

THE INFLUENCE OF NAVAL BASES ON LAW ENFORCEMENT AT SEA

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ABSTRACT

Sea security operation is one of the duties of the navy to enforce laws against criminal offences specified in the sea. The Navy base is one part of the Integrated Fleet Weapons System which has the capability of sea security operations by optimizing and empowering the existing patrol elements including naval vessels and security sea patrol in implementing law enforcement at sea. Limited ability and number of facilities, patrol and control personnel who are not adequate compared to the extent of the working area of Naval Base causes the unoptimal implementation of law enforcement in the sea. Data collection is obtained from the survey results from the respondents of the operator who is a patrol element of the Naval Base and supported by interviews from the informant who is the Commander and Officer of operations in the Naval Base. The data obtained next is processed using mixed methods Concurrent Embedded where the quantitative method is processed with SPSS 25 Statistic and qualitative method is processed with NVivo 12 Plus implemented simultaneously. This research hypothesis is the sea security operation capability of Naval Base can be improved in implementing more optimal law enforcement, which is proven through data processing with SPSS 25 Statistic and the results of triangulation of data interviews with NVivo 12 Plus. The research is getting the end result that sea security operations have two factors, which are elements of patrol and personnel that influence the simultaneous enforcement of marine law by 89.5%, so that it deserves a priority increase in capability and amount and its patrol personnel in order to implement law enforcement in the upcoming seas.

Keywords: *Naval Force Base, Sea Security Operations, Law Enforcement at Sea, the Integrated Fleet Weapons System*

1. INTRODUCTION.

The talk of maritime security is a small part of the discourse on national security. Therefore, the national security sector adopted by a country, must determine how maritime security is understood and practiced in national policy. Although, sometime later, maritime security issues are often discussed by various parties, Makmur Keliat (2009) considers that no one has issued an intact definition of what maritime security is. This fact is due to the overly sensitive maritime security problem, especially if it is associated with a country's ocean boundary.

The placement of naval bases in areas that have large escalation of threats and prone to violations or certain criminal acts in the sea requires reliable capability in carrying out marine security operations. Faced with the problem, the implementation of operations can be held by paying attention to the priority scale adjusted to the available budget accompanied by the supervision inherent in the implementation.

In addition, lately increasingly marginalized occurrence of criminal offences in the sea. Efforts to improve and develop the capabilities of naval base operations as expected above command, still found problems such as the limited ability of patrol facilities, personnel and the number of patrol facilities that have not adequately compared to the breadth of the naval base and extreme weather. In addition, the incidence of crime in and through the seas, such as Illegal, Unreported, Unregulated Fishing (IUU Fishing), illegal logging and drug

smuggling in and out of the sea makes it increasingly complicated efforts to ensure safety in Sea. Marine security operations by the naval base are implemented in order to enforce the law and maintain security in its working territories in accordance with national and international legal provisions to prevent and suppress any form of interference, violence, acts of law and threat of navigation hazards to protect national interests in and or through the sea. Naval bases implement a polysional role in the form of limited sea security operations by optimizing and empowering patrol elements that include naval vessels and marine security patrol.

To ensure the implementation of law enforcement on the working area of naval bases in an orderly and controlled manner and the presence of legal certainty, has been issued a series of legislation relating to law enforcement in the sea, among others Act No. 17 of 1985 on UNCLOS endorsement 1982. In section 224 it contains provisions on the exercise of authority for the enforcement (powers of enforcement). Law No. 6 of 1996 on Indonesian waters and other relevant laws and its set of rules of implementation. With this legislation, the naval base and related parties are expected to implement law enforcement in the sea in accordance with the provisions. Based on the definition of judicial means by law enforcement in the sea is a process of activity in the settlement of a case arising as a result of a breach of the law on the

provisions of the laws that apply to both legal provisions International and National.

A more dominant violation occurred in the working area of naval Base namely Illegal, Unreported, Unregulated Fishing (IUU Fishing), illegal logging and drug smuggling in and by the sea. At IUU Fishing occurs because there are still trawling vessels operating around the Indonesian waters. These trawling fishing vessels use a phishing way against the law enforcement officers in the sea, i.e. sailing with authorized permits in accordance with the equipment permits, but they still hold trawling nets around the waters of destinations Used to capture fish. There are also still fishermen who use explosives or chemicals to capture fish that result in the destruction of marine ecosystems. For Indonesia law enforcement in the sea is intended primarily to ensure the implementation of the State Azas in the framework of the implementation of Nusantara, which includes the realization of Nusantara archipelago as a unity of political, social and cultural, Economy and defense-security.

While the implementation of patrols of the KRI elements in certain waters is minimal because the operating degree of the elements implemented is more centralized in the border area. Influence of limitations of the naval patrol elements will also impact the lack of the effect of the handling of the lawlessness action in the sea. In addition, the area of the naval Base working area and the limitation of naval vessel pickling personnel and marine Security patrol also limit the ability to be able to carry out patrols throughout the naval base working area. To prevent and reduce the occurrence of legal violations in the sea it is necessary to enforce law enforcement by the naval base by deploying patrol elements to optimally implement the marine security operations.

The Navy as a major component of state defense in the sea is obliged to safeguard the country's sovereignty and the integrity of the territory of the unitary Republic of Indonesia, maintaining security stability at sea, protecting natural resources at sea from Various forms of security disorders and lawlessness in the territorial waters of the Indonesian national jurisdiction. The basic conception of the security in the sea is in fact two dimensions, namely the enforcement of sovereignty and the enforcement of security related to one another. Law enforcement activities in Indonesian waters, facing very basic constraints. These constraints occur almost in all aspects of law enforcement activities, starting from monitoring activities to the prosecution and detention activities of suspected perpetrators of illegal activities.

2. MATERIALS AND METHODS; EXPERIMENTAL PROCEDURE.

2.1. Size of datasets

Mixed methods, is a new method compared to other research methods. This method has the advantage, because with this method of deficiency

that exists in quantitative methods and qualitative methods can be addressed by this method. The combination method is a research method that combines qualitative and quantitative research methods to answer the same formulation of problems. Therefore by this method will be obtained extensive data, deep, accurate, complete, and research will be more difficult and often takes time, cost and longer energy.

2.2. ORF in nucleotide sequences

Research conducted on one of the Lanal on the west coast of Sumatra acquire and collect the data used in the process of processing and analysis of data on this thesis by using mixed methods (mix methods). The blend method used is the Embedded Concurrent where quantitative methods and qualitative methods are mixed unbalanced together at the same time to obtain data to answer the issue of good-type problems Quantitative or qualitative problems.

The data is the primary data of questionnaire and interviews while secondary data is obtained from Navy documents. In this research the authors use a quantitative problem formulation with methods used to test hypotheses with quantitative data and enriched with qualitative data. The qualitative data collected includes the result of the interview data to the subject of primary data related research including some things, such as the condition of the patrol element to the current marine security operations capabilities, how the process of preparing the elements And how it affects the implementation of marine security operations on sea law enforcement. Researchers conduct research by retrieving data on operations staff, intelligence staff, minlog staff, naval vessels and marine security patrol data related to technical conditions and personnel conditions on marine security operation capabilities Naval base, as well as cooperation with existing stake holders. In addition, researchers also obtained data relating to the procedure of implementing the sea security operations from the Implementation Manual of sea Security Operations.

3. RESULT AND DISCUSSION.

Research conducted in naval bases by researchers has acquired and collected the data used in the process of data processing and analysis in this article. The data is the primary data of questionnaire and interviews while secondary data is obtained from Navy documents. Data that has been obtained is processed and analyzed using SPSS 25 Statistic and NVivo 12 Plus as follows:

a. Data processing with SPSS 25 Statistic.

Researchers conduct data processing with analytical statistical methods using SPSS 25 Statistic Software. Data analysis is conducted with testing of research instruments through the validity test and reliability test. Validity and reliability tests are used to measure the accuracy and accuracy of measuring instruments through the details of the

statements filed in the study. Data validity testing used Pearson's correlation while reliability tests were implemented with internal consistency with a split-half technique analyzed with the formula of Spearman Brown. The validity and reliability test was conducted on the entire sample of naval base personnel of 52 people.

b. Data processing with NVivo 12 Plus.

The second research method undertaken by researchers is an explorative descriptive analysis. Primary data processing techniques were obtained from interviews to naval base officers using NVivo 12 Plus as tools, then classified and subsequently analyzed descriptively-explorative. Tapping an interviewed naval base office consisting of a Commander, operating staff officer, the patrol element commander amounted to 3 people, so the number of all the naval base officials interviewed was 5 people.

Based on the results of interviews with the Commandant and naval Base officers who have been appointed and processed using NVivo 12 Plus on the elements of patrol and personnel in the framework of marine security operations to implement law enforcement at sea there are Emphasis on the influence of elements of patrol and personnel on law enforcement at sea. As for the statement of the results processing the interview as follows:

1) Statement on the elements of the patrol.

Naval Base Commander stated that naval bases still had a shortage in terms of number of patrol boats. The operating pattern used is to use intelligence for the initial data collection, then when the target targets are already real, then using the element or using the waiting position, the term is the wait position operation so that it This is more effective. This is to deal with or to handle the limited logistics and area of the region with a finite amount of elements that can be presented at sea.

Ability not optimal in carrying out the procedure Jarkaplid and limited personnel patrol elements affect the law enforcement in the sea. This corresponds to the Naval Base commander's statement that there are several factors affecting the implementation of the operation pattern is limited logistics support, limited information obtained, also limited Condition and human Resource condition personnel.

2) Statement on the elements of the personnel.

From the interview carried out the statement from Naval Base commander stating that in quantity DSP for patrol vessel has not been met, then the Marine Security patrol also does not have a DSP-compliant

personnel. This becomes several factors that inhibit, ineffective or not optimal implementation of marine security operations.

Intelligence personnel who provide support by expanding the network to obtain information, then the function als-ALS can function properly so expect the effectiveness of naval vessel operations and marine Security patrol with the position Wait in order to fuel usage savings will be carried out, so that the target operation is clear, the target is clear and not only accidental.

It is likely that many more naval vessels have sailed to find a suspicious vessel by accident. We hope that in the future there is an early intelligence information that there is a suspected violation in a region or region, the naval vessel is moving to the site to perform the action.

3) Statement on the Law enforcement at sea.

Procedure of Jarkaplid by element patrol is strengthened with the statement of the commander of the quality of the personnel who are engaged in the naval ship and Marine Security patrol still have limitations in the field of knowledge, especially in the case of Laws relating to certain criminal acts in the sea so that the solution we provide is to improve the ability of the officer, to perform coordination with the officers in the Lanal or the legal officer in the upper command.

From the data the authors obtained by conducting observations and interviews can be concluded that the most difficult offense dealt with is the use of explosives to catch fish. Catching the perpetrators of these crimes can be captured by requiring a long time and who are caught still slightly compared to the amount gained from intelligence information.

The naval Base commander's statement on violations that often occur during this time is a violation of illegal fishing or law on fisheries. Years 2019 to date alleged violations are very much is related to illegal fishing.

c. SPSS Results Analysis 25 Statistic.

1) Partial hypothesis testing (simple regression and T-Test).

Partial hypothesis testing was conducted to determine the partial influence of the elements of patrols and personnel to law enforcement in the marine working area of the naval base. Sample for the quarantine test as many as 52 people with a significance of 5% ($\alpha = 0.05$).

The ftable and this values can be calculated as follows:

$$\begin{aligned}df &= 2 \text{ (2-sided Test)} \\df_2 &= n-2, \\df_2 &= 52-2 \\&= 50\end{aligned}$$

So obtained the value $F(0, 05, 1, 50)$ Table = 4.03, while the value of T can be calculated:

$$\begin{aligned}\alpha &= 5\% : 2 = 2,5\% = 0,025 \text{ (2-sided Test)} \\ df &= n - 2 \\ df &= 52 - 2 \\ &= 50\end{aligned}$$

So obtained $T(0, 025, 1.50)$ Table = 2,00856.

2) Testing of variable patrol element hypothesis.

The initial hypothesis of the research for variable patrol elements is as follows:

$H_0: \rho = 0$, Meaning there is no significant influence between elements of patrols with law enforcement in the working area of naval bases; and

$H_1: \rho \neq 0$, Meaning there is a significant influence between elements of patrols with law enforcement in the working area of naval bases;

3) Personnel variable hypothesis testing.

The initial hypothesis of the study was:

$H_0: \rho = 0$, Meaning there is no significant influence between personnel and law enforcement at sea; and

$H_1: \rho \neq 0$, Meaning there is a significant influence between personnel and law enforcement at sea;

4) Simultaneous hypothesis testing.

Simultaneous hypothesis testing or test F was conducted to determine the influence of elements of patrols and personnel together with respect to law enforcement at sea. Sample for the quarantine test as many as 52 people with a significance of 5% ($\alpha = 0.05$). The f_{table} value can be calculated as follows:

$$\begin{aligned}df_1 &= 3-1 \\ df_1 &= 2, \\ df_2 &= n-3, \\ df_2 &= 52-3 \\ &= 49\end{aligned}$$

So obtained the value $F(0, 05, 2.49)$ Table = 3,19.

The initial hypothesis of the research into the elements of patrol and personnel influence performance is:

$H_0: \rho = 0$, Meaning there is no simultaneous influence between elements of patrol and personnel to law enforcement at sea; and

$H_1: \rho \neq 0$, Meaning there is a simultaneous influence between elements of patrol and personnel to law enforcement at sea. Calculation of regression coefficient values of patrol elements and personnel can be visible in tables:

The test results of the ANOVA table are known that the F value indicates the value of the patrol and personnel 208.288. When compared to $F(0, 05, 2.49)$ amounted to 3.19. Based on decision making rules if $f_{calculate} \alpha 0.05 > f_{table} \alpha 0.05 = 208.288 > 3.19$ so that the value of F count is located in H_0 area. This means that there is no simultaneous influence between elements of patrols and personnel against law enforcement in the sea is denied.

Conclusions that can be taken are the simultaneous influence between elements of patrol and personnel to law enforcement at sea. Acquired regression equation as follows:

$$Y = 9,915 + 1,010 X_1 + 0,462 X_2$$

From the result of equation above can be described variable coefficient of patrol element (X_1) positive value of 1.010 it shows that the patrol element is positive and significant to the law enforcement in the sea. Then the variable regression coefficient personnel (X_2) is positively valued at 0.462, suggesting that personnel are positively influential towards law enforcement at sea.

5) Test of Model

Testing the model by comparing the coefficient of determination (R Square) is used to determine the percentage of contributions of influence between free variables (elements of patrols and personnel) simultaneously in explaining the bound variables (law enforcement in the sea). The coefficient indicates how large the percentage of free variable variations used in the model is able to explain the bound variables. If R^2 equals 0 it can be interpreted that the variation of the free variable used in the model does not explain the slightest variation of the variable bound. R^2 equals 1 can be interpreted a variation of the independent variable used in the model describing 100% of variable-bound variables.

The value of coefficient of determination of 0.573, can be concluded that the element of patrol can affect the law enforcement in the sea by 57.3%.

The value of the coefficient of determination of 0.735, can be concluded that the law enforcement in the sea can be explained from personnel variables of 73.5%.

The value of coefficient of determination of 0.895, can be concluded that the elements of patrol and personnel can affect the performance of soldiers by 89.5%.

4. CONCLUSION.

Based on the results of the hypothesis testing conducted above in testing the influence between independent variables (elements of patrol and

personnel) to the dependent variable (law enforcement in the sea) then the results of the discussion can be obtained as follows:

a. Naval base patrol elements partial influence on law enforcement at sea.

From the results of analysis of data conducted against 52 respondents, the relationship between the elements of patrol with the law enforcement in the sea is a coefficient of determination of 0.573 so that it can be interpreted that the influence of naval base patrol elements to Law enforcement at sea is 57.3%.

Based on the data processing of interviews with naval base officials, the conclusion on the importance of elements of patrol to law enforcement at sea. This is in accordance with the theory used in the theory that Sea Power by Rear Admiral Alfred Thayer Mahan mentions that to make a large nation must be able to master its importance in the sea and require a strong navy to protect and Wider importance.

Associated with the various threats of sea security in Indonesia, the presence of foreign countries that have "other interests" in Indonesian waters can not be easily prevented when Indonesia can not show its capabilities in maintaining security its maritime territory, therefore, can no longer be said that Indonesia should have a large, strong and professional navy and is respected in the region.

In accordance with the theory of military strength development is to calculate the need for the necessary strength in peacetime, using a formula based on the target time through a certain width that is able to be protected by elements patrol must be more Small or minimal equals the time used by element patrol during sailing = $2L$ (L = Long patrol area). Assumed the ability to cover the waters of each naval base.

Based on the results of data analysis with quantitative methods and qualitative methods and supported by secondary data can be concluded that the naval Base patrol elements have significant effect on law enforcement at sea.

b. Naval base personnel partially influence on law enforcement at sea.

From the results of data processing using quantitative methods of personnel relations with law enforcement in the sea is a coefficient of determination of 0.735, this means the influence of naval base personnel to law enforcement in the sea by 73.5%. Based on the data processing of interviews with naval base officials, the conclusion about the importance of naval base personnel to law enforcement at sea.

The Naval Universal role theory declares the Navy as one of the agencies that has authority as a law enforcement officer. The Kent Booth theory is highly visible in the Navy's polysionyl role in the framework of law enforcement. Law enforcement can be carried out by the Navy who have a polysionyl role, as presented by Jimly Asshiddiqie

stating that law enforcement is the process of doing efforts to assert or function of legal norms As a code of conduct in the interactions of community and state life.

The enforcement of laws related to the Navy's polysionyl role is to lead to law enforcement at sea, i.e. a state activity/apparatus based on the sovereignty of the State and or under the provisions of the law in order to rule the law Applicable in the sea (national law rules and international law) can be obeyed by any person and or legal entity including the state as the subject of law and thereby can create the order of national law and international order of law. The needs of personnel to carry out the role of naval base as law enforcement in the sea is very high, so that the fulfillment of the number of personnel according to DSP is a must.

c. Elements of Navy patrol and base personnel are simultaneously influential against law enforcement at sea.

Based on the results of the research conducted, it refers to the formulation of problems expressed in the previous chapter then can be interprestiliated the relationship between elements of patrol and personnel with law enforcement in the sea is equal to the coefficient of Determinations of 0.895. This means that the influence of the elements of patrol and personnel with law enforcement in the sea amounted to 89.5%, so that it can be concluded that the influence of the elements of patrol and personnel groups jointly by the naval base is greater than Variables individually, while the remaining 10.5% is influenced by other factors that do not become research on the writing of this thesis.

Increased law enforcement on the sea by naval bases will be more effective if the improvement of the patrol and personnel elements is carried out jointly. This is in accordance with the theory used regarding law enforcement, the main theory used by researchers is Lawrence Meir Friedman's theory of the legal system, that to understand the effective legal laws in society should be observed Components of the legal system.

In accordance with the theory of sovereignty is the highest authority that is owned by a country to freely perform various activities in accordance with the importance of the activity is not contrary to international law. Indonesia's interests especially in the working area of each naval base can be assured by the operation of more optimal law enforcement.

Law enforcement at sea and maintaining security at sea is all forms of activities related to law enforcement in the sea in accordance with its authority (Constabulary Function) Universal and in accordance with the provisions of Legislation that applies to overcoming threats of violent acts, threat of navigation, as well as violations of law in the Sea region of national jurisdiction.

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