

## **TAJEN: TRADITION LEGITIMACY OF COCKFIGHTS GAMBLING (THEORETICAL STUDY OF COCKFIGHTING GAMBLING IN PERSPECTIVE OF NATIONAL LAW AND BALI CUSTOMARY LAW)**

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### **ABSTRACT**

*Cockfighting (tajen) is a common activity in the Balinese. This is because tajen is a legitimate form of tradition in cultural activities. Based on the prevailing custom in Balinese ceremonies each activity must be accompanied by percussion ceremony red (blood sow) which is derived from the blood of animals, including chickens. The process aims to sow blood with blood payment for the bhuta kala so as not to bring negative forces but instead converted into a positive force. Blood sow actually just done with pitted three pairs of cocks equipped with race-complaint pecans, eggs and oil, accompanied yadnya ceremony as the embodiment sincere sacrifice for the ceremony. This is one form of the Hindu way in keeping the relationship between man and the universe as a philosophy of life of Tri Hita Karana.*

*Sow a ceremonial procession of blood is used as a vehicle to justify the practice of gambling through the guise of traditional ceremonies. On the pretext of ceremonies, blood sowing permitted by the Indonesian Hindu Association District and the police. So impressed that cockfight gambling has gained formal juridical legitimacy, both of Indonesian Hindu Association District as the highest institution of Hinduism at the district level and of the police as law enforcement agencies. This makes the indigenous villagers became convinced that tajen gambling is a legitimate and legal activities legally and religion. Based on conceptual analysis and empirical conditions above, it seems assessment of blood sow procession in traditional ceremonies in Bali is an essential issue to be studied, both national law and customary law of Bali.*

Key words: blood sow, tajen

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### **INTRODUCTION**

Ceremonial procession of blood scatter in Balinese Hindu peoples had a high religious value in any cultural activities undertaken, especially in the Hindu religious shrine (Pura). Based on Batur Abang Prasasti A 1. 933 Çaka years in (Kniten & Gunanta, 2005) stated “*mwang yan pakaryyakaryya, masanga kunang wgila ya manawunga makantang tung parahatan, ithaninya, tan pamwita, tan pawwata ring nayakan saksi*” (moreover when holding such ceremonies like Tawur Kasanga it's a must to held a cockfight in three sehet (round) in the village, no need asked for permission no need to bring (tell) the authorities). This provision is reinforced by the contents of Lontar Ciwa Tattwa Purana, which stated “*Muah ring tileming Kesanga, hulun magawe yoga, teka wang ing madhyapada magawe tawur kesowangan, den hana pranging satha, wnang nyepi sadina ika labain sang Kala Daça Bhumi, yanora samangkana rug ikang ning madhyapada*” (Besides the Tilem Kasanga (ninth dead month) I (Bhatara Ciwa) hold yoga, every people on this earth have to make offerings, then held cockfight, and one day Nyepi (at that moment) serve the sacrifice(dish) *Sang Kala Daca Bhumi*, if not peoples on this earth will be damned).

This provision is a reference in the implementation of Tabuh Rah (blood scatter) that held by the Hindu peoples in Bali. Tabuh Rah (blood scatter) actually is the concept of payment by blood (blood of animals) to the Bhuta Kala/Bhuta Kali to not bring negative energy but instead of that it can be converted into a positive energy while the ceremony Panca Yadnya held (Kniten & Gunanta, 2005: 4-5). In further development have shown there is a misconceptions about Tabuh Rah procession, which later became the concept of Tajen (cockfight gambling). The concept of Tajen was originally derived from Tabur Rah were held using a rooster by attaching Taji (small dagger) on chicken legs that will be compete. Taji which attached in roosters feet use to make the roosters bleeding while them fight, it means Tabuh Rah or blood scatter. If the roosters not attached with taji, the roosters won't bleed, and thus there will be no Tabuh Rah or blood scattered in the competition.

Because of the medium to scatter the blood is Taji, then cockfighting for Tabuh Rah called as Tajen derived from the word Taji. The concept of Tajen later known by the peoples of Bali, both in the activities for the procession of Bhuta Yadnya (Tabuh Rah), or cockfighting aimed purely for gambling. Between the concept of Tajen for the procession of Bhuta Yadnya ceremony and Tajen intended for the gambling further becomes blurred. Now Tajen even more understood as a form of cockfights gambling. It is get worse; most of the activities of Tabuh Rah/Tajen for Bhuta Yadnya ceremonial purposes use to held Tajen activities (cockfighting gambling) for purely gambling interests. This condition is further legitimizing the existence of Tajen which aims to satisfy the desires of bebotoh (gambler) simply by ignoring the initial meaning contained in that procession. For public, Tajen is a legal gambling which uses religious symbols to legitimize it.

Thus the concept of Tajen lately have more negative connotation or meaning by gambling. On the other side, the trend of blood scatter procession which use to held cockfight gambling activities in Panca Yadnya ceremony becomes famous and widespread in Balinese society. Studies conducted by Inten, (2011) showed an increase in blood scatter activity in Panca Yadnya ceremony that use to held a cockfight gambling. The trend of cockfights gambling activities at Tabuh Rah procession cannot be separated from the loose supervision of, both Parisada Hindu Darma and Police Department. This condition is caused due by the difficulty of the Police and the Parisada Hindu Darma to distinct the blood scatter activities for Panca Yadnya ceremonial purposes, with Tajen as a gambling. Regarding that, a scientific and comprehensive study is needed in order to deeply dissect the Tajen practice in Panca Yadnya ceremony.

Based on conceptual analysis and empirical conditions above, the procession of blood scatter that dominate by the Tajen activity is an urgent to be studied, both from the perspective of customary law also criminal law. Considering, that the practice of Panca Yadnya ceremony by Hindu society, is almost impossible to separate with the blood scatter procession. In fact, in every activity of Panca Yadnya ceremony conducted by the Balinese Hindu society, both in small scale either large scale put blood scatter activities as the main rituals and makes every person (especially) men interest to participate in this procession. This condition becomes more interesting, because blood scatter activities for Panca Yadnya ceremony also legally and customary legitimate. Related with that, this article will try to deeply and comprehensively examine about the procession of blood scatter ceremony, observe from Balinese Hindu Customary law, and from the perspective of criminal law.

## RESEARCH METHODS

The method of writing of this article is using literature method, which is searching relevant reading material about Tabuh Rah/Blood Scatter from various sources to be studied, formulated, analyzed and set forth in a writing form. According to Purnomo, (2008) the study of literature means all the work done by the authors to collect relevant information related topic or issue that will be or are being write. That information can be collected from scientific books, research reports, scientific essays, theses and dissertations, regulations, statutes, yearbook, encyclopedia, and written sources both printed or other electronics sources.

This article write descriptively, means the authors systematically describe, factual and actual legal basis of the procession of Tabuh Rah/blood scatter from the perspective of customary law which enforce at the Balinese Hindu community, and the procession of Tabuh Rah/blood scatter from perspective of national law of Indonesia. Based on the articulation of the results of this literature study, will described systematically actual, factual regarding the legal basis of procession of Tabuh Rah/blood scatter ceremony in perspective of customary law which enforce at the Balinese Hindu community, the procession of Tabuh Rah/blood scatter from perspective of national law of Indonesia, thus it can be a base in the implementation of the ceremonial procession of blood scatter that lately to be understood as cockfighting activity by Balinese Hindu community.

## DISCUSSION

### Procession of Tabuh Rah/Blood Scattered Ceremony from the Perspective of Bali Hindu Customary Law

Tabuh Rah is a plural word, contain two words that is Tabuh and Rah. Etymologically the words Tabuh Rah comes from word 'tawur' which means pay. The active form of the word tawur is nawur (paying). Thus etymologically, the word Tabuh Rah means Tawur Blood which is a payment by blood or by scattering blood at a certain place (Kniten & Gunanta, 2005: 4). Bhuta Yadnya means holly sacrifice to The Bhuta Kala. In-English-Sanskrit Dictionary, Sir M. Monier-Williams explained that the word 'bhuta' is from word 'bhu' which means become, there are/is, creature, and form. The word bhuta is the passive past participle form of Bhu which means 'has been used' or 'has held', or 'had there'. The word Kala means energy, and also means time. Thus Bhuta Kala means rising energy.

The definition philosophically stated Bhuta Kala is negative forces arising from the disharmony between the macro-cosmos (Bhuana grand) with micro-cosmos (Bhuana alit) that humans lack of harmony was personified as spirits or supernatural that can disturb the tranquility of human life. According to the Hindu view, man and Bhuta Kala have relationship that cannot be removed from the beginning of human birth into the world. In Lontar Kanda Pat mentioned, that man born in this earth not alone but accompanied by four brothers called Catur Sanak (four brothers). The four brother, if we can maintain it will provide a positive force that helps human life and vice versa, if it ignored it will lead to a negative energy that can disturb human life.

When people can harmonize the relationship with Panca Maha Bhuta elements, there was a positive energy that helps humans, but when a human cannot harmonize the relationship with Panca Maha Bhuta elements there was a negative energy that could disturb human life. Therefore, to harmonize the relationship of that elements Bhuta Yadnya ceremony was held, that is a ceremony to Bhuta Kala for mempralina Bhuta Kala become Gods, which means change the negative effect to become positive.

Regarding the presentation of Caru can be served raw or cooked. Raw material is usually scattered in a ceremony, scattered is held by compete chicken wearing Taji, Toh Dedamping, with candlenut, eggs, coconut and the upakara. Taji is a medium/tool sort of small dagger worn on chicken legs so the chickens will be bleeding while them fight. Thus cockfighting later known as Tajen derived from the word Taji where mounted on a chicken leg. Other animals such as cows, pigs or goats, basic scattering is done by stabbed with a dagger, or speared and before speared usually surrounded first called Mepada.

Other blood scattering can be done by Yameleh, a small chicken or pork slaughtered for blood scattered purpose. Presentation of Caru in cooked form can be seen in Panten Caru commonly made during Mecaru Kesanga, Kedasa or other Sasih. Each animal is cooked to makes satay, urab barak and urab putih. Satay and urab made in its number accordance with Neptu (Urip Bhuana). Besides made also presented the animal skins called Bayang-bayang. Everything is done to eliminate the negative charge caused by the energy of Bhuta Kala.

In this context, cockfight defined as Tabuh Rah (blood tawur) the payment with blood to the Bhuta Kala/Bhuta Kali so his not bring the negative power, but transformed into a positive power (Kniten and Gunanta, 2005: 4-5). The real Tabu Rah is only done by: (1) only Telung Saet or compete three pairs of cocks equipped with; (2) candlenuts, (3) egg and coconut, accompanied by (4) upakara yadnya, and (5) there is a toh dedamping (bet companion) which not contained gambling motivation as the embodiment of sincere sacrifices for the ceremony (Kniten and Gunanta, 2005: 13).

This is a one way of Hindus in keeping harmony in the human relationship with the universe as life philosophy of Tri Hita Karana (Titib, 1999). Tri Hita Karana is conceptually defined as the three causes of happiness, the human relationship with God The Almighty, man with fellow human beings and the universe. So, Tri Hita Karana is a way of life based on the harmonious relationship between man and God, man and his neighbor, as well as humans and the environment in order to achieve a prosperous life physically and spiritually (brahmawidya@gmail.com. accessed in Friday, 12<sup>th</sup> November, 2010).

According to the teachings of religion, for Hinduism gambling in any form and nature, however, is contrary to the teachings of religion (Utarayana, 2004). Therefore gamble, facilitate gambling, and gambling is entered in actions contrary to religious teachings. According to Hinduism, gambling is a way that cannot be bypassed and a misleading way or bring human misery and suffering in the world hereafter. Gambling also contrary to the purpose of life in Hinduism "moksartam jaghadhita ya ca iti dharma" which means happiness inner and outer worlds.

In addition, gambling is also contrary to the law of karma doctrine that teaches us to be aware that every act will lead to worth results. In Sarasamuscaya mentioned "*apan ikang dadi wang, utama juga ya nimitaning mangkana, wenang ya tumulung awaknya sakeng sangsara makasadana cubakarma, hinganing kotamaning dadi wwang ika*" (being man also a main well, so he can help himself from misery with do a good karma, so it was a priority to be human). Gambling is one of the crooked path intended by the human who their mind was overwhelmed by darkness and worldly glamorous with wishes in a short time can be rich without struggling.

In line with Kniten and Gunanta (2005: 19) which says gambling is a way to earn easy money with simply speculates their life. Ataraweda XX.18.3 mention "*icchanti devah sunvatam na svapnaya sprayanti yanti pramadam atandrah*" which means "God love people who work hard, the gods do not like people are taking things easy and laze, people who always wary will achieve happiness". This means the path recommended by religion in achieving happiness is the road which works in accordance with Swadharna or their liabilities respectively.

If we noted Act No. 7 in 1974 gambling is considered as a crime, then gambling should not be implemented. Susila teachings in Sarasamuscaya state "*matangayan nihan kadayakenaning wwang, tanwak, kaya, manah, kawarjanamakolahang asuba karma, apan ikang wwang mulah aken ikang bayu, hayu tinemunya, yapwan hala pinakolahnya hale tinemunya*" which means "therefore is what must be attempted by human, do not let the words, act of the mind, which is not good karma acts, for those who do good, earning good things, while those who do evil, earn misery. In accordance with the provisions of Act No. 7 in 1974 and the content of the literature, which basically state gambling as a crime, then who conduct gambling woe obtained.

Hard work and not lazy is a virtue that must be done by all human beings in the world. God Almighty will have mercy on those who work hard and diligently, not those who are lazy and make money in a easy way like gambling, stealing, or other illegal acts. People who work hard and diligently carry out their obligations will definitely gain success according to the karma that has been done. This is in line with the needs and demands of today's globalization that demands hard work, tenacity, perseverance, discipline and high creativity.

Hinduism also consider gambling as a form of defamation against the degree of humanity that God has bestowed upon us. This can be seen in Sarasamuscaya which mentions "*apan ikang dadi wwang, utama juga ya nimitaning mangkana, wenang ye tumulung awaknya angkeng sangsara makasadana cubakarma, hinganing kotamaning dadi wwang ika*" which means "being man also a main well, so he can help himself from misery with do a good karma, so it was a priority to be human ". Helping yourself means not put themselves in the practice of gambling just to fulfill his need and.

Humans have the strength to work and produce something with the correct path in accordance with religious teachings. Results obtained from gambling is not a decent income to be enjoyed in the world that brings people to the happiness hereafter, but otherwise the income derived from gambling will bring misery to the people in the world and the Hereafter. In addition, the practice of gambling assessed will cause suffering to his wife and children, including in-laws and parents. This can be seen in Rgweda X.34.10 that mention "*jaya tapyate kitavasya hina mata putrasya caratah kva svit mava bibhyad dhanam icchamanah anyesam astam upa nakatam eti*" which means that the wife of a gambler who wander deep suffering in poverty and the mother of a son who gamble such remains plagued by pain, he who in debt bondage and lack of money, secretly entered other people's house at night ". Religious teachings also recommends to not do gambling, always satisfied with their own income which earned in a good way and always try harder to achieve more noble and meaningful work for themselves, family, community, nation and state.

### Procession Tabuh Rah/Blood Scatter Ceremony in Perspective of Criminal Law

The government is now promoting efforts to combat the practice of gambling in society (Bali Post Edition, January 7, 2007). This is in accordance with the mandate of Article 303 of the Criminal Code which shall be punished with imprisonment for minimal ten years or fine maximal twenty five million dollars, everyone who with no right deliberately hold or allow gambling, intervened in the gambling company, and also gambling as livelihood (Molejatno, 1995). Under these provisions, gambling is prohibited act or violation of criminal laws that apply nationally.

Anyone who violates these provisions will be subject to sanctions commensurate and gambling obligatory for banned by the authorities of the police and other law enforcement officers. In addition to the legal enforcement apparatus, all components of the community also has the responsibility to combat all forms of gambling in society. This issue cannot be separated from the legis consequences of gambling that more harm and mislead the society, thus gambling just become a disease to the society. To that end, all kinds and forms of gambling should be eradicated and removed from society to restore order and peace in the society, including avoid the wrong path and make gambling as a common enemy for the society (Nusa Daily, May 12, 2008).

Gambling in accordance with Article 303 of the Criminal Code is an act that intentionally holding or giving a chance to gamble for a living or intentionally interfere in the gambling company or participate gambling as a livelihood. Against those who violate this provision will be liable to a prison minimal ten years or a fine maximal twenty-five million dollars. Gambling means each game that allows a win in general depend on chance alone. Also, if the possibility of it getting bigger because the players are smarter or more capable. Gambling contains also all betting on a race or game decisions that are not held by those who partakes.

In accordance with the above description, the gamble has criminal elements, namely: (1) the existence of the game, (2) the absence of permission from the authorities, (3) speculative, and (4) the existence of a bet. While cockfighting or usually called Tajen can be said as a gambling if it have any criminal element. The criminal element among others:

1. Cockfighting is a game,
2. In the game there is hope for a win / speculate that are chancy,
3. No permission from the authorities, and
4. There bets

So can said as gambling if; (1) cockfights held over than three Saet (three pairs of cock), (2) is not equipped with candlenuts, eggs, and coconut, (3) is not accompanied with upakara yadnya, (4) there is a bet on the chance to win, and (5) no permission from the authorities. To avoid errors in interprets Tajen as Tabuh Rah with Tajen as a gambling it is should be clearly demarcated with clear criteria anyway. Therefore Kniten & Gunanta (2005: 13) explicitly states the terms tajen as Tabuh Rah are: (1) cockfights held in only three Saet (three pairs of cock), (2) cockfighting equipped with candlenuts, eggs, and coconut (3) accompanied with upakara yadnya, for ceremonies at a certain place, and (4) there is a Toh Dedamping with no gambling motivation as a form of sincere giving to sacrifice at the ceremony.

At this time Toh (bet) is a criminal element in article 303 of the Criminal Code, thus to provide Tajen for Tabuh Rah which not diverted for gambling interests, there must be permission from the authorities. This permission only aims to monitor and frees Tajen from gambling motivation, also aims to secure the purposes of ceremony which held by the public. Despite this, it is often the permission given by the authorities to held Tajen is used for the interests of a group of people who become Bebotoh to gamble. With the obvious restrictions between Tajen intended for Tabuh Rah with Tajen devoted to gambling interests, expected the police could crack down on Tajen in Bali (Suastika, 2008).

### CONCLUSION

Based on the above discussion, it can be formulated some applicative ideas that can later be recommended as a conclusion of this scientific article, namely:

1. Based on customary law enforcement red drum ceremony for five yadnya still allowed in accordance with prasarti Batur Abang A l. 933 years Çaka in (Kniten & Gunanta, 2005) stated " *mwang yan pakaryyakaryya, masanga kunang wgila ya manawunga makantang tlung parahatan, ithaninnya, tan pamwita, tan pawwata ring nayakan saksi*" (moreover when holding such ceremonies like Tawur Kasanga it's a must to held a cockfight in three sehet (round) in the village, no need asked for permission no need to bring (tell) the authorities). This provision is restated by the content of Lontar Shiva Purana Tattwa, mentioned " *Muah ring tileming Kesanga, hulun magawe yoga, teka wang ing madhyapada magawe tawur kesowangan, den hana pranging satha, wnang nyepi sadina ika labain sang Kala Daça Bhumi, yanora samangkana rug ikang ning madhyapada*" (Besides the Tilem Kasanga (ninth dead month) I (Bhatara Ciwa) hold yoga, every people on this earth have to make offerings, then held cockfight, and one day Nyepi (at that moment) serve the sacrifice(dish) Sang Kala Daca Bhumi, if not peoples on this earth will be damned).
2. The implementation tajen as gambling activities that capitalize at Tabuh Rah activity contrary to Article 303 of the Criminal Code which states shall be punished with imprisonment for minimal ten years or a fine maximal twenty-five million dollars for who with no right deliberately hold or allow gambling, also interfering in the gambling company, and also gambling for a living. This is because the activities Tajen meet gambling or criminal elements, namely: (1) the existence of the game, (2) the absence of permission from the authorities, (3) speculative, and (4) the existence of a bet.

### REFERENCES

Bagus, I.G. Ngurah. (1971). *Sistem Pola Menetap Masyarakat Bali*. Denpasar : Unud Denpasar.

- Bawa Atmaja, Nengah. (1999). Ngaben Ngerit dan Ngaben Individual dengan Biaya Kecil: Suatu Pengamatan dari Kancuh. *Laporan Tim Pencari Data*. Singaraja : FKIP UNUD Bali
- Kniten & Gunanta. (2005). *Tinjauan Tabuh Rah dan Judi*. Surabaya: Paramita
- Kaler. I.G.K. (1983) *Butir-butir Tercecera tentang Adat Bali*. Denpasar Bali Agung.
- Lasmawan, Wy. (2002). Saih Nembelas sebagai Lembaga Desa Adat dalam Pemerintahan Desa Tradisional Bali. *Laporan Penelitian*. Singaraja: FKIP UNUD.
- Lasmawan, Wy. (2004). Fungsi Lembaga -Lembaga Adat dalam Pemerintahan Desa di Kecamatan Kintamani. *Laporan Penelitian*. Singaraja: STKIP Singaraja.
- Molejatno. (1995). *Kitab Undang-Undang Hukum Pidana*. Jakarta: Bumi Aksara
- Pitana, I Gede. (2001). Awig-awig Desa Adat untuk Menangani Pedagang Acung. (*Makalah*). Denpasar: Diparda Bali.
- Sadia, Wayan. (2001). *Pedoman Penyusunan Proposal Penelitian*. Singaraja: Lembaga Penelitian IKIP Negeri Singaraja
- Sugiyono. (2006). *Metode Penelitian Kualitatif Kuantitatif dan R&D*. Bandung: Alfabeta.
- Suastika. (2008). Prosesi Perkawinan Ala Binatang Sebagai Modal Budaya untuk Mencegah Poligami dalam Kesetaraan Gender Pada Masyarakat Desa Adat Panglipuran. *Laporan Penelitian*. Singaraja : Undiksha
- Sukadi. (2000). *Tanah Laba Pura dan Pergeseran Nilai Sosial-Ekonomi Masyarakat Pedesaan*. Jepang: The Toyota Foundation-Grant Number 017-Y-1996.
- Titib. (1998). *Veda, Sabda Suci, Pedoman Praktis Kehidupan*. Surabaya: Paramita
- Utarayana. (2004). *Pengayam-Ayaman*. Denpasar: Offset
- Suastika (2011). Uran Ayam Jago Pada Masyarakat Bali Aga (Studi Kasus Legitimasi Adat Terhadap Perjudian Sabung Ayam (Tajen) Pada Masyarakat Desa Adat Bonyoh. Singaraj: Media Komunikasi FISVo. 9 No. 3 April 2011
- Harian Umum Nusa, 12 Mei 2008
- Bali Pos Edisi, 7 Januari 2007
- ([brahmawidya@gmail.com](mailto:brahmawidya@gmail.com), diakses Jumat, 12 Nopember 2010)