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"Comparative Law System of Procurement of Goods and Services around Countries in Asia, Australia and Europe"



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IMPLEMENTATION OF LAW AS TO MAINTAIN SECURITY IN THE CONTEXT OF PROFESSIONAL POLICE POLMAS (CASE STUDY IN LAMPUNG POLICE)

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A. Background of the problem

The reform process has been and is ongoing to reach a democratic civil society led to various changes in the joints and a country life. Police are currently carrying out a process of reform to become a civilian police force, must be able to adapt to the development of community life by way of changing the paradigm that drip-focus on a reactive approach and conventional (power) to a proactive approach and gained public support with an emphasis on partnerships in the framework of solving social problems. The police function of organizing models known in foreign countries with different names like Neighborhood Policing, Community Oriented Policing, Community Based Policing, and eventually popular as Community Policing.

Important issues as the problem of police (police problem) from the point of view of the community, such as the application of the discriminatory law, the presumption of the police, the use of inappropriate police diskresi is not an easy job to be resolved in the framework of the reform of the national police. Despite this realization that Police in democratic societies is basically a job managing a conflict needs to be grown and realized through programs of police-community relations, in addition to the existence of institutions supported controls.

Policy implementation of the police force in General, is based on the desire to prevent abuse of police authority, to protect the rights and liberties of the people, so that the police are working in accordance with the law, and that there is oversight of police activities against. Transparency and accountability of the national police in the past can be said to be low among others due to the lack of openness, the general public is less informed about the activities of police handling and handling complaints or statements.

Meanwhile, traditionally the national police so far have actually developed a mentoring program Community (Bimmas) and programs related to security system Swakarsa (Siskamswakarsa). The program Siskamswakarsa is realized through the system's security environment (Siskamling) which includes the neighborhoods, environmental education, and the work environment as a form of security Swakarsa as defined in the Police Act of the Republic of Indonesia. Babinkamtibmas (Enlisted the coaching Community security and public order) Actas the spear head of the implementation Siskamswakarsa/Siskamling. But it needs to be underlined, patterns are the implementation of the national police that is 'pre-emit' through Bimmas approach/Babinkamtibmas it surely also implies structural relations of power, so the perceived need to adapted to the development of civil society.

On the basis of the considerations outlined above, is seen necessary to adopt the concept of Community Policing and customize it to the characteristics and needs of the community as well as by way of Indonesia and with the name of Indonesia. Without prejudice to the possibility of the use of a different term translations, especially for academic

purposes, formally by the ranks of the police and the model was named the community Perpolisian. Further conceptual and operational terms mean shortened Polmas. Thoughts concerning the development of Polmas seen needs to be poured in a manuscript policy and strategy of the organization. To that end, through Decree No. Kapolri Pol. SKEP/737/X/2005 October 13, 2005, has been proclaimed policies and strategies of the application of Community Perpolisian Model (Polmas) in order of organizing task [subject matter] the national police. As the motor or spearhead implementation of Polmas Police Partnership Forum was the establishment of communities (FKPM) at the level of the operational units of the national police as a container of communication, consultation, transparency, and accountability of the national police with the community it serves. In connection with this, the idea of polmas got a first step on Grand Strategy (Renstra) national police 25 years as already mentioned above, namely:

- 1) short term (2005-2010), building Trust Building;
- 2) medium term (2011-2015), establish Partnership/Networking;
- 3) long term (2016-2025), embodies the Strive for Excellence.

B. Problems

Regional police Lampung (Lampung Police) confront a wide array of complex, police issue when responses are not professional will give rise to new problems. Improvement of police institutions especially in the internal environment of the regional police of Lampung is not only directed at the establishment of the external program. Therefore the Organization of the internal program to answer the question that was challenges for the institutions of the police which has now turned into institutions of public servants. To that end, the national police will need to continue to strive for it to be accepted by the community as a protector and partner alignment according to law No. 2 of 2002. The national police play a role as the maintainer of Kamtibmas, law enforcement agencies, as well as protective, protect and servants of the community. The concession of the Act that the police strategy, the policy must be imbued by the appearance of the behavior as a protective, protect and servants of the community, in line with the new paradigm that is devoted to the interests of the community.

Based on the above description it can be formulated in this research problem as follows:

1. How do Implementation law enforcement As Security Maintenance, the performance of the police force Towards police professional and independent in Polmas Contexts.
2. How does the Implementation performance of the police force, as the embodiment of the implementation of the basic tasks of its main national police law enforcement in Polmas contexts, contributed to the professionalism of the national police in Lampung regional police
3. How does the resistance and support for the efforts of the regional police in the execution of Lampung ideal law enforcement as maintenance of security.

C. Research methods

Based on the idea of the paradigm of Guba and Lincoln, the researchers chose to use the paradigm of Constructivism as well as identity researchers in understanding reality. According to Guba and Lincoln, paradigm is a major philosophical systems, parent, or 'umbrella' that woke up from the ontology, epistemology, and a specific methodology, which each consist of one 'set' basic belief or worldview which cannot be simply exchanged (with the basic belief or worldview of the ontology, epistemology, methodology and other paradigm). The paradigm presented a system or set of belief with respect to certain

fundamental principles of primary or first, the tying adherents/users on a particular worldview, here's how the ' world ' should be understood and learned, as well as who has been guiding any thoughts, attitudes, words, and deeds of the adherent. Guba and Lincoln offered four (4) major paradigm more covers at once, dense, more systematic and rational. The difference between the fourth paradigm is based on the answers of each against three (3) ' the fundamental question ' concerning the ontology, epistemology, and methodology.

As for the answer to the question regarding the ontological form and the nature of reality, here's what can be known about this is relativism.

Here the relativism understood as multiple and diverse reality, based on the experience of the individual, local, social and specific, is the ' construction ' of the human intellect, mental/forms and contents of major works on the followers/holders, can be transformed into a more informed and/or sophisticated; humanist. Transactional/subjective answers to questions of epistemology is concerned the nature of the relationship or relationships between individuals or groups of people with environmental or all that exists outside of himself, including what can be known about it. Epistemology transactional/subjective position adherents/holder and object observations/investigations related interactively; the findings on the ' mediation ' by the values held by all relevant parties; fusion between ontology and epistemology.

D. Results of the research implementation of law enforcement.

Operationally the national police tries to do structural changes, cultural and instrumental. That way then the independence of the Police is one of the pillars for the realization of civil society. Structural aspects concerning the institution, organization, arrangement and position. Instrumental change involves a change of philosophy, doctrine, authority, competence, functions and capabilities of the science and technology. While cultural change focused on resource management, operations management and supervision system of the community, which in turn will result in a change of conduct, ethics and culture of the Ministry of police ... Universally, the role of police in society are formulated as law enforcement (law enforcement officers), keepers of order (order maintenance). The role also contains within it the notion of police as a crime the exterminator (crime fighters). However in the country that authoritarian political system, meaning the role of police as a law enforcement tool is reduced to a tool of power. As a result, the presence of the police rather than close and protect the people, but instead of being away from the people, and thus face with its people. While in democratic countries, the police must be transparent and not defending power.

In the context of the strategic nature of the defense, is one of the country's efforts of realizing national security (national security) and military power. Efforts to bring about a peaceful national security is by the political and economic instruments, that isto use the power of diplomacy. Therefore, the defence of the State are inseparable from the aspect of security in a broader sense, as well as tailored to the perspective of the threat spectrum eskalatif. Pembidangan the role of the Police in order to overcome the threat needs to be defined based on the level of escalation and the spectrum. Observe the nature of the threats faced by Indonesia, as well as national interests and the country's defense policy, defense and security held through three main pillars, namely the use of the forces of defence and security, the development of the strength of Defense and security, and international cooperation in the field of pertahanan and security. In detail, these policies are as follows:

The success of police in exposing and deal with crimes, largely determined by the professionalism of the police as well as the support and cooperation with the community. For that public confidence needs to be grown with the increasing professionalism of police authorities in carrying out the task of shelter community and law enforcement. Police

professionalism enhanced through the completion of the system of selection, education and training system, equipment, and the improvement of the welfare of members of the police and their families. Therefore the Police Force development program becomes important when faced with challenges of security and good order of society who tend to be less conducive to the continuation of the activities of the community.

In accordance with the rules of the existing legislation, the existence of the national police are now much more autonomous and independent in carrying out its work. Its existence under the President, has allowed him to be so. Although many people who have not been able to accept the position, the national police should be run based on the rule of law. For the Police himself, the position will enable it to execute its vision and mission in a more optimal than the inclusion of the national police under one Department. As a country that had to serve and protect the community, on the one hand, and enforce the law on the other hand, the Organization of the national police must accommodate an integrated system (integrated system), i.e. as a National police force.

According to the vision, mission and objectives of the national police, the issue of human resources and budget into two the most important factor in reforming itself. Strategic and operational dimensions identified as a major part of the problem that should be addressed. Police attempted to develop its resources optimally, both in the amount of (personnel) and quality (human capital). Development is done to achieve a reasonable ratio between the number of members of the national police with a population, i.e. around 1:650. Human resources reform also takes into account the demands of the mastery of science and technology, community aspirations towards task and the presence of the national police, the demands of society in the face of changes to the security disorder and order of society. Operationally, the action program also noted that real and integrated, patterns of recruitment and selection, training and education systems as well as performance assessment, system and the strategic position, as well as the system of remuneration of members of the national police.

E. Conclusion.

From the results of research can be the authors conclude, that in general the performance of Police in partnership with the community of Polmas Police Regions in Lampung criteria Assessment criteria with a Milestone Achievement is quite good. So need the outpouring of time, thought, and effort of all relevant parties so that community involvement of Polmas increased so that it is at the stage of Polmas criteria with the criteria of assessment of achievement is very good. But society still viewed on establishing Traffic functions as a reflection of the performance of the national police in carrying out the task, thus still needs to be improved, since the performance of the functions of traffic considered less well than its influence on establishing functions, primarily at the service of altruistic component (giving priority to the interests of the people), discipline and code of ethics that still impress arrogant.

The performance of the Police in the context of polmas on working area regional police Lampung has been quite good, but there is still little constraints are constraints in terms of education and training, as well as expertise/competencies primarily concerns the opportunities that haven't quite adequate. In addition, the magnitude of the influence of the leadership in determining whom members can continue education for many informants regarded as a problem. Related organizations, the number of personnel that has not been enough, the remuneration perceived insufficient in number and the process of decline which often bogged down, means in the form of two-wheeled vehicles and four with fuel oil as well as day-to-day operational costs which have not been quite as well is still the main obstacle establishing professionalism function. From the side of the discipline and the code of ethics,

the public perception is still quite negative. The public still perceives the police often conduct a violation of discipline and the code of conduct. Meanwhile the altruistic service (giving priority to the interests of the people), in addition to the means of resistance, the potential for pluralism of the public has yet to be regulated properly to help police the task of well implementation.

Support of the education and training side, including the expertise and competence of the principal beliefs of society will be expertise and competence of the police which has been very good; Meanwhile, the Organization, the public believes that Police are currently trying to make improvements in a range of lines. On the question of discipline and ethics, some people believe that within the institutions of the national police there are still some members of the national police that is really honest and hold etic code well. In addition discrimination by Police related SARA is said to be already not too noticeably. On the question of altruistic service, support the main important where is the trust the community will Police good intentions to improve themselves and a good relationship between the community and Police Binmas.

The relationship between the effort increased professionalism and independence Police with Police performance the last of the main functions of the national police in the region of Lampung, Polmas regional police is the logical choice to resolve issuesmenggayuti perpolisian Indonesia, Polmas is the output changes/reform of the police force itself Polmas took a central role in an attempt to realize security in the country and Polmas acceptable as a model at once wise strategy Police typical of Indonesia. The entire Pillar of the Polri gets the same attention proportionately. Police and community together related parties do the decision-making, and work together in a container FKPM to jointly realize the purpose of the police force. All parties are fully aware that the police and the public are the two main components of a society that is different but inseparable, the police as a facilitator and the public is the co-producer of the creation of Homeland Security

Polmas not just sort of policing functions in implementing program but it is a strategy that demands a fundamental change from the inaugural police tasks that used to be the underlying principles of service bureaucratic towards a personalized presentation of police services, namely services performed by real police officers come into contact directly the application of Polmas not only implemented on the local level, especially the leading officials of the environment community, but also implemented by all members of the Police and officials of the national police from the central level up to the cantonal Parliament in accordance with the duties and scope of those powers. Application of Polmas locally does not mean that the process is only done limited operational level but should also be based on a comprehensive policy ranging from conceptual landscape at the top management level. In the framework of the implementation of the strategy of Polmas Police management changes needed to support the success of organizing Polmas overall from the Center to the cantonal Parliament, organizational changes directed towards changes in order to realize the organization who have the competitiveness and develop.

F. Advice

From the results of research and discussion, so that it can be concluded that law enforcement organization of the maintenance of the security by the national police in Polmas associate with overall performance of the Police in carrying out the Assessment criteria Polmas Achievement only to the criteria quite well and has not yet reached the stage of good or very good, so complaints a portion adequate reply attention, problem identification is carried out jointly by the police and the public police and the public together to resolve problems The police, being proactive in carrying out police duties with whole rests on a deal which was reached as part of the principles of partnership and problem-solving in Polmas.

Polmas allows return of the legitimacy of legal rational, traditional, and charismatic of the police in the presence of the public, Polmas also guarantees the return of community support for the police.

As advice in law enforcement organization of the maintenance of the security by the national police in Polmas associate with overall performance of the Police in carrying out the Polmas needs to be improved, so that enough of the criteria can be shifted to either or can even reach the criteria very well. The implementation of law enforcement in the region Police Region of Lampung as part of the Organization of the maintenance of the security by the national police in associate with Polmas, need to be improved and enhanced his Ministry against the beliefs of the community. These services help police to build trust between police and the community. Obviously this confidence will then make it easier for police to get greater access to the information from the public, which can be helpful for solving and crime prevention. The institution of the police force as a whole must be involved in moving the society and won their trust.

Building trust takes time and effort are not dashed. But it is this trust that must be achieved before the police can assess the needs of the community and build strong ties that will result in community support. Likewise, the mobilization of community support that effectively requires different approaches in different communities.

Build trust and achieve cooperation often easier done among middle-class society and established among the public than on the intermediate and under where the lack of trust to the police is already going on for longer. In a society like this can build trust includes the granting of support to social institutions were weakened because of crime and disorderliness. In a society like that of the police was also involved in the development of capabilities. They can be a catalyst and facilitator in the development of the community. Expanding Polmas police efforts to prevent and control crime. The community is no longer viewed by the police only passively, or present information sources are limited, but as a partner. Police community emphasizes the importance of active partnerships between police, other agencies, and citizens to cooperate in earnest in recognizing and solving problems. Members of the public can play a role in dealing with the larger issues of society rather than the already done during this time. While public institutions and other private can improve the use of resources and their authority for the settlement of the problem of order in society. Of course there are restrictions by law and security how far citizens can be instrumental in helping to create the security and good order of society (*kamtibmas*). The opposite also inappropriate if police attempt to shoulder the entire burden alone to control crime and disorderliness.

G. Implications Studies Dissertation

1. Theoretical Study

The theory of critical social theory based Polmas stated that most of the people have the willpower is good and is willing to work together with others to meet their needs. Theoretical research results can be used to enrich the theory of criminal law towards the implementation of the police community and the issues that relate to the community specifically related to the completion of the crime at the community and factors impeding the implementation of the police community in creating a security situation conducive community and order in the community.

Law enforcement organization of the maintenance of the security by the national police in Polmas associate with overall performance of the Police in carrying out the Polmas need in increase, so enough of the criteria can be shifted to either or can even reach the criteria very well. The implementation of law enforcement in the Police Region of Lampung as part of the Organization of the maintenance of the security by the national police in

associate with Polmas, need to be improved as well as the present his Ministry against the beliefs of the community. These services help police to build trust and community. Obviously this confidence will then make it easier for police to get greater access to the information from the community, which can help solving and crime prevention. The institution of the police force as a whole must be involved in moving the society and won their trust. Building trust takes time and effort are not dashed. But it is this trust that must be achieved before the police can assess the needs of the community and build strong ties that will result in community support.

2. The practical Implications.

Handling of social problems that can lead to the onset of impaired security emphasis is focused on the Community approach so as not to give rise to new form a real disorder. Any symptoms that can be annoying and cause upheavals in the social life of the community can be detected as early as possible, it is therefore expected for the Community research results can be used as input and consideration in order to resolve the problems that arise in the community wisely and fairly by the community itself. Furthermore the concept of Polmas can be understood by identifying its main characteristics for police, so that the results of this research can be useful as input to take a policy of very thoughtful criminal law enforcement for the community of dapal and does not always have to be in accordance with the applicable rules, as not all the interests of the community are fully regulated by the legislation, whereas the interests of citizens much more mainstream , such as reducing fear among the citizens, increasing the satisfaction of citizens against police as well as develop ways to overcome the problem of nuisance crimes in the social life of the community

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