

Local Resources and Policing Activities

Adrianus Meliala
(Universitas Indonesia)

Introduction

The issue of local autonomy would sooner of later prevail police institution (or Polri) as well as other public institutions. This issue has become more popular recently due to the issue of UU (or Act) number 22/1999 on local Autonomy which in general emphasizes the necessity to decentralize power beheld so far by the central government in Jakarta and partially distribute it to the local administration instead.

While these local administrations would entitled for greater power and wider access in making their original idea possible to develop their own area, there are some other public function which would be left maintained by the central government and being centralized as previous. One of them is police institution as the bearer of the law and the guard of social order.

Despite the fact the police would still be left as centralized and semi paramilitary-like institution, it doesn't mean Polri wouldn't be affected in anyway with this soon-to-be-implemented policy on local autonomy. Such an adjustment has to be taken place by the police headquarter to keep up with the new developmental paradigm that, basically, deems to give a wider room for local people to be on their own.

One good example relating that is regarding such a recent internal modification prepared by the headquarter to restructure Polri: one means taken is by allocating local operational police units wider resources and bigger responsibilities at the same time in sorting out problems that might occur in their area (Pokja Reformasi Polri 1999).

What is mean here by local operational police units (or Kesatuan Operasional Dasar / KOD) actually consist of three

layers: From the resort police station (or Polres) as the highest, the sector police station (or Polsek) to the police post (or Pospol) at the bottom of police hierarchical structure.

Having wider resources and bigger responsibilities, these local police station, assumably, should listen more to their local public, be accomodative and flexible in making the central government's interest and local's more balanced.

Other reason of why it is necessary to the police to accommodate public participation is because the upcoming idea to give the local parliament (or DPRD Tk. I and DPRD Tk. II) a wider access to choose their own local police chief among candidates nominated by the police headquarter, has already emerged and widely welcomed. The local parliament would also be given bigger power in terms of arranging budgeting. As local administrations would have their own fund, a portion of their yearly budget would be allocated to finance local police stationed in their area.

All and all, this hopefully could push all local police chief to become more accountable to their local public more than their previous monoloyalty to the headquarter in Jakarta.

At this point, the issue of local autonomy is in association with the issue of police reform. The issue of police reform was formally initiated a year ago when the government decided to disengage Polri out of the military (or ABRI) started from 1 April 1999 and recently announced new position for Polri as equal to ministry under the presidency (1 July 2000).

As far as it can be concerned, the police is highly demanded to reform themselves as there are still too much corruption, excessive use of force and inefficiency known within the police. As law enforcer, for example, Polri is oftenly be regarded as public enemy rather than the one who maintain the law and order and this leading to unexpected resistance and destruction of police station as symbol of the law taken by the public. Indonesian police chief once disclosed the fact that there are more than 200 police stations burnt down by the angry mob; mostly relate dissatisfaction having the public toward such a police action, either in the form of arresting people of dismissing the case. Furthermore, much of the public does not trust the police (likewise the military) to handle primordial or SARA (Suku, Agama, Ras dan Antar Kelompok) issues and indeed, many Indonesians also believe the police has played the back-up role in engineering social unrest unvolving SARA issues.

Problems

It can be predicated that, for future time, the successful police is the one who optimizes public participation in helping out the police duties. Involving the public as an essential part in policing would be regarded beneficial as it can also be predicted that the state still couldn't allocate a sufficient amount of money until a few years ahead whilst the police has expected for a bigger police's budget.

When talking about involving local participation, it is still then subject to multi interpretation. As local people and

local problems are highly varied, the way we focus the importance of involving the public could spread over a number of actions. As examples, recruiting local people, utilizing local institutions in maintaining security and encouraging a wider mutual symbiosism of legal aspect and producers with local customs law. Recognition of this would assumably be a good start for the more influx of local and indogenous values, norms and customs within legal system.

Regardless the fact the police are eager to develop public participation, it doesn't mean the rest would be much easier. The semi-military attitude and characteristic of the police as organization and profession prevent them from being too flexible and be transparent as the public might expect them to do. There are many simple illustrations can be provided; for example, the tendency of the police wearing military-look uniform as means of unifying them would create distance with the member of the public.

So far, he attitude toward the issue is not far from a rhetoric. Police personnel are still occupied with its conventional and long-lasting police doctrine with a single and centralized parameter in indicating how a police action should be executed throughout all parts of Indonesian (The writer indicated, a year after separation of TNI, Polri still recorded even bigger number of human rights violations).

On the other hand, the issue of "accepting local way policing" is terribly new for the majority of them. It can also be predicted then that when there is the time for local people to deal with the local parliament, the continuing topic of discussions would be how far local potentialities would have been recognized to help the police solving their job. The fact that public participation have grown but neglected makes the issue of "securing their own area" difficult to realize.

Another problem is, as police organization around the world have a basic similarity in terms of function, structure and operation, absorbing local resources in terms of security would be regarded problematic rather than helping the police out. Internal resistance within the police would still prevail whilst there will be an eagerness amongst the public to participate in security matters.

To conclude, due to the inability of Indonesian police to discover how local people could help them in making police work successful, and at the same in tackling the possible unawareness hampering the majority of local people regarding their potentialities in helping out the police, this paper is then initiated.

Recollections on Local Resources in Policing

Firstly it has to be admitted that, in the light of criminological study, what regularly investigated is, primarily, about how crime and social disorder are unique and various from place to place. More specifically, criminological study focus itself in further knowing how those place-related crimes and social disorders can be associated with their local culture and custom.

One among many criminological studies which benefits the police in regard to police duties are about relativity of crimes and deviancies from place to place. A certain action which is clearly objected in one place might possibly be cultural perceived differently in other place (Nitibaskara 1995).

This sometimes creates confusion in the eyes of police personnel if there is a time for them to implement the law. When they are ought to work with their "blind eye" regarding local variabilities and be stick to what the law has said, on the other hand deep understanding onto them might push the police to avoid thinking of using the criminal law as always be the best way in solving out criminal-related matters (Mailoa 1998;pp. 49-57).

When observing other side of crime, that is the way people securing themselves from being target of crime, such an astonishing phenomenon can be easily found throughout Indonesia. Everywhere people's informal participation in crime prevention is high, especially if it is meant as series of actions in the range of guarding their area, being responsive to anything suspicious and arresting suspects who commit crimes (Baker 1998;pp. 7-42). This is phenomenon is still easily found either in rural or high-density urban area.

It is to a certain extent understandable when, for "traditional Indonesians", defending a lad cq. Territoriality from invader either wearing the colonial uniform of wearing the very expensive white-collar suit are more than just obligation. When there's no formal party having a professional capability of securing property, the people themselves should harden themselves from being a weak target. It was the origin of traditional guards known as: *ulebalang*, *jagabaya*, *pecalang*, *kapetengen* (Alex Sampe, 1997) et cetera.

Than it becomes a rather logical background when members of community do often hamper such an excessive action like beating or killing either someone caught in a criminal act, such as theft or robbery, or people from the community who are thought having done something wrong to others, for example having sex out of marriage, committing sorcery or just being bad characters (ie. Bromocorah, jegger, gali, centeng, bergajul, preman, etc.). In many of these cases, the violence also kwon no limit (Barker, 1998;ibid) when anger mingles with such an instrument of violence.

Indonesians have created a special name for such a phenomenon of where the mass turns to be either the police, the prosecutor and the judge at the same time; *main hakim sendiri* or talking justice into one's own hands.

Accordingly, when people in certain area has been so well-motivated due to tackling annoyance created by either criminals or a mere local lad hanging around the street, it is very sorry to realize the nation of such a vigilantism. It was evidenced, as one among many examples easy to be cited, during the period of "Santri killings" taken by mysterious

murders occurred in Banyuwangi, East Java, 1998, or the “witch hunt” phenomenon that hampered many parts of Java during the last decade (see Tajuk, April 1999).

Another type of vigilantism also rather prevails in the form of mob. Occupied with stereotypical picture of who to blame when a crime occur, an angry mob could attack any person whose body was full of tattoos, or person walking sluggishly under the influence of alcohol. Warrior-like young people who ask money from driver or retail seller and got angry when refused, *preman*, could also be the target of collective beating when people’s individuality disappear and replaced by their collective mind.

Regardless the fact stated above, Indonesians, however, have to get their overwhelming energy and high motivation in chasing after criminal adjusted as Indonesia proceeds to be law-abiding state. Instead of taking care criminals on their own hands, they were the demanded to hand the culprits over legal apparatus worked under strict procedures oftenly disobeyed by police personnel.

This happened at the same time when the police was introduced as their formal safekeeper given by the state (Polri was formally born in 1945). By saying this, it is needed to make it clear that legal culture has not yet been socialized amongst Indonesian for along time. Customary law, on the other side, have been so much marginalized as to gives no contribution to the initiation of alternative dispute resolution mechanism which is better and faster rather than going to the court room.

More about crowd, as this has been an emotional group behavior rather than a controlled method of punishment, this is always subject to legal confusion since it makes the police difficult for asking responsibility of people involved. Individual-type responsibility as required by the law is something difficult to be fulfilled during police intention to make-up indictment toward a group of mob.

Furthermore, high participation given by the public has transformed according to development of rural village turns to be a city, a town to be a metropolitan. There are two significant changes that can be pinpointed: Firstly, eagerness is directly securing places decreases and, secondly, this task being replaced by the increasing demand of police presence. When this demand failed to be met by the police, the public then turns to paid private security services.

Above explanation reflects situation on how keen Indonesians are in taking care of street crimes. However, another set of crimes (mainly of white-collar crime nature) remain relatively untouched although they are perhaps as important an element in terms of policing and preventing it. The existence of some sort of deviances having the white collar crime nature can be simply explained by identifying how those relate to the level of modernization in society.

As modernization demands distribution of power, specialization of skills and the high use of technology, this enables white-collar-related criminalities would also grow in

areas having a sufficient level of modernization. At the time, there are no adequate local ways of solving either corruption case, computer hacking case, money laundering case of breach of trust case.

Capacities of Polri in Absorbing Local Resources

Regardless the fact that Polri as a supposed-to-be modern organization are tied up with aforementioned tendency and character, in fact there are ways of getting together those nature of Polri with local policing-related potentialities.

Some of them explained below:

The police is general is becoming very much aware regarding the vital contribution given by people in maintaining social orders in an area. Due that, it is widely recognized nowadays the concept of community policing as a latest policing concepts the permits the optimum participation of the public in policing.

Theoretically speaking, instead of deploying resources based on its police function, duties of special missions, police organization using community policing would assign its personnel based on territoriality. Those community officers are expected to build up a strong social root in area of where they are assigned, becoming “an expert” of that area and at the same time making a good career (see Friedmann 1992;pp. 11-37). This totally replaces another concept of policing, namely conventional policing, which at first emphasizes personnel tour of duty as a prerequisite and solely way of sharpening police professionalism.

As the delivery of optimum community policing has been one among other promises of Polri in its reform schedules (see The Blue Book of Polri, 1999), this also means a golden period for local resources to participate in policing. Instead of police taking control in deciding what the best service should be delivered to the public, this community policing enable the public to demand services which people think necessary to them.

Based on that, such an idea picture of police-public co-operation can be proposed as these: A community officer having a very broad knowledge of his are and also at the same time becoming friendly to locals may necessarily adjust and transform himself and organization he represents when realizing there has been an old but strong local value or local mechanism associated whit the prevention toward such a crime or social deviance. Instead of eliminating them, that community officer could effectively utilize those value or mechanism in helping himself out in securing in the area. This could also be an effective way to limitate the tendency of locals developing out to be vigilant.

Community policing is not without weakness whatsoever. By this time, there’s no single research done could reach conclusion that this community policing is workable in a big city for a long time and with a satisfying result. The other problem is, according to Shapland & Vagg (1988; pp. 5-6), “although we known a certain amount about how a polic-

ing appears to be done in urban areas but very little about rural policing". This also in line with assumption that rural policing is mainly inspired by local long-lasting value of security self, places and properties rather than absorbing a more democratic and progressive ideas of security attached to the idea of community policing.

Such an exaggeration is also found when concept of "the public" is somewhat interpreted as a group of people living together in a definitive territoriality. This ignores the fact that "the public" should also referred to people who are having similar professions, people joining in an interest or pressure groups etc.

Despite the fact that community policing is good, as mentioned earlier, Polri doesn't seem impressed and stick on its paramilitary tendency in policing. Whilst the existence of community officer (as indicated a must when executing community policing) is relatively similar to Public Guidance Officer (or Polisi Bimbingan Masyarakat), it is still very much dwarfed by the big role taken by other five police functions of Polri. Those five functions are: traffic officer (Polisi Lalulintas), beat or patrolling officer (or Sabhara), criminal detective (or Reserse), intelligence police (or Polisi Intel and lastly, paramilitary police (or Brigade Mobil).

Local people would face an unfortunate situation if Polri does still unable to transform itself to be more community-oriented one than previous time. Compared to the function of public guidance, those five functions of Polri are poorer in terms of having fewer ties with community in where the police has to perform. As those functions have substantial roles in enforcing the law and maintaining public order, it is relatively difficult to absorb local values and local ways. The similar and nationally-used police manual and procedures in terms of, for example, managing homicide case or handling aggressive riot must have preoccupied police first rather than considering local ways in solving homicide case or riot case.

It is an interesting situation to see the police, for example detective, when they arrive at an understanding that they have stuck on their conventional methods and having to give chance for local values, customs and informal ways of solving legal problems. Regardless the fact they should execute a formal and standard procedure to anybody, a matter of how good they comprehend local values and customs and finally producing some specific crime-reducing strategies or alternative dispute resolutions, would sometimes determine the end result of police job.

On the other hand, it can also be said that local people and their local culture could influence police practice through the optimum role of public guidance officer. Basically, this officer is supposed to be sensitive to what extent the public are willingly responsive to a type of policing the police have explored. The more sensitive an officer has become, the more possible the organization would create a socially-accepted policing practices.

Despite of that, the best conjunction between police and

local people must be placed on power sharing between the two. The concept of power sharing here means greater accountability of the police and it also means greater representation for citizens or local' grievances. It also means through a sense of empowerment and ownership over their affairs, citizens of local gain a greater sense of control over seemingly mundane, but truly important aspects of daily life (Friedmann, 1992; p.201)

Nowadays situation is still far of the ideal power-sharing situation. When the police starts to initiate some community-oriented actions either *Bebinkamtibmas* (or program of assigning a senior sergeant to be community officer of one or two villages), *Operasi Kamandahan* (assigning a company of paramilitary police to visit a village and developing some physical facilities), *Polisi Kanak-Kanak* (a program to introduce police work for children), *Polingga* (a community-involvement police focus) or *Bimmas Pertanian* (assigning public guidance officer to work as farmer), they are initially started on the interest of the police. When the police are no longer having interest in those programs (for examples, when a new local police leader has replaced the old one who created the program), the police can stop the running of program at any time.

The ideal power-sharing would go in the right way when both of the police and the public think over interaction among them as the best way of solving local problems. Due that, police should abandon their long-lasting perceptions, as being more powerful than society and becoming more egalitarian in handling local's needs and preferences instead.

Power-sharing as an idea might also be stumbled with another fact relating to the presence of other formal security entities in an area, commonly in the form of territorial military units (from *Koramil* as the lowest, *Kodim*, *Korem* to *Kodam* as the highest layers). According to UU no. 20/1982 on state Security and Defence (UU *Pertahanan-Keamanan Negara*), besides the police, military is also entitled to arrange domestic security protection against crime. Many times, this overlaps the role of police and jeopardize people's civil rights.

Conclusion

There are two most important conclusions can be extracted from above lengthy discussion:

First is about the variability of meaning and perception toward crimes and deviances from place to place. This is fact create difficulty for the police in implementing the law. On the other hand, this also emphasized the necessity for he police to pay attention to the context of where a crime or deviance actually occur.

Second, it is crucial from the policing point of view to understand what informal activities are already taking place and to take care not to damage them because they will almost certainly not be easily replaceable (Shapland & Vagg, 1988; p. 8). This line of thinking also relevant in policing area

since the police can no longer work alone without public participation and starting to invite local initiatives and cooperation. It is far from recommendable if these local contributions would be absorbed to Polri's conventional way of policing and, as consequence, would give no impact to local people.

References

- Barjer, J.
1988 'State of Fear: Controlling the Criminal Contagion in Suharto's New Order', *Indonesia*, no.66, October.
- Friedmann, Robert R.
1992 *Community Policing (Comparative Perspective and Prospects)*, New York: Harvester Wheatsheaf.
- Nitibaskara, Ronny N.
1995 'Sistem Nilai Budaya dan Perilaku Menyimpang dalam Masyarakat', *makalah Lemhanas*, 27 Juli.
- Mailoa, S.
1998 'Kejahatan Kekerasan Kultural (Pendekatan Kriminologis tentang Perkelahian Antardesa di Pulau Saparua)', *Prisma*, September- Oktober.
- Pokja Reformasi Polri
1999 *Buku Biru Polri*, Jakarta: Mabes Polri.
- Pokja Reformasi Polri
1999 *Rencana & Strategi Reformasi Polri*, Jakarta: Mabes Polri.
- Sampe, A.
1997 Pengaruh Adat Masyarakat Suku Tengger Terhadap Pelaksana Tugas Kepolisian di Wilayah Sukapura Probolinggo (Suatu Tinjauan Antropologi Hukum), Skripsi, Jakarta: PTIK.
- Shapland, J. & Vlagg, J.
1988 *Policing By The Public*, London: Routledge.
- Majalah Tajuk
1999 'Peristiwa Politik', no.5, th II, 29 April.