

Overview of Adat Law on The Development of Information Technology on Implementation of Catur Brata Penyepian in Balinese Hindu Communities

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Abstract— Nyepi is a Hindu festival celebrated every Saka new year. Parisada Hindu Dharma Indonesia developed brata penyepian into catur brata penyepian, namely: 1) amati geni; 2) amati pekaryan; 3) amati lelungan; and 4) amati lelanguan. Catur brata penyepian is an attitude which is pretty hard to do, especially with the current advancement of information technology. The purposes of this research are to know and to understand the negative impact of the development of information technology on the implementation of catur brata penyepian by Balinese Hindu community and the application of customary law sanction for Hindus who do not carry out catur brata penyepian consistently. This study was a descriptive and analytical study, used normative juridical approach method, was conducted in two stages. The data collection technique in this study was conducted in two ways. Data analysis was conducted by using qualitative juridical analysis method. The Conclusions are: 1) The negative impact of development of information technology on implementation catur brata penyepian by Balinese Hindu community is most Balinese Hindu communities do not implement catur brata penyepian consistently. 2) Customary Law currently does not sanction Hindus who do not carry out catur brata penyepian consistently.

Keywords— Customary Law, Information Technology, Catur Brata Penyepian, Balinese Hindu Community

I. INTRODUCTION

Nyepi is a feast of Hindus celebrated every caka new year. The word nyepi comes from the word quiet, quiet, quiet. This means that on that day Hindus must be secluded and not be allowed to do various activities. The philosophical background of this is because the new year is interpreted as a transition, from a long life to a new life. The journey of human life in Hinduism can be distinguished in 3 (dimensions) known as Tri Samaya. The new year for Hindus means that Hindus must be able to take lessons from their past to meet a better future with careful planning in the present. Hindus must take certain efforts so that this can be realized. One of the efforts carried out is by performing various ceremonies, namely melis or melasti, tawur kesanga and brata penyepian. Parisada Hindu Dharma Indonesia (PHDI) then developed the brata penyepian into 4 (four) brata penyepian, namely: 1) amati geni (do not light a fire); 2) amati karya (not doing physical work); 3) amati lelungan dan 4) amati lelanguan.

Catur Brata Penyepian is an attitude or action that is quite difficult to do, especially with the advancement of information technology today.

Technology is etymologically derived from Latin, namely *texere* which means to weave or to construct. Technology in Ancient Greek can be interpreted as the art of producing production tools and using them [1]. Information Technology emphasizes the implementation and processing of data, such as capturing, transmitting, storing, retrieving, manipulating or displaying data using electronic technology devices, especially computers [2]. Thong and Yap state that the goal of having information technology is increasing productivity of a cooperation [3].

The development of information technology also influences the existence of the Law, include the Adat Law. Law is the system of rules that a particular country or community recognizes as regulating the actions of its members and may enforce by the imposition of penalties [4]. Adat, customary law of indigenous people of Malaysia and Indonesia was the unwritten, traditional code governing all aspects of personal conduct from birth to death [5].

The term Adat Law is a translation from Dutch, *Adatrecht*. The person who first used the term *Adatrecht* was Snouck Hurgronje in his book, *De Atjehers and het Gayoland* written by Snouck Hurgronje [6].

Ter Harr argued that Adat Law is the whole rule that manifests from the decisions of legal functionaries (in the broadest sense) who have authority and influence and whose implementation applies immediately and adheres to it wholeheartedly [7].

One of the changes in the community related to the development of information technology is that people today are very dependent on information technology, at any time can not be separated from the use of smartphones, cellphones, gadgets and others. People need these devices to show their existence both in the real world and in cyberspace. This will certainly cause problems for Hindus when they have to carry out catur brata penyepian ahead of Nyepi Day. Researchers see that many other researchers have conducted research on Nyepi Day, but no research has examined the influence of information technology development on the implementation of Nyepi Day. This phenomenon encourages researchers to conduct research on the negative effects of the development of information technology

on the implementation of catur brata penyepian conducted by the Balinese Hindu community.

This study specifically aims to find out and understand the negative effects of information technology development on the implementation of catur brata penyepian by Balinese Hindu society and the application of adat law sanctions for Hindus who do not carry out catur brata penyepian consistently.

The problems raised by researchers in this study are what is the negative impact of the development of information technology on the implementation of catur brata penyepian by the Balinese Hindu community and how is the application of customary law sanctions for Hindus who do not carry out catur brata penyepian consistently?

II. METHOD

In this study, researchers used the following methods:

1. Approach Method

The approach method used is a normative juridical approach, which is a study that emphasizes research on library material or secondary data, which includes: [8]

- a. Primary legal materials, namely legislation and awig-awig.
- b. Secondary legal materials, namely materials that can help analyze and understand primary legal materials, such as research results, scientific works in the form of books, journals, papers and other literature whose substance is relevant to this research.
- c. Tertiary legal material, which is material that provides information about primary and secondary legal materials, such as legal dictionaries (Black's Law Dictionary).

This research examines and examines secondary data relating to privacy data protection, and at this stage grammatical interpretation is carried out, namely interpreting the words of the relevant legislation, systematic interpretation of the law by linking one law with the law other laws, authentic legal interpretation that can be done by looking at the explanations of the legislators themselves.

2. Research Specifications

The research carried out is analytical descriptive, which describes national legal instruments and adat law associated with legal theories and their practice related to the object of research. [9].

3. Data collection technique

In this study data collection techniques were carried out in two stages, namely:

- a. Library research (library research), in this case the researchers conducted a study of secondary data primary legal materials in the form of legislation, as well as other related regulations. In addition, it also examines secondary data of secondary legal material in the form of scientific works of experts in the field of law and is

supported by research on secondary data on tertiary legal materials.

- b. The field research (field research), in this case only as supporting data in research to support and complement the study of literature, by conducting a structured interview (guided interviews) with relevant parties : Wayan Kantha Adnyana, Ida Bagus Parwatha, Matra Kumara and Made Sutarna.

4. Data Analysis

All data obtained analyzed on a juridical qualitative. In this analysis do with pay attention hierarchy regulation legislation for regulation legislation of the no contradictory with regulation Other legislation and achieved it certainty law.

5. Location Research

The location of the study was carried out in several places, including: University, Indonesian Computer Library, several websites in the internet system, and the several desa pakraman adat in Bali Province.

III. RESULTS AND DISCUSSION

A. *The Negative Impact of the Development of Information Technology on the Implementation of Catur Brata Penyepian by Balinese Hindu community*

The development of information technology in today's life cannot be avoided, because every innovation is created to provide benefits to human life, therefore at this time human life cannot be separated from information technology. The rapid development of information technology also brought extraordinary changes in various fields of human life, including in the fields of culture, tradition and religion.

The negative impact of the development of information technology was also felt by the Balinese Hindu community, especially when the Balinese Hindu community carried out catur brata penyepian in order to welcome Nyepi.

The term community adat law began worldwide after the 1950s, when the ILO popularized the term indigenous. Nyepi is one of the Hindu holidays which is routinely held every year as a celebration of the Hindu New Year based on the Caka calendar which began in AD 78. Nyepi is carried out as a cleaning ceremony for buana alit and buana ageng. This is because Hindus are very interested in cleaning themselves and the environment from various impurities, so that they are really clean facing tomorrow after Nyepi Day. Sweeping is done by fasting, meditating meaningful introspection, because in silence Hindus can establish communication with God, the environment and others so that peace and peace are expected to be realized

The philosophical background of this is because the new year is interpreted as a transition, from a long life to a new life. The journey of human life in Hinduism can be distinguished in 3 (dimensions) known as Tri Samaya, namely atita (past), nagata (future) and wartamana (present). The new year for Hindus means that Hindus must be able to take lessons from their past

to meet a better future with careful planning in the present. Hindus must take certain efforts so that this can be realized. One of the efforts made is to perform various ceremonies. Ceremonial peak ceremony preceded by a variety of ceremonies, namely melis or melasti, tawur kesanga and brata penyepian

Brata penyepian is explained in Lontar Sundarigama as follows:

"The next day Nyepi does not light a fire, it is not permissible for everyone to ignite fiery work and the like is not permissible, therefore people who know the nature of religion carry out samadi, tapa, yoga towards holiness "

Brata penyepian thus done by not lighting a fire and the like and not working for the people in general, but for people who have high spiritual understanding, the people concerned will do yoga, tapa and samadi. Parisada Hindu Dharma Indonesia (PHDI) then developed brata penyepian to become catur brata penyepian. Catur brata penyepian is 4 (four) prohibitions or restrictions that must be done by Hindus, namely Amati Geni, Amati Lelanguan, Amati Lelungan and Amati Karya. Catur Brata Penyepian is an attitude or action that is quite difficult to do, especially with the advancement of information technology currently.

Information technology and electronic media are considered as a pioneer symbol that integrates the entire world system, both in social, cultural, economic, financial and other aspects. The process of globalization is growing rapidly, causing the world to become a global village that is united, open and interdependent. The progress and development of technology, especially telecommunications, multimedia and information technology (telematics) can ultimately change the organizational structure and social relations. This is something that cannot be avoided. For some people the emergence of this phenomenon changes its behavior in interacting with other humans. This is in line with the opinion of Soejono Soekanto who stated that advances in technology will go hand in hand with the emergence of changes in the social field, which includes social values, social norms, behavioral patterns, organizations and social institutional arrangements. Evidently, in Hindus, there are a lot of changes in behavior of Hindus when doing catur brata penyepian caused by the advancement of information technology.

Furthermore, according to Didik J. Rachbini, in practice, technology systems are often forced to clash with moral, legal and religious values. This is a negative impact of information technology products. One of the clashes between information technology and religion is seen in Nyepi which is carried out by Hindus. Researchers see Nyepi in 2018 is quite crowded with pro and contra among Hindus themselves related to the use of information technology and catur brata penyepian.

Amati geni means that you cannot light a fire, in this case there are 2 (two) fires which cannot be ignited, namely fire in the form of sekala and niskala. Fire in the form of sekala is a fire that is shaped and its shape can be seen, such as cigarette fire, electric fire, stove fire and others. Fire in the form of niskala is a fire whose form cannot be seen in plain sight, like fire of anger, fire of hatred, fire of love (Interview Result with Wayan

Kantha Adnyana, the Chairman of Yayasan Jaringan Hindu Nusantara).

Amati geni in terms of sekala has been able to be implemented in Bali for years with a power outage and this has not been protested by the community. Amati geni in the sense of niskala means that it does not inflame passions, free oneself from emotions. Amati geni in the niskala of the implementation of catur brata penyepian looks rather difficult to do. The number of Hindus who continue to use cellphones, smartphones and others often causes a fire of hatred in the hearts of Hindus because in various social media there are currently many hate speeches, hoaxes and so on (Interview Result with Wayan Kantha Adnyana, the Chairman of Yayasan Jaringan Hindu Nusantara).

Amati karya means that you cannot work. On Nyepi, Hindus are forbidden to work, but do not mean a total holiday. All the time held at that time is used to mulat sarira or self-introspection to take corrective steps in the coming year. Mistakes that have been made do not be done again, failures in the past year must be corrected in order to be successful in the future. This is also difficult at this time because although Balinese Hindus are advised to carry out spiritual activities such as japa, reading mantram, sloka and others, in reality many continue to engage in information technology, such as chatting, BBM and others.

Amati lelungan, not travel, but introspective. This also seems rather difficult to do in the information technology era. Hindus are not physically seen traveling, especially if they are seen by pecalang, but actively doing activities in cyberspace. The virtual world is boarderless world, a world without physical boundaries, through cyberspace, one can go anywhere, without the person leaving home (Interview Result with Wayan Kantha Adnyana, the Chairman of Yayasan Jaringan Hindu Nusantara).

Amati lelanguan means that it does not inflame fun or enjoy entertainment, but focuses on Ida Sang Hyang Widhi Washa. Entertainment is very diverse, both in traditional and modern forms. One example of traditional entertainment is meceki. Meceki is a form of gambling that is prohibited by both religion and government. While entertainment in the modern form is gadget, handphone, smartphone, television and others. At present, with the development of technology, it seems that many Hindus do not carry out amati lelanguan. Today's society is very difficult to escape the use of gadget, cellphones and smartphones. Status updates on various social media are clearly entertainment (Interview Result with Wayan Kantha Adnyana, the Chairman of Yayasan Jaringan Hindu Nusantara)

B. The application of Adat Law Sanction for Hindus who Do Not Carry Out Catur Brata Penyepian Consistently

One of the Adat Laws that is still being recognized is Bali Adat Law. Balinese Adat Law is a complex of norms, both in its written and unwritten form, containing commands, permissions and prohibitions, which govern the lives of Balinese people concerning the relationship between fellow human beings, human relations with their natural environment and the relationship between humans and their God. [10].

Parisada Hindu Dharma Indonesia (PHDI) Bali, appealed to Hindus to carry out nyepi well. Sanctions will be given to Hindus who violate nyepi rules. One of the rules issued by PHDI is the prohibition to take selfie photos when they are nyepi. This prohibition applies also to pecalang. If there are people who violate it will be subject to sanctions namely announced in the banjar or do ngayah (social work)

Celebration of Nyepi Day in Sanur supervised by Desa Pakraman (traditional village). There are 3 (three) Desa Pakraman, namely Desa Pakraman Sanur, Desa Pakraman Intaran and Desa Pakraman Penyarangan. The implementation of a series of melasti, mecaru, pengerupukan dan nyepi ceremonies is supervised by the three desa pakraman. Desa pakraman always carry out catur brata penyepian with solemnity by issuing various prohibitions, for example prohibiting residents from leaving the house if there is no urgent need, except for the pecalang who have been registered. If there are community members who violate these regulations will be subject to adat sanctions, namely detained by the pecalang during Nyepi and at the same time obliged to ngayah at Pura Desa and Bale Agung (Interview Result with Ida Bagus Parwatha, member of Desa Pakraman Sanur.).

Various regulations regarding sanctions for Balinese Hindus who do not carry out catur brata penyepian are limited to violations that are physical in nature and it is clear that the type of violation can be sanctioned. The violations committed by Hindus in carrying out catur brata penyepian related to the development of information technology are limited to the prohibition of selfie, while the people who keep communicating in cyberspace are not seen so they cannot be subject to any sanctions.

The Balinese Hindu community believes in the Law of Karma (karmapala), that whatever is done by someone, it will return to that person. Balinese Hindus who are not sincere in carrying out catur brata by still communicating or seeking pleasure in cyberspace may not be sanctioned by the community but one day the person concerned will get bad karma [11].

This is in line with the sloka which states that:

"He who always thinks about material and worldly pleasures, then he will continue to wander from birth to birth, so long as he will experience suffering one after another and he will never unite with the Creator (Brahman)"

If Hindus only think of worldly pleasures then the people concerned will never reach moksa (the union between the atman and brahman). This is one of the reasons for Hindus to obey their religion and adat law.

Hinduism is the oldest religion that is very wise. Hindus do not have a doctrine to scare their people who are disobedient to cruel torture. Hinduism provides a way for its people, from the easiest to the most difficult, depending on the ability of each people. All devotion and yadya are based on the sincerity of the heart of the people.

IV. CONCLUSION

Catur Brata Penyepian is an attitude or action that is quite difficult to do, especially with the development of information technology today. This implicit value is what in this year's catur brata penyepian looks rather difficult to do. Social media due to the development of information technology can often influence Balinese Hinduism when doing catur brata penyepian. Parisada Hindu Dharma Indonesia (PHDI) gave sanctions in the form of social sanctions, namely announced in the banjar or ngayah for Hindus who violated the rules of Nyepi. However, regulations regarding sanctions for Balinese Hindus who do not carry out catur brata are limited to physical violations. However, the Balinese Hindu Community believes in the Law of Karma (karmapala). Balinese Hindus who are not sincere in carrying out catur brata penyepian may not get sanctions from the community but one day the person concerned will get bad karma.

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