{\left(\frac{518.74 + 462.66}{27 + 27 - 2}\right) \left(\frac{1}{27} + \frac{1}{27}\right)}} \\ &= \frac{7.96}{7.96} \\ &= \frac{\sqrt{\left(\frac{981.4}{52}\right) \left(\frac{2}{27}\right)}}{7.96} \\ &= \frac{\sqrt{18.87 \times 0.07}}{7.96} \\ &= \frac{\sqrt{1.32}}{7.96} \\ &= \frac{1.15}{7.96} \\ &= 6.92\end{aligned}$$

Figure 6 the equation of t-Test for two group design

To find out p-value, the researcher calculated the degrees of freedom (df). After getting the degrees of freedom (df), the researcher found p-value. The function of p-value is to know which hypothesis is rejected and accepted. The calculation of degrees of freedom (df) can be seen in figures 4.6 and 4.7 in the following section.

$$\begin{aligned}df &= N_x + N_y - 2 \\ &= 27 + 27 - 2 \\ &= 52\end{aligned}$$

Figure 7 Degree of Freedom

$$\begin{aligned}p\text{-value} &= 5\% = 2.01 \\ &1\% = 2.68\end{aligned}$$

Figure 8 Probability Value

Based on the calculation above it was found that t-value was $6.92 > P = 5\%: 2.01 > 1\%: 2.68$. $p < t$

The data was analyzed by using t-Test formula. It was found that p-value $1\% = 2.68$, $5\% = 2.01$ and t-value = 6.9. The result of the analysis showed that p-value was smaller than t-value. Based on the result, null hypothesis (H_0) was rejected and alternative hypothesis (H_a) was accepted. Based on the findings of this study, it showed that there was significant influence of using short video towards the students' speaking skill of grade seven of SMPN 22 Bandar Lampung.

4. DISCUSSION

The results are discussed. The first is calculation of the scores of pre-test of experimental group. The second is the calculation of the scores of post-test of experimental group. The third is the calculation of the scores of pre-test of control group. The fourth is the calculation of the scores of post-test of control group. The fifth is the calculation of both to find out the score of experimental group (y) and y^2 . The sixth is the calculation both of them to find out the score of control (x) and x^2 . The last is the calculation of all the results which is the last result discussed gives the final findings.

The students' scores of pre-test of experimental group showed that most students got adequate scores based on the average scores. It means that their achievements are good enough but need to be increased more.

The results of the students' scores of post-test of experimental group were clarified. Based on the average score, most students got good score. It means that their achievements significant well because the teaching using short video.

The students' scores of pre-test of control group showed that most students get adequate scores based on the average score. It means that their achievements are still intermediate and need to be increased more. It shows that they have good enough achievements in one of the four important English skills which is speaking ability.

The results of the students' scores of post-test of control group are their other achievements. Based on the average score, most students get good score. It means that their achievements are increased enough but the results are not as good as in experimental group.

The calculation of pre-test and post-test of experimental group (y) was also calculated. The result is used to find out some indicators which are put into the formula. Those indicators are put into the formula to find out whether t-value is greater than p-value. Based on the t-Test, t-value is greater than p-value. t-Test 6.92 is greater than 2.68 and 2.01.

The last is the calculation of pre-test and post-test of control group (x) was also calculated. The result is used to find out some indicators which are put into the formula. The indicators are put into the formula to find out whether t-value is greater than p-value and based on the t-Test, t-value is greater than p-value. t-Test is 6.92 is greater than 2.68 and 2.01.

The research indicated that there is influence of using short video towards the students' speaking skill of grade seven of SMPN 22 Bandar Lampung through

statistic analysis. Statistically, it is proved that t -value is greater than p -value.

The t -value is 6.92. Based on the p -value table with $N = 27$, it is shown that p -value table is 2.01 in 5% and 2.68 in 1%. So, it is clearly seen that the t -value is greater than the p -value.

Moreover, the findings indicated that the use of short video could give a useful contribution for students' ability in speaking. It might be concluded that the alternative hypothesis (H_a) was accepted and the null hypothesis (H_0) is rejected. There is influence of using short video towards the students' speaking skill. It is basically developed based on the theory of modern cognitive psychology which states that learning is a process in which learners actively construct their knowledge. Learning is done through social interaction and be contextual to from the lesson itself. So, this theory also describes that in the classroom setting, short video requires the students to construct their knowledge of a certain material, then interaction between two or more students or the teacher become the social environment.

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