



THE NEW PHENOMENA OF PUBLIC ADMINISTRATION IN ASIAN COUNTRIES

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For the 3rd International Conference
on Public Organization

Editor:

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Prof Dr. Jin-wook Choi, Korea University

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THE IMPLEMENTATION OF ALCOHOL'S BEVERAGE INDUSTRY POLICY CASE STUDY IN KARANGASEM REGENCY, BALI, INDONESIA

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Abstract

Autonomous regions have the authority to implement policy initiatives and aspirations in accordance with Law No. 32 of 2004. The authority granted by the central government does not mean the area is to be fully covered. It means that the region still needs to coordinate with the central government in the establishment and issuance of a legal basis in the form of the decree.

Karangasem decree No. 4 of 2006 on Industrial Business License/Industrial Traditional Alcoholic Beverages has been implemented. By implementing this rule, they are 3 attempts alcoholic beverage industry have been followed their permits. This regulation is expected to give order, security and comfort to the traditional alcoholic beverage artisans to produce and distribute their products in a predetermined and legal way and there is income tax revenue for the country from the sale.

Keywords:

Implementation, autonomy, regulations, alcoholic beverages, traditional.

INTRODUCTION

Karangasem is one of the 9 (nine) Districts/Cities which are underdeveloped areas in the province of Bali. Karangasem government has made several breakthroughs in order to increase its income per capita of the population, but because the region is a dry and barren, it is difficult to cultivate crops. Plants that can survive are nuts, coconuts, and palm trees.

Coconut palms have been cultivated to produce juice that has been processed into sugar but not all of the raw materials are processed into brown sugar because the market is limited, so some is processed into traditional alcoholic beverages.

Production of traditional alcoholic beverages in Karangasem regency has evolved from generation to generation and is the principal livelihood of some communities in Karangasem regency. Alcoholic beverages are traditionally cultivated by people scattered in villages with a production process that is very simple and is a small business/home business. The average production per household is 10 (ten) liters a day. The quality is still low compared to the production that has been used by manufacturers or importers. Profit from sales helps to supplement their income, to meet basic needs such as education their children. The number of workers in this activity is 17,016 people with the production of approximately 2,733,410 liters per year. If a monetary value is X Rp 2,733,410. 15,000, -/liter = Rp.41.001.150.000, - /year and therefore Karangasem government is looking at the need for an ordinance regulating the alcoholic beverage industry. An effort is being made to create a legal basis for the issuance of business licenses to the Alcoholic Drinks Industry.

Presidential Decree No. 3 of 1997 on the Supervision and Control of Alcoholic Beverage;

1. Presidential Decree No. 96 of 2000 as amended by Presidential Decree No. 118 of 2000 on Business Fields Closed and Open with the Business Sector Specific Requirements for Investment;
2. Presidential Regulation No. 77 of 2007 on List of Business Fields Closed and Open Business Sectors In Terms field of Investment;
3. Presidential Decree No. 111 of 2007 on the Amendment Presidential Regulation Number 77 of 2007;
4. Minister of Industry and Trade No. 359/MPP/Kep/10/1997 on Monitoring and Control of Production, Import, Distribution and Sale of Alcoholic Beverages;
5. Minister of Industry and Trade No. 590/MPP/Kep/10/1999 on the provisions and procedures for the granting industrial licenses, permits Expansion and Industrial Registry;
6. Regional Regulation No. 9 of 2002 on the Control and Distribution of Alcoholic Beverage Control (Bali Provincial Gazette 2002 No. 21, Supplement No. 4 Provinces Bali.

In the process of the formation of the decree there are many things to be considered, especially where the legal basis that can be used to publish a regent's regulation obviously that there are no rules on top kind of local regulation, regulation, Decree of the President, Government Regulations, and Laws permit the issuance of business licenses to the Alcoholic Beverage Industry in the area. Industry License Issuance for Alcoholic Beverages is in the hands of the Minister, but the Karangasem Regent has no choice but to issue licenses because this involves the welfare of a majority of people in the Regency and has a great potential for more development. The Karangasem Regent pressed the heads of SKPD (Department Heads) to discuss the intent and purpose to protect the society in producing alcoholic beverages legally. Considering that alcoholic beverages have been produced by the community for generations, the decree was issued as Karangasem No. 4 of 2006 of the Industrial Business License/Industrial Traditional Alcoholic Beverages act in Karangasem regency.

METHOD OF THE STUDY

Qualitative approach was used for this study. This approach is referred to as artistic way to catch the fact, because the research process is more art (less patterned), and is referred to as an interpretive method for research, relating to the interpretation of the data found in the field.

POSITION OF DATA

One of the potentials that has been cultivated by some people in Karangasem regency is processing sap/toddy, a traditional alcoholic beverage in the form of wine, but not legally, find the right pattern and marketing problems still exist.

The crafters are expected not pessimistic and discouraged in an effort to optimize the processing of alcoholic beverages, wine that often ambushed police and discarded because they are the cause of drunk people and sparked a criminal act, now turn to obtain fresh air, with the use of NGOs (Community Empowerment namely LSM-Pekat) to accompany the wine crafters can save their production.

When socializing Empowerment of wine (January 22, 2009) in Karangasem regency government Wantilan, Head of Industry Karangasem regency period 2009-2011, Ni Ketut Puspa Kumari stated:

“After a long period handling liquor beverages, there can now begin a new era in the development of the people’s business so that on the one hand it can be saved as one of the business assets typical of Karangasem, on the other hand the alcoholic beverages’s protection and treatment categories can be handled. This is in addition to adding value to the economic empowerment and means that the wine commodity can be packaged into a popular tourist souvenir.”

Karangasem Regent I Wayan Geredeg said:

“The development of industry and trade has a strategic role because it can improve the local economy and create employment for most people. From the industry data, there was an increase every year in the number of medium and small traders, with a variety of skills and a potential to become the flagship of Karangasem. Liquor (wine) in Karangasem is a hereditary legacy business and is able to support the community as a livelihood. But on the other side of constraints permits a wedge crafters wine so it can optimize its production.”

Commission for Rural Empowerment through the NGOs (LSM-Pekat) is expected to accompany the craftsmen in the business to carry out so worthy production package for sale. Even the expected pattern can not only harness the potential of treating beverages other than wine, but also other alcohol 0%, supported by information technology in penetrating foreign markets.

The Chief NGOs (LSM-Pekat) Bali, I Wayan Gede Karangasem Sutama said:

“Potential wine crafters who actually has a ring of life and be able to send their children to benefit and empower the rural economy should be saved, not being pursued for arrest and its wine discarded. Despite breaking, but because it is the cultural heritage of the asset should be empowered, not humiliated.”

In terms of prevention of alcohol, we need to consider two things:

1. We also received the regional income of the foreign tourists and domestic tourists. Therefore there must be a supply of alcohol remains in luxury hotels, restaurants, discotheques and night clubs. This policy must be accompanied by a legal instrument and clear, so as not to be abused in the future.
2. As we know that alcohol for the sake of tradition. It needs to be emphasized formalization with laws or regulations that the use of alcohol at the time of the customs really disciplined only for custom events and not for drunkenness events or competence among young children.

Bali Governor Made Mangku Pastika in the socialization of Public Service Act and Public Service Information (in Denpasar, on Saturday 19-6-2010). Said:

“Wine production in Karangasem regency, the future must have a license and the alcohol content standards in accordance with the rules of the government. In the future we will try to conduct laboratory studies to meet the standards of decent levels of alcohol consumption, and if the product is able to meet the liquor license from the Department of Health will be business opportunities for local communities.”

But if the alcohol content is high and harmful to health, it is certainly forbidden. To find a qualified alcohol standard of health, we need to study and laboratory tests in order to reduce levels of alcohol, prohibition of liquor product is because it has not produced a liquor license. Besides, the visible extremely high alcohol content of up to 90 percent.

The consumer of imported liquor mostly are foreign tourists, because it is quite expensive to millions of dollars but the taxes is also high enough. While mostly the locals unable to consume liquor imports. Foreign tourists really need an imported drink because it has been the custom in country liquor or alcoholic drink with famous brand. They must reject if we give them only a bottled of tea beverages. Therefore, the future potential of liquor like wine can be managed so standard, so accepted by the public, including foreign tourists. For example, we can produce wine grapes and wine has become even bark exports. Why we do not manage other potential to bring in foreign exchange for the people's welfare.

RESEARCH FINDINGS

1. Conditions Before the publication of the decree.

a. Understanding Alcoholic Beverages

Alcoholic beverages are beverages with an ethanol content of the material processed agricultural products containing carbohydrates by fermentation, distillation or fermentation and distillation.

Alcoholic beverages are products that contain a high economic potential, particularly in relation to the position of Bali as an international tourist destination.

Types of alcoholic beverages are beverages that contain certain chemicals, ethanol (C_2H_5OH), which can cause effects on metabolism and mental wearer, which in certain doses can cause a sense of pleasure and ease the pain, but in excessive amounts may harm the health of the wearer, as well as cause chaos mind and can cause the drive to commit crimes or other deviant acts.

Therefore, the distribution of alcoholic beverages should be limited to fit the needs of the tourism industry as regulated Law No. 9 of 1990, on tourism, and the wearer does not endanger the health of consumers, both individuals and society, as stipulated by Law No. 23 Year 1992 on Health.

Traditional wine is a kind of beverage containing alcohol with various groups, especially ethanol with a certain level that can make the drinker becomes intoxicated or loss of consciousness when taken in the amount / dose given. Chemically traditional wine alcohol is the substance that the group containing the-OH functions. Alcohol obtained from the fermentation of carbohydrate substances containing compounds such as sugar, honey, wheat, fruit or tubers. Type and class of alcohol are generated depending on the materials and the process of fermentation. From the fermentation will be obtained of alcohol up to 15% in the form of wine, but through a process of distillation enables the acquisition of alcohol to levels even higher to 95%.

Karangasem own liquor in the form of traditional wine made from sugar. Sugar is then fermented in the traditional way then produced wine with a higher alcohol content, the way distillation (refining) you will get a beverage with alcohol content up to 40% of the then

called “*arak*”. If the wine is processed into wine with a higher alcohol content more often referred to as the procession so called “*arak api*” because if wine was ignited by the fire will be immediately burned. It can also be made from rice or glutinous rice or through fermentation. The result is a liquid called “*brem*”.

b. Arak as Serving Ceremony Sites

In Karangasem, wine is a type of beverage that is used as an ingredient dish (*wasp*) together with *brem* on ceremonial and religious. Besides wine also serve as a special dish to be consumed for adults. Arak number one is usually used as a tonic herb in the form of liquor or wine base ingredients and mix commonly referred topical cream to cope with arthritis pain and itching. Generally people do not dare to drink wine mixed drinks number one without the other. Number one wine alcohol content is very high, can be more than 55%. For binge drinking, people usually choose the wine class/number two, it was often mixed with honey (honey wine), coca-cola (*arak yoke*), ice cubes (ice wine), or lemon juice. *Arak* third grade usually used for wine goblet, one important element in any Hindu ritual in Bali.

2. Conditions after the Publication of the Karangasem Decree.

Alcoholic beverages are popular form of traditional *arak* and has sustained thousands of people according to some people as beverages classed unlicensed or illegal. Ironically, until now many other brands of alcoholic beverages are rampant in all over the country without any problems (legal). Both the air-brand foreign and local brands are packed in unwrapped properly as alcoholic energy drinks.

As in other parts of Indonesia, such as in Tuban (East Java) whereas “*Arak*” craftsmen that there is also a hereditary legacy business are able to support people for a living. Harrison said that Craftsmen *Arak* Turban “*Arak*” is Cultural Heritage, should be empowered, not humiliated. Wine production has indeed become chains of life and provides many benefits and economic empowerment of the people. For that he hoped, “so that each element can work together to find a solution so that the production of wine can be protected and not break the law”. It is intended, on the one hand, wine can be saved as one of the business assets that have a specific area, on the other hand the alcoholic’s protection and treatment categories can be handled. In fact, not a wine producer that caused all of his fans became victims of wine, but because the lack of understanding to what was contained in the wine making wine drinkers made a mistake. We need awareness of its own as a layman, is there anything that can answer questions when ejected, the wine is wrong or the drunks who do not know themselves?

With the issuance of the Karangasem’s decree No. 4 of 2006 concerning Industrial Business License/Industrial Alcohol in Karangasem regency, dated January 11, 2006, since then many traditional wine craftsmen to carry out business activities in the field of industrial alcohol legally, but of the number who apply for licenses only 3 applicants can be processed and eligible to be licensed alcoholic beverage industry.

CONCLUSION

From the research and discussion of the research results, it can be concluded some of the following:

1. With the issuance of the decree No. 4 of 2006 concerning Industrial Business License/Industrial traditional alcoholic beverages in Karangasem regency is expected to help the wine growers so that sales can be done legally, no longer being chased by the police, so that the farmers can work in peace procession, safe and sustainable.

2. The authority granted by the central government cannot fully implemented means the area/ Karangasem regency still have to coordinate with the central government in the establishment and issuance of a decree in the form of a legal basis for the issuance of the rule is not supported by higher regulations.

SUGGESTION

Regulation of the President of the Republic of Indonesia Number 77 of 2007 on List of Business Fields Closed and Open with the Business Sector Investment Requirements can be reviewed, so that there is no discrimination that home wine production also get legal protection and can be traded legally, moreover, Bali is a tourist area in desperate need of an alcoholic beverage.

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