

Utilizing the Local Wisdom Values in the Disputes Settlement of Social Media for Building National Laws in the Paradigm Post Truth

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Abstract— Interaction between individuals and society is a basic requirement in social life. The interaction process does not always run smoothly and harmoniously. Occasionally, conflicts of interest and differences of opinion are loaded which become a stage of dispute. Disputes can be found in almost every theme of life, one of which is the use of social media which is a tool to facilitate interaction itself. All social media users (netizen) often argue because freedom of expression and opinion can convey anything via social media. The current trends in content in social media, both in the form of written sentences, and motion pictures (visual), which are equipped with audio and symbols that are constantly updated, increasingly attract all social media users to give many choices to convey their ideas. The post truth paradigm is inevitable in the presence of two worlds, both conventional and virtual, which have access to a wide network to compete to ensure the validity of information that is truly a great opportunity to contain manipulation and imitation, even aridity or alienation of meaning. The purpose of this study is first; map and analyze which local wisdom values are appropriate for resolving dispute on social media, second; analyze the contribution of the adoption of the values of local wisdom for the development of national law so as to be able to anticipate the era of post truth paradigm for dispute on social media. This research method is doctrinal and non-doctrinal legal research with anthropological approach to law. Data sources used are primary, secondary and tertier. The finding of the data obtained by local wisdom is a source of cultural approach in the resolution of dispute with social media and local wisdom can be used as an element for the development of the operation of law, especially in the aspects of substance and culture in the legal system. The conclusion obtained from the exploration and mapping of appropriate local wisdom can be used as a solution to disputes in social media which is more down to earth which leads wisdom values part of the input of substance and culture components in the development of national law.

Keywords— local wisdom, social media, disputes, paradigm post truth

I. INTRODUCTION

The origin of law has a variety of views that are spread in the theory of law. Legal positivism views that the law was deliberately designed or formed by a state body embraced by John Locke and Hans Kelsen, whereas the legal school of law argues that the law is found in daily life as *volkgeist* triggered by von Savign and so on until the development of legal theory continue to change according to the demands of the times. The operation of the law is sourced from the view of life of the people who need the law to be used in the form of substance and cultural reflection.[2]

Law functions as a tool for meeting the needs of human life and the law is able to follow the dynamics of the demands of human life and accompany every aspect of human life, one of which is social media as a result of the development of information technology. Social media according to Andrean Kaplan and Michael Haenlein [3] as an internet-based application group that builds on the foundation of ideology and web 2.0 technology and that enables the creation and exchange of user – generated content.

Ardianto in Errika Dwi Setya Watie[4], social media has social power that can influence public opinion, such as cases of violence against teenagers in Jambi to garner sorrow

and condemnation against perpetrators of crime against children and even hoax news launched by irresponsible Papua riots in Surabaya which spread throughout the entire Republic of Indonesia. As a result of the social power of this social media tool, double edged money, one effect is good and on the other hand it can damage the harmony of the nation, therefore the law requires its presence to function as a social controller from the creators and use of social media.

The law does not only function as a regulator but is also demanded to be able to resolve disputes including social media. Disputes on social media are becoming increasingly tense ahead of the choice of regional heads, legislative and presidential and vice-presidential candidates in 2019 on a large scale. Interaction on a small scale has the potential to cause the dispute to be easily susceptible to occur between interactions among individuals, individuals with mass to occur between interactions among individuals, individuals with mass organizations and other parties who use social media.

During this time, dispute resolution on social media on a large scale involving the head of state and state institutions uses a state law approach that is formal and on a small scale has opportunity to use a variety of approaches both legal, political, cultural and social. The danger of social media news in addition to damaging national harmony is also related to the

fragility of individuals trust in the validity of valid data. In the case of Belle Gibson who has created The Whole Pantry mobile application to boost her reputation, she informed 100% (one hundred percent) of the sales of the application to be donated to a child with brain cancer named Joshua Scharwtz. [5] Though the information Belle Gibson was proven to have never contributed to Joshua Scharwtz had never had brain cancer. Although Belle has been fined 420.000 dollars from federal court judge Debbie Mortimer after the Victoria Consumer Institute conducted a study Belle Gibson. The Distribution of this false information through a personal blog turned aout to be a hoax that apparently made netizens amazed and sympathetic citizens who were then able to move and influence people's actions and attitudes.

The post truth paradigm[6] extends the influence of various aspects to all global societies across geographical areas through social media and the duty of scholars to wisely respond to them, one of which is by strengthening the legal value of local wisdom[7] for the development of national law. The development of national legal system is filled with local, national and global values which strengthen national harmony and have national legal ideals.

The text of this article examines the first; map and analyze which local wisdom values are appropriate for resolving dispute on social media; second analyze the contribution of adopting the value of local wisdom to the development of national law so as to be able to anticipate the era of the post truth paradigm for disputes on social media.

II. RESEARCH METHOD

This study uses qualitative research methods and simultaneously applies to 3 (three) types of doctrinal and non-doctrinal, anthropological and ethnographic legal approaches. The data source used consists of primers in the form of observation, interviews, secondary research documents and statutory regulations and reinforcement theory to analyze the fundamental problems of this research material. Research location in one of vocational high schools and related offices in the city of Purwokerto, Banyumas Regency.

The sample of this research on the parties to the dispute consisted of the perpetrators, victims and school leaders and foundations. Data collection methods used are interactive methods with interviews and non-interactive. The data analysis method uses interactive loading data reduction, data display and conclusion drawing then proceed with the flow analysis model.

III. RESULT AND DISCUSSION

A. LOCAL WISDOM IN DISPUTE RESOLUTION WITH SOCIAL MEDIA AS A CULTURAL APPROACH

Antropological local wisdom or local genius was first introduced by Quaritch Wales.[8] According Haryati Soebadio, local genius is also the local identity or personality of the nation which causes the nation to be able to absorb and process foreign cultures according to their own character and abilities. While the characteristics of local wisdom include[9]:

1. Able to survive the outside world;
2. Having the ability to accommodate elements of outside culture;
3. Having the ability to integrate elements of outside culture
4. Having the ability to control
5. Able to give direction to the development of culture

Local wisdom is owned by each ethnic group as social capital that unites the ethnic groups in facing and anticipating changes in the situation and demands of the era.

The form of local wisdom in each community also functions to resolve disputes that occur in the life of the community. In accordance with the mandate of Law Number 5 of 2017 concerning the promotion of culture, especially article 5 letter C, concerning customs and traditions. This customs contains about dispute resolution as part of the ability of local wisdom to connect the settlement in the event of a dispute in social life.

The Banyumas residency area which has 4 (four) regencies as a cultural allied region, comprises the district of banyumas, Purbalingga, Cilacap and Banjarnegara. The area of residency was carried out during the reign of Rafflesh to make it easier for the invaders to map out the targets of colonization and the cultural characteristics of the community at the time.

The cultural cluster of the Banyumas residency is known to foreign countries because it is far from the center of the kingdom and geographically the border area of Central and West Java[10]. Historically the Banyumas region is between the two major royal regions, namely the eastern part of the Majapahit empire while the western part is the Pajajaran kingdom[11]. As a border area in general, the community has a characteristic compared to other regions, on of which has an egalitarian character. Egalitarian views each person as having the same position because it comes from the creation of God. Almighty so that, between my world and the world of other people, that is parallel to what is expressed in the language of cablaka (speaking honestly as it is) with other people.

The form of local wisdom in the Banyumas community in resolving disputes with social media, among others[12]:

1. *Entuk iwake aja nganti buthek banyune*; has the meaning of trying to find the main cause of the dispute and may not damage the ecosystem of life of the community members who make social life uneasy
2. *Pager tai lebih kuwat daripada pager wesi*; has the meaning of neighborly living prioritizing the charity of others rather than maintaining a distance of relations with neighbors, so that all neighbors maintain mutual security together;
3. *Ana rembug ya dirembug*; has the first meaning; prioritizing consensus, second; researched, mobilized the source of the cause and secured the situation,, third; mediatorial conditions no strings attached.
4. *Tuna sathak bathi sanak*; has the meaning of prioritizing brotherhood relations if there is a dispute even though it sacrifices material;
5. *Tepa slira*; has the meaning of mutual understanding of the interest of others with an attitude of tolerance;
6. *Nrimo in pandum*; accepting gifts as they are with a patient attitude and sincere circumstances

Whereas the motto of Purwokerto city, Banyumas regency is called SATRIA which symbolizes the attitude of the first community members, courage, secondly determined in holding ideals, and third uphold honesty in saying and acting[13]. The local wisdom of the Banyumas district community and given the SATRIA motto are rooted in the imaginary figure Carub Bawor as a puppet figure with a Banyumasan shadow puppet show.

All employees in each Banyumas district government office and vocational high school teachers who were the target of this study, using social media consisted[14]; *first*; face book for the sake of promotion of work programs and the success of work programs to provide publications to the public. *Second*, groups *whatsapp* for the sake of smooth communication and coordination between leaders and subordinates. *Third*; *whatsapp* doing a personal interpersonal network.

The result of the questionnaire from 39 teachers with the details of male 10, female 25, not filling 4 people, the age range of respondent 21-30 years 1 person, 31-40 years 8 person, 41-50 years 10 person, 51-60 years 8 people, not filling 3 people in one of the vocational high schools in Purwokerto to the resolution of disputes on social media with a cultural approach sourced forms local wisdom can be analyzed as follow: *first*; the question of approach action given to the provocateurs via social media is seen as erroneous by 100%, it is enough to apologize 10%, state legal action 34%, cultural approach 33%, others 13%. *Second*; imaginary opinions respondents' opinions reflect the true character of Banyumasan people with the answers of Bawor 79%, Semar 0%, Bima 21%, etc 0%. *Third* the opinion of the respondents of the right physical figure reflects the true character of the Banyumasan people with the answer of General Soedirman 97%, General Gatot Subroto 3%, Ir Sukarno 0%, others 0%. The four attitudes of ability in expressing opinions via social media that describe the character of Banyumasan people, with straightforward answer 44%, as they wish 13%, dramatic 2%, controlled 36%, others 5%. *Fifth*; Banyumasan cultural approach is appropriate for troublemakers on social media with an immediate reprimand and 21% reflection on cablaka culture, sharp humor humorously reflected 15% of the guris culture, familiar with vigilance with recorded 51% reflection of the ajur-ajur culture, etc 13%. *Sixth* evaluation using Banyumasan cultural approach in the resolution of social media dispute for vocational school teachers with answers needing to be tried and re-evaluated according to the needs of the dispute weighting 51%, combined with the applicable state law approach in accordance with a level of disturbance 31%, doubtful 8%, others-another 10%.

From the result of this questionnaire, it can be observed *firstly* between the legal actions of the disputed state with a cultural approach in dealing with disputes on social media, *secondly*; all respondents knew well and looked at the imaginary figure Carub Bawor as a role model in everyday life of the community, *third*; General Soedirman's physical character both as soldiers and leader who are worthy of being emulated by the present generation, *fourth*; there is an answer to the resolution Banyumas cultural dispute which is almost 51% so that it is retested and reevaluated according to the needs of the weight of the dispute, because a dispute has social

media in the present and in the future can be different handling.

B. THE CONTRIBUTION OF ADOPTING THE VALUE OF LOCAL WISDOM FOR THE DEVELOPMENT OF NATIONAL LAW IS ABLE TO ANTICIPATE THE ERA OF THE POST TRUTH PARADIGM FOR DISPUTES ON SOCIAL MEDIA

Anthropological understanding of law is part of a cultural process that is flexible, flows toward changes and is easily accepted by the people in dispute. The state law approach emphasizes legal centralism over legal pluralism[15]. The development of national law requires input from all component of society because basically the law is a breaking of law that is driven by community members. In accordance with the opinion of Lawrence Friedman[16], that the law is a combination of structural components, substance and culture. In the structural component, namely the institution created by the legal system with various functions in order to support the operation of the system. This component is possible to see how the legal system provides service for the cultivation of legal materials on a regular basis. The substantive component, that is, as the output of the legal system, is in the form of regulations, decisions used by both regulator, culture component, which consists of values and attitudes that influence the operation of law or by Lawrence Friedman referred to as legal culture. This legal culture which functions as a bridge that connects the legal regulations with legal behavior should be distinguished between internal legal culture of lawyers and judges, and external legal culture, namely the legal culture of the wider community.

Contribution from the adoption of local wisdom values part of the input components of the substance and culture regarding the ability of the community to solve social media consist of: *first*; to move and review other laws besides state law that are able to overcome problems in social media, *second*; strengthening legal pluralism coupled with legal sovereignty centralism, *third*; strengthen the idea of community members as part of a legal form that can be switched to tangible or vice versa in resolve disputes with social media., *fourth*; affirming the nature of the law other than state law (the other law) is more flexible and can be accepted by disputing people in social media, *fifth*; strengthen the style of national law that is more supportive of a single diversity

IV. CONCLUSION

The paper concluded that, excavation and mapping of local wisdom can be used as an alternative solution in social media culture approaches because it contains aspects of culture. Contributions from the adoption of local wisdom values part of the input components of the substance and culture regarding the ability of the community to solve social media consist of: *first*, move and turn on other laws besides state law that are able to overcome problems in social media, *second*: strengthening legal pluralism coupled with the sovereignty of legal centralism, *third*; strengthening the ideas of community

members as part of the legal form of the switch to tangible or vice versa in resolving disputes on social media; fourth; emphasizing the nature of the law other than state law (the other law) is more flexible and can be accepted by disputing people in social media. Fifth; strengthen the pattern in national legal system which is more supportive of a single diversity.

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VI. REFERENCE

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- [2] See Lawrence M. Friedman, 1986, *The Legal System: A Social Sciences Perspective*, New York: Russel Sage Foundation, pg. 17; Lawrence M. Friedman, 1998, *American Law, An Introduction, 2nd Edition*, Jakarta: Tatanusa, pg. 7-9; Satjipto Rahardjo, legal Studies, ... *op.cit.*, pg. 153-155; Esmi Warassih P, *op.cit.*, pg. 30; Ronny Hanitijo Soemitro, 1989, *Perspectives in Understanding legal Issues*, Semarang: CV Agung, pg. 9-10 and Lawrence M. Friedman, *Legal Culture and Social Development*, artikel on Law and Society Review, Vol. 4 No. 1/1969 dan *On Legal Development*, artikel dalam Rutgers Law Review, Vol. 24, page. 27.
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- [4] Communication and Social Media, *The Messenger Journal*, Volume III, Number 1, July 2011 Edition, pg 71
- [5] <https://www.people's minds.com. post truth is a symptom> that comes with hoax
- [6] According to Rocky Gerung in <http://www.jurnal perempuan.org>, post truth is not related to epistemic truth and is not followed by political ethics because the information obtained needs to be equipped with facts not just data and easily deceptive data which are considered to represent truth to represent truth by believing, so in the post truth by believing so in the post truth paradigm based on believing it is considered to the expansion of the power of the post truth paradigm requires intellectual resilience that is based on political ethics because the information to be obtained needs to be equipped with facts not just data and easily deceptive data which are considered true. To respond to the expansion of the power of the post truth paradigm requires intellectual resilience that is based political ethics. Compare according to the Oxford Dictionary of the post truth term in Kharisma Dera, Dhimas Syuhada. Media ethics in the post truth, *Media Ethics in the Post Truth Era*, *Journal of Communications*, Volume V, Number 1, April 2017, pg 77 used for the first time in 1992. This term was revealed by Steve Tesich in the magazine *The Nation* when it reflects the case of Iran that occurred during that period. Meanwhile Ralph Keyes in his <http://www.jurnal perempuan.org>, *The Post Truth Era* (2004) and comedian Stephen Colbert popularized the term related to post truth, which is more or less truthiness as if it were true, though not true at all. So post truth is a condition where facts have less influence in shaping public opinion than personal emotions and belief.
- [7] Etymologically, wisdom means the ability of a person to use his mind to respond to an event, object or situation. According to Clifford Geertz, 2007, *Singular Genius of Interpretative Anthropology*, local wisdom is an entity that largely determines human dignity in its community.
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- [10] See Muhadjirin Thohir, 2007, *Understanding Culture, Theory, Methodology and Application*, Semarang, Fasindo, page 153-154 dividing Javanese society and culture into two Javanese sub cultures, namely 1. Negarigung area, namely the area around the work center of Mataram (Yogyakarta and Solo)
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- [12] The result of an interview with Destrat Djatmiko as head of Culture of the Office of Tourism and Culture of Banyumas Regency, on August 7, 2019 at 16.00 in the office of the Office of Tourism and Culture of Banyumas Regency
- [13] *Ibid*
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