

# ETHICAL DIMENSIONS OF CULTURAL POLICY AND CULTURAL RIGHTS IN MALUKU PROVINCE

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# ETHICAL DIMENSIONS OF CULTURAL POLICY AND CULTURAL RIGHTS IN MALUKU PROVINCE

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## *ABSTRACT*

*This study aimed to understand the correlation between the ethical dimensions of cultural policy and cultural rights in Maluku province. The study applied a qualitative approach with descriptive-phenomenological method. Data collection uses the following techniques: in-depth interview, Focus Group Discussion (FGD), documentary study, and observation. Hasil studi membuktikan bahwa: First, the Ethics Dimension was correlated, both with Cultural-Policy Behavior (Cultural Policy), and with Cultural-Rights Behavior (Cultural Rights). Second, that the Ethical Dimension in Cultural-Policy Behavior and/or Cultural-Rights, should take place in an inclusive, holistic-integral, and sustainable manner.*

*The Philosophical-Theological Reflection on Cultural-Policy Ethics and Cultural-Rights Ethics emphasized the importance of Identification, Mapping and Formulation of Transcendental and Immanent Foundations as a reference, so that various Ethical Dimensions in Cultural-Policy and Cultural-Rights Products in Maluku Province, had the roots of Local Wisdom, characterized by values: Ecocentric, Inclusive, Integral, Holistic-intact and Sustainable, especially in the context of Enforcement and Promotion of Humanity, Human Rights and the Integrity of Sustainable Creation.*

*Keyword:* Cultural Policy Ethics, Cultural Rights Ethics, Local Wisdom, Transcendence and Immanence.

## **INTRODUCTION.**

In the 1990s, ethical themes were alluded to in several international reports and program declaration<sup>[2]</sup>. In particular by Hannele Koivunen and Leena Marsio, in their research report published by the World Culture and Development Commission in 1992, they reported attention to the concept of global ethics. The UNESCO Intergovernmental Conference on Cultural Policy for Development, held in Stockholm in 1998, adopted the *Cultural Policy Action Plan for Development*. The *Council of Europe In from The Margins* (1997) report which continues the work of the World Commission on Culture and Development points to a new direction for European Cultural Policy. The Inter-arts-Based Foundation in Barcelona is a research institute specializing in international cultural cooperation, cultural policy and cultural development relations. One of his most visible initiatives was the conference on Cultural Rights and Development held in August 2004. Scottish Executives take the initiative to reform their cultural administration, with a strong emphasis on Cultural Rights. According to the conference report, *Achievement of the Development and Realization of Cultural Rights* will underlie Cultural Policy in Scotland (Koivunen, Hannele dan Marsio, 2007) Thus we see how in the European zone there has been a close relationship between: *Cultural Rights and Cultural Policy with Global Ethics*, and has become a serious regional problem. The findings of Koivunen and Marsio's research have very valuable academic and practical value for us in the Asian region in identifying and mapping the existing factual conditions. As Tiamsoon Sirisrisak and Natsuko Akagawa pointed out in their

study of: *Cultural Rights and Conservation of Old Bangkok* (Siririsak, Tiamsoon & Akagawa, 2012) when revealing that: “Cultural diversity is one of the main characteristics of Old-Bangkok resulting from the various local groups of people of different races and religions. Unfortunately, *the development of Old-Bangkok has always been associated with the interests of politicians*. Therefore, *the lack of public dialogue and recognition of cultural diversity, remains a major issue*. Over the past five decades, development policies focused on modernization and tourism promotion have put local communities under pressure. A number of historic communities, both within and outside designated conservation zones, are affected by new development projects initiated by governments, investors and landlords. The rights of local communities to take part in the development process are not respected and their voices are usually ignored. As a result, the issue of Cultural Rights in Old Bangkok, may not be solved by the local community, but *remains an obligation for Thai society as a whole*.

Bangkok is the City of Immigrants. The Chinese and Vietnamese settled east of the Chao Phraya River since at least the Thonburi period (1767-1782). Many prisoners of war were brought to Bangkok at the beginning of the Rattanakosin Period (1782 to present). Other groups, including Lao people and Malays, are drawn to this area. At the beginning of the Rattanakosin era, a number of Chinese were moved to Sampheng, now known as Pechinaan, to vacate the area in order to build the Grand Palace and Temple of the Emerald Buddha on the banks of the Chao Phraya river, both the Grand Palace and Sampheng areas representing today's Old-Bangkok (Siririsak, Tiamsoon & Akagawa, 2012).

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Tara Byrne pointed out the similarities between creative and cultural city policy discourses, and argues for the creative city condition as an implicit cultural policy, but also proves the influence of the previous discourse, as part of the wider creative economy influence. Byrne's research shows that influences depicting various “colonizations” of cultural policies through economic rationality reveal the hidden dominance of elite power networks beyond democratic control and the continued instrumentalization of culture through policy, which together are represented as crises or shifts of explicit cultural policies. Byrne showed that references to cultural policy in Scotland and Finland have demonstrated the transfer of creative city discourse, in a European context. Finally, Byrne suggests that a critical interpretation of the creative city paradigm in the context of cultural policy, together with consideration of its positive attributes, can provide a platform from which to question the ethical basis of cultural policy and cultural rights more generally.

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*Diversity and Cultural Policy: Cultural Citizenship as a Tool for Inclusion*, is the focus of Jicard Zapata-Barrero's research (Zapata-Barrero, 2015) related to Cultural and Diversity Policy. At the crossroads of citizenship, cultural studies, and diversity positions, Zapata-Barrero enters into the emerging debate about *cultural-citizenship*. Culture is seen as a channel for the inclusion of diversity, and **cultural policies** carry the function of enhancing citizenship. Zapata-Barrero's reasoning follows two steps. First, in an overview of the literature, Zapata-Barrero identifies two main meaningful drivers for cultural citizenship: **democratic/equality and identity/national**. Zapata-Barrero noted that the debate is concentrated on the plurality of the meanings of 'culture' and not the debate on National Identity. The second step, is in the plurality of citizenship traditions: a liberal, a community and a republican. This view is the basis of various cultural policy approaches when we focus on them as enhancing cultural citizenship in the context of diversity. In the end, Zapata-Barrero argued that in this case an interpretive framework that is able to distinguish current cultural practices and policies can be implemented.

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Culture is one of the channels of communication among citizens that is under-explored in citizenship and immigration studies, although it is a fundamental policy to accommodate diversity. In times of financial crisis and growing economic disparities between communities, there is less interest in disseminating diversity policies related to immigrants into public culture. Which context provides an argument to justify the need to promote culture economically, this is basically seen as a public burden after years of economic crisis. Zapata-Barrero wants culture to be seen as a public investment in enhancing citizenship, especially at a time of increased risk of losing social rights, immigrants and, in short, devaluing citizenship. It is also true that the potential weakness of this interpretive framework is that it may be limited to application in the West, with a long democratic tradition. The historical development of democracy in non-Western regions is very different from that of European society; therefore, the differences between the three democratic traditions may not be relevant. There may be some contemporary practices and policies that on the surface appear to follow certain Western democratic traditions. However, it may be too simplistic and far-fetched and claim that practices and policies stem from one or another democratic citizenship tradition.

Although, this civic culture framework still needs to be factually proven, we must note that we still see its application not to shape the potential of models and approaches at the city or territorial level, but to differentiate practices and policies within the same area. For example, this framework can serve as a key tool for working on potential indicators in analyzing how cities enhance civic culture. This can effectively be a plus of the focus that has been proposed, as a tool for inclusion in the context of diversity.

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Speaking of which, Rismita Erlinita (Erlinita, 2015) highlights Globalization as a special phenomenon in human civilization that moves continuously in global society and is part of the global human process. The presence of information technology and communication technology accelerates the acceleration of this globalization process. Globalization touches all the important aspects of life. Globalization creates new challenges and problems that must be answered, solved in an effort to take advantage of globalization for the benefit of life. Globalization itself is a term that emerged about thirty years ago, and became very popular as a new ideology about five or ten years ago. As a term, globalization is so easily accepted or known by people all over the world. The discourse of globalization as a process is marked by the rapid development of science and technology so that it is able to fundamentally change the world, including in the context of the dialectic of *Culture Policy and Culture Rights related to the role of the Ethical dimension*.

A lot of research has discussed Culture-Policy (*Cultural-Policy*) and Cultural Rights (*Cultural-Rights*), which is divided into several tendencies. **First**, seeing the Cultural Policy Action Plan for Development (Culture of Peace, 1995). **Second**, local policy and diversity (*local policy and diversity*). (Cultural Agenda, 2019) **Third**, *European Human Rights Regime: Cultural Rights and the case of national minorities*. (Mihr, 2009a) **Fourth**, Cultural Industries and Cultural Policy (*Cultural Industries and Cultural Policy*) (Hesmondhalgh, David & Pratt, 2015) **Fifth**, *Ethics in Practice* (Henderson, 2006) **Sixth**, research about *Intellectuals, Culture, Policy*, (Bennett, 2006) and Public Service Ethics: Paradigm Shifts, Dilemmas and Implications for Public Services in Indonesia (Keban, 2001).

These various studies pay attention to the correlation between: Cultural Policy, Cultural Rights and Public Policy Ethics separately, but only a few studies specifically focus on the correlation of Cultural Policy, Cultural Rights, and Cultural Policy Ethics and Cultural Rights

(Koivunen, Hannele & Marsio, 2007). Research focus: "Ethical Dimensions of Cultural Policy and Cultural Rights in Maluku.

The focus is translated into Research Subfocus as follows: (1) Form of Cultural Policy and Cultural Rights in Maluku; (2) Background and Objectives of such Cultural Policy and Cultural Rights; (3) The Influence of the Ethical dimension on the Usability and effectiveness of Cultural Policies and Cultural Rights in Maluku.

Based on the Research Focus Formulation above, the following research problems are formulated: (1) What is the Form of Cultural Policy and Cultural Rights in Maluku Province; (2) Why did the Background and Objectives of the Cultural Policy and Cultural Rights take such a form; (3) How is the influence of the ethical dimension on the usability and effectiveness of cultural policies and on cultural rights in Maluku province.

Based on the formulation of the problem, the research objectives include: (1) Identifying and mapping out the form of Cultural Policy and Cultural Rights in Maluku Province; (2) Identifying and disclosing why the background and objectives of the Cultural Policy and Cultural Rights took such a form; (3) Identifying and mapping how the influence of the ethical dimension on the efficiency and effectiveness of cultural policies and on cultural rights in Maluku province.

The research locations are 3 target regencies/cities scattered in Seram Island, Central Maluku (Big Island) and 1 city in Ambon Island, which was held in January – April 2018.

First. **Cultural Policy**. Philipp Dietachmair (Dietachmair, 2011) found that: throughout the history of the urban environment, there has been a place for cultural innovation and artistic experimentation, but also a cultural challenge of human development. Over the past 20 years, cities around the world on an ever-increasing scale have outlined strategic approaches and serious investments to advance the development of their local arts and cultural sectors. Culture gradually began to permeate all areas of social, economic and environmental development and urban life layout. At present, the latest strategic planning for urban development that is truly in accordance with the needs of its citizens and the successful position of a city in a global context cannot be imagined without including a cultural dimension. Agenda 21 for Culture Promoted by United City and Local Governments shows that culture as the fourth pillar is indispensable for sustainable development in relation to the pillars: economic, social and ecological.

Ülkü Zümray Kutlu, (Kutlu, 2011) in his research on: *On Local Cultural Policies in Turkey* shared the Turkish experience that: "Cultural policy is a multi-dimensional and comprehensive field covering a wide range of issues from the cultural industry to historical and cultural heritage; legislation on cultural conditions affecting artistic and artist production; cultural diversity to cultural rights and participation in culture; and discussions, policies and practices around these issues. The various issues handled, only discuss one aspect of this problem, namely the efforts made by Anadolu Kültür (AK) and the University of Istanbul Bilgi with the support of the European Cultural Foundation (ECF) with regard to the development of participatory policies of local culture, projects realized by various cities, and case studies based on observations and experiences in these cities."

In today's world, the concept of participation goes beyond voting and mobilizing citizens to uphold and advance their civil and political rights; it is an issue related to economic, social and cultural rights such as civil and political rights. In this context, participation in cultural life involves more than participation in activities, namely "active collaboration and participation in the development and realization of policies and the expression of collective movements and freedom of choice." However, although the concept of participation has been mentioned more frequently in

recent times, there is no clear consensus on its definition. In Turkey knowledge and perceptions of how participatory processes can function are somewhat inadequate and clear perspectives have not been developed in terms of participation in local decision-making processes. Therefore, describing the problems and challenges as observed *in terms of ensuring participation in public decision-making processes*, may prove useful *in answering questions about: who participates in what, how and why.*

Ülkü Zümray Kutlu pointed out that, based on their experience of projects implemented in cities, it shows that *participatory policy practices are often limited to surveys conducted after the planning process*. Usually after the plan is finalized, a sample is selected, and opinions and recommendations on the plan are compiled. In other words, despite the fact that there have been some measures taken towards local governance reform in Turkey, *the emphasis on participation in legislation or legal action to ensure citizen participation, does not guarantee effective participation practices*. At the same time, the participatory process is not realized only by the planning stage. Effective participation and transparent cultural policies can only be realized if the local government works closely with the entire population from the planning stage to implementation, through the inclusion of residents in all decision-making processes and implementation mechanisms regarding the city using various methods to actively involve residents. Organizing meetings, focus group discussions (FGDs), and facilitating various forms of cooperation and dialogue within the scope of collective efforts carried out with residents enables them to fight for processes, activities and outcomes independently.

Ricard Zapata-Barrero (Zapata-Barrero, 2015) in his study on *Diversity and Cultural Policy: Cultural Citizenship as a Tool for Inclusion* argued that: "At the crossroads of the study of citizenship, culture and diversity, debates arise about cultural citizenship. Culture is seen as a conduit for the inclusion of diversity, and cultural policies serve to enhance citizenship. Our reasoning will follow two steps. First, in reviewing recent literature, we should identify the two main drivers that shape cultural citizenship, namely: democracy (equality) and identity (national). However, it should be noted that the debate is concentrated on the plurality of meanings of 'culture', and it is not. It is as related to, the second step, in the plurality of citizenship traditions: liberal, communitarian and republican. This view forms the basis of different approaches to cultural policy when we focus on promoting cultural citizenship in a variety of contexts. Ultimately, we will argue that this can form the basis of an interpretive framework capable of distinguishing current cultural practices and policies.

As it turns out, Zapata-Barrero's research topic makes a theoretical contribution as a small, but growing literature on how to accommodate immigrants into the local culture, and how to use culture as a factor for accommodation of diversity. Towards this goal, Zapata-Barrero has used the theory of cultural citizenship by considering culture as a means to achieve citizenship. However, while much of the literature on cultural citizenship has focused on culture, it takes a slightly different approach to this problem and draws, from the perspective of citizenship studies, three traditions of democratic citizenship, namely: *liberal, komunitarian dan republik*. This allows us to move away from discussing the many possible cultural understandings of different civic traditions and to answer the question of how culture is considered relevant in terms of citizenship status in all three traditions. We should therefore consider how different cultural approaches in different civic traditions can achieve a common goal, namely: *Using Culture as a Means to Integrate Immigrants into Their Host Society: Diversity and Cultural Policy*.

<sup>1</sup>  
UNESCO, (UNESCO, 1998) through *The Intergovernmental Conference on Cultural Policies for Development*, Stockholm, Sweden, 2 April 1998 stated that *Cultural Policy Recommendations for Member States*, are as follow: 1) Making Cultural Policy one of the key components of the development strategy; 2) Promoting creativity and participation in cultural life; 3) Strengthening policies and practices to preserve and enhance cultural heritage, tangible and intangible, movable and immovable, and promoting industrial culture; 4) Promoting cultural and linguistic diversity within and for the information society; 5) Making more human and financial resources available for cultural development.

In this regard, we should <sup>14</sup> dive deeper into the notes by **Tara Byrne** (Byrne, n.d.) when emphasizing the importance of *The Creative City and Cultural Policy*. Because, "the creative-small-town paradigm is an economic and managerial discourse related to the creation of successful and competitive cities and regions. How to manage these claims relates to the role of culture in the economy and the role of culture in providing the main attractions, facilities and atmosphere in the city (in attracting the 'creative class' and corporate investment). How creative cities and regions gain legitimacy as a progressive and friendly public profile by aligning the paradigm of creative cities and regions with political, social and economic contexts and interests related to cultural policies."

Second. **Cultural Rights**. Prof. Anja Mihr (Mihr, 2009), when presenting her views on the "European Human Rights Regime", saw that cultural rights, is the way the state and government implement decisions to protect various contextual issues relating to groups, languages, ethnicities, religions, traditions, etc. Therefore, Cultural Human Rights is a political stance and a domestic mechanism to protect human rights. Cultural Human Rights is most often applied to the needs of national minority groups. Government policy will be tested in relation to the impact of differences between minority countries in one country and cross-border. Human rights are also associated with the political rights of minorotas groups. Concrete, berkair=tan dngan the right to gather, organize, participate or critical attitude towards the government.

A clear and definitive definition of Cultural Human Rights remains a national and international struggle. Especially Human Rights in the perspective of internal Culture of the State and cross-Border. The protection of human rights is always discussed within the framework of legal and political protection and promotion. For example, in the field of (1) art and other manifestations relating to the development of human intellectual rights (intellectual property); (2) customs, relating to socio-cultural behavior, as well as in (3) the need for the expression of the behavior of certain social groups.

Based on the document on human rights, Human Rights for the Development of Science and Culture, today, it is always related to economic, social, and cultural rights. In relation to the Unfinished Document on Human Rights, it says that: everyone has the right to participate in culture, benefit from the advancement of science, and have a role to contribute to the development of science and culture.

"(1) Everyone has the right freely to participate in the cultural life of the community, enjoy the arts and participate in the advancement of science and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from the scientific, literary or artistic production of which they are the author."

Furthermore, the importance of the concept of Cultural Diversity and Human Rights, relates to (1) **Human Rights as the Protection of Cultural Diversity**. Protection of Cultural Diversity is a necessity of cultural ethics that is integrated with respect for human dignity. That commitment to human rights and fundamental freedoms, particularly with regard to minority groups and indigenous peoples. The reason for cultural diversity should not be used as an excuse to violate human rights because it is guaranteed international law. (2) Cultural rights allow cultural diversity. Cultural rights as an integral part of human rights are universal. Integral and interdependent. Implementation of Cultural Diversity as an integrated cultural right in the International Covenant on Economic, Social and Cultural Rights. (3) In that context, everyone has the right to express their potential in creating and disseminating cultural works according to the wishes of the selected language media. Especially the mother tongue. That everyone is entitled to the development of a quality of respect for cultural identity. This includes the right to participate in cultural life of choice as well as to realize cultural behavior, respect for human rights and fundamental freedoms.

How to Compare Chinese and European Culture? (1) China. Contributing to the public good is seen as an important channel in building healthy interactions between individuals and countries, and harmonious societies. Interdependent between individuals and society as a whole. Individuals play a huge role in the public interest. Individuals serve the community through contributions in the field of culture. Increased interest in citizens can be implemented through a "civic obligation" to contribute to the public interest, through public bodies that make them responsive to shared needs. A balance is achieved between individuals and communities. (2) Europe. Care for Human Rights Cultural Diversity. Therefore, it is important to protect certain cultural rights protected from cultural violations by the government. Historically, ethnic minorities and old languages have suffered discrimination, persecution, and mass murder. The protection of cultural human rights in Europe is increasing. The position of citizens who are considered "minority nations" in enjoying cultural rights, Seen through the protection of cultural heritage, language, traditions, and also religion. Cultural rights and cultural life are part of the identity of citizens in European diversity.

Anja Mihr's conclusion is: (1) That the comparison between Europe and China is beneficial to understand the idea and path of cultural human rights as the protection of human rights as a whole. Differences in tradition, approach and historical context should be considered. Nevertheless, Europe and China put forward the protection of cultural human rights and included it as the basis for the development of society as a whole. (2) The European and Chinese context emphasizes the importance of the Rule of Law. Especially in protecting and advancing human rights. However, in the treatment of diversity of different legal traditions, it is directed to have multi-level governance mechanisms, multifaceted diversity with different results.

Third. *Ethics in Cultural Policy and Cultural Rights*. Hannele Koivunen and Marsio, L (Koivunen, H., and Marsio, 2008) argued that a *just culture* means the realization of cultural rights and the inclusion of everyone in cultural meaning, regardless of age, gender, ability, or ethnicity, religion and cultural background. In this view, *the ethical dimensions of cultural policy and cultural rights, are*

1. physical and cultural accessibility;
2. regional and cultural accessibility and participation;
3. diversity and conformity (harmonization) of cultural provisions; and
4. inclusion and cultural significance

The purpose of ethical choice appears in cultural policies and cultural rights, as well as as a way to create a basis and analysis tool on the impact of a Fair Culture, in the form of a proposed review, among others:

- Forming a committee based on representatives of different interests and experts to further analyze ethical viewpoints in arts and culture, to find cultural policy measures in promoting a just culture, and to generate social debate on the importance of cultural policy ethics
- Placing projects with the aim of developing ethical indicators of cultural policy assessment.
- Setting up a collaborative project with the Ministry of Foreign Affairs for multilateral affairs, ethically sustainable cultural production, entrepreneurial culture and an efficient intellectual property system as part of developing cooperation
- Starting a more in-depth and thorough investigation, reflection and review in each field of art and culture to find out the characteristics in it.

**Hannele Koivunen dan Marsio, L emphasized that,** The Ethical premise of cultural policy is by no means without contradictions. On the contrary, there is a strong tension between them. Examples are conflicts of interest and interpretations abound. In cultural policy, the value of art and culture can come from the intrinsic value and high quality of art or from the benefits of art and culture for individuals and communities. Arts and culture have been seen to either contribute to social exclusion through the standpoint of discrimination and classification in the arts or to prevent social exclusion and promote social cohesion and health as part of the welfare of a prosperous society. Arguments and researched data can be presented for point of view. These points of view are not necessarily mutually exclusive, but in practical decision-making they are clearly in conflict. Over the past few decades, the mediation and application of the economics of art has been put forward, while the sphere of autonomy and intrinsic value of art has diminished.

. The choice of cultural policy takes on different guises depending on whether the ethic of justification stems from an ethic of virtue, an ethic of responsibility or an ethic of fairness. Depending on the point of view, we can talk about different ethical dimensions of cultural policy choices, which can be explained by an emphasis on the freedom ethos, rights ethos or benefits ethos. Neither of these options is "more ethical" or "more valuable" than the other. Indeed, the purpose of ethical judgment in cultural politics can primarily be to find out about the principles of choice used and the position of decision makers themselves and to analyze the impact of choices.

In cultural policy we must choose between different ethical premises and emphases. The choice cannot be based on utopian ideas about value-relativism or absolute value absolutism, only on an analysis of the dimensions and impacts of alternative ethics and an awareness of different ethical premises. There is no dearth of ethical declarations and agreements that contain ethical objectives in the world. Many contain an ethical dimension of cultural policy at some level. The ethical dimension of cultural policy is often in the form of binding norms, for example regarding basic rights and human rights. The problem is whether it is applied in reality or whether its final function is merely a ritual of autocommunication and rhetoric.

**Laszlo Zsolnai et.al** (Zsolnai, Laszlo., 2009) stated that, **Ethical Prospects** in Cultural-Policy and Cultural-Rights aims to present and summarize new perspectives and leading-edge results in ethics that reflect: a) interconnected economics, b) social and c) environmental concerns. It reflects innovative practice, policy reform and human rights, and provides a forum for discussion of theoretical breakthroughs.

<sup>2</sup>  
The main function of his research and reports on the Ethical Prospects of Cultural-Policy and Cultural Rights is to present ideas and initiatives that lead to responsible business practices, policies for the common good and ecological sustainability. This action seeks to create value for the community of scholars, practitioners and policy makers involved in business ethics, environmental management, and public policy.

<sup>10</sup>  
**Peter Ulrich** (Ulrich, 2009) reminded that: today's business life is full of tensions and conflicts between a) "market logic" on one hand and b) "human, social and ecological demands" on the other hand. In the name of "free market" and "free enterprise", the inherent need of a competitive economic system has been more or less freed from moral barriers and institutional constraints in the last 200 years of modern development.

Hasil yang sedang berlangsung berupa "politik liberalisasi pasar" – di tingkat nasional sebelumnya, di tingkat global saat ini - adalah produktivitas dan pertumbuhan ekonomi yang terus meningkat. Tetapi "harga yang kita bayar untuk kemajuan ekonomi" ini juga meningkat: apa yang penting di pasar bebas adalah apa yang terbayar bagi mereka yang menginvestasikan modal. Inilah tujuan institusional dari "sistem kapitalisme." Semua sumber daya (alam dan manusia) lainnya hanya berstatus sarana. "Pekerjaan" sarana tersebut dihitung dalam hal biaya dan memiliki diminimalisasikan, tanpa memperhatikan nilai intrinsiknya, sedangkan pengembalian ekuitas atau investasi harus dimaksimalkan.

<sup>10</sup> The on-going outcome of "market liberalization politics" – at the national level before, at the global level today – is increasing productivity and economic growth. But this "price we pay for economic progress" is also increasing: what matters in a free market is what it pays for those who invest capital. This is the institutional goal of the "capitalist system." All other resources (natural and human) only have the status of means. The "work" of the means is calculated in terms of cost and has to be minimized, regardless of their intrinsic value, while the return on equity or investment should be maximized.

In short, *the basic difference between republican liberalism and market liberalism* can be made on three basic points: First, as a motivational basis, civic virtues that <sup>19</sup> in accordance with the consequences of the republic's business ethic; Second, as a principle of the <sup>19</sup> constitutive order, fully established civil rights include (rather than being excluded as hitherto) the socio-economic prerequisites for a truly free and decent life; and Third, as an ethical-economic consequence, a civilized market economy (Ulrich, 2008). Republican liberalism is not opposed to an efficient market economy but must be understood as a prerequisite for legitimate and life-serving public business activity.

<sup>17</sup>  
**Yeremias T. Keban** (Keban, 2001) revealed that, *Public Service Ethics must be considered in every phase of public service*, starting from the preparation of service policies, the design of the service organization structure, to service management to achieve the ultimate goal of the service. In this context, *the focus is on the actors involved in each phase*, including the interests of these actors – whether the actors have really prioritized the public interest above other interests. For example, by using generally accepted moral values (six great ideas) such as: truth, goodness, liberty, equality, and justice, we can assess whether the actors are honest or not in policy making, whether they are fair or unfair in their policies in placing people in available units and positions, and whether or not they lie in reporting the results of service management.

In public services, *acts of violating morals or ethics are difficult to trace and dispute because of the habit of our society forbidding people to "open secrets" or threaten those who complain*. Meanwhile, we also face increasingly tough challenges in the future because the *standard of service ethics assessment continues to change* according to the development of the

paradigm. Substantively, we also ***do not easily reach maturity and ethical autonomy because it is full of dilemmas***. Therefore, it is certain that moral or ethical violations in public services in Indonesia will continue to increase.

According to Keban, in a narrow sense, public service is an act of providing goods and services to the community by the government in the context of its responsibilities to the public, either directly or through partnerships with the private sector and <sup>18</sup> community, based on the type and intensity of community needs, community capabilities and market. This concept emphasizes how public services are successfully provided through a healthy delivery system. These public services can be seen everyday in the fields of administration, security, health, education, housing, clean water, telecommunications, transportation, banks, etc. The purpose of public service is to provide the best goods and services for the community. The best goods and services are those that <sup>16</sup>fill what is promised or what society needs. Thus, the best public service is the one that gives satisfaction to the public, if necessary, exceeding public expectations.

In a broad sense, the concept of public service is identical to public administration, which is ***making sacrifices on behalf of others in achieving the public interest*** (Perry, 1989). In this context, public services are more focused on how elements of public administration such as policy making, organizational design, and management processes are utilized to make the delivery of public services successful, where the government is the ***provider*** who is given the responsibility. Karya Denhardt yang berjudul *The Ethics of Public Service* (Denhardt, 1988) is an example of this view, where public service is really synonymous with public administration. In the world of public administration or ***public service, ethics is defined as philosophy and professional standards (code of ethics), or morals or right rules of conduct (rules of correct behavior)*** that should be obeyed by public service providers or public administrators (Denhardt, 1988). Based on the concept of ethics and public service above, what is meant by public service ethics is a practice of public administration and/or the provision of public services (delivery system) based on a series of behavioral guidelines (rules of conduct), or a code of ethics that regulates "good" matters to be done or vice versa "not good" to be avoided.

Keban reminds us that we need ***Maturity and Ethical Autonomy***. Whereas in the current practice of public service in Indonesia, we should <sup>17</sup>always pay attention to the dilemma as described above. In other words, public service providers must learn ethical norms that are universal, because they can be used as a guide for their behavior. However, these norms are also situation-bound so that accepting these norms should not be rigid. Acting like this shows a maturity in ethics. Dialogue towards consensus can help resolve this dilemma. ***Our weakness lies in the absence or limited code of ethics***. Likewise, the freedom to examine and question <sup>18</sup>the prevailing moral norms does not yet exist, in fact it is often rigid to the existing morality norms regardless of the changing times. ***We also still allow ourselves to be dictated by outsiders so that there is no ethical autonomy.***

Matthew J. Moore (Moore, 2008) reviewed a topic of "***From Transcendence to Imanence***", noting that the shift from a territorially centralized nation-state to a decentralized and pressing Empire (autonomy) reflects a broader shift away from transcendence and towards immanence in all areas of life. Moore cited Hardt and Negri's view of three different kinds of transcendence, all of which were quickly abandoned. ***First, the transcendence of the divine or the supernatural over man or nature. Second, the shift from transcendence to immanence is in the sovereign relationship to the people. Third, the shift from transcendence to immanence in the relationship between human and non-human nature.***

***5 The shift has been away from the concept of transcendence.*** Not only because we adopt immanent forms of power and control, but that we ***abandon the concept of transcendence as an ethical idea***. Not only political transcendence, but also because the transcendental concept has ceased to define ethical standards. In other words, the idea that we can measure or evaluate the

world of faith according to some transcendental ethical standard has become overwhelming, and quickly abandoned, both in theory and practice.

Moreover, Matthew J. Moore, who discussing the topic: "*From Nation-States (centralized) to Empires (decentralized)*" the main focus is the *shift in the form of domination of political sovereignty*. This new form of regulation combines the fields of political, economic, and social/cultural production, distribution and control. It is characterized by two related flows of change. On the one hand, power is *concentrated*, because whatever the *locus of power* exerts is increasingly likely to have an effect on some aspect of life. Multinational corporations, for example, embody not only the traditional functions of business, but also in some cases aspects of political sovereignty, and even functions that are traditionally associated with cultural or social production. On the other hand, *power is being decentralized*, because there is no particular locus of power that is capable and capable of exercising control either extensively (throughout the country), or intensively (through every aspect of life in its domain). Herein lies the position and contribution of ethical issues.

## RESEARCH METHOD

**Data Collection Methods and Procedures.** This study used a phenomenological-descriptive method with a qualitative approach, which aimed to seek and find a comprehensive understanding, interpretation of meaning and contextual understanding of the phenomenon of "Ethical Dimensions in Cultural Policy and Cultural Rights" in the context of social processes and interactions through "Processes and Products of Cultural Policy and Cultural Rights" in Maluku Province (Saladien, 2006) Phenomenology-descriptive is the study of consciousness-based experiences, "referring to experiences that arise in consciousness." (Manoppo, 2017) It depicts what a person or group of people perceives, feels, and knows in conscious experience. (Prianti, 2012)

**Data and data sources.** Qualitative data is data related to categorization, characteristics in the form of questions or in the form of words. This data is usually obtained from interviews and is subjective because the data is interpreted differently by different people (Ridwan., 2003). Qualitative data is in the form of descriptive, in the form of spoken or written words about observable human behavior (Taylor, S.J & Bogdan, 1994) and can be divided into three types (Patton, 1990) such as: 1) *Observation results*, are detailed descriptions of situations, events, interactions, and behaviors observed in the field; 2) The outcome of the conversation. The importance of paying attention to the respondent's direct quotations relates to the respondent's experience, including their attitudes, beliefs, and thoughts. 3) Written material. Qualitative data sources, will relate to: excerpts or entire information on written documents, correspondence, recordings, and historical trace recordings. Lofland &Lofland (Lofland, John &Lofland, 1984) suggests that the main data sources in qualitative research are words and actions. The rest is additional data obtained from other documents. "Based on qualitative data, researchers follow and understand the track record of event-aware experiences in chronological order, assess causation within the scope of local people's minds, and obtain useful explanations." (Miles, M.B and Huberman, 1992)

**Data Collection Techniques and Procedures.** Data collection techniques and procedures are based on phenomenological principles as a qualitative research method, do not use hypotheses in the process, and are not initiated and do not aim to test theories. Data and data collection procedures are carried out through interview techniques, focus group discussions (FGD), documentation studies, observations and action plan designs.

**Data Collection Techniques and Procedures.** Data collection techniques and procedures are based on phenomenological principles as a qualitative research method, do not use hypotheses in the process, and are not initiated and do not aim to test theories. Data and data collection procedures are carried out through interview techniques, group discussions (FGD), documentation studies, observations and action <sup>16</sup> designs (Miles, M.B and Huberman, 1984) that the qualitative data analysis procedure consists of three flow of activities that occur simultaneously, namely: data reduction, data presentation, conclusion drawing/verification. Qualitative data analysis is carried out interactively and takes place continuously until it is complete, so that the data is saturated (no new data or information is obtained from existing data).

**Data Checking.** Data checking focuses on two main things: criteria and techniques. Criteria. The validity of qualitative data is based on four criteria: (1) credibility (degree of trust); transferability (switchability or similarity of context); (3) dependability (dependency); (4) confirmability (certainty). Data checking techniques. First, on the credibility criteria, with the following techniques: 1) participation extension (data confidence level), 2) observation persistence, 3) triangulation (through other sources), 4) peer checking (peer discussion); 5) adequacy of references; 6) negative case studies; 7) checking members/research team. Second, the criteria for transferability, with Techniques: 8) detailed descriptions; Third, the criteria of dependence and certainty, with 9) auditing technique of dependence, and 10) certainty.

## RESEARCH FINDINGS

**Overview.** The study technique focuses on primary data, which is used to answer the Sub-Focus (objective) of Research 1 which is sourced from (a) direct factual information based on Indigenous Communities and Public Officials of the study targets, (b) the results of cross-disciplinary studies through several experts who reviewed Cultural Policy and Cultural Rights.

Research Focus 2. In particular, the factual conditions of Cultural Policy and Cultural Rights occur. The extent to which the behavior and products of the Cultural Policy and Cultural Rights as a public policy, are sensitive and responsive to these conditions, in answering Research Sub-Focus 2.

Research Focus 3., still closely related to Research Sub-Focus 1 and 2, used a series of interviews and focus group discussions (FGD), in identifying, mapping and formulating, how the influence of the Ethical dimension on Cultural Policy and Cultural Rights in Maluku Province.

FGD data were obtained from a series of discussion groups with the research target community. Key character interview data were obtained from indigenous peoples, Village/Kelurahan officials, as well as Public Officials at the District, Regency/City levels in Maluku Province. In fact, the Ministries and Related Institutions. Observational data was obtained through the direct involvement of researchers in observing the spatial conditions of the area (spatial) related to activities, events, events, objects, social and emotional atmosphere of citizens related to *Cultural Policy and Cultural Rights and their Ethical Dimensions*. This technique is mainly used for clarification in relation to Research Sub-Focus 3, which focuses on how the influence of the Ethical dimension on the Usability and effectiveness of Cultural Policies and Cultural Rights in Maluku Province. The presentation of data analysis in the description of the findings of Sub-Focus Research 1 to 3 refers to the flow of data analysis from Miles and Huberman, (Miles, M.B and Huberman, 1992) namely the stages of data reduction, data presentation, and drawing conclusions.

### **Research Findings. First, Form of Cultural Policy and Cultural Rights.**

The research findings show that the Forms of Cultural Policy and Cultural Rights are as follows:

- Academic and field facts prove that in the history of the development and growth of urban and non-urban areas, cultural policies have been provided in the form of places for cultural innovation and artistic experimentation, as well as cultural facilities for human development (indigenous and local communities).
- The findings of the field study prove that the rapid development and growth of urban and industrial areas has provided strategic space and investment opportunities in encouraging both the arts and local culture sectors, the growth of rural and marginal areas.
- The results of field studies prove that urban planning and growth has permeated the fields of social development management, spatial planning and economics with the dimensions of fulfilling the needs of cultural policies and cultural rights. Development of participatory local culture policies, projects realized by districts and/or cities, as well as case studies were based on observations and experiences in districts/cities
- The results of academic and field studies prove that: (a) cultural policies are in touch with multifaceted track records and cultural needs; (b) the need for cultural policies that are responsive to artistic products and the qualifications of artist competencies; (c) cultural diversity and participation in cultural advancement, both from a policy perspective and the enforcement and promotion of cultural rights; d) also ensuring participation in public decision-making processes, may prove useful in answering questions about: who participates in what, how and why.
- The results of the field study prove that the cooperation of the government, higher education and private sectors is needed for the development of participatory policies of local culture, realized through various cities with the support of participatory action research with community-based collaboration of relevant stakeholders. In particular, this is related to the issue of diversity and culture, identification and mapping of the main drivers in the form of: democracy (equality) and national identity.

**Second, the Background and Objectives of the Cultural Policy and Cultural Rights take the following forms:**

The research findings show that, Background and Objectives of Cultural Policy and Cultural Rights took such a form, because:

- Evidently, Culture is seen as a conduit for the inclusion of diversity, while cultural policies and cultural rights serve to enhance citizenship
- Evidently, Democracy (equality) and Identity (National) are the main drivers in the struggle for citizenship and culture in the midst of the reality of diversity.
- Cultural Policy Needs and Cultural Rights, proved to be influenced by the heritage of citizenship plurality, the framework of interpretation and practice that strengthens equality and national identity.
- The results of the study prove that Cultural Human Rights has become the dominant driver for the needs of Cultural Policy and Cultural Rights of various groups and communities across languages, ethnicities, religions, traditions etc.
- It is evident from the results of the study that Cultural Diversity and Cultural Human Rights have placed Human Rights as a Guarantee of Enforcement and Promotion of Cultural Diversity across Communities, Countries, Regions and Human Generations

### ***Third, The Influence of the Ethical Dimension on Cultural Policies And Cultural Rights In Maluku Province***

The findings of the study indicate that the influence of the ethical dimension on the usability and effectiveness of cultural policies and cultural rights in Maluku province is identified and mapped as follows:

- Evidently, differences in expertise and interests in analyzing ethical viewpoints in cultural policy and cultural rights need to find cultural policy steps in promoting fair management of cultural rights, as well as generating participatory social dialogue on policy ethics and cultural rights.
- It is necessary to identify, map and formulate an Implementative Framework that aims to develop indicators of ethical assessment and evaluation of the usability and effectiveness of the Cultural Policy and Cultural Rights.
- Multilateral cooperation is needed to produce sustainable cultural production, entrepreneurship, and an ethical intellectual property system.
- It is evident that the ethical premise of cultural policy and cultural rights is not without contradictions, especially in terms of conflicting interests and interpretations of Cultural Policy and Cultural Rights with intrinsic value and high artistic-cultural quality for the community.
- The results of literature and field research prove that the issue of Cultural Diversity, Human Rights, and the Cities-Small-Creative paradigm has proven to encourage the defense of cultural diversity as an ethical imperative because of respect for universal human rights and human dignity, either for a harmonious society: individual, social and state, as well as protecting cultural violations that require ethical maturity and autonomy.
- That it is necessary to be aware of the dynamics of the ethical perspective due to the shift in the Philosophical-theological Base: a) from Transcendence to Immanence, in the form of: a territorially centralized nation-state shift to an urgent decentralized region, b) a shift in the concept of transcendence: from the divine or supernatural to human<sup>5</sup> and natural; a shift from transcendence to immanence in sovereign relations to the people; c) a shift in transcendence to immanence in the relationship between human and non-human nature.

## **DISCUSSION**

### **Research Findings. Forms of Cultural Policy and Cultural Rights.**

The research findings indicate that there are forms of Cultural Policy and Cultural Rights in the form of: **First**. In the history of the development and growth of urban and non-urban areas, there have been cultural policies in the form of places for cultural innovation and artistic experimentation as well as cultural facilities for human development (indigenous and local communities). **Second**. The rapid development and growth of urban and industrial areas has provided strategic space and investment opportunities to encourage both the arts and local culture sectors for the growth of rural and marginal areas. **Third**. Urban planning and growth has permeated the fields of social, spatial and economic development management with the dimensions of meeting the needs of cultural policies and cultural rights. **Fourth**. Academic and field studies prove that: (a) cultural policies are in touch with multiple faces, track records and cultural needs; (b) the need for cultural policies that are responsive to artistic products and the qualifications of artist competencies; (c) cultural diversity and participation in cultural advancement, both from a policy perspective and the enforcement and promotion of cultural rights. **Fifth**. There is collaboration among the government sector, universities, private sector and the community for the development of participatory policies of local culture, which is realized through various cities with

the support of participatory action research as a form of community-based collaboration with relevant stakeholders.

**Kevin Robins** (Robins, 2007) made his research on **Transnational Cultural Policy and European Cosmopolitan** related to cultural policy concentrating on cultural policy for contemporary diversity of European society. Robins argued that, what is debated is the need now to move beyond the conceived national frame within which diversity policies have <sup>11</sup> herto had. The key development stems from the global migration that has taken place over <sup>11</sup> the last twenty years, and which has brought new cultural complexities into the European space. That this complexity can actually bring <sup>11</sup> a productive resource for European culture in general. What it maintains is that, realizing this potential, there is a need to address cultural policy from a transnational and transcultural perspective. A policy of transcultural diversity is essential for the elaboration of a new, cosmopolitan Europe.

Robins, further stated that: The Cultural Diversity and Cultural Rights Policy is now drawn into international policy and transnational terms of reference. **First**, we have seen a movement – largely as a consequence of the interventionist role of transnational European institutions, notably the European Commission and the <sup>12</sup> Council of Europe – towards harmonization (democracy and integration) across Europe through approaches and national strategies for cultural diversity. **Second** – and no doubt with far and more radical implications – there has been a growing recognition that issues of diversity are increasingly going beyond the policy capacities of governments and national institutions. Thus, the European Council on Cultural Diversity Declaration makes clear the growing recognition by member states that “cultural diversity can no longer be effectively addressed only at the national level.” What is becoming more clear is that the new and diverse mobility and movements associated with so-called globalization have brought with them new types of diversity and complexity into the European cultural space, involving new types of cultural encounter, exchange and mixing. In particular, these new forms of diversity and complexity are transnational and transcultural in nature – that is, they function across national boundaries and operate across multiple spaces of Local Cultural Policy and Cultural Rights.

#### **Background and Objectives of Cultural Policy and Cultural Rights.**

The research findings show that, the Background and Objectives of Cultural Policy and Cultural Rights take such a form, because: **First**. Culture is seen as a conduit for the inclusion of diversity, while cultural policies and cultural rights serve to enhance citizenship. **Second**. Democracy (equality) and Identity (National) are the main drivers in the struggle for citizenship and culture in the midst of the reality of diversity. **Third**. Cultural Policy Needs and Cultural Rights are influenced by the heritage of citizenship plurality, the framework of interpretation and practice that underpins equality and national identity. **Fourth**. That Cultural Human Rights has become the dominant driver of the need for Cultural Policy and Cultural Rights of various groups and communities across languages, ethnicities, religions, traditions etc. **Fifth**. Cultural Diversity and Cultural Human Rights have placed human rights as guarantees for the enforcement and promotion of cultural diversity across communities, countries and regions as well as human generations.

The essence of the Background and Objective findings, stated by **Catherine Murray** when conducting research on **Cultural Participation: a Fuzzy Cultural Policy Paradigm** that: (a) *What is cultural participation?* Cultural Participation is defined as a general term to denote the activities of individuals and groups in creating and using cultural products and processes. Cultural participation has widened in the definition of the activities it includes, as a result of social and cultural changes. (b) *Why is cultural participation important?* Many countries design their cultural policies to promote the value of enhancing cultural participation or cultural rights for their citizens to conform with international practice. Article 27 of the Universal Declaration of Human Rights

stipulates the right to participate in the cultural life of the community as a human right. In Canada, no such right is enshrined in the Charter of Rights and Freedoms. Historically however, Canada has had some experience with the participatory cultural policy paradigm during the Gérard Pelletier era especially in the late 1960s and early 1970s. Gilles Provonost argued that this ideology has been implicit in cultural policy at the federal and provincial levels ever since.

Murray asserted that, the "Right to Participate" which must be contained in the Cultural Policy Product in this view has various meanings.:

- **Expressive:** implying that people have the basic right to tell stories in their own language or to practice everyday life in a different way, to create and disseminate their work in the language of their choice;
- **Normative:** referring to civic values that treat with respect, tolerance, or create a sense of security, such as the right to live free from fear of arbitrary cultural genocide;
- **Instrumental:** forcing States to provide information, educational, or capacity tools to function as citizens of a culture in a manner that fully respects their cultural identity. On the other hand, States can ensure access to cultural resources for all regardless of income or geographic location;
- **Procedural:** including reasons to protect minorities as an ethical imperative, which cannot be separated from respect for human dignity. This implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minority groups and indigenous peoples; and
- **Deliberative:** establishing principles of recognition of cultural status, representation in cultural decision-making, or control over cultural self-determination.

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### The Influence of the Ethical Dimension on Cultural Policy and Cultural Rights in Maluku Province.

The findings of the study indicate that the influence of the ethical dimension on the usability and effectiveness of cultural policies and cultural rights in Maluku province is identified and mapped as follows: **One.** Differences in expertise and interests in analyzing ethical viewpoints in cultural policy and cultural rights need to find together cultural policy measures to promote fair management of cultural rights, and generate participatory social dialogue on policy ethics and cultural rights. **Two.** Identification, mapping and formulation of an Implementative Framework aimed at developing ethical indicators of assessment and evaluating the usability and effectiveness of the Cultural Policy and Cultural Rights. **Three.** Multilateral cooperation in producing ethically sustainable cultural production, entrepreneurship and intellectual property systems. **Four.** The ethical premise of cultural policy and cultural rights is not without contradictions, especially in terms of conflicting interests and interpretations of Cultural Policy and Cultural Rights with intrinsic value and high artistic-cultural quality for the community. **Five.** The results of literature and field research prove that we need Maturity and Ethical Autonomy in Enforcing and Promoting Cultural Policies and Cultural Rights. **Six.** It is necessary to realize the dynamics of the ethical perspective due to the shift in the Philosophical-theological Base: a) from Transcendence to Immanence, in the form of: a territorial shift of the Centralistic nation-state to an urgency of Regional Decentralization, b) a shift in the concept of transcendence: from the divine or the supernatural over man and nature; a shift from transcendence to immanence in sovereign relations to the people; c) a shift in transcendence to immanence in the relationship between human and non-human nature.

In connection with the research findings as described above, **Mark Infield and Arthur Mugisha** (Infield, Mark & Mugisha, 2010) revealed their research findings about: **Integrating**

**Cultural, Spiritual and Ethical Dimensions into Conservation Practice in a Rapidly Changing World.** It was emphasized that because conservation initiatives are implemented in developing countries, whose people have very different cultural values and ethics. Relative values have an aesthetic and spiritual attachment to landscapes and nature, always giving way to the absolutes of scientific and economic rationalism. Be aware of the need to gain local community support and to respond to the fact that conservation initiatives often impose significant costs on local communities with little offsetting benefits. Conservationists refer to a materialist perspective and represent the natural world that is increasingly becoming made up of commodities to be managed sustainably. This trend is reinforced by the growing dominance of market-based neoliberal tendencies as a solution to social problems.

The crux of the concern is that conservation efforts are not paying off. Global targets for biodiversity are not being met and protected areas, the crown jewels of conservation establishments, are increasingly exposed due to the lack of fulfillment of *Cultural Rights* and *Cultural Policy* support through local politics. Research is needed to review the role of cultural, spiritual and ethical values in realizing the *Cultural Conservation Policy and Cultural Rights*. This is recognized as a strong behavioral driver and is remembered as the basis for the initiation of modern conservation efforts.

Efforts to reintegrate values-based and ethical approaches to conservation mean speaking to the policy question, "What is it? We have to do conservation and why?" This includes investigating the practical question "Why isn't there a more effective current model, and how can we improve it?" The separation of biodiversity and culture obscures the fact that the *Community Capital Framework* consists of various capitals (*natural, human, social, financial, infrastructure, cultural*) that are mutually reinforcing and interdependent. Indeed, it is difficult to understand and conserve natural resources unless we understand the human culture that shapes them, that each culture has its own set of representations, knowledge and practices, through which indigenous peoples and local communities interact with their environment in an integral, inclusive and sustainable manner. Nature is a cultural construct and a biophysical reality.

## CONCLUSIONS AND RECOMMENDATIONS

**Conclusions.** (1) It is evident from the findings of the research on Forms of *Cultural Policy and Cultural Rights*: a) that in the history of the development and growth of urban and non-urban areas, cultural policies have been provided in the form of places for cultural innovation and artistic experimentation, as well as cultural facilities for human development (indigenous peoples and local). b) the rapid development and growth of urban and industrial areas has provided strategic space and investment opportunities in encouraging, either the arts and local culture sectors, the growth of rural and marginal areas. c) urban planning and growth has permeated the fields of social, spatial and economic development management with the dimensions of meeting the needs of cultural policies and cultural rights. d) development of participatory policies on local culture, projects realized by districts and/or cities, as well as case studies based on observations and experiences in districts/cities. e) cultural policy in touch with multifaceted track record and cultural needs; the need for cultural policies that are responsive to artistic products and artist competency qualifications; cultural diversity and participation in cultural advancement, either from a policy perspective or the enforcement or promotion of cultural rights; also ensuring participation in public decision-making processes, may prove useful in answering questions about: who participates in what, how and why; f) cooperation from the government, universities and private sectors is needed for the development of participatory policies of local culture, realized through

various cities with the support of participatory action research with community-based collaboration of relevant stakeholders.

It is evident that Kevin Robins in his research on Transnational Cultural Policy and European Cosmopolitan with regards to cultural policy concentrates on cultural policy for the diversity of contemporary European societies, suggested that, what is debated is the present need to move beyond the conceived national frame within which diversity policies have hitherto had. The key development stems from the global migration that has taken place over the last twenty years, and which has brought new cultural complexities into the European space. That this complexity can actually be a productive resource for European culture in general. What it maintains is that, realizing this potential, there is a need to address cultural policies and cultural rights from a transnational and transcultural perspective. The policy of transcultural diversity for the elaboration of a new European cosmopolitanism can be an example.

(2) It is proven that the research findings show that the Background and Objectives of the Cultural Policy and Cultural Rights: a) culture is seen as a channel for the inclusion of diversity, while cultural policies and cultural rights function in order to improve citizenship; b) Democracy (equality) and Identity (National) are the main drivers in the struggle for citizenship and culture in the midst of the reality of diversity. c) The need for Cultural Policy and Cultural Rights is proven to be influenced by the heritage of citizenship plurality, the framework of interpretation and practice that strengthens equality and national identity. d) Cultural Human Rights has become the dominant driver of the need for Cultural Policy and Cultural Rights of various groups and communities across languages, ethnicities, religions, traditions etc.; e) Cultural Diversity and Cultural Human Rights has placed Human Rights as a Guarantee against the Enforcement and Promotion of Cultural Diversity across Communities, Countries and Regions as well as Generations of Humans.

It is evident that Catherine Murphy's research on **Cultural Participation: a Fuzzy Cultural Policy Paradigm** confirmed: (a) *What is cultural participation?* Cultural Participation is defined as a general term to denote the activities of individuals and groups in creating and using cultural products and processes. Cultural participation has widened in the definition of the activities it includes, as a result of social and cultural changes. (b) *Why is cultural participation important?* Many countries design their cultural policies to promote the value of enhancing cultural participation or cultural rights for their citizens to conform with international practice.

(3) It is proven that research findings show that, the influence of the ethical dimension on cultural policies and cultural rights in Maluku province, identified and mapped as follows: bahwa: a) Differences in expertise and interests in analyzing ethical viewpoints in cultural policy and cultural rights need to find together cultural policy measures to promote fair management of cultural rights, and generate participatory social dialogue on policy ethics and cultural rights; b) Identification, mapping and formulation of an Implementative Framework aimed at developing ethical indicators of assessment and evaluating the effectiveness of the Cultural Policy and Cultural Rights are needed; c) Multilateral cooperation is needed in producing sustainable cultural production, entrepreneurship, and an ethical intellectual property system. d) It is proven that the ethical premise of cultural policy and cultural rights is not without contradictions, especially in terms of conflicting interests and interpretations of the Cultural Policy and Cultural Rights with intrinsic value and high artistic-cultural quality for the community. e) it is necessary to realize the dynamics of the ethical perspective due to the shift in the Philosophical-theological Base: from Transcendence to Immanence, in the form of: a territorially centralized nation-state shift to an urgent decentralized region; shifting the concept of transcendence: from the divine or the supernatural over man and nature; a shift from transcendence to immanence in sovereign relations

<sup>5</sup> to the people; the shift of transcendence to immanence in the relationship between human and non-human nature. <sup>6</sup>

It is proven that, *Mark Infield dan Arthur Mugisha* in their research about: *Integrating Cultural, Spiritual and Ethical Dimensions into Conservation Practice in a Rapidly Changing World* emphasized <sup>6</sup> that because conservation initiatives are implemented in developing countries, whose people have very different cultural values and ethics. Relative values have an aesthetic and spiritual attachment to landscapes and nature, always giving way to the absolutes of scientific and economic rationalism. Be aware of the need to gain local community support and to respond to the fact that conservation initiatives often impose significant costs on local communities with little offsetting benefits. Conservationists refer to a materialist perspective and represent the natural world that is increasingly becoming made up of commodities to be managed sustainably. This trend is reinforced by the growing dominance of market-based neoliberal tendencies as a solution to social problems.

**Recommendations. Towards scientific development.** (1) Research should be conducted in order to deepen understanding of the ethical dimension in Cultural Policy and Cultural Rights, taking into account: a) the social context of the occurrence in zones: cities, suburbs, and rural areas, large islands, islands, industrial areas, etc. b) the specificity of the issues, reasons, cases and clusters that occur related to various patterns of cultural policies and cultural rights. c) main actors: government, private sector and indigenous peoples. d) indigenous/local and ulayat comm<sup>2</sup>unities related to Cultural Policy and Cultural Rights etc (2) cross-disciplinary studies that focus on the ethical dimension in Cultural Policy and Cultural Rights, in addition to qualitative research methods, should also be carried out with a quant<sup>3</sup>itative approach, so that the framework for analyzing and understanding the reality of society is in the context of cultural policies and cultural rights with various social, cultural, ethical-moral, psychological impacts, etc. are affordable. (3) It is hoped that this study of the Ethical dimension in Cultural Policy and Cultural Rights will inspire students and lecturers at universities to intensively conduct cross-disciplinary studies focusing on the Ethical dimension in Cultural Policy and Cultural Rights. This includes the role of religious and cultural institutions in academic praxis and the transformation of real action in the field. (4) Forums for reviewing research results and the design of social transformation praxis, such as the National Seminar organized by the University, should pay attention to cross-disciplinary studies focusing on the Ethical Dimension in Cultural Policy and Cultural Rights

**(2) For practical needs.** (a) The government as a public official should pay serious attention to the need for Cultural Policy Products and Cultural Rights, both related to legacy problems and the challenges of Globalization which tend to marginalize the existence and participation of Indigenous Peoples and Local Cultures in the decision-making process. (b) At the same time, organizing, empowering and developing the usability and effectiveness of the Product Track Record of Cultural Policies and Cultural Rights that are Sensitive and Responsive to both Archipelago and Local-Regional Culture and Wisdom, relating to the ethical dimension characterized by values: *Ecocentric, Inclusive, Integral, Holistic-intact, Sustainable*, especially in the context of Enforcement and Promotion of Cultural Human Rights and Integrity of Creation as a Philosophical-theological Reflection of Transcendence and Immanence in the era of Globalization (Information 4.0) today. (c) The ranks of the Government and Regional Governments, Universities, Private and Community Elements, should be sensitive and responsive pro-actively to the destructive impact of Cultural Policies and Cultural Rights that structurally, culturally, psychosocially afflicts and is borne by the Indigenous/Local Communities in Maluku as an Archipelago Province. (d) It is hoped that in accordance with the political will of the Government

and Regional Government, Universities, the Private Sector and Community Elements, they will be more sensitive and responsive to the needs of the Ethical dimension in Cultural Policy and Cultural Rights in the "Negeri Raja-Raja" of the Maluku Islands Province for the Archipelago at the Pancasila House.

## REFERENCES

- Bennett, T. (2006). Intellectuals, Culture, Policy: The Technical, the Practical, and the Critical. *Cultural Analysis 5 (2006): 81-106 ©2006 by The University of California All Rights Reserved.*
- Byrne, T. (n.d.). The creative city and cultural policy: opportunity or challenge? *Cultural Policy Journal, Scotland. issue6\_byrne\_creative\_city l.pdf* (wordpress.com)
- Cultural Agenda. (2019). No Title Policies and Diversity. For the 10th anniversary of the Agenda 21 for culture. *Several Thematic Notes Have Been Written.*
- Culture of Peace. (1998). Action Plan on Cultural Policies for Development. *Adopted in by the Intergovernmental Conference on Cultural Policies for Development., Stockholm, Sweden, 2 April 1998.*
- Denhardt, K. G. (1988). The Ethics of Public Service. *Westport, Connecticut: Greenwood Press.*
- Dietachmair, P. (2011). LOCAL CULTURAL POLICIES HANDBOOK : Steps, Tools and Case Studies. *Distribution of the Turkish Version of This Book by İstanbul Bilgi University Press, İstanbul (March 2011).*
- Erlinita, R. (2015). Pengaruh Globalisasi Terhadap Kebudayaan Daerah. *Universitas Tervuka, Fakultas Ilmu Sosial Dan Ilmu Politik. (69) (DOC) PENGARUH GLOBALISASI TERHADAP EKSISTENSI KEBUDAYAAN DAERAH %7C Endro ZoLazido - Academia.edu.*
- Henderson, A. . (2006). Ethics in Practica. *University of Oregon.*
- Hesmondhalgh, David & Pratt, A. . (2015). Cultural Industries and Cultural Policy. *The London School of Economic and Political Science.*
- Infield, Mark & Mugisha, A. (2010). Integrating Cultural, Spiritual and Ethical Dimensions into Conservation Practice in a Rapidly Changing World. *MacArthur Foundation Conservation Wildlife Paper Series, 2010.*
- Keban, Y. T. (2001). Etika Pelayanan Publik: Pergeseran Paradigma, Dilema dan Implikasinya bagi Pelayanan Publik di Indonesia. *Majalah Perencanaan Pembangunan., Edisi 24 T.*
- Koivunen, H., and Marsio, L. (2008). 'Ethics and cultural policy.' *D'Art Topics in Arts Policy, No. 24, International Federation of Arts Councils and Culture Agencies, Sydney., http://www.ifacca.org/themes/*
- Koivunen, Hannele & Marsio, L. (2007). Fair Culture? Ethical dimension of cultural policy and cultural rights. *Publications of the Ministry of Education, Finland 2007.*
- Koivunen, Hannele dan Marsio, L. (2007). Fair Culture? Ethical dimension of cultural policy and cultural rights. *Publications of the Ministry of Education 2007. (PDF) Fair Culture? Ethical dimension of cultural policy and cultural rights %7C Leena Marsio - Academia.edu*
- Kutlu, Ü. Z. (2011). On Local Cultural Policies in Turkey dalam Local Cultural Policies Handbook. *İstanbul Bilgi University Press, İstanbul (March 2011).*
- Lofland, John & Lofland, L. . (1984). Analysing Social Setting: A Guide to Qualitative Observation and Analysis Belmont. *Wadsworth Publishing Company.*

- Manoppo, P. G. (2017). Action Research - Riset Psikososial utuk Perubahan Sosial. *Disampaikan Pada Sesi Lokakarya Temu Ilmiah Nasional HIMPSI 2016, Yogyalarta, 18-19 November 2016.*
- Mihr, A. (2009a). European Human Rights Regime: Cultural Rights and the case of national minorities. *Utrecht University, The Netherlands*. 14-European Human Rights Regime-- Cultural Rights and the case of national minorities.pdf (iolaw.org.cn)
- Mihr, A. (2009b). European Human Rights Regime: Cultural Rights and the case of national minorities. *Utrecht University, The Netherlands*.
- Miles, M.B and Huberman, M. .(1984). Qualitative Data Analysis. *London: SAGE Publication*.
- Miles, M.B and Huberman, M. .(1992). Analisis Data Kualitatif. *UI Press, Jakarta*.
- Moore, M. J. (2008). Immanence, Pluralism, and Politics. *Earlier Versions of This Paper Were Presented at the 2008 American Political Science Association Meeting and the 2006 Western Political Science Association*.
- Patton, M. . (1990). Qualitative Evaluatio Methods. *SAGE, Beverly*.
- Perry, J. L. (1989). Handbook of Public Administration. *San Fransisca, CA: Jossey- Bass Limited*.
- Prianti, D. . (2012). Petunjuk Praktis Cara Melakukan Penelitian Fenomenologi, 3 Januari 2011. *Retrieved, 28 November 2012. http://desidwiprianti.lecture.ub.ac.id/2011/01/petunjuk -praktis cara-melakukan-penelitian-fenomenologi*
- Riduwan. (2003). Skala Pengukuran Variabel-Variabel Penelitian. *Alfabeta, Bandung*.
- Robins, K. (2007). Transnational Cultural Policy and European Cosmopolitan. *Cultural Politics, Published by Duke University Press, Volume 3.,*
- Saladien. (2006). Rancangan Penelitian Kualitatif. Modul Metodologi Penelitian. *Program Studi Ekonomi, Fakultas Ekonomi, Universitas Brawijaya, 6-7 Dseember 2006., Disampaikan pada Pelatihan Metodologi Penelitian Kualitatif*.
- Sirisrisak, Tiamsoon & Akagawa, N. (2012). Cultural Rights and Conservation of Old Bangkok. *Journal of the Siam Society, Vol. 100.,*
- Taylor, S.J & Bogdan, R. (1994). Introduction to Qualitative Research Methods: The Search to Meaning. Second Edition. *John Wiley and Sons, Toronto*.
- Ulrich, P. (2008). Integrative Economic Ethics: Foundations of a Civilized Market Economy. *Cambridge, New York: Cambridge University Press. (In German: Integrative Wirtschaftsethik: Grundlagen Einer Lebensdienlichen Ökonomie. Haupt, Bern et Al., 1st Ed. 1997; 4th Ed. 2008).*
- Ulrich, P. (2009). Republican Liberalism versus Market Liberalism dalam : Zsolnai, Laszlo., et.al. Ethical Prospects: Economy, Society and Environment. *Springer Science+Business Media B.V. 2009.: 255-259., Volume 1.*
- UNESCO. (1998). Action Plan on Cultural Policies for Development. *Cultural of Peace, the Intergovernmental Conference on Cultural Policies for Development., Stockholm, Sweden, 2 April 1998.*
- Zapata-Barrero, R. (2015). Diversity and Cultural Policy: Cultural Citizenship as a Tool for Inclusion. *International Journal of Cultural Policy, 2015.*  
<http://dx.doi.org/10.1080/10286632.2015.1015533>
- Zsolnai, Laszlo., E. a. (2009). Ethical Prospects: Economy, Society and Environment. *Springer Science+Business Media B.V. 2009, Volume 1.*

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