

The Implementation of Community Policing in the Deliberative Democracy Perspective

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Abstract Reform on the system of government led to a change in the police institution, one of which is the participation of the community to maintain security in the environment. One form of such reforms is conceptualized as Community Policing (*Polmas*). The problem has been the implementation of community policing tends to be less optimal, another approach may be needed to develop the implementation of community policing. Theory which may serve as the basis of community policing implementation is deliberative democracy. Through a conceptual approach, this study describes the role of community policing in deliberative democracy and forms of communicative interaction and process of emancipatory dialogue in the implementation of community policing. Results of our analysis concluded that the fundamental concepts in the implementation of community policing models do not differ from the theory of deliberative democracy which Habermas argued to involve community participation. As a public space, the implementation of community policing requires opinion formation of all participants. The initial step that is needed is a dialogical communication based on the principle of equality.

Keywords Reform, *Polmas* (community policing), Deliberative democracy, Habermas

1. Introduction

As a political concept, democracy is the best form of government because it encourages safety. The proposition is reinforced by the absence of war in European countries after the achievement of democracy [1]. Based on that, as a developing country which is still in a transitional period of reform, Indonesia is also campaigning for democracy through good governance.

As one part of The Unitary State Of The Republic Of Indonesia / *Negara Kesatuan Republik Indonesia (NKRI)*, The police of the Republic of Indonesia / *Polisi Republik Indonesia (Polri)* does not escape from the reform process. Militaristic policing in the New Order regime evolved into a democratic policing. Police institutions involved to clean up to shift the paradigm of military within police to become civil cultured institution and pro-people. Reform of the Police culture begins with the separation of structure between Indonesian National Armed Forces with police institution and the existence of the constitution in the form of Law No. 2/2002 [2] about The Indonesian National Police.

In Article 5 of Law No. 2/2002 was declared (Law No. 2 The year of 2002 About The Indonesian National Police):

“The Indonesian National Police is a state apparatus that play a role in maintaining security and public order, enforce

the law and provide protection, and also service to the community in order to maintaining internal security.”

Such as good governance principles that became the framework of democracy, one aspect that needs to be developed is to increase public participation in the constitutional, included in the police institution. These community participations bring the concept to improve the relationship between the community and police, as well as restoring *social trust* [3] to the police as one of the law enforcement officers in Indonesia. The concept is framed in a program 'Community Policing' [4]. The concept of community participation in police institution is also based on Article 3 of Law No.2 / 2002 which states that:

“National Police as a function carrier of the police assisted in his duties by special police, investigators civil servants and other forms of private security.

Finally, the concept of community policing is implemented as a form of community participation. Community Policing is a model of modern policing which puts the community as stakeholders. Community policing should be conducted together by the police and the community with empowering the community through partnerships between the police and citizens in certain locations [5].

One model that is often applied to the implementation of community policing is a Community Police Partnership Forum / *Forum Kemitraan Polisi Masyarakat (FKPM)*, programs that embody the participation of the various elements of society in addressing security issues with an equal position with the police. Formally FKPM interpreted

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as community organizations with the structure and composition of the standard committee, in which Police officers at the level of *Polsek*/sector police become the protector or advisory. This means that in the framework of most police, relations between the police and citizens mischaracterized as a hierarchical relationship in which the police more superior than the citizens [6]. This FKPM practice is clearly a deviation from the Chief of Police decree No.433 the year of 2006 which is therein stated that the three pillars forming that community policing, community policing officers (police), and local governments have the right and the same degree as a members, or in other words equal. These problems indicate that until today community policing has not showed an optimal role in democracy spectacles. Hence, improvements are needed in the implementation of community policing models, one of them by using the concept of deliberative democracy which is an idea from Jurgen Habermas.

Based on that, this scientific study aims to describe the role of community policing in the process of democratization based on the theory of deliberative democracy and to describe the interaction of communicative and process of emancipatory dialogue in the implementation of community policing.

2. Methods

This research is a doctrinal law research, therefore used a conceptual approach [7]. Analysis of the concept is conducted with deductive and interpretative methods to construct arguments.

3. Results and Discussion

Deliberative democratic theory provides an explanation and a new understanding of the importance of citizen participation in the modern administrative state. In particular, this theory focus on the idea of elaboration and transformation of society as well as government agencies. Rather than just inviting people for aggregating choice and expressing the interests of group. This theory encourages the involvement of citizens for the purpose of bringing together the views through discourse and awareness. The legitimacy of state action produced through the process of this discourse more based on in-depth understanding of all parties involved regarding the issues discussed rather than temporary satisfaction of any interest groups [8].

Habermas's idea about deliberative democracy explained that a better argument to be won through the process of discourse for legitimize an act that comes from public deliberation. That's what Habermas called a communicative process that can solve disagreements. Legitimacy is essentially the will of discursively formed in a public space.

3.1. Role of Community Policing in Deliberative Democracy Process

According to the most general formulation, deliberative democracy is a political approach or model of democracy as is understood community policing as a practical model of policing [9]. Deliberative democracy took the starting point from the important role of the people and their willingness for participating in policy-making, so in some ways deliberative democracy has in common with direct democracy. In this democratic model the policy determined from the process of open space dialectical argument. If the policy-making is intended for the general benefit then the whole argument that existing should be find out the way out.

If these ideas are synthesized into an understanding of Community Policing in Indonesia, can be concluded where the actual *locus* of community policing and what is the problems so far that have been inhibiting the success. Although on the decree No. 737 the year of 2005 stated explicitly that community policing is an independent mass organization formed by the Police, community policing has its own uniqueness. In accordance with the reference implementation regulations set out in the Police chief Regulation. No. 7 the year of 2008 about Basic Guidelines Strategy and Implementation of Community Policing in The Operation Task Police; Article 1, paragraph 7 states that:

“Community Policing is the performance of policing duties which underlying the understanding that in order to create a safe and orderly condition can not be done unilaterally by the police as a subject and society as objects, but must be conducted together by the police and the community with empowering the community through partnerships between police and community, so that together are able to detect symptoms that can lead to problems in the community, able to obtain solutions to anticipate problems and able to maintain security and order in the environment.”

Through this article can be seen that the fundamental concepts in the implementation of community policing models is not differ with deliberative democracy theory proposed by Habermas. Community policing work is anticipation of society problem by creating creative solution and maintaining safe condition in community area. Community policing can work with police so it is effective combination because they are part of the community. As exposure in advance that deliberative democracy is the principle of the modern state system involving community participation [8], so that the implementation of community policing 'empowering people' basically have implemented democratization based on the Habermas theorem.

The implementation models of community policing can also be seen on Article 1 paragraph 8 that is:

“Community policing strategy is the implementation of proactive policing that emphasizes equal partnership between the police and the community in the prevention and

deterrence of crime, solving social problems that could potentially cause disruption of public order and security in order to improve legal compliance and quality of life.”

And Article 1, paragraph 9:

“The philosophy of community policing: as philosophy, community policing implies a model of policing that emphasizes the relationships that uphold social values / humanity in equality, display an attitude of polite behavior and mutual respect between police and citizens, resulting in a sense of mutual trust and solidarity in order to create conditions that support the organizing the police functions and improving quality of life.”

These Article 1 paragraph 8 and paragraph 9 gives a clear picture that is basically community policing role as national democratization concrete evidence based on theory of deliberative democracy in the security sector.

In addition there is article 6 which states the principles of community policing include: intensive communication, equality, partnership, transparency, accountability, participation, personalization, decentralization, autonomy, proactive, problem-solving orientation, and service orientation.

Some quotation article from Police Chief Regulation that has been described is a set of legal statements. It explicitly explains that community policing is a deliberative space in which the system and *Lebenswelt* can actually complementary, not contradict each other. If reworded theoretically, it can be said that community policing is a living world space facilitated by the system. Community policing reverse the colonization of the world lives by system that has been criticized by Habermas, become the colonization of the system by the world of life [10].

The irony is implementation of community policing has not run optimally, so that the main problem now is how to build a pattern of community participation in the implementation of the principle of deliberative democracy. In other words involving the community in constructing each policy that will be made related to the maintenance of security in their environment [11]. While at the police side, community policing is meant to keep providing their capacity as major forces in the enforcement of security for the community. However community policing still has a positive outlook within the framework of the legal state of Indonesia as a space for the formation of deliberative democracy, especially in terms of the maintenance of public order.

3.2. Communicative Interaction and Emancipatory Dialogue Process in the Implementation of Community Policing

One of the principles adopted by deliberative democracy is the importance of communication interaction between the government's with the community in which these interactions can be realized through public opinion. As exposure in advance, a public space born from the process of discourse in which the public space must fulfill three main

criteria; namely (1) Equality among participants, (2) The subject matter covered have comprehensive coverage, and also (3) Public space open to anyone who wants to join and able to contribute to the public discourse. The principle of deliberative democracy is also stated in the decree of the Chief of Police No. 433 and No. 737 in which the community defined as a subject in the maintenance of social order in their own environment [12].

Community policing does not advocate the paternalistic and hierarchical relationship between the police and community, so that any decisions made are not aligned to the specific side. This makes Community policing is not just a policy model or just imaging activities, because Community policing is a new way of thinking within the framework of a partnership that is run through a process of dialogue. Dialogue, held in a family atmosphere can form the basis of the formation of public opinion and provide 'cover of legitimacy' if followed correctly. This is what makes Community policing as a form of democratic communication institutionalization process to produce a healthy rational opinion and valid decisions.

Opinion and the decision is in accordance with the communicative action 'procedural rules' proposed by Habermas. *First*, every participant who has the competence to be involved should be allowed to take part in any discourse. *Second*, each person is allowed to question the substance of any proposed; each person is allowed to bring anything substance of the discussion into the discourse; and each person allowed to express behaviors, desires, and needs. *Third*, none of the speaker may be prevented by force internally and externally, to fulfill their right to participate in the discourse that occurred. All agreements reached through discourse that is run based on Habermas's postulate, is nothing but a product of the "supremacy of the most excellent argument" [13].

Through the context described above can be known of the alignment between the concept of public space, theory of communicative action, and Habermas's deliberative politics concept within the framework of law with the practice of Community policing. The position of Community Policing as a strategy policy concept is to widely open public space in any policing process involving the security community. The public spaces can be achieved if the negotiation process between the community and the police went well, thereby increasing the effectiveness of the implementation of Community policing. It can be concluded that the dialogical communication is the first step in the implementation of Community policing in which communication begins with a kinship dialogue between the community and with the principle of equality of mutual listening and autonomous in order to create a widely public space.

4. Conclusions

Community Policing is a form of democratic police institutional reform. Because community policing is a

modern police system that includes community participation then the implementation of community policing is basically an implementation of deliberative democracy. However in the implementation in most areas, community policing has not been fully perform optimally so that the problem that must be solved is how to construct a pattern of community participation in deliberative democracy.

As a public space, implementation of community policing requires opinion from all participants; either government, police, to local communities in which the public space must fulfill the principles of deliberative democracy which is also stated in the decree of Chief of Police No. 433 and No. 737. To implement these principles the first step need to be done is conducting dialogical communication; that is the interaction between police and the community as a family and the role of equality among participants.

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