Scientific Deliberation Of Strategic Partnership In Law Enforcement With Local Communities

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Abstract: This study seeks to analyze scientific references regarding the need for community police, by exploring deeper the concept of adjusting social environmental conditions as a consideration of community involvement and scientific references in the formation of community police. This study also considers the need for the formation of community police in a legal framework that is not merely legalistic and normative in nature, but also has a social nuance as a preventive measure to deal with social and criminal problems by considering local environmental conditions and increasing active community participation. The Community Police Model emphasizes an equal partnership between the National Police and the local community in resolving and overcoming every social problem that threatens the security, public order and peace of life of the local community with the aim of reducing crime and fear. The Community Policing Model refers to the pattern of the legal system towards the implementation of Polri tasks related to community policing and problems related to the community specifically related to the resolution of minor problems such as security and order in the community through Community Policing and the factors that influence the implementation of Community Policing in creating a security situation conducive society.

Keywords: scientific considerations, community policing, equal partnership, participation of local communities, handling social problems.

1 INTRODUCTION

The National Police as one of the law enforcers should be able to provide security, order and protection of human rights to the community and show transparency in every action, uphold truth, honesty, justice, certainty and benefits as a form of public accountability. However, up to now in carrying out his duties as a law enforcement officer, the National Police still has several problems, one of which is the lack of police personnel so that the ratio is not ideal between the number of police personnel and the number of people (Masthuri B., 2005). In addition to the lack of personnel, the condition of the Indonesian police is exacerbated by the weak managerial sector which is also accompanied by a weak planning system, organizing, operational implementation of community development and security (order and security of the people) and supervision of its control, as well as a lack of operating budgets which have an impact on the lack of police facilities and infrastructure (Masthuri, 2005). As a basis for the formation of community police, it can be seen on a local scale that there are several issues that require more community involvement in handling criminal and social problems. As an example, based on reports obtained from the Semarang Police Resort Satreskrim data, crimes that have caused unrest in the Semarang Police area from 2014 to 2017 are as follows: in 2014 the crime rate was recorded at 238 cases and in 2015 there were 243 cases, then in 2016 there were 120 cases and in 2017 there were 96 cases. Although the case has decreased in 2016-2017, this shows the potential for disturbance in security and order in the community. In the Semarang Police jurisdiction, there are still criminal cases that need serious attention due to disturbing the surrounding community. This can be seen in table 1.

Based on these data, it can be seen that cases that occur in the Semarang police precinct that need serious attention are vehicle theft, theft with violence, murder, theft, and percussion. The number of cases in 2014-2017 experienced fluctuations, which in 2014 were 238 cases, but increased in 2015 with 243 cases and in 2016 decreased by 120 cases. Finally in 2017 it declined again with a total of 96 cases. Changes and sophistication of crime also go hand in hand with the ability to overcome these crimes, both repressively, preventively, and curatively, namely prevention and crime itself. The ability to prevent and overcome them is also a reflection of the community environment (Rifai E., 2019). Many old methods, techniques and ways were perfected. One method of deterrence, prevention and treatment of crime that has actually been implemented and only perfected is called Community Policing. As a philosophy of modern policing, in the context of implementing Community Policing in the community, the term Community Policing has become known. However, it turns out that opinions arise among experts and various groups regarding the exact term Community Policing so that an understanding of the terms that are known to the public is reached. The National Police issued the National Police Chief Decree No.Pol: Skep / 737 / X / 2005, which stated, without prejudice to the possibility of using different terminologies for academic purposes, formally by the Polmas model or commonly referred to as the National Police. This is in line with police reform and changes in the form of state and national government aimed at improving quality public services, especially with regard to police duties as protectors, protectors and servants as well as law enforcers. Such reforms certainly require community participation. Community participation is help or support for the change in the new paradigm of the Indonesian police through an effective and

<table>
<thead>
<tr>
<th>Case Type</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
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</thead>
<tbody>
<tr>
<td>1. Motorcycle Theft</td>
<td>115</td>
<td>109</td>
<td>48</td>
<td>36</td>
</tr>
<tr>
<td>2. Theft and Violence</td>
<td>14</td>
<td>16</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>3. Murder</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>4. Burglary theft</td>
<td>106</td>
<td>114</td>
<td>67</td>
<td>53</td>
</tr>
<tr>
<td>5. Rape</td>
<td>1</td>
<td>4</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>238</td>
<td>243</td>
<td>120</td>
<td>96</td>
</tr>
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Source: Semarang Police Resort 2014-2017
efficient approach by promoting the development of community potential that is developed through community policing as a form of active community participation in realizing a sense of security in their environment so that it can be better developed (Rahardi R., 2007). This study seeks to analyze scientific references regarding the need for community police, by exploring deeper the concept of adjusting social environmental conditions as a consideration of community involvement and scientific references in the formation of community police (Effendy, 2005). This study also analyzes the need for the formation of community police in a legal framework that is not merely legalistic and normative in nature, but also has a social nuance as a preventive measure to deal with social and criminal problems by considering local environmental conditions and increasing active community participation.

2 RESULT AND DISCUSSION

2.1 Adjustment of Social Environmental Conditions as a Consideration of Community Involvement

The size of the support and participation of the community to the police is very dependent on the police themselves, namely how the police put themselves in the community and treat community leaders. The forms and patterns of community participation in the police vary and are highly dependent on the social status of the community. In the ordinary community, participation is given more in physical and moral form. This is different from the support of people whose social and economic status is classified as middle to upper class where the support given to the police can be material and moral (Rahardi, 2006). In this case it takes a view or paradigm in seeing the problem. The paradigm aims to develop the understanding obtained from an event. The paradigm used in this research to find out the problem of community participation in the police is the constructivism paradigm. The constructivism paradigm explains the law or the problems facing society, constructivism is traced through interactions between and among adherents or holders and objects of observation or investigation with dialectal hermelitical construction techniques interpreted or compared (Indart, 2010). Constructivism is basically a relativist that is colored also by the humanist element. This means that all reality is understood as a mental construction or perceptions that are diverse and diverse and intangible, based on social and individual experiences, local and specific nature and characteristics, and the shape and content depend on each individual or community group followers of this ideology. Soerjono Soekanto (2004) stated that law can function effectively if there is harmony between law and the culture of the community. Community culture will become a law culture that reflects on the rule of law. Equality of role between the police and the community in carrying out security maintenance tasks is expected to be realized if the police are always friendly with the people. In an effort to create a civilian police that is close to the people, of course the people around the police must be approached and their presence must be considered (Rahardi, 2007). The task of Community Policing is the responsibility of the state because in essence State security is a dynamic condition and a prerequisite for a nation in the implementation of development. An interesting thing to raise in this Community Policing issue is the relationship between the Police and the community to jointly conduct crime prevention in an area. Community Policing will be oriented towards preventing crime and prioritizing crime prevention and prioritizing partnerships with the community (Rahardi, 2006). Community involvement in controlling, providing input, and providing input to the police, indicates the existence of good relations and regular and continuous communication with the community (Kelana, 2002). Crime prevention and handling efforts remain part of the police's duty, therefore besides continuing to carry out their traditional tasks (patrol and law enforcement) new ways to prevent crime have to be sought (Ibris, 2004). The process of reform that has been and is ongoing towards a democratic civil society brings changes in the joints of community, nation and state life. The National Police of the Republic of Indonesiam (Poli), which is currently carrying out a reform process to become a Civilian Police, must be able to adjust to the development of people's lives by changing the paradigm that focuses on reactive and conventional approaches (power) towards a proactive approach and get public support by promoting partnerships in order to solve social problems (Wahyurudhanto, 2012).

2.2 The Need For Community Engagement To Maximize The Role Of The Police

In some cases, due to the inadequacy of the National Police in carrying out their duties, various community complaints have arisen related to the low quality of legal services so that the legal apparatus becomes the target of public slur. Various complaints from the community include (Muhammad, 2007):

1. Unprofessional officials, so that many cases are not revealed and the increase in crime-prone areas;
2. Settlement of low crime cases;
3. Distorted behavior of the authorities and the occurrence of abuse of authority which is felt increasingly disturbing;
4. The apparatus is judged to be often hesitant in acting;
5. Cohesiveness among officials is considered not good, causing ineffective law enforcement in the community.

Anticipating and minimizing various complaints from the public and overcoming existing social problems and overcoming the problem of gaps that occur, the National Police has a policy known as the six operational output targets of the National Police, namely, first, controlling the organization, second reducing total crime, third increasing crime clearance (case resolution), fourth, increasing the potential and participation of the community, fifth increasing the security and smoothness of traffic and sixth, improving the quality of community services by using strategies to build partnerships with the community. Adding power through involving citizens as equal partners to cover up the shortcomings of Polri personnel is an efficient and appropriate way for developments in the community and in the field of law enforcement. Community policing is needed in creating a safe environment in the community (Muhammad, 2007). The development of a thought to bring about security and order in the community was impossible for the police themselves. This is supported by various studies, research, discussions, seminars and other scientific processes. Many scholars in social science, law, psychology, criminology, policing and politics have put forward their views, research results and studies to strengthen thinking about understanding the ideal relationship between police and society. Modern law enforcement is a concept that is oriented and focuses on
preventive measures rather than repressive measures, while the implementation of these measures is implemented with the aim of reducing the occurrence of crime and fear of crime and improving the quality of life of local residents. In realizing an ideal police and community relationship is not an easy thing. Some process very fast and some are slow. But even more important is how the police are able to prevent the development of crime by obtaining maximum support from the community (Muladi, 2002). Before the Community Policing was implemented, the community still complained that police performance was not optimal in overcoming and minimizing security from criminal acts within the community itself so that it was hoped that the formation of Community Policing could help the police in helping to overcome criminal acts around the community, so that the environment is safe and orderly.

2.3 Scientific Reference in the Formation of Community Police

In a larger design, law as the basic foundation for the formation of community policing is not only understood from its formal form and as a conceptual system that contains abstract concepts. The law, too, is not only understood as logical connections made up of propositions that make up juridical sentences. However, an understanding of the law must be seen systematically, which includes sub-systems that form norms or guidelines for community behavior. Regarding the norm system, law has forming institutions, forming processes and forms of law, as well as law has dimensions of enactment which are influenced by various factors such as social, economic, political, cultural and foreign, moral and ethical interests. The problem of law enforcement actually lies in the factors that may influence it, namely legal factors, law enforcement factors, facility and facility factors that support and support law enforcement, community factors, and cultural factors. These factors have a neutral meaning, so the positive or negative impact lies in the contents of the factors. According to Lawrence M. Friedman (2009) the legal system is divided into three elements namely the legal structure, legal substance and legal culture (legal culture). These three elements of the legal system according to Lawrence M. Friedman are defined as the Three Elements of Legal System (three elements of the legal system). According to Lawrence M. Friedman in Achmad Ali (2009), what is meant by the elements of the legal system, is:

a. The legal structure, which is the entire existing legal institutions and their apparatuses, includes, among others, the police with their police officers, the prosecutor's office with the prosecutor, the court with its judge, and others.

b. The substance of the law is the entire rule of law, legal norms and legal principles, both written and unwritten, including court decisions.

c. Legal culture, namely opinions, beliefs (beliefs), habits, ways of thinking, and ways of acting, both from law enforcers and from citizens, about the law and various phenomena related to law.

Another way of describing the 3 (three) legal elements by Friedman, is that the legal structure is like a machine, the substance of the law is likened to what is done and what is produced by the machine, whereas the culture or legal culture is anything or anyone who decides to turn on and shut down the engine and decide how it would be used (Ferdian, 2012). Achmad Ali added two elements of the legal system namely professionalism, which is an element of ability and skill in person from law enforcement figures, and leadership, which is an element of ability and skill in person from law enforcement figures, especially among higher-ups in law. Conceptually, the core of law enforcement according to Soerjono Soekanto lies in the activity of harmonizing the relationships of values that are set out in solid and embodied rules and action attitudes as a series of translation of final stage values, to create, preserve and maintain peaceful social relationships (Soekanto, 2004). Law enforcement does not merely mean the implementation of legislation but also as the implementation of judges' decisions. There are 5 factors that influence law enforcement. First, the legal factor itself, which in this paper will be limited to the law alone. Second, law enforcement factors, namely the parties who form or apply the law. Third, the factor of facilities or facilities that support law enforcement. Fourth, community factors, namely the environment in which the law applies or is applied. Fifth, cultural factors, namely as a result of works, inventions, and tastes that are based on human work in the association of life. The five factors are closely interrelated, because it is the essence of law enforcement, also a measure of the effectiveness of law enforcement. One of them is the legal paradigm for analyzing the role of local wisdom in the implementation of law enforcement in relation to the implementation of Community Policing, namely the constructivism paradigm. Guba states that a paradigm can be characterized by responses to three fundamental questions, namely ontology, epistemology, and methodology.

a. Ontological: What is the nature of the "knowable"? Or what is the nature of reality? b. Epistemological: What is the nature of the relationship between the knower (the inquirer) and the known (or knowable), c. Methodological: How should the inquirer go about finding out knowledge? (Walidin W., 2015). Constructivism is one of the paradigms put forward by Guba and Lincoln since 1994. According to Denzin and Lincolnj ontology (ie the shape, nature and characteristics of reality) of constructivism is basically a relativist that is colored also by the humanist element. This means that all reality is understood as a mental construction or perception that is diverse and diverse and intelligible; based on social and individual experience; local and specific characteristics; and the form and contents depend on each individual or group of people who embrace this ideology (Hidayat D. N., 2003). According to Eriyanto the constructivist paradigm is a paradigm where the truth of a social reality is seen as the result of social construction, and the truth of a social reality is relative. This constructivist paradigm is in the perspective of interpretivism which is divided into three types, namely symbolic, phenomenological and hermeneutic interactions. The constructivist paradigm in social science is a critique of the positivist paradigm. According to the constructivism paradigm the social reality observed by someone cannot be generalized to everyone, as is usually done by positivists (Eriyanto, 2004). Epistemology (ie the form, nature and characteristics of the relationship between individuals or groups of individuals with reality) of constructivism is transactional and subjectivist. While the methodology (ie the way how individuals find, get the reality they believe) from this paradigm is hermeneutical and dialectical (Indarti, 2001). Within this framework of constructivism, the law is therefore something that is transactionally and subjectively formed, as well as hermeneutic and dialectical. Constructivism strongly opposes
objectivism, empirical-realism, objective truth, and essentialism. Constructivism believes that humans are basically active in constructing and modifying concepts, models, reality, including knowledge and truth; law; and not just find it. The reality of the law is the output from the perspective of humans themselves. Here the law is considered plural and plastic. Law is said to be plural because it is expressed in so many and varied symbols, languages and discourses. While the legal plastic is defined as the nature and characteristics of the law that can be stretched and shaped according to human needs. Formulation of the legal system that describes the process of applying law in society or describing the role of law in regulating community behavior which is seen not merely as a mechanical system, but in fact is proven as a humanitarian system. The legal system is a unified system composed of the integrity of various components of the legal system, each of which has its own function and is bound in a unified relationship that is interrelated, dependent, influencing, moving in a unified process, namely the legal system process to realize legal objectives (Effendi M., 2005).

2.4 The Need for Community Police in handling criminal and social problems

The National Police of the Republic of Indonesia as a tool for enforcing a professional legal system, is deemed necessary to provide a solid legal foundation in the arrangement of the tasks and authority of the Indonesian National Police (Kunarto, 2009). Furthermore regarding the main tasks of the National Police related to law enforcement that this main task is not solely when an act of violation of the law occurs, more than that efforts to prevent violations of the law become the main in the concept of Community Policing. This deterrence is a good element of law as a condition of modern rule of law, that the law is better at preventing violations than punishing violations. The police and the community are two subjects as well as inseparable objects, the police were born because of the existence of the community, and the community needs the presence of the police, in order to maintain order, security and order of the community itself (Tabah, 1991). Thus the theory of the birth of the police, until the birth of this modern police theory. Therefore, there are countries that do not have one of their armies, but there is not a single country that does not have a police force as a disciplinarian, protector and law enforcer in a country. This theory is reinforced by the history of the establishment of countries in the world. In this case the police need community participation to secure and bring order to the situation in the community itself, in this case the change of duties of the police is now referred to as Community Policing. Here, the police and the community are two subjects as well as inseparable objects, the police were born because of the existence of the community, and the community needs the presence of the police, in order to maintain order, security and order of the community itself. The Masyakat Police Model emphasizes an equal partnership between the National Police and the local community in resolving and overcoming every social problem that threatens the security, public order and peace of life of the local community with the aim of reducing crime and fear. Community policing is referred to with various meanings, such as community policing, community based policing, and problem oriented policing. The concept of community policing can be understood by identifying its main characteristics, for example linking community policing with problem-oriented policing, the police are most likely to increase productivity with the community with several methods. First, assigning police officers to the area long enough to enable them to identify issues of concern to the community. Secondly, developing the capacity of police personnel and institutions in analyzing community problems. Third, study whether greater involvement from the community has the potential to significantly overcome a problem. In such situations, working with certain segments of the community is in a position to help reduce or overcome problems. In the formation of community police, it is necessary to focus on the implementation of Polri’s tasks in an era of change with a paradigmatic study of the Community Policing model, law enforcement and local wisdom. This effort requires cooperation between law enforcement officers. Within this framework, scientific references are needed to form a prescriptive doctrinal normative mindset and non-doctrinal descriptive idiosyncratic. Doctrinal normative prescriptive is a mindset that views law as a doctrine or set of normative rules. Such a scientific approach is needed to not only refer to the provisions of the legislation that are usually only based on the principle of legality, but also see the reality of life as if it is free from aspects of justice, deliberation, moral and spiritual, so it is not necessarily the implementation of Polri’s duties in solving the problem of social conflict in accordance with community expectations. In this research, the focus is on the steps and efforts of the police in carrying out their duties with the model of community policing, but still based on legal norms and law enforcement, local wisdom of international instruments and upholding human rights as referred to in Article 19 of Law No. 2 of 2002 concerning the National Police.

3 CONCLUSIONS

The police and the community are two subjects as well as inseparable objects, the police were born because of the existence of the community, and the community needs the presence of the police, in order to maintain order, security and order of the community itself. The Community Police Model emphasizes an equal partnership between the National Police and the local community in resolving and overcoming every social problem that threatens the security, public order and peace of life of the local community with the aim of reducing crime and fear. The Community Policing Model refers to the pattern of the legal system towards the implementation of Polri tasks related to community policing and problems related to the community specifically related to the resolution of minor problems such as security and order in the community through Community Policing and the factors that influence the implementation of Community Policing in creating a security situation conducive society. Some restrictions are also used to avoid confusion in the formation of community police and so that this formation can be more targeted so that the objectives of community policing will be achieved. Some of the limitations of the problem in this study are as follows: Firstly, there is a link between changes and the model of Community Policing in the context of implementing Polri’s duties and implementing law enforcement as part of Polri’s tasks in the context of the implementation of Community Policing. Second, the role of local wisdom in each region in the implementation of law enforcement related to the implementation of Community Policing.
4 REFERENCES


