

## Juridical Review of Duties and Functions of Bhabinkamtibmas In Maintaining Security and Order in Sempu Village, Blora Regency

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ARTICLE INFO	ABSTRACT
<p><b>Submitted</b> :02-03-2023  <b>Received</b> :05-03-2023  <b>Approved</b> :15-03-2023</p> <p><b>Keywords:</b> <i>Tasks of the Bhabinkamtibmas Unit, Functions of the Bhabinkamtibmas Unit, Barriers to maintaining security, Efforts to maintain order.</i></p>	<p>Indonesia is a constitutional state, as stated in the 1945 Constitution of the Republic of Indonesia (UUD NRI). Law has an important meaning in every aspect of life, guidelines for human behavior in relation to other human beings, and laws that govern all social life. Indonesia. The Indonesian National Police or what is often abbreviated as Polri in relation to the Government is one of the functions of the state government in the field of maintaining public order and security, law enforcement, protection, protection and service to the community, which aims to realize internal security which includes maintaining security and public order, order and law enforcement, implementation of protection, protection and service to the community, as well as fostering public peace by upholding human rights. On the basis of the considerations described above, it is deemed necessary to adopt the concept of Community Policing or commonly abbreviated as "Polmas" since 2005, with the issuance of Chief of Police Decree No. Pol : Skep / 737 / X / 2005 dated 13 October 2005 concerning policies and strategies for implementing the community policing model in carrying out Polri's duties. The decree is accompanied by the Chief of Police Regulation No. 7 of 2008 concerning Basic Guidelines for Strategy and Implementation of Community Policing, and updated again with the Chief of Police Regulation No. 3 of 2015 concerning Community Policing conducted research whose results will be set forth in a Juridical Review of the Duties and Functions of Bhabinkamtibmas in Maintaining Security and Order in Sempu Village, Kunduran District, Blora Regency. In this study, the main issues discussed were how the duties and functions of Bhabinkamtibmas of the Blora Resort Police in the Duties and Functions of Bhabinkamtibmas Obstacles and Efforts to overcome them in maintaining security and order in society. This study uses normative juridical research, namely normative legal research carried out by examining literature which is secondary data which is also called library law research. Sempu Village, Kunduran District, Blora Regency. While data analysis using qualitative data, from the results of this study it was clear that the Duties and Functions of the Bhabinkamtibmas Unit were Obstacles and Efforts</p>

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in maintaining security and order in the community in Sempu Village, Kunduran District. Based on the research, it can be concluded that the duties and functions of the Bhabinkamtibmas Unit. Sambang and appeal activities are carried out directly door to door to each fostered member or en masse by holding Basembang Storytelling activities at local public facilities. And the function of Carrying out visits / visits to the community is to: Listen to complaints from residents about Kamtibmas problems and provide explanations and solutions, Maintain friendly relations, Guiding and counseling in the field of law and Kamtibmas to increase legal awareness. The obstacles they face are low Human Resources (HR) such as the education they have is not very good so they still don't care about the importance of maintaining security, the aspect of the police where Bhabinkamtibmas still carries out dual duties, namely serving in the assisted villages and also still having to serve in In an effort to maintain security and order in the community, the Polsek in Sempu Village, Kunduran District, took a structured approach to the community accompanied by village officials by frequently inviting the community to chat according to the time they had. Another effort is to frequently invite the community to attend counseling activities which are held in the hall of each Village Head's Office. Through this, an approach emerged between the community and Bhabinkamtibmas. In this way, more frequent communication can be established between Bhabinkamtibmas and community members so that in the end Bhabinkamtibmas can find out complaints and information/reports from the community.

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## 1. Introduction

Communities have the opportunity to create various types of crimes that can disturb the security, peace and order of the surrounding community. On the other hand, every community member expects a safe, peaceful and orderly community environment so that they can always carry out their daily activities. With the creation of a safe, peaceful and orderly community environment, it will improve the standard of living and welfare of the community. However, if a safe, peaceful and orderly community environment cannot be created, it will disrupt the order of people's lives and can affect the fulfillment of the standard of living. For the sake of creating a safe, peaceful and orderly society, the Indonesian government established the Indonesian National Police.

Indonesia is a constitutional state, as stated in the 1945 Constitution of the Republic of Indonesia (UUD NRI). Law has an important meaning in every aspect of life, guidelines for human behavior in relation to other human beings, and laws that govern all social life. Indonesia. Juridically, Indonesia is indeed right to apply law as the supremacy of the state as stipulated in the 1945 Constitution of the Republic of Indonesia article 1 paragraph (3) above. This has implications in every action of

Indonesian citizens must comply with applicable legal provisions, including security disturbances (Atmosudirdjo, 2020). Security disturbances are incidents that disrupt security stability in society, both criminal issues and social problems, which are now familiar to most Indonesian people, both from the lower middle class and the upper middle class. The rise of legal cases is motivated by various factors, one of which is economic pressure and poverty (Ridwan & Sudrajat, 2020). Currently, criminal law issues are widely discussed and even become the spotlight, both in theory and in practice, and there are even efforts to compile a National Criminal Code (Hasibuan, 2018).

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Based on the Law of the Republic of Indonesia Number 2 of 2002 concerning the Indonesian National Police Article 13 concerning the main duties of the Police, namely:

1. Maintain public order and security
2. Enforce the law, and
3. Provide protection, shelter and service to the community

Spearheading the implementation of community policing is Bhayangkara, the supervisor of community security and order or abbreviated as Bhabinkamtibmas, who is a community officer (polmas officer) who is a member of the National Police tasked with fostering community security and order and is also a community police officer in the village/kelurahan (Rinawati, 2018). Based on the background description, the writer is interested in conducting research, the results of which will be set forth in the thesis entitled Juridical Review of the Duties and Functions of Bhabinkamtibmas in Maintaining Security and Order in Sempu Village, Kunduran District, Blora Regency (Siregar, 2013).

## **2. Materials and Methods**

The type of research that the author uses is Normative Juridical, namely this research emphasizes Law, while normative research examines the legal principles that apply in society. Thus normative juridical is an approach to the rules of legal issues from the aspect of applicable legal regulations.

## **3. Results and Discussions**

### **1) What is the Juridical Review of Bhabinkamtibmas Polri in maintaining security and order in society in Sempu Village, Kunduran District, Blora Regency**

Regarding law enforcement, according to what is stated in Article 2 of Law Number 2002, namely that the function of the police is one of the functions of the state government in the field of maintenance, security and public order, law enforcement, protection, protection and service to the community.

The National Police of the Republic of Indonesia in carrying out the roles and functions of the police as referred to in Article 2 and Article 5 of Law No. 2 of 2002 covers the entire territory of the Republic of Indonesia. From a historical perspective, the term "police" in Indonesia seems to follow and use the term "politie" in the Netherlands. This is as a result and influence of the building of the Dutch legal system which is widely adopted in Indonesia. According to Van Vollenhoven in his book "Politei Overzee" as quoted by Momo Kelana, the term "Politei" implies as an organ and function, namely as an organ of the government with the task of supervising, if necessary, using coercion so that those who are governed carry out and do not carry out the prohibitions of orders. Reviewing the Decree of the Head of the National Police of the Republic of Indonesia (Number: Kep/773/VII/2016) regarding the Bhabinkamtibas Smart Book, each Bhabinkamtibas personnel plays an important role in society. The main task of Bhabinkamtibas is to foster the community so that conditions can be created that provide advantages or benefits in carrying out Polri's duties in the village/kelurahan. The tasks carried out are closely related to the function of Bhabinkamtibas (Kurniawan, 2022).

Other duties that must be carried out by a Bhabinkamtibas include providing guidance to residents so that it is expected to increase the role or participation of the community, create awareness and obedience of the community towards applicable laws and regulations. Bhabinkamtibas personnel also need to establish good relations with village leaders, community leaders, religious leaders, youth leaders, traditional leaders and their elders in a village/kelurahan so they can carry out collaborative activities and build trust in the community (Setiawan, 2018). Each Bhabinkamtibas personnel is equipped with insight and the ability to detect early on issues or problems that develop in the community so that Bhabinkamtibas can make preventive efforts or solutions that are anticipating potential disturbances and the threshold for disturbances that occur in society so that they do not develop into real disturbances of Kamtibmas (Sadjijono & Kepolisian, 2010).

In terms of etymology, the term police in several countries has dissimilarities, such as in Greece the term police is called politea, in England police are also known as constables, in Germany polizei, in America they are known as sheriffs, in the Netherlands politea, in Japan with the terms koban and chuzaisho. although actually the term koban is the name of a police station in urban areas and chuzaisho is a police station in rural areas (soerjono Soekanto, 2014).

Long before the term police was born as an organ, the word police was known in Greek, namely politeia. The word politeia is used as the title of Plato's first book, namely Politeia, which means an ideal country in accordance with his ideals, a country that is free from greedy and evil state leaders, where justice is upheld. Then it became known as a form of state, namely a police state (polizeistaat) which means a state that organizes security and prosperity or the economy, even though this police state is run in absolute terms. In Indonesia there

are two concepts, namely *sicherheit polizei* which functions as a guardian of order and security, and *verwaltung polizei* or *wohlfart polizei* which functions as an organizer of the economy or organizer of all the necessities of life for citizens.

Bhabinkamtibmas is the Bhayangkara for Security and Public Order. Based on the Decree of the Head of the National Police of the Republic of Indonesia No. Pol. KEP / 8 / II / 2009 concerning changes to the field manual for the Chief of Police No. Pol. : BUJUKLAP/17/VII.1997 concerning the designation of Bhabinkamtibmas (Bintara Pembina Kamtibmas) to Bhabinkamtibmas (Bhayangkara Pembina Kamtibmas) from the Rank Level of Brigader to Inspector.

Bhabinkamtibmas is the bearer of Polmas (Community Police) in the Village or Kelurahan, and Bhabinkamtibmas has the following functions; Carry out visits / visits to the community to listen to complaints from members of the public about Kamtibmas issues and provide explanations and solutions and even maintain friendly / brotherly relations, Guiding and providing counseling in the field of Law and Kamtibmas to increase Legal Awareness and Kamtibmas by upholding Human Rights (HAM), Disseminating information about the policies of the National Police leadership relating to Community Security and Order (Harkamtibmas), Encouraging the implementation of siskamling in environmental protection and community activities, Providing Police services to people who need them, Mobilizing positive community activities, Coordinating efforts to foster Kamtibmas with Village Officials/ Kelurahan and other related parties Carry out consultation, mediation, negotiation, and facilitation and motivation to the community in Harkamtibmas and solving crime and social problems.

In addition to carrying out its main duties, Bhabinkamtibmas also carries out activities by way of house-to-house visits to all of its assigned areas, Conducting and helping to solve a problem, Organizing and securing community activities, Receiving information about the occurrence of criminal acts, Providing temporary protection to lost people, victims of crime and violations, Participate in providing assistance to victims of natural disasters and disease outbreaks, Provide guidance and instructions to the community or communities related to Kamtibmas issues and Polri services.

In carrying out Polmas activities, Bhabinkamtibmas owns and has the authority to resolve community or community disputes, take the necessary steps as a follow-up to an agreement with FKPM in maintaining environmental security, visit the crime scene (TKP) and take the first action at the crime scene (TPTKP). ), Supervise the flow of belief in society that causes division or threatens the Unity and Integrity of the nation.

**2) The details of the duties and functions of Bhabinkamtibmas Polri in maintaining security and order in society and the activities carried out are detailed as follows:**

- a. The duties of Bhabinkamtibmas Polri in maintaining security and order in society in Sempu Village, Kunduran District, Blora Regency and the activities carried out are detailed as follows

The main task of Bhabinkamtibmas is to carry out community development, early detection, and mediation/negotiation in order to create conducive conditions in the village/kelurahan. In carrying out its main tasks, Bhabinkamtibmas carries out the following activities:

1. Visits from door to door in all assigned areas. Sambang and appeal activities are carried out directly *door to door* to each fostered member or en masse by holding Basembang Telling stories at public facilities in the local area. These activities are carried out on certain dates each month.
2. Conducting and helping problem solving (Problem Solving) Serving the community on matters related to kamtibmas problems The function of serving the community on matters related to kamtibmas problems is the procurement of PAM. PAM is an activity to maintain security and security in the target area of each Bhabinkamtibmas personnel
3. Organizing and securing community activities
4. Receive information about the occurrence of a crime
5. Providing temporary protection to lost people, victims of crime and violations. Guiding and counseling in the field of law and public order and security. The implementation of the first function is carried out in 3 main activities, namely sambang activities, appeal activities and coaching activities. The author focuses on the activities carried out by Bhabinkamtibmas personnel at each Polres within the jurisdiction of the Blora District Police, where in the last 3 months (September – November 2022) Bhabinkamtibmas personnel of the Blora Islands Regional Police have appealed 10x sambang activities, 20x appeal activities and 5x coaching activities
6. Participate in providing assistance to victims of natural disasters and epidemics
7. Providing guidance and instructions to the community or community related to issues such as appeals and guidance implemented. Broadly speaking, the appeal given is related to an appeal to the public to always maintain the condition of the surrounding environment so that it remains safe, conducive and orderly. Communities are advised to always be on the lookout for any newcomers who enter their area of residence. If there are things that are worried or unwanted, residents can contact the local Bhabinkamtibmas personnel as soon as possible
8. Kamtibmas and Police services.
9. The coaching carried out is like coaching the community to re-implement the siskamling system in each village, the aim is to maintain a conducive and safe Kamtibmas situation. Along with the development of national issues. This relates to the appeal given to the public so that people are wiser in using social media and spreading the news they find. In this case Bhabinkamtibmas personnel foster the community not to participate in spreading false news or hate speech that can cause national divisions. In

presenting their material, Bhabinkamtibmas personnel explained that spreading fake news or hate speech was a criminal act which could result in the imposition of criminal sanctions on those who did it.

- b. The function of Bhabinkamtibmas Polri in maintaining security and order in society in Sempu Village, Kunduran District, Blora Regency and the activities carried out are detailed as follows
  1. Carry out visits/sambang to the community to: Listen to complaints from members of the public about Kamtibmas issues and provide explanations and solutions, Maintain friendly/fraternal relations, Guiding and counseling in the field of law and Kamtibmas to increase legal awareness and
  2. Kamtibmas by upholding Human Rights (HAM)
  3. Disseminate information about the policies of the National Police leadership related to the Maintenance of Public Security and Order (Harkamtibmas)
  4. Encouraging the implementation of siskamling in protecting the environment and community activities
  5. Providing police services to people in need
  6. Mobilizing positive community activities
  7. Coordinate efforts to foster Kamtibmas with village/kelurahan officials and other related parties
  8. Carry out consultation, mediation, negotiation, facilitation, motivation to the community in Harkamtibmas and solving crime and social problems

### **3) Obstacles faced by the Duties and Functions of bhabinkamtibmas Sempu Village, Kunduran District, Blora Regency**

Obstacles faced by Bhabinkamtibmas in serving in Sempu Village, Kunduran District, can be seen from two aspects, namely the community environment aspect and the police aspect. First, from the aspect of the community environment, namely the obstacle faced by Bhabinkamtibmas is the low awareness of law in society. This is caused by

- a. Human Resources (HR) are low as well as the education they have is not very good so they are still less concerned about the importance of maintaining security. There are still people who are indifferent to the condition of kamtibmas in their environment. In addition, people's understanding of the function of Bhabinkamtibmas is still low.
- b. The aspect of the police where Bhabinkamtibmas is still carrying out dual duties, namely serving in the village assisted and also still have to work at the Polsek so that Bhabinkamtibmas does not stay all day in the assisted village.

### **4) Efforts made by bhabinkamtibmas Sempu Village, Kunduran District, Blora Regency**

Bhabinkamtibmas' effort in overcoming these obstacles is to take a structured approach to the community assisted by village officials by frequently inviting the community to chat according to the time they have. Another effort is

to frequently invite the community to attend counseling activities which are held in the hall of each Village Head's Office. Through this, an approach emerged between the community and Bhabinkamtibmas. In this way, more frequent communication can be established between Bhabinkamtibmas and community members so that in the end Bhabinkamtibmas can find out complaints and information/reports from the community. Meanwhile, to overcome obstacles in the aspect of police duties, Bhabinkamtibmas has yet to find an effort to do so because this is beyond their authority.

a. Efforts to overcome internal barriers

1. Efforts to overcome obstacles in the form of limited funds faced by bhabinkamtibmas in efforts to prevent criminal acts in Sempu Village by using funds effectively and efficiently
2. To overcome obstacles in the form of facilities and infrastructure, Bhabinkamtibmas was given the closest place to the Kunduran Police to carry out their duties.
3. Efforts to overcome external obstacles:
4. Implement socialization to all sub-districts and villages in Sempu Village, Kunduran District
5. Implement socialization evenly in all elements of society

#### **4. Conclusion**

Based on the results of research conducted at the Kunduran Polsek and described in the previous chapters, conclusions can be drawn regarding the Juridical Review of the Duties and Functions of Bhabinkamtibmas in Maintaining Security and Order in Sempu Village, Blora Regency. Based on what is described in the research results and discussion above, the author can draw conclusion: Bhabinkamtibmas Polri has the main task of maintaining security and public order, with an emphasis on solving problems in the community, and in creating a conducive security situation within the police community, in this case bhabinkamtibmas has an equal position with the community in order to create communication and exchange of ideas. The police provide advice and instructions to the public including fostering Kamtibmas awareness, fostering legal awareness, carrying out general police duties and certain matters according to circumstances and conditions. On the other hand, the community has a large role in providing input, suggestions and assessments to the police.

The Bhabinkamtibmas Polri method of creating a conducive security situation in society is carrying out pre-emptive activities to minimize the occurrence of criminal acts in a village, by partnering with the community through a community policing program (Polmas) which includes activities including face to face, coaching and counseling (Binluh ), cross-sectoral coordination, creative breakthroughs, participating in social activities in the community. As for problem solving every month, both criminal and non-criminal/social problems, by Bhabinkamtibmas the state budget for investigation costs in the detective function can save state funds and the level of public trust in the Police has increased compared to previous years, because Bhabinkamtibmas officers not only



deal with criminal offenses but non-criminal problems/social problems that occur in society can also be resolved in collaboration with relevant agencies and community leaders local

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