

# Fiki Nono Dhiri Lina Mata Kisa: Ngadhu-Bhaga Community Wisdom Towards Honest, Fair and Democratic Elections<sup>1</sup>

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## Abstract

This paper is part of a seminar at Widya Karya Kupang Catholic University, repackaged as a journal article with some additional analysis. It aims to understand 'local wisdom as an instrument for the implementation of presidential, legislative and regional head elections' which are said to be experiencing quality degradation in the democratic process. Democracy in the context under discussion is Pancasila Democracy as an expression of Indonesian domestic politics. This study raises the question of whether local wisdom can fill the gap in the law for an honest, fair and democratic election process. It implements qualitative analysis with a cultural approach to law. Before the analysis is carried out, this paper proposes several main propositions that local wisdom is able to fill the gap of legislation, especially on the implementation of honest, fair and democratic elections. Thus, the goal of the Indonesian State based on Pancasila can be realized. The realization of this Goal is due to the fact that election is an instrument of national leadership relay which becomes the axis of state management and law enforcement. Thus the government is suggested to pay more attention to and provide opportunities for local wisdom to take part in the elections legislation.

**Keywords:** local wisdom, Pancasila democracy, and election

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## I. Introduction

A state is built to provide protection and social justice to all its citizens as stated in its State Ideology. Similarly, the purpose of the Unitary State of the Republic of Indonesia as juridically-ideologically stated in the 5th Precept of Pancasila is Social Justice for All Indonesian People. Based on the Pancasila Ideology, the Unitary State of the Republic of Indonesia has laid its foundation and purpose. However, 'Social Justice for All Indonesian People' is never easy to achieve, since it is complex and abstract, as an ideology should be. Therefore, to realize such a goal, the Ideology is relegated to the Constitution, and the Constitution is relegated to various laws and regulations as the implementing regulations.<sup>2</sup>

The National Objective of the Unitary State of the Republic of Indonesia is stipulated in the constitution as 'Protecting the Entire Indonesian Nation and the Entire Indonesian Bloodline, Advancing the General Welfare, Educating the Nation's Life and Participating in the Implementation of World Order'. This goal is juridically-constitutionally aimed at all citizens, including the population of the State of Indonesia as stated in Paragraph IV of the Preamble of the 1945 Constitution. It is further derived into the Body of the 1945 Constitution of the Republic of Indonesia, namely in the articles and paragraphs. The Body of the 1945 Constitution is the General Principle of Law of the Indonesian National Legal System.<sup>3</sup>

The state is a political organization in which all its activities are always related to politics, namely the power to manage the state based on law.<sup>4</sup> Law is an expression of ideology agreed upon by all the Founders of the State representing all the people of the country. As an agreement, derived from the basic word '*akad* or *akat*' in Islamic law which means the deals, it is morally and legally binding by all components of the state to be implemented.<sup>5</sup>

<sup>1</sup>. This article is the paper at the National Seminar which was held on May 30 2023 at the Faculty of Law, Widya Mandira University, Kupang.

<sup>2</sup>. Badan Pengkajian MPR, 2017, *Penataan Ulang Jenis dan Hierarki Peraturan Perundang-Undangan Indonesia*. Jakarta: BPMR RI.

<sup>3</sup>. Compared with, Jimly Asshidique, 2006, *Konstitusi dan Konstitusionalisme*. Jakarta: Sekretariat Jenderal dan Kepaniteraan Mahkamah Konstitusi RI.

<sup>4</sup>. See, Haposan Siallagan, "Penerapan Prinsip Negara Hukum di Indonesia." Dalam *Jurnal Sosio Humaniora, Jurnal Ilmu-Ilmu Sosial dan Humaniora*, Vol. 18, No. 2 (2016), p-ISSN. 1411-0911, e-ISSN. 2443-2660.

<sup>5</sup>. Afdawaiza, "Terbentuknya Akad dalam Hukum Perjanjian Islam." Dalam *Al-Mawarid, Edisi XVIII* (2008), p. 181-202.

Any violation to the agreement is considered unethical. In the perspective of law, it is referred to as *onrechtmatige daad* or *wederrechtelijk* or a contrary actions to the law. In the perspective of civil law, if in an agreement has been made, then is being violated, it is considered a defaults (breaking promises). It is conflicting with the law because the action is contrary to the principle of *pacta sunt servanda*.<sup>1</sup>

Election is one of political instruments in relations with the ‘baton relay’ of the state leadership that must be implemented. It is the expression and the embodiment of a democratic state that has been chosen and stipulated in the Constitution. The Constitution is the implementation and embodiment of ideology. Due to the fact that ideology is abstract and is not directly implemented, then the Basic Law or Constitution is formed<sup>2</sup> which is illustrated as follows:

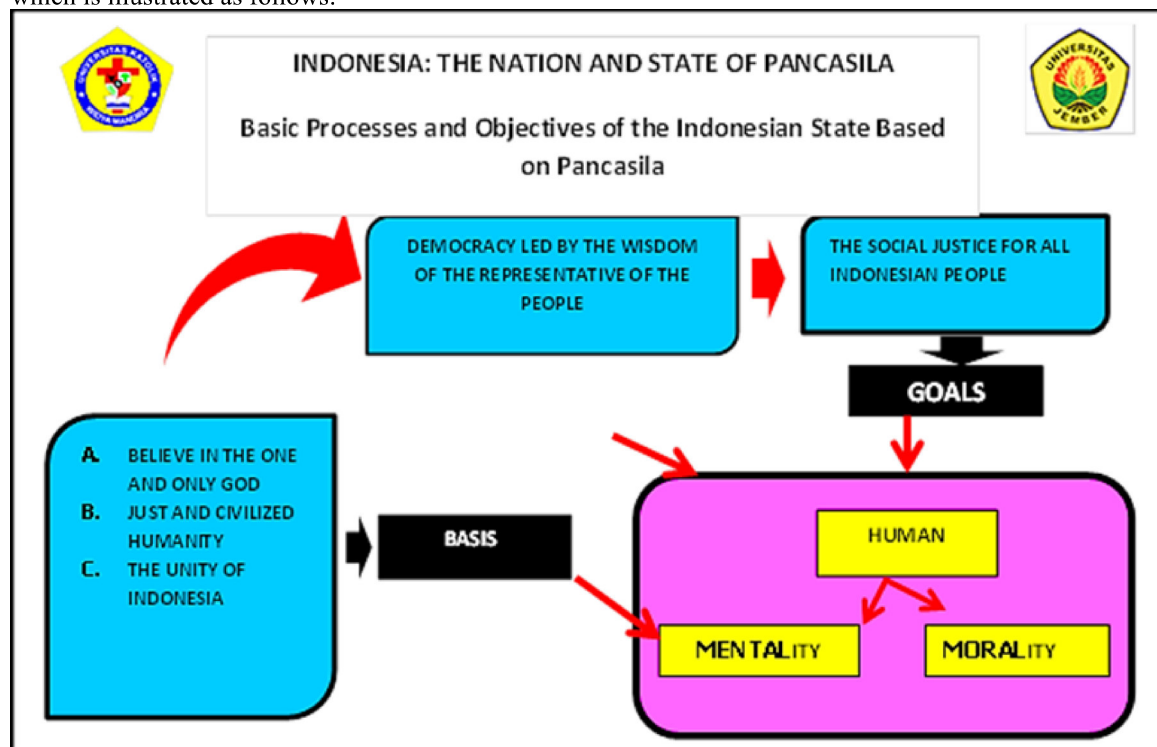


Figure 1: The Unitary State of the Republic of Indonesia is the State of Pancasila

The figure shows that there are 3 main points namely basis, instruments, and goals. The basis means that the values of Pancasila become the basis for every legal making, namely the values of Belief in One Almighty God, Just and Civilized Humanity, and the Unity of Indonesia. The means or instrument in the life of the nation and state is Pancasila Democracy. Pancasila Democracy is an expression of Domestic Politics of the Unitary State of the Republic of Indonesia. It is said to be 'democracy' because the Constitution has stipulated that sovereignty or supreme power is in the hands of the people and is carried out based on the Constitution.<sup>3</sup> Pancasila is the State Foundation as well as the State Philosophy, so it is appropriate to say that Pancasila Democracy. Thus, as a civilized nation, the implementation of popular sovereignty or democracy must be based on and guided by legal norms. The target or goal to be aimed at or achieved is social justice for all Indonesian people.

Pancasila is the foundation and provides the basis for all political, economic, social, and cultural activities. Defense-security and law are found in all these activities. All activities from all aspects of national and state life relating to citizens are holistically related to one another.<sup>4</sup> Pancasila is the heart of all activities of the nation and state. Thus, Pancasila both as the State Foundation (*Staatsfundamentalnorm*) and World View (*Weltanschauung*) cannot be separated from the life and activities of the Indonesian nation and state,<sup>5</sup> including the implementation of honest, fair and democratic elections. Only Pancasila Democracy is able to realize the will of the country.

Election as the state political activity takes place every 5 (five) years. In the political aspect of the state, elections function as an instrument for the relay of state power. Election is also a democratic party so that it is

<sup>1</sup>. Harry Purwanto, "Keberadaan Asas Pacta Sunt Servanda dalam Perjanjian Internasional." Dalam *Jurnal Mimbar Hukum*, Vol. 21, No. 1 (2009). P-ISSN. 0852-100X, e-ISSN. 2443-0994. DOI: <https://doi.org/10.22146/jmh.16252>

<sup>2</sup>. Jamal Wiwoho dan Munawir Kholil, "Pembumian Pancasila sebagai Bintang Penuntun Hukum di Indonesia." Dalam *Jurnal Majelis. Media Aspirasi Konstitusi*, Edisi 4 (2020). ISSN. 2085-4862. P. 163-188

<sup>3</sup>. Badan Pengkajian MPR, 2018, *Kajian Akademik Penegakan Demokrasi Pancasila*. Jakarta: Badan Pengkajian MPR RI.

<sup>4</sup>. Judi Latif, 2011, *Negara Paripurna: Historitas, Rasionalitas, dan Aktualitas Pancasila*. Jakarta: Gramedia Pustaka Utama. ISBN. 978-979-22-6947-5.

<sup>5</sup>. Judi Latif, 2014, *Mata Air Keteladanan: Pancasila dalam Perbuatan*. Bandung: Mizan.

the right of all Indonesian citizens to participate.<sup>1</sup> It is not only a right, but also an obligation for Indonesian citizens. As it is an obligation, this activity shall be carried out, obeyed and respected by all the citizens, residents, and the government.

Several elections, especially in the post-reform period, has caused unrest, anxiety, or confusion for the people. It is due to the fact that there are several things that are contrary to the values of Pancasila, especially Democracy of Pancasila. The political actors participating in the election have committed some unlawful acts, such as spreading fake news, black campaign, money politics,<sup>2</sup> and intimidation. The Democratic Party is unsettling, disturbing and creates tremendous uncertainty. Such dirty games cause unhealthy life of the nation and state that is contrary to the principles of honesty and justice. The fighters and heroes have fought to build thenation and state, however their heirs and baton holders as the successors of this nation and state have misused their rights.

In regards to the above elaborations, this general question, i.e., Is local wisdom able to fill the gap in the legislation in an honest, fair and democratic election process?, is derived into the following several questions, namely:

1. Is local wisdom able to reduce black campaigns in honest, fair and democratic elections?
2. What is the role of local wisdom in realizing peace in society?
3. What is the urgency of local wisdom in realizing honest, fair and democratic elections?

If local wisdom is able to fill the gap in the legislation in an honest, fair and democratic election process, then the goal of the Indonesian State based on Pancasila can be achieved through honest, fair and democratic elections can be achieved. Is it correct? Hypothetically it can be stated that "The goals of the Indonesian State based on Pancasila can be achieved if the elections are carried out honestly, fairly and democratically. However, on the contrary, the goals of the Indonesian State will not be achieved, if elections are not held in an honest, fair and democratic way." The tentative answer is that 'democracy as an instrument for the relay of state power has been wrongly chosen and applied.'

Currently, the democracy being implemented is liberal democracy, which has even led to a selfish democracy. If it is wrong, is local wisdom able to provide an alternative? How does local wisdom play its role to fill the wrong value? Based on reflective thinking, these questions are analyzed and answered. Based on the results of the temporary analysis, this study entitled "*Fiki Nono Dhiri Lina Mata Kisa: Ngadhu-Bhaga Community Wisdom towards Honest, Fair and Democratic Elections.*"

## II. Discussion

### 2.1 Pancasila Democracy as the Right Instrument

This discussion begins with the process towards Indonesia with Social Justice for All Indonesian People, namely Democracy led by the wisdom of the representatives of the people. The discussion in this context begins with the illustration in Figure 1. The process and the goal are always based on Pancasila both as the State Foundation and as the View of Life of the Indonesian Nation. The discussion uses the concept of basis, instruments, and goals (see Figure 1).

Holistically, if the value of Pancasila namely Believe in the One and only God as mental and moral basis for governmental activities are carried out properly, it can avoid any confusion, unrest, doubt or indecision, because it lays down the values of spirituality. The first Precept contains moral values in order that all state activities are running under the God's blessing.<sup>3</sup> Without being imbued, energized, and guided by this spiritual value, human activities will lead them to the wrong way. Thus, as the people who have the belief that God is there in every action and inch of human life, they shall pay attention to this spiritual value.

Furthermore, the Precept of Just and Civilized Humanity is similar with the Precept of Belief in the one and only God. This Precept raises three basic values, namely Humanism, Justice, and Civilization.<sup>4</sup> The concept of Ngadhu-bhaga society says '*kita ata ata kita*' (*kita ata* = human, mankind; *ata kita* = togetherness) meaning that all humans are us (togetherness) or in other words that all humans are equal in dignity, since humans, even all living things are the creation of God Almighty. The value '*kita ata*' is '*ata kita*,' requires human to love, respect, protect and serve one another. Difference is a gift. Even though with this differences human are united. Human are differ in their names, origins, and beliefs making them unique, different from other creatures, and it is the value of humanity.

<sup>1</sup>. Mashuri, *Partisipasi Masyarakat Sebagai Upaya pembangunan Demokrasi*. Dalam *Menara Riau: Jurnal Kewirausahaan*, Vol. 13, No. 2, Edition of July- December (2014).

<sup>2</sup>. Ibrahim Malik Tanjung, 2022, Peluang dan Tantangan Mewujudkan Pemilu Serentak 2024 Yang Berintegritas: Perspektif Pengawas Pemilu. *Makalah Studium General Fakultas Syariah 2021/2022*. In <https://puslitbangdiklat.bawaslu.go.id/wp-content/uploads/2022/06/Peluang-dan-Tantangan-Mewujudkan-Pemilu-Serentak-2024-yang-Berintegritas-Perspektif-Pengawas-Pemilu.pdf>, accessed on April 17th, 2023.

<sup>3</sup>. Kirdi Dipoyudo, "Pancasila Moral Bangsa Indonesia: Arti Formal dan Materielnya." *Jurnal Analisa, CSIS 13-84-130* (1984). <http://library.stik-ptik.ac.id/file?file=digital/38479-Csis13-84-130.pdf>, accessed on June 18th, 2023.

<sup>4</sup>. See also, Ratna Sari, dkk., "Mehamai Nilai-Nilai Pancasila Sebagai Dasar Negara dalam Kehidupan Masyarakat." *Jurnal Hamony, Edisi 7, No. 1* (2022), p-ISSN. 2252-7133, e-ISSN. 2548-4648.

Human are unique. Thus the concept of 'just' or 'fair' shall be emphasized. Human must be treated fairly. Fair does not mean equal. Being fair means treating proportionally based on human dignity. Justice, as defined by Thomas Aquinas<sup>1</sup> refers to proportional treatment under certain condition and situation. He divides justice into 2 (two) categories namely general and specific justice. General Justice which is law-based is a formal justice built through the establishment of law. Meanwhile, the specific justice consists of a) distributive justice, a) commutative justice, and c) restitutive justice.<sup>2</sup>

Distributive justice or justice that divides is equal justice, i.e., distribute the people's right. Everyone is entitled to an equal share. For example, all children are legitimate heirs of their father's legitimate income. Both male and female children as the heirs have the same rights on the property obtained by their father. Sellers and buyers have the same rights, as between the owner of goods and the owner of money as a tenant, as well as between the owner of goods and the owner of other goods in exchange transactions. In such legal actions, everyone has the same rights and is treated equally.

Commutative justice is the justice of giving everyone they are entitled to proportionally. For example, a person with more responsibility is entitled to receive higher salary. A director is entitled to a higher salary than a manager. A full-time employee is entitled to earn more than a part-time worker. A head handyman has more rights than other workers, because he has more responsibility.<sup>3</sup>

Restitutive justice is justice to restore one's rights lost due to the negligence of others.<sup>4</sup> This justice is obtained through a judge's decision. Someone who is found guilty is obliged to pay compensation, someone who is found right, he is entitled to compensation. A person found guilty is obliged to be imprisoned based on the judge's decisions. A person declared a murderer, but no evidence is proven in the trial, he cannot be imprisoned and is entitled to obtain the freedom.

Human are different from animals, because human is given ratios, feeling, and will. In other words, culture and civilization make human special and different from animals. Human are able to arrange a law to regulate their behavior. One of the products of civilized society is the Customary Law.

The second concept is humanity. Humanity means that humans are brothers and sisters. Human are breathing the same air, so that none is more powerful, higher, more dignified, and more valuable before God. All humans are equal. In the Javanese concept, it is called *manungsa* (*manunggal ing rasa* = has single taste and feeling). When human consider themselves to be higher than others, it means something has gone wrong. If someone feels 'more' than others, then there is something 'wrong' with that human being. Since '*kita ata* = *our ata*' or 'human beings are single in feeling,' then every individual human being is obliged to love, serve and respect each other. Any bad thoughts, words and deeds must be eliminated in the local wisdom of the *Ngadhu-Bhaga* community.<sup>7</sup>

The third concept of the Second Precept of Pancasila is civilized. That humans who love, serve and respect each other are civilized humans. Civilized human beings have good and correct nature and behavior according to the teachings of God Almighty. In the local wisdom of the *Nadhu-Bhaga* community, is called '*lina mata kisa*', a human being who has a clear mind, good words and right actions. Thus, it can be seen and found that there is a correlation between local wisdom and the realization of Pancasila values in the real daily lives of community members.<sup>5</sup>

## 2.2 Local Wisdom as a Companion Value to Pancasila Democracy

The discussion in this session is based on the reflective thinking method. Thus, the subjectivity of the author cannot be separated from the content of this paper. This analysis begins with some definitions of *fiki nono dhiri*, *lina mata kisa*. *Fiki nono dhiri* consists of the word '*fiki*' which means something dirty, frozen, useless. If one cooks rice or corn rice using a clay pot, there should be more water. When the rice or corn rice is half cooked, the excess water in the pot must be removed. The amount of water in the pot is adjusted to the amount of rice or corn rice in it. The removed water then undergoes an air cooling process and then freezes. The rice or corn rice water that is removed and frozen is called *fiki*. The cooled water must be discarded or removed to make the rice cooked and tasty. If this extra water is not removed, the rice is cooked, but not tasty, because it will turn to porridges.

*Fiki* also means the dirt on top of the coconut shell where the syrup water is stored. The dirt that reduces the clarity of the *nira* (*tuak* or *wae tua*) water is called *fiki*. At the time of the '*fedhi tua*' or '*mau tua*' ritual, which is a way of making predictions of the future or future events, the *fiki* must be set aside, so that the clear *nira* water is

<sup>1</sup>. Rato, Dominikus, 2017, *Pengantar Filsafat Hukum (Mencari, Menemukan dan Memahami Hukum)*. Yogyakarta: LaksBang Group.

<sup>2</sup>. Rato, Dominikus, 2017, *ibid*.

<sup>3</sup>. Mashuril Anwar, Rini Fathonah, dan Niko Alexander, "Menelaah Keadilan dalam Kebijakan Penanggulangan Illegal Fishing di Indonesia: Perspektif Konsep Keadilan Thomas Aquinas." *Jurnal Sasi*, Vol. 27, No. 2 (2021), p-ISSN. 1693-0061, e-ISSN. 2614-2961.

<sup>4</sup>. Goni, Kevinly, "Penerapan Prinsip Restorative Justice pada Terpidana Anak." *Jurnal Lex Lumen*, Vol. VIII, No. 4, April Edition (2019).

<sup>5</sup>. Hafidh Asrom, "Pancasila, Kearifan Lokal dan Pengembangan Daerah." *Jurnal Filsafat*, Vol. 17, No. 2 (2017). ISSN. 0853-1870 (print), e-ISSN. 252806811, <https://doi.org/10.22146/jf.23187>

set in the center, and only then prediction can be made. It is by looking at the nira (tuak or moke) that the divination is done, by paying attention to the rotation of the water. Whether the nira (tuak or moke) is turning to the right or to the left and stops in the middle, slightly to the center, or slightly to the edge, the right edge or the left edge. It is at each of these places that the prediction is made. However, when the fiki covers the clarity of the nira (tuak or moke), the divination will be disturbed. If the clarity is covered, the symbols of evil are covered, so divination errors are possible, indicating that there will be danger. Therefore, fiki must be abolished (fiki nono dhiri = fiki or impurities must be abolished or removed).<sup>1</sup>

*Lina mata kisa* means that clarity must be emphasized. The clear nira water must be located in the center of the coconut shell that holds the nira water. When it is clear in the center, there is only goodness, luck, and safety. Therefore, when the divination is done, the dirty water (*fiki*, *Jw. butak*) is blown slowly to the edge. It is blown slowly so as not to disturb the clear ones from being carried away or contaminated. If the impurity (*fiki*) does not want to be removed, it indicates an imminent danger. If it covers the right side, then the danger comes from within (self, house, tribe, relatives, or village). If it covers the left side, then the danger may come from outside (self, house, tribe, relatives, or village)

Thus, *fiki nono dhiri*, *lina mata kisa* is the local wisdom of the *Ngadhu-bhaga* indigenous people which means that the dirty, evil, disturbing things must be abolished so that the good, clear (*lina*), which brings goodness, happiness, security and safety must be placed in the middle or centralized. *Lina mata kisa* means that social harmony must be maintained, preserved and fought for. The way to remove the fiki (dirty, evil, obstruction, obstacles, useless things) must be done carefully, wisely, or in the right and proper way so as to prevent the lina from being disturbed. Fiki is blown slowly and carefully so as not to damage or disturb the lina

Regarding the local wisdom, the Act Number 32 of 2009 on Environmental Protection and Management, in Article 1 point 30, states that: Local wisdom is the noble values that apply in the community life system to protect and manage the environment sustainably. Article 1 point 72 of Government Regulation Number 23 of 2021 on the Implementation of Forestry, states that: Local Wisdom is the noble values that apply in the way of life of local communities aimed to protect and manage the environment and natural resources sustainably. It means wisdom is the noble values that live in a local community for the sustainability of the local community's living habitat.<sup>2</sup>

Local wisdom is inherited by the ancestors from generation to generation. It is not static but dynamic, which is different from the philosophical values that form the basis of customary law norms, which are static. Local wisdom is always in accordance with place, time, customs and individuals.<sup>3</sup> It is used based on the needs of its community members.<sup>4</sup> When local wisdom is accepted by the wider community and lasts for a long time, it turns into principles of living law and becomes the source of the birth of customary law norms (Figure 2).

<sup>1</sup>. Age, Maria Y.C., "Revitalization of Po Pado: Explaining the Meaning of Educational Value of Oral Tradition in the People of Rakalaba Village, West Golewa, Ngada Regency." *Advances in Social Science, Education and Humanities Research, IJCAH, Vol. 618; International Joint Conference on Arts and Humanities (2021)*.

<sup>2</sup>. Betu, Silverius, "Upacara Adat Reba Sebagai Resolusi Konflik di Kabupaten Ngada, Provinsi Nusa Tenggara Timur." *Jurnal Al-Adyan Vol. 6 No. 2 (2016)*.

<sup>3</sup>. Daeng, Hans J., "Reba, Tahun Baru Orang Bajawa." *Jurnal Humaniora, Vol. IV (1997)*.

<sup>4</sup>. Betu, Silverius, "Pata Dela: Identitas Budaya dalam Mendukung Toleransi dan Kerukunan Antar Umat Beragama." *JKPM: Jurnal Pendidikan dan Kebudayaan Missio, Vol. 15, No. 1, e-ISSN. 2502-9576, p-ISSN. 1411-1696, January Edition (2023), p. 7-21*

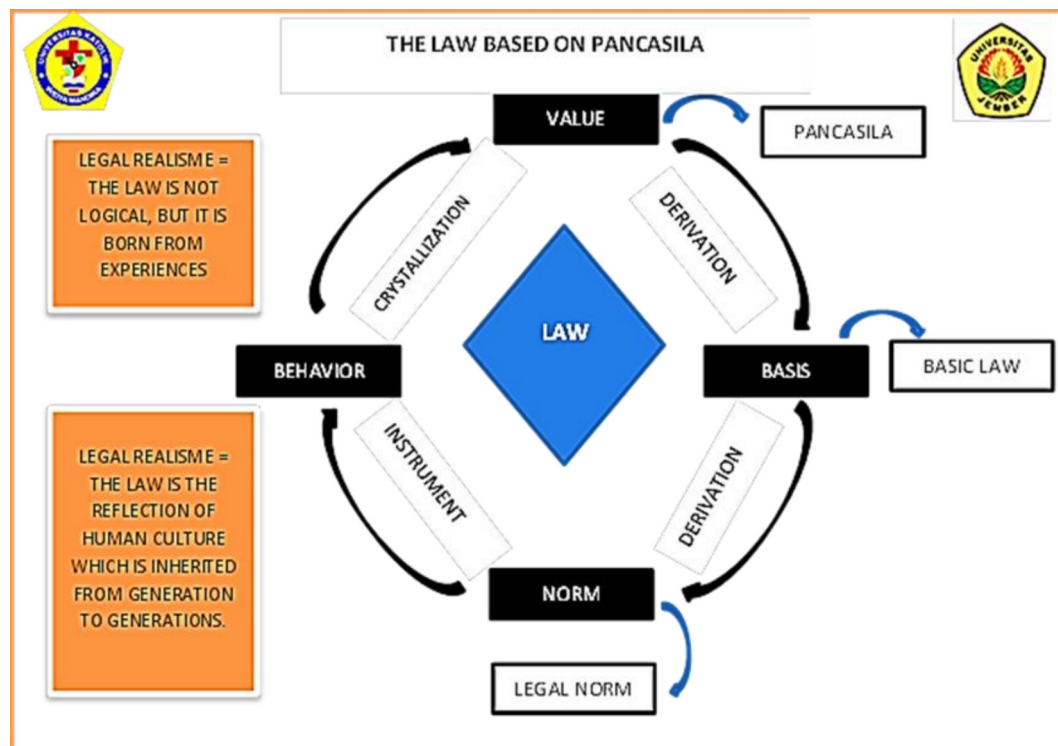


Figure 2. Customary Law derives from Pancasila

The above illustration presents that human experience is always a source of inspiration for the formation of values that become the philosophical basis of legal principles and norms. Laws are not born from the logic of lawmakers, or from the logic of legislators, but it is made from experiences. The experiences of good ancestors undergo crystallization to form the value of 'goodness'. Any bad experiences will be removed and discarded, this process is also often called *fiki (ba) nono dhiri lina (ba) mata kisa*. The word 'ba' is an expression of hope and prayer for goodness.

What does the above analysis have to do with elections? As stated earlier, democracy as an instrument towards the national goal of social justice for all Indonesians is a wrong and inappropriate instrument. Why is it wrong? The democracy which is currently implementing is liberal democracy. This democracy is based on individual interests. More explicitly, this democracy is being camouflaged into a democracy based on egoism. Egoism-based democracy has ignored collectivism (kinship). How is it possible? What are the indicators?

The current democracy has deviated. This democracy is a Liberal Democracy which justifies all means and is contrary to Pancasila Democracy. This deviation is reflected in several indicators, namely: black campaigns, hoaxes (spreading false news), money politics (buying voters' votes), etc.<sup>1</sup> It shows that the democracy being implemented and applied in Indonesia to maintain the relay of national leadership has wrong instrument. Liberal democracy is like riding on a leaky boat, it is wiped out before it reaches the destination. In other word, a wrong instrument wont lead the right path.

Pancasila Democracy is the correct democratic system since it is based on the values of Pancasila namely "Democracy led by the wisdom of the representatives of the people". In this democracy, people's participations is necessary or it is not merely a mobilization. People's participation indicates that the sovereignty is in the hands of the people led by the wisdom of the representatives.<sup>2</sup>

The sovereignty is being imbued with the value of Believe in the one and only God, rejecting religious identity politics, avoiding religion as a political tool. Just and Civilized Humanity is characterized by fair and true laws. A civilized society upholds the law and respects the rights of others by ignoring hoaxes or fake news for personal and group interests, rejecting money politics and black campaign such as slandering, ridiculing, and attacking political opponents). The following is a description of Indonesia's current objective conditions, the *fiki nono dhiri*.

<sup>1</sup>. Doly, Denico, "Penegakam Hukum Kampanye Hitan (*Black Campaign*) di Media Sosial: Pembelajaran Pemilihan Umum Presiden Tahun 2019. *Jurnal Kajian*, Vol. 25, No. 1 (2020), p-ISSN. 0853-9316, e-ISSN. 2614-3712.

<sup>2</sup>. Mushaddiq Amir, "Keserantakan Pemilu 2024 yang Paling Ideal Berdasarkan Putusan Mahkamah Konstitusi Indonesia." *Jurnal Al-Islah: Jurnal Ilmiah Hukum*, Vol. 23, No. 2, November (2020) 115 – 132. P-ISSN. 1410-9328, e-ISSN. 2614-0071.

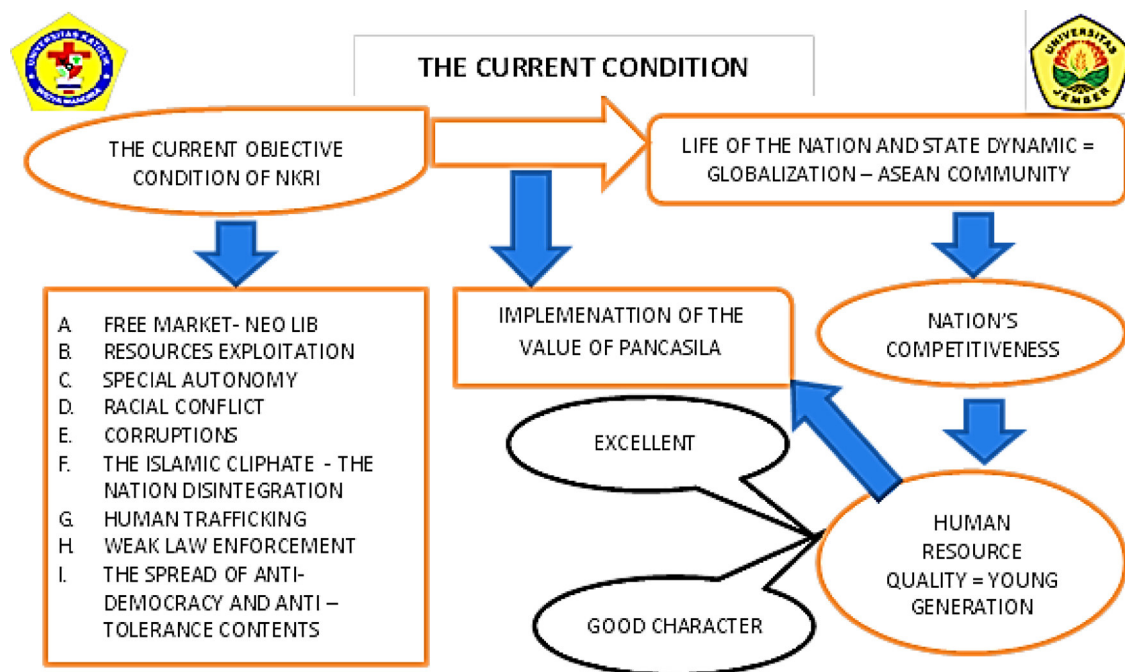


Figure 3. Indonesia's current condition

The Indonesian current objective condition is referred to as Fiki. It relates to a condition where there are evil acts in the life of the people, i.e., actions that are contradictory to the law, ethics, and religion. The alienation or elimination of this condition is called *dhiri* (the edge). *Fiki nono dhiri* (or *fiki wi nono dhiri*) indicates that the abolishment of the bad condition shall be carried out based on the value of humanity which is ethical and lawful.

*Lina* refers to any situation or condition that is conducive, honest and just. It shall be highlighted or put into the center to attract people's attention to see, imitate, and implement the value. It needs to be preserved as a guideline for human life.

To maintain the *lina* condition, *fiki* needs to be abolished. It is carried out in the right way to keep a peaceful situation. It shall be adhered to the ethics and laws which is based on second principle of Pancasila, and is motivated by the value of the First principle of Pancasila to seek for God's blessings.

Appropriate, correct, honest and fair efforts will lead the Unitary State of the Republic of Indonesia to remain intact and powerful. Thus, the dream that our Founding Fathers made will come true. Furthermore, the aspects built should be holistic, and adhered to the values of Pancasila as the basis, instrument, and objectives. These aspects have legal binding with the integrated function of law, while the politic, economic and socio-cultural aspects are based on the ideology of Pancasila.<sup>1</sup>

Consistent law enforcement is significant for selecting any condition or situation that belongs to *fiki* or *lina*. It is prior to the discussion on the role of local wisdom as a companion of the Pancasila Democracy and an effort to create the social justice for all Indonesian people.

Prior to the discussion on law enforcement, the concept of KKM is mentioned initially. In Bahasa Indonesia, KKM refers to *Komitmen* (Commitment), *Konsistensi* (Consistency) *Militansi* (Militancy). Commitment is the seriousness and ability to bind oneself to carry out something that has been agreed upon consistently (obeying principles). If I have committed myself as an Indonesian citizen, then I am serious and willing to respect and realize Pancasila as the ideology of the state and nation of Indonesia. The actualization of the Pancasila ideology is manifested in the form of legislation in various fields, both political legislation, as well as economic, social and cultural fields. The correct legislation is legislation derived from the Pancasila Ideology as the State Foundation and Source of all Sources of Law.

Commitment is a personal expression of someone who has good mentality and morality.<sup>2</sup> It is a manifestation of seriousness and the ability to carry out something that has been agreed upon consistently (obeying principles). By having commitment, a person binds himself voluntarily to carry out something that has become a collective agreement. It can only be done by people who have good mentality and morality.

Consistency or adherence to principle is an action or deed that sticks to something that has been agreed upon constantly, continuing to behave as agreed until a new agreement made to change. It relates to the

<sup>1</sup>. Simarmata, Markus H., "Hambatan Transparansi Keuangan Partai Politik dan Kampanye Pemilihan Umum." *Jurnal Legislasi*, Vol. 15, No. 1 (2015). DOI: <https://doi.org/10.54629/jli.v15i1.13>.

<sup>2</sup>. Sunarti Setyaningsih, "Pengaruh Orientasi Etika terhadap Komitmen Akuntan Publik pada Profesi dan Organisasi." *Jurnal Widya Manajemen & Akuntansi*, Vol. 7 No. 1, April (2007), p. 34-46.

realization of an agreed agreement clause that is continuously adhered to, implemented, done or avoided.

If Pancasila is the ideology of the Indonesia manifested in through law or legislation, then the legislation shall be able to face any risks that occur in the realization of the agreed matters. The law may be in the form of written law such as legislations, or unwritten law such as customary law, judicial decisions and international treaties.

Militancy is the basic attitude of a person who bravely defends his commitment consistently to be implemented or not. Risk is always an inseparable part of militancy when something that has been agreed upon must be done or avoided. A command must be done, and prohibition must be avoided.

Militancy needs to be everyone's behavior who believes in Pancasila as the right and correct Ideology. An Indonesian must have a commitment to defend, and implement the values of Pancasila consistently, and has the courage to face all risks. A patriot is willing with all his body and soul to defend the State of Indonesia, therefore he is certainly a militant.

### 2.3 A Few Things Need Fixing

The 'Social Justice for All Indonesian People' will be difficult to achieve when the democracy as an instrument to realize it is wrongly chosen and implemented. The Liberal Democracy which leads to Egoistic Democracy is adopted in Indonesia. It is a selfish democracy since it fights for the individual interests of each person as legislators, executives, and judicial. At election moments, many behaviors that are contrary to the collectivism values (kinship) of the Indonesian Nation carried out by Legislative and Executive Candidates.

The candidates, including their supporters or winning teams commit unlawful acts such as money politics to gain number of votes, making hate speech against their political opponents, spreading false news to outwit the votes of their opponents, physical and mental threats, even killing fellow legislative candidates even though they are from the same party. For legislative candidates, being elected and win the game is the main objectives, negating the ideology of the party they choose. Legislative candidates no longer question the ideology of the party they choose, the important thing is for them to pass as legislative candidates and be elected. A person justifies all means to become a legislative candidate by ignoring the consistency of the faith he adheres to. Ideology becomes less important or in other words, they belong to 'legislative candidates without commitment'.

By this fact, it shows that the mentality and morality of human both as citizens, members of society, or member of political party shall be reformed. Mentality and morality ignore valuable things to obtain something less valuable. If a commitment is ignored, then the consistency and militancy are questioned as a citizen. Thus, when conflict rises, they tend to solve it emotionally rather than rationally.

Post truth has become a type of new ideology that is embraced and implemented. Post truth is a new perspective in social interaction that considers something to be true because it is made continuously even it is wrong. It means, even a mistake is right when it is made continuously or repeatedly.<sup>1</sup>

In 1992, Steve Tesich in his article entitled 'The Government of Lies' in Nation Magazine stated that 'we as free human beings, have the freedom to choose and want to live in a post truth world.' In 2004, Ralph Keyes in Post Truth Era Magazine together with a comedian, Stephen Colber mentioned about 'truthiness' (another term for post truth). Their statement was about the phenomenon of stating something as if it is true when it is completely false. An error that is stated continuously, for example a lie (hoax) that is stated continuously will be believed as a truth. This post truth reached its peak in 2016 with the UK's exit from the European Union (Brexit) and the election of Donald Trump as US President. So that in 2016 it became a trending topic or word of the year on the Oxford University Campus. Therefore, Oxford University defines post truth as 'a condition in which facts are less influential in shaping social opinion than emotions and personal beliefs'. In other words, 'lies can masquerade as truth'. How? It is by playing with human emotions and feelings. In such situation, people are unable to distinguish between true and false information.

Post truth characters are: a) stirring up social emotions, b) ignoring data and facts, c) combining popular movements with conspiracy theories, d) echoing artificial narratives of certain events, e) building opinions by ignoring the truth/facts to benefit a party. These post truth character are utilized by people who ignore criticism and rationality. For these people, the information benefits them both financially and emotionally.

### III. Conclusion

The culture of customary law communities in Indonesia is generally a 'speech culture' which is different from Europe, Egypt, China and India which are based on a 'written culture.' The values as source of law are regulated through local wisdom or folklore such as proverbs, fables, myths, rituals and traditional ceremonies. Therefore, local wisdom and folklore are instruments for the socio-cultural values socialization that become the source of legal norms, especially customary law.

<sup>1</sup>. Compared with, Ulya, "Post Truth, Hoax, dan Religiusitas." *Fikrah: Jurnal Ilmu Aqidah dan Study Keagamaan*, Vol. 6, No. 2 (2018), p-ISSN. 2354-6147, e-ISSN. 2476-9649. DOI: 10.21043/fikrah.v6i2.4070.



One of the instruments to socialize socio-cultural values as the socio-cultural context of customary law is the proverb. *Fiki ba (siba) nono dhiri, lina ba (siba) mata kisa* is one of those proverbs. This proverb is an ancestral heritage which means that 'the dirty and filthy should be set aside, marginalized to place the good and right value at the center. It is an advice to the future children and grandchildren to live a quiet and peaceful life.

At this time, as General Election is a political activity, to seek for proper leadership process, the above proverb shall be put forward to remind the generation of the nation to live in peace. By this proverb, we are reminded to prioritize safety, security, and peace rather than individual interest.

### Recommendation

To the power holders, election organizers and the public who actively participate in the political process of general election shall always consider the local wisdom that has been passed down by our ancestors. It is the right and proper choice to make local wisdom as one of the guidelines or legal norms to regulate and protect the rights of Indonesian people to achieve the 'Social Justice for all Indonesian People.'

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