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The Enforcement of Human Rights Through Implementing of The Sharia

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ABSTRACT

Many Western law experts state that Islamic sanctions on criminal law are sadistic, cruel, so that universal human rights are violated. In the perspective of Western human rights the paradigm of thinking like that has long been embedded to this day. On the other hand, in a different perspective human rights in Islam explain that the legal sanctions contained in Islamic criminal law pay more attention to aspects of human rights, such as the protection of the rights of victims and victims' families and protect the rights of the community. The existence of death sanction in a murder case, is part of an effort to eliminate the sense of revenge, anger, that is in the victim's family. Legal sanctions in Islamic criminal law aim to provide social protection by ensuring the realization of human rights in society.

Keyword: *the enforcement, human rights, implementing, sharia*

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1. INTRODUCTION

The application of Islamic criminal law (*jinayah*) through legal sanctions in several countries that implement Islamic law is seen as an act that violates universal human rights. Such a view is certainly on one side legitimate although on the other hand it cannot also be accepted by groups that are pro to the enforcement of Islamic law. With different perspectives and sources, it is virtually impossible to find a meeting point between both version of Human Right.

The existence of various movements that want the implementation of Islamic law, especially in Indonesia, are considered by human rights activists as a very serious threat to the enforcement of human rights in Indonesia. The human rights activist considers that Islamic law does not at all provide room for human rights to live in accordance with the declaration of human rights that has existed for decades. Human rights activists give a negative stigma to the application of Sharia and consider criminal punishment in Islam as a very extreme and inhuman punishment. (Asnawi, 2012: 27) as well as labeling supporters who want the application of the Sharia as radicals.

Actually it is not appropriate to compare the concept of human rights in Islam, of which source is Qur'an with human rights from a Western perspective derived from human thought. When viewed from the historical side, Islamic human rights existed long before the West declared its human rights concept. Islam through the Qur'an has explicitly explained the height of human dignity and virtue in the QS. An-Nisa verse 70. The Qur'an commands humans to not only *survive*, but also live in glory, prosperity and perfection in terms of spiritual, moral, psychological, intellectual, or physical. (Mus'if, 2012: 60). The application of Islamic law is actually an inseparable part of the enforcement of human rights in an Islamic perspective.

This paper will discuss the basic concepts of human rights in Islam, the proposition of human rights in Islam and see whether Islamic criminal penalties violate human rights or not.

2. History and basic concepts of human rights in Islam

Etymologically, rights are a normative element that serves as a code of conduct, protects freedom, and guarantees opportunities for people to maintain their dignity. Rights are the most intimate essence of

truth and justice in the context of the dynamics and interactions of human life with God's creatures. These rights have been imprinted since humans were born and are attached to anyone, one of which is the right to live (*right to live*). Principle means the most fundamental or basic. (Trianto, Tutik, 2007: 259)

In terminology, human rights are generally interpreted as basic rights that humans carry from birth, as gifts from Allah Almighty. (Hadjon, 2008: 39). Donnelly said human rights are rights that humans have solely because they are human. Humanity has it not because it is given to it by the community or based on positive law, but merely based on its dignity as a human being. (Donnelly, 2003: 7-21). Based on the definition of human rights, the concept of equality and rights between human beings is born based on the principle of justice, equality, which gives recognition that humans have the same rights and obligations without differentiating gender, physical imperfection, race, ethnicity, religion and social status. (Basuki, 2001: 96)

In Arabic, the term human rights is known as *Haqq al-Insani al-Asasi* or called *Haqq al-Insani ad-Dharuri*, which consists of 3 (three) words, namely: a. the word rights (*haqq*) means: property, belonging, authority, power to do something, and is something that must be obtained; b. the word human (*al-insan*) means: a creature with minds and function as a legal subject; c. rights (*asasy*) means: substantial or basic. (Aji, 2015: 2)

According to Khalfullah Muhammad Ahmad, in the terminology, human rights in the Islamic perspective is a right inherent in human beings which is natural and fundamental as a trustee from Allah SWT which must be protected, respected and protected by every individual, community or country. (Aji, 2015: 2). Ibn Rusyd even said that human rights in an Islamic perspective had provided the format of protection, security, and anticipation of various primary rights (*dharuriyyat*) possessed by every human being. (Aji, 2015: 2). This protection comes in the form of anticipation of various things that will threaten the existence of the soul, the existence of honor and descent, the existence of material possessions, the existence of reason, and the existence of religion. (al-Zuhayli, 1984: 19-19)

Based on the doctrine above, it can be said that the concept of human rights in Islam is actually not a new and foreign thing, because discussions and discourse about human rights in Islam are taught earlier when compared to the concept or several human rights charter that have been born in the history of human civilization. (Aji, 2015: 2). This fact proves that inherently Islam has come to bring teachings about human rights. Al-Maududi said that the teachings on human rights contained in the Charter of the Magna Charta only appeared 600 years after the arrival of Islam. (Aji, 2015: 2)

This fact is strengthened by Weeramantry who said that Islamic thought about rights in the social, economic and cultural fields had far preceded Western thought. (ICC UIN Team Jakarta, 2000: 220-221). Islamic teachings on human rights can be found in the main sources of Islamic law, namely the Qur'an and Hadith which are sources of normative teachings, then also found in the practice of Muslim life. A milestone in the Islamic partisanship towards human rights, namely the existence of the Madinah Charter, followed by the Cairo *Declaration*. (ICC UIN Team Jakarta, 2000: 220-221)

3. The postulate of human rights law in Islam

The Qur'an and Hadith as a source of law in Islam, give a very high respect for human rights. The Qur'an as the main source of Islamic teachings has laid the foundations of human rights, as well as truth and justice, long before there was any thought about it, in the world community. Verses A -Qur'an and al-hadith have touched on many issues relating to the content of human rights. (Lopa, 1996: 19). This can be seen in the provisions contained in the Qur'an, including:

- a. In the Al-Qur'an there are about 80 verses about life, maintenance of life, and provision of means of life, for example in surah al-Maidah verse 32. Al-Qur'an also talks about honor which is in 20 verses.
- b. The Qur'an also explains in about 50 verses about creation and creatures, as well as about similarities in creation, for example in Surah al-Hujarat verse 13.
- c. The Qur'an also presents attitudes against injustice and those who commit wrongdoing in about 320 verses, and orders to do justice in 50 verses which are expressed with the words: *'adl*, *qist*, and *qishash*.
- d. The Qur'an explains in 10 verses that talk about the prohibition of forcing to guarantee freedom of thought, belief and expressing aspirations. For example the verse contained in Surah al-Kahfi verse 29. (Yefrizawati, <http://repository.usu.ac.id>, accessed July 20, 2018)

The Qur'an itself even fully describes the first human rights violation in the history of human civilization, namely the murder of Adam and Eve's two sons, Qabil and Habil. The first killing event of this fellow man produced the edict of God: "Whoever kills a soul without (mistake) kills another soul or makes mischief on earth, then it is like killing humanity as a whole, and whoever helps the life of a soul then he is like helping life the whole humanity." The Qur'an has provided accurate information that the history of human rights violations has existed since the time of the first generation of Adam's children, namely Qabil and Habil, which was marked by the events of Abel's murder of Qabil. This is the beginning of the occurrence of human killing of humans, a violation of human rights that occurred the first time in the world. The story of human rights violations was first recorded in the Qur'an surah al-Maidah verse 27. (Abubakar, 2007: 77)

So is the case with various narrations that tell that the Prophet Muhammad always watched and provided protection for human rights. For example, this is seen in the orders of the Prophet Muhammad, who ordered the maintenance of human rights and the rights of glory, even though people of different religions, through his words: "Whoever *wrongs* a *mu'ahid* (someone who has been protected by a peace treaty) or diminishes his rights or burdens him beyond his ability or takes something from him unwillingly, then I am his opponent on the Day of Judgment." (Shiddieqy, 1993: 23)

As a religion that *rahmatan lil-'alamin* Islam recognizes and respects the personal rights of individual human beings as favors of the gifts bestowed by Allah also recognizes and respects the rights of collectivity as a public right in order to organize life on earth with the concept of *habl min Allah wa habl min al-nas*. (Qamar, 2013: 88). Such a perfect Islamic arrangement proves that Islam comes inherently with the teachings of human rights. This is proven by the aim of presenting the teachings of Islam, namely:

1. Maintaining the religion,
2. Nourish the soul,
3. Maintaining the mind,
4. Maintaining the honor or descent, and
5. Maintaining the wealth. (Munawar, 2002: 181)

The five objectives of the Islamic teachings are then become human rights principles, namely: a. the right to protection of life or right to life; b. right of protection of belief; c. the right to protection of reason; d. protection rights to property rights; and e. the right to have a family or the right to inherit and maintain a good name. (Trianto, Tutik, 2007: 266)

The five principles mentioned above serve as proof that human rights are the rights given by Allah SWT to each of His creatures after carrying out their obligations, so that everyone has the same rights as the others and others cannot take it, only Allah SWT who has the right to determine everything. (Hamidi, Lutfi, 2010: 233)

The birth of the Madinah Charter is inseparable from the journey of the Prophet Muhammad from Mecca to Madinah, and is a continuation of the two previous agreements namely Bai'at Aqabah 1 and 2. After the migration of the Prophet Muhammad to Madinah, a peaceful, and prosperous Islamic society was formed in Madinah, led by the Prophet Muhammad who consisted of the Muhajirin and the Ansar and a number of Arab tribes from the Jews and the Mushrik Madinah, who later placed Madinah as the center of Islamic activity and the development of the Islamic world.

The Madinah Charter is the world's first written religious piety that lays the foundations of human rights based on Islamic law. At the beginning of the opening of the Madinah Charter it was stated that all human beings were one people, born from the same source, so there was no difference between one person and another in all respects. In the teachings of Islam there is one thing that makes a person considered higher in the eyes of Alla, namely the level of his faith, so it is not seen from the color of the skin, ethnicity, race, country and gender. In addition to equality of rights among human beings, the Madinah Charter also accommodates the existence of freedom (in the sense that it is still within the scope of sharia) which is different from the freedom that is contained in other laws that exist today.

In the context of the Madinah Charter itself, there are at least 2 (two) human rights principles, namely: first; all followers of Islam are one people even though they are from different ethnic groups. Second; the relationship between the Muslim community and non-Muslims is based on principles: interact well with fellow neighbors; help one another in dealing with common enemies; defend those who are persecuted; advise one another; respect for religious freedom. (Tibi, 1991: 17-18)

The Madinah Charter itself consists of 70 chapters, and is written in 4 different stages. At the first writing there are 28 articles, which regulate the relationship between Muslims themselves. At the second writing there are 25 articles governing the relationship between Muslims and Jews, and the third writing occurs after the Hudaibiyah agreement in the 2nd year of Hijrah, which is the emphasis or repetition of the first and second chapters. In this fourth stage there are only seven chapters and regulate relations between tribes who converted to Islam. These are the first principles, the modern constitution which emphasizes human rights protection universally

The core of the Madinah Charter includes the principles of equality, brotherhood, unity, freedom, tolerance for religion, peace, help and defense of the persecuted and defend Madinah from enemy attacks. The following is a summary substance of the Madinah Charter:

- a. Monotheism, which recognizes the existence of one god. This principle is contained in the Preamble, clause 22, 23, 42 and the final part of clause 42.
- b. Unity (articles 1, 15, 17, 25 and 37). In these chapters it is stated that the entire population of Madinah is one people. There is only one protection, if Jews have followed this charter, it means they are entitled to protection of security and honor. In addition, Jews and Muslims jointly bear the costs of war.
- c. Equality and justice (chapters 1, 12, 15, 6, 19, 22, 23, 24, 37 and 40). These clause contain the principle that all citizens of Madinah have the same status before the law and must uphold the law and justice indiscriminately.
- d. Freedom of religion (clause 25). Jews are free to practice their religion as well as Muslims are free to fulfill Islamic sharia.
- e. Defend the country (clause 24, 37, 38 and 44). Every Madinah community who recognizes the Madinah Charter has the same obligation to uphold and defend Madinah from enemy attacks, both external and internal attacks.
- f. Recognition and preservation of customs (clause 2-10). In these chapters it is stated repeatedly that all good practices among the Jews must be recognized and preserved.
- g. The supremacy of Islamic shari'ah (clause 23 and 24). The main essence of this supremacy is that every dispute must be resolved according to the provisions of Allah and in accordance with Muhammad's decision.
- h. The politics of peace and internal protection and the issue of external peace also received serious attention in this charter (clause 15, 17, 36, 37, 39, 40, 41 and 47). (Sudjana, 2002: 89)

The attention to the human rights is not limited to a few verses of the Qur'an and the Hadith of the Prophet alone and only the Madinah Charter. There are at least 2 important documents in history that must be recorded about human rights in Islam, the Universal Declaration of Human Rights in Islam (1981) and the Cairo Declaration in 1991. The Universal Declaration of Human Rights in Islam in 1981 was made as a rival to the Universal Declaration of Human Rights from the United Nations in 1948. The Universal Declaration of Human Rights in Islam is less well known in Indonesia. To perfect this Universal Declaration of Human Rights, the 1991 Cairo Declaration was created.

According to Kevin Dwyer the teachings of Islam are basically in line with human rights motivation. (Dwyer, 1991: 40). The values in Islam and Human Rights had some similarities, among others: in terms of the value of equality, freedom, Siroj argues that the commitment of Islam as a religion of ethics and morality (*al-akhlaqi*) is shown by its attitude to defend human rights. (Siroj, 2008: 337)

In Islamic teachings, human rights are not only recognized but also fully protected. Based on that, then in this relationship there are 2 (two) very important principles, namely the principle of recognition of human rights and the principle of protection of those rights. (Azhary, 1992: 85). These principles are explicitly outlined in the Qur'an, among others, surah al-Isra 'verse 70.

Islamic historians have proven that Muhammad's presence as the bearer of the last teachings of Islam was the liberation of humans from various forms of oppression of human rights. The tradition and culture of ignorance that legitimizes slavery, discrimination of the results, discrimination of women in the name of faith in Latta and Uzza are completely eroded by Islam. There is no doubt that Islam guarantees the fulfillment of something which is a person's natural right, such as the right to life, the right to freedom, the right to equality and the right to justice. In the language of the American Declaration of Independence, these fundamental rights include the fulfillment of God-given rights, in the form of "*certain unalienable rights, that include life, liberty and pursuits happiness*". (Madjid, 1992: 517)

4. Disputing the notion of Islamic Criminal Law violates human rights

One of the crucial issues in upholding human rights in Islamic countries is the accusation that punishment in Islamic crimes is very cruel, very inhumane, left behind, sadistic, inhumane and various other negative accusations. When viewed in the present context, it certainly seems that this view is not wrong, but it needs to be underlined that all the legal rules prescribed in Islam have *benefits*. The point is that the West and even some of the leading Muslim thinkers have revealed that Islamic criminal law is incompatible with universal human rights are all the accusations true?

To answer at the same time refute various negative accusations against punishment in Islamic criminal law, it is better to look at the purpose of law (*maqashid shari'ah*) in Islam. The purpose of every law in Islam, including Islamic criminal law, is for the benefit of humans. The provisions contained in Islamic criminal law must be understood in its context, namely the historical, sociological, and anthropological conditions when the rules are revealed. The argument about Islamic criminal law must be seen in the text and its context at the same time, by looking at the continuity and changes. (Sodiqin, 2016: 185-199)

It should be noted that the legal accuracy in the Qur'an contains two dimensions, namely the particular dimension and the universal dimension. The particular dimension is related to *space* and time, because Quran was revealed in various pieces of history of human civilization. Consequently, the various rules of Quran must accommodate the interests of the law at that time as an *affirmation of its position as the hudan linnas* (instructions for humans). Based on these conditions, there was the adoption of Arabic customary law by Quran and a description of the existence of a dialogue on legal determination between Quran with its first recipient, namely the 7th century Arab society, when God's revelation was revealed. (Sodiqin, 2017: 202)

In this particular dimension, the legal provisions of Al- Quran function as social control, provide legal solutions at that time so that the color of a very clear. Based on this perspective can be explained why Quran mentions this form of punishment as *qisas, volume*, amputations, since it applies in Arab society at that time. (Sodiqin, 2017: 202)

The universal dimension is the second dimension related to the vision of the Qur'an as *rahmatan lil 'alamin*. As the last holy book revealed by God, the provisions of Quran apply throughout the ages. The Impact is demanding legal flexibility Quran in order to remain relevant to the development of human civilization throughout the ages as well. This dimension can be seen in the philosophical values contained in the verses of Quran, both explicit and implied. In the verses of the Islamic criminal law dimension of universality contained in the efforts of Quran into *social engineering*. Every legal provision is seen as an effort to make a *paradigm shifting*, changing the paradigm of law enforcement in Arab society at that time. Values fundamental values that are integrated in resolving cases of criminal law is morality, individual responsibility, balancing act with punishment, and social justice. These values are universal, which prioritizes the enforcement of human rights. (Sodiqin, 2017: 202)

One of the characteristics of the Islamic Human Rights Charter which was published by the Organization of the Islamic Conference (OIC) as a representative of Islamic countries in 1979 and 1981, which distinguishes it from the provisions of global human rights is the spiritual dimension of humanity. Actually Islam is very concerned about the material and spiritual dimensions to achieve happiness and perfection. On this basis, a number of contents of the Islamic Human Rights Charter affirm human rights regarding the teachings of spirituality to meet the needs of the individual person. In the view of Islam, human life in the world, determine his life in the hereafter. (Review, 2017: 159-160)

The right to life is the most basic thing of humans. In principle, human rights will be realized when he considers his behavior. In this case, the Islamic Human Rights Charter and world human rights affirm that right. Although there are differences between them, Divine Life is a principle that must be guaranteed by each individual community and country. Islam considers the right of life of every human being. (Usman, ed., 2006: 141)

Based on the concept of the right to life, the death sentence for perpetrators of murder crimes is not a violation of human rights. The penalties for this crime are murder (*qisas*), paying compensation/fines (*diyath*), and / or paying expiation (theological sanctions, such as freeing slaves, fasting, or giving food to the poor). This type of punishment is alternative, one of which can be chosen. Determination of penalties in this category is related to the rights of victims, meaning that if the victim's family to forgive the killing action, then may the law of *qisas* be cancelled. In other words, *Shari'* (God) sets the type of punishment that can be imposed, while determining the type of law imposed becomes the authority of the family of the murder victim. (Sodiqin, 2017: 204)

Why death penalty for perpetrators of murder in the Islamic criminal law system? The answer is because the religion of Islam places humans in a very high position of glory, that glory of Islam protects the human soul from the threat of others. (Zein, 2015: 103). Protection of the soul is in harmony with one of the objectives of the Shari'a, which is to protect the soul. Safeguarding the soul from the side of its manifestation (*hifzhu an-nafs min janibi al-wujud*), Islam presupposes the prohibition to seek clothing, food and shelter, while preserving the soul from the side of its abolition (*hifzhu an-nafs min janibi al-'adam*), Islam presupposes the prohibition of seeking clothing, food and shelter, while safeguarding the soul from the side of its abolition (*hifzhu an-nafs min janibi al-'adam*), Islam prescribes the prohibition killing, prohibition of oppression, etc. (Rofiah, Nahe'i, 2010: 60) . *Hifzhu an-nafs* must be understood as a theory oriented towards family protection and more concern for family institutions. (Auda, 2008: 3)

In the view of Hanafiyah scholars, killing deliberately *qisas* punishment is a punishment that has the dimension of God's right (dimension of God's right to contain general benefits) and Adami's rights (the law prescribed for individual benefit) at the same time it has two sides. The first side is the right of God (public benefit) because the purpose of this punishment is to maintain the continuity of human life and reduce criminal acts (killing) which is infuriated by Allah. But in the *qisas* there is also the Adami Right (individual benefit) that is reassuring the victim's family with the murder of the murderer. Among Allah's Rights and Adami's Rights, it turns out that Adami's Rights are more dominant, which is shown by giving authority to the victims to give forgiveness to the perpetrators, (QS. Al-Baqarah, 2: 178). (Rofiah, Nahe ' i, 2016: 76).

Based on this distinction of rights, the offending party has the right to forgive. When violations that only concern personal rights, the right to forgive is the victim or his heir if the victim dies. If there is a violation that is public in nature and there are also violations of individual rights, then forgiveness by individuals does not automatically eliminate their public liability. Public settlement in the concept of Islamic criminal law does not automatically disregard individual rights. In a murder case where the *qisas* sentence has two rights violated, first, the victim's right; second, public rights (God's right). (A'ishah, Roihanah, 2018: 9)

The deliberate murder case resulted in the punishment of *qisas*, there were two rights that were violated, namely the right of God (general rights) and the rights of Adami (the rights of victims). Victims' rights are violated because they have been denied their right to live. God's right is violated because basically the killings can threaten the stability of the community, but what is dominant is the victim's right. Based on that fact, then when there is forgiveness on the part of the victim, the *qisas* can be aborted. Even though they have been forgiven, the perpetrators are still subject to payment of compensation (restitution, *diyath*) as a deterrent punishment so that in the future they will not repeat the act. (A'ishah, Roihanah, 2018: 10)

The recurrence of the murder case from both the perpetrator and the person who has the potential to commit the murder is a representation of the public interest. In the case of payment of compensation in addition to the victim being fulfilled his rights, the public also has an interest in not repeating the act of killing. (Bashir, 2000: 23).

Based on the above statement, it can be understood that the application of the *qisas* law for the perpetrators of intentional killings is an attempt to maintain public good. The killer intentionally is a person who violates the benefit of society. The existence of *qisas* for the perpetrators of the killings is also an inseparable part of the existence of revenge from the victims' families towards the perpetrators of the killings. With the execution of the perpetrators of the murder, it is expected that revenge, loss and psychological suffering from the victim's family can be lost, because justice appears in the case.

Keep in mind in a murder case, corporal punishment (*qisas*) is *qat'iy* because it is not the only choice and it is not the purpose of punishment. From the *maqasid asy-shari'ah* review, it was found that the purpose of punishment is to protect human rights, namely the right to life (in *qisas* law), the right to think / hold opinions (criminal *khamr*), the right to inheritance (zina law), the right to dignity (criminal *qazaf*), and work rights, property/property rights (criminal theft). One thing that is emphasized in the implementation of human rights is morality in its implementation. (Sodiqin, 2017: 209)

Law in Islam does not only contain legal aspects, but is a combination of legal aspects with *ethical* aspects. Both must be in line and go hand in hand so that punishment in Islamic law is not only to enforce the law but also aims to uphold social justice. (Kamali, 2013: 175)

The difference in perspective between Western human rights and Islamic human rights, is based on the existence of very sharp differences related to the philosophical values of the birth of human rights in these two paradigm concepts. The difference in perception is illustrated by a clear sketch when

discussing legal sanctions in Islamic criminal law. Each concept maintains its argument without seeing any advantages and disadvantages of each.

The Western perspective means that the concept of human rights is merely anthropocentric, where humans are a measure of everything (everything is human-centered), humans are seen as the full owners of these rights. Western human rights are based on philosophical thought alone, because they are entirely the product of the human brain. Based on the anthropocentric view, all values that support the upholding of human rights are human-oriented, because human beings are the final target of the implementation of human rights. (Kosasih, 2003: 37)

Islam, meaning the concept of human rights is more theocentric (everything is centered on God). That is, Islam is more in favor of Allah's rights than personal rights. Humans in this case are seen only as beings who are entrusted with the basic rights of God, not as absolute owners. The root is that humans are obliged to maintain it according to God's rules. The exercise of this right must not be contrary to God's will. (Kosasih, 2003: xxii). Recognizing the rights of humans is an obligation in the context of obedience to God. Wahyu, 1986: 106).

The act of taking a life for revenge or for spreading damage can only be decided by the competent court. During the warfare, the act can only be tried by a legitimate government. In each of these incidents, no individual has the right to judge by playing alone. As explained by Allah SWT in QS. 6 (al-Anfal): 151. Thus killing is distinguished from taking the lives carried out for the sake of carrying out justice. (Syisyani, 1980: 312)

Allah bestows the right of life to all people of His servants by not looking at race, gender, nation, or religion. In accordance with the words of the Messenger of Allah which was narrated by Imam Bukhari sourced from 'Amr ibn 'Am, which means: A person who kills a person under an agreement (a non-Muslim citizen in an Islamic state) will not smell paradise. (Aji, 2015: 5).

According to Shaykh Syaikat Husain, Islam commands his people to respect the right to life, even if the baby is still in the mother's womb. More than that, Islam not only pays attention to the glory and dignity of man while he is still alive, his dignity remains glorified, until his death, with the care of his body, bathed, prayed, and buried well and full of sincerity. (Husain, 1996: 60)

Allegations that Islamic criminal law sanctions are incompatible with human rights, appear to be too forced. The settlement of criminal acts in Islam is even more humane because it considers the rights of the parties involved. When compared with the modern criminal law system, including those adopted and practiced in Indonesia, which only protects the rights of criminal offenders, the Islamic criminal law protects the rights of victims and the rights of the people. (Sodiqin, 2015: 63-100). The rights of victims and the community are placed in line with the rights of the perpetrators, so that the settlement of the criminal offenses is aimed at restoring rights damaged by criminal acts. (Surbakti, 2015: 84)

The completion of this model, later known as restoration, not only resolved problems between the perpetrators and victims, but also restored the conditions of order in the community. Based on this, the scope of protection of human rights in Islamic criminal law is broader in scope than modern criminal law. (Sodiqin, 2017: 211)

When viewed from the orientation law in Islamic criminal law perspective the aim is to achieve social protection (*social defense*). Criminal law is not merely aimed at giving a retribution for a crime committed by a person (*retributive*), or to defend the interests of the state as the holder of legal authority. Islamic criminal law places the law as part of other aspects of life, such as social, economic, political, cultural, etc., so that its enforcement must function as well as other aspects of life. (Sodiqin, 2017: 211)

Based on these conditions, in the event of a criminal act, the criminal law is placed as the last resort in dealing with criminal acts. In Islamic criminal law, this orientation is seen by the existence of non-criminal forms of settlement, such as forgiveness, repentance, payment of compensation (*restitution*), *expiation*, and others. This non-criminal sanction is a form of orientation of Islamic criminal law which is more concerned with the creation of social protection in society. In other words, Islamic criminal law appreciates human rights, both for perpetrators, victims and the public. With this orientation model, the handling of criminal acts in Islamic criminal law can create social justice for perpetrators, victims and the community (Sodiqin, 2017: 213)

5. CONCLUSION

Based on the discussion, there are some conclusions obtained that the sanctions of Islamic criminal law do not violate human rights. There are several things that support the thesis, among others that Islamic criminal law sanctions, especially those related to legal sanctions for murder cases, are more protective of the rights of the community, because the rights of adami are fully protected. The second thesis is that the legal sanctions for killing primarily for payment of compensation (restitution, *diyat*), pay more attention and concern to the victim and the victim's family. In the case of murder, the existence of punishment gives equal place to the victim's human rights and the community is placed in line with the rights of the perpetrator, so that the settlement of the criminal offense is aimed at restoring rights damaged by criminal acts. Legal sanctions in Islamic criminal law aim to provide social protection by ensuring the realization of human rights in society. *Maqasid as-sharia* from Islamic criminal law is to protect and uphold human rights, namely the right to life, the right to think/have opinion, the right to inheritance, the right to freedom of religion, and the right to property/property.

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The Efforts to Warn Corruption Through Education an Ideological Approach in Order Meet The Right to Country Rights

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ABSTRACT

Education is placed in a strategic position to ensure the sustainability of a nation and state, therefore every effort or act that damages the integrity of the state must be fought massively. Forms of actions that are destructive and can threaten the integrity of the nation such as Terrorism, Narcotics and Psychotropic, Corruption and Trafficking in Persons. The integrity of the nation and state can be threatened due to systematic and massive and systematic structured corruption that has taken place from high-ranking officials to the village officials, proven that many cabinet ministers in power become suspects / defendants (i.c. Idrus Marham) Minister of Social Affairs RI Working Cabinet, Governor, Regents and Mayors, Civil Servants, Village Heads and also Senate and Legislative members ranging from Central to District. In the effort to implement corruption prevention and eradication as mandated in Presidential Regulation Number 55 of 2012 concerning National Strategy for the Prevention and Eradication of Long-Term Corruption in 2012-2025 and the Medium-Term 2012-2014 (National Strategy for CPE), and as an implementation, the preparation of Prevention and Eradication actions is carried out. Corruption (PPK) every year which is subsequently issued by Presidential Instruction Number 2 of 2014 concerning Action to Prevent and Eradicate Corruption in 2014, where in the attachment of the Presidential Instruction to part V (five) is explained about education strategies and anti-corruption culture consisting of 22 action plan, and including involving public and private higher education institutions in their implementation.

Keyword : Corruption, Education, Country Rights.

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1. INTRODUCTION

The state is threatened by its unity due to latent danger of corruption, but in general corruption actors who are suspects/defendants/convicts today are citizens who have no anti-corruption education or citizens who are morally not educated in an ideological manner who are anti-corruption. Anti-corruption ideology and anti-corruption behavior need to be socialized as an early effort to combat corruption through the world of education.

The period of the United Indonesia Cabinet Volume 1, 2 (SBY) has laid the foundation for anti-corruption education, for example the Circular Letter of Director General of Higher Education Number 17 of 2011 concerning Action for the Prevention and Eradication of Corruption in 2012 is a new chapter to promote anti-corruption values for all layers of Indonesian society especially for students who are carrying out their duties and undergoing a study period. The Government through the Ministry of Education and Culture of the Directorate General of Higher Education on July 30, 2012 issued a circular letter number 1016 / E / T / 2012 to all State Universities and Private Universities (Kopertis Region I to XII region), with regard to Circular About the Implementation of Anti-Corruption Education in Universities. The basis for the issuance of this circular letter refers to the Presidential Instruction Number 17 of 2011 concerning Action to Prevent and Eradicate Corruption in 2012.

Looking back at the six demands for reform in 1998, one of them was the necessity to eradicate corruption, collusion and nepotism (KKN). Concrete steps to realize these demands were ratified through the MPR Decree Number XI / MPR / 1998 concerning Clean and KKN-Free State Organizers. Furthermore, the idea about the MPR's legal product idea was further elaborated on Law Number 28 of 1999. That was initially corruption to target state administrators, this began when fundamental changes were made to corruption which began by forming a new law, namely Law No. 31/1999 (later amended by Law No. 20/2001) concerning the Eradication of Corruption Crimes. In lieu of Law No. 3/1971, Law No. 31/1999 formulated a corruption act that was far more comprehensive, including the regulation of gratification matters that were very likely to be carried out by state officials. In fact, actions that have the potential to harm state finances also become elements of criminal acts of corruption. In addition to expanding the notion of actions that can be qualified as corruption, Law No. 31/1999 also regulates the return of losses to state finances not to abolish the treatment of perpetrators of corruption.

Corruption empirically has been known by the public as a crime that is detrimental to state finances as we see a lot of definitions of corruption, but building an understanding of anti-corruption amid corruption crimes that require special strategies, one of which is to create an Anti-Corruption Education curriculum in universities and become a compulsory subject or a minimum of elective courses.

To succeed in the national strategy for long-term corruption prevention and eradication in 2012-2025 and the Medium Term 2012-2014 Based on Presidential Regulation Number 55 of 2012 concerning the National Strategy on Prevention of Corruption in Indonesia, there are 13 Articles and have been referred to by various groups who have duties and functions vary from the structure of government and also in the world of education. National Education including Higher Education has an obligation to succeed in the national program of Corruption Prevention and Eradication, especially in the long term 2012-2025. PPK Actions are activities or programs outlined in the PPK National Strategy to be carried out by Ministries / Institutions and Local Governments. What if we see Circular of the Directorate General of Higher Education No. 17 of 2011, the birth of a circular not based on article 1 paragraph (2) Perpres No. 55 of 2012, because practically the first Circular Letter was issued and then Perpres No. 55 of 2012. However, Perpres No. 55 of 2012 in Article 1 paragraph (2) has regulated the actions of PPK carried out by Ministries / Institutions and Regional Governments.

2. Types of Corruption and Attempts to Attack them.

Starting a description of corruption, the author begins with the phrase *Lord Acton* in *Dani Krisnawati et al.*, as follows: *Power Tends to corrupt, and absolute power corrupt absolutely*", the power tends to corruption corruption and absolute power tends to absolute corruption. Proving the expression from *Lord Acton*, the researcher intentionally did it, with the intention and purpose to remind that wherever in the earth this power is always very vulnerable to corruption. *Lord Acton's* expression is strengthened again by the existence of four types of corruption as stated by *Piers Beirne and James Messerschmids* in *Dani Krisnawati et al.*, in which the four types or types of corruption are closely related to power, namely; *Political Bribery, Political kickbacks, fraud election, and corrupt campaign practices*.

Understanding corruption according to Law Number. 31 of 1999 in conjunction with Law Number. 20 of 2001 concerning Eradication of Corruption Crimes is *"Anyone who is categorized as illegal, commits self-enrichment, benefits himself or another person or a corporation, misuses his authority or opportunity or facilities because of his position or position that can be financially detrimental state or economy of the State"*. There are nine categories of acts of corruption in the Law, namely: bribery, illegal profit, secret transactions, gifts, grants (granting), embezzlement, collusion, nepotism, and misuse of office and authority and State facilities.

Corruption According to Political Science, corruption is defined as abuse of office and administration, economics or politics, whether caused by oneself or others, aimed at obtaining personal gain, resulting in losses for the general public, companies, or other individuals, corruption. According to the Expert Economy, corruption is defined as a profitable exchange (between achievement and counterparty, material or nonmaterial rewards), which occurs secretly and voluntarily, in violation of the prevailing norms, and at least constitutes an abuse of position or authority possessed by one party involved in public and private fields. Understanding Corruption According to Haryatmoko, corruption is *"an attempt to intervene using the ability gained from its position to misuse information, decisions, influence, money or wealth in the interests of its own benefit"*.

Corruption in Latin is called *Coruptio*, *Coruptus*, in Indonesian is called *Coruptie*, in English is called *Corruption*, and in Sanskrit which is contained in the Ancient Manuscript of the State Kertagama meaning literally *Corrupt* shows deeds that are broken, rotten, *bejad*, dishonest which is related with finance. Corruption in *Black's Dictionary Law* is "An act committed in order to provide an advantage that is not in accordance with official obligations and the rights of other parties, incorrectly using his position or character to obtain an advantage for himself or someone else, along with its obligations and the rights of other parties".

Corruption threatens democratic growth of the massive practice of money politics and trading influences. In fact, this deviant behavior moves far to the point of breaking for law enforcement agencies. Continuing to expand the scope of corruption, anti-corruption images move on the necessity of eradicating extraordinarily. For this reason, Law No. 31/1999 mandates the establishment of an extraordinary body institution called the KPK in combating corruption. In that regulation, a limitation was made on the formation of the KPK with the task and authority to investigate, investigate and prosecute corruption, including cross-institutional duties to coordinate and supervise other law enforcement agencies. Exploring various arrangements at the beginning of the reform, the spirit of the legislators made the agenda of eradicating corruption as a collective agenda in a necessary position. As a necessity, this agenda is intertwined with the steps to form KPK as a special institution. The position of the KPK has become increasingly important because Law No. 30/2002 on the KPK recognizes that the police and prosecutors who previously handled corruption cases have not been effective and efficient in combating corruption. That is, the KPK is a collective image of the great design of the agenda to eradicate corruption. Therefore, within reasonable limits of reasoning, providing protection to the KPK from all kinds of shots or attacks that have the potential to cripple this institution is obligatory. However, as an image that is intertwined with the agenda of eradicating corruption, it is difficult to imagine the future of corruption eradication minus the presence of the KPK. Even if they persist, but leave the KPK in a "like growing greed" position, it is not too much to say that anti-corruption images of political leaders are moving towards the lowest point. Reflecting on the conditions that have occurred in the last few months, if Jon ST Quah in the book *Curbing Corruption in Asian Countries, An Impossible Dream* (2013) cites that the political leaders of a country do not have political will, eradicating corruption is difficult to achieve results. It could be, what we are facing in the past months even further than that: melting and waning anti-corruption images of political leaders. Because of this, it is not too much if the daily reaches the position that the KPK is threatened to end in the Jokowi-Kalla era (Kompas, 18/2). In fact, if traced a little back, the very concern over the fading of anti-corruption images was never imagined. The reason, in Jokowi-Kalla's Nawacita, the pair explicitly stated that they supported the strengthening of the KPK in the prevention and eradication of corruption. Strengthening this, they are committed to rejecting all forms into weakening of the KPK. After seeing the KPK's condition, an elementary question that is more than worthy of being asked: is the promise tree in Nawacita a genuine image? Pamper corrupters The waning image of the corruption eradication agenda cannot only be traced to the above conditions, but can also be traced to the government's plan to review the rules for remission and parole tightening. This plan, of course, repeated the debate 3-4 years ago when a remission sale occurred to corruption inmates. For this reason, it is necessary to note that the ratification of Government Regulation No. 99/2012 which is a revision of Government Regulation No. 32/1999 is an answer to the refusal of various groups concerned with the eradication of corruption when corrupters attempt to shorten the sentence through remission and parole facilities. If you want to put it on the concept of deterrence effect on the big design of corruption eradication, giving remission and parole without tightening can be said as a form of luxury for corrupters. In fact, from the beginning of the legal process, some of those who were involved in corruption received facilities. Perhaps luxury is slightly reduced if the process of handling corruption cases is carried out by the KPK. Several times, it has been stated, the luxury enjoyed by those involved in corruption cases not only occurs to the downstream part, that is, it is easy to get remission and parole, but also to the upstream level. At the very least, the Setyo Nopanto case is more than enough as an example.

3. The Elements of corruption

From a legal point of view, corruption acts outline meet the following elements:

- a. Act against the law
- b. abuse of authority, opportunity, or means
- c. enrich yourself, others, or corporations

- d. detrimental to the state's finances or the country's economy.

Types of corruption include:

- a. giving or receiving gifts or promises (bribery),
- b. embezzlement in office,
- c. extortion in office,
- d. participate in procurement (for civil servants / state administrators), and
- e. receive gratuities (for civil servants / state administrators).

In a broad sense, corruption or political corruption is the abuse of official office for personal gain. All forms of government governance are vulnerable to corruption in practice. The severity of corruption varies, from the lightest in the form of the use of influence and support to give and receive help, to severe corruption that is formalized, and so on. The point of corruption is kleptocracy, which means literally *the government of thieves*, where even pretending to be honest doesn't exist at all.

4. The Result of Corruption Against Various Aspects

According to the Financial and Development Supervisory Agency (BPKP) in 1997 as quoted by Rohim that corruption was caused due to several aspects, namely:

1. individual aspects of corruption perpetrators, such as greed, morality and weak faith, so that they cannot resist the temptations of lust and inadequate income for a reasonable life;
2. Organizational aspects, such as lack of exemplary leadership, lack of a correct organizational culture and management tend to cover corruption within the organization;

Aspects of society where individuals and organizations are like the values prevailing in society are conducive to corruption. The public is not aware that what is the most disadvantaged by any corruption practice is not only the State, but the wider community will also be affected by the corruption;

5. Rules of Anti-Corruption Law

The reforms launched in 1998 mandated the eradication of corruption, collusion and nepotism (KKN) which were considered to have plunged the Indonesian nation and State into a multidimensional crisis, especially economic downturns, the reformers' great hopes at that time were open after the collapse of the New Order and the emergence of the Reformation era which was expected to bring major changes in the life of the nation and state, including the agenda of eradicating corruption.

Basically Law Number. 20 of 2001 is a change or addition to several provisions in the Law Number. 31 of 1999 which is considered incomplete. There are two reasons why the Law Number. 31 of 1999 needs to be changed. *First*, corruption which has been widespread, has not only harmed the State's finances, but has also been a violation of the social and economic rights of the community at large, so that corruption acts need to be categorized as crimes that eradicate them must be done extraordinary. *Second*, the guarantee of legal certainty avoids avoiding the diversity of legal interpretations and providing legal protection for the social and economic rights of the community, as well as fair treatment in combating corruption is an important thing to be realized.

Some important and fundamental changes in the Law Number. 20 of 2001 were not stated in the Law Number. 31 of 1999 as follows. *First*, there is a change in the editorial explanation of Article 2 paragraph (2) so that it becomes: "*What is meant by*" certain circumstances "in this provision is a condition that can be used as an excuse for criminal eradication for perpetrators of corruption, that is, if the crime is committed against funds intended for the prevention of hazardous situations, national natural disasters mitigating due to social unrest widespread, countering economic and monetary crises, and countering corruption crimes".

Secondly, the formulation of Articles 5, 6, 7, 8, 9, 10, 11 and Article 12 directly stated the elements in the provisions of the relevant articles, no longer referred to the articles in the Criminal Hukum Law (KUHP). In addition, the insertion of several Articles in Article 12 into Article 12A, Article 12B, and Article 12C which basically concerning (a) imprisonment and criminal penalties in Articles 5, 6, 7, 8, 9, 10, 11 and 12 do not applies to criminal acts of corruption whose value is less than Rp. 5,000,000, (b) for criminal acts of corruption whose value is less than Rp. 5,000,000.

Model or Form and Types of corruption in various forms including extortion, bribery and gratification have basically taken place for a long time with perpetrators ranging from state officials to the lowest employees. Corruption essentially starts from a habit that is not realized by any apparatus,

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ranging from the habit of receiving tribute, gifts, bribes, giving certain facilities or others and in the end the habit will eventually become a real seed of corruption and can be detrimental state finances.

Some forms of corruption include the following:

1. *Bribery* includes the act of giving and receiving bribes, whether in the form of money or goods.
2. *Embezzlement*, is an act of fraud and theft of resources carried out by certain parties who manage these resources, whether in the form of public funds or certain natural resources.
3. *Fraud*, is a trickery or swindle economic crime. This includes the process of manipulating or distorting information and facts in order to take certain benefits.
4. *Extortion*, the act of asking for money or other resources by force or accompanied by certain intimidation by those who have power. Usually done by local and regional mafias.
5. *Favoriteism*, is a mechanism of abuse of power which has implications for the privatization of resources.
6. Violating the law and harming the country.
7. All secrecy, even if carried out collectively or corruption in congregation.

More operational types of corruption are also classified by the reform figure, M. Amien Rais who stated that there were at least four types of corruption, namely:

1. Extortion, namely in the form of bribes or bribes made by employers to the authorities.
2. Manipulative corruption, such as the request of someone who has an economic interest to the executive or legislative to make regulations or laws that are beneficial to his economic business.
3. Nepotistic corruption, namely the occurrence of corruption because there are family ties, friendships, and so on.
4. Subversive corruption, namely those who rob arbitrary wealth of the state to be transferred by foreign parties of a number of personal benefits.

6. Global Community Efforts in Combating Corruption.

Indonesia has carried out extradition agreements with several countries as an effort to eradicate corruption, including:

1. Malaysia
2. Australia
3. Philippines
4. Hongkong
5. Thailand
6. South Korea
7. Singapore (April 27, '07).

The drafting of the UN Convention began in 2000 when the UN general assembly in the 55th session through resolution 55/61 on 6 December 2000 saw the need to formally form anti-corruption international legal instruments. The main contents of the Convention are 8 Chapters, 71 Articles with the following systematics:

- a. Chapter I: General Provisions, contains statement of purpose; Use of terms; The scope of implementation; and Sovereignty Protection.
- b. Chapter II: Preventive Measures, contains Corruption Prevention Policies and Practices; Corruption prevention agencies or bodies; Public Sector; Behavioral Rules for Public Officials; Actions related to Justice and Prosecution services; Private Sector; Society participation; and Measures to prevent money laundering.
- c. Chapter III: Crimes and law enforcement, contains bribery of foreign public officials and Officials of Public International Organizations; Darkening, Abuse or other deviations of wealth by public officials; Trading influence; Misuse of functions; Unlawfully enriching yourself; Bribery in the private sector; Darkening of wealth in the private sector; Washing the proceeds of crime; Concealment; Barring the proceedings; Responsibilities of legal entities; Participation and Experiments; Knowledge, purpose and purpose as elements of crime; Restriction rules; Prosecutions and trials and witnesses; Freezing, confiscation and seizure; Protection of expert witnesses and victims; Corruption; Compensation for losses; Special authorized bodies; collaboration with law enforcement agencies; Cooperation between national authorities;

- Cooperation between national authorities and the swasts sector; Bank confidentiality; Crime record; and jurisdiction.
- d. Chapter IV: International cooperation, including extradition; Prisoner Transfers; Mutual legal assistance; Transfer of criminal processes; law enforcement cooperation; Joint investigation and special investigation techniques.
 - e. ChapterV: Returns assets, includes prevention and detection of transfers of proceeds of crime; Actions for direct return of wealth; Mechanisms for returning wealth through international cooperation in seizure; International cooperation for the purpose of seizure; Special cooperation; Return and delivery of assets; Financial intelligence unit; and bilateral and multilateral agreements and arrangements.
 - f. Chapter VI: Technical assistance and information exchange; Contains training and technical assistance; Collection; Exchange and analysis of information about corruption and other actions; Implementation of the Convention through economic development and technical assistance.
 - g. Chapter VII: Implementation mechanisms; contains conferences of States parties to the Convention; and secretariat.
 - h. Chapter VIII: Final provisions; contains the implementation of the Convention; Dispute resolution; Signing; Endorsement; Reception; Approval and accession; Enactment; Amendment; Withdrawal; Storage and languages.

By regulating provisions for mutual legal assistance within UNCAC, the effort to return assets can be carried out optimally. The easiest way to process assets that are outside the jurisdiction of the victim country is through mutual legal assistance. When assets resulting from corruption are placed abroad, the victim country represented by the searcher, investigator, or authority can request cooperation with the recipient country to carry out the asset recovery process. This is in accordance with what is stipulated in Article 46 of UNCAC, where the recipient countries of assets must provide assistance to the victim country in the framework of the asset recovery process.

7. Recommendation

Efforts to combat corruption in a constitutional obligation, anti-corruption education in schools is an appropriate and accurate step in disseminating anti-corruption values.

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***Kafa'ah* in The Muslim Community Marriage : a Study of The Social History of Islamic Law**

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ABSTRACT

Kafa'ah is a tradition that existed in the Aran Peninsula long before the arrival of Islam. This means that the *kafa'ah* which later became an interesting discussion in the social history of Muslims to this day is not without strong historical roots. *Kafa'ah* is a method for finding a prospective husband or wife in an equal measure. Before Islam came, then the standard of the *kafa'ah* was one's *nasab*, but when Islam came, the measure was religion or religious observance. *Kafa'ah*, which was born from a culture in a particular society, has also different characteristics, depending on where the community is located and other factors that are around the community. Therefore, in the present context, *kafa'ah* between a certain tribe or a community is not the same size.

Keywords: *Kafa'ah*, Marriage, Islamic Society

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1. INTRODUCTION (10 PT)

Islam has set humans to live in pairs tied to marriage. Provisions regarding marriage are then formulated in the form of rules known as marriage law (*munakahat*). The urgency of the existence of Islamic law is set for human welfare both individuals and worshipers, in the world and the hereafter. One way to achieve prosperity is by maritime marriage, because the family born of marriage is the smallest institution in the community so that an indication of a prosperous society is the true family. Likewise, individual welfare is greatly influenced by family welfare. (Ghazaly, 2003: 13)

Marriage is one of the common *sunnatullah* applies to all God's creatures, both humans, animals and plants. For humans, marriage is a method chosen by Allah SWT as one method to continue the descent and survival (Abidin & Aminuddin, 1999: 9) after each partner is ready to perform a positive role in order to realize the marriage.

Marriage is a sacred event in one's life. So urgent is the meaning of marriage that everyone strives to get through it with a variety of very mature preparations. Marriage is one of the most important dimensions in human life everywhere. Once a marriage is important, it is not surprising that the world's religions regulate marital problems and even the traditions or customs of the people and state institutions also do not miss regulating marriages that are already in force among the people. (Judge, 2014: 39)

Marriage law (marriage), which is a law that regulates the relationship between humans and their fellow human beings concerning the distribution of biological needs between types, and the rights and obligations relating to the consequences of the marriage. (Tihami & Sahrani, 2018: 8). Marriage aims to form a (sacred) agreement between a man and a woman, which has *perdaya* aspects including: a) volunteerism, b) agreement of both parties, c) freedom of choice, d) emergency. (Ali, 1993: 124)

Marriage is so urgent in human life, therefore Islam regulates the terms and harmony in marriage, not only concerning the process of marriage and post-marriage contracts, but also about things that occur before the marriage contract. One of the things is the procedure regarding choosing a potential partner and what criteria can be used as a measure in choosing a husband or wife.

Marriage in the teachings of Islam is an institution to form a family. The family in the perspective of Islam is a sacred institution formed in accordance with God's wishes for human life since human existence on earth, as narrated by the Qur'an surah al-Ra'du verse 38; that the purpose of marriage is not only to feel the beauty of living with a loved one or to satisfy mere lust, but also to obtain peace of life (sakinah), there is a sense of love (mawaddah), and the emergence of affection (rahmah), and aims to get offspring that copy / copy. (Ainiyah & Mufarida, 2019: 20)

Choosing a husband or wife partner is then important to see whether there is compatibility or not among the prospective husband or wife partner. In many Muslim societies, the criteria that must be contained in a prospective husband or wife become one of the important requirements for marriage. There is concern that if one prospective husband or wife is out of balance in some ways, it will eventually lead to divorce. Another factor is the factor of the degree of extended family, which is considered to have more value compared to other communities, so that the clan's ego becomes its own judgment.

An assessment of the equality or balance of a prospective husband or wife in marriage in Islam is known as kafa'ah. Discussions related to kafa'ah in classical fiqh also become important, considering that in the Arabic tradition there are tribes who consider that their clans are superior to other tribes. Based on this fact, there is an unwritten rule that members of one clan may not marry other clan members if the degree is not equal.

2. THE CONCEPT OF KAFA'AH IN MARRIAGE ACCORDING TO ISLAM

In kafa'ah language comes from the word al-kufu which is interpreted as al-musawi (balance). (Nasution, 2004: 217). In etymology, kafa'ah means al-mum Problems and al-Musawah, (al-Zuhayli, 1989: 229) which means the same, similar, balanced, or harmonious, (Mukhtar, 1974: 69) equivalent, harmony / conformity, equivalent or comparable, (Mujib, et al., 1995: 147) similarity, equivalent and soul mate, (Munawwir, 1997: 1216) for example in the sentence fulan kafa'a li fulan al-musawa lahu (the fulan is the same as the fulan or the same). (al-Jurzani, 1988: 185; Wehr, 1971: 832). In terminology, the kafa'ah is comparable between a man and a woman he marries in certain aspects. (al-Zuhayli, 1989: 229; Dahlan, 1997: 845)

The concept of kafa'ah in marriage means equality of the prospective wife and husband, so that each candidate does not object to establishing a marital relationship. The emphasis in kafa'ah is on the factors of balance, harmony, and harmony, especially in matters of religion, such as morals and worship. If kafa'ah is interpreted the same in terms of wealth, nobility, it will mean the formation of caste, even though humans are equal with Allah SWT, which distinguishes only on the side of piety, as the word of God in Surah al-Hujurat verse 13:

إن أكرمكم عند الله أتقاكم إن الله علم خير

It means: "Indeed, the most noble among you by Allah is the most pious. Surely Allah is well aware of what you are doing "

Kafa'ah definitively interpreted as a degree of equality of the husband before his wife. (Arafat, 2019: 215). This perspective is taken from the opinion of Mustafa al-Khin and Mushtafa al-Bugha, which states:

الكفاءة: ويقصد بالكفاءة: مساواة حال الرجل لحال المرأة

It means: "al-kafa'ah: what is meant by kafa'ah is the equality of the husband's condition to the wife's condition". (al-Khin & al-Bugha, 2000: 43)

Zakiah Darajat said that kafa'ah is balanced or harmonious, meaning that the balance and harmony between the prospective wife and the prospective husband so that each candidate does not feel hard to get married. (Darajat, 1995: 73). Ibrahim Muhammad al-Jamal said that the similarity in the concept of kafa'ah is the similarity in social, scientific, moral and property levels. (al-Jamal, 1991: 27)

Kafa'ah or kufu '(Gustiawati & Lestari, 2016: 39) in marriage according to Islamic legal terms, namely the balance and harmony between the prospective wife and husband so that each candidate does not find it difficult to carry out the marriage. Or, a man is equal to his future wife, equal in position, equal in social level and degrees in character and wealth. (Tihami & Sahrani, 2018: 56). The central point is on balance, harmony, and harmony, especially in matters of religion, namely morals and worship. If kafa'ah is interpreted as equality in wealth or nobility, it means the formation of caste, while humans are equal in position with Allah SWT.

Balance, harmony, equality indeed needs to be owned by the prospective husband and wife, in order to create a harmonious relationship between husband and wife to avoid negative things when undergoing household dipping. The terminology of the kafa'ah is discussed by the jurists when discussing marital matters especially in relation to a woman's soul mate. On the one hand, the issue of kafa'ah is becoming increasingly important, so that harmony can be established in the domestic life of a married couple. (Hasan, 2014: 33)

Kafa'ah in marriage is a factor that can encourage the creation of husband and wife happiness and better guarantee the safety of women from failure or the shock of the household. (Ghazaly, 2003: 51). Kafa'ah is recommended by Islam in choosing a husband / wife, but does not determine the validity of marriage. Kafa'ah is a right for a woman or her guardian, because an unbalanced, harmonious marriage will cause ongoing problems, and is likely to cause divorce, and therefore may be canceled. (Arafat, 2019: 56)

Based on the arguments above, the party that has to adjust (which must pay attention to the requirements of the kafa'ah) according to jumhur ulama is the man. (al-Zuhayli, 1989: 230). This means that a man must first see himself before proposing to a woman to marry, whether the woman he will marry is the same position as him. Added by jumhur ulama that a man will not be lowered because of marrying a woman who has a social degree below.

3. OPINION OF JURISPRUDENCE RELATED TO KAFA'AH AND ITS CRITERIA

The history of the concept and implementation of the Kufu concept 'has existed since the ignorance of Arab society, where the concept at that time was an independent woman, who had a high position in terms of nasab and wealth, who had the right to choose the man he liked. The choice of a prospective husband can be chosen by the woman directly or through an intermediary of the woman's guardian who determines her future husband. (Suhail, 2009: 177)

Based on the variety of revelation instructions about kafa'ah contained in QS al-Baqarah verse 221, and an-Nur verse verse 3, then there are several different opinions among the fuqaha. In some Islamic legal literature there is no explanation of the emergence of differences among scholars regarding the necessity of equality between men and women who will marry outside of religious factors. (Sabiq, 1411 H: 240). This emphasizes that the most important thing is all kufu in matters of religion, and all scholars agree to declare that interfaith marriages (for example a pagan man married to a Muslim woman) is null and void. The differences of opinion of the ulama occur in several other criteria outside the criteria in terms of religion, namely kufu in terms of heredity, social status, slave or not, wealth, profession, and not physically handicapped.

The fuqaha differed opinions in explaining certain aspects related to kafa'ah. Hanafiah scholars say there are at least 6 (six) types, namely in terms of descent, Muslim, occupation, independence (no slave status), religion, and property. Malikiyah scholars say there are only 2 (two) kafa'ah criteria, namely Muslims and free from disgrace that can lead to khiyar. Syafi'iyah scholars say that the criteria for kafa'ah are heredity, religion, independence (not slave status), and occupation. Hanabilah scholars say there are 5 (five) aspects in the criteria of kafa'ah, namely religion, occupation (skills), wealth, independence (not slaves), and descent. (al-Jaziri, 1990: 53-59)

The problem of kafa'ah that really needs to be considered and is a measure is a straight and polite attitude to life, not because of heredity, occupation, wealth and others. Godly men, even if they are of lower descent, are entitled to marry higher-ranking women. Men who have any greatness have the right to marry a woman who has a high degree and fame. Likewise, even indigent men are entitled to marry wealthy women as long as they are Muslim and can distance themselves from begging and no one from their guardian hinders or demands cancellation. (Tihami & Sahrani, 2018: 58)

In addition, there is a willingness from the guardians who hold on the part of their women. However, if his man is not of a virtuous and honest group, he is not kufu 'with a pious woman. For a salihah woman if married by her father to a wicked man, if the woman is still a girl and forced by her parents, then she may demand the cancellation of the marriage. (Ghazaly, 2003: 51)

According to Ibn Rushd in the Maliki school there is no longer a difference of opinion that if a girl is married by her father to a drinker of khamar (drunk), or in short with a wicked person, then the girl has the right to reject the marriage. Similarly, if a girl is married to the owner of property or with many people who swear by the words of divorce. (Rusyd, tt: 12)

Jumhur scholars said that the kafa'ah was only in the nature of istiqamah and transgression, nasab, freedom (not slaves), work and property. This means that in every marriage, stability and harmony within the household is needed, which ultimately avoids the family from things that can cause

a breakup of the household, avoiding danger and hardship, because marriage is carried out to create loving friendship and kinship. All of these ideal things cannot be realized except among people who are in the same kufu'. (al-Mashri, 2010: 268)

The Maliki School only determines 2 types of kafa'ah criteria, namely religious and health. The religious aspect means that people are Muslim and have responsibilities, and do not have wicked characteristics or leave the wicked deeds clearly. Al-Qan'aji al-Bukhari defines religion with Islam and justice. (al-Bukhari, 1993: 19). In the aspect of health in question is the physical and mental health aspects; in the healthy sense of a defect that may choose whether marriage is continued or not continued. If a marriage has taken place, the marriage may be in fasakh. Therefore women who are not disabled, are not as kufu' as men who are disabled like crazy, suffering from leprosy and others. (Nur, 2012: 427)

Hanabilah scholars say the standard of kafa'ah in marriage is 5 (five) factors, namely religion, nationality, independence, occupation / livelihood, and wealth. Imam Shafi'i in the book of al-Umm said kafa'ah in marriage there are 5 (five) criteria, namely not disabled, hereditary, protected from despicable acts, occupation or livelihood and independence (not slaves). (Ash-Shafi'i, tt: 155). Hanafiyah scholars say that there are 5 (five) criteria related to kafa'ah in marrying a daughter, namely: heredity, religious factors, independence (not slaves), wealth, and livelihood or occupation. (al-Samarqandi, 1993: 154)

4. **KAFAAH IN THE SOCIAL HISTORY SPECTRUM OF ISLAMIC LAW**

Each individual must have an ideal picture in his mind that will become his soul mate. The description is a reflection of the general view of the community where a person lives. It is possible that the scope of personal worthiness (kafa'ah) within the community is in the corridor of the general perception of the community, but maybe not. Pre-Islamic Arab society, society was built based on family ties, ancestry (nasab), kinship, and ethnic ties (ethnicity). The bond with that model continues to take root and continue until Islam comes. (Lapidus, 2000: 3). Even the Arab descendants who live and breed in Indonesia, still use the same tradition when choosing and sorting out their soul mates.

Islam brought by the Prophet Muhammad SAW is a religion for all humans, bringing mercy to all nature. Islam does not distinguish one type of human from another. The egalitarian concept of Islam changes social equality (social equality) which is very dominant in Arab lands, with a new concept based on equality in religion (religious equality). (al-'Ati, 1984: 107-108). However, to arrive at this ideal value steps are needed. When Muslims were still improving themselves or in the early phase of Islamic Tasyri', at this time it turned out that the culture or culture of pre-Islamic Arab society, more or less influenced the revelations conveyed by the Prophet.

In pre-Islamic Arab times, issues related to kafa'ah had been institutionalized in everyday social life. That fact was raised by MM Bravmann who discovered that the concept of the kafa'ah emerged from pre-Islamic times. Bravmann mentioned that there were several cases of plans for the marriage of a best friend when with his sister Abdurrahman bin 'Awf. Bravmann even mentioned that there were two other cases of marriage involving the element of kafa'ah. Even in Bravmann's eyes in the marriage plan the word kafa'ah is clearly stated. (Bravmann, 1972: 302-308)

The concept of kafa'ah in pre-Islamic times was put forward by Noel J. Coulson and Farhat J. Ziadeh who said that the concept of kafa'ah originated from Iraq, specifically Kufa, where Imam Abu Hanifa lived. The theory put forward by Coulson and Ziadeh, the concept of kafa'ah is not found at all in the book Malik Imam entitled al-Muwaththa', but was first discovered in the book of the Malikiyah school, namely al-Mudawwanah. In al-Mudawwanah's book, the concept of kafa'ah is only reviewed in very small portions. In historical records, Imam Malik did not discuss the concept of the kafa'ah at all. (Sahnun, 1323 H, 170). The concept of kafa'ah in the view of Coulson and Ziadeh arose because of the cosmopolitan and complex problems and the people who lived in Iraq at that time. (Nasution, 2004: 213-214)

In pre-Islamic Arab times, divide arabic male for example, the ideal soul mate is a young woman and comes from the noble descendants of the Arabs. It is despicable to marry an Arab woman with a non-Arab man. For an Arab woman, the ideal match is a man who is always sweet, gentle, and can get along, generous and brave, noble but loyal. The man must have an equal social status, both in the degree of glory and fame. For example, for example the daughters of the Quraysh tribe were only allowed to marry men who followed the tribal religion. (al-'Ati, 1984: 108)

The structure of pre-Islamic Arab societies and families is not very different from when Islam was present and later adopted by the Arabs. Although stratification (levels) between the tribes of one another still exists, judging by the size of the existing social criteria. In accordance with these criteria,

the size of each individual is determined by the basis of his religious policy, namely whether they obey or not to their traditional values.

For every Muslim, the value is still valid, only the measurement value is the piety to Allah SWT. According to the Sunnah of the Prophet Muhammad SAW, the highest level is measured by the degree of conversion in religion, but the practice carried out by the Prophet Muhammad by marrying a former slave of the Quraysh tribe. Marriage between someone from the upper level with slaves (the lowest level) may be difficult to understand. The example shown by the Prophet Muhammad SAW did not merely highlight the egalitarian spirit (the spirit of promulgation of the principle of equality politically or socially) of Islam. But Islam does change the value of social equality with a new concept based on religious equality.

The new principles based on the principle of equality in the religion, turned out to be taken for granted by some Arab communities. Perhaps because the principle is actually a combination of various values or factors. The emergence of Islamic society has set an example of the importance of religious identity. Its value is almost similar to the norm of solidarity of pre-Islamic Arab society. In a society with the norm of solidarity, each member must be prepared to provide services for the benefit of the community. It seems that it is the spirit of solidarity that can increase the resilience of the community, negate the sense of selfishness and care for the public interest. Rasulullah Saw as a community leader truly coexisted effectively with the community in facing social barriers due to lineage,

In Islamic teachings, every man is free, entitled and justified to marry a woman (with any status), as long as it does not damage the integrity of his religion. The value of service is no longer social equality, but religion. A man who is not Muslim is not allowed to marry a Muslim woman. Because both are not as kufu in religion. It is also illegal according to law for a good man to marry a prostitute, and vice versa. If the religious equality is fulfilled, then other considerations become a second problem. This is the logic of the Qur'an and the Sunnah of the Prophet, based on the interpretation of jurists. (al-'Ati, 1984: 109)

Several other legal experts ignored traditional social considerations. Legal experts emphasize the value of religious honesty for brides. This is to show that the social conditions at the beginning of the formation of Islamic society, also so as not to appear a double conception. This is not merely influenced by the impression of liking a new understanding, namely Islam. But precisely to clarify the position of Islam in matters of marriage. Such conditions were increasingly apparent during the first and second centuries of the problem of Islamic governance.

The discussion warmly related to kafa'ah reappeared in the body of Muslims when there was a contact between Arab Muslims and the Kufa culture whose culture and culture came from Persia. Long before the advent of Islam, the Persian Sasanit empire had introduced the castes in society and applied them in social life, as found in Hindu society. (Coulson, 1987: 46). With the interaction that took place between Arab Muslims - as conquerors - with the native Kufa who were given the title of Mawalli, inevitably the Arab Muslims were finally influenced and adopted this, especially in marriage. As a result, there were not many kufu opinions of Arab women and men from non-Arab tribes. This then becomes one of the factors why Imam Abu Hanifa gave special attention to the kafa'ah in marriage, even supporting the doctrine of social equality.

Ironically Imam Abu Hanifah himself is not of Arab descent. It is certain that the social conditions in Kufa have influenced many of his ijihad. Reuben Levy said in Kufa there were very sharp classes of people, such as the Mawalli class, Arabic, slave strata, free Ashraf, and others. In fact there are social classes that are seen from where they live, urban society is higher than the rural community. The existence of these classes has an impact on the insult of occupation. (Levy, 1986: 65-75)

In contrast to the Madinah community, the issue of kafa'ah is not so prominent sticking to the surface, and it is also not in line with the concept of the Medina clerical law, due to the distance of this area from the influence of Persian and Roman culture, despite its population is still dominated by Arabs and not much mixed with non-Arabs. It is only natural that Imam Malik, who was in Medina, then argued that his kafa'ah was not mu'tabar in terms of heredity, wealth, position or profession in marriage.

The phenomenon of kafa'ah that occurred in the Arab country there turned out, it is still used by people of Arab descent in Indonesia. Mubassir and Anshori's study of Arab community marriages (Bahafdullahh, 2010: 167) in Ampel Surabaya, shows that they still follow the rules in Hadramaut, Yemen. The system and practice are almost unchanged even though it has been in Indonesia, especially in Surabaya for almost 150 to 200 years. The Arab descendant community in Ampel Surabaya has been conducting a marriage system from the beginning to the present so that the descendants (nasab) who are connected to the descendants of the Prophet Muhammad can be maintained (not mixed) with those who are not descendants of the Prophet Muhammad. (Mubassir & Anshori, 2019: 31)

There are 2 (two) groups of Arab communities in Ampel Surabaya, namely Ba'alawi and Mashayikh, each of which is usually only inter-group mates. Ba'alawi (sayyid) men are more open than Ba'alawi (sharifah) women, meaning that sayyid is allowed to marry with women outside of his group or with non-Arab women. Unlike the case with women from the Ba'alawi group called Sharifah or Habibah, they must marry men from the Ba'alawi group or also known as Sharif, Sayyid or Habib. (Mubassir & Anshori, 2019: 32)

For sharifah it is very important to maintain and be closed to marry men other than Ba'alawi. This requirement occurs in families who still maintain the concept with fellow extended families, with the aim of being able to preserve and maintain the rice that connects directly to the Prophet Muhammad. Ba'alawi men are free to marry women from any group, including indigenous women. The reason is because the lineage was drawn from the male side, so that even though Ba'alawi men marry women outside of their group, their offspring still hold the blood of Ba'alawi. (Mubassir & Anshori, 2019: 31)

At present, for the Mashayikh to guard the descendants of the Sehi Nasab, it is only intended that the grandfather and his great-grandmother's ancestry be known so that they know each other. That is, today the Mashayikh group has begun to pay no attention to the lineage, although in choosing a partner for a husband or wife are not arbitrary to find a match for their children. The Mashayikh group sees how religion, family and responsibilities are for their future husband or wife. (Mubassir & Anshori, 2019: 32)

Basically, the Mashayikh group with the Ba'alawi group have the same principle in determining the kafa'ah based on the nasab. The two groups differed in their views regarding the urgency of the Kafa'ah Nasab in marriage. For the Ba'alawi group to maintain the principle of the kafa'ah nasab due to the existence of a doctrine that requires to maintain the lineage of the descendants of the Prophet Muhammad. For the Mashayikhs do not have such beliefs. The Mashayikh group still maintains their lineage but does not cult so that making the election of the kafa'ah based on the nasab is an obligation. (Mubassir & Anshori, 2019: 32)

Likewise, research conducted by Siti Salafiyah is related to the application of kafa'ah to the Arab community in the Solo City Kliwon Market. In his interview with the family of Haji Abdullah bin Yahya, a descendant of Sayyid, found that the concept of kafa'ah was carried out by the descendants of Sayyid the most important is the nasab which must have in common that for a Syarifah woman is required to marry a Sayyid in order not to break the nasab relationship that reaches the Rasulullah (zurriyat) Rasulullah SAW. (Salafiyah, 2018: 58)

Unlike the case with a Sayyid who is given a little leeway or freedom to choose a woman who will marry with anyone as long as it remains in accordance with the provisions of Islamic law. Other Arab descendants who are not part of the zurriyat descendants of the Prophet Muhammad or non-sayyid, are free to marry anyone. The main factor influencing the implementation of the concept of kafa'ah in the Sayyid family is because of culture and customs which indeed have a big influence on the existence of a paradigm of the people of Arab descent in the city of Solo. (Salafiyah, 2018: 59)

In the family of Habib Abdullah al-Kaff still in the city of Solo, religious factors, nasab, iffah (work), independence (slaves), and are not disabled on the bride calom are very influential in determining the kafa'ah in marriage. When viewed from the criteria of the Habib Abdullah al-Kaff family there are no significant differences in the provisions of Islamic law, although there is little specificity that comes from the customs of the offspring that can be declared part of the culture that prioritizes the same people. (Salafiyah, 2018: 61)

Siti Salafiyah identified based on her interview with Habib Abdullah al-Kaff that sociologically the descendants of Arabs in the city of Solo were aware of the importance of kafa'ah in marriage, although there were still those who married non-sayyids for Sharif, which was caused by several factors, namely due to lack of parental teaching. towards their children about the importance of the meaning of ahlul bait; secondly, because of lack of socialization in the habaib environment, thirdly, being indifferent to the meaning of ahlul bait, as well as sharifah which is contaminated with modernization so that it is against marriage that must be with the prostitute of ahlul bait also in marriage. The phenomenon of opposition carried out by the Sharifah actually has existed since the 90s, but not as busy as it is today. (Salafiyah, 2018: 63)

When viewed from a variety of reasons related to the implementation of the concept of kafa'ah in marriages from pre-Islamic times to the present, it is centered on the nasab, work, social status, between Arabs and non-Arabs, between descendants of ahlul bait and those who are not. There is one thing that should be questioned, which is related to the status of sayyid and especially syarifah that must not be married to other than sayyid. Of course this is contrary to the mission of the arrival of Islam which

eliminates all kinds and types of differences both social differences, ethnicity and other social degrees, (Muhammad Ali, 1977: 426) so that all humans are equal in the eyes of God.

The choice of a prospective husband or wife is something that must be done because it is related to the future of marriage, but by choosing only because of heredity (*nasab*) only to maintain *zurriyat* as happened to Arab descendants in Indonesia, it can actually be questioned. An egalitarian Islam which sees all people in the same position is only distinguished from piety. Of course, choosing prospective companions based on specific texts will create an exclusive attitude in the midst of the community. Glory will only come based on the level of faith and piety, nothing else. Therefore understanding of the concept of *kafa'ah* needs to be done in an integrative, inclusive, and comprehensive manner.

It needs to be understood that in history, the concept of *kafa'ah* was originally derived from social distinction which then turned to legal issues (legal distinction). (Nasution, 2004: 214). Therefore, various social changes that occur in society related to *kafa'ah* should not be considered as a deviation. This is because basically *kafa'ah* is only to measure the appropriateness of someone in choosing their partner, and the most viewed is the factor of religion. The religious factor is seen because with a person's diversity, he can educate and protect his family from things that are able to distance themselves from the *Shari'a* of Allah SWT.

5. CONCLUSION

The concept of *kafa'ah* has actually existed since pre-Islamic times. When Islam came, the concept was still used even though the Imams of the different schools were related to the *nasab* criteria. Based on that, the problem of *kafa'ah* actually starts from the social conditions of the community, which then turns into a legal problem. Because it was born from social conditions, it is certain that the assessment of the size of the *kafa'ah* will certainly be different which is determined by the social conditions of the people who surround it. Only one definite measure of the concept of *kafa'ah* is only a matter of religion

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Studying The Role of Political Parties in The Implementation Of Democracy in Indonesia

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ABSTRACT

Political parties are an important element in democracy. There is no country with a democratic system without a political party. Political parties in Indonesia have gone through a long history since the Old Order to the current Reform Order. Political parties have functions, among others, as a means of political communication, a means of political socialization, a means of political recruitment, as a regulator of conflicts. The four functions of political parties have actually been running, but in reality many people are dissatisfied with the performance of political parties, causing public trust in political parties to decline. In the perspective of society, political parties are no more than an attempt to gain power, and after power is seized, the people are abandoned.

Keywords: role, political parties, implementation, democracy

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1. INTRODUCTION

August 17, 1945 was an important moment for Indonesia, because on that date the Republic of Indonesia was proclaimed. In the 1945 Constitution of the Republic of Indonesia it is stated that Indonesia is a democratic country. Countries with a democratic system are characterized by one of them being the recognition of the existence of political parties as one of the pillars of democracy, besides freedom of the press.

The existence of political parties actually plays an important role in the history of the Republic of Indonesia. Political parties since the Old Order, the New Order, the Reformation Era, experienced ups and downs along with the politics desired by the ruling president in a certain era. The Old Order gave everyone the freedom to form political parties with any affiliation, for example religious, nationalist and even communist, so that the number of parties was so large in that era.

In the New Order there was a streamlining of political parties by combining several political parties in harmony so that there were only 2 parties namely the Indonesian Democratic Party, the United Development Party, and 1 Work Group. When the reform era began in May 1998, the faucet to establish a political party was reopened along with demands for freedom which were an important objective of the reforms at that time. To this day hundreds of political parties, both national and local (specifically Aceh), often participate in various elections held after the reformation.

Political parties which are expected to embody democracy, apparently also have weaknesses as motors of democracy. Corruption and collusion practices carried out by individual parties, have reduced the community's electability to gradually. There are indications that the party is a means used to enrich themselves plus an extension of the president's hands to gain legitimacy towards various policies that are actually not accepted by the people.

Based on the discourse above, it is necessary to study more deeply related to the role of political parties in the effort to implement democracy in Indonesia. There are indications that democracy that is running in Indonesia today is not very healthy, because the existing political parties are not optimal in carrying out the function of democracy, thus leaving the people who should be a reference in determining the policies to be taken by the government.

2. DEMOCRACY AND DEMOCRACY OF THE PANCASILA

Democracy is a system of several systems that exist in the context of carrying out community and state activities in several countries of the world. Another system is the system of monarchy or kingdom also adopted by several countries. Democracy as a social and state system has made democracy as a fundamental principle in the world. Democracy has also provided various directions for the role of the community for the organization of the state as its highest organization, which is why a comprehensive knowledge and understanding is needed for the community to understand the meaning of democracy. (Jonah, 2015: 157)

Democracy comes from Latin, namely *demos* which means people and *kratos* which means government, which literally means government from, by, and for the people. Democratic terminology began to be used in Athens Greece around the 5th century AD. In the history of democracy, the spectacular achievement of the Greek period was the emergence of what came to be known as "city states (*polis*)". The policy is the first form of democracy. In the book *Funeral Oration* written by Pericles says that the government of Athens is called democracy because its administration is in the hands of many parties. Aeschylus even said that there was no government in Athens because the people were the government. (Schmandt, 2002: 37)

In the perspective of Amin Rais, democracy means that it is the people who provide provisions in the main problems related to their lives, including assessing the policies taken by the government, because the policies taken determine the people's lives. In a narrower meal, democracy means government which is held based on the will and power of the people. (1986: 5)

In the perspective of Bonger quoted by Ismatullah, democracy is divided into two aspects, first, namely the formal understanding of democracy as a theory, and the second, namely material democracy which means democracy in practice, which is influenced by two factors namely independence and equality, and also social and economic. (2016: 75)

Democracy in the city states in the Ancient Greek era in the 6th century to the 2nd century BC was a form of direct democracy, which is a form of government in which the right to make various political decisions is carried out by all citizens who act according to the majority procedure. It must be remembered that the implementation of direct democracy in the era of Ancient Greece took place in conditions that are still simple, a territory that is also limited (a country that only consists of cities and the surrounding area) and a small population. It should be noted, that democracy at that time only applies to official citizens ie only a small portion of the population. For the majority population consisting of foreign slaves and foreign merchants, and also democracy children do not apply. (Budiarjo, 2008: 109)

The essence of democracy is as a system of society and state and government emphasizes the existence of power with the people, both in the administration of the state and government. Power in the hands of the people means 3 things: first, government of the people, second, government by the people, third, government for the people. This means the essence of democratic governance if all three of these things can be upheld and enforced in a country's governance.

To the next stage the idea of ancient Greek democracy was lost when the Western world when the Roman Empire was defeated by Western European tribes when entering the Middle Ages (600-1400 BC). In this medieval era an important event in the world of democracy was born, namely the *Magna Charta* (Great Charter), which was a semi-contract between several nobles and King John of England where for the first time the ruling king bound himself and guaranteed several rights and privileges of his subordinates as rewards for handing over funds for war purposes and so on. Although this charter was born during a period and in a feudal atmosphere and does not apply to ordinary people, but is considered an important momentum in the development of democracy. (Budiarjo, 2008: 109)

Ideas and ideas about democracy have met and interacted dialectically with various social contexts, cultural, style, levels of economic development. Meetings and interactions that occur between democracy with the social context, culture, style and then develop in such a complex. The point is that the practice of democracy has evolved to encompass the entire world community with all its features and variations including in Indonesia. Finally the idea of democracy often has to adapt to its new environment.

In the Indonesian context, democracy is adapted to ideas and philosophies that exist in Indonesian local wisdom. Indonesia has proven that democracy cannot always be carried out in accordance with the constitution. The fact that the succession of democratic systems in Indonesia began from the beginning of independence until the birth of Presidential Decree Number X of 1945, there was

guided democracy, Pancasila democracy, until the emergence of reforms actually showed how dominant the role (government) of the state in giving color to the democratic system in Indonesia. On the other hand the people who actually as holders of state sovereignty are forced or forced to follow the will and power of the political elite that are in power in carrying out democracy. (Irawan, 2007: 55)

Indonesia adheres to the Pancasila democratic system. Pancasila democracy is based on the principle of kinship and mutual cooperation aimed at the welfare of the people, its elements consist of religious awareness, truth, love and noble character, Indonesian personality and sustainability. (Hatta, 1998: 87). The organizing system in the Pancasila democratic system is carried out by the people themselves or with the people's consent. (Nasution, 2010: 3-4). In Pancasila democracy individual freedom is not absolute, but must be harmonized with social responsibility. (Latif, 2011: 383). The universality of democratic ideals is combined with the ideals of life of the Indonesian people, imbued with family spirit, so that there is no majority or minority domination. (Latif, 2011: 250)

The term Pancasila Democracy itself was popularized after the New Order was born in 1966. Pancasila Democracy was born as a counterpoint or reaction to Guided Democracy introduced by Sukarno. The ideas and ideas of Guided Democracy have been legalized legally in the form of MPRS Decree No. VIII / MPRS / 1965 concerning the Principles of Deliberation for Consensus in Guided Democracy as a Guide for Consultative / Representative Institutions. The concept of Guided Democracy introduced by Sukarno was strongly opposed by the New Order government. Finally in 1968, the MPRS re-issued Decree No. XXXVII / MPRS / 1968 concerning Revocation of MPRS Decree No.

The concept of Pancasila democracy is taken and explored from local values that live and grow in native Indonesian society, so that the values are attached to it, namely the values of democratic villages, collectivism meetings, deliberations, consensus, help, help, and other related terminology with that. The purpose of Pancasila democracy is to provide an empirical-sociological basis on the concept of democracy that is suitable and in accordance with the nature of personality that lives in native Indonesian society, so that Pancasila democracy is not something that comes from foreign elements, especially from the West and is forced on the reality of Indonesian life. (Agustam, 2011: 85)

The purpose of the indigenous people of Indonesia above is a form of community life that has long existed on various islands in the archipelago starting centuries ago and is composed of the smallest different life units such as villages in Java, nagari in West Sumatra, villages in Lampung or subak in Bali. In the present context, the term used to describe the original life of the community is local wisdom.

The indigenous people of Indonesia actually have a homogeneous, structural and collective set of values, mental and morals, all of which have their own cultural values and have turned out to be democratically slender, namely direct democracy as found in the ancient Greek city states of around 25 a century ago. (Agustam, 2011: 85-86)

The birth of Pancasila democracy is a new form of foundation for implementing democracy in Indonesia. For the New Order government under Soeharto's leadership, Pancasila Democracy was seen as a violation of national integration. Based on MPR Decree No. II / MPR / 1983 concerning the Guidelines of State Policy (GBHN), Pancasila Democracy is strengthened and Pancasila as the only principle that colors the political system in Indonesia. The principle formulation is contained in Law No. 8 of 1988 concerning Community Organizations and Political Organizations. (Irawan, 2007: 61)

Mahfud MD said that in whatever form the canalization of political power, the necessity to accept Pancasila as the only principle actually does not reflect the idea of pluralism that requires diversity in the implementation of democracy. (1999: 236-237). This means that Pancasila democracy itself actually does not fully reflect democracy as desired by democracy.

The collapse of the New Order in mid-May 1998 also turned out to be the day of the abolition of the concept and implementation of Pancasila democracy in Indonesia. The implementation of democracy in Indonesia currently rests on the 1945 Constitution after the amendment. Editorially the duties, functions and authority of the DPR as a manifestation of people's aspirations are still the same as the old 1945 Constitution. Changes only concern the systematic regulation, but not the substance of the regulatory material. Basically the DPR has the functions of legislation (regulation), supervision and budgeting (budget).

3. THE ROLE OF POLITICAL PARTIES IN THE IMPLEMENTATION OF DEMOCRACY IN INDONESIA

Political parties have an important role in the growth and development of democracy in Indonesia. Long since before Indonesia's independence, political parties have existed in Indonesia. In the early days of independence, political parties did not yet have a maximum role as a forum to channel people's political aspirations. The emergence of various shocks and dissatisfaction of a group of people due to their

aspirations are not fulfilled and contained, so that it appears in the form of separatist movements such as the Islamic State led by Kartosuwiryo in 1949, and the formation of bonek states with nuances of regionalism. (Subijanto, 2000: 2)

During the Old Order era, political parties played a role in channeling people's political aspirations and were not carried out as expected. Political parties at that time tended to be trapped by the interests of their respective parties and / or groups and not for the interests of the people as a whole. This is as a result of instability in the political and social system which is marked by the frequent changes in the cabinet. As a result, political parties do not function, so politics is made commander, people's aspirations are not channeled due to political policies issued at that time more nuanced political interests than economic interests, disturbed sense of justice and dissatisfaction increasingly thickens. Democracy during the Old Order was only used as political jargon, but not accompanied by efforts to empower people's political education. Political parties ignore the rights of the people to get political education which should be the basis for the formation of political parties.

When the New Order came to power in 1966, the role of political parties was regulated and regulated through the issuance of Law No. 3 of 1973. Political parties during the Old Order were very much divided into 3 (three) socio-political forces consisting of 2 (two)) political parties namely PPP and PDI and 1 Group of Work. The reality is that the arrangement of political parties does not make political parties a channel for channeling people's aspirations to be realized, so that political parties that are expected to accommodate the people's political aspirations that must crystallize into populist publicist policies also do not appear on the surface. The public policy adopted by the New Order government apparently did not pay attention to the political aspirations of the people and tended to be a means of legitimating the interests of certain rulers and groups. The impact is that national development becomes uneven, causing inequality and social inequality in various aspects of national and state life. The New Order government does not place political parties as a place for people's political aspirations and is not placed as a political power of the nation, but is only placed as a political machine for rulers and democratic accessories that aims to legitimize power. This means that the role of political parties during the New Order era was sterile and almost did not function at all. (Subijanto, 2000: 3) The New Order government does not place political parties as a place for people's political aspirations and is not placed as a political power of the nation, but is only placed as a political machine for rulers and democratic accessories that aims to legitimize power. This means that the role of political parties during the New Order era was sterile and almost did not function at all. (Subijanto, 2000: 3) The New Order government does not place political parties as a place for people's political aspirations and is not placed as a political power of the nation, but is only placed as a political machine for rulers and democratic accessories that aims to legitimize power. This means that the role of political parties during the New Order era was sterile and almost did not function at all. (Subijanto, 2000: 3)

Over time, the political parties after Indonesia's independence, experienced a metamorphosis to this day. The reform era in 1998 provided the widest possible space for everyone to establish political parties. Stands are dozens of political parties which enliven the election chain in Indonesia. The reform movement that was driven by students then issued Law Number 3 of 1999 concerning Political Parties. the issuance of the Political Party Law provides the widest possible opportunity for the re-birth of the multiparty system.

The hope for the presence of an ideal political party in democratic life so as to be able to channel political aspirations is getting better, until now it has not yet demonstrated the expected reality. This was evident in several election campaigns that included many political parties that did not actualize people's aspirations in the various party programs that were championed. This means that political parties only like to promise political slogans that are hard to believe. Although it has entered the era of reform, the development of democracy has not been well directed and the aspirations of the people have not been maximally fulfilled until now.

Political parties are important instruments in a democratic system because the main motive and goal of politics is indeed to get legalized power. The emergence of a democratic system in the world, making power struggles and the fulfillment of interests lead to conflict, it is necessary to have an institution that becomes a means for these 2 (two) goals, namely political parties. (Budiarjo, 2008: 398). In today's modern era, the existence of political parties in various countries that use a democratic system, shows a crucial role for its political goals. Based on these facts, political parties are transformed into important means for the interests of the people and power struggles among the elite as well as to break up conflicts. (Mawazi, 2017: 138)

A political party in Mark N. Hagopian's view is an organization formed to influence the shape and character of public policy within the framework of certain ideological principles and interests through the practice of direct power or people's participation in elections. (Charity, 1996: xv)

According to Law Number 2 of 2011 concerning Amendments to Law Number 2 of 2008 concerning Political Parties, what is meant by "political parties is an organization of a national nature and was formed by a group of Indonesian citizens voluntarily on the basis of the common will and aspirations for fight for and defend the political interests of members, society, nation and state, and maintain the integrity of the Unitary Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

The sociological basis of a party is its ideology and interests directed at various attempts to gain power. Ideology is the most important thing for political parties, every political party must have an ideology that functions not only as a unifying identity, but also as a party struggle goal. (Surbakti, 1992: 115). Political parties are a form of political organization outside the state structure and have a position as an intermediate structure between the superstructure of the state government and the infrastructure of shared life in society. (Elfriza, 2019: 21)

Haris said that political parties have an important role so it is reasonable to assume that there is no democracy without political parties. This assumption is based on the fact that political party institutions are one of the important pillars in a design of democracy in addition to the institutions of election, executive, legislative, judicative, and free press institutions. (Haris, 2014: 45). In a democratic system, without a strong political party there can be no strong democracy. (Salang, 2007: v)

Political parties generally have four main functions, namely the articulation and aggregation of interests, political education, regeneration and recruitment. Between one function and other functions are related, and has a considerable influence on the expectations and interest of members and the general public on a political party. (Salang, 2007: 8). Jimly Ashshidique said that the function of the first political party, namely the means of political communication and absorbing political aspirations; second, the means of political socialization and political education; third, as a means of political recruitment; and fourth, as a means of regulating and reducing conflict in society. (2017: 35). If examined further the four functions of the party, then everything does not run optimally and as an ideal the purpose of the political party is formed.

Political parties in the perspective of Robert Michels are representations of ideas that must exist in modern democratic political life. The orientation of political parties inherent in representation of ideas is intended to represent heterogeneous interests of citizens, provide a compromise for competing opinions / demands, and provide sufficient space for the succession of political leadership in peace and legitimacy. Political parties are concrete manifestations of various political interests championed by a group of people so that political aspirations can be channeled and their interests can be achieved.

Examining the role of political parties in Indonesia can be done by examining the functioning of the political parties. The first function of political parties is to absorb people's aspirations. Political parties must have the ability to absorb aspirations which means they are able to explore and translate information about how the community feels and about the problems faced by the community. (Hutabarat, 2005: 316). The function of political parties absorbs people's aspirations can be interpreted in 2 (two) ideas, namely:

1. Community aspirations in the context of policy formulation;
2. Community aspirations in the context of meeting community needs. (Hutabarat, 2005: 317)

When viewed from what has happened so far, a lot of people's aspirations are not channeled by political parties. Many examples can be used as a comparison. The Draft Omnibus Law is related to job creation, which is widely protested by students, workers because they are impartial and disadvantages workers and only benefits employers. Likewise, the revision of the KPK Law has drawn criticism from various parties, because it is suspected that it will weaken law enforcement against corruption in Indonesia.

Whereas the principle of Pancasila democracy contained in the fourth precepts, namely: "Democracy led by wisdom wisdom in deliberation / representation", and the basis of Pancasila democracy is people's sovereignty. This means that the people determine the form and content of government in accordance with the conscience and interests of the people in order to achieve the prosperity and welfare of Indonesian citizens.

In Indonesian democracy, the people are the subject of democracy, that is, the people as a whole have the right to participate in determining policies through representative institutions to be carried out by executive institutions for the welfare of the people themselves so that the policy is not at the wish of

the ruler of the state (in absolute form). (Artist, 2012: 65). Ignoring the people's aspirations in making a policy means betrayal of the people.

These two facts actually describe that political parties that exist in parliament, do not follow the aspirations of the people who have rejected unfair laws or bills, and are feared that they will cause misery for the people, especially for workers, when the Omnibus Law Bill is passed. Political parties that are supposed to be channels for people's aspirations are instead entangled in entering power circles by supporting the president. The essence is that political parties are only "friendly" to the people when they want to enter the election, but when they are elected, the people are simply left behind.

Likewise with the people's aspirations for the needs of the community. Many cases can be used as examples, for example there are still many villages that do not have schools, school buildings that are not feasible, poor road conditions that make it difficult for community access to daily activities, the provision of clean water facilities that are minimal. For years people suffer because their basic needs are not served and their aspirations are not heard, even though the people have paid taxes to the state. Members of political parties should express the aspirations and desires of citizens and then convey it to the executive to be implemented.

The next function of political parties is political socialization. Political socialization is a way to introduce political values, attitudes and political ethics that apply or are adopted by a country. The formation of political attitudes or political ethics certainly takes a long time and goes through an ongoing process. (Khoiruddin, 2004: 94)

The facts presented turned out to be party elites and also their members including ministers, regional heads who became party cadres, many were involved in legal cases, especially corruption. Then the question is which ethics are taught by political parties? So if further traced what political attitudes are taught to the people, if what is discovered are only rotten political intrigues, which are selfish. At present the public / public trust in party institutions is at its lowest. There is almost no positive value that can be taken by the people related to the morality of the people contained in the party parties. The people only watch the slapstick style of the party elite without wanting to know that the people are actually fed up with the show. Under these conditions,

Political parties also function as a means of political communication. That is, that political parties actually have a very important role as an effort to articulate interests (political interest) or political interest that is sometimes hidden in society. These various interests should be able to be absorbed by political parties which then become ideas and materials for making policies both for political parties and for the government. The intended political communication can actually be done in two directions, both political information from the government to the community and vice versa from the community to the government.

Political parties should not take a stand as those who are more aware of the needs of society than the community itself. The task of political parties is to listen to the people's complaints, what is needed by the people. If you could say that there are actually many layers of society that are smarter, more qualified than members of political parties. Members of political parties should serve the interests and needs of the people, and not vice versa.

The function of other political parties is as a means of political recruitment (political recruitment). Political parties are indeed formed to become a legitimate vehicle for selecting cadres of state leaders at certain levels and positions. Political parties are the most responsible parties when putting their cadres in certain positions, but the quality is very poor when holding a position in the government. Many party cadres have a moral and legal defect scandal. Behavior of corruption, bribery, collusion, and infidelity, involved in narcotics crime, are crimes that often involve members of political parties.

Based on these facts, the political parties should select strictly related to the quality and integrity of the recruits. Mistake in recruiting people means the same as betraying the people. Public distrust of the executive and legislative branches, indicates the mistakes and mistakes of political parties when recruiting cadres without integrity. Political parties should also recruit people outside of their qualified cadres who are supported by the people.

In a number of elections that have been passed after the reform, many people are disappointed with the quality of the members of the council who are completely unable to answer the people's aspirations. Various surveys conducted by several institutions indicate that public mistrust of the members of the council is at a high level. This indicates that community disappointment is at its nadir. Based on these facts, political parties have a very important role in efforts to uphold democracy.

In countries that embrace democracy, political parties are a form of institutionalization of democracy, and as official representatives to respond to people's aspirations. Political parties play a role as a link between the processes that occur in government with the social dynamics that occur in society. This means that political parties can be called very determine democracy in a country. (Ristyawati, 2019: 711)

The last function of political parties is as a regulator or conflict management, in which political parties act as aggregations of interests that channel various different interests through institutional channels of political parties. Political parties as conflict managers are associated with the function of political party integration. Political parties aggregate and integrate various interests by channeling them as well as possible to influence state political policies. (Many, Knapp, 1998: 124)

Based on the argument above, that political parties still have a lot of homework to be done so that democracy can be maximally implemented. The homework includes recruiting cadres to go through a rigorous process such as academic quality, integrity and not moral defects. Political parties must be able to accept sharp criticism from the public, because it is indeed the function of political parties to absorb the aspirations of the people.

4. CONCLUSION

Political parties have an important role in democracy. As one of the links in the democratic system, the party should be able to provide enlightenment through its functions. Political parties that have carried out their functions properly and optimally, the public will be educated to democracy well too. Political parties should contribute to the welfare of the people, because political parties are born from people's aspirations that are not fulfilled by other parties. Therefore the party must be filled with people who understand the people's aspirations so they are not abandoned by the people.

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An Experimental Study of The Effectiveness POEW MODEL Through Applying Quartet Card in Teaching English Writing Utara

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ABSTRACT

This research deals with an experimental research in which aimed to investigate the effectiveness POEW model assisted Quartet Card in teaching English writing of recount text. The population and the sample of this research are the students of SMP Muhammadiyah 01 Medan academic year 2019/2020, on Jalan Demak No. 3, Sei Rengas Pertama, Medan Area. There are seven classes of grade VIII totally 270 students in which there are only 2 classes were taken as the sample of the research. The two classes are taught through two different model, the experimental class is taught through POEW model assisted Quartet Card and the control class is taught through lecturing Model. The essay test is applied for exploring the effectiveness of applying the model and it finally found that $t_{\text{observe}} (4.67)$ was higher than $t_{\text{table}} (2.01)$ with the degree of freedom ($df=58$). It means that the alternative hypothesis (H_a) was accepted. In conclusion, the POEW model assisted Quartet Card can effectively promote students' English writing in recount text.

Keyword: POEW Model, Quartet Card, Effectiveness

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1. INTRODUCTION

Teaching English is strongly needs any learning model or media that can make the learning process more effective. According to Sutirman (2013:22), the Learning model is a wrapper or frame of application of an approach, strategy, method, and learning technique. A learning model is a form of learning to carry out activities that are illustrated from the beginning to the end and presented specifically by the teacher. With the existence of the model, the various activities it covers can be controlled. However, the learning model will not float well if it is not accompanied by the media. Media may help the teacher to convey the subject matter to the students so that messages are easier to understand, more interesting, and fun for the learners.

According to the basic competencies of writing skill in the junior high school curriculum, students are expected to produce several texts, for example, letters, short messages, greeting cards, and monologues. There were some monologues texts that taught in junior high schools, such as descriptive text, narrative texts, recount texts, and report texts. As stated in the curriculum, students were suspected to be able to write a short text, especially in recount text. But in reality, there were still many students were not successful with government expectation. Therefore, the aim of writing learning cannot fulfill by the students.

The problem which is commonly occurred in English teaching is related to the implementation of learning. Teachers were still applying conventional learning with begins explaining the material, giving examples, and followed by exercises, to that learning tends to be centered on the teacher. It is because the students were not given the opportunity to develop their creative concepts. Writing is a skill that is most tough for people who learn English. It is more complicated than it seems at first, and often seems hardest of the other skill.

In accordance explanation above, one of the models that can be use in teaching writing recount text that proposes by the researcher is POEW model. POEW stands for Predict-Observe-Explain-Write.

Predict is a section to predict an event before writing, *Observe* is the process to analyze the event, *Explain* is the step to discuss observation result, and *Write* is reflect knowledge in writing from. Through POEW model students can construct their knowledge, communicating their ideas and discussing their result to comprehend the problem well, mastery the concepts, and can also improve their critical-thinking skill. Based on the related previous study teaching writing through POEW model can be used to improve the students' writing ability more significantly than the students who teach in a conventional way. So, POEW model is a very appropriate choice to use in teaching writing that can help students to master English writing. POEW model will be assisted by Quartet Card that can help students in understanding teaching material.

2. LITERATURE REVIEW

A. Writing

Writing any ideas in mind is not as simple as it seems. Students get perplexed to write it. In teaching writing the teacher will guide students to pour out the ideas through several stages such as brainstorming the ideas, outlining them, revising, and so on. By following a constructive writing process, students can express their point of views carefully to produce a coherent written text.

According to Gaves in Johnson (2008:179), there are some specific steps of writing which are:

Step 1: Prewriting

Pre writing is a stage to write by generating ideas. Making a list, brainstorming, outlining, silent thinking, conversations with neighbors, or writing strengths are techniques for generating ideas.

Step 2: Drafting

Drafting is the writer's first attempt to capture ideas on paper. Quantity here is valued over quality. If done correctly, the draft is wordy, disconnected accumulation of ideas. Drafting is very useful for the writer when he does not know what must first be stated in his writing. After making a list the author can replace or cross out the list if he feels it is not in accordance with the flow of writing to be made.

Step 3: Revising

Revising is the process rereading the paragraph then make changes and reshapes many times. Revising is the step to make a change in content, organization, coherence, logic, and word choice so that, the writing is more effective, clearer, accurate, and interesting. During the revision stage of the writing process, the writers may add of parts, take parts, remove and keep printing.

Step 4: Editing

Editing is the phase where grammar, spelling, and punctuation errors are corrected. Johnson adds that important for teachers to teach students do writing process such as used by real writers, which the original authors edited their writing in the end and also relied on the editor, spelling check, and grammar checks. This can be done by forming a peer editing group and teaching students how to use the grammar and spelling functions in a word processor.

Step 5: Publishing and sharing

Publishing and sharing are the last processes where students' writing is shared with the viewers. Writing becomes real and lively at this point. Publishing can involve compiling class books, collections of writing, school or class newspaper, school or class magazines, or displaying samples of short writing in the hall or in the community.

B. Writing Assessment

To know students' ability in writing there is some assessment of the test. Huges (2003:104) states that there are five components to assess the writing namely: content, organization, vocabulary, language use, and mechanics. The specific criteria are described in detail by the following stages.

Table 1. Components of Writing Assessment

Score	Requirement	Level	Criteria
Content	Capability to write ideas and information in the form of logical sentence.	30-27	EXCELLENT TO VERRY GOOD: Knowledgeable – substansive – etc.
		26-22	GOOD TO AVERAGE: Some knowledge of subject – adequate – etc.

		21-17	FAIR TO POOR: Limited knowledge of subject – little substance – etc.
		16-13	VERY POOR: Does not show knowledge of subject – non-substantive – etc.
Organization	Ability to write ideas and information in good logical order	20-18	EXCELLENT TO VERY GOOD: Fluent expression – ideas clearly stated – etc.
		17-14	GOOD TO AVERAGE: Somewhat choppy – loosely organized but main ideas stand out – etc.
		13-10	FAIR TO POOR: Non-fluent – ideas confused – etc.
		9-7	VERY POOR: Does not communicate – no organization – etc.
Vocabulary	Capability in using words or idiom to express idea logically, using the synonym and antonym, prefix and suffix exactly	20-18	EXCELLENT TO VERY GOOD: Sophisticated range – effective word/idiom choice and usage – etc.
		17-14	GOOD TO AVERAGE: Adequate range – occasional errors of word/idiom form, choice, usage <i>but meaning not obscured</i> .
		13-10	FAIR TO POOR: Limited range – frequent errors of form, choice, usage – <i>meaning confused or obscured</i> .
		9-7	VERY POOR: Essentially translation – little knowledge of English vocabulary – etc.
Language Use	Ability to write the sentences either simple, complex or compound sentences, correctly and logically, using agreement in sentences.	25-22	EXCELLENT TO VERY GOOD: Effective complex constructions – etc.
		21-18	GOOD TO AVERAGE: Effective but simple construction – etc.
		17-11	FAIR TO POOR: Major problems in simple/complex construction – etc.
		10-5	VERY POOR: Virtually no mastery of sentence construction rules – etc.

Mechanics	Capability in using words appropriately, using punctuation correctly, paragraph, and the text can be read correctly	05	EXCELLENT TO VERRY GOOD: Demonstrate mastery conventions – few errors of spelling, punctuation – etc.
		04	GOOD TO AVERAGE: Occasional errors of spelling, punctuation, capitalization – etc.
		03	FAIR TO POOR: Frequent erros of spelling, punctuation – etc.
		02	VERY POOR: No mastery of conventions – dominated by errors of spelling, punctuation, capitalization, paragraphing – etc.

C. *Recount Text*

Dirgeyasa (2014:24) argues that recount is a text that retells events or experiences in the past. Sometimes we would like to share others about our activities in the past. We can pour it into writing. The result of the writing will be in the form of a recount text. There is no complication among the participants in this text. It is focused to document a series of events that have occurred. It recounts can be either in factual or imaginative.

D. *Generic Structure of Recount Text*

According to Dirgeyasa (2014:27), the generic structure of recount text are:

- Orientation, it consists of themes or topics that will be informed, to show the reader about the topic, to attract the reader's attention, and it enables to attract and to provoke the reader so that he/she is willing to continue reading the whole text.
- Record of events or sequence of events, to provide details about events that are chronologically informed (the type of plot can vary), it is better to tell chronologically than to recall and zigzag. To have a good chronological sequence the writer can use sequence markers like first, second, third, and that is very important
- Re-orientation, this serves to show personal attitudes about activities or events that are informed or told about the record of an event, and this is a conclusion with a personal attitude.

E. *POEW Model*

According to Sholihat (2012) states that POEW model is developed by combination of Predict-Observe-Explain (POE) teaching model and Think-Talk-Write (TTW) teaching strategy. According to Joyce (2016), POEW model was developed by White and Gunstone in 1992 to uncover individual students' predictions, and their reasons for making these into a specific event (as cited in Sana and Syawal, 2017). There are three main steps of POE namely:

- Prediction, that is making the hypothesis of an event.
- Observation, doing analysis of what happens in the event.
- Explanation, giving explanation related to their hypothesis and what has been happened.

According to Sholihat (2012) TTW was developed by Huinker and Laughlin in 1996, it is explained that there are three main stages of TTW, namely:

- Think. It means think about the feasible answer of finding out a solution for a problem.
- Talk. It refers to the discussion, construction of some ideas related to the problem.
- Write. In this stage, the students are instructed to write their ideas as a result of their think and talk to the discussion process.

TTW strategies encourage students to think, speak, and write a specific topic. This strategy is used to develop writing influent and trains the language before writing. Sana and Syawal (2017) assume

that both POE and TTW are kinds of cooperative teaching model. The explain phase in POE and talk in TTW have the same process in doing the discussion. Cooperative learning is a strategy in which students are formed into groups consisting of two or more people with the aim of forming joint attitudes or behaviors in working or helping among others.

Every learning model has its step as a process to use it. The main steps of POEW according to Sholihat (2012) are combining the steps of POE and TTW as in the following description:

- a. *Prediction*. In this step, the students have to think first or predict about a problem as a step to get into their knowledge which is related to the problem.
- b. *Observing*. The main goal of this step is to prove the students' prediction in the first step.
- c. *Explaining*. In this step, the students are doing discussion related to their observation result. By doing the discussion, the students' comprehension can be improved.
- d. *Writing*. In this step, the students reflect their knowledge and opinion in written form.

POEW model is a model of teaching that allows students to make predictions about a topic, then observe what happened related to the topic, after that do a discussion to find a result of observation, and write it into a form of writing in which all activities are carried out by students in the form of cooperative learning.

F. Quartet Card

Quartet card is a kind of card game that is proposed by C. Deauville and D.L Hillerich as a teaching-learning media. On their book, they explain quartet card is one of the games, such as domino, memo, etc. (Mardini, 2018). According to Karsono *et al* (2016) Quartet Card media is a basic card game that in the game have to make pairs of cards consists of 4 series for one pair. A set of Quartet Card consisting of 32 sheets of card, which is divided into eight different themes and one theme is presented with four cards.

Each card consists of a picture with the main theme written in the top center. Under the theme, there are four written names or designations for the image displayed in the center of the card, and the function is to make it easier for students to narrow the principal themes. There are two posts on the left and two on the right. The picture has an important role in developing students' writing skill because they can imagine what they have seen in the picture, and they write their own ideas based on the topic. The quartet card consists of several colored images can make students feel interested, and it can attract students' attention so that learning objectives can be achieved effectively.

The pictures on the card are of various types such as cartoons, actors, animals, and so on. Certainly, the pictures are used in accordance with the material. Quartet Card games consist of writing and pictures so the teacher can make this media by themselves. The card can be made from instant noodle boxes, calendar, some empty name cards and for the picture can be designed by using a computer. Besides helping students can understand the lesson, Quartet Card can also increase the teacher creativity. The Quartet Cards are designed as attractive as possible to interest students' curiosity and stimulate students to practice their writing skill, especially in writing recount text. So, that is why Quartet Card can be used by teachers to help students' writing abilities.

Here the example of Quartet Card:



Fig 1. Quartet Card

3. RESEARCH METHOD

This research is true Experimental Research design which is conducted through two groups namely experimental group and control group. The experimental group had been given a treatment by using POEW model, while the control group had been treatment by using lecturing method. Before giving treatment, both groups are given pre-test to explore the students' understanding about English writing about recount text. After having data, the treatment is given five times until teaching-ended by giving post-test. The instrument of this research is an essay test that is related to the recount text. The test is asked the students make recount text based on 8 given pictures and from 2 main themes, the students are suggested to select among the others. The material of the test was taken from the Student Worksheet Book of VIII class. After post-test is well done, it scored through applying writing assessment that already well designed by researcher based on scientific theory of writing such as the five indicators; Content, Organization, Vocabulary, Language Use, and Mechanic. Shortly, to investigate the effectiveness of applying POEW model assisted by Quartet Card on students' achievement in writing recount text the scores were analyzed by the calculation of mean, standar deviation, standard error, and the difference of standard error.

4. RESULD AND DISCUSSION

Exploring Experimental Group are:

a. Pre-Test

Pre-test was given before running to the treatment. Based on five indicators of writing assessment, the students were mostly got lowest score specifically it clearly seen in *Mechanics*. Generally, the lowest score of Pre-test was 40 and the highest score was 71. The data could be simply detailed into diagram bellow:

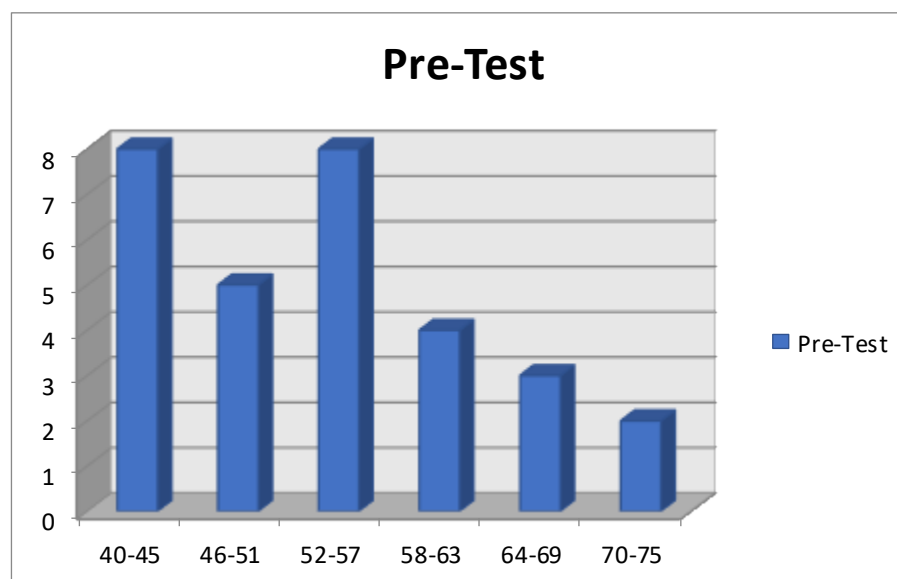


Fig 2. Pre-test Exploring Experimental

The diagram shows that students' ability in English writing recount text was not good. They truly need to be treated as well.

b. Post-Test

After giving treatment through applying POEW model assisted by Quartet Card to the experimental group, the score of post-test are effectively increased with the highest score about 93 and the lowest score is about 75. It also could be seen that all the previous scores component of writing which contains of content, organization, vocabulary, language use, and mechanics are significantly changed and being increased. The data could be detailed into diagram bellow:

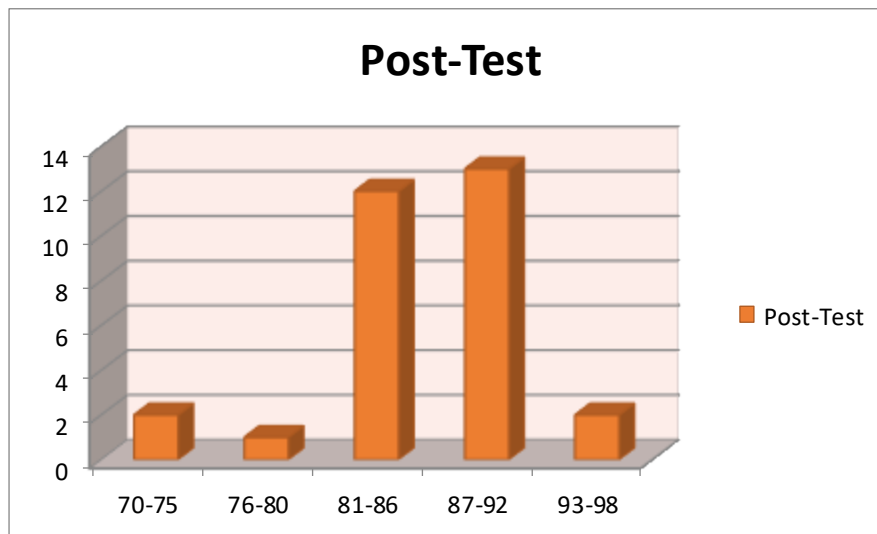


Fig 3. Pro-test Exploring Experimental

The number of students who got points up 70 in pre-test were 2 students. Then, all students got scores up to 70 in post-test. It means that there were considerable difference from the score in pre-test and post-test. It could be concluded that most of the students that were taught by applying POEW model assisted by Quartet Card got a better score.

The Scores Analysis of Control Group are:

a. Pre-Test

Pre-test is given before conducting the treatment by using five indicators of writing assessment, it found that the student' level understanding to recount text is identically similar with the students' condition in Experimental group in which the students are mostly got the lowest scores. The lowest score of pre-test is about 35 and the highest score is about 70. The data could be detailed seen into diagram bellow:

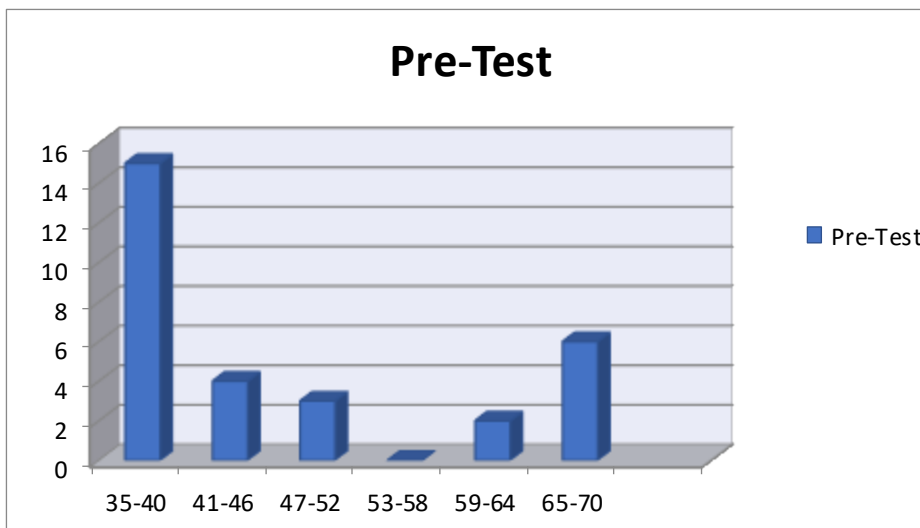


Fig 4. Pre-test The Scores Analysis of Control

b. Post-Test

After having treatment, the post-test is conducted for investigating the effectiveness. The result shows that the lowest score is 60 and the highest score is 80. Simply analysis reveals that actually There is an effect of applying this model but this model is not significantly affected on students' writing achievement as well as POEW model in the experimental group. Look at diagram bellow:

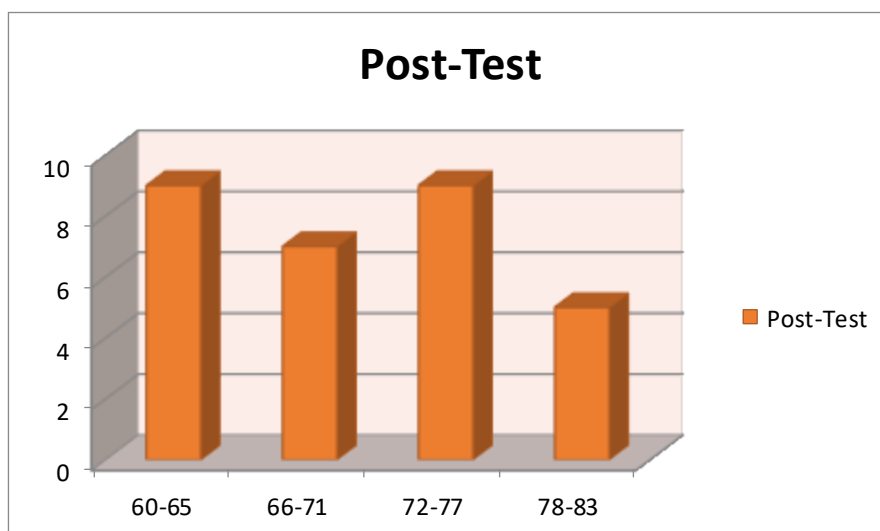


Fig 5. Post-test The Scores Analysis of Control

It could be seen that difference between the score of the pre-test and post-test of this class was not significant at 689 and the students who got scores up 70 in post-test was 18 students from all the number of students who took the test. It means that learning by using Lecturing method did not give the positive influence to the students' achievement in writing.

Shortly, the scores of both groups show that the mean score of experimental group was 33.3, and 22.96 for control group. After calculating the mean score, the standard deviation was calculated. It shown that the standard deviation of experimental group was 8.74, and 8.15 for control group. Meanwhile, the standard error of experimental group was 1.62 and control group was 1.51. In addition, it was also found that there were differences in standard error between M_1 and M_2 was 2.21.

A title of article should be the fewest possible words that accurately describe the content of the paper. Indexing and abstracting services depend on the accuracy of the title, extracting from it keywords useful in cross-referencing and computer searching. An improperly titled paper may never reach the audience for which it was intended, so be specific.

In the first paragraph of the chapter do not use "tabs". The Introduction should provide a clear background, a clear statement of the problem, the relevant literature on the subject, the proposed approach or solution, and the new value of research which it is innovation. It should be understandable to colleagues from a broad range of scientific disciplines. Organization and citation of the bibliography are made in APA style in sign (Name, YYYY), (Name1, Name2 & Name 3, YYYY), (Name1 et al., YYYY) and so on. The terms in foreign languages are written italic (italic). The text should be divided into sections, each with a separate heading and numbered consecutively. The section/subsection headings should be typed on a separate line, e.g., **1. Introduction** [3]. Authors are suggested to present their articles in the section structure: **Introduction - the comprehensive theoretical basis and/or the Proposed Method/Literature Review - Research Method - Results and Discussion - Conclusion.**

Literature review that has been done author used in the chapter "Introduction" such as previous research to explain the difference of the manuscript with other papers, that it is innovative, it are used in the chapter "Research Method" to describe the step of research and used in the chapter "Results and Discussion" to support the analysis of the results. If the manuscript was written really have high originality, which proposed a new method, the additional chapter after the "Introduction" chapter and before the "Research Method" chapter can be added to explain briefly the theory and/or the proposed method.

5. CONCLUSION

The conclusion of this research deals with some findings. after having analysed the data, it can be concluded that the POEW Model assisted by Quartet Card can affectively boost the students to have

English writing competency specifically on recount text in which it had been proved from the result of t_{observe} by using t-test. The result shown that t_{observe} was higher than t_{table} ($4.67 > 2,01$) with $df = 58$ ($30+30-2$). It means that hypothesis H_a was accepted

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Development of Oriented Learning Devices of Model Eliciting Activities to Improve Math Abstraction Ability SMK Students

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ABSTRACT

This study aims to determine the effectiveness of learning tools oriented Model Eliciting Activities (MEAs) to improve students' mathematical abstraction and self-efficacy abilities. Learning tools developed (LKPD, RPP, Mathematical Abstraction Ability Test). The quality of products developed is assessed based on aspects of validity, practicality, and effectiveness. The procedure for developing learning tools refers to the 4-D development model, namely Define, Design, Develop, and Disseminate. Due to the limitations of researchers, the study was carried out to the develop stage. The subjects of this study were students of SMK Al Washliah 4 Medan. The instruments used to measure the quality of learning tools developed were learning assessment sheets to measure validity, student response questionnaires and observation sheets for the implementation of learning activities to measure practicality, problem solving ability tests to measure effectiveness.

Keyword: Development, Learning Tools, MEAs, Mathematical Abstraction

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1. INTRODUCTION

The ability of mathematical abstraction is the ability to find mathematical problem solving without the presence of the real object of the problem (Yuliati, 2013:10). The mathematical abstraction process is the final result of the abstraction process and can be called a concept. But in fact many students who have a low understanding of the concept because the process of abstraction is not in line and balanced, automatically the ability to think abstraction is low.

The low ability of mathematical abstraction is also related to the development of education and technology that is increasingly advanced, so the government changed the curriculum again, with the name of the 2013 curriculum. Nuh (2013:---) stated In learning planning, curriculum in the sixth point is the result of learning that will help through learning, one of which is the cognitive field in the form of mathematical abilities, abstraction abilities, deductive thinking patterns, learning, and creative thinking. In accordance with one of the cognitive domains in the 2013 curriculum is the ability of abstraction.

Based on these explanations, the mathematical abstraction ability is a very basic and very important part, each student has different abstraction abilities in solving mathematical problems according to the students' level of thinking and intelligence. But in reality many students still have difficulty understanding mathematical concepts. The explanation above can be proven by looking at the National Examination Report (LHUN) which shows that the average national exam score of vocational students for the 2017/2018 academic year is 31.38.

Based on the data above, it can be concluded that the ability of mathematical abstraction to develop mathematical ideas is still low. This is because in the learning process generally students are not accustomed to solving problems related to daily life. Can be seen from the way students solve mathematical problems students tend to only apply the formula without understanding the concepts related to solving the problem. Therefore, the ability of mathematical abstraction needs to be improved.

In addition to the cognitive abilities students must have, affective abilities are also important for students to have. Because affective ability is a supporting ability so that Indonesian education can be better.

The ability to apply concepts is very important for students to have. As stated, the benefit of the whole mathematical application problem is that it can improve the goal of connecting mathematical problems with real-world problems.

Based on the thoughts that have been described above, researchers feel interested in developing a learning tool through the Model Eliciting Activities (MEAs) with the title: "Development of Oriented Learning Devices Of Model Eliciting Activities (MEAs) to Improve Mathematical Abstraction Ability of Students of SMK Al Washliyah 4 Medan".

2. RESEARCH METHOD/MATERIAL AND METHOD/LETERATURE REVIEW (10 PT)

This research uses the Research and Development (R&D) method. Research and Development is a research method used to produce certain products and test the effectiveness of these products (Sugiyono, 2012: 407). R&D emphasizes useful or useful products in various forms as an extension, addition, and innovation from existing forms (Nusa Putra, 2012: 70). evelopment research is carried out to produce learning tools that will be tested in the Learning Devices class with the learning device products developed based on the MEAs (Model-Eliciting Activities) model which includes five stages: presenting material, elaborating, identifying, compiling sub-problems, and choosing solutions with five components of the scientific approach, namely: observing, asking, reasoning, trying, and communicating. The product produced from this research is a learning tool in the form of a Learning Implementation Plan (RPP), Student Worksheet (LKDP), Comparative test learning outcomes material oriented to students' Abstraction Ability.

Model R&D yang akan digunakan dalam penelitian ini adalah 4-D yang dikembangkan oleh Thiagarajan dan Semmel (1974: 5). Model 4-D terdiri dari 4 tahap, yaitu: Define, Design, Develop, dan Disseminate.

Research first validates the learning device which includes the validation of the lesson plan (RPP), Student Worksheet (LKDP) Validation, which will be carried out to see the feasibility of the learning tools developed, will then be tested. The development model used to develop learning tools in this study is a modification of the Thiagarajan and Semmel models (1974: 5) known as the 4D model (Four D Model) consists of 4 stages, namely: Define, Design, Develop, and Disseminate.

3. RESULTS AND DISCUSSION

In this chapter the results of the analysis and the results of the development of MEAs-based learning tools are outlined, along with the steps taken in developing these tools. As stated in Chapter I, that the purpose of this study is to develop learning tools that meet valid, practical and effective criteria. In chapter II it has been explained that, the learning tools in this study were compiled and developed based on the Thiagarajan 4-D model but modified by researchers into 3 stages namely define, design, and develop. The learning tools referred to in this study include RPP, LKPD, and THB. The results obtained at each phase of the development of learning tools in question can be described below. The R&D model that will be used in this study is the 4-D developed by Thiagarajan and Semmel (1974: 5). The 4-D model consists of 4 stages, namely: Define, Design, Develop, and Disseminate.

Data from the results of trials that have been carried out are then used to see the extent to which the learning tools that have been developed meet the criteria of validity, practicality, and effectiveness. In addition, it will also discuss the constraints experienced during the study and the limitations of the researcher.

A. Validity

Learning tools that have been developed can be used in the learning process after going through the validation stage. According to Nurfathurrahmah in Mustami and Irwansyah, the learning device is said to be valid, if expert judgment shows that the development of the device is based on a strong theory and has internal consistency, namely there is interrelation between the components in the device being developed.

1. Learning Implementation Plan (RPP)

The average validator assessment of the lesson plan which consists of aspects of the format of the lesson plan, the contents of the lesson plan, language and writing, time, method of learning activities, and assessment are 3.24 with a valid category, so that the lesson plan developed can be applied directly in learning activities. Nevertheless there are several aspects that need to be considered in order to produce

a better lesson plan, namely the accuracy of writing the lesson plan component, clarity of the formulation of indicators and the appropriateness of the MEAs Syntax with the steps of learning the scientific approach. Therefore a revision was made based on the advice of the two validators.

In general, the total value of the total validity of the learning implementation plan obtained was $M = 3.24$, it can be concluded that this value is included in the "Valid" category ($2.5 \leq V < 3.5$) according to the Trianto validity category. So, in terms of all aspects, the learning implementation plan is stated to meet the validity criteria, the final result of the revised device is the second draft (prototype II) used in the device test.

2. Student Worksheet (LKPD)

The average assessment of LKPD seen from LKS format aspects, LKPD content, LKPD language and design is 3.27 with valid categories according to Trianto's validity category. This means that the LKPD that was compiled was developed based on a strong theoretical rationale and had a strong internal consistency, that is, the interrelationships between components in LKPD and other devices, so that this LKPD could be used in learning activities.

3. Mathematical Abstraction Ability

The average assessment of mathematical abstraction ability is 3.28 with a valid category. This means that mathematical abstraction questions that have been prepared are appropriate to be used in the learning process in the classroom. In making revisions the researcher refers to the results of the validation by following the suggestions and instructions of the validator.

4. Cognitive Assessment Instrument

The average rating of the assessment instruments viewed from the aspects of material, construction and language is 3.38 with a valid category. This means that the appraisal instruments developed have been developed to give the same conclusions that the assessment instruments are good and can be used with a little revision. In making revisions the researcher refers to the results of the validation by following the suggestions and instructions of the validator.

Based on the description above, the developed learning device meets the valid category, because aspects of the learning device (RPP, LKPD, mathematical abstraction ability and cognitive assessment instruments) developed show the average value of validity is 3.29, then the MEAs-based learning device is developed was declared valid ($2.5 \leq V \leq 3,5$). This is in accordance with Trianto's validity criteria that the average value of validity is $2.5 \leq V \leq 3.5$ indicating that the device developed is valid.

This is consistent with the results of Rajabi, Ekohariadi and Buditjahjanto's research which states that the learning kit has valid criteria if the learning device reflects the consistency between the parts of the learning device arranged and the suitability between the learning objectives, learning material and assessment to be provided. If the learning device that is compiled meets the construct validation and content validation, the learning device is said to be valid. Because all aspects of the assessment are in the valid category, the learning tools can be used at a later stage of development, namely field trials in class learning and then their effectiveness is measured.

In addition to the tools mentioned above, other instruments (observation sheet of the implementation of learning tools, student response sheets and learning outcomes tests) related to this study were also validated. The results of the validation are within the interval limit ($2.5 \leq V < 3.5$), which means that the validated overall average is in the valid category according to Trianto's validity category, it is the same as Nurfathurrahmah's explanation in the Caliph Mustami and Irwansyah, the learning device is said to be valid, if the expert's assessment shows that the development of the device is based on a strong theory and has internal consistency, that is the interconnection between the components in the device being developed.

4. CONCLUSION

Based on the formulation of the problem, the results of the study, and the discussion as previously stated, it was found that there was an excellent development of learning tools to give to students in the teaching and learning process.

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Application of Cultural Based Discovery Method to Increase The Mathematical Solution Ability of Academic Year Students 2019/2020

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ABSTRACT

The development of science at the present time requires educators to create learning innovations especially mathematics learning that is associated with cultural values. In line with the goals of the State who want to advance the national culture of Indonesia in the midst of world civilization by ensuring the freedom of the people in maintaining and developing their cultural values. With the hope of collaborating between learning with local culture, in addition to preserving the existing culture, it can also help students understand the material. Educators are also required to be able to use various methods in learning so that the learning atmosphere feels comfortable. The more methods and exercises used, the higher the level of mathematical problem solving possessed and conversely the less variety of methods and exercises used, the lower the level of mathematical problem solving of students. The purpose of this study is to improve students' mathematical problem solving abilities by applying a culture-based guided discovery method. This research uses the Classroom Action Research (CAR) method. The research instrument used was a mathematical problem-solving ability test. Output targets to be achieved in this study are journals.

Keywords : *Guided Discovery, Culture, Mathematical Problem Solving*

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1. INTRODUCTION

The current development of education is closely related to the development of Science and Technology (Science and Technology). In the 21st century which is interpreted as a century that is very different from previous centuries. The extraordinary development of science in all fields in this century, especially in the field of science and technology (science and technology) which is very sophisticated makes the world increasingly narrow, because the sophistication of this technology a variety of information from various corners of the world can be accessed quickly and easily anyone and from anywhere for those who want and are able to access it, communication between individuals can be done easily, quickly anytime and anywhere.

Mathematical problem solving is an integral part of mathematics and aims so that the concepts and skills learned can be understood by students and are meaningful. In the mathematical problem solving procedure there will be diversity in problem solving when solving a problem, in other words solving a problem for each student will be different, as is the case with solving a mathematical problem. In general, mathematics is more difficult than other lessons. One problem in learning mathematics is the low ability of students to solve problems. One contributing factor is that planning for problem solving is not discussed various strategies to get answers to a problem Guided inventor in mathematics learning is to help students construct knowledge through the process, because knowing is a process not a product, starting from the process of experience so that students must be given the broadest opportunity to construct their own knowledge that must be possessed, so finding their own concepts- concepts or

principles that have been set by previous lecturers, the lecturer must create a learning environment that can truly involve students actively. Thus, guided discovery is learning that provides an opportunity for students to construct knowledge based on experience starting from guessing, finding a solution to drawing conclusions.

This is in accordance with Article 32 of the 1945 Constitution states that: "The state promotes Indonesia's national culture in the midst of world civilization by ensuring the freedom of the people in maintaining and developing their cultural values". The article mandates every Indonesian citizen to preserve and develop the Indonesian national culture in various ways. One way to follow up on the mandate in article 32 is to preserve and develop regional culture as part of the Indonesian national culture through education. This means that when culture enters learning, it will provide many conveniences in achieving the learning process.

From these explanations, it is known that using the culture-based guided discovery approach can be better applied in learning, because it involves many activities so as to provide an overview in learning directly recognized by students. So that researchers are interested in conducting research with the title "The Implementation of Culture-Based Guided Discovery Methods To Improve Students' Mathematical Problem Solving Ability in Academic Year 2019/2020".

2. RESEARCH METHOD

This type of research used in this research is classroom action research (CAR). Classroom action research (CAR) is research conducted by class teachers with an emphasis on improving or improving the learning process. The main steps that must be taken in carrying out action research are as follows: (1) action planning, (2) action implementation, (3) observation / observation, (4) reflection for follow-up planning. Researchers will describe the Application of the Culture-Based Guided Discovery Method to Improve Students' Mathematical Problem-Solving Capabilities in the Academic Year 2019/2020. Time and Place The research was conducted at the Muslim Nusantara University of Al-Wasliyah (UMN) Medan in class H semester V which took place in 2019/2020 Academic Year. The subjects of this research were 31 H semester V students of the Muslim Nusantara University of Al-Wasliyah (UMN) Medan as many as 31 people. The research instrument is a tool chosen by researchers in collecting data so that its activities become systematic and easier. Two instruments were made, namely documentation and an interview guide sheet. Data analysis in the CAR research was carried out since before entering the field, while in the field and after completion in the field. Data analysis was performed using the t-test.

3. RESULTS AND DISCUSSION

The indicators assessed are identifying the shape sequence of numbers and solving problems in the operation of the sequence of numbers using Polya steps. The summary of the pre-action results can be seen in the following table:

Table 1. Recapitulation of the results of the pre-action Mathematics Problem Solving Ability in the Number Sequence Material

NO	Indicator	Pretest		Percentage Average
		Observation	LKS	
1	Identify the shape of a number sequence	56,67%	70%	60,33%
2	Resolve problems in the operation of a series of numbers using Polya steps	46,67 %	63,33%	57,50%

Based on the data above, the lecturer must take actions that can improve students' mathematical problem solving abilities on a series of numbers. Efforts can be made to improve students' mathematical problem solving abilities by applying the culture-based guided discovery method to the material series of numbers. Culture-based guided discovery methods can be applied to be able to assist students in solving mathematics problems.

Based on the learning outcomes in the pre-action we can see a recapitulation of the results of the first cycle which can be seen as follows:

Table 2. Recapitulation of Results of Cycle I Mathematics Problem Solving Ability in the Number Sequence Material

NO	Indicator	Cycle I		Percentage Average
		Observation	LKS	
1	Identify the shape of a number sequence	55,56%	76%	67,33%
2	Resolve problems in the operation of a series of numbers using Polya steps	65,56 %	70%	61,17 %

Comparison of the percentage of pre-action learning outcomes and after the first cycle can be seen in table 3 as follows:

Table 3. Comparison Results of Mathematical Problem Solving Ability in the Number Sequence Material for Pre-action and Cycle I

NO	Indicator	Percentage		% Enhancement
		pre-action	Cycle I	
1	Identify the shape of a number sequence	60,33%	67,33%	7%
2	Resolve problems in the operation of a series of numbers using Polya steps	57,50%	61,17 %	3.56%

Comparison of the percentage of achievement indicators for the pre-action and cycle I results can also be seen in Figure 1 as follows:

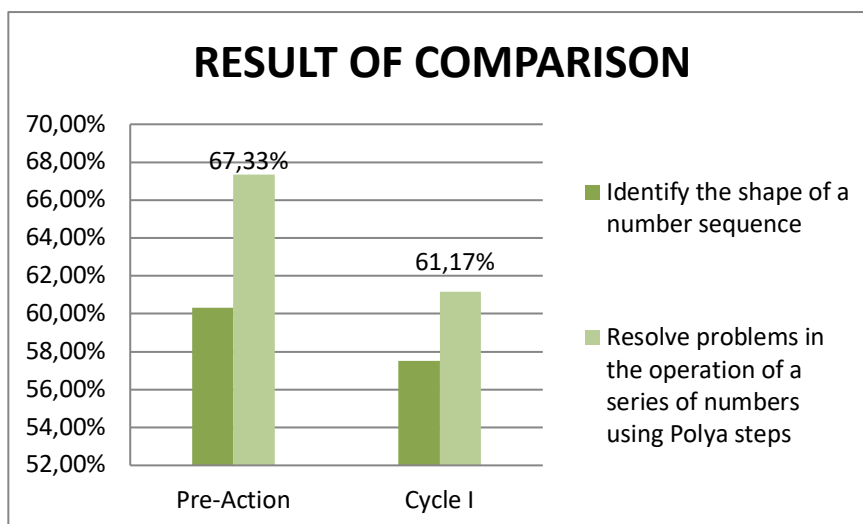


Fig 1. Comparison Results Diagram of the Ability to Identify Numbers in the Form of Pre-Action and Cycle I

Because the treatment results obtained in cycle I have not met the percentage of classical completeness 80% and there are still problems that inhibit learning occur then the same treatment is carried out with cycle I with more concrete levels of problems. Comparison of the percentage of pre-action learning outcomes, after cycle I and after cycle II can be seen in table 4 as follows:

Table 4. Comparison Results of Mathematical Problem Solving Ability in Number Series Material for Pre-Action, Cycle I and Cycle II

NO	Indicator	Percentase			Percentase Enhancement
		Pre-Action	Cycle I	Cycle II	
1	Identify the shape of a number sequence	60.33%	67.33%	80.37%	13.04%
2	Resolve problems in the operation of a series of numbers using Polya steps	57.50%	61.17 %	88.43%	27.26%

Comparison of the percentage of achievement indicators for the pre-action, cycle I and cycle II results can also be seen in Figure 2 as follows:

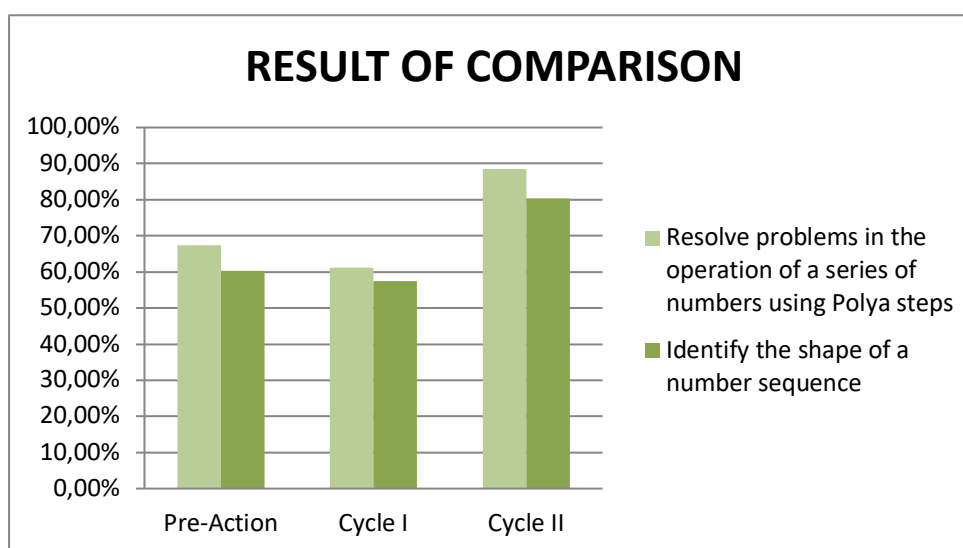


Fig 2. Comparative Results Diagram of the Ability to Identify Numbers in the Forms of Action, Cycle I and Cycle II

Based on the figure and the table above, it shows that there is an increase in each indicator of the ability to identify the shape of a series of numbers with the application of culture-based guided discovery methods in pre-action, cycle I and cycle II have reached indicators of success. The ability to identify students in pre-action, cycle I and cycle II increased by 13.04% for indicators identifying the form of a series of numbers with the application of culture-based guided discovery methods) and indicators of solving problems in the operation of a series of numbers with the application of culture-based guided discovery methods 27.26%.

The initial ability before the action shows that almost all cognitive aspects of students have not been developed optimally. Achievement on all indicators is not in accordance with the predetermined success indicators. The percentage of students' abilities in the ability to solve mathematical problems in identifying various types of numbers before the action increases from the first meeting to the second meeting.

The results of observations of the ability to solve mathematical problems before the action up to the first cycle showed an increase and change in the indicator to identify the types of numbers in the first cycle increased the initial condition results 65.56% increased to 70% and the second cycle increased by 12, 23% from the initial condition of 65.56% increased to 80.01%. Likewise, the ability to identify with the application of the culture-based guided discovery method in the first cycle from the initial condition of 56.67% increased to 68.89% and in the second cycle an increase of 24% from the initial condition of 56.67% increased to 87.23%. The percentage shows that the ability to solve mathematical problem solving kinds of numbers in a series of students has increased in each cycle. This

shows that through the application of culture-based guided discovery methods can improve students' mathematical problem solving abilities.

Through this method, it is clear that learning can make students active, and able to stimulate holistic development and help students build their own knowledge abilities by experiencing firsthand the experience. This is consistent with the opinion of Lestari (2014: 7) stating that the use of the real method is more effective in increasing learning activeness. In line with that Rahmawati (2005: 49) about learning through concrete objects can directly add meaningful insights and knowledge. The benefits of learning media are 1) attracting the attention of students, 2) increasing student motivation, 3) giving rise to the same perception and overcoming time and space.

In general, researchers carry out learning in accordance with the learning plan that has been prepared previously. At the end of each action a discussion is held between the researcher and the lecturer related to the results of the observation and then reflected as an improvement in the next cycle.

This research was stopped at the end of cycle II because in cycle II the results of students' mathematical problem solving abilities were in accordance with the indicators of success in this study. In the implementation of learning that is simulated through the learning method that is guided culture-based discovery method during the second cycle turned out to have brought changes as expected, including the increase in student cognitive, especially identifying and recognizing the concept of a series of numbers. The increase in students who have cognitive development is evidence that learning through culture-based guided discovery methods is an effective way. This is evidenced by gradual changes starting from students being able to identify and recognize the concept of a series of numbers, to being able to identify and work on LKM. Achievement of success in this second cycle cannot be separated from the efforts that researchers have made including conducting preparations before carrying out learning.

The steps taken in identifying the various forms of number sequences with the culture-based guided discovery method and resolving problems regarding number sequences by working on MFIs are the learning steps taken by the researcher, namely first, the researcher determines the learning objectives. Second, learning material based on themes. Third, the sub themes to be discussed. Fourth, students discuss various kinds of these numbers. Fifth, the learning method that will be used is a guided method of culture-based guided discovery and assignment. Sixth, the lecturer completes the assessment with the LKM observation sheet and documentation.

From the explanation above, it can be concluded that the classroom action research conducted can improve the ability to solve mathematical problem solving with a culture-based guided discovery method that encourages students to practice identifying / grouping a series of numbers seriously so that the learning process becomes good. Based on data from research results in the first cycle and second cycle, showed an increase in cognitive students when compared before the action. Cognitive in question is the ability to solve students' mathematical problems using culture-based guided discovery methods. The researcher concludes that this research has been successful and stopped because it is in accordance with the indicators of success that have been applied. This research has proven that the application of culture-based guided discovery methods to improve students' mathematical problem solving abilities.

4. CONCLUSION

The ability to identify and solve problems in the shape of the number 5 grade H students of the Muslim Nusantara University increased by using a culture-based guided discovery method. The ability to identify and solve problems in the shape of the number 5 grade H students of Muslim Nusantara University after being applied with the effective culture-based guided discovery method can be seen from a significant increase in the percentage of cycle I and cycle II results.

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Analysis Concept And Indicator Proverty in Medan City

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ABSTRACT

Medan government was added to the budget program amount for taking over the poor people a minimum of 10% of the total government budget. The results of the program reveals that the number of poor people in Medan city shows an increase, which is more than poor people still not covered by the government program. The research objectives are 1) analysis of available available concepts to decrease the poor people 2). To Analysis dominand concepts and indicators of proverty in Medan City. Data was collected by using Sampling area and Purposive Sampling where 294 houses of life that haved a Raskin program are objects of research from 21 subdistricts in Medan city. From descriptive analysis shows that 3 subdistricts were the potential for the program, as follows: Medan Belawan subdistrict, Labuhan subdistrict, and Marelán subdistrict. Three subdistricts are dominant with cultural poor, structural poor, absolute poor, and relatively poor. From the factor analysis found that cultural factors, social factors, social factors, asset factors, and social factors are dominant factors for Medan government to decrease the amount of poor people in Medan City. This research also found that a new factor of proverty program which is a local culture.

Keyword: *POEW Model,*

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1. INTRODUCTION

The increased economic growth in Medan City is directly proportional to the increasing number of poor people. Furthermore, after the issuance of Regional Regulation No. 5 of 2015 concerning poverty alleviation, Medan City Government increased the amount of budget for poverty reduction programs at least 10% of the total PAD, but the number of poor people continues to increase. This situation has caused polemics for the wider community, where many poor communities have not been netted in the Medan City poverty program. This polemic is very reasonable because the determination of the poor has different indicators in each Office, for example the Office of Social Affairs, Department of Labor, Department of Food Security, etc. Therefore, it needs to be asked "does the poverty indicator applied by the Medan City Government represent the overall poor population? Based on the above problems, it is necessary to study the concepts and indicators of poverty in Medan.

2. LITERATURE REVIEW

Poverty is - Literally a large Indonesian dictionary, poor that means no property. Poor also means not being able to compensate for the standard of living needs and low income and economic levels. In short poverty can be defined as a low standard of living that is the lack of material in a number or group of people compared to the standard of living in force in the society concerned. (Wikipedia, <http://id.Wikipedia.org/Wiki/Economics>, 12/03/09, 10.15 PM). BAPPENAS (1993), defines poverty as a situation of deprivation that occurs not because of the will of the poor, but because of circumstances that cannot be avoided by the power that is in it. The Central Statistics Agency, defines poverty as the inability to meet the minimum standard requirements for basic needs including food and non-food needs. Meanwhile, Friedmann said that poverty as a result of the unequal opportunity to accumulate a social power base (Friedmann, 1992: 123). In general poverty is defined as a lack of income to meet basic or basic living needs. Those who are said to be on the poverty line is if it is not enough to meet basic living needs.

Prof. Selo Soemardjan, a well-known Indonesian sociologist, said that what is meant by the definition of structural poverty is poverty that is suffered by a group of people, because the social structure of the community, cannot participate in using the sources of income that are actually available to them. According to Sarasutha and Noor in Supadi and Achmad Rozany (2008: 3-4) "conceptual poverty can be divided into three terms, namely subjective poverty, absolute poverty and relative poverty.

1. Subjective poverty, each person bases his own thinking by stating that his needs are not met adequately even though in absolute or relative terms the person is not actually classified as poor ". Subjective poverty occurs because individuals equalize wants (needs) with needs (needs).
2. The definition of absolute poverty is a condition in which a person or family has an income but is insufficient to meet their minimum daily needs efficiently.
3. The definition of relative poverty is related to the concept of relative deprivation in which the ability to meet the needs of a person or a family is in a position relative to other community members living in one area. This concept is closely related to income inequality.

Absolute poverty according to BPS, is determined based on the inability of a person or group of people to meet their minimum basic needs such as food, clothing, health, housing and education. Minimum basic needs are translated as financial measures in terms of money and the minimum value of basic needs is known as the poverty line. Therefore, the population whose income is below the poverty line is classified as poor. The definition of absolute poverty is more widely used by the government in efforts to reduce poverty in various sectors of public services, for example in the fields of food, health, education and housing. To measure poverty and the criteria for the poor, the government, among others, uses the income or expenditure approach of the population to meet the minimum basic needs, the average per capita approach and the approach to the classification of prosperous families as used by the BKKBN. In 2004 BPS used the approach of minimum food expenditure equivalent to 2,100 kcal / day plus non-food expenditure (housing and facilities, clothing, health, education, transportation and other items). In 2008, BPS re-established 8 variables that were considered feasible and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. the per capita average approach and the family welfare classification approach as used by the BKKBN. In 2004 BPS used the approach of minimum food expenditure equivalent to 2,100 kcal / day plus non-food expenditure (housing and facilities, clothing, health, education, transportation and other items). In 2008, BPS re-established 8 variables that were considered appropriate and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. In 2004 BPS used the approach of minimum food expenditure equivalent to 2,100 kcal / day plus non-food expenditure (housing and facilities, clothing, health, education, transportation and other items). In 2008, BPS re-established 8 variables that were considered feasible and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. In 2004 BPS used the approach of minimum food expenditure equivalent to 2,100 kcal / day plus non-food expenditure (housing and facilities, clothing, health, education, transportation and other items). In 2008, BPS re-established 8 variables that were considered feasible and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. In 2004 BPS used the approach of minimum food expenditure equivalent to 2,100 kcal / day plus non-food expenditure (housing and facilities, clothing, health, education, transportation and other items). In 2008, BPS re-established 8 variables that were considered feasible and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. In 2008, BPS re-established 8 variables that were considered appropriate and operational as indicators to determine poor households, namely: 1) per-

capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes. In 2008, BPS re-established 8 variables that were considered feasible and operational as indicators to determine poor households, namely: 1) per-capita floor area; 2) type of floor, 3) drinking water / availability of clean water, 4) type of toilet / toilet; 5) ownership of assets; 6) monthly income; 7) expenditure, specifically the percentage of expenditure for food; 8) consumption of side dishes.

The definition of relative poverty according to BPS (2008) is "a poor condition due to the influence of development policies that have not been able to reach all levels of society resulting in an unequal distribution of income". BPS states that the minimum standards are set based on the living conditions of a country at a certain time and attention is focused on the poor population. The size of poverty is relatively dependent on the distribution of income or expenditure of the population. The definition of relative poverty as stated by BPS refers more to the income and expenditure gap between regions within a country or between countries in the world. BPS which sets the poverty line in the terminology of relative poverty. The poverty line for each province in Indonesia is not the same as the poverty line in other provinces. Likewise, the poverty line of each regency / city in the same province. For example, BPS (2008) sets a rural poverty line (capita / month) in West Java of Rp.155,367, while in urban areas Rp. 190,824. This difference occurs because the prices of minimum basic needs in rural areas are relatively smaller than in urban areas. The difference in the poverty line is also caused by differences in the types of minimum needs, for example: the rural poor usually have their own homes even though the conditions are less feasible while the urban poor generally live in rented or rented houses. 367, - while in urban areas Rp. 190,824. This difference occurs because the prices of minimum basic needs in rural areas are relatively smaller than in urban areas. The difference in the poverty line is also caused by differences in the types of minimum needs, for example: the rural poor usually have their own house even though the conditions are less feasible while the urban poor generally live in rented or rented houses. 367, - while in urban areas Rp. 190,824. This difference occurs because the prices of minimum basic needs in rural areas are relatively smaller than in urban areas. The difference in the poverty line is also caused by differences in the types of minimum needs, for example: the rural poor usually have their own homes even though the conditions are less feasible while the urban poor generally live in rented or rented houses.

Cultural poverty is caused by the factors of customs and culture of a particular area that shackles a person remains attached to the indicators of poverty ". BPS believes that these indicators should be reduced or even gradually eliminated by ignoring certain customary and cultural factors that prevent a person from making changes towards a better level of life. The definition of cultural poverty put forward by BPS refers to the attitude of a person or community caused by cultural factors, traditions and habits that tend to lead people towards apathy, "nrimo" or resignation to fate, wasteful and even not creative even if there is help from outsiders. Other than that,

"Structural poverty" is poverty that is suspected or diverted due to the unfavorable conditions of the structure or structure of life. Poverty in such structural conditions is not caused by natural factors or personal factors of the poor themselves but by social unjust arrangements. This unfair arrangement caused many people to fail to access the resources needed to develop themselves and to improve. In addition to poverty indicators set by the government, there are no indicators that are truly appropriate and appropriate to be used to describe poverty conditions that can be applied in general and standard to all communities, not only from aspects of economic life but also from other aspects, for example social aspects , law and politics. According to Emil Salim (1982), the determination of the minimum income threshold needed to meet basic needs (which is then referred to as the poverty line), can be influenced by three things, namely: 1) human perception of basic necessities needed, 2) human position in the environment around and 3) human objective needs to be able to live humanely. This opinion shows that indeed there is no standard that can be generalized to all groups of people to set a condition and situation as a problem of poverty. Therefore, poverty indicators that are still valid and used to establish a condition as a problem of poverty still use indicators

3. METHODOLOGY

Poverty is defined as a lack of income to meet basic or basic living needs. The poverty indicators consist of demographics, employment, housing, health, education, and expenditure of poor households.

1. Demographic indicators, consisting of: what are the needs of poor households, ranging from KTP / KK variables, birth certificates, marriage books, marital status.
2. Indicators of employment, consisting of: what needs are desired by poor households, ranging from the variable work activities, employment, employment status, business ownership, business capital.
3. Indicators of housing, consisting of: what are the needs of poor households, ranging from land tenure and building variables, floor area, floor type, wall type, roof type, source of water for drinking, source of water for bathing / washing, source lighting, electric power class, cooking fuel, toilet, number of bedrooms.
4. Health indicators, consisting of: what needs are desired by poor households, from the variable treatment of chronic diseases, handling of pregnancy / birth, family planning tools and disabilities.
5. Educational indicators, consisting of: what are the needs of poor households, ranging from the highest education variable, school participation, equipment for schools.
6. Indicators of household expenditure, consisting of: average household expenditure per capita which is how to describe poor households in Medan with food and non-food variables (education, health, clothing).
7. Structural indicators; poverty caused by government policy
8. Food security indicators; poverty caused by people not consuming healthy and balanced food.
9. Indicators of local wisdom that will be measured in this activity consist of: Social, cultural, and family.

In addition to secondary data, primary data is also needed in this study. Taking primary data, certainly can not be separated with the sampling technique used so that research can describe its population of fiber efficiently in its implementation.

- Sample area
Medan city area consists of 21 sub-districts, where in the 21 sub-districts area it is desirable to have selected sample representatives. Then purposively determined that the most kelurahan received Raskin / Rastra as the chosen sample area.
Furthermore, from 1 kelurahan selected in each sub-district, the number of Raskin / Rastra recipients was also very large, so that they had to be reduced to the environmental area. So from the chosen kelurahan earlier, it was seen that the environment was the biggest recipient of Raskin / Rastra. Next, the area that will be the sample of this research is chosen.
- Systematic Linear Sampling
From the area in the form of the environment selected as a sample, then 14 samples will be taken which will be selected by the Linear Systematic Sampling method by determining $N (-)$ as the Raskin / Rastra recipient population while it is $n = 14$. This is due to time constraints, budget and officers, then the sample to be selected is determined for the entire city of Medan as many as 294 selected households.
- Purposive Sampling
From the population of Raskin / Rastra recipients per environment, we know that there are Raskin / Rastra recipients who are not on target, so we ask the head of the environment to issue Raskin / Rastra recipients who are not on target so that they are not selected as samples. So that from the population per environment we call N , after removing Raskin / Literature recipients who are not on target, we call population (N).

4. ANALYSIS TOOL

In conducting poverty alleviation programs, Pemko Medan must know the basic concepts of why households are said to be poor. Various concepts have been applied, starting from the 14 criteria, basic needs, etc. that have been applied seemingly have not been answered from the perspective of poor households themselves. Therefore, this study tries to put together a concept called "the poor" which is in addition to what has been created by the Government. The poverty indicators consist of demographics, employment, housing, health, education, and expenditure of poor households.

- A. Demographic indicators, consisting of: what needs are desired by poor households, ranging from the variable KTP / KK, birth certificate, marriage book, marital status.
- B. Indicators of employment, consisting of: what needs are desired by poor households, ranging from the variable work activities, employment, employment status, business ownership, business capital.
- C. Housing indicators, consisting of: what are the needs of poor households, ranging from land and building tenure variables, floor area, floor type, wall type, roof type, water source for drinking, water source for bathing / washing, lighting source, electrical power classes, cooking fuel, bowel movements, number of bedrooms.
- D. Health indicators, consisting of: what needs are desired by poor households, ranging from the variable treatment of chronic diseases, handling of pregnancy / birth, family planning tools and disabilities.
- E. Educational indicators, consisting of: what are the needs of poor households, ranging from the highest education variable, school participation, equipment for schools.
- F. Indicators of household expenditure, consisting of: average household expenditure per capita which is how the picture of poor households in Medan with food and non-food variables (education, health, clothing).

Indicators of local wisdom that will be measured in this activity consist of:

1. Aspects of local skills, namely expertise and ability or intelligence of the local community to apply and utilize knowledge (psychomotor aspects) that are hereditary to increase income, indicators are the preservation of local skills and the utilization of the results of skills in increasing income.
2. Aspects of local social processes, namely klocal wisdom that can be viewed as social capital because it is built on the existence of shared values or norms, in the form of cooperation networks and on the basis of trust between members and community leaders / adat. The indicators are mutual cooperation activities and compliance with community / adat leaders.

5. FACTOR ANALYSIS RESULTS

Factor analysis was conducted based on the number of respondents obtained from each district. The city of Medan has 21 sub-districts and 14 sub-districts were sampled each. Then the Poverty Concept and Indicator Study activity in Medan City had 294 respondents. For each questionnaire has 24 question indicator items which will be analyzed using factor analysis.

The basic form of this model:

$$X_{ik} = \lambda_{i1}f_{1k} + \lambda_{i2}f_{2k} + \dots + \lambda_{im}f_{mk} + e_{ik}$$

Where :

x_{ik}: value of the *i*-th variable for observation (loading factor)

f_{jk}: value of the *j*-th factor for *k*-th observation (also called Scores factor)

λ_{ij}: the relationship of the *i*-th variable to the *j*-th factor, where there are *m* factors and *p* variables, $m < p$

6. KMO AND BARTLETT'S TEST

KMO and Bartlett's Test is useful to show the feasibility test of factor analysis. KMO is a comparison index between the observation correlation coefficient and its partial correlation coefficient. KMO value is considered sufficient if more than 0.5 and shows the suitability of the use of factor analysis and is suitable for use in factor analysis.

Table 1. KMO and Bartlett's Test

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		649
Bartlett's Test of	Approx. Chi-Square	1238,121
Sphericity	df	276
	Sig.	.000

Source: Analysis Results, 2019

The analysis shows that the KMO MSA (Keizer Meyer Olkin Measure of Sampling Adequacy) value in the table is 0.649. These results indicate that the instrument is valid because the KMO MSA value has a value above 0.5. Then Bartlett's Test of Sphericity shows a value of 276 with a significance of 0,000 so that it can be concluded that the instrument is valid.

Table 2. Communalities

No	Indicator	Extraction Value
1	House 1	.632
2	House 2	.546
3	House 3	.589
4	House 4	.364
5	House 5	.481
6	Social Economy 1	.619
7	Socio-Economic 2	.441
8	Socio-Economic 3	.222
9	Social Economy 4	.6771
10	Asset 1	.537
11	Asset 2	.749
12	Asset 3	.688
13	Culture 1	.500
14	Culture 2	.568
15	Culture 3	.650

16	Culture 4	659
17	Government Policy 1	706
18	Government Policy 2	.543
19	Social 1	.518
20	Social 2	.637
21	Family 1	.638
22	Family 2	.610
23	Food Security 1	603
24	Food Security 2	498

Source: Analysis Results, 2019

From table IV.25 shows 24 indicators tested in factor analysis. If the extraction value is greater than 0.5, it indicates that the indicator meets the communality requirements. If the indicator with an Extraction value is less than 0.5 then the indicator does not meet the communality requirements and must be excluded from testing. In this case, indicators that do not meet the requirements for communality are indicators for houses 4, houses 5, sosek 2, and food security 2.

Table 3. Dominant Factors Affecting Poverty

NO.	Factor	Dominant Factors	Eigenvalues (%)
1	Factor 1	Housing	13,594%
2	Factor 2	Social economy	8.603%
3	Factor 3	Assets	7,551%
4	Factor 4	Culture	7.237%
5	Factor 5	Government policy	6.532%
6	Factor 6	Social	5.543%
7	Factor 7	Family	4.570%
8	Factor 8	Food security	4.494%

Source: Results of analysis, 2019

This table explains that from the 24 indicators inputted, the results of the factor analysis grouped into 8 factors based on eigenvalue > 1, namely:

1. Factor 1 is able to explain variations of 13.594%
2. Factor 2 is able to explain variations of 8.603%
3. Factor 3 is able to explain variations of 7,551%
4. Factor 4 is able to explain variations of 7.237%
5. Factor 5 is able to explain variations of 6.532%
6. Factor 6 is able to explain variations of 5.543%
7. Factor 7 is able to explain variations of 4.570%
8. Factor 8 is able to explain variations of 4.494%

The eight factors as a whole can explain the variation of 58.124%.

Table 4. Component Matrix

No.	Factor	Group Indicators
1	Factor 1	Culture 1, culture 4, family 1
2	Factor 2	Culture 3, social 2
3	Factor 3	-
4	Factor 4	House 1, asset 2
5	Factor 5	House 2, house 3
6	Factor 6	asset 3
7	Factor 7	Sosek 1
8	Factor 8	sosek 4

Source: Results of analysis, 2019

Based on the component matrix table which has not been rotated, it is clear that grouping on factor 1 is an indicator of culture 1, culture 4, and family 1. Indicators grouping on factor 2 are cultural indicators 3, social 2. While indicators that cluster on factor 3 do not exist. The indicators that cluster on factor 4 are houses 1, assets 2. The indicators that are clustered in factor 5 are houses 2, houses 3. The indicators that are clustered in factor 6 are assets 3. While those that are grouped on factor 7 are sosek 1. The indicators that are grouped on factor 8 is and sosek 4. If you pay attention, there are still factors that do not have indicators such as factor 3. So to solve the problem the rotation method is used.

Table 5. Rotated Component Matrix

No.	Factor	Group Indicators
1	Factor 1	Culture 1, culture 4
2	Factor 2	Culture 3, social 1, social 2
3	Factor 3	House 2, house 3
4	Factor 4	Government policy 1, family 1
5	Factor 5	House 1, asset 2
6	Factor 6	Socio-Economic 2, asset 1, asset 3
7	Factor 7	Food security 1
8	Factor 8	Sosek 1, sosek 4

Source: Results of analysis, 2019

Based on the rotated component matrix table, it is clear that those who group in factor 1 are cultural indicators 1, culture 4. While those that group on factor 2 are cultural indicators 3, social 1, social 2. The indicators that cluster on factor 3 are houses 2, houses 3. While the indicators that are grouped in factor 4 are government policies 1, and families 1. The indicators that are grouped in factor 5 are houses 1, assets 2. The indicators that are grouped in factor 6 are sosek 2, assets 1, and assets 3. While those that are grouped on factor 7 is food security 1. The indicators that cluster on factor 8 are sosek 1 and sosek 4.

Table 6. Component Transformation Matrix

No.	Factor	Group Indicators	Correlation Value
1	Factor 1	Culture 1, culture 4	.706
2	Factor 2	Culture 3, social 1, social 2	0.729
3	Factor 3	House 2, house 3	0.119
4	Factor 4	Government policy 1, family 1	.156
5	Factor 5	House 1, asset 2	.209
6	Factor 6	Socio-Economic 2, asset 1, asset 3	0.745
7	Factor 7	Food security 1	-0,448
8	Factor 8	Sosek 1, sosek 4	.663

Source: Results of analysis, 2019

This table shows that in component 1 the correlation value is $0.706 > 0.5$. Component 2 correlation value $0.729 > 0.5$. Component 3 has a correlation value of $-0.119 < 0.5$. Component 4 has a correlation value of $0.156 < 0.5$. Component 5 has a correlation value of $0.209 < 0.5$. Component 6 has a correlation value of $0.745 > 0.5$. Component 7 has a correlation value of $-0.448 < 0.5$. Component 8 has a correlation value of $0.663 > 0.5$. Of the eight components that have a correlation value above 0.5 are component 1, component 2, component 6, and component 8. Thus factor 1, factor 2, factor 6, and factor 8 can be said to be appropriate to summarize the other eight factors. From the rotation results it can be concluded that the 24 indicators can form new factors into 8 factors, namely:

- Factor 1 includes indicators / housing factors
- Factor 2 includes indicators / socioeconomic factors
- Factor 3 includes the indicator / asset factor
- Factor 4 includes indicators / cultural factors
- Factor 5 includes indicators / factors of government policy
- Factor 6 includes indicators / social factors
- Factor 7 includes indicators / family factors
- Factor 8 includes indicators / factors of food security

While the results of the component transformation matrix can be concluded that there are 4 important factors that can summarize the other eight factors. These important factors are:

- Factor 1 includes indicators / cultural factors
- Factor 2 includes indicators / social factors
- Factor 6 includes the indicator / Asset factor
- Factor 8 includes indicators / socioeconomic factors

7. CONCLUSION

From the results of the component transformation matrix, it can be concluded that there are 4 dominant factors as poverty

(Mohammad Yusri)

factors in Medan City, these important factors are:

1. Factor 1 covers Culture variables / factors
2. Factor 2 includes social variables / factors
3. Factor 6 includes the variable / Asset factor
4. Factor 8 includes variables / socioeconomic factors

From the results of the analysis of the factors above it can be proven that the Cultural factors, Social factors, Asset factors and Social Economic factors are the dominant factors causing poverty in Medan City. From these four factors, there are two new factors which are local wisdom factors, such as: Cultural factors and Social factors. Whereas Asset factors and Socioeconomic factors have become factors measured by BPS.

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The Effect of Centralistic Political Party Policies in Selection Of Regional Heads in Medan City

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ABSTRACT

The problem of the realization of regional autonomy-decentralization will be successfully achieved if in the process of determining regional leaders are still in the shadow of the national political elite. More broadly, this does not provide an opportunity for the people of the region to freely determine their future leaders in the area. To a certain degree, this kind of process will destroy regional democratization. For that reason, the problem to be examined is how the influence of the centralization of political party policy in relation to the election and determination of regional head candidates carried by political parties, we need to discuss in advance what is the cause of the direct implementation of regional head elections and how the role of political parties in recruiting regional head candidates. The research method used is normative legal research. The results showed that the election of regional heads that had experienced a shift from indirect elections in the DPRD to direct elections by the people had constructive consequences for democracy and the conception of popular sovereignty in the context of elections and the role of political parties that were very strategic in being able to carry prospective candidates for heads regions become candidates for regional heads in the regional head election experiencing conceptual ambivalence.

Keyword : Regional; Head; Party;

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1. INTRODUCTION

The reform agenda that rolled out in Indonesian history, significantly changed the political structure and structure of the Indonesian state administration, this change was realized through changes to the Indonesian constitution. One of the changes in the context of the amendment to the 1945 Constitution of the Republic of Indonesia (1945 Constitution), is regarding the power relations between the central government and regional governments which experienced a shift from centralistic-authoritarian power towards decentralized-autonomous. The application of Law Number 5 of 1974 concerning Principles of Government in the regions which places the position of the region into a local state government has instead set aside the role of the region in various aspects. Political movements from the regional grassroots appeared when the reform agenda rolled out and entrusted the goal of the realization of regional democracy. Strengthening the position of regional democracy is contained in the constitution in Article 18 paragraph 2 of the 1945 Constitution which is accompanied by the loading of the principles of decentralization and regional autonomy. This situation has an impact not only on the process of implementing governance in the regions, but also has an impact on the process of electing regional leaders which necessitates a shift from elections by the DPRD to the people in the region directly. The regional head election as known as pilkada in Indonesia which was held directly began on June 1, 2005, which arrived in the period of 2020 thousands of local elections have been held in Indonesia. The implementation of this election as with the implementation of general elections (elections) certainly cannot be separated from the influence and intervention of political parties in every aspect, both in the

pre-election process, the election (on going), and post-election. Even so, the political reality in the reform era showed a decrease in people's trust (credibility) towards political parties. Political parties seem to fail in understanding their essential functions and goals. So that political parties do not have a strategic role in building a democratic life. On the other hand, the poor institutionalization process also failed to make political parties position themselves as public institutions.

More specifically, the political party's centralistic policy contributes greatly to the destruction of the democratic order in the internal political parties. The determination of regional head candidates in the candidacy of local elections shows an undemocratic reality where decision making authority is only centralized at the top level of national party management. Which even if the regional management rejects policies that are often not taken based on the deliberations, it will lead to dismissal (Sholikin, 2017: 39).

Which on a more complex level will result in internal party conflicts or even to the point of spreading out the community order. When viewed in a historical approach, the highly centralized New Order power provides a trail of local politics that can be divided into two things: (i) elite-led local political control which is a national and regional collaboration or (ii) the emergence of powerful people in the region. The truth is that democratic governance by local people is not really achieved. In reality today it can be seen clearly through the candidacy of regional head candidates in various regions in Indonesia. Specifically, the process of carrying out regional head candidates for the 2020 Regional Head Elections in Medan, there are indications of the strengthening of the centralization of political party policy in determining the regional head candidates who will advance to the simultaneous local elections. So far, the political reality of the nomination of regional heads in Medan City only shows one candidate (independent) who will participate in the election of regional heads (Mayor) in Medan City. This is influenced by the indications of the centralistic policy of political parties at the national level which in their decision making does not heed the arguments of political parties at the local level. When in fact, the reform agenda that includes the legal politics of strengthening the position of the region with the application of the principle of decentralization-autonomy in the implementation of government, must be accompanied by the authority of decentralization-autonomous determination and selection of prospective regional leaders. Somewhat difficult to imagine, the realization of decentralization-regional autonomy will be successfully achieved if in the process of determining regional leaders are still in the shadow of the national political elite. More broadly, this does not provide an opportunity for the people of the region to freely determine their future leaders in the area. To a certain degree, this kind of process will destroy regional democratization.

Whereas it should, the development of regional autonomy and political decentralization is also accompanied by regional autonomy from the political party system, which eliminates the power of central autonomy and the nature of regional dependence on the center. As Harry Mulya Zein explained the importance of political party decentralization as follows: (Eddyono, 2017: 87).

Decentralization of political parties is very important, giving autonomous authority to the DPD and DPC management to determine the regional head candidates that are promoted can hamper the transactional political process. Also noteworthy is the fiscal autonomy of regional political parties aiming at local level political parties to have financial independence in moving the wheels of the organization. Finally, increase the power of civil society to create programs and platforms that are appropriate to the needs of the community.

To answer essential questions related to how the influence of the centralization of political party policy in relation to the election and determination of regional head candidates carried by political parties, we need to discuss in advance what is the cause of the direct implementation of regional head elections and how the role of political parties in recruiting regional head candidates. These two variables will help to provide an answer on how the influence of a very centralized political party policy on the party's central board is even in the hands of a charismatic party chairman who influences the candidacy of regional elections and also to a certain extent affects the internal conditions of political parties in the region.

2. RESEARCH METHOD

The research method used is normative juridical legal research method which means that this method is useful to answer legal issues by finding the principles, rules, and legal doctrines (Marzuki, 2005: 35). According to Rahat and Hazan to classify candidate selection methods based on the criteria of the directorate, nomination, decentralization, and voting versus appointment (Katz and William V Crotty, 2014: 180). According to Norris and Lowenduski the decision-making process has two dimensions

related to party power that is deployed, namely centralized or regional and how the formalization of decisions is made namely formal or informal. In this second dimension, there are several models, namely (i) informal-centered, constitutional mechanism with a combination of leadership patronage where the role of members is limited and only serves symbolic functions (ii) informal-regional, leader factions make bargains that place the best candidates, (iii) informal-localized, local officials decide on general procedures for recruitment that are vulnerable to manipulation of small groups, (iv) formal-centered, party central executive executives have constitutional authority to decide on candidates, (v) formal-regional, identical to formally centralized, but the region still has the authority, (vi) formal-localized, constitutional and established national recruitment guidelines that enable the recruitment process that has integrity, transparency and a good gradation of justice (Pamungkas, 2011: 59).

3. RESULTS AND DISCUSSION

A. *Election of Regional Head as a Consequence of State Form*

The rolling reform agenda, significantly changed the political structure and structure of the Indonesian state administration, this change was realized through changes to the Indonesian constitution. One of the changes in the context of the amendment to the 1945 Constitution of the Republic of Indonesia (1945 Constitution), is regarding the power relations between the central government and regional governments which experienced a shift from centralistic-authoritarian power towards decentralized-autonomous. The application of Law Number 5 of 1974 concerning Principles of Government in the regions which places the position of the region into a local state government has instead set aside the role of the region in various aspects (Na'imah, 2016: 153).

This is one of the reasons for strengthening regional authority in the reform agenda. This strengthening can be seen in the norms governing Article 18 paragraph (2) of the 1945 Constitution which gives flexibility to regional governments to manage their own households. The provisions of decentralization-autonomous to regions that are regulated in the constitution, are explained through the provisions of the legislation, namely Law Number 32 of 2004 which as amended through Law Number 23 of 2014 concerning Regional Government. In this provision, it emphasizes the distribution of certain functions which become absolute authority between governments. The authority of the central government which cannot be divided into regions is foreign policy, defense, security, justice, monetary and national fiscal, and religion (Article 10 of Law Number 23 of 2014) which then can be submitted to other regions through regional assistance or assistance tasks. decentralization. Philipus M. Hadjon explained, decentralization is the authority to regulate and manage governmental affairs which are not solely carried out by the central government, but are also carried out by lower government units in functional and territorial form (Hadjon, et. Al, 1993: 111).

According to Ismail Husin, decentralization is a concept that was born after the realization of the form of centralization. That is, decentralization was born after the centralization of government, and there could not be decentralization before centralization. The provision of the principle of decentralization-autonomous is a form of reform change that leaves the character of the New Order in the form of a centralistic concern with stability and centralized integration (Mahfud MD, 2010: 222).

The direct election of regional heads (Pilkada) cannot be separated from one of the reform agendas to provide democratic and constitutional freedom and authority to develop their respective regions. The Election of Regional Heads became a political path chosen by the Indonesian people. Moreover, in the context of the direct election of regional heads which is a very constructive political breakthrough for democracy and also very significant when seen in the phase before and after reformation which only takes a few years. Direct elections are a process that has broad implications for regions and communities to realize democracy at the local level. Democracy if seen as a process, the direct local election is a process of strengthening and deepening democracy (deepening democracy) as well as a means of realizing good and also effective governance (Hanafi, 2014: 2).

Essentially, direct elections are people's sovereignty to realize democratic principles that include guarantees of individual freedom and equality in political rights (Zuhro, 2011: 23-24). According to Reuschmeyer, the deepening of democracy is an attempt to overcome the weaknesses of practice in substantive democracy, more specifically to respond to the demands of the regional people (Zuhro, 2011: 23-24).

The deepening of democracy is needed to provide facilities for people to get involved in politics. Thus, this will provide a more active and broader opportunity for community involvement in local politics. The emergence of concentration on the transition to local democracy is based on the belief that

local democracy is a prerequisite for the emergence of democracy at the national level. It is believed, if there is an improvement in the quality of democracy in the region, it will automatically become an effort to improve democracy at the national level. Another reason states that democracy in the regions is an arena of political education for citizens in a democratic society. In other words, there is an element of proximity in which the local government is part of the government that has a fabric of interaction with the people through the election of regional heads as a process of democratization (Marijan, 2010: 170).

According to Larry Diamond, local governments have a strategic role to accelerate the vitality of democracy. Diamond gives a reason that local government can help develop democratic values in its citizens. On the other hand, the government is also working to increase accountability and accountability in its regions. This will provide increased representation of good democracy and will provide impetus for the realization of checks and balances in power in the regions (Marijan, 2010: 170).

Furthermore, the election is used as a space for developing democracy where democratic development includes strengthening the public (political society), strengthening the economic society (economic society) and strengthening the cultural society (cultural society). Deeper, democratic development also touches on aspects of civil society engagement where there is voice, access and control, a bureaucracy that is neutral, usable, provisional, and towards strengthening the rule of law and also institutionalizing the economic and political sectors (Sahdan, 2008: 155-157).

This is also supported by the statement of Goran Hayden in Governance and Politics in Africa who saw the elections as an arena to give birth to local good governance. The creation of local good governance includes three aspects, namely (i) the actor dimension, which wants the elections to erode centralized and centralized power in the hands of a handful of political oligarchies, (ii) the structural dimension, emphasizing voluntary attitudes (compliance), trust, trust (accountability) accountability) and also innovation in the regions. This will open up opportunities for everyone to become a leader, while (iii) an empirical dimension, emphasizing the importance of the role of citizens, responsive leadership and social reciprocity (Hanafi, 2014: 4). In this case, the direct elections provide an urgency to improve the quality of democratic life. Haris argues that, First, the direct election will break the chain of party oligarchy that colors the life of the party in the DPRD, where previously public aspirations tend to be politicized by parties and party elites. Second, the direct election will give birth to a good quality local accountability, where leaders will have more responsibility to the community. Third, direct elections will create political stability and governance at the local level, which will reduce the number of removal and impeachment of regional heads. Fourth, the direct election will strengthen the quality of national leadership selection which is bottom up. Fifth, the direct election will have an impact on increasing the quality of representation because the community has a full share in determining the figure of leader at the local level (Haris, 2003: 106-107).

Although the election and election regime debates do not substantially impact on democratic development. But we need to examine the consequences of what gave birth to the regional head election system (directly) that has been practiced so far. Elections and the electoral system are important aspects in a democratic regime because with them power from the people can be put into practice. Djayadi Hanan said that the government system is a matter of how the branches of executive and legislative powers are formed and ended and how the two are related. While the form of a state is a matter of whether a country consists of only one national government or consists of a number of sub-national governments and how the relationship between these levels of government. The management of power in subnational government is a consequence of the form of the state and the choices taken (Decision of the Constitutional Court of the Republic of Indonesia, 2020: 24).

The state in the federal state has the right to choose the leader in the state through simultaneous elections or not. Whereas the unitary state has the choice of legislative and / or executive elections in the regions and how the implementation is a consequence of policy, whether to use autonomy or not. Thus, it can be concluded that the existence of executive and legislative elections at the national level is a consequence of the government system. Whereas the existence of elections at the local level is a consequence of the choice of the form of state and the sub-national governance management system chosen. In the context of Indonesia, the form of state and sub-national government management system adopted is a unitary state by implementing regional autonomy. This has the consequence that regional leaders are chosen from and by the regions themselves. Next, the management of the region becomes a powerful authority of the region itself (autonomous). The autonomy of the sub-national government management system cannot be separated from the regional political agenda in the case of regional head elections. This is because regional head elections are the basis and foundation of regional government management, which can be said that regional head elections are an essential factor in the regional

government system. Therefore, in the context of the candidacy of the regional head candidacy which is currently experiencing an imbalance of the system, where political parties centrally control the policy making to elect candidates for regional heads who incidentally ignores the aspirations of the region (party regional administrators), even though the fact is that constitutionally the regions are an autonomous region that has its own authority to develop its region. This becomes the ambivalence of the system that will destroy democracy itself, moreover that the general knowledge of the community considers that political parties are pillars of democracy. Then, how is it possible for a system to run consistently if there is a system deviation in the body of the system (political parties).

B. Role of Political Parties in the Recruitment of Regional Head Candidates

Democracy in the life of the state today is a necessity that is presented as a protector of all human rights. In the level of theory and practice, the state also accompanies the growth of democracy in various parts of the world. Joseph A Schumeter said that, democracy is an institutional plan to achieve political decisions in which individuals gain the power to decide the way of competitive struggle over the voice of the people (Krisna, 2003: 15). Simply put, democracy is government from the people, by the people, and for the people (Jurdi, 2019: 51).

That is, individuals have a full share in the arena of democratic processes in a country. Jimly Asshidiqie said that political parties have a central position and role in every democratic system. Political parties as pillars of democracy play a liaison role between the state government and citizens. Furthermore, Schattscheider stated "Political parties created democracy" which means political parties form democracy, not vice versa. This makes the political parties as a pillar of democracy which is very important to strengthen the degree of institutionalization (the degree of institutionalization) in a democratic political system, because it will determine the quality of democracy in a country's political life (Asshidiqie, 2007: 710).

Diamond and Gunter describe seven important functions of political parties in relation to electoral democracy. First, candidate nominations, where the contestants represent their respective parties. Second, electoral mobilization, where clintelis are motivated by parties to support their candidates and also facilitate their participation in elections. Third, issue structuring, where the party has a focus on managing interests mobilization strategies in various dimensions of issues that have different interests (Diamond, Gunter, 2001: 7-8).

Fourth, represent various social groups, either symbolically or in advancing specific interests. In this case, the function of social representation is carried out by political parties when elections are an expression of support to various groups. Fifth, interest aggregation, which will bear the implications of the emergence of public policy coherence as well as the stability of the policy itself. Sixth, forming and sustaining government which is a challenge for political parties in realizing the performance dimension. Seventh, social integration in which political parties play a role in social integration and makes it possible for people to participate effectively in the political process (Diamond, Gunter, 2001: 7-8).

According to Hague and Harop, political parties have a number of functions, namely the articulation and aggregation of interests, political communication, political socialization and political recruitment. First, the articulation and aggregation of interests is a function of formulating interests into one construction that accommodates all interests. Second, the function of political communication is directed at bridging the aspirations of the people to the stakeholders of government, in democratic countries political communication carried out by political parties is two-way, namely communication from the top down and from the bottom up. Another case in a communist or totalitarian country, where the flow of political communication is one-way from top to bottom (Hague, Harrop, 2001: 167-169).

Third, the function of political socialization aimed at the orientation of society towards the political life that develops in society. Fourth, political recruitment as a party tool to find and carry out cadre members of political parties to further participate in politics. Furthermore, this process has the aim of maintaining the sustainability of the existence of political parties and always selecting new leaders. Furthermore Pippa Norris stated that the nomination is not only the nomination of elected representatives at the local, regional, national level, but becomes a means of filling public positions. Furthermore, Jimly believes that the function of the party as a means of political recruitment (political recruitment) is indeed intended to be a legitimate vehicle for selecting cadres of state leaders at certain levels and positions. Although not all positions can be filled by the role of political parties such fields that are not political (political appointment) and may not involve political parties. These positions can be separated into political and technical and professional positions. For example, in regional government

political positions that can be filled through mechanisms involving political parties are only the regional head and deputy regional head, provided that the region is not an administrative region but an autonomous region, which is a consequence of the form of the state and the application of regional autonomy as already mentioned above.

C. Effects of Centralized Policy on Political Parties in Direct Regional Election

The direct election of regional heads (pilkada) is a consequence of the reform agenda. Implementation of direct elections that began in 2005 using the legal instrument Law No. 32 of 2004 concerning Regional Government, which then underwent changes through Law No. 8 of 2005 concerning Establishment of Government Regulation in Lieu of Law Number 3 of 2005 concerning Amendment to Law No. 32 of 2004 concerning Regional Government and secondly through Law No. 12 of 2008 concerning the Second Amendment to Law No. 32 of 2004 concerning Regional Government. However, it has subsequently been amended through Law No. 23 of 2014 concerning Regional Government and has been amended twice through Law No. 2 of 2015 and Law No. 9 of 2015 concerning the Second Amendment to Law No. 23 of 2014 concerning Regional Government.

If examined further back, through Law No. 5 of 1974 concerning the Principles of Regional Government, the regional head election process is carried out by the DPRD where the main determinants of candidates who become regional heads are the Minister of the Interior, Golkar, TNI and the blessing of the president. This shows that the regional head election process is very partial and centralistic. Then through Law No. 22 of 1999 concerning Regional Government, DPRD has the main role to elect regional heads. Which over time, it actually gives an impact that is also not good for democracy, such as the emergence of money politics. Which then changed the authority to elect regional heads from the DPRD to the people directly through Law No. 32 of 2004 for the first election in 2005.

Although the electoral authority has been shifted to the people in theory this has had a significant impact on the construction of substantial democracy in Indonesia. However, the shadows of political party institutions are still a frightening specter in every local election process. One of them can be seen through the process of candidacy of regional head candidates where political parties have a very strong role in determining the pairs of regional head candidates.

In Law No. 32 of 2004 stated that political parties are the only institution that can propose pairs of candidates for regional head. In the direct election period 2005-2008 before the change in Law No. 32 of 2004, political parties have very special powers. In the sense that political parties have the absolute right to propose a pair of candidates in the regional election contestation, in contrast to other institutions. If the candidate pair wants to compete in the elections, the door is only through political parties.

The pattern or framework of institutionalizing the nomination of regional heads uses a party system because people who want to run for regional head must go through political parties. This can be seen in Article 59 paragraph 1 of Law No. 32 of 2004 which states that the participants of the regional head election and deputy head of the region are pairs of candidates proposed in pairs by political parties or a combination of political parties. In paragraph 2 it states that the political parties referred to in paragraph 1 can register pairs of candidates if they meet the acquisition requirements of at least 15% (fifteen percent) of the total number of seats in the DPRD or 15% (fifteen percent) of the accumulation of valid votes in the general election Regional DPRD member. (Law Number 32 of 2004 concerning Regional Government). However, in paragraph 3 the opportunity for individual candidacy is opened, but in practice this does not occur because there are no clear governing provisions.

In its formulation in parliament (DPR RI) when drafting the norms of the law, debates arose related to the nomination provisions and who has the right to nominate pairs of candidates. Which finally reduced to three options for the nomination process. First, all candidates are independent proposed by non-political parties. Second, some candidates are nominated by political parties and some are nominated by independents. Third, all candidates are nominated by political parties with certain voting requirements in the DPRD seats. In the end these options were rejected by the DPR (Pratikno, 2007: 415-438).

Syamsuddin Haris explained that the whole election process process that took place at the party institution tends to ignore the urgency of public access. Society tends not to know transparently the selection process of candidates by political parties or political parties combined. Furthermore, the direct local election even though it has provided a constructive shift from previously the power held by the DPRD to the people's power. However, in practice there are many democratic imbalances where there is a lot of public disappointment with the quality of the electoral process in the elections. This is caused

by party elites and political sponsors who hold control of the entire electoral process which in turn erodes the role of the wider community as holders of sovereignty, which in turn voters become a very marginal group in the process of candidacy (Haris in Hanafi, 2014: 7).

For the results of various political dynamics that exist, through Law no. 12 of 2008, efforts were made to reduce party monopolies where the norms in the law provided participation for candidates who would advance through independent channels or individuals in direct regional head elections. Buchler believes that this shift is a political innovation that tends to give birth to more competitive and inclusive regional head elections (Buchler, 2010: 271).

Pratikno also added that this provision would also have a constructive impact on internal political parties, where the independent path would indirectly inspire political parties to prepare cadres with the best figures to compete in political contestation (Pratikno, 2007: 415-438).

Furthermore, if we look at Article 42 paragraphs 5 and 6 of Law No. 10 In 2016, the pair of candidates for regional head must be proposed by the party's regional administrator to obtain a recommendation from the party's central committee. Which is an absolute requirement to apply for registration as a candidate for governor, regent or mayor.

Here we can see, the ideals of decentralization-autonomy in the regions do not run straight with the configuration of policy makers in the body of the political party itself. With simple language we can say, centralization is criticized but still cultivated in the body of political parties which are essentially the pillars of democracy.

In the context of the candidacy of regional elections, the role of political parties is more to the role of providing legitimate nominations. This role tends to be represented by "buying a boat" or may be more compatible if using the term "boat rental" which is common knowledge that buying party formalities as a nominating ticket. Which is destructively exploited by the political elite as a business venue by setting certain tariffs for candidates who will board the boat. It cannot be denied, Robert Michels once stated that political parties are also like organizations in general, which always give birth to oligarchic domination (Michels, 1984: 13-14).

Another note can be seen that in the nomination process, the initiative of candidacy arises from pairs of candidates who feel they have adequate capabilities or financials rather than in terms of party initiatives. This can be excluded if certain regions or parties already have cadres ready to fight. This illustrates that direct elections provide an easy task for political parties to revitalize the role of substantial democracy rather than just being a boat (Hanafi, 2014: 8).

Apart from that, the issue of centralization and decentralization of authority in internal political parties also has a strategic role. The mechanism related to the big authority to the regions to elect candidates or even that authority is in the structure of the central political parties to save the impact of each for each political party. If the choice of political parties is on the side of decentralization, the central board cannot control the election of candidates and will open the space for electing candidates who have no potential to win. And if the choice is on the side of party centralization, it will not have a good impact on the process of cadre formation and maturation of the structure of political parties in the regions. Because political parties prefer names that have the potential to win, the regional head candidates will be determined by the interests of the political party central executive (Nyarwi, 2007: 17-27).

Not only that, the selection process that is centralized and elitist will cause conflict. This is due to the disparity in the choice of candidates between regional and central party administrators. Although this can be resolved through internal party mechanisms, it is not uncommon for these problems to have an unfavorable impact on the party itself, where conflict will develop between the center and the regions.

For example, the case of disparity in the carrying of regional head candidates in Central Java where the Democratic Party DPP carries Totok Mintarto and John M, while the Democratic Party DPC carries the names Warsa Susilo and M Haris. Although the process is in accordance with the instructions of the Central Java Democratic Party DPD. Furthermore, it can be seen from the DKI Jakarta governor election in 2007 where political parties tended to prefer candidates from outside the party rather than from the party's cadres themselves. Where PDIP, PKS and Democrat Party have the right to propose a pair of candidates, the canalization is only followed by two pairs of candidates namely Fauzi Bowo-Prijanto with 19 coalitions and Adang-Dani from PKS, where only Dani Anwar is from political parties (cadres). Saiful Mujani analyzes this phenomenon as a picture of the breakdown of political party cadre, so that it does not have good popularity and electability before the public (Tanuredjo, 2007: 57-59).

In the 2010 Sleman regional elections the same thing happened, where there was a decline in the sovereignty of cadres to be involved in the candidate selection process. Accompanied by strong party pragmatism and transactional patterns for power struggles (Hanafi, 2014: 11).

On the other hand, pragmatism of political parties also has its own impact. This unique phenomenon occurs in Jambi, where political parties are more receptive to positions of lower rank even though they have strong legislative potential. In Jambi Province, the Golkar Party in the 2004 election had a seat of 24.71%, but at the Golkar regional head candidacy only positioned itself as the deputy regional head to assist the candidate from the National Amant Party (Zulkifli Nurdin) (Nyarwi, 2007: 17-27).

The same thing happened in Banten where Golkar in the 2004 legislative election had 24% of the vote but was only able to carry the deputy head of the region (Muhammad Masduki) to accompany the candidates from the PDI-P. In Batam too, PKS with 13.42% of votes was only able to deliver the candidate to become the deputy mayor accompanying the mayor candidate from the Golkar Party.

The political party structure hierarchically consists of the Central Leadership Council to the Branch Leadership Council in the district / city. In the context of the selection of regional head candidates, although the selection process is in the hands of the regions, the decision making is still in the hands of the central management. This problem becomes very interesting to be examined about the recruitment and selection of candidates conducted by the political party.

Cross and Bottomore said that by knowing political recruitment we can find out several things such as (i) showing the real locus of power of political parties, (ii) showing the circulation process of political elites in the party, (iii) because recruitment becomes a central position, where it will explain the type of political party. By identifying the type of party, we will be able to explain the problems that occur in the party (Witianti, Hendra, 2019: 57).

The role of political parties as vehicles to win general elections was also stated by Barrie Axford (Axford, 2002: 376-377). Furthermore, he also explained the function of political parties that are closely related to elections in democratic countries in the world, namely: (i) structuring the vote, (ii) socialization and mobilization, (iii) interest articulation and aggregation, (iv) representation, (v) activist and elite recruitment, (vi) policy and issue development, (vii) legitimation and (viii) organizing government.

The importance of the recruitment function is also expressed by Katz and Crotty (Katz, Crotty, 2014: 123-198) where political parties have three functions namely social function, recruitment function, candidate selection function. In this context, the recruitment function on the agenda of the leadership of the leader in both the maupunj area at the national level discusses things like First, who qualifies for recruitment certification. Second, discuss who is nominating. Third, discuss who is nominated. Fourth, about the consequences of recruitment. Through this function, political parties have a strategic role to prepare qualified leaders who are ready to enter the arena of the electoral battle.

There are two models of political recruitment in a democratic country. First, descriptive style in which is full of primordial bonds. Second, model oriented style, with an ideal standard which is measured by the ability of candidates such as loyalty and the ability to lead (Witianti, Hendra, 2019: 57-58).

Meanwhile, according to Barbara Geddes, there are four models of political recruitment that can be done by political parties, namely: (i) partisanship, taking into account loyalty and slightly ignoring competence, (ii) meritocratic, recruitment of candidates who have high competencies such as technocrats, entrepreneurs, teachers, and experts, (iii) compartmentalization, recruitment based on the appointment of informal meritrokasi, (iv) survival, recruitment with the principle of reward and applicant resources that tend to be patronage.

The pattern of candidate selection and decision making in the nomination of regional head candidates depends on the role of the party chairperson in the selection of candidate candidates, which in the later stages is influenced by other factors. According to Labolo and Ilham (Labolo, 2015: 12) the future of political parties and elections in the Indonesian context faces three problems, namely the shrinking of party ideology, lack of finances, and the stagnation of political recruitment. This problem is more or less caused by the strengthening of the character of the party chairman who tends to be centralized in decision making.

However, the problem of political party organization also has its own institutional problems, which to some extent will result in party policy making. Yves Meny and Andrew Knap mentioned the institutional level of political parties in a democratic system depends on three parameters, namely (i) its age, where if the age is older, the party's ideas and values will be more institutionalized (ii) the

depersonalization of organization, where over time personal interests will be undermined by dynamics in internal organization and (iii) organizational differentiation.

To see the party's internal interactions can be seen through formal rules. Based on Law No. 2 of 2011 concerning Amendments to Law No. 2 of 2008 concerning Political Parties which usually consists of structures (i) the highest leadership of political parties at the national level with the name commonly used by the Board of Trustees, the Development Council, the Advisory Council, the Honorary Council, or the Syuro Council, (ii) the Party Central Leadership Council at nationwide, consisting of the Chairperson, Secretary General, Treasurer with representation of at least 30% women, (iii) Regional Leadership Council in the Province and party management at the regional level at least 60 percent of the total number of provinces, (iv) Branch Leadership Board in the district / city with at least 60% of the total provinces in the region are met. Then there are (v) Branch Children Leadership and (vi) Branches reaching remote villages. Structures that are rooted to the "grassroots" become an important tool for the party's recruitment and regeneration process which is indeed tiered and has its own process at each level.

Nevertheless, the structure and institution of the party still has its own color based on the party's internal rules contained in the Articles of Association and Bylaws of the party itself. In general, daily leadership is in the hands of the Chairperson, even though in strategic decision making it is the highest party leader such as the Board of Trustees. Although in certain conditions it is a bit of an anomaly. Where if there is a charismatic figure in the party, the decision making will more or less be influenced by that figure. This can be seen in a number of political parties, such as the figure of Megawati in the Indonesian Democratic Party of Struggle, Susilo Bambang Yudhoyono in the Democratic Party, Prabowo in the Gerindra Party (Witianti, Hendra, 2019: 62).

Indeed political parties have their own AD / ART provisions. But based on Law No. 2 of 2011 concerning Political Parties states that the sovereignty of political parties is in the hands of members, even though in reality the bodies of political parties are only controlled by a few elite leaders. This makes the important decisions in political parties only determined by a handful of powerful figures, namely the party chairperson whose decisions tend to be absolute authoritarian.

According to Siti Witianti and Hendra (Witianti, Hendra, 2019: 63). There are several factors that can encourage the body of political parties to centralize policies specifically towards the determination of regional head candidates. First, it results from a top down system of forming party structures. Which at some level this will cause dependence on the figure. Second, the party does not have good institutionalization. Scott Mainwaring states that there are four dimensions when the party is well institutionalized, (i) there is a stable pattern of party competition, (ii) the party has a strong relationship with the community at the grassroots level, (iii) there is legitimacy from the people that political parties is essential in a democratic country, (iv) in terms of party structure, procedures and routines, the party has a clear agenda, and the process of leadership change in the party body without conflict.

Third, the quality of party institutionalization seen from internal-external and structural-attitudinal aspects. Furthermore, Yves Meny and Andrew Knapp use organizational depersonalization criteria as a benchmark for the institutionalization of political parties. Fourth, is the pragmatism factor where political parties certainly have an interest in winning the elections, which will certainly focus on consideration of electability and the chances of winning for the candidate pair.

The tendency of political parties to vote tends to be pragmatic and unavoidable the birth of divisions within the internal political parties, this can be caused by the recruitment of candidates who have the potential to win big even though not a cadre of the political party. According to Rahat and Hazan, there are two candidate selection systems. First, inclusive (open) where everyone can openly register with some mild conditions (eligible) without any requirements to be a party cadre or even the same color ideology. In which there are two determinants of recruitment of candidates outside the party, namely: (i) the requirements for the guaranteed guarantee or electability of the candidates which can be seen from cross-group, ethnic, religious partners, (ii) cost requirements, this relates to participation in the elections cannot be separated from Election fund needs are very inherent in the current political process.

Second, the pattern is closed or exclusive, where through this system the candidates must meet certain conditions to participate in the selection. Helmi Mahadi said, the more exclusive the selection of candidates, the less democratic the process. But on the contrary, the more inclusive the selection process is, the more democratic the process. Because, in an exclusive mechanism only the party elite alone has a strong share in the selection and determination of candidates (Mahadi, 2011).

In the context of direct regional head elections held simultaneously in several regions in Indonesia, Medan City which is actually one of the major cities in Indonesia also participated in the regional people's party to elect regional head candidates in this case the Mayor and Deputy Mayor of Medan who will be implemented in 2020. If seen from the juridical-normative condition of the regulation regarding the nomination of regional heads both through the Regional Government Law, the Political Party Act and the Regional Head Election Shrimp Act, it still opens the possibility for the emergence of the issue of centralism in the nomination policy making by the central political party management. This can be seen from a number of prospective regional heads who are party cadres who have taken part in the party and even in the government, even tend to be potentially not carried out by their own party, which incidentally in terms of participation, loyalty and party contribution is clear. Honestly, Acting figure. The current Mayor of Medan, Akhyar Nasution, who is actually a cadre from the PDI-Perjuangan Party, even has a strong potential is not carried by his own party. Likewise the figure of Iwan Ritonga who incidentally is a Deputy Chairperson of the Medan City DPRD who also has the potential not to be carried by their party because they have not received the "blessing" from the party's central board. Though it can be seen that they have already "pocketed" the blessing of their party management in the area.

In the agenda of improving the selection system for regional head candidates there are several alternative issues, among others, First, the selection process that has been determined by those who become party elites, the party should open as much access to the public as possible to enter this process. Only through open access, public opportunities are open to find out more about the regional head candidates to be promoted. Furthermore, the public can supervise the process of determining the candidates. Second, parties often do not proportionally provide opportunities for their own cadres to advance in the elections, because the party will pragmatically prefer a figure who has a higher chance of winning. This will have implications for the stagnation of regeneration within the party and the emergence of conflicts within the party. At this stage, the party should open up greater opportunities for its cadres to have an opportunity in the nominating process. Third, the process that is often thought to bring up political dowry practices, and therefore the practice of meritocracy-based democracy should be the basis for parties to recruit candidates. Fourth, in terms of the issue of kinship issues in the elections, this chain must be broken with an objective and transparent recruitment mechanism.

Decentralization of political party policy (devolution of power) normatively began to be implemented through Law No. 22 of 1999 until the enactment of Law no. 23 of 2014 has not been able to have a significant impact on the devolution of the nomination of regional head policies in internal political parties. Sholikin gave two offers (Solikhin, 2017: 57-61). First through assertive arrangements related to the decentralization of political parties and the authority of political parties in the regions and poured into the Political Party Law and the Election Law. The party clause, which has so far been patron-client and centralist in character, will be more inclusive if the region has a more flexible role in recruiting candidates which will at some level have an impact on the regeneration of cadre formation at the grassroots party.

Second, through a strict separation between national and local elections. Sholikin continued, this separation has the potential to provide positive signification for party strengthening, (i) separation will provide political education to the public about regional and national political disparities that will indirectly erode the Jakarta-centric stigma. (ii) regional politicians will be more responsive to regional issues and will move the party wheels in the regions, (iii) will build regional issues that are more constructive in daily life in the regions, (iv) politicians will be more "rooted" to the people in area. Third, the supremacy of political parties in the regions will provide executive strengthening in the regions. Where the regional head will also be separated from the central pragmatic interests which will instead reduce the positive regional policies.

4. CONCLUSION

Regional elections that have undergone a shift from indirect elections in the DPRD to direct elections by the people have constructive consequences for democracy and the conception of people's sovereignty in the context of general elections. The direct election of regional heads is a consequence of the form of the state and the pattern of subnational government adopted by a country. In the context of Indonesia, the form of the unitary state and the pattern of decentralized-autonomous systems given to the regions make the regions have their own authority in managing regional households and cannot be separated also in the context of regional head elections.

Political parties have a variety of functions within the democratic system. The function of political regeneration or recruitment in the context of general elections and regional head elections is one of the important and strategic agenda where this agenda becomes the cadre of political parties to continue to exist in society. In the context of regional head elections, political parties have the authority contained in the law to carry out political recruitment to carry out regional head candidates who will fight on the regional head election agenda.

The role of political parties that are very strategic in being able to carry prospective regional heads to become regional head candidates in regional elections experiences conceptual ambivalence. On the one hand, political parties are pillars of democracy that must be in line with the breath of the constitution, which incidentally constitutes the Indonesian constitution governing the government system in a decentric-autonomous manner. But different practices are carried out in the body of the political party itself. Where in the strategic decision making political parties tend to be sentimentalistic or Jakarta-centric and have the potential to neglect regional aspirations.

Agenda for internal and external improvement of political parties is a very important and fundamental recommendation. Given that although political parties are not a structural institution of the state, political parties are pillars of democracy that play an important role in the process of government and the state. Internal improvements through the party's statutes and by-laws and party conventions must be pushed towards being more inclusive by making the strategic agenda for recruiting candidates for regional heads a joint agenda in which party members and administrators of the party are fully involved and carried out transparently. In addition, the improvement of external political parties that starts from the improvement of the law on the governance of regional heads, political parties and regional elections that provide a gap or space for political parties to centralize policies becomes very important.

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