



The Portrayal of Moral Particularism in Alcoholic Beverages Investment Policy

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Abstract

In the beginning of March 2021, President of Indonesia annulled alcoholic beverages investment policy which he put in decree about a week before. There were debates among experts and activists about how this investment should be done. Some believe that this decree may enhance local alcoholic beverages culture while others may reject it since the drinks are convinced to bring in bad effects to human beings. There are no universal moral statements, but particular ones, in this decree since people said in economic, cultural, and religious perspectives. Then, how may moral particularism be portrayed in alcoholic beverages investment policy in Indonesia? By examining concepts, theories, and written data, further analysis will be done to answer the question. Bureaucratic law, economic advantages, cultural indications, social impacts, and religious perspectives are the main tensions of this policy. Investment on alcoholic drinks as cultural indications may bring in economic advantages covered by bureaucratic law. However, any bureaucratic law will never omit possibilities of alcoholic abuse which will bring in negative impacts socially. Moreover, religious perspectives which are seen to be best guidance for people should be put above any law including prohibition of alcoholic drink. In conclusion, alcoholic beverages investment policy is the reflection of particularism rather than universal sights of moral conditions.

Keywords alcoholic beverages investment policy, culture, moral particularism, religion

1. Introduction

Around March 2021, the President of Indonesia stated Presidential Decree (Perpres) Number 10 the Year 2021 about capital investment (bbc.com, 2021; Tanjung, 2021). There are some problematic articles in that decree, those are about investments in alcoholic beverages. This article has brought in several pros and cons seen from bureaucratic, economic, cultural, and also religious perspectives. Some pros come from economic experts that emphasize cultural potential enhancement to appoint economic advantages, especially during this hard time of pandemic situation. Some cons are shown by Islamic organizations such as Nadhlatul Ulama and Muhammadiyah alongside with Indonesian Council of Islamic Religious Scholars (MUI) (nu.or.id, 2021; cnnindonesia.com, 2021; Sanuri, 2021). They thought that any economic improvement is not comparable with the bad side of alcoholic beverages investments. The President then annulled the decree a week after because of the massive debates (Tanjung, 2021).

The criticized ideas are located in attachment point III number 31, 32, and also 33 (Bumn.go.id, 2021, Sanuri, 2021). Number 31 or KBLI 11010 includes alcohol-based beverages industries (*Industri Minuman Keras Mengandung Alkohol*). Its requirements could just be realized in the provinces of Bali, East Nusa Tenggara, North Sulawesi, and Papua by regarding local culture and wisdom. Any other investment outside of those provinces could be proposed by the Governor of the province to the Indonesian Investment Coordinating Board or abbreviated as BKPM. Number 32 or KBLI 11020 involves alcohol-based beverages especially wine (*Industri Minuman Mengandung Alkohol: Anggur*). This wine is similar in its realization to some provinces as stated in number 31. The requirement is the same as proposed by the governor to BKPM. Number 33 or KBLI 11031 specifically mentions malt-based beverages industries (*Industri Minuman Mengandung Malt*) (Solikin, 2021). The realizations and requirements are the same as the two former points. In advance, this Presidential decree would

like to underline beers as malt-based beverages in point number 33. Wine as described in number 32. Other alcohol-based beverages are stated generally in point number 31 (Sanuri, 2021; Bumn.go.id, 2021; Solikin, 2021).

There were debates among experts and activists about how this investment should be done. The debates have created such urgency for this issue to be discussed furthermore. The first aspect can be seen in how this decree may enhance local alcoholic beverages culture (Marune and Tanadi, 2021). Since it is only applied in those specific provinces with high consumption of alcohol-based beverages, its culture could be maintained and preserved better both economically and legally. Its legal consumption could involve law enforcement too in following. The second aspect rejects this decree by saying that the drinks are convinced to bring in bad effects to human beings. Indeed, those drinks represent such culture but their high consumption could be more dangerous than imagined (Gombo, 2021; Marune and Tanadi, 2021). Any economic income that may arise is never in line with any bad impacts that people and society will get. Religious considerations come together with this kind of thought. Those two aspects show how universal moral value is contradicted by a particular point of view. While universal is urged to be applied in every single aspect of life, a particular idea corresponds to every aspect that matters.

Another urgency then comes to the surface. Moral considerations in universal points are actually could not cover all matters. Its indications should always be translated and interpreted as well into ideas of particular involvements. There are no universal moral statements, but particular ones, in this decree since people said in economic, cultural, and religious perspectives. By staying at particular points, being general is shifted into being specific, so that covering in every aspect that is possible could be done for the purpose (Marune and Tanadi, 2021). The consequence is that universal moral value is seen through every particular yet possible indication. It should be understood not only as a whole but also as distinctive. Another consequence is that every aspect of a particular idea consists of important considerations as own moral idea (Dancy in Jackson, 2016). This point is the main emphasis in this writing. That is moral particularism that is a reflection of both universal points and its specific idea of being so distinctive.

The main question of this paper is, how may moral particularism be portrayed in the alcoholic beverages investment policy in Indonesia? By examining concepts, theories, and written data, further analysis will be done to answer the question. Bureaucratic law, economic advantages, cultural indications, social impacts, and religious perspectives are the main tensions of this policy. Investment in alcoholic drinks as cultural indications may bring in economic advantages covered by bureaucratic law. However, any bureaucratic law will never omit possibilities of alcoholic abuse which will bring in negative impacts socially (Marune and Tanadi, 2021). Moreover, religious perspectives which are seen to be the best guide for people should be put above any law including the prohibition of alcoholic drinks.

2. Method

By using the qualitative method, certain concepts and written data are analyzed to answer the question in this paper. Tensions between economic enhancements and cultural considerations are widely drawn too. This method is necessary for this writing due to the written sources used in this paper. No numeric data is used since mostly comes from the idea of description, narration, and also argumentations. From the Presidential decree, moral particularism, to its every aspect on economic, religious, and cultural indications, all of them are stated in this paper to reveal any hidden phenomenon or intertwinements of one to another. This method is also suited to this paper since it is used to analyze such attitudes, perceptions, assumptions, and also deeds. A more elaborative point of view is also stated furthermore to enrich the urgency of discussion of moral particularism in alcohol-based beverages issue. Moreover, the writers use both online and offline sources to deepen understandings about universal and particular moral points in alcohol-based beverages. Online and offline scripts are used to explain analyses of bureaucratic, economic, cultural, and religious sides of alcoholic beverages policy which are compared to current investment policy. Online and offline scripts are derived from books, journals, and online resources to understand shown matters. The data analysis includes attaining sources, reading sources carefully, comparing with other issues, quoting into paper, and writing down in references lists.

3. Result and Discussion

3.1 Bureaucratic and Economic Perspectives of Alcoholic Beverages Investment Policy

Regulations regarding investment in alcoholic beverages in Indonesia are done through Presidential Regulation Number 74 of 2013 concerning Control and Supervision of Alcoholic Beverages (Sasanapitak, Kongpradit, and Thomrongajariyakul, 2018). In this Presidential Regulation, there are two types of alcoholic beverages, namely alcoholic beverages from fermentation and classic alcoholic beverages made traditionally from generation to

generation. Based on Presidential Decree 74/2013, it is known that alcoholic beverages are under supervision which includes both domestic and foreign production involving the circulations and sales (Sasanapitak, Kongpradit, and Thomrongajariyakul, 2018). Production, distribution, and sale of alcoholic beverages based on existing regulations must be carried out by companies that have permits from several authorities. For the production of alcoholic beverages, the permit comes from the Minister of Industry, the license for the circulation of alcoholic beverages comes from the National Agency of Drug and Food Control of Indonesia and the import and trade permit for alcoholic beverages is issued by the Ministry of Trade. According to Ni'matul Huda, *et. al.*, the regulation of alcoholic beverages from a sociological perspective is one of the answers to anticipate problems caused by their high-risk consumptions. Therefore, regulations regarding alcoholic beverages focus on precaution (prevention), risk reduction (preparedness), responsiveness (response), and restoration efforts (recovery) due to consumption of alcoholic beverages (Huda, *et. al.*, 2015).

Based on Presidential Decree 74/2013, alcoholic beverages circulating in Indonesia are divided into 3 groups, namely (1) Alcoholic Drinks class A, namely drinks containing ethyl alcohol or ethanol (C₂H₅OH) with levels up to 5%; (2) Alcoholic Drinks group B, namely drinks containing ethyl alcohol or ethanol (C₂H₅OH) with a concentration around 5% to 20%; and (3) Class C Alcoholic Drinks, namely drinks containing ethyl alcohol or ethanol (C₂H₅OH) with levels of more than 20% to 55% (Gombo, 2021; Perpres 74/2013). In addition, the point of sale of the three groups is also further regulated; alcoholic beverages of Class A, B, and C can only be sold at (a) hotels, bars, and restaurants that meet the requirements following the laws and regulations in the tourism sectors; (b) duty-free shops; and (c) certain places other than letters a and b determined by the Regent/Mayor and Governor for the Special Capital Region of Jakarta, provided that the place is not adjacent to places of worship, educational institutions, and hospitals (Sasanapitak, Kongpradit, and Thomrongajariyakul, 2018). Furthermore, Class A alcoholic beverages can also be sold in retail stores in packaged form and must be carried out separately from other goods sold.

Besides Presidential Regulation, there is also a Minister of Trade Regulation as a derivative regulation that regulates the trade in alcoholic beverages. This regulation is contained in the Regulation of the Minister of Trade number 20 of 2014 concerning Control and Supervision of the Procurement, Circulation, and Sales of Alcoholic Beverages. This regulation, is regulated through Permendag 20/2014 (Lestari, 2016). This Regulation of the Minister of Trade has been revised several times, with the latest revision being the Minister of Trade Regulation number 25 of 2019. The Regulation of the Minister of Trade also regulates places that are allowed to sell alcoholic beverages. Article 14 of the Minister of Trade Regulation 20/2014 regulates the sale of alcoholic beverages for direct drinking or retail sale (Sasanapitak, Kongpradit, and Thomrongajariyakul, 2018). Sales of alcoholic beverages to be drunk on the spot can only be sold in hotels, restaurants, bars by the laws and regulations in the tourism sector; as well as certain other places determined by the Regent/Mayor and Governor for the Province of the Special Capital Region of Jakarta (Permendag 20/2014; Lestari, 2016). Meanwhile, retail sales of alcoholic beverages can be carried out at Duty-Free Shops (TBB) and other certain places as determined by the Regent/Mayor and Governor for the Special Capital Region of Jakarta. In addition, Class A alcoholic beverages can also be sold at retail stores such as minimarkets, supermarkets, hypermarkets, and or other retail stores with the condition that they are placed in separate or different places from non-alcoholic beverages products (Sasanapitak, Kongpradit, and Thomrongajariyakul, 2018).

Based on article 13 of the Minister of Trade Regulation 20/2014, the distribution of alcoholic beverages, both imported and domestically produced, may only be carried out by distributors appointed as IT-MB by the Minister of Trade. The Minister of Trade Regulation also regulates ports or airports that are allowed to be used for importing alcoholic beverages such as Belawan Seaport in Medan, Tanjung Priok Jakarta, Tanjung Emas Semarang, Tanjung Perak Surabaya, Bitung Manado, Soekarno Hatta in Makassar and international airports (Minister of Trade Regulation 20 /2014; Lestari, 2016). There are also imports of alcoholic beverages for free trade areas and free ports which may only be carried out to meet the needs of these trading areas and free ports and may not be sold outside these areas.

To support national regulations, regional aspects are also brought in to regulate the circulation of alcoholic beverages. The ability of the regions to regulate the circulation of alcoholic beverages is already mentioned in Article 7 paragraph (1) C which stipulates that the Regent/Mayor or the Governor for DKI Jakarta can move regulations for the circulation of alcoholic beverages following regional characteristics and local culture. Both in the form of alcoholic beverages produced by industry and traditional alcoholic beverages. Control over the circulation of alcoholic beverages at the regional level is regulated through Regional Regulations (Perda) with references to the above regulations and laws (Lestari, 2016). The need for regions to regulate the circulation and

sale of alcoholic beverages was emphasized by the Minister of Home Affairs in 2016 when responding to several regions that have regulations regarding the prohibition of alcoholic beverages in their regions (national.kompas.com, 2016). Several regions have local regulations regarding the circulation of alcoholic beverages, such as the DKI Jakarta which allows the circulation of alcoholic beverages with Regional Regulation number 8 of 2007 concerning public order. In this regulation, the circulation of alcoholic beverages is allowed with additional regulations, such as age restrictions and supervision from sellers and the public (Lestari, 2016). Then, based on the Regulation of the Director General of Perdagri Number 04 of 2015, the types of alcoholic beverages that can be sold are limited only to class A alcoholic beverages. Those can only be sold in the tourism area. In this case, the Province of Bali is taking advantage of this rule by issuing the Regional Regulation of the Province of Bali Number 2 of 2012 concerning Balinese Cultural Tourism. So that as a tourism area and destination, Bali Province is allowed to sell class A alcoholic beverages to support tourism activities and to compete in the economic field (Andriani and Permana, 2018).

Moreover, some regions prohibit the circulation of alcoholic beverages in their territory, such as Papua which regulates through Special Regional Regulation (Perdatus) Number 13 of 2015 concerning the Prohibition of Alcohol in Papua (news.detik.com, 2021; Rohman, *et.al.* 2020). According to the chairman of the Papuan DPR, Johnny Banua, alcoholic beverages pose a danger to the younger generation. Therefore, based on the aspirations of the people who entered the Papuan DPR to protect the Papuan young generation, the Papua Provincial Government issued a Regional Regulation on the prohibition of the circulation of alcoholic beverages (Rohman, *et.al.* 2020). In addition to Papua, there is also East Java province which also has a special regulation to prohibit the circulation of alcohol, namely Peraturan Gubernur Nomor 66/2018 concerning the Prohibition of Circulation and Sales of Alcoholic Beverages (BPK, 2021). In contrast to Papua, the prohibition of the circulation of alcoholic beverages has a cultural background considering that East Java is a city with the characteristics of Islamic Santri, so to maintain these characteristics, alcoholic beverages must be prohibited from circulating in East Java.

In this case, the differences among regional regulations regarding the circulation of alcoholic beverages are quite diverse. This difference is allowed according to the regulations, namely in Presidential Decree 74/2013 article 7 paragraph (4) which regulates the restriction of the circulation of alcoholic beverages according to regional characteristics and local culture (Rohman, *et.al.* 2020). The prohibition of the circulation of alcoholic beverages in East Java is a manifestation of the characteristics and local culture where alcoholic beverages are declared incompatible with the Islamic culture of East Java (BPK, 2021). Therefore, legally, the rules regarding the prohibition or restriction of the circulation of alcoholic beverages in an area are rules that are permitted according to the applicable laws and regulations.

Bureaucratic and economic perspectives of alcoholic beverages policy are going through both national and regional sides. Bureaucratic policies from top to down have been considered well through abundant regulations of alcoholic beverages (Patawari and Limpo, 2020). Indeed, it also controls its economic advantages so that any profit that may be increased should never shape any other bad sides of this beverage. Economic gains have been watched in line with bureaucratic regulations. Speaking about investment policy, it may enhance national income but it may also bring bad effects to society as is seen in provinces of Papua and East Java examples (BPK, 2021). Investment policy could not be brought merely in national matters. Regional aspects that involve culture and specific ideas of localities should always be considered to compare necessary and unwanted impacts that may come. The idea is clear from this side; economic perspectives should always be controlled through bureaucratic ideas in regulations. Here, the law as realized in such regulations is the main tool to control alcoholic beverages (Patawari and Limpo, 2020; Rizal, 2018). There may be some discrepancies in alcoholic abuse, but it is believed that police will always enforce the law so that any misuse of the beverages could be controlled.

3.2 Cultural Advancements on Alcoholic Beverages Investment Policy

Culture is not such a concept that could be defined easily since this aspect moves together among people's everyday life as shared meanings (Barker, 2014). Starting from the tangible culture such as dances and songs to intangible ones including habits and religious rituals, culture is seen as the perspective of people's understanding of life. Culture may stand alone as a separate concept and also may blend side by side with people as individuals (Highmore, 2016). There is no monolithic condition of culture yet there is no universal idea that could contain all concepts of a culture of human beings. Culture is a process, a never-ending one, which defines people and is defined by people too (Barker, 2014). It is so dynamic that includes language as communication and bodily movements in daily routines. It may also reflect both freedoms from goodwill and restrain from oppressors. Culture both does identify and at the same time is identified by the inner circle of experience and outer circle of otherness (Highmore, 2016).

In Indonesia, there are some points in seeing alcoholic beverages as cultural aspects of people. These points involve both religious doctrines and cultural rituals (Rizal, 2018; Rohman, *et.al.* 2020). Islam rejects the drinking of alcoholic beverages. There are some clear prohibitions for not doing that deeds since they may contain more bad aspects than good ones. Christian and Catholic religions need wine as the main requirements in church service and masses. Pastors will sanctify the wine in a consecration process that symbolizes the blood of Christ. The wine then is drunk by the pastor and sometimes is shared with participants too. There are no certain amounts of wine that are needed, as long as it is enough for consecration only. Giving it to people is voluntary and will only be done for certain occasions. In Balinese Hinduism, the use of alcoholic beverages is important in offering to Gods. Rice wine or *brem* is used as complementary beside rice and incenses as an offering. In some religious Hindu rituals, alcoholic beverages are also drunk to celebrate such occasions (Andriani and Pramana, 2018). The use of alcoholic beverages in Konghucu religion is permitted but only in limited amounts. This teaching emphasizes more moral values which include that drinking too much alcohol will affect the balance of mind and body. In the Buddha religion, the rituals do not require alcoholic drinks. In many points, Buddha teaches people to control their worldly needs and to focus on heavenly purposes. Alcoholic drinks tend to make people step out of goodwill and will blur the border between reality and fantasy. However, all of those alcoholic consumptions still consider the social norms of Indonesia. Children are not allowed to drink alcoholic drinks since it may harm their bodies and minds as well. Consumptions must also be done only in little amount since its objective is to celebrate religious occasions not for satisfying own needs of alcohol. People are bound to drink responsibly as they must know their limits of drinking so that they would not be drunk and may harm others (Rizal, 2018; Rohman, *et.al.* 2020).

Those explanations above reflect alcoholic beverages as a cultural part of everyday life even only in a small amount. Alcoholic drink is needed to fulfill the perfectness of religious rituals both by rejecting it or drinking it. It is not stated as cultural reservations that are left behind, but it represents people in daily routines (Saka, 2020; Highmore, 2016). In this case, culture is not seen as a big picture, but particularities of people through consumption. By consumption of alcoholic beverages, people produce meanings of life. They produce meanings of religious and cultural deep understandings. People move beyond themselves to the realms of the divine. It is not direct that by drinking alcohol then they could advance to divine aspects (Andriani and Pramana, 2018). Hence, alcoholic beverages are symbols or rituals that may move people's hearts to go beyond their selves.

Alcoholic beverages also assert how culture and religions move in synchronic understandings in Indonesia (Riskiyani, Jannah, and Rahman, 2015). Any kind of religious ritual is embraced deeply by people's practice in everyday life. This part touches the experience of people rather than the merely universal concept of religion and culture only. The experience blends both regions and culture into parts of daily routines (Saka, 2020; Highmore, 2016). Religions are not only formal dogmas but informal practices known best by those who believe in them. Culture is also living among people as they understand the meanings of a universal and particular language. Its universality asserts common and usual aspects of shared values seen in the reciprocity of inter-subjectivity (Tamang, 2016; Smith and Riley, 2009). Meanwhile, its idea of particularity indicates the specificity of culture deeply known and widely understood in everyday language. This language is more than just merely a tool of communication since it also involves how bodies of people move every time (Andriani and Pramana, 2018; Elliott and Lemert, 2014). In this language, alcoholic beverages are controlled by religious teachings so that those could be used only on purpose, not by consuming them continuously.

The explanations of culture in reflections of alcoholic beverages above show that every culture has its system that limits the use of those drinks. All of them say that culture is so contextual that move within people's life as habitual conditions (Saka, 2020; Elliott and Lemert, 2014). The synchronic of culture and religions in Indonesia is considered normal. The conditions do not need any conceptual definitions that are universal enough to control all things. The reality of culture is involved in the life-form of human beings (Riskiyani, Jannah, and Rahman, 2015; Barker, 2014). In the case of this beverage, people know that drinking too much alcohol will make them drunk and will harm their selves and others too. This part is also supported by religious and cultural aspects that relate to both individual and societal emotional conditions (Riskiyani, Jannah, and Rahman, 2015; Rohman, *et.al.* 2020).

The situation becomes interesting when alcoholic beverages especially in cultural aspects would like to be defined by the government through investment policy. The management of the use of alcohol is used to be realized among people and their cultural system. The limitations and restrictions are known best because people culturally understand them well (Smith and Riley, 2009). When the government would like to enhance cultural aspects through alcoholic beverages, it becomes such a major issue. The issues are, first, not all regions in Indonesia are permissive to alcoholic beverages. Some regions such as Bali, East Nusa Tenggara, Papua, and North Sulawesi may assume alcoholic drinks as normal, but not in other regions and the people. Somehow, culture is so relative

that it only works in a certain type of people who embrace it well enough (Riskiyani, Jannah, and Rahman, 2015; Barker, 2014). The best concept is to push local governments to enhance their potential and not by realizing such policy nationally. Second, all cultures and religions prohibit the massive use of alcohol, while investment demands more products that will increase consumption too. Many experts and activists say that it is unimaginable to see that many people drink alcohol freely since it will enhance the economy too. Beneficial factors are never comparable to the bad effects of alcohol consumption. The money would never be comparable to any social impact that may realize in the future times (Anantio, *et. al.*, 2020; Smith and Riley, 2009). Third, while culture and religions control the use of alcohol through dogmas and social relations, governments do not have much control of alcoholic abuse besides recited by the law. Today, the existence of law is good, but somehow many drinking abuses still happen until now. Local and national governments could only state formal and normative aspects of law to prohibit massive consumption of alcohol, but its realization to people's everyday life is always limited (Suroño in Tamang, 2016; Anantio, *et. al.*, 2020). Advancement of culture may bring in advantages in several sides but will truly shape harms to wider society.

3.3 Religious Understandings on Alcoholic Beverages Investment Policy

In the view of Islam, intoxicating drinks are synonymous with the term *khamr*. The law of drinking *khamr* is one of the major sins (Sanuri, 2021). In the holy book of Islam, it is also explained that drinking *khamr* is a heinous act and is classified as devilish behavior (Surah Al-Maidah, verse 90). Moreover, from the hadith, the Prophet Muhammad several times specifically mentions the prohibition of *khamr*. The Prophet Muhammad also explains that everything that intoxicates is *khamr* and everything that intoxicates is *haram* (Sahih Muslim in halalmui.org, 2018:2). Thus, all Muslims agree on the prohibition of *khamr* as a whole (Muhammad, juz 9. 2019: 567).

Regarding alcoholic beverages, alcohol cannot be equated with *khamr* in its form. *Khamr* is a drink made from fruit while alcohol is a chemical substance with the formula of C_2H_5OH . So, the two cannot be equated. However, intoxicating drinks including *khamr* can contain 8-20% alcohol (Tarmizi, 2017: 107). That way, alcohol is a chemical substance that is included as an intoxicating drink, so it can be categorized as *haram* in Islam. Furthermore, with the rules of *fiqh*, the *halal* aspects that surround *khamr*, that is *haram*, also turns into *haram*. The rules of *fiqh* are generalizations of specific Islamic laws which are usually made in simple perfect propositions (Sanuri, 2021; Ibrahim, 2019:15). The rule described in this paper is the rule of Imam Suyuthi which sounds as *idza ijta'ma'a al halal wa al haram ghuliba al-haram* which means if something is associated with *halal* and *haram*, then it is considered as *haram*. Therefore, buying and selling, lending and borrowing, production, and so on, which were formerly legal, turn out to be unlawful if all of them are associated with *haram* goods such as alcoholic beverages. So, the proposed law regarding investment in alcoholic beverages in Indonesia, related to this rule, is included in the *haram* category.

Investment in alcoholic beverages is indeed expected to increase state income during a pandemic (Solikin, 2021). However, there are several things from the point of view of Islam that must be considered, especially in terms of the common good. For some countries, the consumption of food or alcoholic beverages at a diner is the main thing. However, this turned out to bring in negative impacts (Rajamudin in Patawari and Limpo, 2020; Rizal, 2018). WHO notes 3 million deaths every year in the world are the result of alcohol consumption and 13.5% of deaths in the age group of 20-39 years in the world are caused by alcohol (WHO, 2018; Audrine, 2021). Besides death, alcoholic beverages also could shape negative impacts on health, both physical and mental health (Pribadi, 2017). Moreover, the impact of this intoxicating drink also affects the socio-economic environment. In the United Kingdom, 25% of workplace incidents are the result of the consumption of alcoholic beverages. Meanwhile, 40% of workplace incidents in India are also caused by the consumption of alcoholic beverages. Therefore, basically, in addition to being intoxicating, alcoholic beverages also have an impact on physical, mental health, as well as the surrounding society (Audrine, 2021; Pribadi, 2017).

With this disadvantage (*mudharat*), of course, Nahdlatul Ulama and Muhammadiyah as the largest Islamic organizations in Indonesia reject the alcoholic beverages investment plan in Indonesia, even though the investment will not be placed in areas with Muslims as the majority. The main reason is that alcoholic beverages have a significant impact on humans in general (Sanuri, 2021; Gombo, 2021). In addition, in Islam, there is the rule of *dar'u al mafasid muqaddamun 'ala jalbi al mashalih* which means avoiding damage is prioritized overdoing a good deed (Ibrahim, 2019: 84). In this case, avoiding investment in alcoholic beverages that has the potential to cause harm is more important than supporting the good or profits from the investment in it.

3.4 *Chronicles of Moral Particularism on Alcoholic Beverages Investment Policy*

Moral particularism reflects how any single value of morality is never enough to understand all kinds of aspects (Dancy, 2017). It does not seem that morality is not necessary at all, but this perspective underlines the importance of being pluralist in understanding moral considerations. Such moral aspects may be suitable to that action, but may not be related to others. Any action may also involve many kinds of moral perspectives since there is no single or monolithic understanding that may cover all such kinds of actions (Gombo, 2021; Elliott and Lemert, 2014). This view may relate to relativism, a cultural one in epistemology, to show that any single idea may only indicate some aspects of things while another idea to the same and so on. Any kind of issue is built based on multiple understandings of morality. It could be said that such issues today are a matter of multitude; kind of networks that do not only entangle the issues, but also the perspectives that may be correlated with them including power-knowledge foundations of them (Dancy in Jackson, 2016).

This moral particularism is the opposite of moral generalism (Smith and Riley, 2009; Dancy, 2017). This perspective provides an alternative understanding of alcohol-based beverages investment as that issue is better to be spoken distinctively rather than through a general point of view. The general or common view of morals states that one single ethic is enough to explain all of the things (Strahovnik in Lance, *et. al.*, 2008). Philosophical ethics such as Aristotle and Immanuel Kant emphasize how a moral consideration is applied as universal for all human beings. That single perspective is the ultimate one in understanding human deeds through moral values. On the other side, contemporary theorists such as Charles Taylor and Zygmunt Baumann show that even a single deed is supported and at the same time supports many perspectives therefore the considerations may vary too (Elliott and Lemert, 2014; Strahovnik in Lance, *et. al.*, 2008). Right or wrong is not about black and white perspective but every side has those morals that must also face another side in diverse contestations. While moral generalism put more emphasis on the source of morality, moral particularism focuses more on the matter of identities (Hooker in Lance, *et. al.*, 2008; Väyrynen in Miller, 2011). Indeed, speaking about that Presidential decree correlates with identities as stated in several provinces that are quite familiar with alcohol-based beverage consumptions. The identity is stated in plural view as identities since there is no single identity that is borne by everyone (Elliott and Lemert, 2014). Any single person in moral particularism bears tensions of diverse identities in everyday life. Everyone consists of vast kinds of identities so their moral considerations may vary too. One single aspect is not enough to answer all questions (Smith and Riley, 2009; Väyrynen in Miller, 2011). Every time, people have to put more answers to many kinds of problems of identities both consciously and even unconsciously.

Alcoholic beverages investment policy also reflects a matter of moral particularism rather than moral generalism. Simply, if it is about moral generalism, The President will arbitrarily continue to apply that policy without further considering other moral values. In reality, The President deeply knows that condition of Indonesia is so plural that consists of various identities. Therefore, even public policy is taken politically, its values of moral considerations are vastly known in the aspects (Väyrynen in Miller, 2011). This investment policy is never only about gaining advantages or raising money but involves abundant moral considerations reflected in the identities of the people. Being particular could enhance and enrich more understanding by paying attention to more details understood differently by each region, society, and even community. Economic and bureaucratic advantages must face serious rivals of cultural and religious insights. It may be similar to the balance of power in a democracy such any action could not be taken by ignoring another point of view (Smith and Riley, 2009). Absolute points in morality are not to be omitted, but the reality of various views of that principle could not be easily ignored too (Tsu, 2021).

Particularism is the main idea here rather than universalism. By emphasizing the particulars, the main focus is shifted from the center to the periphery side of such an issue (Dancy, 2017; Tsu, 2021). The periphery aspects may only be supporting factors, but the existence of those issues are pinpointed in themselves. Those are not just murmurs of society but how people react to any issue. Even any murmur may involve a various serious understanding of people regarding how they embrace their discourse of everyday life (Hooker, 2008; Väyrynen in Miller, 2011). This cultural view indicates that a particular idea provokes the plural essences and existences of identities. In reality, people do not just take for granted any policy that is made, but they consume and produce meanings of it. People in the matter of society are a crucial audience in maintaining moral considerations of such issues (Barker, 2014; Tsu, 2021). In this investment policy, people do not only see the news only for entertainment, but they speak of it with their related persons, discuss the ideas, and even deny or support the upcoming policy. As citizens, people do not only nod to the system of the universal belief of state, they also process the system in their everyday life that reflects a matter of particular reasons and senses of traditions (Tanjung, 2021; Youngmevittaya, 2018). Moral particularism does not result as a solution to the pros and cons of this debate of alcohol-based drinks. Moreover, it gives a wider alternative of understanding in seeing how morality is so plural that widen understandings between the pros and cons. The main idea is to emphasize how each aspect may contain

such truth that could walk together in a dialogue of leaving generalism towards specific attention to particularism (Sandis, 2021; Youngmevittaya, 2018).

Underlining various perspectives of moral particularism then states such shifts in some aspects. First, from centralization to decentralization. The central policy could not be taken arbitrarily but should always consider matters of others in narrow and wide points of the policy (Barker, 2014; Youngmevittaya, 2018). Narrow points are those sides related directly to the policy and wide points are those that experience the indirect impact of that policy. In this alcoholic beverages investment, matters of cultural and religious points are as important as economic and bureaucratic advantages. While economic points work in an eagle-eye position of the common, cultural issues put matters on the curb-eye perspective of the particular (Barker, 2014; Hooker, 2008). Centralization is never enough to cover all aspects of state nature, it always needs support or even denial from particular decentralized ideas. Second, the shift is related from culture to types of sub-culture (Barker, 2014). Economic and bureaucratic culture is plain and simple; people do as they say it is and they will get an advantage. Otherwise, in this alcoholic beverages investment, cultural and religious perspectives are more sub-ones by providing more complex moral considerations. Raising local alcoholic beverages may be good for national and regional income, but any good must be challenged by the worse impacts of those raised (Audrine, 2021; Solikin, 2021). Shifting focus into the sub-culture ones could enrich perspectives of public policy by putting aspects of society and its everyday experience in the argumentations.

Third, the shift is from theory into the matter of paradigm. A theory is built by doing such reductions of meanings of the data into several definitions. This process may exclude many aspects of particularities as being only seen in the sameness of the universal. By shifting into the paradigm, the theory is broken down into postulates and discourses of everyday dialogues (Barker, 2014; Hooker, 2008). Grand ideas are not the current focus, but the particular ones are also reflections of the power of people. In this aspect, the theory of investment that wanted to be realized by The President was challenged with the paradigm of culture and religions which are embraced more bravely by the people. While the theory is like *a la carte*, paradigm moves between people by combing this and that in a matter of various identities (Barker, 2014; Smith, 2011). Taking a focus on the distinctive idea is always better rather than paying all attention to being general at all. Fourth, legitimation is shifted into the view of de-legitimation. It does not mean that the government is no longer legitimized, but legitimation has been put into focus of problems. Legitimation, altogether with nationalism, is per formative. People will agree with the government if the policies are rightfully right in many aspects. Once it creates such fissure, criticism from the people is always probable to be applied (Hooker, 2008; Smith, 2011). In this paper, the legitimation of the government in investment policy is questioned since it ignores the cultural conditions of the people. If the investment goes on, criticism will be much more realized to oppose further supporting policies. Therefore, The President then annulled this decree to take care of official legitimation from the people to the government. Legitimation is not a given stance, but it is always a process of agreeing and denying pinpoints of matters of identities and traditions (Tanjung, 2021; Audrine, 2021). In this alcoholic beverages investment, moral particularism itself is a direct reflection of identities, from economic to social involving specific cultures that closely embrace consumption of alcohol-based drinks.

Those four shifting points above show that moral considerations are against matters of homogeneity as seen in modern concepts. Particularities as reflections of heterogeneity consist of various structures of identities rather than single or universal coercive perspectives (Barker, 2014; Nussbaum in Hooker and Little, 2003). In the analogy of an individual, a person embraces various identities in life. One single identity is never enough to be said as the ultimate answer for all questions. Considerations from other moral values are always necessary to enrich the understanding of certain issues (Audrine, 2021; Hooker, 2008). That analogy suits the matter of alcoholic beverages investment policy as a reflection of particularism rather than universal sights of moral conditions. The simple idea is that putting abundant investments in those beverages may enhance alcoholic consumptions that are never in line with social norms (Sanuri, 2021). It will bring more damage to society incomparable with the advantage of income that could be attained. It is correct that it must be annulled. The government as the central authority could never take decisions arbitrarily by having its moral standards. Matters of morals are at hands of the people who embrace the identities and traditions every time in their particular everyday life (Tanjung, 2021; Nussbaum in Hooker and Little, 2003).

4. Conclusion

Alcoholic beverages investment includes various aspects of moral considerations. While investment is accompanied by economic moral advantages, this alcoholic matter also involves other sides. Religious, cultural, and bureaucratic issues are important considerations for this investment. The differences among those points of

view are seen through ideas of ethics since there are direct reflections through identities at social and individual levels. Since the moral considerations are various in these investments, there is no single aspect that could explain all aspects here. In other words, universalism is not enough to discuss recent social discourses of public policy. Moral particularism becomes an idea today to review such public policies. Through that particularism, any difference in identities is more appreciated and considered as the main value in deciding a policy.

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