PERCIPIENCE JOURNAL
Social, Administration, and Entrepreneurship Journal
Vol. 2, No. 1, September 2022, page 39-51
DOI: 10.33474/PERCIPIENCE.v2i1.14650

IMPLEMENTATION OF LAW NUMBER 7 YEAR 2012 ABOUT HANDLING SOCIAL CONFLICT (Case Study on Prevention of Social Conflict in Probolinggo City)

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Article History:
Received:
29 August 2022
Revised:
27 September 2022
Accepted:
28 September 2022

Keywords:
social conflict, policy implementation, conflict prevention

Abstract*: This study aims to find out how the implementation of Law Number 7 of 2012 concerning Handling Social Conflicts in Probolinggo City, knowing the supporting and inhibiting factors of preventing social conflict and strategies to deal the inhibiting factors. The approach used in this study is a qualitative approach. The conclusion of the study shows that the implementation of handling social conflicts in Probolinggo City, especially conflict prevention is carried out by the Integrated Team for Handling Social Conflicts as implementers and the community as policy targets. The supporting factors for preventing social conflict in Probolinggo City are good synergy with human resources for implementing the implementation, geographical conditions and wise use of social media. Meanwhile, the inhibiting factors are that the implementation of social conflict prevention does not involve NGOs/Ormas and universities, the lack of innovation in preventing social conflict, funding support, and the lack of regulatory support. The strategy to overcome obstacles is to collaborate with NGOs/Ormas and universities as partners in preventing social conflict, encouraging innovation in preventing social conflict, increasing coordination with the Regional Government Budget Team and drafting regulations which support the prevention of social conflict.*

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INTRODUCTION

According to Law Number 7 of 2012 fights and/or physical fights within a community group which involve violence that lasts for a certain period of time and results in widespread insecurity and social destruction that have the potential to shake national stability and development are defined as social conflicts. The existence of a structural functionalism theory which is considered to ignore the phenomenon of conflict as part of a phenomenon in society that needs attention finally gave rise to conflict theories. In the 1950s, conflict theories began to emerge. The most popular idea or the basis of conflict theory is the thought of Karl Marx. Karl Marx argues that conflict is seen as a sociological paradigm that is used to understand the social conditions of society. (Magniz, 2005)

Conflict is a social phenomenon that will occur continuously anytime, anywhere and can involve anyone. The types of social conflicts can vary, namely individual, group, or national conflicts. Conflict is rooted in the Latin expression "Configere" which means "to hit. The passage of a social mode that occurs between two or more people where one party tries to eliminate the other party by destroying or making him powerless can also be referred to as the meaning of conflict (Haryanto & Nugrohadi, 2011).

The diversity that exists in Indonesia can trigger conflict, both between the community and the community (horizontally) and between the community and the government (Vertical). Horizontal conflicts in society are usually triggered by SARA sentiments, while vertical conflicts are usually motivated by community dissatisfaction with government performance and policies. Law No. 7 of 2012 has three main components, namely conflict prevention, conflict cessation and post-conflict recovery. In the conflict prevention phase, it is very important to implement so that potential conflicts do not develop into social conflicts. The potential for conflict must be reduced because if it develops into a social conflict, it will cause significant losses, including hampering the regional development process, causing casualties and property. Social conflicts that occur in society can change the order of norms that have been formed previously and trigger irregularities in society.

Prevention of social conflict in Probolinggo City that has been implemented so far is able to create a conducive situation for Probolinggo City. This can be seen from the emergence of potential conflicts that can be resolved so that there is no social conflict in the community. Prevention of social conflict in Probolinggo City still needs attention where several things still need to be done, addressed and strengthened, on the one hand there are supporting factors and on the other hand there are inhibiting factors adjusted to the laws and regulations governing the prevention of social conflict.

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Policy can be interpreted as a series of actions or activities offered individually, in groups or by the government in an area where difficulties and opportunities will arise. Every policy that has been offered must provide benefits in achieving the desired goals (Agustino, 2020). This study aims to find out how to know the implementation of the policy of Law No. 7 of 2012 concerning Handling Social Conflict in Probolinggo City, tonfind out the factors that support and hinder the prevention of social conflict in Probolinggo City, and to know strategies to overcome barriers to preventing social conflict in Probolinggo City. Probolinggo City.

METHODS

Policy is one of the government instruments that includes the state apparatus (government) and public resource management (governance). Policy is essentially a series of decisions or actions that can be selected directly used to manage the distribution of natural resources, finances and human resources for the people of a country. A policy occurs because of cooperation, agreement and competition between various interests, ideas, theories and ideologies that represent a country's political system (Suharto, 2020). Policy is a series of action plans, decisions, behaviors, program activities, both playing a role or not playing a role that is tried by many parties (actors), as a phase to solve the problems experienced. The policy that has been set is a meaningful aspect for an organization in achieving its goals (Miftah, 2003). Public policies can undergo changes due to changes that occur in society, this can be a consequence that must be faced. This happens when regulations are seen as part of the product of a public policy. Then the public policy is also seen as a political product. Thus, one of the conditions for public policy is that it is flexible, can be replaced, and harmonized with the ups and downs of the development process. A regulation is deemed appropriate and very much depends on the evaluation of the people. The implementation of public policies is a network of activities after a policy is ratified (Ramdhani & Ramdhani, 2017).

Implementation in KBBI means implementation or application. Implementation is an activity or effort that is tried on the entire plan of a policy that has been formulated and formalized, and is equipped with all the necessary equipment, implementers, where the implementation is, the time of implementation, the start and end time and the implementation procedure (. et al., 2016). The role and task of implementation is to build a network that allows the scheme of public policy to be realized in the activities of government institutions involving various interested parties. This was disclosed by Van Meter and Van Horn. Van Meter and Van Horn reveal that the implementation phase, starting after the legitimacy process is passed and resources are allocated and funds have been agreed upon, should not start when the goals and objectives of public policy have

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not been established (Van Meter & Van Horn, 1975). One of the public policy points of view is the implementation problems approach initiated by Edwards III. Approach with this point of view is preceded by sparking two main questions, namely what aspects support the successful implementation of a policy and what aspects hinder the success of policy implementation.

The idea of George C. Edwards III, revealed that communication is intended to convey messages/information from policy makers to policy implementers. Communication is the first phase which is the determinant for the implementation of a policy. Policies must be informed to both policy actors and policy targets. Staff who are agile and capable in completing tasks, authorities and the means needed to interpret useful ideas when carrying out public services are resources needed when implementing a public policy. Attitudes (dispositions) are tied to the personal nature of policy makers and policy actors in the form of temperament and so on. Attitude is a complex mental condition that involves dogma and feelings, as well as a disposition to act or act according to certain rules. The form or model of civil/bureaucratic authority contained in an organization has an effect on the implementation of public policies. Bureaucracy is a government practice that has a foundation in the hierarchy and level of office carried out by government officials. The bureaucracy includes a balanced ratio between the use of the budget, the use of facilities, supervision and public services, the volume of work and the quantity of competent apparatus. (Edward, 1980)**.**

Conflict and violence must be distinguished in their understanding. Where the definition of violence is something that includes actions, words, attitudes or various structures and systems that cause physical, mental, social and environmental damage and or prevent a person from reaching his full potential. (Rukli, 2018). Conflict can be defined as an interaction between two or more camps (individuals or groups) who have or feel they have different targets. Factors that cause or trigger conflict or conflict are (Soerjono, 1993)**.** Differences of opinion and thoughts are possible to create chaos between them. Differences in individual habits also depend on the pattern of habits that form the basis for the formation and development of one's personality. Differences in needs/interests between one person and another or within a population is one of the roots of the emergence of conflicts of interest, both economic, political, and others.

Social transformation that appears quickly will temporarily be able to change the values that exist in the group which can give rise to groups with different stances. The ethnic, social, cultural and religious diversity that exists in Indonesia is a source of social identity and great capital in the nation and state, but this condition can also trigger the presence of group conflict in society, which often results in loss of property and life. Communal conflicts that occur in addition to destroying the national order that we have, also slow down the implementation of development scenarios that should be able to roll optimally and hamper public services in the community.

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Strategic efforts from the Government so that social conflicts both at the center and in the regions can be handled are the establishment of Law Number 7 of 2012 concerning Handling of Social Conflicts. The law states that the zones for conflict handling are conflict mitigation/prevention, conflict cessation, and post-conflict recovery. Law Number 7 of 2012 concerning Social Conflict Handling consists of ten chapters that contain general provisions, principles, objectives and scope, efforts to prevent conflict, stop conflict, post-conflict recovery efforts, institutional funds for conflict resolution mechanisms, community participation, funding, transitional and closing conditions.

FINDING AND DISCUSSION

1. Implementation of Law Number 7 of 2012 in Probolinggo City

Policy implementation is very important in the entire policy process, this is because the policy will be useful if it has been implemented, besides that the implementation of a policy can be seen as a relationship between a series of goals and actions that can achieve the desired goal. The implementation of Law Number 7 of 2012 in Probolinggo City will be discussed using Edward III's theory where there are several factors that influence the success and failure of policy implementation, among others, namely:

a. Communication

Communication is a notification process. Public policies must be communicated to policy actors who in this study are the Integrated Team for Handling Social Conflicts (PKS), besides those policies must also be conveyed to policy targets, namely the community. Strengthening communication needs to be carried out on the PKS Integrated Team so that it is hoped that regional apparatus as members of the PKS Integrated Team can understand the efforts to prevent social conflict in synchronization with the main functions and tasks of each regional apparatus. The public as the target of the policy must also continue to be provided with information regarding the prevention of social conflict, apart from direct socialization, they can also use social media. The community as the target of the policy actually already has social capital in preventing social conflict, such as the values of gotong royong, tolerance and tolerance.

b. Resource

Resources include human resources, budgetary resources, equipment resources and authority resources. Resources have an important

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role, even though a policy has been communicated continuously, if the policy actors lack resources, the policies implemented will not be effective. Resources include human resources, budget resources, equipment resources and authority resources. The human resource of policy actors in this study is the Integrated Team for Social Conflict Management (PKS). The synergy of the PKS Team in Probolinggo City has been going well so that the prevention stage can be carried out so that in recent years the condition of the City of Probolinggo is relatively conducive. the role of mass organizations/NGOs and universities.

Budget resources are important in implementing a policy, where if there is still a budget shortfall it will affect the quality of the implementation of programs that have been designed by policy actors. The budget for the prevention of social conflict in Probolinggo City has been given but it is still focused on the operation of the PKS Integrated Team, it is not sufficient for other things needed for prevention in accordance with the mandate of Law Number 7 of 2012. Equipment resources are supporting the implementation of a policy. Equipment resources for preventing social conflict are good, supporting infrastructure such as buildings are well available. The team secretariat building is located in Bakesbangpol Probolinggo City Authority resources are an important part of the process of implementing a policy. Authority will influence the decision of an institution when faced with a problem. The Probolinggo City PKS Integrated Team as the policy implementer chaired by the mayor and consisting of leaders of vertical institutions has sufficient authority, so that the communication and coordination process between implementing actors can run well.

c. Disposition

Edward III said that disposition is "the desire, inclination and willingness of policy actors to carry out a policy seriously so that the things that are the direction of the policy can be realized". Implemented policies can run effectively and efficiently if the actors in addition to having the will to carry out the policy, the actors must understand what must be done and have the capacity to implement the policy (Widodo, 2008). The PKS Team, which is chaired by the mayor, is supported by elements of vertical agencies and all regional apparatuses are able to synergize well in handling social conflicts. The PKS Integrated Team in terms of their respective duties and functions has the ability to handle social conflicts.

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d. Bureaucratic structure

The bureaucratic structure is one of the determining points for the effectiveness of the policy implementation stages. The implementation of a policy can be ineffective due to the inefficiency of a bureaucracy. Edwards III states that there are two main characteristics of bureaucracy, namely: "fragmentation and standard operating procedures. Standard operating procedures (SOPs) can be seen as continuous demands from within the organization on resources, clarity of time, and the need for uniformity in a broad and complex work system (Winarno, 2002). Prevention of social conflict in Probolinggo City does not yet have a definite SOP, where the SOP should be listed in a regional head regulation. SOPs should be drafted so that the implementation of Law Number 7 of 2012 in Probolinggo City, especially conflict prevention, is getting better and more focused. The SOP will emphasize the role of each member of the PKS Team.

2. Supporting Factors of Social Conflict Prevention in Probolinggo City

Prevention of social conflict in Probolinggo City which has succeeded in creating a conducive situation recently has several factors that are supporting factors for preventing social conflict in Probolinggo City.

a. Good synergy of human resources implementing implementation.

The implementers are members of an Integrated Team (Timdu) for Social Conflict Handling which is chaired directly by the Mayor of Probolinggo and consists of leaders of other vertical agencies and Heads of Regional Apparatuses throughout the City of Probolinggo who have been able to synergize well. In addition, there are also semi-governmental institutions, namely the Forum for Religious Harmony (FKUB) and the National Assimilation Forum (FPK) which have been carrying out activities that indirectly help in handling social conflicts, especially the prevention of conflicts originating from SARA.

b. Geographical conditions and area of Probolinggo City.

The geographical condition of Probolinggo City which is in the form of a lowland and a small area provides benefits in the form of equitable infrastructure development, conditions of unobtrusive socio-economic disparities and ease of regional supervision. These things make it easier to prevent social conflicts in Probolinggo City

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c. Good and correct use of social media.

Social media. is a good instrument for efforts to implement a policy. Almost all people can access social media. The Probolinggo City Government through the relevant regional apparatus can use social media as a means to provide valid information to the related community, increase tolerance and tolerance, development plans and development results. In addition, social media must be able to counter HOAX news circulating as part of efforts to prevent social conflict. The above can be a means of supporting the prevention of social conflict in Probolinggo.

3. Inhibiting Factors in the Prevention of Social Conflict in Probolinggo City

The process of implementing a policy will experience obstacles. There are several factors that hinder the prevention of social conflict in Probolinggo City, namely:

a. The implementation of social conflict prevention has not yet involved NGOs/Ormas and universities.

Apart from Timdu PKS, there are other resources that can be involved in preventing social conflict, namely the involvement of NGOs/organizations and universities. Potential conflicts that arise can be minimized by mass organizations and NGOs. Ormas and NGOs also have the function of maintaining political and social stability. They mediate in community groups by sharing different interests, in the hope of reducing the emergence of the seeds of social conflict. (Herdiansah, 2016).

Universities play a role in preventing social conflict through the Tri Dharma Perguruan Tinggi program, which is to provide education by instilling tolerant and inclusive education. In addition, it can be through research activities and community service. Local governments can synergize with universities to produce research studies that can be used for policy making related to handling social conflicts. Community service can be carried out through assistance to victims of conflict.

b. The lack of innovation in the prevention of social conflict.

Along with the times and the dynamics that continue to develop in society, implementers of policy implementation must foster new innovations. Simple innovations by utilizing information technology and social media can be created considering that currently almost all people can

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take advantage of IT and social media. Simple innovations such as an application for reporting potential conflicts by the community directly to the PKS Team. Utilization of IT can support an early prevention system in handling social conflicts.

c. Funding *support*

Funding for handling social conflicts is considered sufficient for the operation of Tim PKS but has not been able to fulfill other aspects. For example, the Probolinggo City Government does not yet have a conflict potential map. The conflict potential map is also a part of the system for early detection of a potential conflict. More funding is also needed to increase understanding of Law Number 7 of 2012 for both regional and community officials.

d. Lack of regulatory support.

The regulations used for the prevention of social conflicts so far refer directly to Law Number 7 of 2012 concerning Handling Social Conflicts. The Probolinggo City Government should prepare derivative regulations in the form of Regional Regulations or Regional Regulations that contain technical instructions, implementation instructions and SOPs in handling social conflicts, especially prevention, which are adapted to local conditions in Probolinggo City. Derived regulations in the form of local regulations and local regulations are also a tool to 'ground' the process of preventing social conflict, both for the implementers, namely regional officials and for the community.

4. Strategies *to Overcome Inhibiting Factors in the Prevention of Social Conflict in Probolinggo City*

The inhibiting factor in the process of implementing a policy requires a strategy to deal with it. The strategies to overcome the inhibiting factors in preventing social conflict in Probolinggo City can be described as follows:

a. The Probolinggo City Government needs to collaborate with NGOs/Ormas and universities. For example, in the form of grants for NGOs/Ormas and collaboration in the preparation of research studies with universities. NGOs/Ormas and universities can also be involved as conflict mediators in the conflict cessation stage.

b. Encouraging the emergence of innovation in social conflict prevention can be done by reference studies to other areas that are more advanced in

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preventing social conflict, besides that it can be carried out with technical training/guidance for policy implementers, namely the PKS Team and the regional apparatus involved.

c. Improved coordination with the Regional Government Budget Team so that the submission of additional funding for social conflict prevention is more considered and can be fulfilled in accordance with the mandate of Law Number 7 of 2012. The PKS Team needs to provide socialization on the importance of increasing the budget for the fulfillment of social conflict prevention facilities and infrastructure in the form of conflict potential maps, IT utilization etc.

d. The preparation of regulations that support the prevention of social conflict needs to be carried out by the relevant agencies, in addition it is necessary to prepare technical instructions, implementation instructions and SOPs. The National Unity and Political Body of the City of Probolinggo as the custodian and leading sector of the prevention of social conflict can cooperate with other agencies to formulate derivative regulations for handling social conflicts.

CONCLUSIONS

Based on the description that has been described above, the results of this study can be concluded as follows:

a. The implementation of Law Number 7 of 2021 in Probolinggo City is carried out by the Integrated Team for Handling Social Conflicts as policy actors and the community as policy targets. The implementation of handling social conflicts in the City of Probolinggo, especially the prevention of social conflicts, has recently succeeded in creating a conducive situation for the City of Probolinggo.

b. Supporting Factors in preventing social conflict in Probolinggo City are:

   1) Good synergy of resources implementing policy implementation, in this case the Integrated Team for Handling Social Conflicts as the implementer of Law Number 7 of 2012.

   2) Geographical conditions and area of Probolinggo City. The geographical condition of Probolinggo City which is in the form of a lowland and a small area provides benefits in the form of equitable infrastructure development, conditions of unobtrusive socio-economic disparities and ease of regional supervision.

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3) Good and correct use of social media. Social media is a good instrument for efforts to implement a policy. Almost all people can access social media. It's can use for handling social conflicts, especially prevention.

c. Inhibiting factors in preventing social conflict in Probolinggo City are as follows:

1) The implementation of social conflict prevention has not involved NGOs/Ormas and universities;

2) 2. The lack of innovation in preventing social conflict. Along with the times and the dynamics that continue to develop in society, implementers of policy implementation must foster new innovations.

3) 3. Funding support. So far, funding for the prevention of social conflicts has been sufficient for the operation of Timdu PKS, but not sufficient if it is used to fulfill other aspects, in accordance with the mandate of Law Number 7 of 2012 concerning Handling Social Conflicts.

4) 4. Lack of regulatory support. The regulations used for the prevention of social conflicts so far have directly referred to Law Number 7 of 2012 concerning Handling of Social Conflicts. Ideally, the Probolinggo City Government should prepare derivative regulations, either in the form of Regional Regulations or Regional Regulations that contain technical instructions, implementation instructions and SOPs that are adapted to the local conditions of Probolinggo City.

d. Strategies to overcome obstacles in preventing social conflict in Probolinggo City are as follows:

1) Probolinggo City Government needs to collaborate with NGOs/Ormas and universities as partners in preventing social conflict in Probolinggo City

2) Encouraging the emergence of innovation in the prevention of social conflict can be done by reference studies to other areas that are more advanced in handling social conflicts, besides that it can be carried out with technical training/guidance for policy implementers, namely the PKS Team and the regional apparatus involved

3) Improved coordination with the Regional Government Budget Team so that the submission of additional funding for the prevention of social conflict is more considered and can be fulfilled in accordance with the mandate of Law Number 7 of 2012

4) Further research is needed on Social Conflict Handling as input for policy makers at the central, provincial and regional levels as an effort to improve Law Number 7 of 2012.

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Based on the results of the research described above, the following suggestions can be given:

a. Development in the regions needs to be supported by a conducive situation, so that the prevention of social conflict needs to be sought to get priority attention from stakeholders in accordance with what is mandated by Law Number 7 of 2012;

b. The implementation of Law Number 7 of 2012 concerning Handling of Social Conflicts must be carried out properly so that the mandated objectives can be achieved and have a real impact on the community as the target of policy implementation;

c. Further research is needed on Social Conflict Handling as input for policy makers at the central, provincial and regional levels as an effort to improve Law Number 7 of 2012

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