Law Awareness And Legal Compliance Of Community For The Control Of HIV/AIDS Transmission In Urban Areas

Endang Sutrisno, Ayih Sutarih, Nanang Ruhyana

Abstract: The application of positive legal institutions Regulation of the Minister of Health No. 21 of 2013 concerning HIV-AIDS Control is intended as a concrete effort by the Government to establish the formation of community legal behavior. The substance contains the ongoing charge of Progressive Law values, on the flow of “dare” values through the establishment of the concept of “status quo” thinking, that the problematic life of the Gay is no longer about human rights but has become a central core the problem of the destruction of the order of values of human civilization. The law must be at the forefront to prevent moral degradation due to the consequences of deviant behavior by Gay as a trigger for transmission of HIV/AIDS. Legal awareness and legal compliance must also be used as a benchmark to overcome the impact of HIV/AIDS transmission in the effort to manifest the formation of human civilization moral, sensible for the life of human behavior, including at the most personal level of life.

Keywords: Progressive Law, Control of HIV/AIDS Transmission, Legal Awareness, Legal Compliance.

1. INTRODUCTION

The cases of HIV and AIDS in Cirebon Regency are increasing year by year. The first case was found in 2000 as many as 3 (three) cases in the sex worker sex risk group. This case - also continues to grow along with the intensification of prevention programs carried out by the Health Service, AIDS Prevention Commission and HIV and AIDS activists. Successive cases in 2001 (6 cases), 2002 (68 cases), 2003 (23 cases), 2004 (35 cases), 2005 (11 cases), 2006 (13 cases), 2007 (59 cases), 2008 (110 cases), 2009 (101 cases), 2010 (75 cases), 2011 (56 cases), 2012 (136 cases), 2013 (137 cases), 2014 (199 cases), 2015 (170 cases), 2016 (129 cases) and 2017 recorded 206 cases, so in the period of 17 years a total of 1,534 cases. The year of 2017 was the highest finding of HIV cases for 17 years, and it should be noted that the largest contributor is from the Gay community as many as 28 cases, so the total cases of HIV-infected gays as many as 79 cases. The number of Gay in Kabupaten Cirebon The estimation result of KPA, Health Service and PKBI year 2017 is estimated there are 1,896, while HIV case in Gay community from 2013 until 2017 there is a very significant increase of case, where in 2013 recorded only 8 cases, year 2014 (2 cases), 2015 (26 cases), 2016 (15 cases) and increased sharply in 2017 as many as 28 cases or 2.32% when viewed from the prevalence level, for more details as shown in the following graph.

Gay is an exclusive group because Men Who Have Sex with Men or MSM is a popular terminology in the context of HIV and AIDS. This group is a hidden part of society. MSM groups are very difficult to reach by HIV and AIDS prevention and control programs. Their behavior is very risky to the spread of HIV/AIDS, for example bergonta sexual partners without using condoms and lubricants, and perform oral and anal sex. Currently HIV-positive MSM are dominated by those who are still in productive age and in the sexually active category. This allows for ease in the process of transmitting HIV/AIDS to others through sexual transmission (sexual intercourse). According to the National AIDS Commission (KPA), statistical data and mathematical modeling results show that the main route of HIV transmission in Indonesia today and forward is through sexual transmission. Teenage issues related to reproductive health, often rooted in lack of information, understanding and awareness to achieve a healthy state of reproduction. Many factors affect this, ranging from an understanding of the need for hygiene maintenance of the reproductive organs, an understanding of reproductive processes and the impact of irresponsible behavior such as unwanted pregnancy, abortion, sexually transmitted infections including HIV. Government policy should be made to prevent the problems that occur among adolescents, the need for awareness and legal compliance so that the law can be used as a means of building social welfare and social order considering the basic consideration of the law is only one sub system of social system scope bigger until the law is not in a vacuum, but always interact with other social sub-systems that exist in the society. The law in its development is not only used to regulate existing behavior in society and maintain existing habits patterns. Furthermore, the law has led to its use as a means to make changes in society. The legal order has been regulated through the Law of the Republic of Indonesia Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection stating Article 1 Paragraph (12) The Rights of the Child are part of human rights that must be guaranteed, protected and fulfilled by Parents, Families, communities, countries, governments, and local governments. In Paragraph (15a) Violence is any act against a child that results in the emergence of physical, psychological, sexual, and/or neglect, suffering or suffering, including threats to commit acts, coercion, or deprivation of liberty against the law. The provisions of legal norms are intended to make efforts to prevent child problems so as to realize social order so that there is a change in legal behavior, law as a tool of social engineering. A legal approach began holistically, the law began to address other disciplines in the realm of social sciences or natural sciences. This step is taken as an effort to restore the law in the frame of wholeness, there is no more separation between law and human life. Empirical

• Endang Sutrisno, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia
• Ayih Sutarih, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia.
• Nanang Ruhyana, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia.
evidence that occurred in the study area of Cirebon Regency has been found cases of sexual harassment committed by Gay, even been exposed to the surface through the news of print and electronic media, but law enforcement is still weak, some cases there is no legal process which is complete for efforts to prevent deviant acts, this can lead to logical consequences understanding of the legal awareness and compliance of the community is difficult to be built in a constructive direction, laws that are unresponsive, not transparent and not accountable are the causes of the process of working the law in many communities experiencing obstacles because this argument is based on legal thinking processes at a level that is influenced by other sub-systems, namely social sub-systems, sub-systems of economics, sub-systems of politics and sub-systems of administration of policy of power holders. Firmness in law enforcement is one of the determinants of the direction of law in the process of community life in certain cases the legal order should be used as a means of social control to prevent the recurrence of the same problem. The big question is how is the understanding of the Gay community in Cirebon Regency against the norms of Health Law to build legal awareness and legal compliance as an effort to overcome HIV/AIDS transmission in Kabupaten Cirebon and how is the policy of Local Government of Cirebon Regency in the prevention of HIV/AIDS transmission.

2 THEORETICAL REVIEW

Article 1 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia states "The State of Indonesia is a State of Law". As a rule of law, every administration of government affairs must be based on applicable law (wetmatigheid van bestuur). As we know that the law is an agent of social control Roscoe Pound explains that the law is always dynamic and developing in a society that always changes according to the development of people's thinking at all times and places. Often, in this case the law lags behind the social development of society so that the legal function as a social control is not fulfilled. We are fully aware that in most areas of community life, normalization of human behavior has been carried out so that the law covers all fields. Legal penetration into a society that is so thick, results in demands to make changes and the development of the law itself and its relation to other social problems will also become more intensive, for which social problems must be handled extraordinary by law and must be work extraordinary too. The starting point of this thinking departs from the state law's commitment that the state is based on law, that all state activities should be based on law. Especially considering the condition there are 4 (four) legal models, namely first, a very repressive model of colonial law; second, the legal model of development; third, the progressive legal model; and fourth, the integrative legal model. The development carried out in the regions must continue to refer to the development outlined in the national domain, including the development of law that the regulations established as construction of technical regulations must remain based on the national regulatory framework. And the Regional Government's policy as a function to translate legal norms must be in harmony with the form of national policy. Policy in policy research background is defined as actions intended to solve social problems. Social problem solving by policymaker in this case is done on the basis of recommendations made by the policy researcher based on the results of his research. The policy here is not perceived from the point of view of government politics, but policy as the object of study. This emphasizes the field of study which is basically focused on what is really done rather than what is proposed or desired, by prioritizing the position of the actors in it. The actor can be interpreted by a person or legal entity who works to achieve the goal through certain actions. Laws and public policies go hand in hand to overcome social problems that occur in society, including to combat the spread of HIV/AIDS by the Gay, which is rife in the community because this phenomenon is like an "iceberg" which can be a determining factor in the destruction of social life . Gay in Cirebon Regency is a unique phenomenon where its existence is very closed. Their social activities are very limited only among them so it is very rare to show their social status in an open environment. Gay with HIV cases are the impact of aberrant risky sexual behavior, in the legal dimension must be able to perform the task as a social means of control to overcome the deviant behavior because the law has a variety of functions that must be done. Social change in people's lives has demanded the presence of an order that is able to provide the right solution. If we are dealing with the law, what comes to mind is related to social life, because law is the first arrangement of social life. It takes legal understanding that is substantially swooping in the realm of spiritual values, studying the values / values in the Holy Qur'an to be applied in law enforcement with a progressive legal perspective. In the concept of progressive law, the law is always in the process of being (law is always in the process of making), meaning that there is never a final word for law (man-made). So building and overhauling Indonesian law is a combination of value oriented approach, both human values and values of cultural identity and religious moral values that live in society, humanist approaches, cultural approaches and religious approaches which is integrated into a rational approach that is policy-oriented (policy oriented approach). According to Soerjono Soekanto, law enforcement is an activity of harmonizing the relationships of values that are translated into solid principles and manifesting and acting as a series of final stages of value translation, to create, maintain, and maintain social relationships. Gay has so far been seen as a phenomenon of sexual behavior deviations, the consequences of which are the risk of transmission of sexually transmitted diseases having a very high risk due to same-sex sex. Anal sex is a sex behavior in their community other than oral sex. The reality of value enforcement in the Gay community is very alarming, because these conditions are vulnerable to the spread of HIV/AIDS and the media used through social media phones with groups that are the purpose of recruitment is to youth communities in junior high schools and high schools. High School), as well as Higher Education. The movement mechanism that is carried out is very exclusive, it is difficult to recognize from the general public, its movements are massive and neatly organized. Gay people who have grown up and are capable of materially deliberately competing in their communities to get victims, known as "brondong" in the Gay community. They are nurtured with all of their daily needs to eat, drink, clothes and even means of communication - and are equipped with the purpose and purpose of being mere sexual satisfaction. In plain view gay is now often found in salons, malls, modeling agencies, modeling clothing designers, and usually displays themselves when there are fashion show events or even now deliberately appear on television media in the hope that they can exist and be recognized by the community. This condition requires the
Regional Government to immediately take concrete steps with the authority to be quick to take action to control and prevent the spread of the effects caused by the Gay movement. Law enforcement that dares (bravely) and firmly becomes the key word because the law has given a very large burden to stakeholders, policy holders. Law enforcement measures in a firm format are very good therapies, to construct constructive information about the dangers of the Gay action phenomenon, the law enforcement efforts to build legal awareness and high legal compliance in the community so that people can live their rights and obligations to guarantee the process of work law, in the context of upholding justice, law order, legal certainty and the establishment of legal attitudes and behavior that obey the law. The increasing condition of HIV cases in the Gay community, argues to us at the beginning of the cessation of the process of working the law in society, as if the absence of legal norms becomes a mirror of legal failure to achieve its objectives. And the policy of the Regional Government does not have an authentic function in the realm of implementation amid the current dynamics of social change in people's lives. Law as a social institution serves social needs of the community, so it is appropriate for the community to feel safe, healthy and prosperous. In this case the government must be responsive to seeing social phenomena that occur in society. The development of increased HIV cases in the Gay group has become a concern for parents who have teenagers. The law easily turns into a self-serving institution, no longer serving humans. Law can no longer be relied upon as a tool of change and as a tool to achieve substantive justice. Signs of danger about the erosion of these authorities and the stagnation of substantive justice have become the focus of criticism of the law. The Government's policy on HIV prevention in Cirebon Regency is only limited to the establishment of AIDS Prevention Commission while the Regional Regulation is still in the Draft of Regional Regulation. The government must immediately formulate policies as a means to realize a sense of security, comfort and justice so that it can give a big influence in HIV prevention in the Gay community. Law Number 36 of 2009 concerning Health is a Government policy to nourish the community, even through the norms of the Minister of Health Regulation No. 21 of 2013 concerning HIV/AIDS and STI Control, it appears that if someone is infected with HIV it should be proper not to pass on to others . However, this policy has not been matched by legal sanctions if in fact intentionally transmits. It is as if it does not have any meaning to the program which has been fixed but is not followed by real legal sanctions. Likewise with the regulation of legal protection against children and adolescents as mandated by Law No. 35 of 2014 on Amendment to Law No. 23 of 2002 on Child Protection.

3 METHODOLOGY

This research study uses a model of socio-legal approach to non-empirical research that examines "law as it is in (human) actions" with an interactional/micro approach with qualitative analysis through in-depth interviews. The approach of legal sociology is an approach that analyzes how reactions and interactions that occur when the norm system works in society. Laws as social facts are sociological, empirical, non-doctrinal and non-normative. According to Schuyt, the sociology of law is to reveal the causes of inequality between the public order that is aspired in an orderly society. This is in line with Esmi Warassih who states that the law in its development must be open to all changes that exist in the dynamic nature of society. Law can be studied either from the perspective of legal science or social science, as well as the combination between the two. Socio-legal study is a study of law by using the approach of law and social sciences. Legal research is a textual study, the articles in the legislation and policies can be analyzed critically and explained their meaning and implications for legal subjects (including marginalized groups). In this case can be explained how the meaning contained in those articles. Therefore socio-legal studies also deal with the heart of the problem in legal studies, which is to discuss the constitution to the lowest level of legislation such as Village Regulations. Second, socio-research, namely legal studies, requires an interdisciplinary approach, namely the concepts and theories of various disciplines combined and combined to examine legal phenomena, which are not isolated from social, political, economic, cultural contexts where the law is located. To quote Wheeler and Thomas, a socio-legal study is an alternative approach that tests the doctrinal study of the law. The word "socio" in sociolegal studies represents the context in which the law exists (an interface with a context within which law exists). By Brian Z. Tamanaha it is said that law and society have a frame called "The Law Society Framework" which has certain relationship characteristics. The relationship is indicated by two basic components. The first component consists of two main themes namely the idea that the law is a mirror of society and the idea that the function of law is to maintain "social order". The second component consists of three elements, namely custom/consent, morality/reason, and positive law. custom/consent and morality/reason can be understood in Donald Black's thinking as a culture. This type of research is qualitative-naturalistic legal research. This method is chosen to know the situation and conditions in the Gay community that is naturally true about the daily life of the Gay and also about legal understanding of the norms contained in the product legislation applicable to preventive measures of HIV/AIDS transmission and interaction among individuals. Qualitative research is focused on the social reality that occurs between the relationships that have been established between the researcher with the substance of research studies and the situational constraints that influence it, in the content of this type of qualitative research more focused on the issue of value this gives effect on how social experiences are formed and given meaning, Gay phenomenon to prevent the occurrence of HIV/AIDS transmission to the community, given the Gay has an exclusive nature that is difficult to understand by the layman in doing social interaction amid changes in the development of society era information technology and communication kuanjuan increasingly massive. This study uses the hermeneutic paradigm with the aim to understand the interaction of actors who are involved or involve themselves in a social process, including social processes that are relevant to legal issues. The so-called actors in this study is Gay community in Cirebon District. This approach with its methodology strategy to learn from the people invites digging and researching the legal meanings from the perspective of law enforcers involved in justice users and or seekers. The method and method of interpreting it is done holistically and comprehensively in the frame of the relationship between text, context and contextualization. The hermeneutic approach which is a method of legal discovery by means of interpretation can be used as an alternative in understanding the intrinsic meaning of "text" or "something".
According to J.J. H. Bruggink, in this case is shown hermeneutical circle which is a reciprocal process between the rules and facts because hermeneutic argument states that one must qualify facts in the light of the rules and interpret the rules in light of facts, included in the paradigm of current legal discovery theory. The study of this study to achieve a substantial depth of findings is also used Symbolic Interactionism Theory to understand the interaction built by Gay people to understanding the symbols that exist in the life of the community. Symbols expressed through understanding the norms of legal norms have very fundamental functions. In the Theory of Symbolic Interactionism, the symbolic function of the law is to provide general guidance on how one should behave. Sometimes these symbols are used in order to obtain a concrete guideline for the behaviors of the community organs of the parts of the community organization, including any individuals belonging to the community to which the guidelines are intended to implement the law. Symbolic interactionism can separate one from various systems and from various social environments, in which there are laws that play symbolic functions that together or sometimes also in place of other functions. From this point of view, interactionism is a complementary or complementary perspective, but it gains a distinction in its methodology, which for symbolic interactionism, uses a methodology based on an observation of the participants’ self-consciousness. If the deviation is formed through social processes it is reflected in the awareness of the groups that are the target of the research.

4 RESULTS AND DISCUSSION

Cirebon regency as an urban area that has become a tourist destination city, good culinary tour, batik tour, and also religious tourism, this has proven if Cirebon is going to Metropolis City era, so with all potential and strategic location very possible spread Gay community and HIV infection can occur very easily, quickly and massively. The number of Gay community data collected in 2017 in Kabupaten Cirebon reached 2,117 people (including HIV 79 people) consisting of Lesbian, Gay, Bisexual and Transgender (LGBT), this is a very serious challenge to the risk of HIV infection, but please note that the amount only those that have been recorded, because many Gay have not opened themselves to their current status. The results of data collected by the Commission on AIDS in December 2017 against homosexual/Gay (transsexual and LSL) communities are 628 people from 28 hotspots, consisting of 22 recreational areas, 3 sex gathering places and 3 places while for the MSM community there is 1,489 data collected from 46 hotspots, consisting of 1 entertainment venue, 4 recreation areas, 33 gathering/selling places of sex and 8 public facilities. Of these two communities were not found in sports venues. The total number of Gay/homosexual communities up to the year of 2017 is 2,117 people. When compared with 2016 data, there is a very significant increase, for transvestites only 86 people and LSL 354 people, as shown in the table below:

### TABLE 1

**NUMBER OF GAY COMMUNITIES IN 2016 AND 2017 IN CIREBON REGENCY**

<table>
<thead>
<tr>
<th>No.</th>
<th>Community</th>
<th>TOTAL RESULT OF DESCRIPTION (people)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Shemale</td>
<td>86</td>
</tr>
<tr>
<td></td>
<td></td>
<td>628</td>
</tr>
<tr>
<td>2</td>
<td>LSL</td>
<td>354</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1,489</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>440</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2,117</td>
</tr>
</tbody>
</table>

Sexual abuse cases committed by the Gay community in Cirebon Regency are quite high, but the problem is that law enforcement has not been optimal for the perpetrators, so sexual harassment cases tend to increase from year to year. Law enforcement is a process of carrying out efforts to uphold or function norms in real terms as a code of conduct in social life related to law. Law enforcement is a problem faced by every community, because weak law enforcement can result in weak legal norms that are applied in society so that the goal of creating, maintaining, and maintaining social relationships will not be achieved. For efforts to process the law in the community, legal counseling is also needed in order to achieve a high level of legal awareness in the community so that people can live up to their rights and obligations in the context of upholding law, upholding justice, law order, legal certainty and the establishment of law-abiding attitudes and behaviors. Gay in Cirebon regency is a unique phenomenon where its existence is very closed, so it is difficult to distinguish it. Their social activities are very limited only among them so it is very rare to show their social status in an open environment. Gay began to be formed, there were those who were young and also adults who were affected by environmental exposure continuously, so that this period was given the meaning of the Embrionical Gay Phase, meaning that it was the beginning of this period of growth and development of Gay through the stages and symbols certain systematic and orderly. Entering junior high and high school, the informant felt the agitation of puberty feeling passionate, even to "wet dream" with same-sex. In this phase the informant had dared to express his feelings to his male friends. Things that are not necessarily have been done, they have dared to go even further that is by having same sex, even there is a male sex worker sex. Normatively the high school period is adolescence, so Normatively the Criminal Code is still included in childhood (less than 21 years), when analyzed, the behavior or actions of the partner of the informant has violated the legal norms Article 292 of the Criminal Code:

“Adults who commit obscene acts with an immature person of the same sex, being known or should be mistaken for immature things, are sentenced to a maximum of five years' imprisonment”.

The Content of Article 82 of Law Number 35 Year 2014 regarding the Amendment of Law Number 23 Year 2002
regarding Child Protection states that:

"Anyone who intentionally commits violence or threats of violence, coercion, deceives, sets of lies, or persuades a child to do or let an obscene act is committed, punishable by imprisonment for a maximum of 15 (fifteen) years and a minimum of 3 (three ) year and a fine of at most Rp.300.000.00.00 (three hundred million rupiah) and a minimum of Rp.60.000.000.00 (sixty million rupiahs)."

In the level of social reality that is established that the law has not been implemented properly, the law cannot be enforced to achieve its objectives. Conditions have a negative impact on society, the legal order cannot fully guarantee a moral and intelligent life. Other facts found to date the "predators" of children as objects of Gay release are still widely found in the community, there is no sense of security for children as a result there is a presumption of justification for the actions of the Gay. This phenomenon is a series of structures and organizations of society and spread into the entire structure and body of the organization of the community. The legal phenomena that are present in the Gay's soul will direct each individual so that they have a certain attitude which influences each other among themselves, so that a general attitude is formed which is a response to the law. Legal norms are seen as not being present in people's lives. In another dimension, the role of people with HIV/AIDS (PLWHA) is also low, so the spread of HIV in the Gay community will continue to grow over time. The role of PLHIV as regulated in Article 53 of Regulation of the Minister of Health Number 21 of 2013 states that:

1) PLWHA participate in HIV and AIDS prevention by:
   a. maintain personal health;
   b. make efforts to prevent HIV transmission to others;
   c. notify HIV status to sexual partners and health workers for medical purposes;
   d. adhere to treatment recommendations; and
   e. participate in HIV and AIDS prevention efforts with the Government and other community members;

2) The role of PLWHA as referred to in Paragraph (1) letter b is carried out through:
   a. the obligation to use condoms properly and consistently;
   b. use a disposable sterile syringe;
   c. active participation in the prevention of mother-to-child transmission services for pregnant women infected with HIV; and
   d. do not become blood donors, blood products and/or other organs and tissues of the body.

Another factor that is very important, the issue of imposing unequivocal legal sanctions can result in a misunderstanding of legal norms, so that this results in weak factors of legal awareness and legal compliance to be built. In some cases, there are no legal sanctions for people who transmit HIV, whether transmitted intentionally or unintentionally. The description reinforces the statement that the process of law enforcement to establish legal awareness and legal compliance is very dependent on the product component of legislation made by the Government or the substance factor, the components of the law enforcement apparatus or structure, the infrastructure component to support law enforcement and the environmental component of the community, or the legal culture of society which is the goal of the legal norms. Constructive legal norms have accommodated the interests of HIV/AIDS sufferers through Article 3 Letter C Regulation of the Minister of Health No. 21 concerning HIV and AIDS Control, namely "eliminating discrimination against PLWHA" and the community is also required as Article 52 Paragraph (1) Letter C namely "preventing the occurrence of stigma and discrimination against people infected with HIV and their families, as well as the community of key populations ", while in health services for PLWHA, as Article 31, that:

1) Every health service facility is prohibited from refusing treatment and care of PLHIV.
2) In the case of health service facilities as referred to in Paragraph (1) not being able to provide treatment and care, must refer PLWHA to other health care facilities that are capable or to ARV referral hospitals.

It is in accordance with Roscoe Pound's concept that law should be seen as a social institution functioning to meet social and legal needs is a tool of social engineering or law as a social or legal institution as a tool for community building. This indicates that the basic understanding to establish legal awareness and legal compliance should be emphasized on the enforceability of the balance of interests between the rights and obligations set by law. The local government of Cirebon Regency up to now in addressing the phenomenon that occurs related to social problems of HIV/AIDS especially for Gay community there is no regulation that specifically regulate it, there is no regulation that specifically set the problem of HIV/AIDS to take action, law enforcement, although the HIV/AIDS Program Holder in the District Health Office of Cirebon Regency, although not yet formulated the regulation in the form of a draft regional regulation which specifically regulates the social problem of HIV, Cirebon District Health Office still runs the HIV/AIDS prevention program as mandated in the Minister of Health Regulation Number 21 Year 2013 routine activities are to conduct HIV socialization to the villages and places that have the potential for transmission of HIV, such as to the Night of Events such as Karaoke, Discotiq and Fitness Center, there is a fixed schedule that every three months, kem kem and each year increases the competence of HIV Officers at all levels of service, with the aim of extending reach and bringing HIV services closer to the community. The regulation for HIV/AIDS started in 2014, still in the form of a draft regional regulation (RAPERDA), reflecting the fact that the local government has not taken a serious stance to tackle HIV/AIDS. The regulation has been made by the Government of Cirebon Regency only in the legal rules for the establishment of the AIDS Prevention Commission (KPA), based on the provisions, namely:

1. Regulation of Cirebon Regent No. 6 of 2016 on Amendment to Regulation of Cirebon Regent Number 21 Year 2009 on AIDS Prevention Commission in Cirebon; and
2. Cirebon Regent Regulation Number 33 Year 2016 on Tuberculosis-Human Immunodeficiency Virus Cultivation Tuberculosis (Tuberculosis-Human Immunodeficiency Virus).

Legal products are built to create a legal system in the prevention of HIV/AIDS so that there must be institutional strengthening related to social problems because to realize an effective legal system needs to restructure institutional law
supported by the quality of human resources and culture and community legal awareness which continues to increase, along with the renewal of harmoniously structured legal material without conflict and overlap and the law is continually updated in accordance with the demands of development needs. Sectors of life governed by the rule of law must be able to reach the point of order and a sense of justice, including economic management, human resources and natural resources in order to achieve happiness together. Legal objectives for justice, legal certainty and the benefits of law in people's lives can be achieved. It should be realized that to create legal justice required an active role from various parties ranging from the formation of legal products to law enforcement products. This is very fully realized given that so far the development of law in this country tends to move in an artificial space and without direction. Indonesia today is facing with a very "unique" problem of legal performance as the most dominant consideration of legal decision embracing reine Rechtslehre Kelsenian's way of thinking. An approach that is still in further discussion through a more holistic alternative paradigm. Given in the teaching of monistic positivism law, which only recognizes one kind of justice, that is justice born from positive law.

5 CONCLUSION
The gay community's understanding of existing legal norms can not fully understand them well, so that legal awareness and legal compliance are difficult to establish. This is indicated by the increasingly deviant sexual behavior that can result in HIV / AIDS transmission in the midst of society is increasing. Law enforcement is weakened this condition becomes a turning point in the achievement of the objective direction of the failed law, the attainment of legal justice, legal certainty and legal benefit becomes impossible to achieve. For this reason, a legal empowerment component is needed to realize legal awareness and legal compliance. The policy of the Regional Government of Cirebon Regency is related to the Control of HIV / AIDS Transmission through the formation of the Commission for the Control of AIDS (KPA) and several legal norms through the Regulation of Cirebon Regent No. 6 of 2016 on the Amendment of Regulation of Cirebon Regent Number 21 Year 2009 on the AIDS Commission in Kabupaten Cirebon and Regulation of Cirebon Regent Number 33 Year 2016 on Counter-Collaboration HIV-TB (Tuberculosis-Human Immunodeficiency Virus) Cirebon District.

REFERENCES


