

Effectiveness of Law Enforcement in Controlling Nightlife (Case Study Of Demak District Pamong Praja Police Unit)

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Abstract. *Social problems in society are always changing and will develop according to the dynamics of society itself. The people of Demak Regency, which was the first Islamic kingdom on the island of Java, were no exception. However, with the development of modern times, the abundance of nightlife in Demak Regency has opened up job opportunities for the younger generation who want to work in the nightlife. This gives rise to things that are considered negative in society. Night entertainment, one of which is karaoke, is the focus of the Demak Regency government and many elements of society. The reason is, karaoke places are often filled with alcoholic drinks and karaoke guides who look sexy, making them a place of immorality. During its development, the karaoke place was even close to Islamic boarding schools and housing complexes. Based on the background above, the formulation of the problem studied is as follows: 1) How the effectiveness of the Civil Service Police Unit in enforcing the law for controlling night entertainment venues, 2) How problematic implementation of law enforcement by the Civil Service Police Unit in enforcing the law for controlling entertainment venues Evening, and 3) How to formulate law enforcement in controlling nightlife venues in the future. This research uses the methods sociological juridical. The research location is Demak Regency Satpol PP. Data collection techniques use interview, observation and documentation techniques. The results obtained from this research are the effectiveness of law enforcement in controlling night entertainment with a case study in the Demak Regency Civil Service Police Unit. The process of quite intense interaction between the community and the activities at the karaoke entertainment center ultimately creates views that are inherent in the community. Even though it has been in effect for 5 years, the karaoke place is still determined to operate again without complying with the rules stipulated in Regional Regulation Number 11 of 2018. Problems have arisen starting from weak sanctions, suboptimal human resource*

capabilities and Standard Operating Procedures (SOP). which is not yet clear and systematic. Regional Regulation Number 11 of 2018 concerning the Implementation of Night Entertainment can indeed increase PAD (Regional Original Income) but regional governments must not be careless regarding existing supervision, regulations and sanctions in order to be as strict as possible without consequences and not be selective in this way night entertainment is available in Demak Regency can be a reference for other regions with the concept of Halal-based nightlife.

Keywords: *Businesses; Effectiveness; Enforcement.*

1. Introduction

The enactment of Law (UU) Number 9 of 2015 concerning the Second Amendment to Law Number 23 of 2014 concerning Regional Government, has provided a new paradigm in administration of government in Indonesia. Regions are required to organize their own government and manage their region with the hope of accelerating the creation of social welfare. Local governments have the right to implement various public policies for this aim but still considers conformity with existing regulations and legislation that have been decided by the government center. In principle, regional autonomy has a main goal namely to provide government services to the community so that services to the community are more controlled and targeted.

The publication of a general policy is a step taken by the government to solve public problems (*issues*) found in society. Policies are patterned actions intended to achieve certain goals. This goal is an interest society, because this is the essence of a policy. The achievement of the essence of the policy is seen from the attitude of the community accept and support and are willing to implement policies or otherwise reject or not support the policy. This applies in Demak Regency.

Demak Regency is a district located in Central Java Province, precisely located in the northern part of Java Island. More precisely to the east of Semarang City, the capital of Java Middle.¹ Located in The North Coast (Pantura) route, which is the route connecting Surabaya - Jakarta and vice versa, is not surprising to find so many nightlife venues, especially karaoke, in Demak Regency. This entertainment venue has caused concern among the people of Demak Regency with the many immoral places, especially karaoke, because it is not uncommon for these karaokes to offer karaoke guides or what is often called PK. Therefore, the Regional Leadership Coordination Forum (FORKOPIMDA) issued Demak Regency

¹ <https://demakkab.go.id/publikasi/geografi>, accessed on November 25 2019 at 21.53 WIB.

Regional Regulation Number 11 2018 concerning the Implementation of Night Entertainment Businesses². With the issuance of this Regional Regulation, new problems have arisen where the government has not been able to regulate nightlife as it should. In this regional regulation, it is regulated how karaoke can operate and exist in the Mayor's City.

In accordance with the Regional Regulation, the Regional Regulation aims to regulate that entertainment business actors in Demak Regency can carry out their business on a legal basis and clear rules and it is hoped that entertainment business actors in Demak Regency can comply with existing regulations so as not to receive sanctions from Regional Regulation enforcement officials in Demak Regency.³

Not infrequently, law enforcement of regional regulations implemented by Satpol PP is carried out using very repressive measures and seems arrogant. Thus, to fulfill community expectations regarding protection and order efforts, it needs to be supported by adequate quality Human Resources (HR), operational budget and Satpol PP infrastructure. However, there are still some officers who have weak sides, especially with regard to skills and managerial abilities, especially in-depth understanding of legal aspect indicators in carrying out tasks in the field.

This research aims to find out, analyze and evaluate effectiveness, problematic and formulation law enforcement in the future after the enactment of Demak Regency Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses in Demak Regency.

2. Research Methods

Based on the formulation of the problem and objectives researched by the author using a sociological juridical approach method. The sociological juridical approach method is an approach method carried out by looking at the real conditions of the community environment with the aim and purpose of finding facts (fact-finding), which then leads to identification (problem). -identification) and ultimately leads to solving the problem (problem-solution)

Basically, this research is descriptive analytical, namely by describing the research results with as detailed data as possible and using Demak Regency Regional Regulation Number 11 of 2018 concerning the Implementation of

²<http://jdih.demakkab.go.id/Hukum/detail/20675>, accessed on 25 July 2023 at 22:02 WIB.

³Martinus, 2014, Effectiveness of Law Enforcement of Regional Regulations by Civil Service Police Units in Bengkayang Regency, Journal of Nestor Masters of Law, Vol. 3, no. 4, West Kalimantan

Entertainment Businesses in Demak Regency which is used by the author to assist in completing this scientific work.

3. Results & Discussion

3.1. Effectiveness Civil Service Police Unit in Enforcing the Law for Controlling Nightlife Places

The development of karaoke entertainment centers in Demak Regency is growing very rapidly, giving rise to things that are considered negative in society. This is contrary to the image of Demak as a Wali City, an Islamic city and a city that broadcasts Islamic religion, especially Java Island, which should be far from nightlife places considering that the majority of the population is Muslim. For this reason, the views created by the public and government regarding karaoke entertainment centers differ from one another. This gives rise to different social constructions of society regarding the handling of this karaoke entertainment center. In a study entitled Government and Community Supervision of Karaoke Businesses in Demak Regency, preventive and repressive supervision and supervision carried out by the government tended to be unbalanced. Where supervision is more emphasized on preventive supervision, namely on licensing mechanisms. Meanwhile, repressive supervision is less than optimal in enforcing regulations/policies.⁴

The government responded to this situation by issuing Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses. The contents of this regulation regulate all types of licensing for night entertainment in Demak Regency, one of which is organizing karaoke entertainment. The Demak Regency area is divided into 14 sub-districts, each of which has a Sub-District Leadership Communication Forum and the public in general has been provided with education regarding Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses in Demak Regency through outreach carried out by the Demak Regency government and law enforcement officials in general. gradually.

Socialization of Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses in Demak Regency has been carried out for six months since the stipulation and ratification of this regional regulation.⁵ During the socialization period, the Demak Regency Civil Service

⁴Ella Marliza, 2015, Urban Community Lifestyle (Study of the Meaning of Family Box Family Karaoke for Students on Jalan HR. Soebrantas Panam), Journal of Social and Political Sciences Volume 2 Number 2, Pekanbaru, Riau University

⁵Interview with Mr. Sri Fahrudin Btsri Slamet, SE as Chairman of the District DPRD. Demak (11 February 2020 at 15.00 WIB)

Police Unit also invited the ranks of the Demak Regency Police and Kodim as partners in implementing regional enforcement and policies which have their respective functions and roles.⁶

The enactment of Regional Regulation no. 11 of 2018 raises pros and cons among the public, there are those who are pro with this regulation, namely the public who claim that this regulation greatly reduces residents' anxiety and can anticipate the mushrooming of the karaoke business in Demak Regency. Meanwhile, on the contrary side, such as karaoke entertainment owners, feel that the regulations are not in favor of entrepreneurs. This refers to Article 4 letter (3) which states "that the location for karaoke businesses as intended in Article 2 paragraph (1) letter f apart from paying attention to the provisions as intended in paragraph (1), can only be held in 5 (five) star hotels and a minimum distance of 5000 m (five thousand meters) from places of worship, Islamic boarding schools, educational institutions, schools and hospitals."

Viewed from a businessman's point of view, the requirement to be 5000 meters away from places of worship, Islamic boarding schools, educational institutions, schools and hospitals is very irrational and it is not certain that every karaoke manager in Demak is able to fulfill this requirement. Considering that entertainment should be close to busy centers and in the middle of urban areas, conditions like that mean that entertainment venues must be on the edge of the city and must be far from crowds. Apart from that, according to Muklis, the chairman of the Demak Regency Karaoke Association at that time, was of the view that entertainment businesses should actually help Regional Budget Revenue (PAD), because this indirectly helps by providing jobs for the residents of Demak Regency. However, if these conditions remain in place, This regional regulation will only kill the economy of small communities in Demak Regency because Muklis believes that those who are able to fulfill the requirements for a karaoke business to be in a 5 star hotel are big businessmen from outside Demak City. The facts on the ground show that karaoke places in Demak Regency are not built in 5-star hotels. This is because there is no construction of 5-star hotels in Demak Regency. It is also considered that entertainment businesses, especially karaoke, cannot be officially established in Demak district. This is because there is no construction of 5-star hotels in Demak Regency. It is also considered that entertainment businesses, especially karaoke, cannot be officially established in Demak district. This is because there is no construction of 5-star hotels in Demak Regency. It is also considered that entertainment businesses, especially karaoke, cannot be officially established in Demak district.

⁶Jamaludin Ghafur, 2018, Enforcement of Regional Regulations: A Review of the Role and Function of the Civil Service Police Unit (Satpol PP) Vol 18, No 1, July 2018, page 13

The Demak Regency Satpol PP has an important role in implementing the karaoke policy, including providing guidance and supervision as well as taking action against violations.⁷towards karaoke places that are still operating again in the Demak Regency area. After Regional Regulation Number 11 of 2018 was passed, the Civil Service Police Unit conducted outreach regarding the Regional Regulation to the entertainment business actors concerned. The Civil Service Police Unit carried out outreach activities to the public regarding the prohibition on karaoke businesses and cafes that have closed rooms and entertainers. Through this socialization, Satpol PP builds communication with karaoke entertainment entrepreneurs so that they can create a common understanding between individuals and groups.

Based on the results of the author's observations in the field, the consistency of the provisions of the Regional Regulations concerning the Implementation of Entertainment Businesses in Demak Regency in activities is good. Where raids are carried out once a month to prevent deviant acts from occurring. But the Civil Service Police Unit still fails even though routine raids have been carried out. Based on the results of the interview, it can be analyzed that the consistency of the Demak Regency Civil Service Police Unit in controlling karaoke still needs to be improved by maintaining the confidentiality of the time of carrying out raids so that there are no leaks during raids and taking firm action against karaoke owners who violate the rules.

Until now, the karaoke place is still determined to operate again without complying with the rules set by regional regulations. Even though the karaoke place clearly violates certain provisions, it does not provide a deterrent effect because the implementation of sanctions is still weak. In its implementation, only a warning letter was given and there was no follow-up after being warned three times. So it has not been effective in implementing the karaoke policy in Demak Regency.

3.2. Problematic Implementation of Law Enforcement by Civil Service Police Units in Law Enforcement for Controlling Night Entertainment Places

The implementation of Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses in Demak Regency carried out by the Demak Regency Satpol PP experienced several obstacles. Since the enactment of the Regional Regulation which regulates the operation of entertainment businesses, one of which is karaoke, it has been socialized to all those targeted in this policy, namely to karaoke owners and the public. The

⁷Gatot Sambas Junaedi, 2022, The Role of Civil Service Police Units in Enforcing Regional Regulations in Sukabumi Regency Vol 4 No 2, August 2022, Tatapamong Journal, West Java, page 27

public and karaoke owners have been socialized regarding the policies governing karaoke in Demak Regency but received different responses between the two. There is enthusiasm from the public regarding the existence of policies that regulate these karaoke places. However, things are different from the response of karaoke owners who do not agree with the policies governing karaoke places.

On the other hand, the Demak Regency Satpol PP has carried out its duties to carry out closures in the form of sealing karaoke places that violate the regulations in the regional regulations. However, the business actor did not accept the sealing, so the karaoke business actor destroyed the seal which had been carried out by the Demak Regency Satpol PP. Suddenly, business actors did not agree with the sealing effort. For damage to seals carried out by business actors, the Demak Regency Satpol PP has the right to report the incident to the Demak Police. However, when the police do not respond, a more complex problem arises. If according to existing procedures, Satpol PP only ends at the closing and sealing stage, After the seal was broken by the karaoke business actor, the competent authority, namely the Demak Regency Police, took action. In reality, the Demak Police did not take firm action against damage to seals carried out by karaoke business actors. This certainly creates the effect of impunity for karaoke businesses. They will assume that the sealing carried out by Satpol PP has no legal consequences, so that if the sealing occurs again then they only need to destroy the seal again.

From the perspective of Community Organizations (Ormas) and the public, they think that the existence of karaoke is very disturbing for the residents of Demak Regency. Apart from tarnishing the image of the Mayor's City, karaoke places can trigger moral damage to the nation's next generation. Therefore, mass organizations and the community are controlling karaoke places unilaterally. In fact, the Regional Regulation states that the public only has the obligation to monitor and report if there are entertainment establishments that are not appropriate. Of course, this raises new problems where karaoke business managers can report mass organizations and the public for alleged damage to karaoke business premises in Demak Regency.

The Demak Regency Satpol PP has socialized Regional Regulation Number 11 of 2018 concerning the Implementation of Entertainment Businesses since it was passed and has issued warnings several times. However, when the sealing and closure was carried out by Satpol PP in early July 2019, the karaoke management did not accept this action. It was proven that when interviewed by a local reporter, one of the karaoke managers named Muklis considered that the Regional Regulation that was passed was not balanced because it did not contain all the aspirations of the community and related parties. The karaoke manager also asked the authorities to carry out a Judicial Review. He admitted that the

business premises and building permits were his own land and were his property, and he felt he was obeying the law.

Based on Regional Regulation Number 11 of 2018, Article 11 states that night entertainment businesses must be located at a distance of 5000 meters from places of worship, Islamic boarding schools, educational institutions, schools and hospitals. Muklis thinks that the regional regulations regulating entertainment business venues are not appropriate in Demak. According to him, entertainment venues that set a distance of 5 kilometers and must be in a five-star hotel are unnatural.

Problems arise where Forkopimda (Regional Leadership Coordination Forum) still does not have one goal and no agreement has emerged on firm action and the next steps that will be taken to enforce Regional Regulation Number 11 of 2018. Forkopimda itself is a forum used to discuss the implementation of general government affairs. Forkopimda membership consists of 5 elements, namely the Regional Head as chairman, DPRD Leadership, Police Leadership, Prosecutor's Leadership, TNI Territorial Unit Leaders as members.

Apart from the lack of maximization in patrols, the problem of implementing law enforcement in controlling night entertainment venues is also due to the budget of the Demak Regency Civil Service Police Unit which is not sufficient enough. Apart from that, based on the author's interview with Adi Prabowo., SH., MT as Head of the Regional Legal Enforcement Division of the Demak Regency Satpol PP, there was intervention from the businessman to the Demak Regency Satpol PP officers and even went to the house of one of the Satpol PP members. In this case, the members of the Demak Regency Satpol PP had also made a report to the Police, then the Police asked them to make a report and the police finally carried out a patrol to the officer's house as an effort to protect members of the Demak Regency Satpol PP.

Based on the theory of successful policy implementation which is used as a guide by the author is the theory put forward by Edward III in which there are 4 (four) factors that can be used as a reference in determining the success of policy implementation, namely: communication, resources, disposition and bureaucratic structure.⁸

a. Communication

In the communication dimension, the Civil Service Police Unit carried out an outreach activity to the public regarding the prohibition on karaoke businesses

⁸Joko Widodo, 2007, *Public Policy Analysis Concepts and Applications of Public Policy Process Analysis*, Banyumedia Publishing, Malang, p. 96

and cafes that have closed rooms and entertainers as well as existing sanctions. To realize effective communication, the Demak Regency Civil Service Police Unit has socialized the Regional Regulations regarding the Implementation of Entertainment Businesses in Demak Regency, which regulates, among other things, the control of karaoke places.

b. Resource

In controlling night entertainment, resources can include adequate staff, facilities and infrastructure. Staff is the most important element in implementing regional regulations. Based on the author's observations in the field, the competence, expertise and skills as well as the level of education of staff in the Demak Regency Civil Service Police Unit are still lacking, where the number of personnel is adequate but the level of education is uneven, which means that their competence is not optimal.

c. Disposition

The disposition or attitude of the implementer is a factor that leads to the attitude of the policy implementer. Because the policy implementer has behaved well, the trust of a policy target group will be created so as to reduce resistance. Basically, if the Regional Government has officials who have a good attitude, the people will trust it and will not fight against the government. Based on the results of the author's observations in the field, policy implementers are in accordance with what the community wants, namely having a good attitude in enforcing the policy. Here the Civil Service Police Unit applies humanely in enforcing Regional Regulations.

d. Bureaucratic Structure

In relation to the bureaucratic structure, what is meant is a mechanism that exists in the Civil Service Police Unit in enforcing Regional Regulations, the existence of clear and systematic SOPs in enforcing existing Regional Regulations so that policies made by the government can be implemented well. Apart from that, the Civil Service Police Unit must also have clarity in its organizational structure. Based on the results of interviews, the author analyzes that the Demak Regency Civil Service Police Unit already has an appropriate organizational structure, where one field and another can work together well.

3.3. Formulation Law Enforcement in Controlling Nightlife Places in the Future

Nightlife in Indonesia tends to be at karaoke places with karaoke guide (PK) services which are usually carried out by one or a group of women. As for quantity, it depends on the demand of customers who want to use the services.

With closed and soundproof room facilities, this is what gives rise to the concept that karaoke is rigged in the sense that indecent actions appear from customers who are male towards the karaoke guide. At the karaoke place, alcoholic drinks are also provided, which are clearly prohibited from being sold freely in this Muslim-majority country. This is quite different from the concept of nightlife abroad.

Nightlife abroad is differentiated by the concept of evening entertainment for adults and children or families. For example, nightclubs or bars. A nightclub is a building in which there are approximately 3 services, namely pub, discotheque or karaoke. Meanwhile, a bar is a place where visitors can enjoy various drinks, both alcoholic and non-alcoholic, except coffee and tea. Bars are usually located in hotels with a dim and vague room concept and only sell alcoholic drinks to guests.⁹

Legal products that regulate nightlife abroad tend to be more complex and stricter. Starting from the regulatory variables, it regulates building construction requirements, permits, official workers, and even rules for visitors who can enter night entertainment areas. Even in implementation abroad, to be able to enter nightlife areas, visitors must show their identity card as legal age. In other words, visitors who are not yet 17 (seventeen) years old are not allowed to enter nightclubs.

This is quite different from conditions in Indonesia, especially in Demak Regency. Visitors who come are asked to show their identity cards, but not as a legal age measure but simply to complete administration. Weak supervision and sanctions given by the government to managers of nightlife venues is one of the causes.

It is from this difference that the author takes up the problem of formulating law enforcement in controlling nightlife venues in the future by focusing on controlling nightlife entertainment in developed countries such as Japan or South Korea. Even though alcoholic drinks and free living are part of their culture, in everyday life the prohibitions and even sanctions tend to be stricter. In fact, there are a lot of karaokes that do not provide alcohol in Indonesia if you look at the karaoke concept, namely family karaoke where entrepreneurs provide karaoke rooms where you can order halal food and drinks, do not provide karaoke guides, and supervise the age requirements of visitors.

Regional Regulation Number 11 of 2018 concerning the Implementation of Night Entertainment can indeed increase PAD (Regional Original Income) but regional governments must not be careless regarding existing supervision, regulations

⁹<https://life.indozone.id/news/amp/43768562/sering-dikira-sama-ini-beda-bar-club-lounge-pub-dan-diskotik>, accessed on 29 August 2023 at 00.02 WIB

and sanctions in order to be as strict as possible without consequences and not be selective in this way night entertainment is available in Demak Regency can be a reference for other regions with the concept of Halal-based nightlife.

4. Conclusion

In supporting effectiveness Civil Service Police Unit in enforcing the law to control night entertainment venues, one of which is through socialization which has been carried out for six months since the enactment and ratification of the regional regulation. During the socialization period, the Demak Regency Civil Service Police Unit also invited the ranks of the Demak Regency Police and Kodim as partners in implementing regional enforcement and policies which have their respective functions and roles. The enactment of Regional Regulation no. 11 of 2018 raises pros and cons among the public. Viewed from a businessman's point of view, the requirement to be 5000 meters away from places of worship, Islamic boarding schools, educational institutions, schools and hospitals is very irrational and not every karaoke manager in Demak is able to fulfill this requirement. Remember that entertainment should be close to busy centers and in the middle of urban areas because it is considered that entertainment establishments actually help Regional Budget Revenue (PAD). According to the regional regulation, Satpol PP provides time for entertainment businesses to fulfill the requirements that have been implemented in the regional regulation. If these conditions are not met, then the permit will not be issued and the business must close permanently. Until now, the karaoke place is still determined to operate again without complying with the rules set by regional regulations. Even though the karaoke place clearly violates certain provisions, it does not provide a deterrent effect because the implementation of sanctions is still weak. In its implementation, only a warning letter was given and there was no follow-up after being warned three times.

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