

PREVENTION OF MASS VIOLENCE BY POLRI IN THE PROFETIC LAW PERSPECTIVE

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Abstract

This study aims to analyze and explain prophetic concept of preventing the occurrence of criminal acts that cause casualties in mass violence that can be carried out by the National Police. The results of the study that Polri is a state tool that has the task of providing protection, protection and service to the community while at the same time having authority as a law enforcer. The National Police has the duty to prevent activities that can lead to conflict and can disrupt public order and even state security, as an example of efforts that have been made, namely by providing humanitarian services in the form of security measures for participants of the 212 demonstrations by taking preventive approaches. The National Police gave a religious psychology touch to the participants of the demonstration to be orderly and orderly while at the same time providing understanding to the demonstrators that disorder, slander, violence and even riots were sins and actions that were forbidden by Islam and Allah SWT. The Polri's efforts are to restore human nature, cleanse themselves and restore the awareness that brotherly relations and amar ma'ruf nahi munkar are gifts from Allah SWT that need to be guarded and accounted.

Keywords: Mass Violence, Police of Republic Indonesia, Profetic law.

INTRODUCTION

Mass violence also often occurs in Indonesia, several events related to ethnic hatred, witchcraft and horizontal conflicts have occurred since 1965 until the end of the New Order government, cases of witch doctors in Banyuwangi, Sambas riots, Sampit riots, riots in Ambon and Poso, many swallows fatalities. Mass riots always have the characteristic of a frontal mass anger which can end with murder and slaughter. Mass violence can also occur due to anger that arises because of crimes committed by criminals.

In 1998 there was a mass riot in Indonesia, riots occurred in the city of Solo and followed by events in several major cities as a result of reforms, these incidents caused great losses both material and casualties. Mass violence has evenly spread almost

everywhere with uncontrolled emotions and anger, so that it is brutal, violent, and irrational. Events of mass violence that occurred in several places in Indonesia seemed to confirm that the event was not caused by spontaneous emotional outbursts, but had become a role model and plague that lived in the community.

The emotions of members of the crowd are easily out of control, allowing someone in the crowd to do aggressive, destructive, cruel and even sadistic actions. Interaction between participants is fundamental in crowd activity, the exchange of information between fellow members of the crowd is increasingly easy to do so that someone's carefullness in interpreting the situation will affect the person's decision.

There are several possibilities that cause this mass violence to occur. First, the crowd causes a kind of hypnotic effect that produces emotional and irrational conditions for people in the group; second, that the people who gathered individually had a tendency to commit violence; and third, the combination of the two conditions above are interrelated, so that the crowd becomes brutal and violent without control. Someone who is usually impossible to do is able to do it together, because they feel protected by their identity.¹

According to TB. Ronny Nitibaskara, collective violence can arise from a crowd that has all the same types and levels of culture and social organizations. Mass violence behavior provides support and freedom from moral responsibility, so that people can channel impulses. In the crowd people will usually feel that no one else is paying attention and recognizing him, so it is easy to imitate the actions of others.²

The community experienced rapid social change, the emergence of a crisis of trust in law enforcement officials resulted in various acts that were against the law. The legal objective of creating order, feeling safe and just in the midst of society cannot be realized. Unlawful actions that often occur in the country today are mass violence, but law enforcement officials seem to be powerless in the face of the incident. As a result, there was

a stigma in the community that they were not afraid of being punished despite committing crimes, as long as they did it in tandem. If things like this are allowed, it will have a negative impact on the image of law enforcement in Indonesia.

Some incidents of mass violence that cause casualties is an act that is contrary to national culture. Culture is a habit of being refined and respectful in Indonesian society with a high-profile, courteous identity with subtle words and euphemisms and how to dress as a cultured person. Cultural diversity or "cultural diversity" is a necessity that exists on Indonesian soil. Cultural diversity in Indonesia is something that cannot be denied and the history of the Indonesian people has historically departed from cultural diversity.³

In Republic of Indonesia Law Number 39 of 1999 concerning Human Rights, Article 30 reads: "Everyone has the right to feel safe and secure and to protect against the threat of fear of doing or not doing something." And article 33 verse (1) which reads: "Everyone has the right to be free from torture, punishment or cruel, inhuman, degrading treatment and dignity of humanity."

Mass violence that causes casualties can be categorized as a crime to eliminate the lives of others, according to the Indonesian Criminal Code eliminating the lives of others is also called murder which has a very broad scope, both in terms of types of actions,

¹ Ted Robert Gurr, *Relative Deprivation And The Impetus To Violence*. Princetion University Press, Princetion. 1970.

² Ronny Nitibaskara, *Meningkatnya Derajat Kekerasan Kolektif*. Kompas, Sabtu, 17 Juni 2002.

³ Heru Nurrohman, *Program Bimbingan Dan Konseling Berbasis Nilai-Nilai Budaya Untuk Meningkatkan Kemampuan Penyesuaian Diri Peserta Didik SMA Kota Palangkaraya*, Universitas Pendidikan Indonesia. Perpustakaan.Upi.Edu. 2013.

punishment systems, scope and manner of actions carried out and implies that the person must die and his death is desirable, even though in the meaning of implicit murder there is an element of intent.

Polri as a state apparatus of law enforcement, protector, protector and servant of the public has the duty and responsibility to realize security in the community, therefore with the authority of the National Police is obliged to make prevention efforts to prevent mass violence that will result in adverse criminal acts individuals, groups or the general public.

PROBLEM FORMULATION

Based on the description above, the problem can be taken as follows: What is the prophetic concept of preventing the occurrence of criminal acts that cause casualties in mass violence that can be carried out by the National Police?

DISCUSSION

The concept of preventing criminal acts removes the lives of others in prophetic based violence by the National Police

Cultural background and community characteristics are an important part of developing a theory. Theories developed in an area with certain cultural and community characteristics are sometimes not suitable to be applied in other regions with different cultural and community characteristics. Contemporary psychology built by the scientists of American and Western European psychology is considered less in accordance

with the conditions of Indonesian society based on eastern culture and most Muslims, so many Muslim psychologists who develop alternative psychology as a new flow in the world of psychology, namely Islamic psychology which is believed that Islam has provided the most complete and perfect guidance for humans.⁴

Humans learn from experience and continue to look for experiences both from other people's experiences and experiences from themselves so that they find a commitment to the basic values of life that are in accordance with life. Humans also combine concepts from the level of experience, the combination of concepts with one another complement each other so that this experience does not conflict with a holistic, but unified and humanistic view according to human understanding and experience so as to enhance personal development and intellectual growth.

West anthropocentric psychology views man as the center of all will, the center of all relations, whereas Islamic psychology views humans as being given the freedom to try and endeavor, and to relate, but God is the center of relations and all verdicts are above His heart. . In the formulation of the human concept and the way to approach Him is different, Western psychology solely uses the intellectual ability to discover and reveal psychic principles, while Islamic psychology

⁴ Ema Yudiani, *Pengantar Psikologi Islam*, JIA/Desember 2013/Th. XIV/Nomor 2/175-186. Hal. 178-181.

approaches it by functioning reason and faith.⁵

Based on the results of the Jakarta Middle Class Demographic survey, dated December 26, 2016 conducted by the Research and Research Index Institute, namely: (1) the middle class in Indonesia developed significantly in recent years. Based on the criteria of the Asian Development Bank (ADB), the middle class is a population group with a consumption level of between US \$ 2-20 per day, which amounts to around 134 million (56.5%) in 2010. According to World Bank estimates, growth the middle class in Indonesia is in the range of an average of 7% per year; (2) Research on religious understanding and support of the middle class towards democracy. The results of the study are as follows: (1) the middle class is dominated by the last educated population of graduates (131 respondents), high school / level (70 respondents), manufacturing jobs (75 respondents), Islam (189 respondents or 67.26%).⁶

The study was conducted on the profile of the middle class economy with a variety of professions, in terms of income, consumption patterns, economic interests based on cost and benefit calculations will have a significant influence on politics and policy, especially those that affect the

economy. The Indonesian middle class is a homogeneous group reviewed based on demographic variables. Islam is a religion adhered to by the majority of the Indonesian population so that the value orientation and religious understanding of the Muslim middle class is very coloring the Indonesian middle class and influences the dynamics of the economy, politics and culture.

The middle class society is a solid moral force and is able to mobilize and color Indonesian civil society. Since entering the reform era there have been humanitarian movements, anti-authoritarianism movements and moral civil society movements spearheaded by the middle class, the middle class has increasingly strengthened its movement and is able to mobilize support quickly and large because it is supported by telecommunications technology and information. The middle class reacts very quickly if there are issues that are considered inappropriate in the community, the speed of this reaction is supported by the ability to access extensive information and can immediately share with the group and invite reactions from other middle classes to also participate.

The development of the media greatly facilitates the middle class to voice their aspirations in various forms. As with interactive dialogue through telephone lines, providing access to advice through social networks, to invite directly middle class groups who initiate a particular movement or opinion. The middle class can voice the group's moral message with media support as

⁵ Sari Narulita, *Psikologi Islam Kontemporer*, Jurnal Studi Al-Qur'an, P-ISSN: 0126-1648, E-ISSN: 2239-2614. Hal. 65

⁶ Lembaga Penelitian Indeks, *Konservatisme Beragama Kelas Menengah Muslim Jakarta: Bagian I, Demografi Kelas Menengah Jakarta*, dipublikasikan tanggal 26 Desember 2016. Diakses 30 Maret 2017.

part of the expression of democracy in the post-reform era. The criticality of middle class members gave birth to vocal voices that wanted better and more efficient public services, cleaner governance, and provided support to certain figures.

Sharp thoughts make the middle class as a source of leaders and activists who move to create militant governance and high accountability. The middle class is able to have a tremendous impact in the turbulence of the political and economic climate in Indonesia and even the world. The development of religious life in Indonesia today is largely influenced by the dynamics of the middle class who have political and conservative characters in religion. The middle class currently not only exists in big cities such as Medan, Jakarta and Surabaya, but the middle class people have inhabited several medium cities such as Kupang and Pekalongan, and tend to be close to bureaucrat groups to realize existence by exploiting the potential of their surrounding environment.

There are two classifications of the middle class which turned out to have a major influence on political views. The classification is divided into upper middle class and lower middle class. The upper middle class has a tendency to be satisfied with the income they earn and not progressive in making political choices and not imposing the application of religious law. In the lower middle class, there is a correlation between the level of education with work and income in determining political choices and strongly supports sharia law into

state law, but both want clean governance, infrastructure improvement, substantive thinking, no longer speaking religious symbols and conservatism religion is getting stronger which is reflected in the behavior of individual piety. A Muslim will often go to Umrah and show off through social media if it is already a financial success group.⁷

The pattern of prevention of conflict against the middle class can be carried out by the Indonesian National Police by referring to the basic similarity of religious understanding held by Christians, in religious psychology Christians and Muslims have similarities in obedience to their God. Muslims and Christians understand that all the bad things that humans do are sin. The Quran and the Book of Rome teach that humans are corrupt, hopeless, and morally spiritual blind in themselves. When faced with God's holy standards, the sin will look worse. If human moral activity is damaged by sin, then everything that humans do is wrong.

Some understandings, namely: (1) humans are created by God to be theocentric, they are made for God and enjoy complete satisfaction only in God; (2) all normal humans have a sense of divinity, however, sin can affect perceptions, thoughts, memories, and interpretations of the world, and emotions, motives, and actions that ultimately are more selfish than remembering God; (3) the effect of sin is related to the heart; and (4)

⁷ Gerry van Klinken., dalam diskusi '*Konservatisme dan Pengalaman Beragama Kelas Menengah Indonesia*' di Centre for Dialogue and Cooperation among Civilisations (CDCC), Jakarta, Kamis, 10 Maret 2016.

sin influences thoughts, feelings, and ways of acting.

In the prophetic legal paradigm, knowing God and Revelation is an important element in explaining reality. Revelation categorized into natural sciences (natural law) and theology, beyond these two things are the humanities (meaning, consciousness and value).⁸

In a review of prophetic social sciences, the content of the Koran is divided into two parts. The first part contains the concepts of Islamic doctrine and its worldview with ideal concepts. While the second part contains historical stories and archetypes, contemplation can be done to obtain wisdom, therefore through a synthetic-analytic approach individual ethical and moral perspectives can be developed, and position revelation as data.⁹

Humans as part of an integralistic universe are not only born to the world but also to the heavens and the hereafter (*homo-propheticus*)¹⁰ In human relations with nature and God, there are four relations between God and humans, namely; ontological relations (creator-creatures), communicative relations, status relations (master-servants), and ethical relations (the nature of God that is soft and hard cross gratitude and fear).¹¹

These relations have the consequence of an integral ontology structure,¹² the nature of origin, the principle of human equality and the universe obey the laws of nature, trust, and certain ethical visions.¹³ Thus, there are four things that must be possessed in the minds of legal subjects, namely about the concept of the best people, historical activism, transcendence and liberation.¹⁴

When the law by society is deemed unable to protect, does not satisfy a sense of justice and is unable to realize social peace, then that is when citizens will do what sociologically termed self help. The manifestation of self-help actions is that the juridical normative is called vigilante action or *eigenrichting*. Acts of violence that exist in society are actually not merely motivated by factors of distrust of law enforcement officials and their institutions, but also many other factors such as the existence of socio-economic disparities, sara, clogged political social channels and so on.

According to Fritjof Capra, now we live in a turning point. Our inability to look back on human life with a complete view, according to Capra, causes a crisis in human intellectual, moral and spiritual dimensions. People can no longer focus on an object that is separated

⁸Kuntowijoyo, *Islam Sebagai Ilmu: Epistemologi, Metodologi dan Etika*, Teraju PT. Mizan Publika, Jakarta, 2004, Hal. 27.

⁹ Ibid, Hal. 14-16, 18 dan 27.

¹⁰Wan Anwar, Kuntowijoyo: *Karya dan Dunianya*, Jakarta: PT. Grasindo, 2007. Hal. 43, 47, 48 dan 51.

¹¹Toshihiko Izutsu, *Relasi Tuhan dan Manusia: Pendekatan Semantik Terhadap Al-Quran*, Terj. Agus Fahri Husein, Supriyanto Abdullah dan Mirudin, Yogyakarta: PT. Tiara Wacana, 2003, Hal. 10, 15, 104, 105 dan 106.

¹²Ahzami Samiun Jazuli, *Kehidupan Dalam Pandangan Al-Quran*, Terj. Sari Nuralita, Jakarta: Gema Insani Press, 2006, Hal. 35.

¹³Agus Iswanto, *Relasi Manusia Dengan Lingkungan Dalam Al-Quran: Upaya Membangun Eco-Theology*, Jurnal Suhuf, Vol. 6, No. 1, 2013. Hal. 13-14.

¹⁴Hasnan Bachtiar, *Profetisme, Muhammadiyah Dan Gelombang Besar Globalisasi: Suatu Tinjauan Transformasi Sosial*, The Centre For Religious And Social Studies, Malang, Volume 15 Nomor 1 (Juni 2012,) Hal. 25-27.

from its environment, but let the object unite with its environment.¹⁵

According to Kadish and Gustav Le Bon in Ronny Nitibaskara (2002), linking violence in human nature as homo sapiens, and barbarianism, because of anomie towards a condition that causes a loss of community orientation that affects acts of violence. Every human being has the potential to commit violent behavior which includes abnormal behavior, because the act of violence is a manifestation of the aggressive and destructive nature which is the nature of every human being. Violence refers to all behaviors that are contrary to the Law, either in the form of threats only, or already constitutes a real action that results in damage to property, physical or cause death to someone.¹⁶

The Prophet Muhammad applied the principles of the state based on the conception of "Islamic moral law" in the Medina Charter. Islamic morality is laid as the foundation for every principle / principle in the Medina Charter which is in accordance with the duties of the National Police. The authority of the National Police as part of the element of the Criminal Justice System requires the National Police to always act based on justice to realize the benefit of the people. The Principle of Justice is an important principle in

Islam, in accordance with Al-Quran Surat An-Nisa verse 135, namely:

"O believers, be a person who is truly an enforcer of justice (qawwaamin bii al-qisti), a witness because of Allah even though yourself, or your mother and relatives. If he is rich or poor, then Allah knows his benefit better. So do not follow your passions because you want to deviate from the truth. And if you twist the words or are reluctant to be witnesses, then Allah is Knower of all that you do."¹⁷

Shari'a comes from the word syara 'which means road. Shari'a can be interpreted as a good way of life, namely religious values that are functionally applied and in concrete meaning to direct human life. So, what is meant by Islamic Shari'a is the guidance of Islam which covers all aspects of human life. Namely starting morality, the call for law enforcement, justice, creating prosperity, and efforts to increase human resources.¹⁸

It needs a thought to restore the culture of Indonesian manners as an indigenous culture with an approach that has a prophetic dimension as an effort of the Indonesian National Police to restore human nature, cleanse itself and restore the awareness that brotherly relations and amar ma'ruf nahi munkar are gifts from Allah SWT that need to be guarded and accountable. As mentioned in Al-Quran Surat Ali Imran verse 110: "You are the best people born in the

¹⁵ Fritjof Capra dalam Suteki, *The Turning Point (Science, Society, And The Rising Culture*, London: Flamingo, 1983. Disampaikan Pada Seminar Nasional Mih Unissula Dengan Tema: *Penanggulangan Tindakan Eigenrichting (Main Hakim Sendiri) Yang Dilakukan Oleh Kelompok Masyarakat*. Semarang, 9 Desember 2017.

¹⁶ Tubagus Ronny Rahman Nitibaskara, *Ketika Kejahatan Berdaulat: Sebuah Pendekatan Kriminologi, Hukum dan Sosiologi*, Jakarta: Peradaban, 2001. Hal. 43.

¹⁷ Khudzaifah Dimyati Dkk, *Hukum Dan Moral: Basis Epistemologi Paradigma Rasional H.L.A. Hart*, Yogyakarta: Genta Publishing, 2017. Hal. 97.

¹⁸ Ibid, Hal. 91

midst of mankind to uphold ma'ruf (goodness), and prevent evil (evil) and believe in Allah".

The verse contains a prophetic ethic that is generally accepted, for anyone, both individuals, institutions and collectives. Science as an institutionalization of experience, research and knowledge must carry out this verse, namely amar ma'ruf, nahi munkar and tu'minuna billah.

Polri prevents conflicts through the implementation of pre-emptive and preventive tasks of the Indonesian National Police in accordance with the duties, functions and roles of the National Police which prioritize reducing the turmoil so that it does not extend to other problems resulting in complex and complicated conflict by acting functionally and proportionally through prevention efforts. The police can carry out copyright activities so that the potential for criminal acts in mass violence can be eliminated, namely through a religious approach by providing an understanding that mass conflict and violence are acts of sin that are forbidden by Allah SWT, so that the intention to do bad things is not done.

An example of an effective approach that has been carried out by the National Police is the handling of Demonstration 212 activities which involve large numbers of people and the potential for conflict. The National Police is handling the demonstration with participants of around 400 thousand people using an approach from the religious psychology side, namely by using the Asmaul Husna Forces and not using a violent (repressive) approach. This method is very

appropriate and effective so that the masses are touched psychologically and want to carry out demonstrations safely and orderly without causing mass violence or riots that can be fatal and detrimental to the public interest.

CONCLUSION

Polri is a state tool that has the task of providing protection, protection and service to the community while at the same time having authority as a law enforcer. The National Police has the duty to prevent activities that can lead to conflict and can disrupt public order and even state security, as an example of efforts that have been made, namely by providing humanitarian services in the form of security measures for participants of the 212 demonstrations by taking preventive approaches.

The National Police gave a religious psychology touch to the participants of the demonstration to be orderly and orderly while at the same time providing understanding to the demonstrators that disorder, slander, violence and even riots were sins and actions that were forbidden by Islam and Allah SWT. The Polri's efforts are to restore human nature, cleanse themselves and restore the awareness that brotherly relations and amar ma'ruf nahi munkar are gifts from Allah SWT that need to be guarded and accounted for.

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