
Payment of Wage under Minimum Wage for *Abdi Dalem* of *Keraton* in Daerah Istimewa Yogyakarta

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Abstract

The compensation for running a job is to get wages. There is one form of wage protection through minimum wage. The fact is there are still workers who have not earned a wage based on minimum wage after they run their jobs. One of them is the retainers of the court (*Abdi Dalem*) of *Keraton* of Yogyakarta. This study aims to analyze the validity of the wage system applied to the court servants who accept below the minimum wage. This study applies socio-legal approach. The result of this research is the *Abdi Dalem* get salaries in the form of "*kecuca*" which amount is less than the minimum wage of Yogyakarta Province. Sultan Hamengkubuwana X should be prosecuted for violation of Article 90 paragraph (2) *jo*. Article 187 of Law Number 13 Year 2003. The right to pursue of the courtiers has never been implemented because the working relationship between the courtiers and the Sultan is devotion. The sense of service is the soul of the agreement on which the working relationship is based. What has been agreed upon by the parties is binding as the law for the party making it (Article 1338 B.W. (Burgerlijk wetboek)). The significance of this research is that the principle of local wisdom which is the basis of working relations can be unleashed. The contribution of this research is the emergence of an understanding that the employment relationship is not solely aimed at earning wages. A sense of tranquility after work becomes the choice of the destination of the courtiers to serve the *Keraton* of Yogyakarta

Keywords: *Abdi Dalem*; Minimum Wage; Wages

I. INTRODUCTION

Everyone needs income to meet their needs, included social security/BPJS. Determination of minimum wage for workers always rises social conflict. There is a sharp conflict of interests between employers and workers in determining the minimum wage. Workers demand high wages, but employers tend to keep the wages low. The different difference occurs in the interests in determining the minimum wage. As a protecting effort of workers' wage, a comprehensive minimum wage is determined. The fact is, there are still workers who have not earned a minimum wage of minimum wage after they run their jobs. One of them is the *abdi dalem* of *Keraton* Yogyakarta. Sa'adah in his research on the work value of the elderly *abdi dalem* found that the courtiers gave significance to their work as a means to be able to "*uri-uri budaya Jawa*" and "*ngalap berkah*" to get physical and spiritual well-being. Besides, the work value of servants in the elderly is the pleasure of gathering with many friends so that they are not alone at home. The elderly courtiers of the *Keraton* Yogyakarta have a typical work character from work descriptions, working hours, to the mechanism of their work (Sa'adah, 2017).

Looked from previous research, Azar (2012) describes millions of workers derive much of their income from tips and are subject to the "tipped minimum wage" that differs from the regular minimum wage. In her research, Azar examines the implications of the tipped minimum wage and shows that increasingly it may lead restaurants to adopt a compulsory service charge in lieu of tipping to extract the economic rent enjoyed by waiters under tipping (Azar, 2012). Kronenberg in his research in the UK used the difference-in-difference model and found that the introduction of minimum wages in the UK did not affect mental health. Estimates do not seem to support previous findings suggesting that

minimum wages affect the mental health of recipients of low wages (Kronenberg, Jacobs, & Zucchelli, 2017). This also ensures that the conditions experienced by *abdi dalem* in the *Keraton* are almost the same as the results of the Kronenberg (2017) research in the UK, which is where minimum wages do not affect mentally than the minimum wage recipient and what distinguishes Azar's (2012) research is that the courtiers do not receive tips from visitors even though their income is below the minimum wage.

Based on the background, This research aims is to analyze the validity of wage system applied to the court servants of Keraton of Yogyakarta in getting wages below the minimum wage.

II. METHODS

The research method used was sociolegal that is a legal research using social methodology in a broad sense. It is an alternative approach to evaluate the doctrinal study of law (especially the minimum wage). Steps taken in this study are a textual study investigation, that is, by analyzing the legal rules and policies critically then analyzing and explaining the meaning and the implications of legal subjects. Whether the rules or policies are favorable or disadvantage to particular groups (Irianto, 2009), especially to labor.

III. DISCUSSION

After it was proclaimed on March 13, 1755 (29 Jumadil early 1680 TJ), Keraton Nga Yogyakarta Hadiningrat requires state apparatus from both civilian and military groups. *Abdi Dalem* is the civil apparatus, while the military apparatus is a palace warrior. *Abdi Dalem* in Sudaryanto's (2018) research is defined as a person who can become a servant of the culture of Yogyakarta and has obtained decrees or deeds (Decree or Letter of confirmation) issued by the Keraton Ngayogyakarta based on *pranatan kalenggahan* number: 01/Pran/KHPP /XII/2004 (Sudaryanto, 2018). Being an *Abdi Dalem* in the *Keraton* can be said to have been 'entrenched' among the people who live in the historic area of the city of Yogyakarta (for example: 86 areas of the Palace, Imogiri and Kotagede). Cultivating in question is the service done to the community for generations by their families. From the sense of responsibility that gives rise to an "obligation" to serve the king, which is indirectly shaped by the environment (Nurmasanti, 2017). *Abdi Dalem* serves as the operational executive in every organization formed by the Sultan. Without *Abdi Dalem*, the wheels of government will not work.

In addition to performing operational duties at every organization in the *Keraton*, *Abdi Dalem* is also a 'cultural servant'. An *abdi dalem* is a person who can provide role models for the wider community. *Abdi Dalem* should be an example of life in society, acting on the basis of the upholders and having good understanding toward the etiquette. Therefore, a smile that always broke, friendly and good manners is always shown by the *Abdi Dalem* of Keraton.

Then what about the mandatory commands and wages received by an *Abdi Dalem*? *Abdi Dalem* is divided into two major parts, namely: *Punakawan* and *Kaprajan*. *Abdi Dalem Punakawan* is a servant who comes from the general public. *Abdi Dalem Punakawan* is an operational force who performs daily duties within the palace. Divided into two groups, namely *Abdi Dalem Punakawan Tepas* and *Abdi Dalem Punakawan Caos*. *Abdi Dalem Punakawan Tepas* has the right to work as an employee working in the office, while *Abdi Dalem Punakawan Caos* only faces the palace every ten days. This is done to show the sign of respect and loyalty as a servant.

The retainers or servants who work as *Abdi Dalem Keprajan* are chosen from the members of from Indonesian Nasional Army (TNI), Indonesian Police (Polri), and Civil Servant (PNS) through appointment. In general, *Abdi Dalem Keprajan* is the people who have entered the retirement period and then spending time for Sultan, who want to share knowledge and energy to help the palace voluntarily. Based on the historical values above, it can be said by knowing and understanding how to give the name of the *abdi dalem* in *Keraton* Yogyakarta. Equality between *Abdi Dalem Keprajan* and *Abdi Dalem Punakawan* is both have the same rank. Before being appointed each *Abdi Dalem* is called an apprentice for two years. After being appointed the lowest rank, namely *Jajar*, and then *Bekel Anom*, *Bekel Sepuh*, *Lurah*, *Penewu*, *Wedana*, *Riyo Bupati*, *Regent Anom*, *Regent Sepuh*, and *Regent Kliwon* (Bahri, 2017). The title name of this title gives scientific literature on the process of naming the courtiers in the *Keraton* Yogyakarta.

Consideration of promotion includes the presence of all senior officials, as well as expertise. The

length of time for promotion is three years or more. Based on the governance structure of the palace, all called *Abdi Dalem*. No exception on sister, son, daughter, and consort. The life of the *abdi dalem* in *Keraton* is inseparable from the name *kekucah*. *Kekucah* is a salary given by *Keraton* to the *abdi dalem* of the *Keraton* in *punokawan*. The amount of *kekucah* received by the *abdi dalem* varies depending on the rank of each *abdi dalem* in the *Keraton*. For them, regardless of the amount of *kekucah*, they are still welcomed. With a varying amount of salary per *abdi dalem*, proving that the motivation of *abdi dalem* to serve the *Keraton* is not a matter of matter, but instead motivated by things that are devotion and non-material such as blessings from the *Keraton* (Susila & Abidin, 2016). The quantity of *kekucah* (wages) is given based on the rank of *Abdi Dalem*. Jajar gets a wage of Rp 15.000 per month and the highest sister of Sultan Rp 90.000 per month. While the honor from the allocation of privileged funds for Tepas is higher than Caos. For the lowest Tepas obtains Rp 1,100,000 per month and the highest is Rp 2,500,000 per month. Even the reigning Sultan gets an honorarium of Rp 3,800,000 per month. For the lowest Caos, the fee is Rp 150.000 per month and the highest is Rp 400,000 per month. The total privileges which is a special allocation fund (*DAK*) from the center for honor *Abdi Dalem* of the Palace (*Keraton*) is amounting to Rp 900,000,000 per month for 1,800 people *Abdi Dalem* (“Abdi Dalem Keraton Yogyakarta Kesetiaan Dan Agen Pelestari Budaya,” 2014).

Abdi Dalem whose scope of work is closest to the Sultan is *Keparak*. This group is generally dominated by female *Abdi Dalem*. *Abdi Dalem* of *Keparak* became one of the groups closest to the Sultan because of his duties, among others: keeping heritage, preparing the ceremonial equipment, and preparing the needs of the Sultan who lives in the palace.

Before officially endorsed as *Abdi Dalem*, candidate of *Abdi Dalem* will undergo a two-year apprenticeship. During these 2 years the apprentice servants will be judged from the diligence or not to *sowan* to *keratin*, the desire to serve, as well as thier talents and also educational backgrounds. After being judged eligible to become new *Abdi Dalem*, the candidates are then appointed through graduation. *Abdi Dalem* graduation is held every 2 times a year, namely in *Bakda Mulud* and *Shawwal*.

The basis for becoming *Abdi Dalem* is the personal commitment. *Abdi Dalem* who is no longer able to carry out the task because of age, health, and other causes will undergo a process called a *miji* dismissal. However, it is rare that *Abdi Dalem* is bored or getting resigned. Here are some provisions related to the seed or process of dismissal of *Abdi Dalem*:

- 1) *Miji Sudono Mulyo*: has served over 20 years
- 2) *Miji Sudono Saroyo*: has served between 10-20 years
- 3) *Miji Tumpuk*: long service under 10 years
- 4) *Miji Pocot*: dismissed with disrespect so must return the title given by the Sultan (*asma paring dalem*) and forbidden to enter the palace.

In carrying out his duties the *Abdi Dalem* of *Keraton* is tied with the credo *Watak Satriya* coined by the founder of Yogyakarta Palace, Prince Mangkubumi or Sri Sultan Hamengku Buwono I. Among them are:

- 1) *Nyawiji*: total, focused and always surrendered to God Almighty.
- 2) Full of appreciation & inspiration.
- 3) *Sungguh Greget*: confident.
- 4) *Ora mingkuh*: not afraid to face exams and obstacles.

Being a servant in the palace does not mean getting a high honor. The main reason for becoming *Abdi Dalem* generally is to gain peace and inner happiness. There is also based on the gratitude has been allowed to live in the land belonging to the Sultan. In addition, another factor to be gained from being *Abdi Dalem* is to get *Dalem's* blessing. According to the *Abdi Dalem*, there is a fortune that comes and can meet the needs of his family after becoming *Abdi Dalem*.

Here there is a working relationship agreed by the palace and candidate *Abdi Dalem* before performing his duties. Based on the provisions of Article 1 number 14 Law no. 13 Than 2003, employment is the relationship between employers and workers based on employment agreements, which have elements of work, wages, and orders. Elements of employment in accordance with the

provisions of Article 1 number 4 of Law no. 13 Year 2003 is:

- 1) The existence of work (*arbeid*)
- 2) Under the command/*gezagverhouding* (meaning the worker performs the work of the employer's employer so that it is subordinate)
- 3) The existence of certain wages/loans, and
- 4) In unspecified time (*tijd*) (can be indefinitely/pension or based on certain time).

Regarding the wages (loan) in exchange for the *Abdi Dalem* can be said at the most minimal limit. Because the wages (*Abdi Dalem*) they get not in accordance with the provisions of Law. 13 Year 2003 where the wages earned must be in accordance with the existing MSEs in the area. However, in this case this does not mean the court violates the provisions of the Act that has been determined. Because wages can be considered feasible if workers feel fulfilled his life and do not feel deprived. Decent size is relative. If workers can accept and feel fulfilled with what is earned. The important thing for *Abdi Dalem* is that they can feel there is no shortage in any case even if they earn a little wage (very minimum wage size). The *Abdi Dalem* got their own inner satisfaction; it's not the wages they favor, but the gratitude was allowed to live on the property of the Sultan, the tranquility of life, and feel that his family life was self-sufficient.

In addition to *Abdi Dalem's* wages can get some rewards from the palace to meet the needs of his life and family. For example, food and drink, clothing, shelter, health, and old age benefits. Provision of wages from the palace to the servants can be said to violate Law no. 13 of 2003 when viewed from the nominal given, but this is not to blame because the palace itself has guaranteed a decent life for the family *Abdi Dalem*.

Regarding the working time, as stipulated in Article 77 paragraph (1) of Law no. 13 of 2003 explained that every entrepreneur must implement the provisions of working time. The provisions of working time shall be stipulated in working time as referred to in Article 77 paragraph (2) of Law no. 13 year 2003 which is:

- 1) 7 hours one day and 40 hours one-week for 6 working days in one week; or
- 2) 8 hours one-day and 40 hours 1 week for 5 working days in one week.

However, the work system created by the palace for *Abdi Dalem* is not in accordance with the provisions, because the specified work time is at any time, there is no work limit within a week. So whenever the Sultan/his family needs a servant, then they (*Abdi Dalem*) must be ready to carry out the task given

The question arises about the time worked for these servants, why there is no effort/action to propose/protest working time in accordance with the provisions of Law no. 13 of 2003 Article 77 paragraph (1)? The palace did not compel the candidates to the enlisted service, they had agreed with the provisions given, because it assumes that if devoted himself wholeheartedly to Sultan and his family then the work done feels light and the family life of the servants also guaranteed. So, the effort for working time as stated in Law no. 13 Year 2003 has never happened or does not apply to the *Abdi Dalem*.

The working relationship system of *Abdi Dalem* Keraton can be said to violate the provisions of Article 90 paragraph (1) of Law no. 13 of 2003 which states that employers are prohibited from paying wages lower than the minimum wage as referred to in Article 88. If the Sultan unfull law, than the Sultan will be have sanction based on article 185 (1) in Law no. 13 Year 2003: Whosoever violates what is stipulated under subsection (1) and subsection (2) of Article 42, Article 68, subsection (2) of article 69, Article 80, Article 82, subsection (1) of Article 90, Article 139, Article 143, and subsection (4) and subsection (7) of Article 160 shall be subjected to a criminal sanction in jail for a minimum of 1 (one) year and a maximum of 4 (four) years and/or a fine of a minimum of Rp100,000,000 (one hundred million rupiah) and a maximum of Rp400,000,000 (four hundred million rupiah). (2) The crime referred to under subsection (1) is [shall be legally categorized as] a felony.

However, in reality the Yogyakarta Palace gives a much lower wage than the minimum wage should be. Why is there no prosecution effort from the servants on the court? This is due to the existence of a contract of work agreed between the candidate servant and the palace. This is permissible underlying the

principle of freedom of contract. A violation of the Act can be prosecuted if the employee feels aggrieved and the results obtained do not match what has been done. The Sultan had to build an organization that workers want to support and then how functionally to ensure that workers can do so in a way that makes the organization sustainable .

Not that with low honor *Abdi Dalem* has a low education as well. Along with the development of the era where the palace requires a lot of professionals, today many *Abdi Dalem* who have a college education. His educational background is diverse, ranging from arts, to computers and accounting. This shows that *Abdi Dalem* is not always identical with the elderly and lowly educated. *Abdi Dalem* is a people who have cultural insight, expertise and high dedication. In the end, the existence of *Abdi Dalem* is very meaningful. Not only to support the sustainability of all activities within the palace, but also become a bastion of changing behavior of the times.

IV. CONCLUSION

This research confirms that the principle of local wisdom which is the basis of working relations can be unleashed. The contribution of this research is the emergence of an understanding that the employment relationship is not solely aimed at earning wages. A sense of tranquility after work becomes the choice of the destination of the courtiers to serve the Sultanate of Yogyakarta.

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