

Legal Compliance In Realizing The Attitude Of Defending The State

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Legal Compliance In Realizing The Attitude Of Defending The State For College Student Upn Veteran East Java

Yana Indawati^{1*}, Wiwin Yulianingsih²

¹Faculty of Law, Universitas Pembangunan Nasional "Veteran" Jawa Timur, Indonesia, E-mail: yana.ih@upnjatimac.id

²Faculty of Law, Universitas Pembangunan Nasional "Veteran" Jawa Timur, Indonesia, E-mail: winijulia@gmail.com

Abstract

This Research aim to find the connection between legal awareness UPN "Veteran" Jawa Timur College student with state defense attitude. Legal awareness is awareness or values contained in man about the existing law or about laws that are expected to exist. Actually, what is emphasized is the values regarding the function of the law and not a legal assessment of it concrete events in the community concerned. Legal awareness is very important in measuring the level of state defense attitudes. There are several indicators of the problem of legal awareness, namely Knowledge of legal regulations (law awareness); Knowledge of the contents of legal regulations (law acquaintance); Attitude towards legal regulations (legal attitude); Legal behavior patterns (legal behaviour). All indicators are related to campus regulations. Legal awareness, especially regarding student compliance in obeying the rules set by the campus, the higher the level of violation of campus discipline, the greater the reduction of student defending attitudes. The method used in this study begins with identification from various literatures related to the legal awareness culture of students towards university regulations and policies in terms of the problems that occur and the challenges that must be faced by the university. Then arranged in such a way as to bring up the right problem formulation which later can be comprehensively reviewed through field studies and direct observation, especially related to the problems taken in this study, namely the application of campus regulations to realize the attitude of defending the State in students. The research results in this study are expected to be able to contribute to the university and the development of students who are expected to have a spirit and attitude to defend the country.

Keywords: Legal Compliance, Attitude, Defense State.

I. Introduction

A healthy legal culture is manifested in the form of legal awareness, which is an indirect assessment of a regulation, because legal awareness departs from the results of thinking, reasoning and argumentation.

Culture of legal awareness is a measure of the effectiveness of a legal rule. This starts from the immediate environment of the people who gather. Campus or University is an environment that is a place for students or female students to pursue a Bachelor degree. UPN Veteran East Java is a campus that has 7 Faculties and is characterized by State Defense.

The issue of legal awareness has a very important place. Legal awareness is a combination of the words awareness and law. Literally the word 'consciousness' comes from the word

*Corresponding Author

'conscious', which means **insyaf** feel; know understandable. So, consciousness is realization or feeling that you understand or understand everything.

Meanwhile, the law contains orders and prohibitions. According to Utrecht, 'Law is a set of rules (orders and prohibitions) that govern the order of a society and must be obeyed by that society' (Kansil, 1986: 38). Based on the above understanding, it can be concluded that legal awareness is an assessment of existing laws and the desired laws.

Legal awareness is self-awareness to obey and obey the law without coercion, pressure from any party. Legal awareness must be applied in society, nation and state. Besides that, it must also be applied in terms of education, because education has a very important role in the progress of a nation and is one of the factors for the progression of a nation. Therefore, legal awareness must be instilled in students.

Legal awareness can be implemented through Campus regulations. All forms of violation of campus regulations, students must be sanctioned in accordance with the applicable provisions in the campus discipline.

Not all of UPN Veteran East Java students come from Surabaya. **Approximately 50% from outside the city of Surabaya or outside the province of East Java.** The culture that each student brings from his hometown will bring out its own characteristics in obeying campus regulations. This will show the difference in the level of legal awareness for students so that they can foster an attitude of defending the country in these students.

This study aims to determine the connection between **Legal awareness** UPN Veteran East Java College Student with **State Defense** attitude.

II. Method

The type of research carried out in this research is empirical legal research or is a type of doctrinal legal research which is also known as sociological legal research.

This research was conducted at **the UPN Veteran, East Java** using online form **quisioner** **Distribution of online quisioner** began in July 2020 until August 2020. **Distribution areas throughout the faculties of UPN Veteran East Java.**

This research is using online question for **responden**, which is the question is representative Legal Awareness indicators, Legal Knowledge, Legal Acquaintance, Legal Attitude and Legal Behaviour.

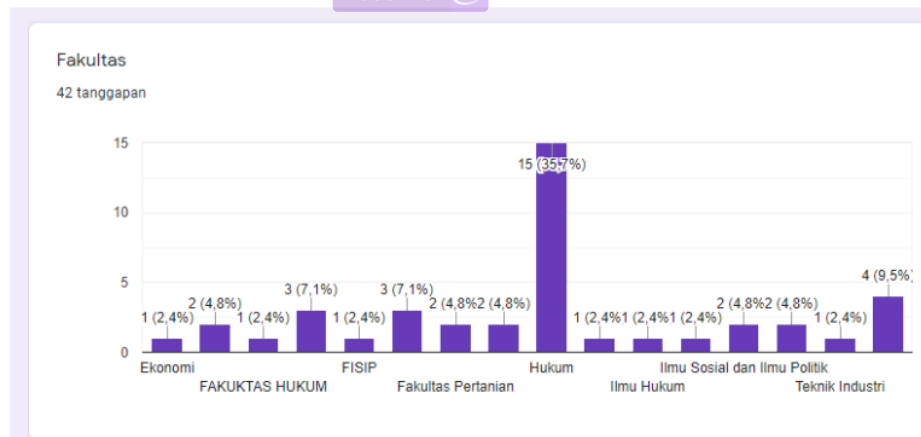
III. Main Heading of the Analysis or Results

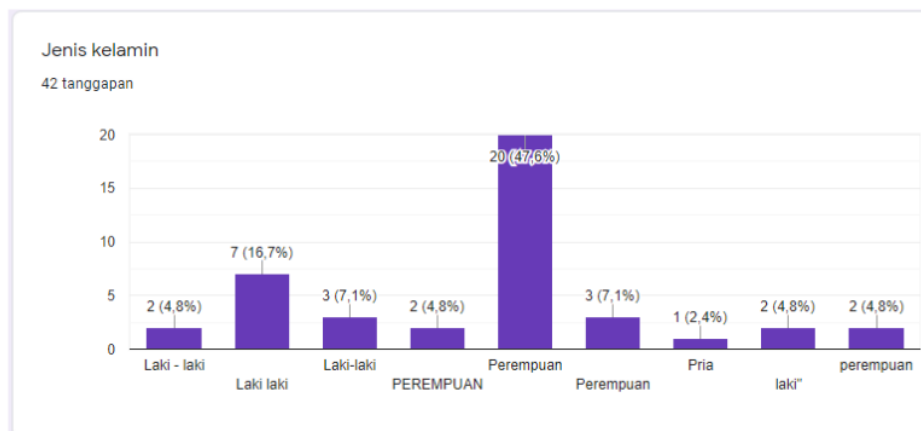
A. Forms of Violation of UPN "Veteran" East Java Campus Regulations

Academic regulations for students of UPN "Veteran" East Java are contained in the Academic Handbook. This book is divided among new students every year, so that each new student is required to read what is contained in the Guidebook. Guidebooks exist in every Faculty. This makes it easier for students to understand and understand the number of courses, how to guardianship, guidance and also determine a study plan. UPN "Veteran" East Java Campus Regulations are contained in the Rules for Students and Lecturers.

Regulations were formed with the aim of orderly campus life and a smooth academic atmosphere in the teaching process. However, each student has a different form of legal awareness.

Researchers in seeing the form of violations spread **qararies** to UPN "Veteran" East Java students. So that the data that researchers have obtained only received responses from 42 students from the Faculty of Economics, Faculty of Social and Political Sciences, Faculty of Agriculture, Faculty of Law and Faculty of Industrial Engineering. With a schematic description that **the** researchers describe below.





The number of student respondents was 42 people who gave a response or response. And the largest number is dominated by women as many as 27 people and men as many as 15 people. As illustrated in the diagram above.

Broadly speaking, the questionnaire that the researchers distributed was for violations of campus regulations committed by students, including:

- Wearing a T-shirt during lectures
- Smoking in the campus area
- Unlock HP during lecture
- Wearing sandals at the time of class
- Arrived late during class hours
- Cheating on exams.

The violation of campus regulations committed by students is mostly about campus discipline during lectures. This is because that is often the activity of each student in lectures. With a schematic description that the researchers describe below.

B. The level of legal awareness of UPN "Veteran" East Java students who is able to realize an attitude of defending the country.

Soerjono Soekanto said that legal awareness is a matter of values that exist in humans regarding existing laws or about laws that are expected to exist. In fact, what is emphasized is the values about the function of law and not a legal assessment of concrete

events in the community concerned. Sudikno Mertokusumo stated that legal awareness means awareness of what we should do or do or what we should not do or do, especially towards other people. This means awareness of our obligations to each other.

According to Soerjono Soekanto, the indicators of legal awareness are actually relatively concrete indicators of the level of legal awareness. There are 4 (four) indicators in measuring Legal awareness:

1. Legal knowledge

A person knows that certain behaviors are regulated by law. Legal regulations referred to here are written laws and unwritten laws. This behavior concerns behavior that is prohibited by law or behavior that is permitted by law.

2. Law Acquaintance

A member of society has knowledge and understanding of certain rules, for example the existence of correct knowledge and understanding from the community about the nature and importance of Law No. 1 of 1974 concerning marriage.

3. Legal Attitude

A person has a tendency to make certain judgments about the law.

4. Legal behavior

The fourth indicator is legal behavior, which is where a person or in a society, the citizens comply with the applicable regulations.

The four indicators above simultaneously show the levels of certain legal awareness in its manifestation. If someone knows the law, it can be said that the level of legal awareness is still low. But if someone or a society has behaved according to the law, then the level of legal awareness is high.

In the indicator of legal awareness above, legal knowledge is the most important thing to open a legal awareness. Where in the questionnaire, the respondents answered that they knew and understood the campus regulations, and they even memorized the campus regulations, especially the discipline in lectures. Knowing the law but not understanding is not enough. Because if you only know without understanding the rules, it will form a

different legal attitude and behavior. In the results of the questionnaire, the respondents answered that they knew and partly understood the rules of the UPN "Veteran" East Java campus, so there were several attitudes and behaviors in responding to the campus regulations.

Obedience comes from the word obedient, which means submitting, obeying and obeying. To obey means to bow, obey and obey. Obedience means submission, the obedience of someone's condition to obey something or someone. So that legal compliance is a condition for someone who submits to obey one applicable rule (law).

The simple language of legal compliance is obedience to the law, in this case written law. Compliance or obedience is based on awareness.

The manifestation of legal compliance is manifested by the existence of positive and negative sanctions, obedience is a dependent variable, legal compliance is based on the satisfaction obtained with social support. According to Satjipto Rahardjo there are 3 factors that cause people to obey the law:

1. Compliance, compliance based on the expectation of a reward and efforts to avoid penalties that may be imposed if someone violates legal provisions. The existence of strict supervision of the rule of law.
2. Identification, occurs when compliance with the rule of law exists not because of its intrinsic value, but so that group membership is maintained and there is a good relationship with those who are authorized to apply the rule of law.
3. Internalization, a person obeys the rule of law because intrinsically obedience has a reward. The contents are in accordance with the value of the person concerned.

Defending the State is a spirit of courage to sacrifice for the sake of the country, whether property or even life is brave enough to be sacrificed for the integrity of the Republic of Indonesia. According to Kaelan and Achmad Zubaidi, State Defense is the determination, attitude and actions of citizens who are orderly, comprehensive, integrated, and sustainable based on love for the homeland and awareness of the life of the nation and state.

The form of State Defense is the determination, attitude and behavior of citizens who are animated by their love for the Unitary State of the Republic of Indonesia which is based

on Pancasila and the 1945 Constitution in ensuring the survival of the nation and state, in accordance with Law No. 3 of 2002. The manifestation of the State Defense effort is the readiness and willingness of every citizen to sacrifice in order to defend the independence and maritime affairs of the country, national unity and unity, territorial integrity and national jurisdiction, and the values of Pancasila and the 1945 Constitution.

The State Defense Attitude for students can be realized by being studious. By learning it will produce intelligent human resources who are able to filter various kinds of information from foreign parties. Thus, it will not be easily affected by the information that is misleading from a foreign culture.



There is compliance and compliance with applicable laws. This is a manifestation of love for the country and to defend the nation. Because obeying the applicable laws will create security and peace for the environment and create a sense of justice in the community.

C. Law Enforcement Model for violators of campus regulations.

According to Satjipto Raharjo, (1983; 24) that law enforcement is a process of realizing legal desires (namely the thoughts of lawmaking bodies formulated in legal regulations) into reality, and there are several factors that influence law enforcement. that is¹ :

1. Legal factors

In the practice of law enforcement in the field, there are times when there is a conflict between legal certainty and justice, this is because the conception of justice is an abstract formula, while legal certainty is a procedure that has been determined normatively. So, in essence, law enforcement does not only include law enforcement, but also peace maintenance, because law enforcement is a process of harmonizing real rules and patterns of behavior aimed at achieving peace.

¹ Satjipto Rahardjo, 1983, Masalah Penegakan Hukum, Sinar Baru Bandung, p.24

2. Law Enforcement Factors

The legal function, mentality or personality of law enforcement officers play an important role, if the regulations are good, but the quality of the officers is not good, there is a problem. Therefore, one of the keys to success in law enforcement is the mentality or personality of the law enforcer.

3. Supporting Facility or Facility Factor

Factors or supporting facilities include software and hardware, one example of software is education. The education received by the Police today tends to be in conventional practical matters, so that in many cases the police experience obstacles in their objectives, including knowledge of computer crime, in special crimes which have been given authority to prosecutors, this is because juridically the police are considered incapable and unprepared.

4. Community Factors

Law enforcers come from society and aim to achieve peace in society. Every member of the community or group at least has legal awareness, the problem that arises is the level of legal compliance, namely high, moderate or insufficient legal compliance. The degree of community legal compliance with the law is one indicator of the functioning of the law in question.

5. Cultural factors

According to Soerjono Soekanto, culture has a very large function for humans and society, namely to regulate people so that people can understand how they should act, act, and determine their attitudes when they relate to other people. Thus, culture is a basic line of behavior that determines what should be done and what is prohibited.²

Lawrence M. Friedman argues that the effectiveness and success of law enforcement depends on three elements of the legal system, namely:

1. legal structure (structure of law),

²Soerjono Soekanto, 2002. Kesadaran hukum dan kepatuhan hukum. Jakarta: Rajagrafindo Persada, p.50

2. the substance of the law (substance of the law) and

3. legal culture (legal culture).

The legal structure concerns law enforcement officials, the substance of the law includes statutory instruments and legal culture is a living law adopted in a society. By looking at the understanding of M. Friedman's theory, then that the three elements of law must work together so that the law that is made to uphold justice can run effectively, and the justice that is felt by society is governed by the law itself.

In Friedman's theory for the law enforcement model of Law Faculty students who violate the Campus Code of Conduct, the law enforcement officers are lecturers who hold the courses. By measuring the level of legal awareness of UPN Veteran East Java students.

Legal Awareness is influenced by 4 (four) indicators, namely:

1. Legal Knowledge

2. Understanding of the Law

3. Legal Attitude and

4. Legal Conduct

In the first indicator, all UPN Veteran East Java students have knowledge of Law. Where at the beginning of being new students, they are socialized and introduced to the rules of conduct as UPN Veteran East Java Students. So that the first indicator cannot be a reference because all of them already know the rules of procedure for UPN Veteran East Java Students. To measure the legal awareness of UPN Veteran East Java students only requires 3 (three) indicators, namely:

1. Understanding of Law,

2. Legal Attitude and

3. Legal Conduct

Furthermore, the element of the legal substance of the Friedman Theory, the rules that live in society, in this case are the rules of the UPN Veteran Campus, East Java.

Legal culture element which is the third element of law enforcement. According to Lawrence M. Friedman (1984: 6) legal culture is "... people's attitudes toward the law and legal system — their beliefs, values, ideas, and expectations. . . The legal culture, in other

words, is the climate of social thought and social force which determines how law is used, avoided, or abused. Without legal culture, the legal system is inert — a dead fish lying in a basket, not a living fish swimming in its sea. "The meaning of Friedman's statement above shows that the measure of the success of a law or rule is to be obeyed, avoided and abused. . Because without a legal culture, the legal system will not apply.³

Measures A healthy legal culture is manifested in the form of legal awareness (**rechtsbewustzijn**), while a sick (unhealthy) legal culture is shown through legal feelings (**rechtsgevoel**). J.J. von Schmid (1965: 63) correctly distinguishes **the** two terms. According to him, "Van rechtsgevoel dient men te spreken bij spontaan, onmiddelijk als waarheid vastgestelde rechtswaardering, terwijl bij het rechtsbewustzijn men met waarderingen te maken heeft, die eerst middeljik, door naktelijk, redeneren en argumentatie aan nemadenken."

Schmid more or less states that legal feelings are people's judgments of the laws they express spontaneously, directly, and as they are, while legal awareness is more of an indirect assessment because legal awareness departs from the results of thoughts, reasoning, and arguments.

Realizing a healthy legal culture within the UPN Veteran East Java campus there must be unity between the top leaders of the University and leaders at the Faculty level. All are obliged to maintain so that law enforcement is the result of collaboration from various parties.

Based on the answers from the questionnaire, all respondents know about the campus regulations. So that if the indicator of the first legal awareness becomes something that is not absolute. **campus regulations have been introduced to students since the orientation period as new students.**

Meanwhile, if it is linked to the second indicator of legal awareness, namely Law Acquaintance, this can be the first indicator. Where the Law Acquaintance includes **students who already has a legal knowledge.**

IV. Conclusion

³ Friedman, Lawrence M. 1984. *American Law: An Introduction*. New York: W.W. Norton & Co,p.6

The results of the study can be concluded that:

1. Forms of Violation of UPN "Veteran" East Java Campus Regulations includes :
Wearing a T-shirt during lectures, Smoking in the campus area, Unlock HP during lecture, Wearing sandals at the time of class, Arrived late during class hours, Cheating on exams.
2. The level of legal awareness of UPN "Veteran" East Java students who is able to realize an attitude of defending the country determined from legal compliance.

Law Enforcement Model for violators of campus regulations What can shape the attitude of defending the state is by implementing electronic sanctions (*E-Sanction*) such as suspension of not being allowed to attend lectures so that it will reduce the ration for absent from lectures.

V. Acknowledgments

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