

IMPLEMENTATION OF INDONESIAN POLICE (*POLRI*) TASK IN CHANGING ERA: A PARADIGMATIC STUDY ON THE MODEL OF COMMUNITY PERPOLISM (*POLMAS*), LEGAL ENFORCEMENT AND LOCAL FUNCTION

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Abstract

Before Society Police was carried out the community still complained about the police's performance which was not maximal in overcoming and minimizing the security of criminal acts within the community itself, so it was hoped that with the establishment of Society Police, Society Police could help the police in dealing with crime around the community so safe and orderly environment. The writing of this dissertation is essentially focused on the implementation of Polri's duties in the changing era with a paradigmatic analysis of the model of Society Police (Polmas), law enforcement and local wisdom. This effort requires cooperation between law enforcement officials. The thing that needs to be understood from the Polmas model above is the pattern of the legal system towards the implementation of Indonesian Police duties related to Society Police and problems relating to the community, especially related to solving small problems such as security and order in the community through Society Police and influencing factors the implementation of Society Police in creating a conducive society security situation. The theory or concept of criminal policy is used as the analytical system.

Keywords: Indonesian Police; Local Wisdom; Paradigmatic and Polmas.

A. INTRODUCTION

In the changing era has given birth to a new paradigm in the entire order of life in society, nation and state which basically contains a correction of the old order and refinement towards a new Indonesian order that is better. The new paradigm includes the supremacy of law, human rights, democracy, transparency and accountability that are applied in the practice of administering state governance including the

implementation of the functions of the Police.¹

Police are all matters relating to police functions and institutions in accordance with the laws and regulations and members of the Indonesian Police of the Republic of Indonesia are civil servants in the Indonesian Police of the Republic of Indonesia. In accordance with Article 13 of Act No. 2 of 2002 concerning the Indonesian Police of the Republic of

1 Pranoto, profesionalismepolisi republik indonesia di mata masyarakat sebagai profesi hukum, in <https://mardalli.wordpress.com>.

Indonesia (*Polri*), the main duty of the Indonesian Police is to maintain security and public order, uphold the law, and provide protection, protection and service to the public. In carrying out police duties as maintenance of security and public order (*kamtibmas*), the police carry out the task of anticipating, guarding and protecting the community from the evil behavior exhibited by criminals.² Police together with the community carry out preventive measures as an effort to prevent violations of law.

Society Police is a form of direct partnership between the police and the community in order to change the views of the community about the police which seem to only relate to the bad people. Where at this time it is emphasized to prevent crime not act after a crime occurs. This is more burdensome for the causes of crime than the consequences of crimes for maintaining security, public order. This is one of the milestones in the changing face of the Indonesian Police which is independent of the confines of past history. The self-image of the *Polri* figure must be balanced by improving the quality of the *Polri's* on Human Resources (HR) which are getting better and supported by mental and spiritual religious. Thus, the presence of the Indonesian Police in the midst of the community gives the impression and in accordance with the slogan of the Indonesian Police, namely: protecting, protecting and protecting the community.³

Based on its development, the Society Police emphasized a full partnership between the community and the police in identifying and overcoming local crime and the problem of disorder. The Society Police also believes that community members need to participate in formulating public policies based on interactive and cooperative relations. Combating crime cannot be done only by the Indonesian Police, so the need for community participation is good. The form of cooperation between the police and the community in fighting crime is a partnership. The partnership adopts a policing perspective that exceeds standards that only emphasize law enforcement.⁴

The police and the community are two subjects as well as objects that cannot be separated, the police are born because of the existence of the community, and the community needs the presence of the police, to maintain order, security and orderliness of the community itself. Thus the theory of the birth of the police (Polite Ancient Greece), to the birth of the modern police theory. Therefore, there are countries that do not have one of their armed forces, but no country does not have a police force as a guardian, protector and law enforcer in a country. This theory is reinforced by the history of the founding of countries in the world.

The main issues that are the focus of this writing / research are:

1. What is the connection between the changing era and the change in the model of Society Police

2 Khoidin dan Sadjijono, *Mengenal Figur Polisi Kita*, (edisi revisi), (Yogyakarta, 2006), p. 52

3 *Ibid*

4 Leighton, in Sutanto, et. al., *Op.Cit.* p. 19

- (*Polmas*) in the context of carrying out the tasks of the Indonesian Police?
2. How is the enforcement of law as part of the task of the police in the context of the implementation of Society Police (*Polmas*)?
 3. What is the role of local wisdom in implementing law enforcement related to the implementation of Society Police (*Polmas*)?

The objectives in this study are as follows:

1. To understand and analyze the relationship between the changing era and changes in the model of Society Police (*Polmas*) in the context of carrying out the tasks of the Indonesian Police
2. To understand and analyze the implementation of law enforcement as part of the task of the police in the context of organizing Society Police (*Polmas*).
3. To understand and analyze the role of local wisdom in law enforcement related to the implementation of Society Police (*Polmas*).

The benefits of the results of this research are as follows:

1. Philosophical benefits
Paradigms and legal findings as a result of research are expected to be able to break through the dominance of legal positivism which has been very influential in the changes and models of Society Police (*Polmas*) in the context of carrying out police duties.
2. Theoretical benefits
To find a new theory regarding the relationship between the changing

era and the model of Society Police in the implementation of Indonesian Police duties, law enforcement is part of the Indonesian Police's duty in the context of organizing Society Police, and the role of local wisdom in law enforcement related to future implementation Society Police (*Polmas*).

3. Practical Benefits

The results of this study can provide an overview of the implementation of *Polri's* tasks in an changing era in a paradigmatic analysis of the model of Society Police (*Polmas*), law enforcement and local wisdom.

The results of this study are expected to provide alternative efforts that can be applied regarding the implementation of the tasks of the Indonesian Police in an changing era in a paradigmatic analysis of the model of Society Police (*Polmas*), law enforcement and local wisdom.

Research methods

The research approach used in this study is a sociological juridical approach or socio-legal research method.⁵ The collection techniques used include interviews, observations, and document studies. The research conducted by the author took place in the jurisdiction of the Central Java Regional Police, in this case taken in the Salatiga Regional Police Station and the Semarang Regency area

5 Ronny Hannitijo Soemitro, *Metodologi Penelitian Hukum dan Jurimetri*, (Jakarta: Ghalia Indonesia, 1990), p. 14.

(Ungaran Police). The selection of research locations was carried out by purposive method, which was in accordance with the research objectives. Qualitative data analysis presented in a descriptive analysis.

B. DISCUSSION

1. Changes and Models of Society Police in the Context of the Implementation of Indonesian Police Tasks

a. Policy Development of the Indonesian Police's Duty

Polri carries out its duties and authority in all regions of Indonesia, especially in the legal area of the relevant officials assigned in accordance with the laws and regulations. In the public interest of the Indonesian Police in carrying out its duties and authorities it can act accordingly his own judgment. The implementation of these provisions can only be carried out in very necessary circumstances by taking into account the laws and regulations and the Professional Code of Ethics of the Republic of Indonesia Indonesian Police. *Polri* in carrying out its duties is responsible to the President both in the field of preventive and repressive police functions. However, this responsibility must always be based on the provisions of the legislation, so that no interventions can have a negative impact on the breeding of the police profession.

The concept of Society Police is centered on a systematic partnership *with* local community groups, local government

agencies, small entrepreneurs and also individuals to develop solutions to local problems and increase trust in the police.⁶ Society Police does not position the police as an institution that solves all community security issues alone.⁷ Therefore, all structures and strategies must be directed at encouraging proactive cooperation and problem solving, including the assignment of regional police officers and the introduction of Society Police principles into the entire process of recruitment, *selection*, training and evaluation. The problem is, institutionally, the Indonesian Police is still very centralized, while *Polmas* has a decentralized character. In addition, officials in the current system are not too motivated to abandon past practices.

2. The Implementation of Law Enforcement As Part of the Main Task of the Indonesian Police in the Context of the Implementation of Society Police (*Polmas*)

a. Implementation of the Society Police Model in the Salatiga District Police Jurisdiction

The situation of security and order in the city of

6 Definisi ini berasal dari Departemen Kehakiman Amerika Serikat yang sudah terlibat in pembinaan kemampuan (*capacity building*) Polri sejak pisah dari TNI tahun 1999. "Community Policing Defined", Office of Community-Oriented Policing Services, U.S. Department of Justice, April 2009

7 Interview result with AIPDA Sofyan Eko Saputro, on January 10, 2017

Salatiga can be said to be high enough against the occurrence of potential security and order disturbances, especially against crimes that disturb the community, including curry, curras, immorality, anirat, drugs, fraud. The potential for public security and order disturbances, especially crimes that are unsettling to the public, from the results of research in the period of 2015 to 2016 are quite high in 2015, there were 179 cases and in 2016 there were 162 cases of crime that disturbed the public.⁸

Data on Criminal Acts Affecting Communities in the Salatiga Regional Police Station

No	Types of Crimes that Affect Communities	2015 / Case	Year 2016 / Case
1	Currat	57 Cases	50 Cases
2	Curanmor	49 Cases	38 Cases
3	Drugs	9 Cases	12 Cases
4	Anirrat	14 Cases	10 Cases
5	Curras	7 Cases	3 Cases
6	Rape	3 Cases	-
7	Fraud	40 Cases	47 Cases
8	Murder	-	2

8 Secondary Sat Reskrim Polres Data Salatiga stairs 7 October 2015

			Cases
	Total	179 Cases	162 Cases

Source: Secondary Data on Sat Reskrim Polres of Salatiga.

Based on the phenomenon described above, the security situation and order in the city of Salatiga against the potential disruption of security and order, especially against crime plaguing the society, can be explained tabe I following:

Security and Crime Disorders Potentials

No.	Theme
1	Less public awareness triggers crime
2	People who are negligent
3	People don't care

The purpose of implementing Society Police programs is to prevent and deal with crime by studying the characteristics and problems that exist in a particular environment. So that the results obtained will be analyzed and solved together, through partnerships built by the community and the police. This is also what Rifai said that "People salute the problem can be solved with family"⁹.

Application of the Society Police Program in Salatiga Region

No	Application of Society Police	Need	Enough is necessary	It is necessary
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9 Interview with Rifai, as Chairperson of FKPM Tingkir Lor, on 29 July 2017 at the Tingkir Police Station

	programs		ry	
1	Comunicati on-based care	31	22	47
2	Consultatio n	40	20	40
3	Giving information	30	25	45
4	Other activities	24	46	20

Source: secondary data from the Salatiga Police Station

The success in preventing crime depends on the cooperation of the police and the community not only on one side. Therefore, people learn about the problems they can do for themselves and their environment.

3. The Role of Local Wisdom in the Implementation of Law Enforcement Regarding the Implementation of Society Police (*Polmas*)

a. Society Police as an Effort in Conflict Resolution

The current development of the conflict shows that the conflict has increased in intensity and has increased in variety. Dahrendorf, one of the figures who developed the conflict model, saw that human life in a society was based on a power conflict, which was not solely due to economic causes as stated by Karl Marx, but because of various aspects that existed in the community that he saw as an organization social.

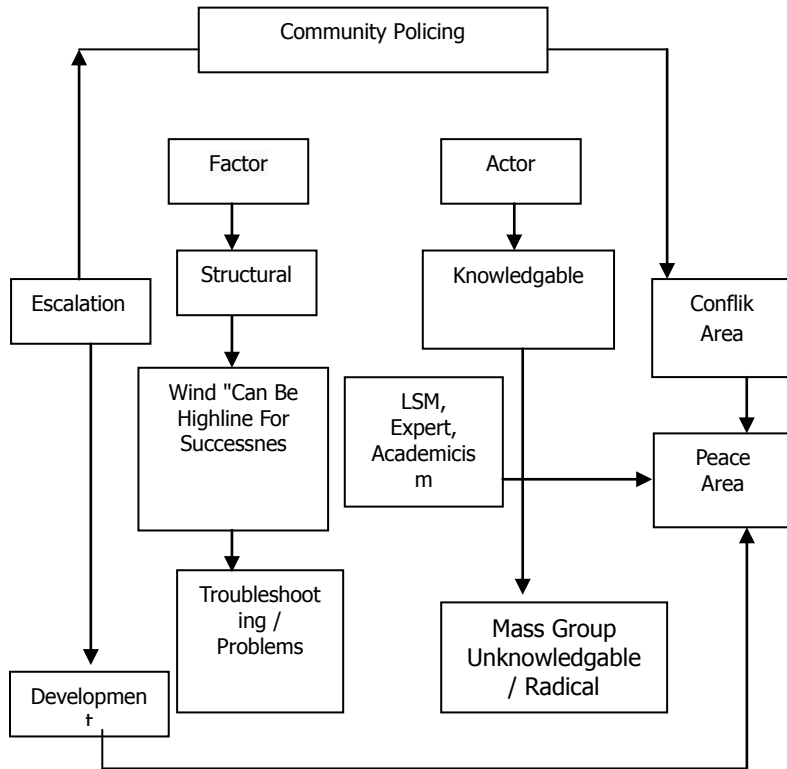
Factors that cause conflict can be classified into

several groups namely trigger factors, accelerator factors or blowers of conflict and structural factors such as wrong wisdom, economic factors, and others. Besides the factors that cause the conflict there are also conflict actors. These conflict actors generally are knowledgeable people and make conflicts for their own interests or groups. These well-informed actors usually have groups whose knowledge is not so good, easily incited and have high emotions.

The ongoing criminal justice system, it turns out, was felt to be less concerned with the aspects suffered by victims and witnesses. The witness actually also became a victim in a conflict that occurred because he also experienced the traumatism of the events he had just witnessed or experienced.¹⁰ The judicial process is the only way to determine who is right and who is wrong. This formal system places the community in a passive situation, so that in such circumstances the community becomes unwilling to know what is happening. The role of Society Police in the context of conflict resolution efforts can thus be described as follows:

10 Robert Elias, "The Politics of Victimization. Victims, Victimology and Human Rights". (Oxford University Press.1986), p.47

Society Police in Conflict Resolution



The picture above shows the working pattern of Society Police that can identify the root of the problem well. Good, because it involves and empowers the community and institutions in the community itself. Coaching is carried out in an effort to develop and optimize the potential of the community in equal partnership relationships. The partnership itself is all efforts to build synergy with the potential of the community which includes concern-based communication, consultation, information provision and various other activities in order to achieve a safe, orderly and peaceful community goal.

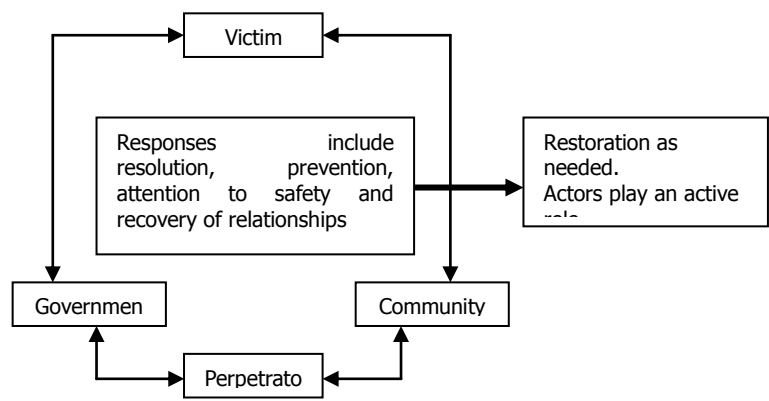
The disclosure of brokering in a law-making process has made us aware that this institution cannot be separated from collusion, corruption and nepotism. The arrest of law enforcement officers

who carry out transactions relating to criminal proceedings that he signed. All that shows the face of our law.

The face of Indonesian law is so fragile and in it is full of corruption, collusion and nepotism directly or indirectly affecting the community. The public was disappointed, this disappointment was at least seen in the poll conducted by Kompas daily with results reaching 57.2% of the public stating that the condition of law enforcement in Indonesia was still poor.¹¹ The facts presented above show also a lack of understanding of the concept of the purpose of punishment in law enforcement officials, making performance without direction and achieving an unclear vision.

Discourse about the purpose of punishment has become a central issue in criminal law, because criminal or punishment is always related to actions that are not carried out by the state based on law, then it will be an act that is contrary to morality. The assessment of the provision of appropriate criminal sanctions also continues to experience developments and criticisms which have reached the peak until now.

Restorative Justice Process



¹¹ Kompas, Hukum di Atas Pilar yang gamang, Monday, 10 October 2005.p.5

The picture above explains how restorative justice processes. The process in order to seek justice is certainly justice that can be accepted by all parties. The justice demanded is a recovery effort for the injured party. Anyone who is involved and affected by problems, criminal acts, conflicts and others related to order and security issues must have the opportunity to participate fully in following up. The government plays a role in creating public order, while the community builds and maintains order and security and peace in their respective environments.

The non-formal settlement that is recognized by its current legitimacy by the government is still just a discourse.¹² At present the government is drafting the inclusion of the concept of restorative justice in a special justice system for children and not yet another court.¹³ The formal process of providing a substantive justice in conflicts that occur in the community is increasingly difficult to expect, so there is an opportunity to do alternative ways outside the court.¹⁴ The process of the judicial system places the perpetrators and victims in the opposite direction. The perpetrator is seated as a person who has committed a crime with the efforts of law enforcement officials through the investigation process to reveal evidence and witnesses.

C. Conclusion

1. In essence, it is not a foreign matter because the *Swakarsa* Security System (*Siskamswakarsa*)

12 Interview with Bhabinkantibmas, November 17, 2017

13 Interview with Dirjend HAM, December 2, 2017.

14 Interview with Muhammad Mustofa, November 18, 2017

policy, which is based on sociocultural values in Indonesian society, already exists. (2) Society Police is understood as unity as well as unity from 2 (two) different but inseparable parts, namely the police and the public (community members who are not police). (3) The main component, and Society Police consists of two things, first; Equitable partnership between the Police and the Community (Equal Partnersshare; second; is Resolving various social problems that occur in society (Problem Solving). (4) The community is expected to be a police officer for himself; not being a victim or even a criminal. (5) Community Police Partnership Forum as one of the formation of Policing as the "heart" of the "driving force" of the "spearhead" of Society Police; where the dynamics of democracy relating to policing take place. The position of FKPM is in the community in organizing Society Police.

2. The implementation of law enforcement as part of the Indonesian Police's duty in the context of organizing Society Police (*Polmas*) can be seen in the implementation of Society Police programs to realize community security and order.
3. The Multicultural Country of Indonesia is a challenge for the Indonesian Police in the implementation of Society Police. The diversity of languages, cultures and customs is the main agenda for the implementation of Society Police. The need for a

specific approach in various regions with their respective characteristics, through:

- 1) Religion Approach
- 2) Language Approach
- 3) Cultural and Customary Approaches

- 4) Understanding Local Characteristics
- 5) Community Social Psychology
- 6) Local Community Economies Approach
- 7) 7) Understanding of Local Politics

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