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International Research Journal of Management, IT & Social Sciences

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Continuance usage intention and its antecedents on using OVO e-wallet application in Denpasar

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ABSTRACT

This study aims to explain the effect of information quality, perceived privacy protection, perceived security protection on trust, and its effect on continuance intention to use OVO in Denpasar. This research was conducted in Denpasar, using 139 respondents. This study uses Structural Equation Modelling (SEM) analysis techniques with the Partial Least Square approach. This study shows that information quality has a positive and significant effect on trust. Perceived privacy protection has a positive and significant effect on trust and continuance usage intention. Perceived security protection has a positive and significant effect on trust and continuance usage intention. Also, this study also shows that trust has a positive and significant effect on continuance usage intention. Information quality was found that have no significant effect on the continuance usage intention.

Keywords: *continuance usage intention; information quality; perceived privacy protection; perceived security protection; trust;*

1 INTRODUCTION

Global information technology is currently growing rapidly. Technology affects almost every human activity supported by easy internet access. The existence of the internet makes the process of searching for information, sharing information, communication, and business transactions can be done quickly through computer or smartphone. Internet user penetration has increased by 29.9 percent since 2014 (Indonesian Internet Service Providers Association, 2015). This fact shows that Indonesia is a potential market in information technology.

Online payments using smartphones are known as e-wallets or mobile wallets. E-wallets are defined as multipurpose applications that include elements of mobile transactions that allow users to make payments via mobile devices. E-wallets are considered a fast and efficient payment instrument that can encourage the formation of a cashless society (Widodo et al., 2019). An attractive, easy, and convenient payment system can encourage consumers to use non-cash payments via e-wallets (Hutami, 2019).

Pricewaterhouse Coopers (PwC) in the 2019 Global Consumer Insight stated that 47 percent of respondents in Indonesia currently use e-wallet payment devices to transact in 2019. This figure is higher than in 2018 which was recorded at around 38 percent (Pricewaterhouse Coopers, 2019). Although the adoption of e-wallets has attracted a lot of attention, their sustainable use is still in doubt. Some users are skeptical to continue using it because of the considerable risk (Ryu, 2018). The large potential market has intensified competition in e-wallets. Users can easily switch to other e-wallet platforms. Therefore, user retention is an important issue for electronic financial service providers to remain competitive (Zhou et al., 2018). Service providers have invested huge resources in acquiring new users, thus it is very important to retain users and facilitate their continued use (Zhou, 2014).

Ipsos Indonesia's publication in February 2020 indicates that Gopay dominated the e-wallet market share at 58 percent while OVO only controls 29 percent followed by Dana and LinkAja at 9 percent and 4 percent respectively. In 2019 OVO experienced rapid growth in the number of transactions of more than 70 percent in one year (Walfajri, 2020). OVO as a market challenger has a strategy to build a strong digital payment ecosystem to compete with market leaders, including retail, e-commerce, food delivery, and transportation by building partnerships with Grab and Indonesia's leading e-commerce platform Tokopedia (Kapron Asia, 2019). The size of the payment ecosystem built by OVO is still unable to make OVO the number one e-wallet application in Indonesia.

Department of Communication and Information in Denpasar stated that Denpasar was deemed successful in implementing the smart economy category for the smart city program (Department of Communication and Information of Denpasar City, 2019). Bank Indonesia launched the Indonesian Standard Quick Response Code (QRIS) to support the realization of that program, which allows various types of e-wallets to transact using one QR code. It is recorded that the number of QRIS user merchants in Bali as of October 2020 was 149,266 merchants. This number increased by 486 percent compared to October 2019 and help increase the number of the digital payment transaction (Kusuma & Darma, 2020).

Online transactions are vulnerable to uncertain conditions and risks faced by consumers. Digital risks and lack of trust are often indicated as the most common reasons for consumers does not to use some digital technologies and applications (OECD, 2017). Trust is a multi-dimensional variable. Cognitive-based trust focuses on rational situations. Cognitive based trust is related to the observations and perceptions of consumers regarding the features and characteristics of the entity that are more significant in influencing decision making, enabling consumers to know, understand, predict routine and interaction processes because consumers are based on evidence (Kim et al., 2008; Sharifi & Esfidani, 2014; Washington, 2013). The different opinion states that cognitive trust represents a low level of trust (Ha et al., 2016; McAllister, 1995; Ranganathan et al., 2013) which states that cognitive trust represents a low level of trust.

Among the factors affecting trust, information quality from e-wallet platforms has a relatively large effect (Gao et al., 2015). The quality of information has a significant effect on the intention to adopt an online system (Komiak & Ilyas, 2010). According to Zheng et al. (2013), information quality directly affects the perceived benefits and user satisfaction, which in turn determines the user's continuing intention. Previous research states that information quality does not have a positive and significant effect on continuance usage intention (Nelloh et al., 2019). In contrast, Kim et al. (2008), proved that information quality has a significant effect on trust and continuance usage intention.

Perceived privacy protection refers to the concern of consumers in using e-wallets. Online consumers tend to face the risk of uncertainty, where consumers are faced with the need for privacy protection they disclose in e-wallets. Perceived privacy protection can provide a sense of trust for customers and can lead to continuance usage intention (Trivedi & Yadav, 2018; Kotte, 2015). However, the opposite suggests that privacy protection does not affect continuance usage intention (Nelloh et al., 2019).

A study conducted by the New York Cash Exchange (NYCE) as stated in Montague (2010), revealed increasing consumer attention regarding security in online shopping. The survey found 77 percent of respondents claimed to be concerned about theft of their personal information. Consumers are aware of

fraud, malware, and viruses. Both consumers and service providers need to take security measures to protect data security (Wang et al., 2016). Perceived security protection in the handling of their data is strongly influencing trust in online transactions (Gupta & Dubey, 2016). Previous research states that there is a positive effect of perceived security protection on trust (Nelloh et al., 2019; Ofori et al., 2017; and Fatikasari, 2018). Perceived security protection is not proven to have a positive and significant relation to trust in Putri (2016).

Perceived security protection also has a direct influence on continuance usage intention. Several studies state that there is a positive and significant influence between perceived security protection on continuance usage intention (Kinasih & Albari, 2012; Nelloh et al., 2019 and Trivedi & Yadav, 2018). Tanjung (2019) and Kim et al. (2019), get the opposite result, better security protection does not make consumers make repeat purchases. The inconsistencies in the results of these studies require further research to confirm the relationship between perceived security protection and continuance usage intention.

Trust is highly considered in realizing the level of participation in electronic transactions. The higher customer's trust, the level of participation in re-transactions will be higher as well (Rofiq, 2007). Customers who have trust tend to be more loyal. Consumer loyalty means that the company has accommodated most of the customer's wishes so that customers do not hesitate to continue to trust the company. Psychologically, trust between cognitive and affective responds to external stimuli differently in forming customer loyalty. Cognitive-based trust is a factor that can create a decision to make a continuous purchase (Lee et al., 2015).

A pilot study was conducted to see an initial picture of the use of e-wallets in Denpasar. Questionnaires were randomly distributed. From 20 respondents showed that 13 respondents (65 percent) chose OVO as the first e-wallet used for payments, followed by Gopay with 7 respondents (35 percent). Regarding the factors that underlie respondents in using the e-wallet, 55 percent answered due to trust in e-wallets, followed by perceived security protection (15 percent), perceived privacy protection (15 percent), and information quality (5 percent). Although there has been researching that has discussed this topic, it still needs additional literacy. Several research gaps from previous studies that have inconsistent results make this topic interesting to re-examine.

LITERATURE REVIEW

Trust

Trusting intention in the trust-building model (TBM) introduced by McKnight et al. (2002), is the consumer's willingness to depend and be involved with vendors in a positive relationship in certain situations. Trusting intention is based on a person's cognitive trust in another party (McKnight et al., 2002). The existence of trust cannot be separated from the existence of consumer confidence in the company's ability to present products or services according to consumer expectations (Ruparelia et al., 2010). With trust, it is hoped that consumers can repurchase products. In electronic transactions, trust is a very important issue since the exchange relationship is based on the impersonal nature of the internet infrastructure (Hong & Cha, 2013).

Kim et al. (2008), argue that there are four categories of antecedents that influence consumer trust, consist of cognitive-based, affective based, experience-based, and personality-oriented. Cognitive

based trust is consumer confidence in the competence and reliability of service providers (Johnson & Grayson, 2005). Cognitive trust occurs when a person makes a conscious decision to believe based on the best knowledge they have (McAllister, 1995 in Washington, 2013). When relationships are based on cognitive trust, individuals choose to believe based on evidence of trust. Thus, cognitive-based trust tends to be high and allows for repeated interactions. Lee et al. (2015), support the evidence who state that cognitive trust influences customers to start and continue business with their partners based on the knowledge they have obtained about the trustee, reasons, and judgments, and not on their feelings and hunches.

Hypothesis development

Information quality is the general perception of consumers about the accuracy and completeness of the information relating to products and transactions. The quality of information helps reduce the perceived uncertainty and risk associated with e-commerce transactions. Information quality is the main driver in the formation of initial trust in m-payments, service providers should put extra emphasis on keeping their applications updated and providing relevant information accurately and quickly (Talwar et al., 2020). Among the factors that influence trust, information quality has a relatively large effect (Gao et al., 2015). Information quality has a positive and significant effect on trust (Nelloh et al., 2019). Budilarto (2018); Ofori et al. (2017); McKnight et al. (2017); and Putri (2016); state that the quality of information has a strong impact on trust.

H1: Information quality has a positive and significant effect on trust.

The main obstacle to the use of financial technology is the issue of privacy and data security because it has a major influence on trust (Stewart & Jürjens, 2018). Fatikasari (2018), reveals that perceived privacy protection has a positive and significant effect on consumer trust. Other studies have obtained similar results (Putri, 2016 and Ofori et al., 2017). Privacy has a role in increasing trust (Kotte, 2015). On the other hand, Stewart & Jürjens (2018), states that privacy and data security issues have a major influence on trust in financial technology.

H2: Perceived privacy protection has a positive and significant effect on trust.

Security refers to consumer consideration of fraudulent acts in electronic transactions. Online customers often believe that digital payment systems are unsafe and could potentially be bugged (Falk et al., 2016). Perceived security protection contributes to trust in the use of bank services via smartphones (Susanto et al., 2016). The effect of perceived security protection has a positive and significant effect on trust (Nelloh et al., 2019; Kasim, 2017; Ofori et al., 2017; and Fatikasari, 2018).

H3: Perceived security protection has a positive and significant effect on trust.

Continuance usage intention is the customer's willingness to use the same product or service. Previous research indicates that trust has a positive and significant effect on continuance usage intention (Nelloh et al., 2019; Trivedi & Yadav, 2018; Budilarto, 2018; Gong et al., 2018; Ofori et al., 2017; Suandana. et al., 2016 and Astarina et al., 2017). Zhou et al. (2018), confirmed the positive effect of trust on continuance usage intention.

H4: Trust has a positive and significant effect on continuance usage intention.

Ofori et al. (2016), revealed users easily switch to other social media makes the continuance intention a source of competitive advantage for service providers. When product performance exceeds consumer expectations, it can give a positive impression and make consumers have the intention to re-purchase in the future (Astarina et al., 2017). Chung & Wei (2020) and Chen (2017), prove that information quality has a significant effect on trust and continuance usage intention because information quality can reduce the risk of possible losses.

H5: Information quality has a positive and significant effect on continuance usage intention.

Existing studies show that privacy can directly or indirectly influence users' attitudes and decisions to use mobile applications or share personal information with them (Balapour et al., 2019). Privacy protection has a positive effect on continuance usage intention (Trivedi & Yadav, 2018). Perceived privacy protection can provide a sense of trust for customers and can lead to continuance usage intention (Kotte, 2015).

H6: Perceived privacy protection has a positive and significant effect on continuance usage intention.

Perceived security in mobile Fintech services is an important construct that influences continuance usage intention. Perceived security protection in online transactions will increase users' intention to continue using electronic payment systems even when service features are deemed low in reliability (Huang & Cheng, 2012). Perceived security protection has a positive and significant effect on continuance usage intention (Kinasih & Albari, 2012; Nelloh et al., 2019; Kasim, 2017; and Trivedi & Yadav, 2018).

H7: Perceived security protection has a positive and significant effect on continuance usage intention.

2 MATERIALS AND METHODS

This research is designed to explain, understand, and predict the relationship between information quality, perceived privacy protection, perceived security protection, trust, and continuance usage intention. This study was conducted for e-wallet OVO's users in Denpasar City. The sample was selected using a non-probability sampling approach. A purposive sampling technique was used in this study. This study uses 21 indicators that the estimate based on the number of indicators specified sample size of 150 respondents. From the data collected, there are 139 respondents' answers that are valid and can be used for data analysis. In analyzing the research model, Partial Least Square (PLS) was used using statistical software SmartPLS 3.0.

3 RESULTS AND DISCUSSIONS

Respondent characteristic

Respondent characteristics are based on age, most of them are around 25-30 years (50 percent). Women have a higher percentage of 60 percent compared to male respondents at 40 percent. It is known that the undergraduate education level has the highest number at 58 percent. Most of the respondents work as civil servants and private employees, respectively at 37 percent. Based on the frequency of OVO use, using more than 4 times in a month has the greatest number (55 percent).

Outer model – PLS

Indicators are considered valid if the value of the loading factor is more than 0.7. The results of the convergent validity test can be seen in Table 1, where all indicators are valid. Based on the output, the AVE value of each variable is above 0.50, which means that 50% or more of the variance of the indicator can be explained and valid.

Table 1 Convergent validity

Indicators		Outer Loading	AVE	Remark
<i>Information quality (X₁)</i>				
Easy to understand information	X _{1.1}	0.854	0.702	Valid
Accurate information	X _{1.2}	0.855		Valid
Up to date information	X _{1.3}	0.853		Valid
Interesting information	X _{1.4}	0.789		Valid
Information satisfaction	X _{1.5}	0.836		Valid
<i>Perceived privacy protection (X₂)</i>				
Understand the use of personal data collection	X _{2.1}	0.779	0.659	Valid
Keeping personal information confidential	X _{2.2}	0.862		Valid
Do not use personal data for other purposes	X _{2.3}	0.837		Valid
Hackers cannot access personal data	X _{2.4}	0.764		Valid
Privacy data protection	X _{2.5}	0.811		Valid
<i>Perceived security protection (X₃)</i>				
Privacy system	X _{3.1}	0.866	0.712	Valid
Protection against errors	X _{3.2}	0.835		Valid
Payment security	X _{3.3}	0.882		Valid
Protection from manipulation of transactions	X _{3.4}	0.833		Valid
Access protection from unauthorized persons	X _{3.5}	0.802		Valid
<i>Trust (Y₁)</i>				
Integrity	Y _{1.1}	0.825	0.749	Valid
Positive expectation	Y _{1.2}	0.896		Valid
Confidence	Y _{1.3}	0.874		Valid
<i>Continuance usage intention (Y₂)</i>				
Opportunity to reuse	Y _{2.1}	0.789	0.645	Valid
Possibility of reusing	Y _{2.2}	0.751		Valid
Intention to reuse	Y _{2.3}	0.866		Valid

Source: Primary data processed, 2020

To test discriminant validity, cross-loading value for each variable must be greater than 0.70. Cross-loading values are presented in Table 2 showing that each indicator has shown a cross-loading value greater than 0.70 when associated with its endogenous indicator. This indicates that each reflective indicator can represent its exogenous construct. The discriminant validity test of all indicators is valid for measuring latent variables.

Table 2 Discriminant validity

Indicators	Variables				
	Information quality	Perceived privacy protection	Perceived security protection	Trust	Continuance usage intention
X1.1	0.854	0.475	0.604	0.600	0.558
X1.2	0.855	0.493	0.592	0.548	0.551
X1.3	0.853	0.510	0.575	0.559	0.531
X1.4	0.789	0.418	0.509	0.556	0.487
X1.5	0.836	0.473	0.553	0.559	0.512
X2.1	0.430	0.779	0.510	0.411	0.567
X2.2	0.508	0.862	0.682	0.661	0.724
X2.3	0.394	0.837	0.668	0.542	0.676

X2.4	0.370	0.764	0.620	0.452	0.621
X2.5	0.562	0.811	0.818	0.656	0.790
X3.1	0.563	0.724	0.866	0.605	0.791
X3.2	0.616	0.619	0.835	0.670	0.695
X3.3	0.508	0.800	0.882	0.629	0.799
X3.4	0.579	0.733	0.833	0.560	0.674
X3.5	0.595	0.609	0.802	0.694	0.698
Y1.1	0.527	0.659	0.755	0.825	0.743
Y1.2	0.623	0.556	0.604	0.896	0.666
Y1.3	0.602	0.554	0.571	0.874	0.672
Y2.1	0.667	0.602	0.662	0.826	0.789
Y2.2	0.367	0.729	0.587	0.479	0.751
Y2.3	0.474	0.710	0.828	0.621	0.866

Source: Primary data processed, 2020

A constructor variable is said to meet composite reliability if it has a composite reliability value greater than 0.70. Table 3 shows that the composite reliability value of each research variable is more than 0.70. It can be concluded that each variable has met the composite reliability.

Table 3 Composite reliability

Variables	Composite Reliability	Cronbach Alpha
Information quality	0.899	0.832
Perceived privacy protection	0.922	0.894
Perceived security protection	0.845	0.723
Trust	0.925	0.899
Continuance usage intention	0.906	0.871

Source: Primary data processed, 2020

Inner model – PLS

The coefficient of determination (R-square) uses to measure the proportion of the variation in the value of the affected (endogenous) variable which can be explained from the exogenous variable. The coefficient of determination of the trust variable is 0.626 while the continuance usage intention variable is 0.843. From these figures, it can be categorized that endogenous variables can be explained by exogenous variables with moderate (Y_1) and strong (Y_2) scales.

F-square is a measure used to assess the relative impact of the exogenous variable on the endogenous variable. The F^2 value of information quality on trust has a moderate effect-size (F^2 is 0.134). Perceived privacy protection and perceived security protection have a small effect-size (F^2 of 0.035) on trust. The F^2 value of information quality on the continuance usage intention has a small effect-size (F^2 of 0.001), while the constructs perceived privacy protection, perceived security protection, and trust have moderate effect sizes (F^2 each of 0.213; 0.211; and 0.229).

To measure how well the observed value is generated by the model and also its parameter estimates, it is necessary to calculate the Q-square as follows:

$$Q^2 = 1 - (1 - R^2_1) (1 - R^2_2)$$

$$Q^2 = 1 - (1 - 0.626) (1 - 0.843) = 0.941$$

The Q-square value has a value range of $0 < Q^2 < 1$, where the closer to 1 means better model. The results of these calculations show that the Q-square value is 0.941. It can be concluded that the model has very good predictive relevance. Hypothesis testing is based on t-value and standardized path coefficient value through bootstrapping step in smart PLS 3.0. The t-value hypothesis testing limits the outer loadings is greater than the critical value (≥ 1.96).

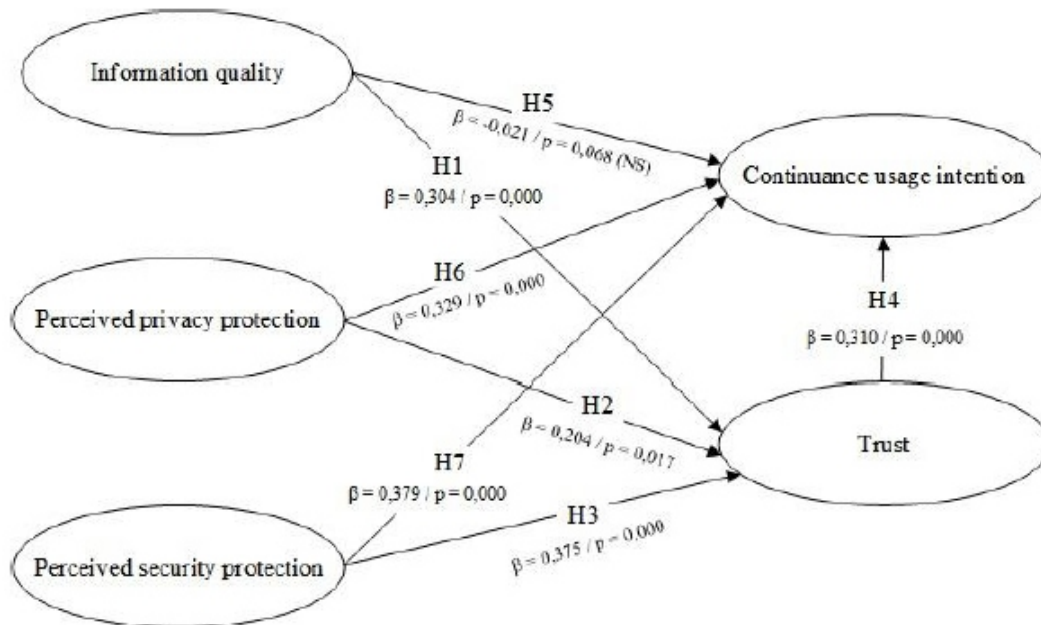


Figure 1. Partial Least Square result

The effect of information quality on trust (H1) resulted in a path coefficient value 0.304 and t statistic 3.943 ($> t$ critical 1.96) with p-value 0.000, meaning that the effect of information quality on trust is positive and significant. Information quality represents an individual's evaluation of the performance of system features based on their experience using the system. Users will judge that providing accurate, relevant, easy to understand information and made in an attractive appearance will increase satisfaction with information. It can be said that the information provided is following the expectations and needs of users, leading to a higher level of trust in the OVO application.

The results of this study are in line with Nelloh et al. (2019); Budilarto (2018); McKnight et al. (2017); and Putri (2016); a state that the quality of information has a positive and significant effect on trust. Ofori et al. (2017), with research on internet banking users in Ghana proving similar things, namely the quality of information has a positive and significant effect on trust.

Hypothesis testing on the effect of perceived privacy protection on trust (H2) results in a path coefficient value of 0.204. The t statistical value obtained is 2.388 ($>$ critical t 1.96) and the p-value is 0.017, so the effect of the perceived privacy protection on trust is significant. Companies must have a clear privacy policy and limit the amount of disclosure of personal data as an effort to protect users' data. If users feel that confidential data, including their personal information, are protected, it will increase their confidence in making transactions using the OVO e-wallet application.

The results of this study are following the findings of Fatikasari (2018); Putri (2016); and Ofori et al. (2017); which shows that the perceived privacy protection has a positive and significant influence on trust. The results of this study are also in line with research by Kotte (2015) and Stewart & Jürjens (2018), that the perception of privacy protection has a positive and significant effect on trust.

The path coefficient value of the effect of perceived security protection on trust is 0.375. The t statistical value is obtained at 3.567 ($> t$ critical 1.96) and p-value 0.000 so that hypothesis 3 (H3) which states that there is a significant positive effect on the perceived security protection on trust is accepted. The use of e-wallets has the potential exposure to user privacy data and the threat of financial loss. This makes perceived security protection the main focus of the user. The security mechanism must be enhanced by the service provider company to maintain the security of user data which allows increasing trust in using e-wallets.

These results were confirmed previous studies that found a positive and significant relationship between perceived security protection against trust (Nelloh et al., 2019; Kasim, 2017). The same thing was shown in the research of Ofori et al. (2017) and Fatikasari (2018), who stated that perceived security protection has a positive and significant effect on trust.

Hypothesis testing on the effect of trust on continuance usage intention results in a path coefficient value of 0.310. The t statistical value was obtained at 4.965 ($>$ critical t 1.96) and p-value 0.000. Based on this value, hypothesis 4 (H4) which states that trust has a positive and significant effect on continuance usage intention is accepted. Trust in principle plays an important role in the use of online payment technology. Because e-wallets are considered a very personal service, it is recommended that e-wallet application providers focus on relationships that are based on trust so that they can increase long-term relationships (Sharma & Sharma, 2019).

These results are consistent with Nelloh et al. (2019); Trivedi & Yadav (2018); Budilarto (2018) and Gong et al. (2018); that trust has a positive and significant effect on continuance usage intention. Research Ofori et al. (2017); Suandana et al. (2016); Astarina et al. (2017); Zhou et al. (2018); also produced a similar result, namely the existence of a positive and significant influence between trust on continuance usage intention.

Tests on the effect of information quality on continuance usage intention resulted in a path coefficient value -0.021 and t statistical 0.402 ($< t$ critical 1.96) with p-value 0.688. Hypothesis 5 (H5) is rejected. This means that there is no positive and significant influence between information quality and continuance intention. Based on the result, information quality does not significantly influence continuance usage intention. OVO users, especially in Denpasar City, have not considered information quality as a key factor in their continuance intention. Good or bad information does not affect the user's intention to reuse it. Users do not pay attention to the quality of the information because they are more concerned with the basic needs of using technology, such as protecting security. Furthermore, the integrated payment system with e-wallets in e-commerce encourages the creation of habits to frequently use it. Users who are considered to have habits in using e-wallets tend to make users less sensitive to new information (Widodo et al., 2019). The results of the research analysis support the previous findings conducted by Nelloh et al. (2019), on e-wallet users in Indonesia who state that information quality does not have a significant effect on continuance usage intention.

The path coefficient value is 0.329 with t statistic 4.749 ($> t$ critical 1.96) and p-value 0.000 for the influence of the variable perceived privacy protection on the continuance usage intention. Based on the results of testing the hypothesis, it can be stated that hypothesis 6 is supported or accepted. Users are faced with serious doubts about the misuse of their personal information when using e-wallet applications. Protection of user privacy is very important in electronic transactions to reduce privacy

risks that may occur. This can reduce the level of user doubt in sharing personal information and can increase the continuance usage intention of the OVO application.

The results of this study are following Kotte (2015), which shows the perception of privacy protection has a positive and significant effect on continuance usage intention. Trivedi & Yadav (2018), discusses the effect of security, trust, convenience, and privacy on e-satisfaction and online repurchase intention in India on gen Y consumers.

Testing on the effect of perceived security protection on continuance usage intention (H7) resulted in a path coefficient value of 0.379 and t statistical 5.51 ($> t$ critical 1.96) with p-value 0.000, meaning that the effect of perceived security protection on continuance usage intention is significant. When the company has implemented a security system properly, it can make users feel safe to share personal information needed in payment transactions. When users consider that the security system of the e-wallet application has met user expectations, it can be possible to increase continuance usage intention OVO e-wallet application. Improved security service will improve the business in the long run.

These results are in line with previous study Huang & Cheng (2012); Kinasih & Albari (2012); Nelloh et al. (2019); as well as Trivedi & Yadav (2018), who found that perceived security protection has a positive and significant effect on continuance usage intention. Kasim (2017), discusses the effect of perceived security and perceived privacy on trust and intention to reuse internet banking in Malaysia. The results showed that there was a positive and significant influence between perceived security and continuance usage intention in the internet banking context.

4 CONCLUSION

Based on the results of research analysis and discussion results, it can be concluded that there is a positive and significant influence between the information quality, perceived privacy protection, and perceived security protection on trust. Perceived privacy protection, perceived security protection, and trust were found to have a significant relationship with continuance usage intention. However, information quality does not significantly influence continuance usage intention.

There are several limitations in this study, including this study using cross-sectional data, which means that the phenomenon is observed only at a certain point in time so that it cannot provide a more in-depth picture. The proportion of the majority of respondents is filled with millennials who live in Denpasar city and limited types of e-wallets involved make the results of this study cannot be considered as the only finding in examining the continuance usage intention. It is necessary to select respondents that are more proportional to better represent the age range, gender, education level, and income level.

Conflict of interest statement

The authors declared that they have no competing interests.

Statement of authorship

The authors have a responsibility for the conception and design of the study. The authors have approved the final article.

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The Application of Child Adoption (Balaku Anak) and its Legal Effects on Customary Law System of the Dayak Ngaju Tribe

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ABSTRACT

The purpose of this research is to find out how the application of children's behavior and its influence on the customary law system of the Dayak Ngaju Tribe. The research method used is qualitative. Primary data comes from observations and interviews. Meanwhile, secondary data from previous studies were collected to support the findings. The findings reveal that there are differences in the rule of law between Islamic law and positive law and customary law of the Dayak Ngaju tribe. Islamic law regulates inheritance and inheritance rights according to lineage, positive law regulates the return of cases of adoption to civil law, and customary Dayak Ngaju law recognizes adoption.

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Keywords: *child behavior; customary law; Dayak Ngaju; Islamic law; legal effects;*

1 INTRODUCTION

Central Kalimantan is one of the provinces of the Republic of Indonesia, which is located on the island of Kalimantan. The local community or the original inhabitants are the Dayak tribe. The Dayak tribe itself is divided into several sub-tribes, which are many, including Dayak Ngaju, Manyan, Bakumpai, Ot-Danum, Ma'nyan, Ot-Siang, Lawangan, Katingan, and others. In some areas, there are still local Dayak tribes who still live with their respective local wisdom and their lives are still very traditional and simple, usually living on the coast of the river, as seen on the coast of the Barito river there are Dayak Ot-Olong, Dayak Penyawung, Ot-Paridan, and Ot-Saribas. Some of the latter sub-tribes still depend on nature and live closely with local wisdom (Mulyoutami et al., 2009).

Many government development programs have been implemented both in infrastructure development (roads and bridges) as well as development in other fields. This has had a significant impact and change in the economic, social, and cultural fields as well as the customs of the local community (Suwarno, 2017). Meanwhile, challenges in economic development are the deprivation of traditional Dayak land rights and environmental damage, destructive government policies, and globalization (Bamba, 2017).

However, the occurrence of social change cannot be prevented; the pace of the development of the era is accompanied by the pace of development, breaking through the forest, spreading asphalt into roads, opening easy access from one area to another, even in areas that were previously isolated. Open access roads make easy access to information and everything, including access to goods and services. The wheels could turn across it, no need for an outboard motor propeller, which was risky, slow, and a long way around the creek. With the opening of land access, new economic opportunities are starting to

emerge. Shops, stalls, and stalls, restaurants, and so on. Realizing that land routes were easier to use and more promising buying and selling opportunities, created a change of profession. The change in the profession in question, from initially depending on the river, as a fisherman, as a Keramba farmer, as a seller of water transportation services, moved to land on the side of the road. Opening a river food shop, fried fish, grilled fish, and so on (Darmadi, 2017).

Social and economic changes are of course led by young people who go to school. Awareness of science and the importance of studying at a young age as a provision later in adulthood have made many of the young generations of the Dayak Ngaju Tribe in Pahandut District, Palangka Raya City start seriously studying and going to school and even studying outside the island up to the level of three strata or doctoral level. Prof. Eddy Leon, M.Pd, who is one of the key informants of this study, said that social change would move in line with the community educational background.

However, one thing is the culture and values of local wisdom that have not changed much, namely households. Family law will not be far from around marriage, adoption, divorce, and inheritance. Regarding married life, wise bestari, said advice is still and always given by the elders as provisions for the younger generation to live a happy household life until the end of time. Starting from the marriage system, kinship, most of the Dayak Ngaju people in Pahandut District, Palangka Raya City still applies the indigenous Dayak culture's noble values. The kinship system of the Dayak Ngaju people in the Pahandut sub-district of Palangka Raya City is based on the principle of ambilineal descent, which is a kinship system that takes into account the kinship relationship for some people in society through men and for some others, in that society too, through women (Darmadi, 2017; Widen, 2017).

Traditional ceremonies in Central Kalimantan are an inseparable link from Tattwa which is the core of the Hindu Kaharingan religious teachings (the original religious tradition of the Dayak people) with morals which are rules that should be implemented to achieve goals (Qalyubi, 2018). The elements of tattwa, ethics, and ceremonies are universal elements of Hindu Kaharingan teachings that are contained in every ritual carried out by the Dayak community, in which elements must be understood and obeyed in an integrated and simultaneous manner and inseparably (Jarias, 2020; Atok, 2020).

One expectation that is from the marriage event itself is the continuation of offspring or having children as the next generation of the family (Haug, 2017). However, as the wise words that fortune, mate, and death have been arranged by the Most Living, so also not all families are blessed with fertility and many children. Others have to be patient with not being given offspring. Even though children in the Ngaju family are proud, especially boys who are believed to be responsible for bringing the spirits of their father and mother to holiness through tiwah ceremonies and so on. Then how do the Ngaju people respond to this, customary law as a respected and obeyed ancestral heritage provides a solution for child balaku or adoption or child balaku. How does the customary law of the Dayak Ngaju tribe regulate this, are there legal consequences that arise, especially with inheritance and civil rights.

2 MATERIALS AND METHODS

This research was conducted in field or empirical research, which was analyzed using interactive data analysis methods (Bogdan et al., 1975). Data obtained by carrying out observations and in-depth interviews. Interview informants were selected based on their closeness to the problem under study, especially the perpetrators themselves, and were developed extensively with the purposive snowball sampling method of informant selection. The research result will be presented in a descriptive narrative in sequential, complete, and show location actual condition.

The residence of the Ngaju Dayak tribe which is the subject of this research is along with the large Kahayan river flow. In the great Kahayan River, Ngaju lives in the downstream area, while in the huku is inhabited by the Ot-Danum sub-tribe. The boundaries of the ngaju people go downstream, usually limited to the village of Tumbang Miri. If it is continued upstream, it will directly enter the Ot-Danum Sub-tribe (people) area. Research for Beginner Lecturers this time took the research area in the Banama Tingang District, Gunung Mas Regency, and Central Kalimantan Province. Due to the COVID-19 pandemic, which forced researchers to change the research method from the beginning by going directly to the research location, it was replaced by using media and technology.

3 RESULTS AND DISCUSSIONS

3.1 Balaku Anak in Dayak Ngaju Customary Law

Balaku anak in the Ngaju language is called Balaku Anak, where balaku means beg or ask and a child means a child as the next generation. Based on the results of the field findings (the results of interviews with key informants Prof. Dr. Eddy Leon, M.Si and Dr. Netto W.S. Rahan) told the author that Balaku children in the indigenous Dayak Ngaju Tribe were carried out following customary rules such as,

Disconnect with uluh bakas biological

Break kinship with biological parents. Balaku children in the customary tatahuh system of the Dayak Ngaju Tribe will completely sever the relationship between the child and his biological parents. Talks between adoptive parents and biological parents are held confidentially and adopted children should not find out. This is done to maintain harmony and balance in nature. So that life goes well.

Adopted children become biological children of adopted families

Adopted children will be considered the same as biological children. Large families of families who adopt children will be able to consider the adopted child as an appropriate biological child. Balaku Anak will be carried out in the custom order and rituals of the whole extended family will know about it and obey the agreements formed. To maintain harmony, the Ngaju Dayak Tribe will truly consider the adopted child to be their biological child. They will treat the adopted child as a real child. Uncle and aunt, grandfather, and grandmother did the same. It was as if the adopted child was a biological child. The child also feels the same affection, even biological children (if any) adopted siblings will treat the adopted child like siblings.

Adopted children receive an inheritance from uluh bakas adopted according to the family agreement

Underlining the rule that adopted children will be treated truly like real children, in the customary law system of the Dayak Ngaju people; adopted children will receive an inheritance and a will from the adopted family. This also ensures that the adopted child will not receive the same thing from his biological family. The child's text is completely cut off from his biological family.

Balaku Anak Dayak Ngaju Customary Law System Do not correspond

Based on the narrative of the key informant and supported by additional informants, to maintain harmony, balance, and sanctity of traditional ceremonies and rituals as well as to maintain brotherhood and kinship (avoiding accusations of distrust) and also never being taught by ancestors, Balaku, the son of the Dayak Ngaju tribe ever stated in any correspondence. In some families who are living modernly, adopted children are immediately registered on the family card as children. However, in many families

who still adhere to customary laws and values strongly, the adopted child is just like that. Even so, nowadays all balaku children are usually directly entered into the Family Card, so the customary leader also acts as a social organizer of the community who will monitor the administrative order of the population of its citizens.

3.2 The Balaku Model of the Ngaju Dayak Tribe

In its implementation, there are several Balaku models for the Ngaju Dayak tribe. In general, it is almost similar to some of the other Dayak Sub-tribes. The model or form of child behavior that occurred was obtained from the results of observations and in-depth interviews with key informants at the research location (Bagner et al., 2010; Biederman et al., 1996). The models are, Balaku is a child because he does not have children One of the Dayak tribe in general or Ngaju is adopting children because the family is not or has not been blessed with offspring after being married for a long time. Balaku children are a solution to having children. The legal consequences of this child's Balaku will be discussed in the next chapter with the topic of the legal consequences of Balaku, the child of the Ngaju Dayak Tribe.

Balaku children, because they do not have offspring, are the simplest rule and have two traditional functions. The first is that the adopted child is intended to be the adoptive family child- The second is that the adopted child's presence is expected to be a provocation so that the family has a biological child. As a start so that the wife can get pregnant/pregnant. As explained by Prof. Dr. Eddy Leon, M.Pd, to the author closed to nuclear families only. This means that the adopted child cannot come from another family, especially from another tribe

Balaku children because most children

There was a family who lived simply by fishing and salting them and selling them. The family lives a simple and simple life, but the husband and wife are very fertile and are gifted with many children. Every year a child is born. The mother is so healthy the father is healthy. Even so, for the sake of the child's future, so that they can go to school and have a better future, some of the children are given to other families, who want to take care of the child and bear the responsibility for the child until the end of his life. Balaku children with this principle are recognized in the customary law system of the Dayak Ngaju tribe.

Balaku children because children are sick in the family

The next Balaku rule for children is the Balaku child which occurs when the child or the baby is continuously sick when cared for by the biological parents. As told by Dr. Netto Rahan, the child is not matched with his biological parents and the balance of the universe is disturbed. So one solution was tried, namely by adopting the child to another family who was still a relative. Try being raised by your mother's sister, being raised by your father's brother. When taken care of by a mother's or father's brother's sister, the child is healed and will be healthy forever. So it is considered that the child is matched with another family, and then for the sake of the child's health and life, the child is adopted by another household that is still a family.

Balaku children happen because their birth parents suddenly passed away

The kinship system of the indigenous Dayak Ngaju tribe has noble customary provisions. Prioritizing harmony and peace as an approach to solving all forms of social problems. Likewise in the maintenance of descendants and future generations. One form of Balaku children who are honored to the legal system of the indigenous Dayak Ngaju tribe is Balaku children whose parents suddenly died as a result of a

natural disaster or accident. The abandoned child is the responsibility of his extended family, a large family meeting will soon be held to decide who the child is to care for. The Tampung Tawar ceremony will be held as a sacred part of a series of Balinese traditional Balinese ceremonies.

Childhood behavior occurs because of dreams

The customs of the indigenous Dayak Ngaju tribe are still thick with nuances of spiritualism. The teachings of the ancestors and the nobility of customary norms that are still adhered to until now transform into a beautiful and extraordinary identity when examined from a social science point of view. One of the very interesting values is the occurrence of children's balaku that departs from the dreams seen by prospective adoptive parents. As told by Dr. Netto Rahan was also strengthened by Dr. Darsan, for example, a husband and wife who never had children, then saw in his dream that he could have a child, as long as he was hooked first by lifting a child from his brother. So based on this dream, the husband and wife consult with the traditional demang and then the child's Balaku is realized. Then two years after adopting a child, finally the husband and wife became pregnant and had offspring of their biological children.

Another story is another rule; there is also a husband and wife who dream of having to save a child who is sick in the care of their biological parents. After being complained to Demang, then demang with his spiritualism showed the sickly child. Long story short, the couple adopted the sick child and the child was able to recover and grow well and be healthy

Child behavior to reconcile conflicts between families

Huma Betang or rumah betang, which is a traditional house of the Dayak tribe, is a large and longhouse that is inhabited by several families who are still of one descent or kinship (Karliani et al., 2018). Then another betang containing another family and so on. Another function of the children's Balaku as a solution to social problems that arise in everyday life is an effort to reconcile disputing families (Suprayitno et al., 2019; Najman et al., 2000). For example, family A has a dispute with family B, so be reconciled by custom. Two solutions are offered, namely the heads of families A and B raise each other as adopted siblings, or the children of family A are adopted by B then the children of family B are adopted by family A. Thus families A and B are brothers with blood, inseparable.

3.3 Balaku ceremony for the children of the Dayak Ngaju Tribe

The results of the interview with the informant Mr. Offenly as an observer of Dayak culture, the researcher received information that the Balinese traditional ceremony of children has the concept of uniting people who are not blood-blooded, into flesh. Therefore, the Balaku ceremony for children has a high level of purity and sacredness. Some Dayak areas unite the blood of the prospective adoptive parents with the blood of the prospective adopted child in a container, combine them by stirring them, giving them a hardener that comes from rice, after joining them smeared on their faces accompanied by prayers and hopes that God Almighty will bless them.

3.4 Legal consequences for the implementation of child Balaku

Information obtained from in-depth interviews with Prof. Dr. Eddy Leon, M, Pd, that Dayak customary law does not recognize the differentiation of inheritance rights between boys and girls. Unlike the Javanese inheritance law which differentiates based on gender, and even differentiates based on birth order, anak mbarep-ragil children. Dayak customary law places inheritance rights to deliberation and consensus, all forms of parental inheritance are properly preserved and divided based on the results of

extended family meetings. In ancient times when the Dayak tribe was still living in large betang-betang, a large family meeting was held to divide the inheritance rights, who held the family heirloom, how much of it was and that person was obliged to protect the family heirloom, usually in the form of mandau or pottery. Prof. Eddy said that usually, all inheritance assets were the same, except that there was a slight difference between children who took care of their parents until they died. Usually, the child is given more but everything returns to the extended family meeting. As a result of the law, traditionally the child who is being trained is no longer the son of the biological family. By customary law, the child broke his line and turned into a child from a family that bullied me (Polański, 2017; Joireman, 2008).

Especially for adopted children, as a result of the law or the consequences of the child's behavior, the child will no longer receive an inheritance from his biological parents, and he has the right to inherit from his adoptive parents. He will be considered as a real child and get affection from his siblings. Therefore, the balaku child must also be counted as part of the family meeting (Muzainah & Faridh, 2019).

DISCUSSION

Recognition of habit into law according to state law (positive law), according to Austin, is defined as the law made by people or institutions that have sovereignty, and this recognition is enforced against members of an independent political society. These members of society recognize the sovereignty or supremacy of the person or law-making institutions concerned. Thus, according to him, habits will only act as law if the law requires or states explicitly the enforceability of these habits (Soemadiningrat, 2002).

The existence of a customary law community and its traditional rights is recognized by the State following Article 18 B paragraph (2) of the 1945 Constitution where recognition and respect are given without neglecting the feasibility measures for humanity following the level of development of the nation's existence. Such recognition and respect must not diminish the meaning of Indonesia as a country in the form of the unitary state of the Republic of Indonesia (Soemadiningrat, 2002). This provision gives recognition and respect to customary law communities which is a basic concept or pillar of customary law (Ashiddiqie, 2003).

If we refer to Islamic law, the Compilation of Islamic Law ("KHI") does not regulate adoption by single parents. KHI only explains the inheritance rights of adopted children. According to KHI, what is meant by adopted children are children who in terms of maintenance for their daily lives, education costs, and so on, shift their responsibility from their original parents to their adoptive parents based on a court decision (Article 171 letter h Islamic Law Compilation). The Indonesian Ulema Council ("MUI") has long been criticizing adoption. The fatwa became one of the results of the MUI National Working Meeting which took place in March 1984. In one point of consideration, the scholars viewed that Islam recognizes legal descent (nasab), namely children born from the marriage.

MUI reminded that when adopting (adopting) a child, do not let the child lose his lineage (nasab) with his biological father and mother. Because this is contrary to Islamic law. Many arguments underlie it, among others, the Al-Quran surah al-Ahzab verses 4-5.

It is stated that the Prophet Muhammad SAW said that, "From Abu Dhar RA he heard Rasulullah say, "No one acknowledges (self-nationality) is not the real father, while he knows that it is not his father, but he has kufr (Bukhari) and Muslim)", in its fatwa, the MUI views that adopting a child should not

necessarily change their status (nasab) and religion. For example, by pinning the name of the adoptive parent behind the child's name. Rasulullah has pointed out. Behind his name and do not necessarily change it to the name bin Muhammad.

Meanwhile, if viewed from the positive law in effect in Indonesia, adoption by a single parent is possible, provided that the single parent is an Indonesian citizen and has received permission from the Minister (Article 16 of Government Regulation No.54 of 2007 concerning Implementation of Appointment Child). Adoption of children by single parents is carried out through Child Care Institutions following the provisions of Article 10 paragraph (2) and paragraph (3) as well as Article 30 of the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 110/Huk/2009 of 2009 concerning the Requirements for Adoption of Children ("Permensos No. 110/2009").

To be able to adopt a child through the Child Care Institution, the person must meet several requirements (Article 32 of the Minister of Social Affairs No. 110/2009) as follows: a. Physically and mentally healthy, both physically and mentally able to nurture CAA; b. Have a minimum age of 30 (thirty) years and a maximum of 55 (fifty-five) years; c. Religion is the same as the religion of the adopted child candidate; d. Have good character and have never been convicted of a crime; e. Do not or do not have children or only have one child; in a state of economic and social capacity; g. Obtaining children's consent, for children who have been able to convey their opinions and written permission from the child's parents/guardians; h. Make a written statement that adoption is in the best interests of the child, the welfare and protection of the child; i. The existence of social reports from the Provincial Social Agency Social Workers; j. has cared for a prospective adopted child for at least 6 (six) months since the care permit was granted; and k. Obtaining a license to adopt children from the Minister of Social Affairs to be determined in court (Yasmin, 2016).

Thus according to Islamic law, adoption or adoption of a child may not break the lineage of the child with the biological parents; it is just that the child care is transferred to the adoptive parents. Here there is a fundamental difference where the Dayak Customary law completely cuts off the blood relationship of the child with the biological parents to be replaced with a new blood relationship with the parent or adoptive family in the widest possible scope including siblings, in the local tongue the term is a neighbor (serumah betang including aunts and so on). Meanwhile, according to the positive law in effect in Indonesia, adoption does not regulate blood or lineage ties (Jarias, 2020). Then the civil element applies in this case and the rights of the child towards their parents including the inheritance will return to the choice of law taken by the family and the parties involved (adoptive parents, adopted children, adopted siblings) apply the *pacta sunt servanda* principle where the family agreement that is reached on the issue is binding on the parties like a law. Disputes that may arise in the future will be settled amicably by the extended family or settled legally in the local district court according to the legal domicile of the parties following SEMA No. 2 of 1979 jo SEMA No. 6 of 1983 and also Government Regulation no. 54 of 2007 concerning the Implementation of Adoption of Children.

The usual procedure in force at the Religious Courts before the birth of Law No. 3 of 2006, in filing a child adoption case, the prospective adoptive parents filed a case requesting adoption as is usually a volunteer case (application). In the Religious Courts, it is processed following the applicable procedural law until a Religious Court Decision is issued. As a reference in the examination procedure and the form of determination of the adoption application, it is usually guided by SEMA No. 2 of 1979 jo SEMA No. 6 of 1983. Adoption of children according to general civil law, before a case is submitted to the District

Court, prospective adoptive parents must first obtain a license to adopt a child (adoption) from the Head of the Provincial Social Welfare Service. To obtain permission from the Head of the Provincial Social Welfare Service, prospective adoptive parents, and adopted children have met the requirements as stipulated in the Decree of the Minister of Social RI No.13/HUK/1993.

4 CONCLUSION

The findings of this study are that there are differences in the legal principles of Islamic law, positive law, and customary law of the Dayak Ngaju Tribe. Where it is related to blood relations and kinship, especially the Dayak Ngaju customary law will cut off kinship with the biological parents to be replaced by adoptive parents. This child also seems to be the biological child of an adopted family. Use the name of the adoptive father or foster family if any, etc., as if the adopted child is not an adopted child but a biological child. Meanwhile, under SEMA, Indonesia's positive law regulates the return of cases of adoption to civil law in general.

The customary laws of the Ngaju Dayak tribe, especially regarding adoption or Balaku Anak, are still firmly held today. The high level of education, the high level of welfare did not change their belief in the teachings of these ancestors. As obtained through observations and interviews, Prof. key informants. Dr. Eddy Leon, M.Pd himself is a child perpetrator where his youngest daughter is a balaku or adopted child. Even though he is highly educated, has a modern mindset, and is widely associated as a Professor at Palangka Raya University. Rather than that, he still adheres to the teachings of his customary law and enforces all his customary rules regarding the Balaku Anak. Likewise, as stated by Dr. Netto WS Rahan, Dr. Abdurrahman, Dr. John Rette are all informants of this research, serving as lecturers at Palangka Raya University. Demang Darsan, Demang Ugi from the research location who gave a direct account of the behavior values of children in the Dayak Tribe.

Balaku anak in the customary law system of the Dayak Ngaju tribe is a mechanism for solving social problems. The nuance is sacred, holy, full of life symbols and signs, and oriented to the peace and balance of the universe in the daily life and interactions of the Dayak people. In its implementation, there is no need to interfere with other legal systems, including national laws related to population administration or court decisions. This customary law is also referred to as a social solution to problems that arise in everyday social life, especially in terms of perpetuating generations or generations.

Conflict of interest statement

The authors declared that they have no competing interests.

Statement of authorship

The authors have a responsibility for the conception and design of the study. The authors have approved the final article.

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Legal Protection Against the Existence of "Wetu Telu" Traditional Society Against Law Number 11/2020 Concerning Work Creation (Omnibus Law)

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ABSTRACT

The Wetu Telu indigenous people in Bayan, North Lombok have the traditions of their ancestors that have Islamic nuances and their existence is recognized until now. The existence of indigenous peoples has been recognized and respected by the 1945 Constitution. However, the existence of new laws and regulations on indigenous peoples has again encountered problems that threaten their existence. The Omnibus Law which was recently passed is considered to provide a legal loophole that could displace the existence of indigenous peoples. The purpose of this research is to find out the legal problems of the threat to the existence of the Wetu Telu indigenous people and to know the concept of the Work Creation Act (Omnibus Law) in Bayan Village, North Lombok Regency, West Nusa Tenggara. This research uses juridical empirical or socio-legal research, which is a type of sociological legal research or field research that examines applicable legal provisions. The results of this study show that the normative issue of the Omnibus Law can lead to norm conflicts with other laws regarding the recognition of indigenous peoples in Indonesia.

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Keywords: *adat recht; constitution; Islamic nuances; omnibus law; wetu telu;*

1 INTRODUCTION

The existence of customary law and the rights of indigenous peoples in Indonesia has been recognized and respected by the State, as clearly contained in the constitution of Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) states that the State recognizes and respect indigenous peoples and their traditional rights as long as they are alive and following the development of society and the principles of the Unitary State of the Republic of Indonesia (NKRI), supplemented by Article 28 I paragraph (3) that the cultural identity and rights of traditional communities are respected in line with developments times and civilizations. With these provisions, it is clear that there is a form of regulation on the recognition of the existence of indigenous peoples with two conditions that must be fulfilled, namely following community development and not against the principles of the Republic of Indonesia. As part of the social reality in Indonesia, the meaning of the existence of indigenous groups cannot be ignored, there is even a tendency that their existence must be maintained and fought for as cultural rights as part of Human Rights which has been regulated in the constitution and a collective agreement in the association of the nations of the world to be obeyed (Haug & Larsen, 1966; Ringwood, 1991).

The Wetu Telu indigenous people come from the Sasak people who are located in Bayan, North Lombok. The indigenous people of the island of Lombok are the Sasak tribe and according to sociological scientists such as Van Eerde and Professor Bousquet in the Sasak tribe community, there are three religious groups, namely, Sasak Boda, Wetu Telu, and Waktu Lima. Sasak Boda is the native religion of the people of Lombok which adheres to a belief system of animism and pantheism (worship and worship of ancestral spirits and local gods). Wetu Telu is a teaching that has Islamic nuances but adheres to the customs of their ancestors (Suwitha, 2016). Meanwhile, Waktu Lima is an Islamic religion, in general, that is obedient and perfect in carrying out religious teachings, such as praying, paying zakat, fasting, performing the pilgrimage, and so on. The customs of the Wetu Telu people have been passed down from generation to generation to maintain and maintain the customs of their ancestors, which normatively the Wetu Telu indigenous people receive recognition as indigenous people.

On October 5, 2020, through the plenary meeting of the House of Representatives of the Republic of Indonesia (DPR RI), it has signed Law Number 11 of 2020 concerning Job Creation (Job Cipta Law) or commonly called the Omnibus Law. Then-President Jokowi signed the manuscript on Monday, November 2, 2020, and it was officially promulgated in the state gazette on the same date. The law has been criticized for limiting basic labor rights and stripping environmental protection, including by threatening indigenous peoples' access to land and the environment. The passing of this law prioritizes investors or businessmen for ease of investing in Indonesia. The existence of indigenous peoples will be further marginalized by the government's plan to issue replacements for overlapping laws. Omnibus law as a form of plan to replace overlapping laws makes indigenous peoples increasingly threatened and marginalized from their existence in the archipelago (An'Amta et al., 2020). Territorial boundaries that are owned and recognized based on consensus internally in the Dayak customary community and externally from the local government will be swept away by the authority of the central government.

2 MATERIALS AND METHODS

This research uses juridical empirical or socio-legal research, which is a type of sociological legal research or field research that examines the provisions of applicable laws and what happens in society. This means that research is carried out on the actual situation or real conditions that occur in society to know and find the facts needed, after the data is collected then the problem identification stage can finally solve the problem (Sunggono, 2003). This research was conducted in Bayan Village, North Lombok Regency, West Nusa Tenggara by identifying the existence of customary law and conducting a study of Law Number 11 of 2020 concerning Job Creation (UU Cipta Kerja) or commonly called the Omnibus Law.

3 RESULTS AND DISCUSSIONS

3.1 The Wetu Telu Indigenous People

Customary law communities have customary values that must be preserved as the culture and identity of the Indonesian people for the development of a dignified and prosperous society as mandated by the Constitution. The existence of indigenous peoples in regions in Indonesia must obtain recognition and protection of their rights through legal certainty, the recognition of indigenous peoples from the law in a normative manner, and the implementation or enforcement of their rights in the field empirically. Such as the Wetu Telu Indigenous Community in Bayan, North Lombok, who still adhere to the customs of their ancestors and maintain the customary buildings that they believe exist as indigenous peoples to be

included in the concept of customary law. To find out the existence of customary law, it can be measured from the following characteristics (Subari et al., 2010); First, it is not written, and even if there is something that is written it is not made by the legislative body. Second, it has four characteristics of customary law, namely:

- a) Religiomagic, which means that customary law contains an element of belief in supernatural powers and is not based on logic.
- b) Communal, meaning that customary law regulates common interests and the rules are generally accepted.
- c) Cash, shows that transactions in customary law have symbolic actions.
- d) Concrete, means that customary law that shows the validity of a legal relationship that occurs in real-time or the act is given the form of an object.

The Wetu Telu custom in Bayan Village, Bayan Subdistrict, North Lombok Regency (KLU) is the Wetu Telu Indigenous People who are Sasak people who have Islamic nuances, but they still adhere to the customs of their ancestors. Wetu Telu also has several rituals that are often performed. First, in building a house the Wetu Telu community has its rituals in its construction, both modern and traditional houses. In this case, it is not only a ritual but also the calculation of Wete Telu in each process. Second, when one of the Wetu Telu people marries another person outside the Wetu Telu community, that person must carry out a purification process. This process is carried out to eliminate the negative aura of the person and to adapt the person's aura to the Wetu Telu community. The three Wetu Telu communities have their requirements and rituals for migrants who then want to become part of their community (Suwena et al., 2010). In addition to these values, the Wetu Telu people also have several beliefs, first, indigenous people or immigrant communities are not allowed to enter the forest and customary tombs using sewn clothes. Second, the Wetu Telu people believe that the disaster that occurs is related to deviant behavior by the community. One example is when there is a long drought, the traditional leaders will perform rituals to make it rain. However, besides that, customary leaders will find out what deviant acts have been committed. Second, the Wetu Telu community has a special month, where people are prohibited from holding activities except for birth and death (Sahir, 2020).

The customs in the Wetu Telu community are protected in three laws, namely, customary law (tradition), religious law (religion), and government law (civil law or administrative law) (Aniq, 2011). Meanwhile, to ensure that the three laws are carried out properly, in the Wetu Telu community five traditional leaders have different roles and functions, while the five traditional leaders include: First Mangku, namely the person in charge of managing the development, the economy, and so on. The two Mekels, namely people who sit in government seats. The three Penghulu, who served in the religious sector (Rachmadani, 2011). The fourth is Raden, namely, people who function in matters of customary rituals and the last is Turun, a person who is in charge of maintaining and supervising security (Sahir, 2020). Of the five traditional leaders are descendants, so the only ones who can become the five traditional leaders are descendants, and in Wetu Telu society adheres to a patriarchal system, where the one who carries offspring is male. However, along the way, the roles of the five traditional leaders began to be limited, so that some of the Wetu Telu cultures began to change.

The Wetu Telu indigenous people as the object of the tourism industry and as a tourist destination force the community, either directly or indirectly, to develop and experience change. According to the author, three factors influence the Wetu Telu indigenous people which can be a challenge to maintain their customary law, these factors include:

1) Tourism Development

The location of the Wetu Telu indigenous people, namely Bayan District, is a tourist destination because this place is one of the climbing routes to Mount Rinjani which is well known abroad. This location is very strategic and can attract tourists to the Wetu Telu indigenous people so that Bayan has the potential to develop the tourism industry. The development of the tourism industry can have an impact on the Wetu Telu Indigenous People. For example, the Government's policy is to oblige tourism industry players in Bayan to use the services of local people to become tour guides and porters for tourists who want to climb Rinjani. Therefore, the government provides training in English and procedures for serving tourists to support this policy (GIZ, 2014). Efta (2020), an informant said that tourism development in Bayan requires not only the younger generation but also the older generation to be able to speak foreign languages. This demand for the development of the tourism industry to change the lifestyle of the Wetu Telu Indigenous Peoples, especially in the field of National Identity as indigenous peoples.

2) Modern and Indigenous Wetu Telu Society

Tourism is one of the strategies developed by the Indonesian government to accelerate development in disadvantaged areas. This development strategy places local people in a difficult position. On the one hand, local people are required to mingle with tourists and on the other hand, local people are required to preserve their culture. In the Wetu Telu community, they are not able to play these two roles simultaneously which in turn changes their customs. For example, in terms of clothing and traditional house buildings, it is starting to be difficult to maintain. The changes that occurred in the Wetu Telu community as a result of the development of tourism have transformed the Wetu Telu community into a modern society. Huntington explained that when a traditional society turned into a modern society, there was a change in the pattern of life of the traditional society, which involved behavior and ways of thinking. These changes specifically include industrialization, urbanization, social mobilization, diversity, secularization, media expansion, reduced illiteracy and education, and people becoming politically aware. In simple terms, traditional societies begin to change like the dominant society or society in general (Huntington, 1971).

3) Introduction to Technology

The tourism industry to develop the tourism industry by facilitating information and technology. To attract industrial tourists is required to promote through the world of the internet, therefore tourism development introduces technology to the Wetu Telu Indigenous Community in Bayan. When Bayan tourism is growing rapidly, many people from outside Bayan come and earn income in Bayan, they come with a higher educational background than the Wetu Telu community. So that their mobility runs faster than the Wetu Telu community. This then makes migrants in the Bayan tourism industry one step ahead of the Wetu Telu community.

3.2 Legal Consequences of Law Number 11 of 2020 concerning Job Creation for Indigenous People

The passing of Law Number 11 of 2020 concerning Job Creation or another term called the Omnibus Law is a newly legal product for the legal system in Indonesia which adheres to the civil law system. The implementation of the Omnibus Law is used in countries that adhere to the common law system such as the United States, Ireland, and Canada (Prabowo et al., 2020). Indonesia, which adheres to the civil law system, produces and has a target of making new laws every year. The rule of law in Indonesia should reduce dependence on the formation of laws by further enhancing the position, role, and quality of the

judiciary in solving various legal problems in practice (Asshiddiqie, 2019). Many laws and regulations have the risk that there is the possibility of legal or regulatory conflicts that conflict with each other and the complexity of the bureaucracy in the implementing regulations. Therefore, President Jokowi made a new law, namely the Omnibus Law. The term Omnibus Law starts with the word Omnibus. The word Omnibus comes from Latin and means for everything. In Black's Law Dictionary, 10th is mentioned omnibus: relating to or dealing with numerous object or item at once; including many things or having various purposes, which means relating to or dealing with various objects or items at once; include many things or have multiple purposes. When coupled with the word Law, it can be defined as law for all (Hadikusuma, 2003). The Omnibus Law is a step to simplify regulations in Indonesia and is expected to cut bureaucracy and can provide convenience for businessmen for investors in Indonesia (Waluyo, 2002). But the Omnibus Law is not what some people expect and causes controversy, especially for laborers or workers and indigenous peoples.

Every law made must refer to the 1945 Constitution of the Republic of Indonesia as the Constitution in Indonesia. The Job Creation Law has several conflicts with the 1945 Constitution against Indigenous Peoples. This is evidenced by the elimination of provisions in the Law on Environmental Protection and Management which exclude agricultural activities by burning as an expression of local culture and wisdom of Indigenous Peoples. The removal of the exempt article from the Law on Protection and Management of the Environment clearly shows an anti-indigenous attitude towards indigenous peoples who practice their local wisdom and culture in managing customary territories. The elimination of these exceptions is a denial and violation of the 1945 Constitution, especially Article 28I paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Also, in Article 69, the Job Creation Law removes the exception for Indigenous Peoples to farm by burning as previously recognized in the Law. Protection and management of the environment. The rights of indigenous peoples are excluded from the interests of investors which are the main objective of this legislation. The Job Creation Law makes it easy for investors to invest in Indonesia, as for some of these provisions, among others:

- a) Right to Cultivate 90 years. This means that the confiscated customary territory only can return to the Indigenous Peoples after 90 years. It took almost 2 generations.
- b) The Job Creation Law only provides administrative sanctions to businesses conducting business without a business license (Article 82A). Businesses that violate business licenses and government approvals are only subject to administrative sanctions. In short, there are no criminal sanctions against businesses that conduct business without a license or violate their business license.
- c) Business actors who use customary areas without the consent of the Indigenous Peoples will only be given administrative sanctions (no criminal sanctions). This is regulated in Article 22 of the Agricultural Cultivation System cluster.

The existence of the Job Creation Law can threaten the existing Indigenous Peoples Protection Policy. So far, there have been many Regional Regulations in the Regency / City, Province that has recognized existing Indigenous Peoples. The existence of these various Regional Regulations is threatened with being repealed by the government through the authority granted by the Job Creation Law if the existence of these Regional Regulations hinders the authority of the central government in converting forest areas into business areas and on the grounds of preventing investment. Also, customary communities who have lived for years, such as the Wetu Telu indigenous people, who own customary land and forests, are at risk of having no place to live (Albu, 2016).

4 CONCLUSION

The Wetu Telu Indigenous People are indigenous peoples whose rights in positive law in Indonesia have been recognized and protected to maintain their customary traditions and traditional structures that have been passed down from generation to generation. The government's strategy to issue an Omnibus law to simplify regulations and attract investors is a good policy for economic growth. However, this step had an impact on the threat of waning the existence of the Wetu Telu indigenous people. The existence of the Wetu Telu Indigenous Peoples places directly on government policies to obtain legal protection for the impact on the sustainability of the Wetu Telu Indigenous Peoples' customary lands and forests, which they maintain to date. To preserve the culture and place for indigenous peoples, normative legal protection must be carried out without reducing or weakening the laws and regulations related to the recognition of the existence of indigenous peoples (Chen et al., 2009; Montefalcone et al., 2009; Bader, 2007).

Conflict of interest statement

The authors declared that they have no competing interests.

Statement of authorship

The authors have a responsibility for the conception and design of the study. The authors have approved the final article.

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Technological Tools as Didactic Resource for Various Educational Modalities

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ABSTRACT

Technological tools have generated a breakthrough in all areas where humans are immersed; education is one of them, technology has created a new adaptation in the educational aspect to achieve the rhythm of other sciences to keep up with the technological world, teaching resources are of great help for the development of learning in the students since a new teaching methodology is generated for them and this will allow fruitful results to be obtained in the cognitive development of the same. There are several alternatives where great changes can be generated in the educational system, venturing into areas where the student can choose various technological alternatives for further development. The objective was to analyze the use of technological tools as a didactic resource for various educational modalities, it was carried out under the documentary methodology since the information was sought from different investigations on the various educational modalities that can be used through technological tools.

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Keywords: *technological tools; teaching resource; educational modality; cognitive development; current education;*

1 INTRODUCTION

Technological tools have become indispensable for humanity due to the ease they have to get involved in different fields, technological innovations have marked in the twentieth: the radio, television, sound and video recording, computing, the transition of electronic signals, by cable, by satellite, these inventions are a reality that is not only strictly technological but in turn, It is in economic and social situations (Trujillo, 2015). The world has come a long way since the arrival of new technologies where they enter the world of learning and knowledge since this helps the human being to develop in a digital era where their scope can obtain positive results for the area that they are has been developed by Unesco Manifests: That knowledge regarding the various ways in which technology can facilitate universal access to education, reduce differences in learning, support teacher development, improve the quality and relevance of learning, strengthen integration and improve the management and administration of education (Unesco, 2019).

At the Latin American level, they have also ventured into this world of new technological tools that can have a positive impact in educational settings. The limitations and prospects of the technological tools in

education have not varied too much, the speeches of what should be and not how to do it continue to be incurred, most reports handle information related to infrastructure, connectivity capacity, use of social networks, ages of the individuals who access these (Islands, 2017).

Within our area, we see significant scope but we must take into account that innovation does not reach all parts, due to the lack of connectivity or resources that may be available for them to be used productively in the Guevara educational area. He mentions:

In Ecuador, in the province of Esmeralda, they show activities with technological tools and these allow teachers to design their daily activities. This research is based on the constructivist pedagogical model, which is based on the fact that the student is the builder of his knowledge through previous experiences or interacting with his environment.

That is why a technological tool is used, the same one that allows the teacher to design their didactic educational activities (Guevara, 2017; Masotti et al., 2017; Pinto-Llorente et al., 2017). Therefore, teachers must obtain timely information to develop their teachings in the most optimal way.

Mentioned that the alternatives that can be used in the educational field can be many and not only venturing into the technological issue since there may be didactic resources that can help in the cognitive development of students. Resources are an essential element for the teaching task. "Teachers need to have different types of resources, and among them the so-called curricular materials" (Perez, 2010).

Within these curricular materials, the teacher through their resources can plan their methodologies using technology and once they arrive in the classroom, if the technological tools do not exist, they can help themselves with the information obtained in their planning time.

2 MATERIALS AND METHODS

The research carried out was developed under the inductive-deductive method to be able to know about the issues raised and thus understand the importance of research regarding technological tools, teaching resources, and different study modalities, it was also done use of the documentary method which allowed acquiring information from different sources and bibliographic publications to reach the respective conclusions of the plotted topic.

3 RESULTS AND DISCUSSIONS

Technological tools we

live in a digital age where teachers must have clear ideas regarding the use of technological tools as an educational resource in the classroom, to create environments that favor teaching-learning for students. At present, the incorporation of ICT in the teaching and learning process is of great importance because it allows establishing certain factors that help in the training of students, for example, this author makes it known (Martinez, 2014).

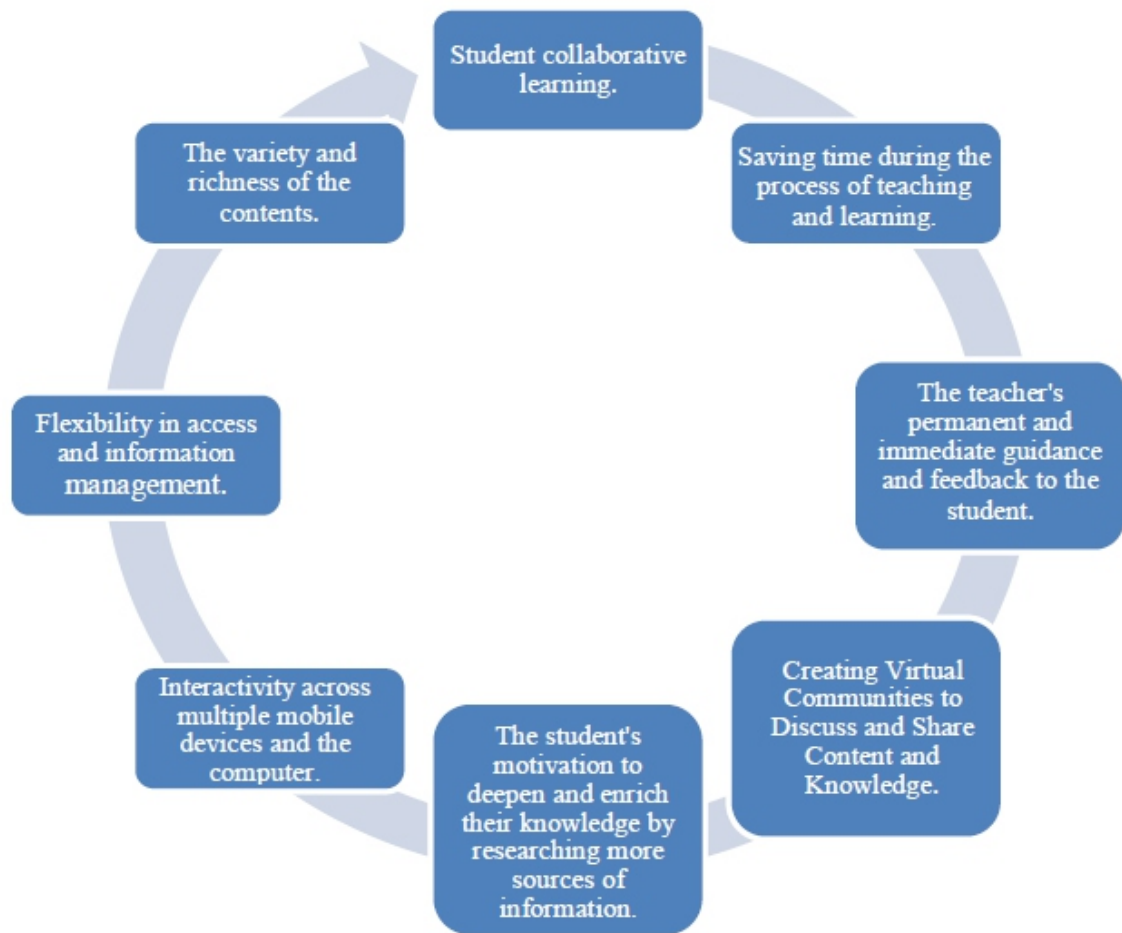


Figure 1. Factors in student training

Concerning Information and Communication Technologies (ICT) (Gonzales, 2013) He affirms that the importance of ICT has impacted society in such a way that its integration into teaching, as a key tool for training that guarantees personal development in current and future life is inescapable. Considering the Educational System, as an essential part of modern societies, it has been affected by the development of these technologies. In such a way, that the integration of these technologies in the practice of the teacher does not happen to be true instrumentation of the advantages that they could bring to the service of the traditional schemes and the roles of each one of the actors that intervene in the process educational.

As an option for the development of education, it highlights Information and Communication Technologies (ICT), since it has an important role in the daily life of teachers for students, which is why it is serving as elementary help as new teaching modalities currently since it is known that the educational system goes hand in hand with (ICT), but although it is true that the old instrumentation used by teachers is well suited in certain cases where teachers are the ones who they prefer to teach and not to break the old schemes made by themselves.

"Classrooms in their equally virtual facet, break barriers of time and space, taking advantage of the storage of information in a cyber cloud" (Idrovo, 2017).

Methodological changes in education have led us to new communicational practices, generating synchronous and asynchronous activities through chats, videoconferences, news, emails, locations, etc.

An example of this generational change that addresses the need to communicate more and better lies in a specific tool that is the Chat. (Idrovo, 2017)

(Salinas, 2013) Points out that "The flexibility of higher education institutions to adapt to the needs of today's society involves the exploitation of information and communication technologies in training processes. Achieving that these processes are of quality implies changes in the conception of the student users, changes in the teachers, and administrative changes about the design and distribution of teaching and the communication systems that the institution establishes. All this implies methodological changes in virtual teaching environments, learning towards a more flexible model".

On the way to developing methodological changes in education, students have a basic role in the daily and consequent teaching of teachers to young people, since it will depend on the teacher that their teaching is of quality and innovative, that is why teaching can be very subjective in terms of the senior managers who demand as a reference that educational models would have to be a little more flexible so that students can understand and grasp the classes.

The revolution that technologies have and the use have changed the mentality of some teachers, but there will always be resistance in some.

According to the author (De Benito Crosett, 2008). Information and Communication Technologies (ICT) have revolutionized the traditional concept of teaching and enable the implementation of innovative actions related to training in any field and educational level.

On the other hand, it is necessary to understand the difference between digital natives and digital migrants since the latter have greater complexity with the use of these tools, their management is complicated until they collapse and they do not carry out the activities they had in a correct way. mind. Analyzing the role that ICTs can play in the teaching-learning process opens up a wide range of possibilities. Although the efforts made for the introduction of ICTs in education have indeed focused more on technological aspects than on the more pedagogical part, ICTs are configuring new learning environments in which the elements of the instructional process change their function and way of evaluating (De Benito Crosett, 2008). The development of these technologies has come to change the methodology of evaluating, we see today how the use of technological programs can satisfy this resource.

Gómez & Macedo (2010) Starting from the perspective of these Peruvian authors on the importance of incorporating ICTs in the educational system "ICTs are intended to be a means of communication, the channel of communication and exchange of knowledge and experiences. They are instruments for processing information and for administrative management, a source of resources, a recreational environment, and cognitive development. All this leads to a new way of developing a didactic unit and, therefore, of evaluating because the ways of teaching and learning change, the teacher is no longer the manager of knowledge, but a guide that allows the student to be oriented his learning: In this aspect, the student is the "protagonist of the class" because it is he who must be autonomous and work in collaboration with his peers".

Teaching resources

The current world is so changing that little by little technologies have been integrated into various branches of human life.

Focusing on the new reality of the globalized world, and the daily advances that are made at the level of technology, education must be coherent with this and deliver qualified and competitive human beings to society; therefore, technology as a teaching resource in the classroom becomes a necessity rather than a strategy (Avila, 2012).

For this reason, education emphasizes giving students to society who are involved in this world of knowledge, that is, they have more ability to solve problems by incorporating the methodology that is currently being used. Mentioning that the didactic resources that are those materials that are used for a new and innovative teaching Moreno mentions:

The didactic resources are those educational materials that serve as mediators for the development of the student, favoring the teaching and learning process and facilitating the interpretation of the content that the teacher has to teach, in addition to optimizing the process by providing an interactive tool for the teacher (Moreno, 2018).

In such a case, the inclusion of technologies does not leave aside the use of these resources; rather, they make this area a little integrative, since it would be easy to search for information and in turn impart it within the classroom. The use of technologies is very varied, it gives us a series of alternatives to be able to use it in the area that we can know how to use them, mentioning education is one of the areas where it is mostly used at present since the Virtual studios need these tools to fulfill their respective planning.

Computer technologies have a large number of elements that allow transforming teaching-learning processes, as something playful and dynamic, leaving aside monotony in the classroom and traditional teaching (Avila, 2012).

One of the advantages of using these technologies is that the classes are transformed into a different environment and this is good for capturing the attention of the students so that there would be a better environment within the classroom with the incorporation of these tools. The benefits obtained from the use of teaching resources are mentioned below in figure 2.

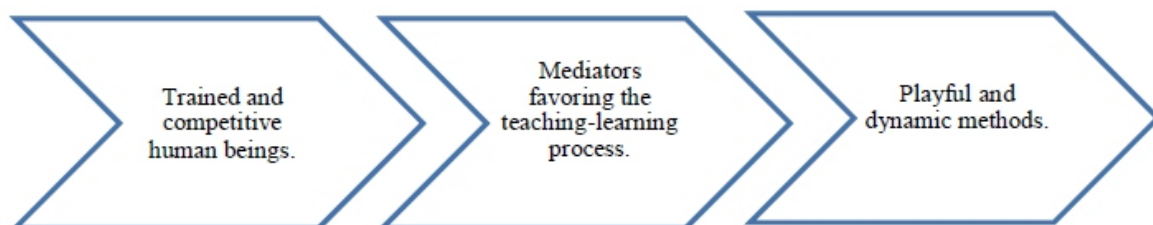


Figure 2. Benefits of the use of didactic resources

Coinciding with the authors, we verified that the didactic resources are a good strategy for the development of the student, this means that the process of updating with the technological tools is included, as this will help to achieve fruitful results. As it is exposed in graph number 1. The benefits that they offer are several, for example, that they approach the students to real-life situations representing

these situations in the best possible way so that they thus have more real impressions on the topics that they study.

On the other hand, a great benefit of these is that they help to minimize the workload of both teachers and students, apart from facilitating the understanding of what is studied by presenting the content in a tangible, observable, and manageable way, which reaches maximize student motivation to learn in one way or another (Gutierrez, 2016).

It is necessary to know that there are also disadvantages to this since the main resource today is technology, which will have a high cost of acquisition and maintenance of computer equipment; It can also generate addiction in terms of the use of these means and turn, the appearance of visual fatigue and saturation (Uapa, 2015; Membrives et al., 2016). This way of learning intends with all this that children come to learn because they want to do it and feel the desire to do it, generating in them curiosity, the desire to investigate by innovatively presenting class topics.

EDUCATIONAL MODALITY

An educational modality is understood as the specific way of offering an educational service to administrative procedures, learning strategies, and didactic supports. In this sense, a new modality implies significant changes in the conception of how to educate. One of these was caused by the introduction of ICT, in principle, as a support to the teaching and learning processes and, later, in a radical way, innovating educational schemes (Hernandez, 2019).

It refers that an educational modality is a set of specific procedures to execute the educational work, it contains tangible results through a previous organization that connects with the educational curriculum, considering the qualities, capacities, and needs of its students, using materials and resources according to the requirements. They are forms of school and curricular organization that seek to respond to the characteristics, specific training needs, and particularities of the students' environment. They are distinguished in general (or basic) and specific (or complementary) modalities (Díaz & Masaútis, 2011). It can be understood more effectively than the educational modality, it facilitates the learning and construction of student knowledge through various strategies that design educational programs.

Types of modalities

Face-to-face this

Is the most common type of study in higher education institutions and most of the careers have face-to-face programs. It is a face-to-face modality when both teaching and learning practices take place in real-time between teacher and student. Almost all universities are based on this learning modality (Torres, 2015). This modality is the one that is carried out in classrooms or educational establishments, having direct contact between student-teachers under a certain time and pre-established hours. It is detailed in figure 3, characteristics of the face-to-face educational modality.

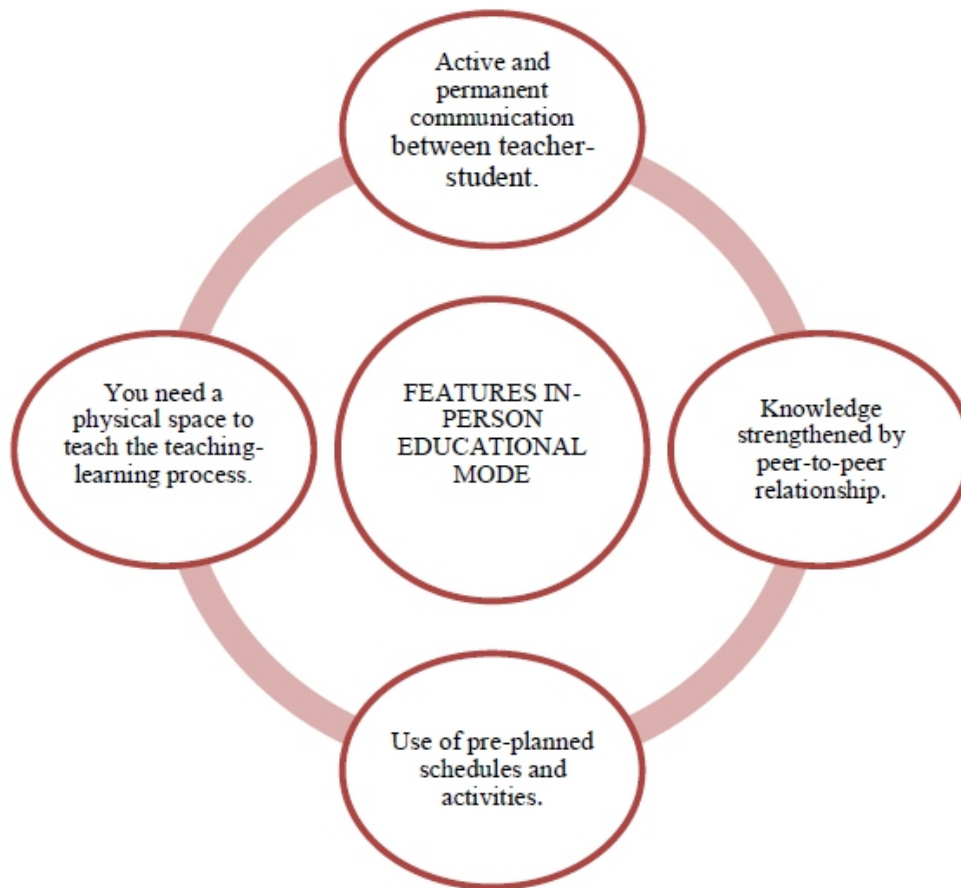


Figure 3. Characteristics of the face-to-face educational modality

Blended

Blended education - mixed or hybrid - refers to the joint use of classroom activities - face-to-face or face-to-face - and online activities - not face-to-face or distance (Amato & Novales, 2014). This educational modality consists of the union of several actions both virtual and face-to-face to enhance and build knowledge, blended education requires and uses active technology, this type of learning can be considered as autonomous. Blended education requires a change in attitude and teaching techniques by teachers since the rote and rote have no place in this process because the student becomes the generator of their knowledge based on the materials designed by the teacher (Salinas et al., 2019).

It is detailed below in figure 4, characteristics of the blended modality.

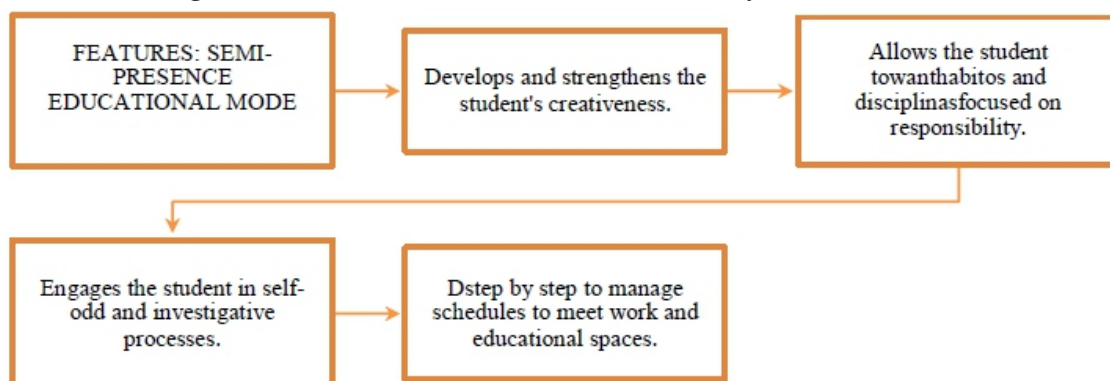


Figure 4. Characteristics of the blended modality

Distance-Virtual

This educational modality has the purpose of promoting training through an autonomous process of student learning, with the support of tutors and supportive educational material in virtual learning environments. (educacion.gob.ec, 2020). Virtual-distance education today involves a better visualization regarding the requirements for imparting and acquiring knowledge in the learner, without a doubt, it demands and requires greater personal demand and responsibility for those who wish to apply it, emphasizing that this educational modality You need prior knowledge for the proper use of new technologies.

It consists of a form of study, where people over the age of 18, who were unable to finish high school or high school for whatever reason, can now do so. With this new modality, they will have the opportunity to complete their studies of General Basic Higher Education and Baccalaureate (Vieira, 2019; Houdé, 2000; Casey et al., 2005).

This modality of distance-virtual education makes use of innovative methods so that learning is achieved and built, without a doubt it emphasizes the autonomous organization of the student.

It is detailed below in figure 5, characteristics of the virtual-distance educational modality.

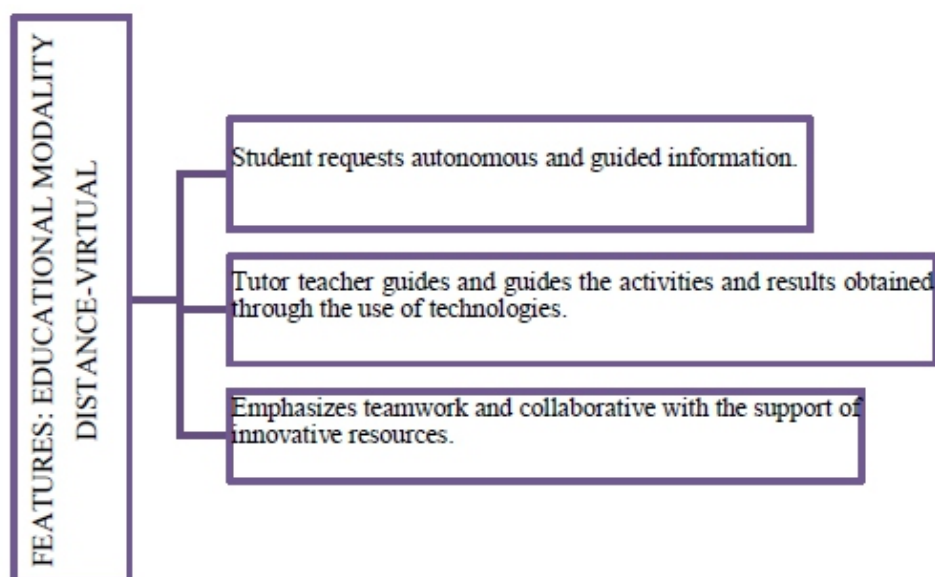


Figure 5. Characteristics of the virtual-distance educational modality

Home modality homeschooling

is a rapidly growing and widely accepted educational modality worldwide; however, it generates opposing positions based on aspects such as academic performance, socio-initial development, and adaptability to structured environments of home-schooled students (Hoeneisen, 2014). It is understood that the home is transformed into a lifestyle for parents who choose this teaching-learning method for their children, "This is a modality of a home visit, that is, the service reaches the children's home, where they need this attention and, above all, it is a joint work, shared with the parents and the community" said the official (Diario El Universo, 2018).

A home study is an option that aims or tries to group all educational facilities in the family context provided by the other study modalities, sometimes this education facilitates them and gives more

possibilities so that households can have greater control regarding care and knowledge results. In general, parents of children and adolescents are responsible for imparting information for the acquisition of intellectual learning. In general, this type of modality can be considered one of the first that has existed in education, transcending knowledge from generation to generation within the family environment.

It is detailed below in figure 6, characteristics of the home educational modality.

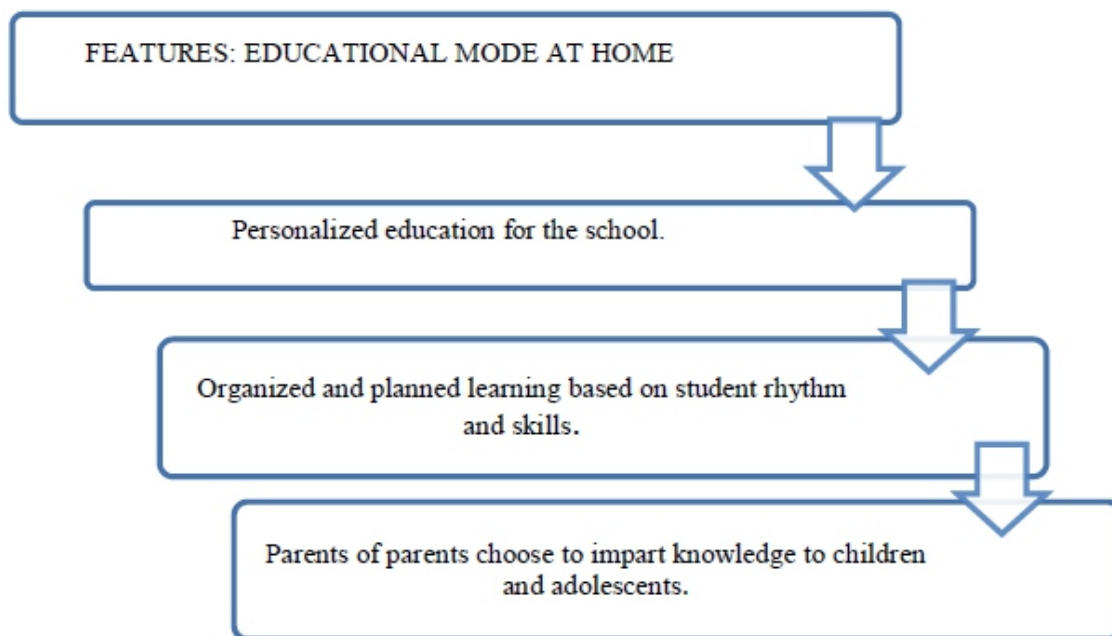


Figure 6. Characteristics of the home educational modality

The benefit of the use of technology in education increases the quality of the educational process because it allows achieving goals where there will be better communication between teachers and students, the technological tools are vitally important for the educational system, since it favors the teaching and learning of students and teachers.

4 CONCLUSION

The different forms of learning are intended for children to learn because they want to do it and feel the desire to do so, generating in them curiosity, the desire to investigate through the presentation of class topics in an innovative way. The educational modalities are a service that offers society to achieve necessary and essential achievements in the teaching-learning process, achieving the objective of facilitating a better construction of knowledge for children and adolescents, using innovative strategies and resources for satisfactory results within the curricular programs.

Conflict of interest statement

The authors declared that they have no competing interests.

Statement of authorship

The authors have a responsibility for the conception and design of the study. The authors have approved the final article.

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The Role of Organizational Commitments in Mediating the Effect of Work Motivation and Job Satisfaction towards Turnover Intention on Nurses Private Hospital

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ABSTRACT

This study aims to determine the role of organizational commitment in mediating the effect of work motivation and job satisfaction on turnover intention of nurses at private hospitals in South Kuta. The number of samples used was 82 nurses using saturated sampling technique or census methods and collecting data using a questionnaire that uses a Likert scale. The data analysis technique was performed using Structural Equation Modeling (SEM) with the Partial Least Square (PLS) approach, and the VAF test to test the role of mediation. The results show that there is a negative and significant influence of organizational commitment, work motivation, and job satisfaction on turnover intention. There is a positive and significant effect of job satisfaction and work motivation on organizational commitment, as well as the role of organizational commitment as a partial mediator between work motivation and job satisfaction on turnover intention which has a negative and significant effect. The findings in this study imply that companies are required to pay more attention to appropriate compensation and to reward employees who are loyal to the company and pay attention to the working conditions of their employees so that employees will remain in the company.

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Keywords: *job satisfaction; nurses; organizational commitment; turnover intention; work motivation;*

1 INTRODUCTION

Human resources (HR) are one of the factors that determine the success of an organization. HR management is crucial for a company, as well as an HR management in hospitals, one of which is the nursing workforce which is seen as an essential asset for companies engaged in the health sector. Reflecting on this, good nursing staff management must support services in the hospital. However, hospitals often experience the turnover of employees, especially nurses, and it becomes a problem because it has an impact on hospital losses (Ridlo, 2012). The phenomenon of the entry and exit of nurses at the hospital is called turnover, which can be interpreted as moving employees from one job to another for a specific reason. The employee turnover rate in health services takes 23 percent of all employees, and 50 percent of them are nurses. Turnover can be in the form of resignation, transfer outside the organizational unit, dismissal, or death of an organization member. If a hospital has a high nurse turnover rate, this is an indication of decreased motivation and morale for its nursing staff. According to Nerissa (2015), employees who choose to leave the organization where they work can be triggered by their desire to get a better job, which makes them prefer to leave their jobs.

Based on the results of the interview, it was found that some nurses had the desire to leave their place of work because they were not satisfied with the compensation provided by the hospital and the work system that kept changing added to the workload. According to research from Li et al. (2018), states that employee dissatisfaction at work can make employees have the desire to leave.

The turnover process is usually marked by the emergence of a condition where employees have a desire to leave the company, which is called turnover intention (Widjaja, 2006). According to Basariya & Ahmed (2019), the turnover intention is the condition of an employee in an organization who has plans to leave work, or an organization's condition has a plan to terminate work relations with employees. The problem of discharging nursing staff from the hospital can also encourage other nursing staff to have a desire to quit (Mobley, 2011). Turnover intention to employees can be characterized by various behaviors such as high absenteeism, decreased performance, breaking the rules, and the presence of courage to oppose superiors (Harnoto, 2002). The factors that can affect turnover intention to nurses are work motivation, job satisfaction, and commitment (Martoyo, 2000; Mosadeghrad, 2013).

Work motivation is defined as the willingness of employees to exert a high level of effort towards organizational goals conditioned by efforts to meet some of their individual needs (Ramlall, 2004). Work motivation plays a role in increasing the productivity of employee performance so that it has an impact on the achievement of company goals. If the work motivation of nurses is low, it will undoubtedly have an impact on hospital performance, and the goals of nurses cannot be fulfilled so this can trigger a desire to be discharged from the hospital (Wardana et al., 2020). According to research by Wang et al. (2019) and Kim (2018), which state that the higher the employee's work motivation, the lower the turnover intention.

Job satisfaction is an assessment, feelings, or attitudes of employees towards their work related to the work environment, type of work, compensation, relationships between coworkers, social relations in their workplace (Koesmono, 2005; Sy, 2006). Nurses can be said to have job satisfaction if their wants and needs can be met through work. If a nurse is satisfied with their job, they will feel comfortable. They will not have the desire to leave the hospital to research by Youcef et al. (2016) and Li et al. (2018), which states that the higher the level of employee satisfaction with the job, the lower the employee's desire to move or stop working.

The low level of work motivation and job satisfaction of nurses does not always affect turnover intention, based on research from Widiawati et al. (2017), which states that work motivation has a positive and significant effect on turnover intention. That is, high work motivation can also affect the nurse's intention to leave. Supported by the results of interviews with several nurses that they have high work motivation and are quite satisfied with their work but they still have the desire to leave if a government institution opens job vacancies and has the opportunity to work there. From these results, it can be said that the nurse's commitment to the company has a vital role in deciding whether a nurse will continue her career or choose to leave the hospital. By research by Fernet et al. (2017) and Youcef et al., (2016), who get the results that organizational commitment can support the effect of work motivation and employee job satisfaction on turnover intention.

Organizational commitment is a strength of the relationship that employees feel towards the organization in which they work. Organizational commitment is known to have an important influence on employee turnover intention. If nurses have a high commitment to their place of work, they will be

willing to continue working in the hospital (Lam & Gurland, 2008; Lu et al., 2002), of course, this will have an impact on the turnover rate in the company. By research by Imran et al. (2017), stated that organizational commitment influences employee turnover intention.

The level of employee commitment to the organization can also be influenced by work motivation and job satisfaction. Based on research from Nawawi (2015), which states that work motivation can affect organizational commitment and Mathieu et al. (2016), revealed that job satisfaction influences organizational commitment so that it means that higher work motivation and job satisfaction, the higher employee commitment to the organization. If nurses have a high organizational commitment, then indirectly, they can also reduce turnover intention. Based on the results of research by Youcef et al. (2016), stated that organizational commitment could function as a mediator between job satisfaction and turnover intention variables (Schwepker, 2001). According to Fernet et al. (2017), commitment as a mediator can have an influence on work motivation on turnover intention.

Based on the background and previous research, the hypothesis in this study is

H1: There is a negative and significant influence between work motivation and turnover intention

H2: There is a negative and significant influence between job satisfaction and turnover intention

H3: Organizational commitment has a negative and significant effect on turnover intention.

H4: There is a positive and significant influence between work motivation and organizational commitment

H5: There is a positive and significant influence between job satisfaction and organizational commitment

H6: Organizational commitment mediates the effect of work motivation on turnover intention.

H7: Organizational commitment mediates the effect of job satisfaction on turnover intention.

2 MATERIALS AND METHODS

This research uses quantitative data type and is in the form of associative causality research. The location of the research was conducted at a private hospital located in the district of South Kuta, Bali. The research was conducted at two private hospitals located in the area of South Kuta, namely the Kasih Ibu Hospital Kedonganan. This location was chosen because it found problems related to the turnover intention of nursing staff. Respondents in each private hospital in South Kuta, namely by dividing as many as 39 participants at the Kasih Ibu Hospital Kedonganan and 55 participants at the Bali Jimbaran General Hospital, with a total of 94 participants. The data analysis method used is descriptive statistics and inferential statistics.

3 RESULTS AND DISCUSSIONS

Hypothesis testing is done by t-test by sorting for testing the direct effect and indirect effect or testing the mediating variables. The following sections describe the results of the direct effect test and the mediating variable test, respectively.

Table 1 T-Statistics

Variable	T-Statistic	T-Table	Info.
Work Motivation → Organizational Commitment	2,141	1,9	Significant
Job satisfaction → Organizational Commitment	5,727	1,9	Significant
Work Motivation → <i>Turnover Intention</i>	2,490	1,9	Significant
Job satisfaction → <i>Turnover Intention</i>	2,097	1,9	Significant
Organizational Commitment → <i>Turnover Intention</i>	3,776	1,9	Significant

Source: Data Processed Results, 2020

Table 2 Path coefficients

Variable	Path coefficients	T-Statistics	P-Values	Info.
Work Motivation → Organizational Commitment	0,209	2,141	0,033	Significant
Job satisfaction → Organizational Commitment	0,578	5,727	0,000	Significant
Work Motivation → <i>Turnover Intention</i>	-0,387	2,490	0,013	Significant
Job satisfaction → <i>Turnover Intention</i>	-0,370	2,097	0,037	Significant
Organizational Commitment → <i>Turnover Intention</i>	-0,503	3,776	0,000	Significant

Source: Data Processed Results, 2020

Table 3 Recapitulation of test results for mediation variables

Mediation Variables	Effect				Information
	(A)	(B)	(C)	(D)	
Work Motivation (X1) → Organizational Commitment (Y1) → <i>Turnover intention</i> (Y2)	-0,105 (Sig.)	-0,387 (Sig.)	0,209 (Sig.)	-0,503 (Sig.)	<i>Partial Mediation</i>
Job satisfaction (X2) → Organizational Commitment (Y1) → <i>Turnover intention</i> (Y2)	-0,291 (Sig.)	-0,370 (Sig.)	0,578 (Sig.)	-0,503 (Sig.)	<i>Partial Mediation</i>

Source: Data Processed Results, 2020

Information : significance (Sig.) = t-statistic > 1,96 on a= 5%

(A): the indirect effect of the independent variable on the dependent variable

(B): the direct effect of the independent variable on the dependent variable

(C): direct effect of independent variables on the mediating variable

(D): the direct effect of the mediating variable on the dependent variable

The effect of work motivation on turnover intention

The results of the analysis show that work motivation has a negative and significant effect on turnover intention. The higher the level of work motivation for nurses at the South Kuta private hospital, the lower the turnover intention. These results indicate that the values contained in work motivation are well perceived and have a significant impact on the turnover intention of nurses at private hospitals in South Kuta. Work motivation is measured based on the dimensions of integrated regulation, identified regulation, introjected regulation, external regulation of turnover intention so that it will be able to make a significant contribution to increasing turnover intention to nurses at private hospitals in South Kuta. This study supports the results of previous research by Mustafa & Ali (2019), that motivation has a negative relationship with turnover intention. Setyo (2016), which states that work motivation has a negative and significant effect on the desire to leave. According to Wang et al. (2019), motivation has a negative relationship with turnover intention. Research by Kim (2018), states that work motivation negatively and significantly affects turnover intention. According to Bonenberger et al. (2014), that the dimension of work motivation has a significant relationship with turnover intention.

The effect of job satisfaction on turnover intention

The analysis shows that job satisfaction has a negative and significant effect on turnover intention. This means that the higher the level of job satisfaction for nurses at private hospitals in South Kuta, the lower the turnover intention. These results indicate that the values contained in job satisfaction are well perceived and have a significant impact on the turnover intention rate of nurses at private hospitals in South Kuta. Job satisfaction is measured based on the dimensions of salary, job conditions, organizational policies, supervision, and interpersonal relationships to turnover intention so that it will be able to make a significant contribution to increasing turnover intention of nurses at private hospitals in South Kuta. This study supports the results of previous studies by Youcef et al. (2016) job satisfaction has a negative and significant effect on the intention to leave. According to Han et al. (2016); Liu & Lo (2018); Li et al. (2018), job satisfaction has a negative and significant relationship to turnover intention. Pawesti & Wikansari (2016), state that job satisfaction has a significant and negative effect on employee turnover intention. The research of Ananto et al. (2016), stated that job satisfaction has a negative and significant effect on the desire to leave. The results of Indrayanti & Riana (2016), research shows that job satisfaction has a negative and significant effect on turnover intention. According to Widyadmono (2015), job satisfaction has a negative and significant effect on turnover intention.

The effect of organizational commitment on turnover intention

The results of the analysis show that organizational commitment has a negative and significant effect on turnover intention. This means that the higher the level of organizational commitment to nurses at the South Kuta private hospital, the lower the turnover intention. These results indicate that the values contained in organizational commitment can be well perceived and have a significant impact on the turnover intention rate of nurses at private hospitals in South Kuta. Organizational commitment is measured based on the dimensions of affective commitment, ongoing commitment, and normative commitment to turnover intention so that it will be able to make a significant contribution to increasing turnover intention for nurses at private hospitals in South Kuta. This study supports the results of previous studies by Park & Jung (2015), which stated that organizational commitment could act as a mediator that affects turnover intention. Al-Emran & Salloum (2017), Commitment hurts turnover. Organizational commitment is known to have an important influence on employee turnover intention. Kim et al. (2016), organizational commitment can mediate towards turnover intention. Imran et al. (2017), found that organizational commitment has a significant influence on employee turnover intention. Tharikh et al. (2016), found that organizational commitment has a significant effect on nurses' intention to leave and commitment as a partial mediator. Wahyuni (2015), an internal factor that affects turnover intention is commitment. According to Paat et al. (2017), there is a negative and significant influence on the Organizational Commitment variable on employee Turnover Intention.

The effect of work motivation on organizational commitment

The results of the analysis show that work motivation has a positive and significant effect on organizational commitment. The higher the level of work motivation for nurses at the private hospital in South Kuta, the higher the organizational commitment. These results indicate that the values contained in work motivation are well perceived and can make a significant contribution to the level of organizational commitment to nurses at private hospitals in South Kuta. The study supports the results of previous studies by Imran et al. (2017), who stated that work motivation positively affects organizational commitment. A study conducted by Salleh et al. (2016), also revealed a positive relationship between work motivation and organizational commitment. According to Makary et al. (2006), shows that work motivation has a positive and significant effect on employee organizational

commitment. Research by Puspasari (2013), also concluded that work motivation has a positive and significant effect on organizational commitment. Arshadi's (2010), research states that work motivation and job satisfaction have a positive and significant effect on employee organizational commitment. Takase (2010), states that work motivation has a positive and significant effect on organizational commitment. According to Can & Yasri (2016), it is concluded that motivation has a significant and positive impact on organizational commitment.

The effect of job satisfaction with organizational commitment

The results of the analysis show that job satisfaction has a positive and significant effect on organizational commitment. This means that the higher the level of job satisfaction of the nurses at the private hospital in South Kuta, the higher the organizational commitment. These results indicate that the values contained in job satisfaction are well perceived and can make a significant contribution to the level of organizational commitment to nurses at private hospitals in South Kuta. This study supports the results of previous studies by Ismail & Razak (2016), who argue that when employees are satisfied with intrinsic satisfaction and extrinsic satisfaction from their job conditions, it can lead to more significant organizational commitment in the organization. Mathieu et al. (2016), revealed that job satisfaction has a positive influence on organizational commitment. Research by Ahn et al. (2015), stated that there was a statistically significant correlation between job satisfaction and organizational commitment. Raziq & Maulabakhsh (2015), state that the role of job satisfaction is one of the factors that can have a positive and significant impact on organizational commitment. Arshadi's (2010), research states that work motivation and job satisfaction have a positive and significant effect on employee organizational commitment. Research by Ngadiman & Sohidin (2014), in their research, found that job satisfaction has a positive and significant effect on organizational commitment. Chen (2006), also found that job satisfaction has a positive and significant effect on organizational commitment.

The role of organizational commitment in mediating the effect of work motivation and turnover intention

The results of the analysis show that organizational commitment can negatively and significantly mediate the relationship between work motivation and turnover intention. However, in this study, organizational commitment acts as a partial mediation. Based on these results, to reduce employee turnover intention, the hospital must increase the work motivation of its employees, by increasing work motivation as well as increasing employee organizational commitment. The results of this study support the study of Fernet et al. (2017), motivation negatively affects turnover through commitment mediation. Gardner et al. (2011) stated that there is a negative effect of affective organizational commitment which mediates the relationship between motivation and turnover. According to Galletta et al. (2011), work commitment fully mediates the relationship between intrinsic work motivation and intention to move. According to Kim (2018), work motivation negatively and significantly affects the intention to move. Research by Park & Jung (2015), stated that organizational commitment could act as a mediator that affects turnover intention.

The role of organizational commitment in mediating the effect of job satisfaction and turnover intention
The results of the analysis show that organizational commitment can negatively and significantly mediate the relationship between job satisfaction and turnover intention. However, in this study, organizational commitment acts as a partial mediation. Based on these results, to reduce employee turnover intention, the hospital must increase employee job satisfaction, by increasing job satisfaction as well as increasing employee organizational commitment. The results of this study support the study of

Youcef et al. (2016), the function of organizational commitment as an intermediary for the variables between job satisfaction and turnover intention serves as a mediator or intermediary variable that affects job satisfaction to move to produce a negative and significant effect. According to Mathieu et al. (2016), job satisfaction and organizational commitment can influence intention to leave. Organizational commitment has a direct effect on explaining turnover intention. According to Risma et al. (2018), job satisfaction has a significant effect on organizational commitment. Organizational commitment has a significant effect on turnover intention. Indrayanti & Riana (2016), shows that job satisfaction has a negative and significant effect on turnover intention through mediating organizational commitment. The organizational commitment negatively and significantly mediates the relationship between job satisfaction and turnover intention.

RESEARCH LIMITATIONS

There are several limitations in the process of implementing and completing this research which can be used as a reference for perfecting further research. Some of these limitations include this study relies on the results of a questionnaire with a large number of indicators used, this has the potential to provide saturation and confuse respondents in filling in so that it can affect the answers that are considered by certain values that are acceptable in their environment, so this can distort the average value for each variable. The scope of the research is still limited, namely only in two hospitals located in South Kuta, considering that there are still several private hospitals in the South Kuta area but in the current situation and conditions of the COVID 19 pandemic, researchers cannot access the hospital. With the occurrence of the national problem of the COVID 19 pandemic when researchers researched hospitals which resulted in uncertain dynamics of change in each period, of course, this had an impact on the answers given by respondents due to the reduction or termination of work relations (layoffs) carried out by home management sick so that it can affect respondents' answers and research results. This is supported by research by Hamauche (2020), which states that the Covid 19 pandemic can cause sharp shocks to economies and communities around the world (MacIntyre; Shigemura et al., In Hamauche, 2020). This situation can hurt business sustainability and individual employment. This has triggered leave and layoffs (World Economic Forum, in Hamauche, 2020) so that in this case employees will take care of themselves and try to maintain their job positions.

4 CONCLUSION

Based on the analysis and discussion, as a conclusion and research results, the following results are obtained: Work motivation hurts turnover intention. The lower the work motivation of the nursing staff, the higher the nurse's intention to leave the hospital. Job satisfaction hurts turnover intention. The lower the job satisfaction of the nursing staff, the higher the nurse's intention to leave the hospital. Organizational commitment hurts turnover intention. The lower the organizational commitment of the nursing staff, the higher the intention of the nurse to leave the hospital. There is a positive and significant influence between work motivation and organizational commitment. The higher the work motivation, the higher the organizational commitment of the nursing staff to stay in the company. There is a positive and significant influence between job satisfaction and organizational commitment. This means that the higher the job satisfaction, the higher the organizational commitment of the nursing staff to stay in the company. Organizational commitment can partially mediate the effect of work motivation on turnover intention. This means that to reduce turnover intention, employee work motivation must be increased, by increasing work motivation, can also increase organizational commitment. Organizational commitment is able to mediate the effect of job satisfaction on turnover intention partially. To reduce turnover intention, employee job satisfaction must be further improved, with increased job satisfaction at the same time increasing organizational commitment.

Based on these conclusions, some suggestions can be put forward which are expected to be of benefit to the company, especially for RSUD. Kasih Ibu Kedonganan and RSUD. Bali Jimbaran and also for other related parties. The suggestions given include: This study has proven that organizational commitment can play a role as a mediating variable to influence the turnover intention of nurses in the hospital, so it is suggested that hospital management continue to maintain the commitment of nurses to the hospital to increase the commitment of nursing staff in the organization which will certainly reduce the desire to get out. Further researchers are advised to use or develop other variables that are thought to be capable of influencing or mediating employee turnover intention when conditions have returned to normal because it is felt that the covid 19 disasters will certainly affect the research results. The turnover intention variable that gets the highest average score is a statement or indicator about having a desire to leave the hospital if there is a better offer or opportunity, so it is recommended that hospital management pay more attention to managing its workforce by negotiating, providing greater offer from competitors to nurses who want to be retained to discourage their intention to move, especially for nursing staff who are still low graduates but have an important role for the hospital. The organizational commitment variable that gets the lowest average score is a statement or indicator about feeling easily tied to other hospitals such as being tied to the hospital where they work now, so it is recommended that hospital management pay attention to factors that can support employee loyalty so that stay in the hospital such as offering more compensation than competitors, the existence of a remuneration program, training, awarding, and periodic employee gathering events that function to build intimacy between units or divisions, it is hoped that this offer can make nurses feel bound and proud to be a part of it from the hospital. The job satisfaction variable that gets the lowest average value of statements or indicators about being satisfied with the comfort found in this hospital, so that hospital management needs to pay attention to the working conditions of nurses in the field, both in terms of work support facilities and their workload. receive when treating patients. Also, statements or indicators regarding salaries that are following workloads get the second-lowest score, so it is recommended that hospital management pay more attention to the current salary system, it is hoped that these changes can increase the job satisfaction of nurses. The work motivation variable that gets the lowest average value of statements or indicators about working as a nurse allows me to make much money, so it is recommended that hospital management pay attention to the management of the salary given which can be adjusted according to the length of service, workload, or performance of each worker foster morale because there are rewards by the work done.

Conflict of interest statement

The authors declared that they have no competing interests.

Statement of authorship

The authors have a responsibility for the conception and design of the study. The authors have approved the final article.

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