BACURAMIN KA’ SARUGA: A SUSTAINABLE PRESERVATION LOCAL PRINCIPLE IN KAPUAS HULU FOR KERUPUK BASAH AS GEOGRAPHICAL INDICATION

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Abstract
Kerupuk Basah called temet by Kapuas Hulu Local Community was provided for home consumption long time ago. But lately, it was spread throughout Kalimantan Barat Province, likely Pontianak, Mempawah and Sintang. The taste proved that Kerupuk Basah from Kapuas Hulu had some differences than others, including finer surface structure, stronger fish taste, and softer when pressed or chewed. The study used statute approach and method through indepth interview. The study found there were 3 (three) factors which influenced Kerupuk Basah taste from Kapuas Hulu, namely 1) natural factor (Toman and Belida fish were the main composition in making Kerupuk Basah were only find in upstream of Kapuas Hulu river); 2) human factor (Kerupuk Basah was initially processed by Kapuas Hulu local community in the past and had been preserved until now then made them had a special expertise and able to make good quality of Kerupuk Basah; 3) combination of natural and human factor (Belida and Toman fish lived there combined with local community ability made Kerupuk Basah had a good reputation and unique characteristic). All of those factors led Kerupuk Basah could be Kapuas Hulu Geographical Indication. Then, Bacuramin Ka’ Saruga (Dayak principle as most of local people there) agreed choice by the community, local government and Small and Medium Enterprises in Kapuas Hulu.

Keywords: Kerupuk Basah, Geographical Indication, Local Principle

INTRODUCTION
The globalization era was in line with international conventions Indonesia has ratified. Indonesia was required to be equal in carrying out their obligations with other countries, including in terms of Intellectual Property arrangements. It had an impact on Trademark and Geographical Indications role, was very important to maintain business competition.\(^{(1)}\)

Normatively, trademarks and geographical indications ruled by The 20th Act of 2016 Undang-Undang Nomor 20 Tahun 2016 about Trademarks and Geographical Indications.\(^{(2)}\) Trademark and geographical indications were similar enough,\(^{(3)}\) their goal to give a sign. Trademarks can be known by looking at the form of images, logos, names, words, letters, numbers, composition of citizens, in the form of 2 (two) dimensions and/or 3 (three) dimensions, sounds, holograms, or a combination of 2 (two) or more the elements.

Whereas Geographical Indications were a bit difficult to find out caused by the sign given was in the form of an area of origin, it tend to be not quite easy and difficult for everyone to know. In addition, a geographical indication consist of reputation, the quality and characteristics of goods or products. Those were influenced by 3 (three) factors,\(^{(4)}\) namely: (1) natural factor; (2) human factor; and (3) combination of natural and human factors. These three factors ought to work together to show a product or item was potential to be called a geographical indication.

Kerupuk Basah was one of the processed foods made from base
material fish, it was soft looked and generally would be given peanut sauce as a delicious enhancer. Kapuas Hulu District society used to call it temet. At first, Kerupuk Basah was produced only for home consumption, then is traded widespread not at Kapuas Hulu District only, but can also be found in various other areas in Kalimantan Barat Province such as Pontianak City, Mempawah District and Sintang District.

Difference in taste Kerupuk Basah which derive from Kapuas Hulu District with other regions could be known only by consuming it, include: finer surface structure, stronger fish taste, and softer when pressed or chewed. It was become what the author interest that Kerupuk Basah from Kapuas Hulu District had unique and different taste than other regions. How important it was to be sustained continuously then later it was not lost in these times.

METHODS

The type of the research was socio-legal research.\(^{(5)}\) Phase of research was exploratory research through unstructured method and then hypothesis building. Data were collected with qualitative design method. The purpose of the study to explore the question about sustainable preservation as Geographical Indication, especially Kerupuk Basah in Kapuas Hulu District. The scope of the research is Indonesia Law related to Geographical Indication which ruled by The 20th Act of 2016 Undang-Undang Nomor 20 Tahun 2016 about Trademarks and Geographical Indications. Through statute approach and observation with indepth interview,\(^{(6)}\) the research analyzed how Bacuramin Ka’Saruga was Kapuas Hulu District local principle for Kerupuk Basah sustainable preservation as Geographical Indication.

RESULT AND DISCUSSION

Kerupuk Basah as Kapuas Hulu District Geographical Indications Must be Protected

Kerupuk Basah was one of the processed foods made from fish base material, had a soft and looked form, and generally will be given peanut sauce as a delicious enhancer. The society of Kapuas Hulu District usually call it with temet. Based on observation data obtained, temet was unknown began become a famous food in Kapuas Hulu District. However, these times temet which derived from Kapuas Hulu District can be found in various outlets in Pontianak City.

As previously explained, an item and/or product could be said as a geographical indication if goods and/or products had a reputation, quality and characteristic. They were influenced by 3 (three) factors, namely: (1) natural factor; (2) human factor; and (3) combination of natural factor and human factor.\(^{(4)}\)

Related with that, Kerupuk Basah was a processed food made from basic ingredients of fish, namely belida and toman fish.

![Toman Fish](Picture 1. Toman Fish)
First, Kerupuk Basah made of belida and toman fish which could be found only in Kapuas Hulu District upstream. Overall Kapuas Hulu District was an undergone erosion and getting older area, those were marked by the small river gradients and turns.

Generally, Kapuas Hulu regional morphology shape of a pan (cauldron) which consists of a low/sunken land that was submerged in extends water during Nanga Manday downstream continued westward following the Kapuas River flow to Nanga Suhaid in Suhaid Sub-District.

Second, Kerupuk Basah initially processed by the Kapuas Hulu District society in the ancient times and still exists today. Their experiences made Kapuas Hulu District society had special skills and capability made a good quality of Kerupuk Basah.

Third, belida and toman fish habitat who lived in the upstream part of Kapuas Hulu River and local society expertise impact on Kerupuk Basah, it had a good reputation and unique characteristic when compared to Kerupuk Basah which made with different types of fish and originating from outside of Kapuas Hulu District.

Thus, it was clear that Kerupuk Basah could be said had fulfilled the elements as a geographical indication, so that ought to be protected. Related to this matter, provisions for protection Kerupuk Basah as a Geographical Indication must be registered in advance with the Minister as stipulated in Article 53 The 20th Act of 2016 about Trademarks and Geographical Indications.

The existence of reputation was always identified with the existence of certain goods/products that have certain achievements/extraordinary, or goodwill in the business, so it required a relatively long time for a product to be widely known among the public/consumers.

The Understanding of Bacuramin Ka’ Saruga Philosophy in Kerupuk Basah Protection Concept

According to Indonesian Language Dictionary, ‘philosophy’ was the most basic assumptions, ideas and inner attitudes that people or society have; views of life. Most of Kapuas Hulu District society were Dayak indigenous people, one of their popular philosophy was Bacuramin Ka’ Saruga. Bacuramin Ka’ Saruga intended that people must behave and do good things, including upholding human values, always do and develop noble deeds.

This philosophy was taken from general greetings “Adil Ka’ Talino, Bacuramin Ka’ Saruga, Basengat Ka’ Jubata”. If someone says the greeting, then the person who hears must answer aruus (Amin). It was never be forgotten to say in a ceremony, meeting or other daily activities.
Today's Dayak indigenous peoples still maintain noble values and culture. That was why, in various aspects of life, it was used to base on the noble value and culture, including in maintaining the resources around them as philosophical practices Bacuramin Ka'Saruga just told.

This philosophy was also then integrated in the used of Kerupuk Basah as resources found in Kapuas Hulu District. Everything that was done related to Kerupuk Basah ought to have good goal for fellow human, started from the beginning of belida and toman fish arrest as a basic ingredient for making were not permissible used trawl because it damaged the environment and will interfere the next generation lives, the processing was manual because it was believed that something made by human hands would bring goodness to other humans who consumed it, and its presentation was cut into parts smaller which meant that every meal should not be spent alone but ought to be shared with others.

That is why, in order to preserve the Bacuramin Ka'Saruga philosophy as an option that would be easily agreed upon by all stakeholders. It was because of the Bacuramin Ka'Saruga philosophy had become a part of daily life in the Kapuas Hulu District.

Moreover, for the people of Kapuas Hulu District which was directly adjacent to the North with Sarawak (East Malaysia) had their own unique and local way of procedure. So, something local like Bacuramin Ka'Saruga philosophy became a middle way to preserve Kerupuk Basah from Kapuas Hulu District and believed to be the author as ‘right step’ (langkah kanan). For Dayak people, langkah kanan has the meaning of choice that will bring goodness. Therefore, Bacuramin Ka'Saruga philosophy is a choice that will bring good and benefit to every human being in Kapuas Hulu District, due to Society, Small and Medium Enterprises and Kapuas Hulu District Local Government.

Optimization Society, Micro, Small and Medium Enterprises and Kapuas Hulu District Local Government Role in Order Kerupuk Basah Sustainable Preservation

At the level of progressive business globalization, accommodation to the law which could be able to support it ought to be focus on adaptive practical aspects so its implementation would synergize or grow on a social basis. Kerupuk Basah preservation was part of globalization business so that its preservation required practical aspects where inseparable from the basis of Kapuas Hulu District society life. This was also the level of local autonomy implementation, society ought to participate through the role given to the intended people. Related to Kerupuk Basah preservation, then stakeholder role was divided into society, Small and Medium Enterprises and Kapuas Hulu District Local Government.

People's opportunities to participate would be broader and policies were expected to be closer to the people. Giving opportunity to society was a manifestation of democracy as local autonomy implementation. Sustainable optimalization role of society, Small and Medium Enterprises and Kapuas Hulu District Local Government were very necessary in order to preserve Kerupuk Basah existences.

The optimization role were described one by one as the following description:
Society

Competition
Organizing competitions for the local community as an event to show the creativity of Kerupuk Basah presentation at certain moments, like at the Independence Day commemoration every August 17th.

Society Organization Establishment
Society organizations specifically focus on matters related to toman and belida fish cultivation and Kerupuk Basah preservation even those who would settle the difference by deliberation.

Micro Small and Medium Enterprises

Fisheries Development
Belida and toman fish fisheries business development would be one way to continue in maintaining belida and toman fish available stock and to maintain quality Kerupuk Basah would make

Entrepreneurial Training
Kerupuk Basah was a Kapuas Hulu District local product had high economic potential so it ought to be developed become an income alternative source and the end for Kapuas Hulu District society welfare.

Local Government

Monument Construction
Both belida and toman fish monument construction and Kerupuk Basah would be an icon for the society that Kapuas Hulu identical with belida and toman fish and Kerupuk Basah.

Children Coaching
The creativity of school children made Kerupuk Basah would be one of the local content materials at Junior high school/Sekolah Menengah Pertama (SMP) and Senior High School/Sekolah Menengah Atas (SMA), the aimed so that children were used to know and preserve Kerupuk Basah existence in Kapuas Hulu District.

The various efforts above were concrete steps that could be taken to realize sustainable conservation(11) for Kerupuk Basah whose hopes could be realized and provide benefits for the whole Kapuas Hulu District society.

Besides that, another reason for the need for conservation was due to the North Kapuas Hulu District bordering Serawak (East Malaysia) so if it was not preserved, it was feared that it would be captured by a neighboring country. This was influenced by economic relations in the trade sector which made the population more often trade to Serawak because the value of the neighboring country's money was higher than the rupiah value as Indonesia currency.

It was feared that this would had a negative impact on existence Kerupuk Basah so that through the efforts described above it would be able to preserve existence Kerupuk Basah as Kapuas Hulu District Geographical Indications.

CONCLUSION

Kerupuk Basah had a potential to be Kapuas Hulu District Geographical Indications considered that the product was created by the influence of natural factor, human factor and/or a combination of natural factor and human factor. Kerupuk Basah preservation carried out as an implementation of Bacuramin Ka’ Saruga philosophy meant that Kerupuk Basah utilization intended for good and provide benefits for humans. That was why, Kerupuk Basah needed
to be conserved by optimizing the role together by the society, Micro, Small and Medium Enterprises and Kapuas Hulu District Local Government.

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