

Reoriented Polri Role Including Resolution Political Conflict

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Abstract—Mechanism of ideal law straightening in solving political conflict between Parpol supporter in principle consider integrity of POLRI role and orientation of law straightening which with Restorative Justice. Police include people into just cell, not less important Police able to shut-out people into cell with searching problems roots why people conduct badness. Police not act anything but how comprehending its with The Tool The Problem Solving

Keyword—Police of role; political conflict; consensus; restorative justice.

I. INTRODUCTION

According to Ralph Dahrendorf social life have never quit from conflict. If not be managed better, that conflict will always accompany even can destroy principal life of political social group and can bother peaceful, peace and order atmosphere.

Sir Paul Vinogradoff in his book *Common Sense in Law* (1959) stated that one of non sens things if social relation can take place better, while society alone don't know about order, safety, justice, etc.

Political conflict caused by important collision which placing forward culture and religion symbols which bring big influence of political social impact to security. This matter seems realized by power since colonial era. The symbol if not be managed truly, can be exploited to various importance in order to divide state. Zoon Politicon and in English referred as man is by nature a political animal; aristoteles mean that politics represent reality existence of human being in societal life. If two people or more have interaction each other (in experiencing life in world), hence they not get out of involvement in relation having the character of politics.¹

Social conflict (and also political conflict) represent phenomenon which have influence in making decision. More excitement conflict, more difficult to make decision which obligatory all of them.² Opponent and conflict are

consensus. Consensus which referred as agreement or general consensus which occurred when all party have same opinion. Therefore, conflict occurred when there no consensus, and consensus happened when conflict have pacified.

Some fundamental problems are :

1. How POLRI's efforts and conduct in solving conflict between political party supporter
2. Do role reorientation conducted have in line with law mechanism which have been specified formulated as follows :
 - a. To understand and explain conducts and efforts which have done by POLRI in solving each social political conflict which happened in community.
 - b. To understand and explain role reorientation as background of POLRI's action in solving conflict between political party supporter according to law mechanism which have specified.

If main purposes in this study can reach, hence will give very important

This study which orderly in socio-legal domain will be designed in some phase, they are : (1) coherent of research tradition, (2) strategy research design and determination of research location, (3) selection of data collecting method, and (5) selection of Analyze method and data interpretation³. For the sake of research, then will be explained phase of research marginally.

Third, comprehend and compass law fundamental police becoming the basis for duty execution and POLICE authority, and also improving socialization and role of community police (Polmas). Fourth, grow up proaktif attitude, coordinative, and inwrought in face of things which have potency to bother security as small as any.

Fifth, be police who have moral, professional, and modern which loved and trusted by society. Let us improve quality of service for society fully integrity, affection, and full responsibility.

difference which constituted altogether so that they know there are other party who oppose against their opinion.

¹T. May Rudy, *Politics Introduction, Knowledge Idea and usefulness*, Revise Edition, Refika Aditama, Bandung, 1992, page 1.

²Maswadi Rauf (UI Professor), *Internet, a glance of conflict theory* : May 2002; Conflict happened if there are any

³Norman K. Denzin & Yvonna S. Lincoln, "Introduction Entering the Field of Qualitative Research", in Norman K. Denzin & Yvonna S. Lincoln, *Handbook of Qualitative Research*. London : SAGE Publications, 1994, pages 12 – 15.

II. SOFTWARE DEVELOPMENT METODOLOGY

According to history note, police in real world make a move from militarism understanding embracing to civil understanding. that Movement process earn careful than tendency “brute force” to way of police which “humane policing”.

Friction process like that can perceive from birth of police in English in 1829, which often mentioned over and over as modern police model. Even if in the form of rather harsh, in birth of The Metropolitan Police in English when designing uniform the Metropolitan Police, that is an uniform which was designed to make them look as much like civilians as possible.⁴

Understanding police militarism understanding want police to in running duty and his authority have to have militaristic attitude or having the character of military. English Police Founder Robert Pheel affirm, that attitude and nature of military discipline remain to stick in each police member, because police represent a state civil organization armed.

Civilization understanding, born police doctrin The Soft Hand of Society. Flabby hand, friendly and soft service to society. Here people and police have the character parallelly so-called community politicing, so that have relation having the character “horizontal” orienting” problem solving and partner. Passed duty police here is to give safety, protecting and serving society.

Sample from duty like that for example = assisting to finish dispute between Citizen society construct and security orderliness of society, constructing and security orderliness of Citizen society, looking after safety soul, etc which is ordinary to be referred as Police Hazard (PH) And kriminogin correlative factors (FKK).

Thereby, in fact role which played by police not only having the character of repressive after existence of factual threat (AF). in reality, Percentage of police work having the character that smaller repressive in comparison with work having the character preventive, and even much more small in comparison with work having the character of preemtif. According to Baley (1998) and article 19 section (2) Regulation No. 2 Year 2002 about POLRI; In executing authority and duty as referred in section (1) POLRI major precaution.

Compared to the amount of central java resident as much 32.114.351 head while amount of POLICE Polda Central Java member more or less as much 32.000 people. Member POLRI ratio with amount of resident besides ideal below the mark Interpol, also felt less proporsional, because not all

POLRI member conduct operational duty and relate to society service.⁵

Because of police friction become important to be conducted]. This matter to become relevant along with ratio of POLRI amount member compared to the amount of resident served in Indonesia are I : 1000 - 1200 people, ideal though according to PBB are 1: 400 resident.

III. RESULT

According to Chief of Kedung District H. Sulaiman Effendi, S.H., that political conflict in Dongos village early from PKB plan to perform PKB declaration at 24 March 1999 at elbow Djami Mosque crossroad of Dongos village. The Plan perforce to fail to be executed, because made by podium PKB for the event destroyed by PPP supporter citizen mass. Conflict between both Parpol progressively culminate when all PKB supporter intend for activity success which delay on 30 April 1999.⁶

Mass conflict even also cannot be obviated, because incidentally at the time when supporter of PKB parade with seven car transporting equipments to make podium rub up against PPP convoy in frontier Bugel Sowan Lor village. That moment they later jeering each other, challenging each other, and finally happened by a free fight (conflict between political party supporter) which result 4 people defeated, 12 hard hurt people, 5 damage house and burned, 14 car and 8 motorbike burned by massa.⁷

Kedung Police Sector institutely have tried to perform approach to all moslem scholar religion figure, parpol figure, elite figure and society coat like driver, and fisherman, placing forward Bimmas function and Intel, conducting approach of brotherhood and familiarity to both parties conflicting to be normal return hot situation that be chilled again.⁸

Hereinafter in Secang District of Magelang, to the initiative gone through by Magelang Polres, after occurrence on Sunday 12th October 2003, all figure from both group which conflicted succeed to be brought into contact on that day, after some hour from mass collision. All figures from both parties whose attend at that moment are Sukardi Laskar Naga Utara adviser, Sutrisno Chief of Secang Special Troop M. Khamil Delegation GPK PPP from Magelang Sub-Province, Mujadi GPK from Ngablak, Rohmadi GPK from Temanggung Sub-Province, Ibrahim Troop Coordinator of

⁵Polda Central Java, Strategic Plan of Polda Central Java Year 2005 - 2009, Semarang, 2004.

⁶Interview result with Chief of Kedung District Office H. Sulaiman Effendi, S.H., October 2004.

⁷Fourth victim passing away at incident is Nurhasim grandchild a Figure PPP, Asrori Bin Kasim, Ma'Ruf Bin Taslim, and Mohammad Handayani from PKB (Summary of interview with Hery Sutomo - PKB Kedung Secretary and K.H. Muctisin All in August and October 2005).

⁸Interview result with Sertu Pol. Supniyanto, Polsek Kajaga Polsek Kedung as cited by Suparmin, Op Cit, 2001, pages 119-120

⁴That view as cited by Satjipto Rahardjo in book : “*Robert Pheel, The Story of Our Police : Presereving Law and Order-From Earliest Times to The Making of the Modern Police Force*” (Kf. Satjipto Rahardjo, Ibid., 2002, page 27).

GPK Temanggung Sub-Province. The agreement which yielded from that meeting is peace deliberation.⁹

Political conflict represent one history evidence which reality is evidence greed of human being to reach power. On other hand conflict also represent self regard a nation, difficult to blamed, even also just as difficult to be agreed. Conflict history as old as with itself human being history. Conflict have happened since Adam child till East Center Conflict.¹⁰

Global friction as we see, “money” and “power” nowadays jump to pass frontier only with button touch¹¹, world progressively narrow, frontier of no seeing, time progressively brief while distance closer.

There are two famous theory related to conflict problem, they are dialektis conflict theory expressed that distributive fault level at resource will influence by facility of parts an social system to lay open conflict of interest. Theoretical therefore this theory only require to be taken as problem authenticity of existing system, which actually unable to fulfill requirement of them.¹²

While] functional conflict theoretical as ever developed by George Simmel said that happening conflict in society is something that not be parried, society looked as social structure which include associative processs and dissociate which only differentiated analytically¹³

According to Satjipto Raharjo form operation of social conflict top-drawer politics conciliation, mediation and arbitration where institute which have importance to or their proxys meet one with other to conflicts channel by them having the character of peace according to Pancasila.

There are some kinds of definition recognize General election, among others according to Nohien, where general election (Pemilu) “ one democratic method” to chosen people proxy. Hereinafter idea of R. William Liddle expressed “in governance democracy system, general election often saw as link between democracy principle and governance practice by a number of politic elite.¹⁴

According to section 1 regulation Number 31 year 2002 about Parpol, Political Party, is a political organization which formed by a group of Republic Of Indonesia citizen

⁹Magelang Polres, “*Laporan Khusus Bidang Politik/Hankam: Bentrokan Massa Simpatisan PPP (GPK) dengan Massa Simpatisan PKB (Laskar Pinggiran/Naga Utara)*”, Nomor Pol. R/LAPSUS/07/X/2003/INTELPAM, tanggal 13 Oktober 2003, 2003, page 3. Magelang

¹⁰Langit Kresna Hariadi, *Gajah Mada – Perang Bubat*, publisher Tiga Serangkai, Second Edition, Solo, 2007, pages xi.

¹¹John Micklethwait, Adrian Wooldridge, *Perfect Future, Challenge and Globalization*, Obor Yogyakarta Organization, 2006 : 229.

¹²Ibid, page. 69

¹³Ibid, page. 69

¹⁴Toni Andrianus Pito, Efrisa, Kemal Fasyah, Ibid, 2006 : 298.

voluntarily on the basis of equation [of] aspiration and desire to fight for importance member, society, nation, and state through general election.¹⁵

To challenge faced by POLICE to fore take steps to reform civil police institute, professional, and self-supporting; with correction have continuation at Structural Reform, Instrumental Reform and Cultural Reform.

IV. DISCUSSIONS

Perspective and POLRI Mission expected to earn stimulated all State Republic of Indonesia police mankind become to more and more smartly is, virtuous have, august behavior and have high moral, creative and also and coherent inovatif and also in replying various challenge. In opportunity face global friction about security paradigm (security) which related to political conflict between supporter party threat of General election participant and Pilkada.¹⁶

In the beginning politics is the backbone of history. Therefore, history textbook contain events concerning king, state, governance nation, parliament, political party, rebellion, importance groups and interaction among that power in grabbing and maintaining power. There is expression History is past politics is present history (stated by Sir John Robert Seely, English Historian, 1834-1 895).¹⁷

Jimly Asshiddiqie have a notion, Association principle, I Charter Madinah section affirm, “Innahum ummatan wahidatanmin duuni antara lain-naas”. Actually they are people which is one, other from (community) (other human). Section 44 affirmed “they are (all of charter supporter) to shoulder in face of attacker to the Town Yatsnib (Madinah)” Indonesia.¹⁸

This Principal motivate writer to dig justice values as blessing for all nature and his people to have suavity disposition / character and affection, august behavior, kind hearted august ethic, with studying Al-Qur'An text which full of content value and device and moral message which in line with Firman Allah expressed “

“You are best People, which placed in middle of human being to lead to kindness, preventing full of trust and apostate to Allah” (Al-Qur'An, Ali Imran Letter semtemce

¹⁵Bambang Kesowo, Page Republic Of Indonesian year 2002 Number 138 about Republic of Indonesia Regulation Number 31 Year 2002 About Politics Party, Jakarta, 2002 : 4 – 29;

¹⁶Da’i Bachtiar, *Strategic planning Republic of Indonesia Police (Renstra POLRI), 2005-2009* ; Chief of Republic of Indonesia Police Decision No. Pol. : Kep/20/IX/2005, date, 7 September 2005.

¹⁷Kuntowijoyo, *History Metodological*, Second Edition, Editor MOhamad Yahya, PT. Tiara Wacana Yogya, Yogyakarta : 2003 : 174.

¹⁸Jimly Asshiddiqie, *KUonstitusi and Konstitusionalism Jendral Secretary and constitution lawcourt fiscal clerk*. RI, Jakarta, 2006, 17-18.

110; hereinafter, Al Qur'an ; Letter 49 : Al Hujuraat (Bilik-Bilik) Sentence 9 :

And if there are two mu'min people and faction battle, hence pacifying between both. If one of both that faction do maltreatment to other faction hence fighting faction doing that maltreatment so that that faction return to Allah command; if that faction have returned (to Allah command), hence pacifying between both dispassionately and my fair me. In fact Allah take a fancy to people who go into effect fair and Allah decree Al Qur'an Letter 49 Al Hujuraat (Bilik-Bilik) Sentence 10 In fact that mu'min people to have you in consequence pacify both of your and godly to Allah so that you get blessing.

Reform from that congress stated that it was recognized that the police were a component of the larger system of criminal justice which operated against criminality.¹⁹ Special related to police authority and duty, that PBB Resolution even also raised by recollecting Code of Conduct for Law Enforcement Official which have accepted by Common Committee PBB in Resolution No. 34 / 169 date of 17 December 1979.

Besides that recommendation and conclusion and performed by Symposium Role Police Protection Human Rights in the] Hague, Den Haag on 14-25 April 1980. Hereinafter, in Congress year ke-7 1985 and Congress year 1990, problem of guidance enforcer government officer behavior and attitude punish even also still made one of this topic of in agenda conggres.²⁰

Law in Indonesia in tracing an Ratifisir to Convention Argents Torture and Other Cruel, Inhuman, Degrading, Treatment, Punishment which agreed by PBB Common Committee at 10 December 1984 where Indonesia as PBB on 10 December 1984 where Indonesia even also as its signatory on 23 Oktober 1985.²¹

Section 33 Enclosure 1 Chapter VI Charter United Nation Organization

1. Drawee Parties in something conflict which taking place continuously possible endanger conservancy of international security and peace, first of all have to look for the solving of by consultation, investigation with mediation, consiliation, arbitration, solving of according to law through local approval or body or by Its peace selected by themselves
2. Security Council, if assumed to need, will apply to party which have jiffy for the solve its conflict in the way.²²

Thereby, positive image and police even also will stick in society marrow, like peacemaker as police and wise, as

¹⁹Barda Nawawi Arief. Police in perspective of Criminal Policy and System Of Judicature Crime”, in matter of Law Straightening and Policy of Solving Badness. Bandung: PT Citra Aditya Bakti, 2001, page. 42

²⁰Barda Nawawi Arief. Loc Cit., 1993, page 10

²¹Indhanto Seno Adji, Persecution And HAM In Perspective of KUHAP, PT Deltacitra Grafindo, Jakarta, 1998 : vi

²²Hacli Single Devoted, United Nations And Human Rights, Harvindo, Jakarta, 2000: 113 and 124

fair and square law enforcer, peer figure as in respect rule of law, and as government officer which [is] proaktif in face of problem in society.²³

Muladi, emphasizing that Police have to hold responsible and responsive. They have to serving at law but moment which at the same time have to adapt with requirement of society which served.²⁴

Sullipan, expert of United States Police stated; Police shall have motivated well, educated well, trained well, equipped well and paid well (good motivation, education, field experience, prosperity and medium)

Law method decanted in code copy load which is one more and is other of certain motion. Every dispute law resulted by the existence of importance collision, also value dispute, consideration which is free at all there no value, or next to nothing in law. Heide express that society dispute not apriority represent juridical dispute, though that social conflict earn qualified by juridical. Solving of an conflict at first level have to look for with other way.²⁵

V. CONCLUSIONS

A. Inference

Social conflict will always bother society social life while political conflict intrinsically happened because greed of human being to get power and reach satisfaction to make decision about policy of state. At political conflict essence represent political change by human being because greed to reach power and make policy to make decision without democracy process.

If owning ability of way operation conflict to lessen and control social explosion in the form of hardness, the conflict so transform into social pattern relation which have the character of kontrasosial become social change which have the character of evolutioner.

B. Suggestion

Straightening Mechanism of ideal law in solving of political conflict between Parpol supporter in principle consider integrity role of POLRI and oriented straightening of law in criminal justice sitem (Criminal Justice system) with society and lead enforcer (Restorative Community Justice). which with vision of deliberation for the form of peace and justice. Principal which constitute role of police in course of taking care of orderliness and security and also the straightening of law.

²³ Achmad Ali, “Police And Effectiveness Punish in Solving Criminality” in Exploring Study Empirical to Law. Jakarta: PT. Yasrif Watampone, 1998, page 221).

²⁴Muladi, Influence Democratization In Development Management of Law Straightening, Erudite Oration In Order To Ice Natalis 60th PTIK And Graduation Master Science Police Generation 42, 43 and 44, Jakarta

²⁵W. Van Gerven Hartini Trenggono translate. Wisdom Judge Original Title Hot Beloid Can De Rechtor, Ertangga, Jakarta, 1990 : 98

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25 W. Van Gerven Hartini Trenggono translate. *Wisdom Judge Original Title Hot Beloid Can De Rechter*, Ertangga, Jakarta, 1990 : 98