

The Police Authority in Granting Crowd Permit in The Makassar Port Police Area

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Abstract

Makassar City as the largest city in Eastern Indonesia is known to have a high crime rate. On the other hand, the most common and often faced community dynamics in Makassar city is community mobility that triggers crowds. So as a preventive effort, the police have the authority to issue a crowd permit to regulate community activities. This research aims to analyze the regulations and mechanisms for granting crowd permits and to identify the methods of police supervision of crowd activities in the Makassar Port Police area. The type of research used is empirical juridical research. Data collection is done through interviews and observations. The technique of analyzing research data starts from data reduction, data presentation, to verification and conclusion drawing. The results showed that: (1) Regulations in granting crowd permits are regulated in Law of the Republic of Indonesia Number 2 of 2002 concerning the Indonesian National Police and several Field Guidelines of the National Police Chief. The mechanism for granting permits includes: First, the criteria for activities are given for activities with large masses. Second, the flow of services has been listed in the task guidelines with clear steps. (2) Supervision of crowd activities is carried out through open maintenance of public security and order by the Samapta Bhayangkara (Sabhara) unit and closed by the Intelligence and Security Unit and the Criminal Investigation Unit. Meanwhile, supervision of police members is carried out through control by police administrative staff, discipline enforcement by the Profession and Security Unit, and post-activity and periodic consolidation and evaluation once a year. Thus, the authority of the Police in granting crowd permits in the Makassar Port Police area has been running well, although there are still shortcomings in terms of supervision, especially time security and police availability to accompany crowd activities until completion.

Keywords: Public order, crowd permit, control of freedom

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INTRODUCTION

Constitutionally, the Indonesian National Police is an institution to maintain security and public order to protect, promote, serve the community and enforce the law. This is regulated in Article 30 (4) of the 1945 Constitution as the supreme law in Indonesia. In addition, another legal basis that regulates the police function in maintaining security and public order is Law Number 2 of 2002 on the Indonesian National Police. Article 2 states that: "*The function of the police is one of the functions of the state government in the field of maintaining security and public order, law enforcement, protection, security, and service to the community*". Furthermore, it is explained in Article 5 paragraph (1) which states: "*The*

Indonesian National Police is a state instrument that plays a role in the maintenance of security and public order, law enforcement, protection, protection and service to the community in the context of maintaining internal security". Meanwhile, Article 13 explains that the main functions of the Indonesian National Police are: (1) maintaining security and public order; (2) enforcing the law; and (3) providing protection and services to the community. On this basis, members of the National Police must be professional in carrying out their duties and powers in the field of law enforcement. The professionalism of the police in carrying out its main task of maintaining public safety and order can be seen in its understanding and ability to control conflicts.

The occurrence of conflict in community life can be controlled when the law plays an active role as a social regulator (Aulina, 2019). In this case, the law functions to regulate human behavior that deviates from the rules of the law, so that the law can provide sanctions for violators. Human beings as legal subjects in the community certainly cannot be separated from their nature, namely that they can make mistakes that can harm themselves or others. In order to achieve order in society, the law must be enforced in order to achieve a safe and conducive society (Utami, 2020). Safety and order in society is achieved when the law is enforced by the right legal institutions, in this case the Indonesian National Police.

Members of the police force experience different dynamics related to community security and order in their respective work areas, one of which is in the city of Makassar. As the largest city in South Sulawesi and Eastern Indonesia, Makassar is known to have a relatively high crime rate. In 2023, the crime rate in Makassar City was recorded at 5,670 reports (Emilda, 2023). Violent crimes that often occur in urban areas such as Makassar City include: murder, burglary and robbery, rape, destruction of public facilities, persecution, and fights. In addition, the most common and frequently faced community dynamics in Makassar City is the mobility of people from one place to another, which triggers crowding. For example, crowded activities that take place at night can cause traffic jams, brawls, or other criminal acts. Likewise, crowded activities that take place in the open air can pose a risk of traffic accidents or fires, and from an environmental health and comfort perspective, can generate litter and noise. If left unchecked, the public's tendency to visit crowded places can lead to long-term conflict and crime in the community.

As a preventive and repressive measure, the police have the power to issue crowd permits. Prevention can mean removing the opportunity for a person or group of people to commit a crime (Januri *et al*, 2022). Meanwhile, repressive efforts are intended to take legal action based on the applicable criminal justice system (Martono *et al*, 2023). In general, crowd permits are issued to people who are going to hold activities that have the potential to attract a large number of people. This crowd permit is necessary to maintain an atmosphere that is conducive to all parties for the organiser of the activity. The smooth running of these activities cannot be separated from careful safety preparations. The peculiarities of crowd permits issued by the police compared to other types of permits issued by the government can be seen from the nature of the permit. If analyzed, a crowd permit has three characteristics, namely:

First, it is special or only issued for activities that can potentially cause crowds and disturb public safety and order. Second, it is temporary or only valid for a certain period of time, namely during the activity. And third, certain conditions must be met by the organizer of the activity. Meanwhile, permits issued by the government have three opposite characteristics, namely; First, general or various depending on the type of permit. For example: business permit, research permit, construction permits, and so on. Second, permanent or can be valid for a long period of time, even for life. And third, general conditional or permit can be given without any specific conditions.

Research on police authority or crowd permits has been studied by several researchers, two of which are: (1) Research by Saputro (2017), raised the issue in Negerikaton Subdistrict, which often holds individual entertainment and is accompanied by a crowd permit from the Negerikaton Sector Police. However, there are still many people who ignore the time limit during the entertainment due to the lack of optimal supervision by the Negerikaton Sector Police. (2) Research by Suryana (2022), analysing the problem of laws on handling demonstrations that are less adhered to in every implementation of public demonstrations, including those that occur in the jurisdiction of the Bali Regional Police of the Republic of Indonesia. There are often demonstrations that result in anarchist actions. While individual entertainment and rallies are two of the many activities that require a crowd permit.

On this basis, the granting of a crowd permit by the police is necessary by considering several things, including the benefits and risks that may arise (Latif, 2023). In this way, the police will be able to prepare the number of personnel needed, as well as facilities and infrastructure to anticipate the emergence of these risks. Based on this, this research will discuss the regulations and mechanisms for granting crowd permits in the Makassar Port Police area and the form of police supervision of crowd activities in the Makassar Port Police area. By understanding the existing regulations and mechanisms, this research aims to analyze the regulations and mechanisms for granting crowd permits and to identify the methods of police supervision of crowd activities in the Makassar Port Police area. It is hoped that this research can also contribute to the development of policies related to crowd permitting by the police at both local and national levels.

METHOD

The type of research used is empirical juridical research. Data collection is done through interviews and observations. The technique of analyzing research data starts from data reduction, data presentation, to verification and conclusion drawing. Determining the population and sample in a study is something that must be considered by the researcher with the intention of limiting the object and boundaries of the study. The population of this study is the jurisdiction of Makassar Port Police. The sample of this study, namely: (1) Head of Intelligence and Security Unit of Makassar Port Police, in this case represented by the Head of Service and Administration of Makassar Port Police Intelligence Unit; and, (2) Local people who know and have processed crowd permits at the Makassar Port Police office.

This research was conducted at the Makassar Port Police Office, Ujung Pandang Street Number 12, Bulogading Village, Ujung Pandang District, Makassar City.

RESULT AND DISCUSSION

Regulation and Mechanism of Issuing Crowd Permit in Makassar Port Police Area

The formation of regulations should be based on their effectiveness in society, considering sociological, philosophical, and juridical principles (Erwanto, 2024). In the same way, the regulation of the police authority in issuing crowd permits is also based on three considerations, namely:

Sociological basis

The sociological basis considers how regulations meet societal needs and address empirical facts about societal problems and needs. Research shows that crowd permits are essential for monitoring community activities in public spaces. This permit is not only an administration, but also a response to the complexity of social interactions in society (Sunantara *et al.*, 2021). It serves as a foundation that regulates and maintains the safety and order of the community, avoiding potential conflicts and dangers that may arise if social interactions are not properly regulated. Therefore, the safety and order of society as a whole is the main factor considered in the granting of a crowd permit.

Philosophical basis

The philosophical basis considers the worldview, awareness, and legal ideals rooted in Pancasila and the preamble of the 1945 Constitution (Sofwan *et al.*, 2022). Research indicates that the crowd permit serves an important role as a police authority grounded in strong ethical and moral considerations. In carrying out their duties to protect and control community activities and maintain public order, the police see the crowd permit as an instrument that not only regulates but also ensures that any activity takes place in accordance with upheld moral and ethical values. In this way, a crowd permit becomes an important foundation for ensuring that community activities run well and in accordance with established norms.

Juridical basis

The juridical basis ensures regulations address legal issues by considering existing rules, which may be amended or revoked to ensure legal certainty and public justice. The juridical element concerns legal issues related to the substance or material to be regulated so that a new regulation is formed (Yamani, 2024). Data from research informants indicates that the established legal basis provides a strong foundation for the police to issue crowd permits. In carrying out its duties, the intelligence and security unit refers to several legal bases, such as Law of the Republic of Indonesia Number 2 of 2002 concerning the Indonesian National Police as the main basis, and regulations of the National Police Chief, including field guidelines as a reinforcement of the main basis. By integrating these three principles, the police

will be able to make smarter, more effective and fairer decisions on crowd permitting. This will contribute to the creation of public order and safety and ensure the harmonious conduct of community activities.

The mechanism for granting a mass permit is seen through two indicators: activity criteria and service flow. Activity criteria are standards or measures used to assess the success of an activity. Activity criteria have significant benefits for the police when issuing crowd permits. They help the police to assess whether or not the crowd permit application meets the requirements, and they help the police to identify potential security and public order problems that may arise from an activity. the police to provide the security and order necessary for the smooth running of activities.

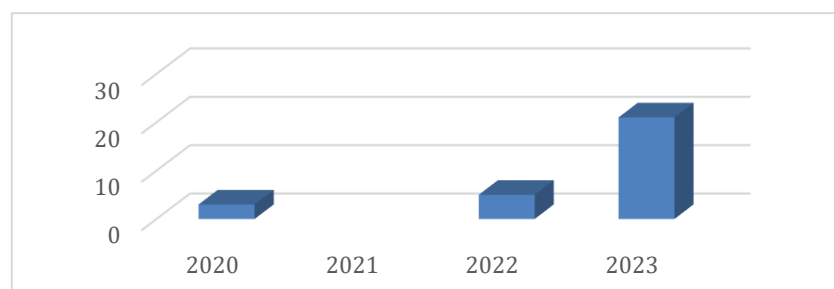
Easy and transparent access to information about the criteria for making a crowd permit for the community plays an important role in the smooth and safe crowd permitting procedure. Based on interviews with community informants, it is known that the process of making a crowd permit involves several steps that must be followed carefully. Starting from understanding the procedures provided by the venue owner or local government, to coordination with police agencies. Cooperation between the sector police and the resort police in ensuring the smoothness and security of the event is key in this process. Thus, a proper understanding of the crowd permit procedure will guarantee success in organizing an activity that involves many people.

Service flow is a description of the stages that must be passed by someone to get the service. A clear service flow can help ensure that services are provided consistently and in accordance with established standards. Excellent service delivery in the form of prompt, fair and quality service to the community will be one of the parameters used to determine the success of the work of the police institution (Mbiuwa *et al*, 2024). The service flow for making a crowd permit has been clearly regulated in the task implementation guidebook. The guideline presents a picture or scheme that visualizes the procedure for making a crowd permit, and lists the requirements that must be met by the applicant community. This demonstrates the importance of structured and detailed guidelines to ease the process of applying for a crowd permit and ensure that all requirements are appropriately met before the permit is granted. Thus, transparency and accuracy in the process of applying for a crowd permit can be guaranteed, thereby minimizing the potential for errors and increasing efficiency in service. The brief explanation of the system, mechanism and procedure for making a crowd permit is described as follows:

- a. The applicant submits a permit application to the Makassar Port Police Chief through the Head of Intelligence and Security Unit, attaching requirements such as: activity proposal, venue permit, recommendations from relevant agencies according to the nature of the activity, as well as recommendations from the local police sector.
- b. Upon receipt, the officer will record the applicant's identity and the nature of the activity;
- c. If the applicant's documents are declared complete, the permit application will be processed and if the results of the research show that the documents are incomplete, it will be returned to the applicant for completion;

- d. If there is any doubt about the results of the research, coordination with internal and external parties will be carried out;
- e. If no doubts are found and the application meets the requirements, a permit will be issued according to the applicant's needs.

The results suggest that the requirements for obtaining a crowd permit are relatively straightforward, so that event organizers can easily follow the established service flow to obtain a crowd permit. The relatively short processing time of two to three days also allows good planning of the event without too many delays. In fact, according to Ekadiyanto (2024), the difficulty that the public often faces in dealing with the police is the time it takes to apply, which makes most people reluctant to wait in line. This is helped by the friendliness of the officers on duty and the professionalism and competence of the police officers involved in the process. Not only do they provide a friendly service, but they are proactive in liaising with the organizers once the permit has been granted. When the attitude of police officers focuses on friendly and professional services, it will reduce community dissatisfaction, which is often caused by the emergence of negative interactions or assumptions when dealing with police officers (Wijaya *et al*, 2024). In addition, the fact that the crowd permit is free of charge is convenient and advantageous for organizers. Crowd permits issued by the Makassar Port Police can be seen in Figure 1.



(Data from the Intelligence and Security Unit of Makassar Port Police, 2024)

Figure 1 Graph of Crowd Permits Issued by the Makassar Port Police the Intelligence and Security Unit in 2020-2023.

Figure 1 shows the number of crowd permit issued by the Makassar Port Police the Intelligence and Security Unit has fluctuated over the past 4 years. In 2020, only 3 crowd permits were issued. This low number is due to the Covid-19 pandemic situation. As a result of this situation, all forms of crowd activity were not permitted as they had the potential to become a center for the spread of the virus. This situation continued in 2021, with not a single crowd permit issued by the Makassar Port Police. After the pandemic, more precisely in 2022, the processing of crowd permits by the municipality returned to stability with a total of 5 crowd permits. And increased in 2023 with a total of 21 crowd permits. As we all know, the order of people's lives changed during the Covid-19 pandemic, in an effort to fulfil human life as a human being, both individually and socially (Nuraeni & Hidayat, 2021).

Police Supervision in Granting a Crowd Permit in the Makassar Port Police Area

Supervision of crowd activities

Crowd activity supervision involves adjusting the number of security personnel based on the size of the activity. In this case, the Intelligence and Security Unit has a key role to play in providing comprehensive considerations, both in terms of intelligence and potential security risks. Intelligence and security units are crucial in providing leaders with updates on security conditions and public order. In this case, accurate data and analyses are needed so that all possible threats can be anticipated properly (Huliselan, 2023). This approach allows the management of crowd activities to be adapted to the circumstances and potential risks. This emphasises the importance of coordination between intelligence and security units and security personnel in carrying out the task of supporting and monitoring crowd activities to ensure the smooth and safe conduct of these activities.

Police institutions use two main forms of security: open and closed security. Open security, typically carried out by the Samapta Bhayangkara (Sabhara) unit, involves National Police members using official equipment and uniforms. This unit is an integral part of the police function, acting as the front line in the prevention of security and public order disturbances. By using official uniforms and clear equipment, this open security provides a visible presence to the public to create a sense of security and act as a 'deterrent' to potential perpetrators of crime or security breaches. The expectation is that people will think twice before committing illegal acts because they are aware of the consequences or risks. Meanwhile, closed security is the implementation of security carried out by members of the National Police without wearing official unit uniforms. This closed security is carried out by the Intelligence and Security Unit and the Criminal Investigation Unit. This unit plays a role in gathering information, analysing intelligence and dealing with crime and security disturbances. By conducting closed security, police officers can operate more flexibly without being detected by outsiders, allowing them to carry out reconnaissance, evidence collection, and law enforcement actions effectively. The presence of closed security personnel essentially has a dual function: one is to monitor the possibility of criminal activity during the activity, while the other functions as "a buddy system", that is, efforts to protect fellow police officers who are also performing open security or on duty in public spaces at the same time (Latifah, 2017). Both forms of security have an important role in maintaining security and public order. Open security provides a sense of security to the community directly with a visible presence, while closed security allows police officers to operate effectively in more complex prevention and law enforcement efforts.

Interviews with community informants indicate that police assistance during activities is generally well monitored, but there are supervision shortcomings, particularly in the resilience and availability of officers to see events through to completion. Firstly, the short duration of police assistance; the police often leave the site before the event is over, so that the security of the event is not fully guaranteed at critical times, such as when live music is taking place. Secondly, the lack of rapid response in the event of conflict. Conflicts between spectators occurred even though they could be resolved by the organising

committee, but there was no information on the police response to the conflict. Similar conditions were also described in the research by Arifin and Sukarni (2020), that the small number of police members of the Blora Police, who were also disproportionate to the number of spectators, made it difficult to control the clashes that occurred. So by the time the police get involved, the crowd is already injured. There is therefore a need for better supervision through increased coordination between event organisers and the police to ensure adequate police presence throughout the event. A consistent police presence from the beginning to the end of the event can provide a sense of security and prevent potential conflicts or similar incidents in the future.

Supervision of authorised officers

Supervising police officers in issuing crowd permits involves strategies like verifying officer accuracy and providing clear procedural instructions. In addition, the disciplinary aspect, in particular with regard to attendance, is the responsibility of the Profession and Security Unit. After the crowd activity, a follow-up is carried out through consolidation efforts and evaluation of the results of the activity, which is then reported to the top management, in this case the Chief of Makassar Port Police. Thus, the process of supervising and following up on crowd activities is carried out in a comprehensive and coordinated manner to ensure the effective implementation of tasks and the maintenance of public order. The administrative non-commissioned officer assists the Head of Intelligence and Security Unit with administrative affairs, ensuring proper regulation of the Security Intelligence Unit.

The Profession and Security Unit monitors the performance, professionalism, organizational culture, and reputation of the police, ensuring the proper execution of duties in line with organizational goals. In line with its main task, the results showed that the Makassar Port Police Profession and Security Unit routinely carries out supervisory activities in fulfilling working hours by taking attendance at the time of morning roll call which is routinely carried out every day, and controlling each function room, both in the service function and other functions, to ensure the presence and discipline of working hours of members.

After implementing security measures for crowd activities, a consolidation meeting is held. This activity is usually carried out in order to evaluate the results of the security of the public activities by presenting all the police officers involved in the security of the public activities. The purpose of the consolidation meeting after the activity is to find out whether the security of the activity has achieved its objectives, as well as to identify lessons learned in the field that need to be improved or taken into account in the implementation of the next security. The results of the consolidation meeting are then compiled into a written report addressed to the Makassar Port Police Chief as a form of accountability for the security of the crowd activities that have been carried out. The report contains at least some information, including:

1. Activity subject; contains a general description of an organized crowd activity. The subject of the activity can be in the form of the name of the activity, the theme of the activity and the purpose of the activity.

2. Activity facts; contains information that is objective and can be proven to be true about the crowd activity. This information may be in the form of data, statistics or observations. It is important to record and document the facts of this activity so that they can be used for evaluation purposes.
3. Activity analysis results; contains information related to the implementation of activities, both in terms of process and results. This information is used to evaluate the effectiveness and efficiency of the activities,
4. Prediction; contains an assessment of the likelihood that an event will occur in the future based on the facts of the activity. These predictions are used for various purposes such as: decision making to assess risks and opportunities and to develop strategies to deal with various threats and challenges.
5. Intelligence activities; includes the range of processes undertaken to collect, assess and analyze information to produce judgements about the activity.
6. Recommendations; contains suggestions or considerations that are clearly structured, concise and easy to understand, as well as realistic or feasible.

In essence, internal supervision of mass permitting services must be continuous and consistent, or carried out on an ongoing basis rather than at specific times. Ongoing supervision will help prevent noncompliance and ensure that service quality is maintained. Internal supervision should focus not only on finding mistakes, but also on reprimanding police officers who do not meet service standards. Similarly, officers who perform well should be rewarded. Last but not least, performance evaluation is also carried out in the service of crowd control by the police by measuring the implementation of service standard components, which is carried out at least once a year. This performance assessment is designed to: (1) ensure consistency in the application of crowd permit service standards; (2) identify areas for improvement to enhance service quality; (3) demonstrate accountability to the public for service performance. The intensity of the evaluation can also be carried out more than once, depending on the needs and situation. Sari *et al* (2024) also suggested that regular evaluation by police officers can help to identify weaknesses or successes in the policies and strategies implemented. By identifying shortcomings through performance evaluation and then improving them, the police can improve the quality of crowd control services. On the one hand, the public will have more confidence in the police if they see that the police are committed to providing quality services. In addition, performance evaluation can help prevent abuse of authority by officers in the process of issuing crowd permits.

CONCLUSION

Firstly, crowd permitting regulations are governed by Law Number 2 of 2002 on the National Police of the Republic of Indonesia, Criminal Law Article 510 on Public Crowds, and several National Police Chief Field Guidelines. The permitting mechanism includes activity criteria. Permits are issued for large crowd activities (religious, cultural, political, entertainment), with easily accessible and transparent criteria. Secondly, the service flow is clear and structured, as outlined in the task guidelines. Requirements are straightforward, and permits are issued within two to three working days. Supervision

of crowd activities is conducted by the Maintenance of Public Security and Order, with staffing levels adjusted to the activity scale and potential risks. Supervision is carried out openly by the Sabhara Unit and closed by the Intelligence and Security Unit and the Criminal Investigation Unit. The aim is to ensure compliance with crowd permit regulations, time limits, venue capacity and security standards. Decisive action is taken in the event of an infringement or security breach, although there are still shortcomings in terms of timeliness and support until the activity is completed. Supervision of Police members involves administrative control, disciplinary enforcement by the Professional and Security Unit, and post-activity consolidation and evaluation. Additionally, annual evaluations are conducted to maintain service quality and prevent abuse of authority. This research is limited to the analysis of one jurisdiction and therefore does not provide a comprehensive picture of police authority in the granting of crowd permits. Because of these limitations, this research suggests the need for further research to consider comparative aspects in terms of regions and to draw on more diverse data in order to gain a more comprehensive understanding.

SUGGESTION

First, there is a need for extensive socialization and educational efforts through various media and collaboration with related stakeholders. Collaboration between the police, community organizations, and government agencies will positively impact community security (Lubby, 2024). Abdi and Hashi (2024) argue that community cooperation with the police is very important because the community acts as the eyes and ears of the police. Second, preparing backup security groups is essential to respond to unexpected situations or changes during crowd activities. Regular training to improve police members' skills and knowledge, including simulation training on crowd handling, crowd control, and emergency response can help generalize the quality of police officers who will be deployed to the field. Moreover, ideally the police should not always focus on the use of force but rather organize effective conflict management strategies and methods (Emsing *et al*, 2024). Third, integrating and implementing online crowd permit services can improve efficiency, accessibility, and service quality, especially for island communities under the Makassar Port Police jurisdiction. Research by Zakaria *et al*. (2024) indicates that processing crowd permits through an Android-based application, as implemented at the Gorontalo City Police Station, provides convenience to the community. Practical steps that the police can take to implement the online permitting system can begin with working with application developers to create an online permitting platform that is user-friendly, secure and integrated with the police information system. In addition, the police need to establish clear and consistent procedures for each stage of the permitting process, from the submission of applications to the issuing of permit. Last but not least, an intensive public campaign should be conducted to introduce the online permitting system and the procedures for accessing it, including video tutorials.

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