

GOOD GOVERNANCE OF PROSTITUTION

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Abstract

Good governance is always concerned with directing, controlling, and influencing public affairs. The government performs that function, to regulate society and business actors by using public policy. In terms of public goods arrangements, the government is required to have consistency of bureaucrats, from top bureaucrats to street level bureaucrats. This consistency is essential to good policy implementation. This study finds relevance between the role of bureaucrats in the field and the implementation of public policy. In the case of black public goods (prostitution) arrangements, the role of bureaucrats in the street level should be the policy of prohibiting prostitution, but these bureaucrats actually do the reduction and modification of policies with their own wisdom. Ultimately, prostitution is still consumed by the public in disguise. Reduction and modification of prohibited prohibition policies, which can be called 'real policies' to organized and manage these public black goods stakeholders. This study recommends one thing. The achievement of good governance in the regulation of public goods, should heed the policy-making process that adopts the votes of bureaucrats in the field, because basically, they are the real decision-makers. Policy-making based solely on 'desk-over' analysis, will be forced to face modifications and policy reductions, which have been decided. It is a failure of policy implementation.

Keywords: *Good Governance, Prostitution, Bureaucrats 'Street Level'*

INTRODUCTION

Goods that everyone can enjoy and need, can not be limited to who the user is and as much as possible even one does not need to spend to get it called public goods. Public goods are goods that when consumed by a particular individual will not reduce the consumption of others to the goods. Public goods have non-rival and non-exclusive properties. This means that the consumption of such goods by an individual *sutu* will not reduce the amount of goods available for consumption by other individuals and non-exclusively means that everyone is entitled to enjoy the benefits of the goods. Meanwhile, private goods are goods obtained through market mechanisms, where the point of contact between producers and consumers is the price mechanism. Most of the items we consume are private goods, ie goods that can only be used by one customer at a time. Exclusivity of ownership becomes the main distinguishing factor of private goods with public goods.

This study has a perception, prostitution is 'goods' that 'consumed' by the public. This may not be so prevalent because of the many contradictions with which the prostitute is directly justified to women. The study stated that prostitutes are not only women but women and men. Moreover, this study holds that the unit of analysis of this study is not the perpetrator (female or male) but rather the prostitution as a form of public goods institution. The study also argues that public prostitution goods as 'black' public goods means goods prohibited to be 'manufactured', 'consumed' and traded. This study entirely leads to it. For the purposes of analysis, this study uses the concept of public goods so that 'prostitution' can be interpreted more broadly.

This study also has no elements that want to harass certain parties. but the growing fact that commercialized sex is circulated, as and even, commodity merchandise. In fact, in this position this paper has a concern that prostitution does not exist, so sex becomes a sacred thing, and is in the family realm, done with respect and affection. But apart from that, public policy analysis, having its own realm, may be, relates to good governance, which concerns government accountability as a

government organizer and policy implementer that regulates, prohibits and or prevents the reappearance of the sex business. This study focuses on Jember District, therefore cases will be widely located in that location, although for generalization purposes, will be attempted to be comparable with some secondary data sources, newspapers and past research results. This research uses qualitative approach by searching data of depth interview to informant: perpetrator of prostitution, police, SATPOL PP apparatus, village apparatus, community, religious leaders, ranks of district government.

a. The Phenomenon of Prostitution Social Reproduction

Without production, goods / services will never exist. Similarly, prostitution, production and reproduction are often called social reproduction of prostitution. The following describes the role of each of the perpetrators of prostitution in the reproduction of prostitution. Especially the women are prostitutes, pimps, jongos. The following illustrates how reproductive circulation of prostitution occurs, showed by figure below.

The perpetrators of prostitution have their own domestic habitus when they have not engaged themselves in the world of prostitution. Because they are driven by various reasons they engage themselves (line number 1 above). Once involved, those who refuse to quit (2nd line) means not accepting the habitus of prostitution. For those who accept the habitus of prostitution will continue to be involved in the activity (2nd line) which will eventually occupy a new structure in its role in prostitution activity (line 3). They will unconsciously participate in reproducing prostitution in a social agent container in the form of Sarkem (4th line). Along with staying involved in prostitution, there are other actors who are also the perpetrators themselves.

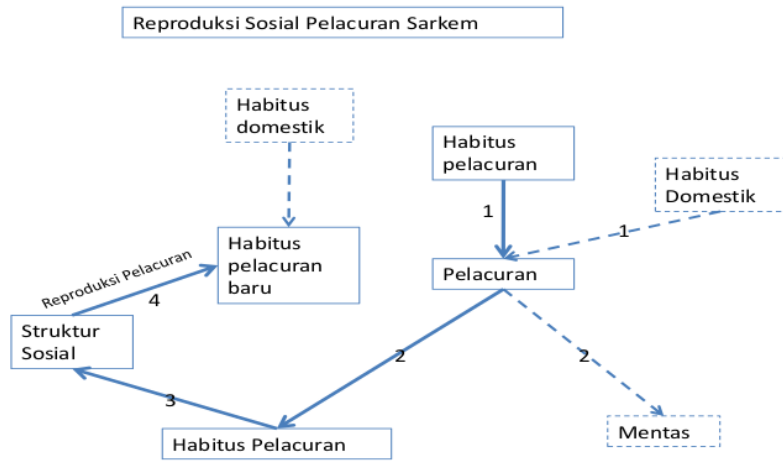


Chart: Prostitution Social Reproduction, Mudjijono, 2005, *Sarkem, Reproduksi Pelacuran*, h.113

The other side of how the network of prostitution in Sarkem so that it can continue to survive. In this case the role of the policy implementing officers becomes a focal point that also plays a role in the 'perpetual' habitat of prostitution. Like the chart below.

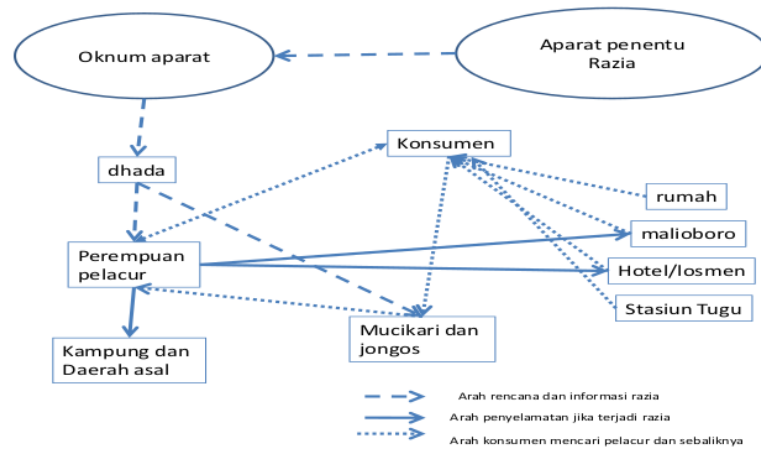


Chart: Jaringan Kerja Pelacuran, Mudjijono, 2005, *Sarkem, Reproduksi Pelacuran*, h.115

The network described in the above chart determines prostitution activities still remain in Sarkem. Two axes of supportive networking is the network of women prostitutes, jongos, and pimps relating to consumers. On the other hand networks are also not less important is the network between the perpetrators of prostitution networks with apparatus from several agencies through dhada.

During the day usually the prostitute women get information there will be raids from pimps who communicate with dhadha, then begin they prepare. They try to avoid in some way, among others there are back home for a few days. There is also a walk to Malioboro, watching the cinema, hanging out with a tow or staying at a friend's house around Sarkem.

When the operation of the raids are held usually from 19:00 to 24:00. after that time there is usually no scratching (raid) and that's when the pedicab drivers, ghandengan, jongos are asked to pick up the prostitutes hiding in his friends' houses. Routine raids conducted on Monday, Tuesday, Wednesday, Thursday (abbreviated as SRK termed sarkem) have been memorized by the perpetrators of prostitution so they can quickly evade. (Mujijono, 2002).

The more recent phenomenon of reproductive prostitution in this study can be observed in the study of prostitution in Jember District. At a glance the name Besini localization must be taken from the name Besini river and Besini village. This region is an isolated area because it consists of swampy areas and beaches that have not been touched by the inhabitants. No one wants to live in this Besini village. Except for a few houses on the banks of the river that is some fruit no more than three houses, and even then brothel. Even this nasty house was forced to be moved in the Besini river environment after the brothel was discussed by the village officials because of its location in the fish market near TPI, in the 1960s.

The village officials at the time, still positively perceptible, that the brothel was still important because it became the center of the visit of the fishermen who had just come down from the sea, carrying a lot of money he got, to spend at the brothel. Although the commotion often arises because the wives of the fishermen are intimidating because they feel not 'gagian' income from husbands who 'sex' sex at the location 'hug' it.

The number of protests led to the removal of a brothel near the fish market, to the Besini river bank. The initial number is only 3 (three) houses, but the longer it becomes 9 (nine) houses. The consideration of the removal of the brothel location was due to the noise between residents and the Besini riverfront where it was very quiet and no houses became a strategic place to keep the brothel away from the crowd. On the other hand still remember that 'sexual snack' for the fishermen who have worked hard during the sea, is needed so that the existence of a brothel is not forbidden. The village government policy is considered logical and a middle ground between pro and contra prostitution.

From there begins the forerunner of Besini prostitution location in Puger Kulon. As well as the

localization of brothels in the Mungker market, in the village of Mojosari, it was told by informants that there was 'competition' between the villagers of Mojosari and Puger Kulon at the time. If Puger Kulon could make a localization, then why not Mojosari, as soon as a group of people argue. Then came some brothels opened by pimps in Mojosari. Later, the localization of Mungker became larger. His pimps compete with pimps on the Besini river bank, although they will eventually meet also in the localization set up by a government nicknamed TPST (a transitional social service venue) in the 1990s that brings together the localization of Jember District in Puger Kulon.

While long before that, Jember District Government since 1968 has implemented a prohibition of prostitution policy, followed up by the policy of 1984 and the new one is the policy of 2001 which renewed the policy of 1984 about prohibition of prostitution in Jember regency. The realization of the policy of 1984 was the policy of relocating and collecting the illegal prostitution localization of the district of Jember in Kaliputih Rambipuji with the aim of rehabilitating prostitutes and pimps through Women's Hope program. The hope of the program is the effort to alleviate the prostitutes and pimps with business skills education. Under the coordination of the Social Service, the program was implemented by placing supervisors from the Social Service. Some informants claimed that the program was a failed program because the program that put a lot of companions from the Social Service was even a pimp there. The 'Women of Hope' program is ultimately a part of sheer hope. The rapid development of the sex business in Kaliputih beat the program initiated by the Regional Government at the time. H Bhrd Muhammadiyah activist and Political Party figures at that time told that the Hope Women program drowned out not just trace even be lost with another term that is SMA 11 because of its customers high school kids and students as well. So there it is called SMA 11. The term indicates the full localization of young people, and its distance is 11 kilometers from the city. Concerned at that time all the characters in Jember, how to solve it.

The situation is getting worse, and busy discussed among the district leaders. Start thinking about moving it again with the assumption that localization is too close to town. Easy to reach by schoolchildren, students and employees, so it is important to 'throw' away localization. Throwing away that in the capacity to attempt to eliminate is also true.

In the 1990s, the pimps began to enter Besini localization, according to Jrm the move gradually, starting from the pimps from Rambipuji there at the East end occupying RT I then increased to the middle, in RT II for other pimps, and the next pimps from Mungker who are at RT III location.

The twists and turns of prostitution localization in Besini provide an understanding to all parties that localization everywhere has its appeal. Although the target is 'wiped out' but the government does not want to do so in order to impress the arbitrariness and arrogance of power. At least that's what has also been called by Mr. Informan. The move to Besini is also in rehabilitation capacity. However whatever his capacity in the 1990s was, whether rehabilitation or localization of prostitution, all this made the localization 'shine' shown through the number of pimps and his growing prostitutes. In 2007 even the number reached 600 prostitutes are distributed in approximately 193 pimp (interview with informants 11/2/2012 and 13/3/2013).

Localization of wild prostitution is part of the area in the village of Puger Kulon located in the area of RW I consists of 3 RT. RT I is in the west, RT II is in the middle and RT III in the East. The head of RT I is Mr. Mryn, RT II is Mr. Yt and the head of RT III is Mr. Whp. while the RW chairman is Mr. Ddk. Chairman of the Security is Mr. Jhn. Parking Chair is Mr. No. On the other side of Sekdes Puger Kulon (Mr. Shdq, Carik Desa Puger Kulon, interview conducted 22/2/2012 at the sub-district office of Puger Kulon Village), stated that the establishment of its own RW for Besini localization area is an attempt to localize immigrants who have different customs local people. The formation of their own RW can be easily coordinated if there are things that require coordination such as citizen participation to support social activities in general. For example, attracting donations or solving problems caused by the localization.

Another thing that is also the reason why another Rukun Warga (Citizens Association) was formed is that Besini lokalisasi can actualize their interests through the existence of their own RW in the midst of Puger Kulon villagers. In his statement the government programs disbursed to the localization residents are not much different from other RWs, such as road hardening, construction of entrance gates and other government programs.

The treatment of local people who consider prostitution to be commonplace, is what prostitutes are proclaiming for prostitution. prostitution 'business' is similar to the usual public goods business such as rice, cooking oil business, meat business that allows anyone to do business without interruption. The award shows no more role discrimination. The head of the village at the time, researc informan gave his views on the localization that was treated equally with other citizens. It is clear that informan gives the same respect to the localization because it feels that localization also has a role in village governance and other community activities.

The village head who had a 'welcome' view on the localization as one of the means of 'enlivening' Besini's formerly 'unspoiled' region, provided a qualitative picture that the role of localization as a 'public infrastructure' was acknowledged to have a role. Whether its role first or later to the development of the Puger Kulon Village area, it seems unlikely to be mathematically calculated. However, there is a synergy between the development of Besini region which was isolated so as to make it possible for the opening of Pancer Beach tourism area or Besini localization grew increasingly due to the overwhelming use of TPI Puger, all considered to have a significant share for the development of isolated areas such as swamp areas occupied by Besini . Even if linked to its geographical position in the midst of regional development facilities: JLS (south cross road), TPI (fish auction), ODTW (object and tourist attraction) Pancer Beach, the 3 hectare land of Dinas Pengairan became strategic. See the graphic below.

b. Arrangement Policy of Prostitution

A study by Lucy Holmes (Scottist Affairs, No. 52, 2005) describes the government's policy of regulating wild prostitution. Holmes describes the state's commitment, centrally legalizing prostitution, but can not be merely uniform. The effort to dis-criminalize prostitution is done based on the interests of each region. It is generally understood that there are three models of street prostitution arrangements applied: regulatory models, policing models, and models of abuse discourse Each model illustrates the definition of prostitution and policy approaches and legislation. The models are not mutually exclusive, but there may be one type of model that is more dominant and there are other models that have less influence. Adopting the characteristics of more than one model tends to be seen among policymakers, although one model seems to dominate. The illustrations in the following table make it possible to further illustrate the comparison of policy approaches.⁴⁹

Models of Prostitution Arrangement Policy

Model	Behavior	Policy approach	Legislation Qualification
<i>Regulatory</i>	Tolerance	Health and safety; Reduction of persecution; Workers' rights	Zone of prostitution tolerance; decriminalization, legalization; Management and regulation
<i>Policing</i>	No tolerance	Public health; Public morals; Laws and rules; Legality	Emphasis of power by capturing prostitute clients / customers, Roadside Legislation; Severe punishment
<i>Abuse Discourse</i>	No tolerance	Social welfare; Social inclusiveness; Feminism; Awaken and help prostitutes get out of prostitution	Hilangkan ketimpangan gender Perubahan perilaku sosial Kebijakan yang mencegah perempuan masuk dan membantu mengeluarkannya

Source: Lucy Holmes, A Tale Of Three Cities: Regulating Street Prostitution in Scotland, *Scottist Affairs*, no. 52, 2005

⁴⁹ in contrast to the policies adopted in Indonesia that are only familiar with the 'Close or Localization' policy, the relative influence of religious culture and norms remains difficult to have a choice of policies to tolerate prostitution despite the fact that localizing policies must be a tolerating policy. Quoted from, "Proposed Legalization Prostitution Manuai Conflict", Radar Karawang, Monday, July 23, 2012 | 14:23

When viewed from the policy in Indonesia it seems clear that the National Government still has not made a general ban in the form of formal policy on the behavior of free sex paid. What is enslaved by the Criminal Code is the provision of a place for the procurement of prostitution and the coercion of persons to engage in prostitution activities. The Criminal Code Articles 506 and 296 prohibit people from becoming pimps which means providing services and locations for free sex. As for the illegal prostitution carried out in the inn / hotel (or also in the dimly lit stalls), the government 'only' prevents it by wearing a raid of identity cards (KTP) that does not show the same home address is considered to be a sex partner / wife. So that the allegations of prostitution can not be directly but through the possession of KTP (as the order of population administration and as a means of capturing someone violating the Prohibition of Prohibition Law). Quoted from, Razia Not Exactly Target, Allegedly 'Leaked', Razia Satpol PP Lonely Catch PSK, Lens Indonesia. Com, Thursday, 25 October 2012 11:28 WIB. Read also, 12 PSK Trapped Raid Through Razia KTP, Radar Sulbar 18/07/2012, Also Read, Raid PSK When GNS Exocalisation is Lonely, Surya On Line, Thursday, 8 November 2012 15:58 WIB. Also read, Suspected of CSWs, Three Women Raided Through Razia KTP, People's Daily West Kalimantan Pontianak Thursday, October 11, 2012.

Nevertheless, in many cases the prohibition of bourgeois pimps is still 'tolerated' in some places through the policy of prostitution localization with the aim of rehabilitating, maintaining health and treating prostitutes infected with infectious diseases. Special attention to health, which in Indonesia is packaged in the National HIV / AIDS Response Policy with the establishment of the HIV / AIDS Control Commission, applied to prostitutes, in fact recommends that prostitution be better localized in order to mobilize prostitutes and pimps at once. This policy of localization is ultimately indicated as a disguised location of prostitution.

On the other hand the prohibition of prostitution declared explicitly by arresting, detaining and punishing, is similar to the policy of policing handed over to a region with a strong basis for rejecting prostitution. Provincial and district governments shall regulate prostitution prohibitions through District Regulations or Provincial Regulations. Just as East Java province has had East Java Governor's Decree on the Prevention and Control of Prostitution and Trafficking of Women, and eleven district policies (Bondowoso, Situbondo, Lamongan, Jember, Lumajang, Malang, Madiun, Surabaya, Probolinggo, etc.). Prostitution prohibition policies are generally comparable to women's re-entry prevention and women's prostitution from prostitution. The activity was conducted through the program of repatriation of women prostitutes to their homes along with training and business capital assistance as conducted in the Municipality of Surabaya, Kab. Bondowoso, Kab. Situbondo, Kab. Jember. This section will be filled with a description of the effort to regulate prostitution prohibition comparing with the fact of defiance in the prohibition policy, such as research in Sarkem Yogyakarta, Endang-Mamahit research in Jakarta, and Kholifah research in Jember about the handling of illegal prostitution conducted by complementing repressive policies and empowerment policy (Kholifah, 2007). The following is illustrated in more detail in the case of Jember District, as an example of a defiance of prohibition prohibition policies.

Repressive policy is basically a policy of carrying out raids on illegal urban brothels in urban areas that operate in secret, lodging and on certain streets commonly used by women prostitutes. The raids are usually carried out by officers from two institutions namely the police and Satpol PP. The prostitutes are usually passed on to further legal proceedings, which are made in the State Court with a penalty of fifty thousand rupiah while the process of investigation and prosecution is continued for the pimps who are caught usually on charges of trafficking.

Empowerment policy means a policy that uses a persuasive approach done systematically aims to make pimps and prostitute women have provision for the process of switching to work status elsewhere as good people. This empowerment policy includes skills training and provision of tools and venture capital. Implementing agency is the District Social Service.

Repressive policies and enforcement policies aimed at eliminating prostitution through Local Regulation number 14 of 2001 are a legal reference for the relocation of prostitution throughout Jember Regency so that it is united in a container called TPST (Integrated Social Service Place) located in Besini hamlet. The work program all leads to the coaching of pimps and prostitute girls

aimed at alleviating them all for the better. So six years later came the Decree of the Regent number 188.45 / 39/012/2007 on the closure of TPST and the closure of prostitution in all Jember regency.

Prostitution Policies in Jember District

Policy	Punishment
Perda 16/1957 tentang Pemberantasan palacuran Dalam Daerah Kabupaten Jember	prostitutes, pimps, guests sentenced to 3 months imprisonment or a fine of Rp. 2.500.- Redeemed 2x
Perda 8/1968 tentang Pemberantasan Pelacuran	prostitutes, pimps, guest punished 6 months in jail or a fine Rp.10.000, -
Perda no 6 th 1984	n.a
Perda 14 / 2001 Penanganan Prostitusi Di Kabupaten Jember	Prostitute sentenced to 6 months, or a fine of Rp 5 million. Pimps are punished according to the Criminal Code (article 296, article 506, UUPTPO article 2 / trafficking)
Kep. Bupati 64/ 2002 : perubahan status Dan penanganan lokalisasi rehabilitasi prostitusi untuk PSK di Jember	Prostitute sentenced to 6 months, or a fine of Rp 5 million. pimps are punished according to KUHP article 296, article 506, UUPTPO article 2
Kep. Bupati 39/2004: Penanganan Lokalisasi Rehabilitasi Prostitusi Puger Kulon Menjadi Tempat Pelayanan Sosial Transisi PSK Jbr	Prostitute sentenced to 6 months, or a fine of Rp 5 million. pimps are punished according to the Criminal Code article 296, section 506, UUPTPO article 2
Kep. Bupati no 188.45/ 39/012/ 2007 tentang Penutupan Tempat Pelayanan Sosial Transisi Unt PSK dan Penutupan Prostitusi di Jbr	Prostitute sentenced to 6 months, or a fine of Rp 5 million. pimps are punished according to the Criminal Code article 296, section 506, UUPTPO article 2

Chart: Prostitution Policy in Kabupaten Jember, secondary data is processed

The emergence of violent protests accompanied the enactment of prohibition policy through demonstrations and negotiation efforts to prevent its implementation showed the interest and impetus of perpetrators and some high prostitution activists. Although in the end a massive demonstration could not change the government to keep the localization closed, but the impact of the rejection was manifested from the rapid disobedience of the policy through the re-enactment of prostitution practices at the former TPST site until the time of the study.⁵⁰

The study conducted by Kholifah (2016), also notes the insubordination that occurred in relation to post-implementation of the raid policy and the fine punishment policy of Criminal Crime (tipiring). The perpetrators, especially female prostitutes, realize that the raids should be avoided, but if they are forced to be caught then they only accept, they are arrested and locked up in the police station and subject to legal action of fines for breach of tipiring. Thus the prostitute has committed defiance of a commitment not to repeat the act of prostitution again. In fact, the day after he was

⁵⁰ The phenomenon of localization of Besini Puger Kulon can be observed at any time until the initial observation of this study is done until the end of 2011. Even some local newspapers write that there are new wild localization as big as Besini localization in Kencong, Gumukmas and Wuluhan sub-districts, from Johan Budi, a former pimp in two interviews with the newspaper Radar Jember Monday, August 15, 2011, one and a half months after the Jember Police held a prohibition of illegal prostitution Radar Jember September 30, 2011

caught he was already in the lokalisasi again by being picked up by his pimp or messenger. This is the so-called continuous rebellion attempt.

Prostitution business is run with the aim of collecting profits as much as possible. This business usually has its own mechanism and system. As business pioneers are woven from the start, the prostitution business that is usually cultivated by pimps as a brothel manager (usually a pimp, if women also come from prostitutes, if their men are successful customers or brokers or criminal / drug businesses or trafficking of women in other forms) (Sulistyawati Irianto, Lim Sing Meij, Firliana Purwanti, Luki Widiastuti, 2007). Obviously this business pioneered has a linear direction and is not easily diversified into other forms of business, especially those considered as 'trivial' as well as small business cooking, sewing sewing, business in the field of beauty. This is a government program always given to the rehabilitation or resocialization of prostituted women and pimps.

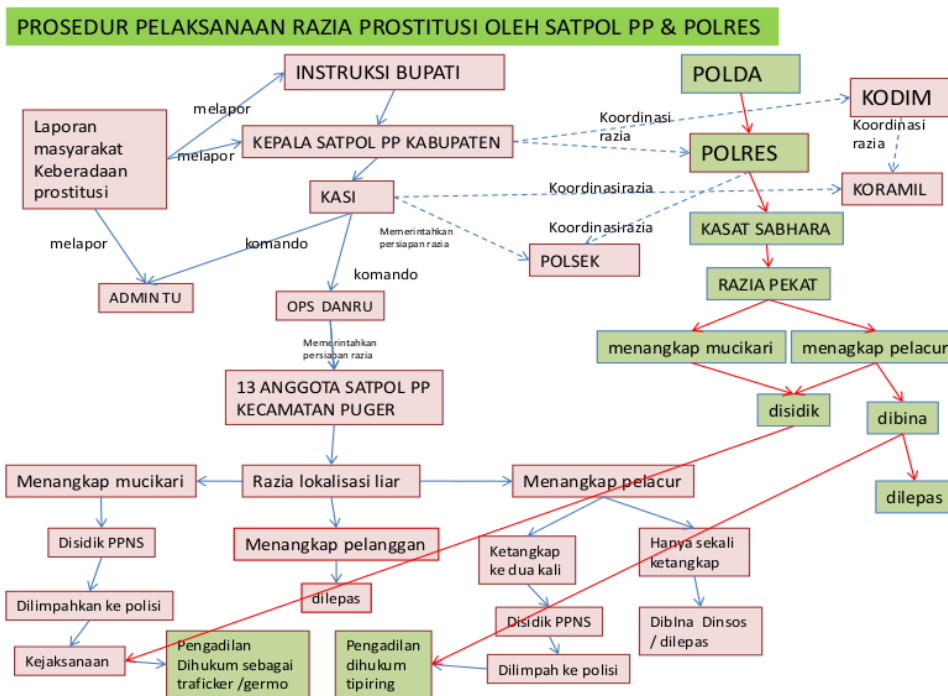


Chart: Procedure of Implementation of Prostitution Raid by Satpol PP and Polres, research data of 2013, processed

2 The Ambiguity of Street Level Bureaucrats to implemented Prostitution Policy

The implementation of public policy with the case of prostitution policy finds out about the phenomenon of policy modification and the reduction of public services conducted by bureaucrats in the field. The modification and reduction of the service can be interpreted similarly to Lipsky (1980) concept of copying mechanism by street-level bureaucrats in public policy implementation process. The copying mechanism was used by Lipsky to explain the modification behavior and the rationing / reduction of services in policy implementation by street-level bureaucrats, but the concept of copying mechanism was not entirely the same as the modification and reduction of policy in this study.⁵¹

The above differences are due to several factors not identified by Lipsky. Lipsky's modification and reduction of policy is due to the fact that street-level bureaucrats are lacking in resources and resources. While this study found that policy modification and reduction related to the motivation of

⁵¹ Lihat buku Kholifah, Emy, 2016, Prostitusi masih tetap ada, LPPM UM Jember Press

corrupt actions of executing personnel. In other words, policy modification and reduction are not only due to lack of funding and resources but the most important role is the willingness to accept the 'tip' (corrupt) that causes the bureaucrat to implement the policy not in accordance with the actual policy objectives.

Other important field findings include self-image motivation and institutional image of bureaucrats, causing executing bureaucrats to modify and reduce policy in the field. This finding is different from Lipsky's opinion that the formulated policy targets are too high will make it difficult for street-level bureaucrats to implement the policy. The facts on the ground show that although the policy targets are too high, implementing bureaucrats continue to implement policies in order to improve the image of both self and government agencies. As for the executing bureaucrats, the successful implementation of the policy does not seem to be a crucial issue. It is this way of thinking that makes policy targets difficult to 'ground' to be carried out by bureaucrats in the field.

In addition, the study also found a behavior that seems to tolerate a policy violation that resembles the spirit of 'altruism'. In the context of this altruism, Lipsky stated about the importance of motivating bureaucrats with the feeling of serving wholeheartedly and with a high sense of humanity. However, field findings make it clear that executing bureaucrats feel they have to 'humanize' prostitutes and pimps by letting them disobey policy, a misguided 'altruism'. It is called misguided altruism because altruism is rightly done sincerely and well for the purpose of getting someone to do good, in the end encouraging someone to do good but at the same time allowing (tolerating and even protecting) someone to keep doing bad, in this case remain a prostitute. These findings criticize Lipsky's concept of altruism that refers to the soft attitude and attitudes that promote humanity in the implementation of public policy. Whereas from the empirical data in the field, if the attitude of 'altruism' applied to dissidents then it is bad for the implementation of public policy, that is not obeying the policy. This empirical finding that appears to be unaccommodated in the Lipsky concept.

Other findings are related to the tendency of conflict. Lipsky said street-level bureaucrats apply modifications and reduction of policy services because they are urged by community groups to be served while their numbers are too many, so service rationing should be used to avoid conflict. The results of this study do not support the constants. The argument constructed from field data is that to avoid conflict with affected groups (targeted) policies, street-level bureaucrats carry out mechanisms for policy modification and reduction. Furthermore, the effects of such policy modifications and reductions have led to conflicts with other groups of people who want policies to be implemented proportionately. The findings also suggest correcting Lipsky's conception that rationing of services is done to avoid conflict with target groups, whereas in the field the conflict phenomenon is more complex than Lipsky imagines. In this study street-level bureaucrats face the potential of two levels of conflict. Policy modification and service allotment not only cause conflict at the policy target level but also encourage wider conflict, especially with groups that want policy to be carried out proportionately.

This study also discusses the aspects of the role of middle and top bureaucrats who understand the role of bureaucrats in the field. According to Lipsky (1980) the party who always performs the act of copying mechanism is the bureaucrat at the operational level without the knowledge of the upper bureaucrat (as supervisor of policy enforcement). In this case, Lipsky stated that policy modification and reduction were made by street-level bureaucrats due to problematic controls. The findings of this study specifically denied Lipsky's findings. Empirical data in the field show that, the executing bureaucrats modify and reduce the policy, precisely with the knowledge of the bureaucrats of their superiors. In other words, the middle and top line bureaucrats understand there has been a mistake in the policy implementation process. That is why the act of modifying and reducing the service can be done over the years because between field executors and supervisory bureaucrats at higher levels are already 'know-sama know'.

In relation to the aspect of community participation in policy implementation, Lipsky stated that public participation can be an influential public control in policy implementation. Weak public controls influence the policy implementation process by street-level bureaucrats to modify and reduce policy. This study finds empirical data on the tendency of target group policy activities that are persistent 'struggling' to disobey by cooperating with policy implementers through tipping, tribute,

and political support. The 'friendship' adhesive means between the bureaucrats and the target groups becomes a means of strengthening the presence of dissidents to 'silence' the community's rejection behavior around the localization to become apathetic. On the other hand, the local people around the localization behave apatically because it seems they have no economic dependency on localization. Thus it can be said that public apathy towards the implementation of the policy is due to the behavior of policy modification and reduction done by the implementer of the policy, rather than the reverse, or at least, the two variables (the modification and reduction of policy with the public control) reciprocally affect each other.

Thus, based on the above findings can be formulated the concept of ambiguity of the executing bureaucrats in the field. Ambiguity comes from an ambiguous word that means more than one; ambiguous (thus occasionally causing doubt, vagueness, ambiguity, etc.); meaningful double or taxa.⁵² In the context of this study, the ambiguity of the executing bureaucrats means the confused attitude of the executing bureaucrats shown by the dual behavior in implementing the policies in the field (as illustrated in Figure 9.1).

The ambiguity is relatively different from Lipsky's concept of dilemma. Lipsky describes the concept of the dilemma as a situation experienced by street-level bureaucrats who are in disproportionate working conditions but must face the ideal policy demands. In this context, the concept of dilemma is used to describe difficult situations that require a person to make choices between two equally unpleasant, unfavorable, or confusing difficult situations. The unfortunate situation made the street-level bureaucrats in a difficult situation in choosing what to do, thus making it look like 'eating the malakama' fruit. That is, doing one is not profitable, while doing the other is not favored because it is also not profitable. The street-level bureaucrat experienced a dilemma in policy implementation because of a lack of resources making it difficult for him to implement the policy proportionately. Further consequences with the 'heavy hearted' policies are carried out with modifications and service reductions to the community.

However, in the case of this study, it was found that bureaucrats implementing policies in the field did not experience a dilemma situation as described by Lipsky. They are more appropriately referred to as 'ambiguous' situations because the two directions of choice (tolerate or punish) that the executing bureaucrats in the field make are confused, which one should choose, because they both promise 'profit'. The 'left' side (see chart 9.1.) Promises tipping, tribute and political support, the 'right' promising good image and political support. Thus on the one hand field bureaucrats tolerate policy irregularities and they receive 'tribute' in the form of money and political support at the same time they must punish policy dissidents, in the hope of increasing the positive image and support of the policy-minded group. Thus, in contrast to Lipsky's concept, the modification and reduction of policies by street-level bureaucrats is a middle ground that is generated to achieve these two advantages. The two 'right and left' interests are both embraced to reap good fortune and this situation is not a dilemma situation as Lipsky describes, but rather shows ambiguity.

Thus, starting from the findings of this micro-study, it is possible to formulate a common argument that, public policy that is primarily in contact with massive financial transactions, such as commercial sex cases that are the focus of this research, there is a tendency that the problems of public policy implementation lie primarily to the executors policy on the ground.

⁵² KKBI (Kamus Besar Bahasa Indonesia)

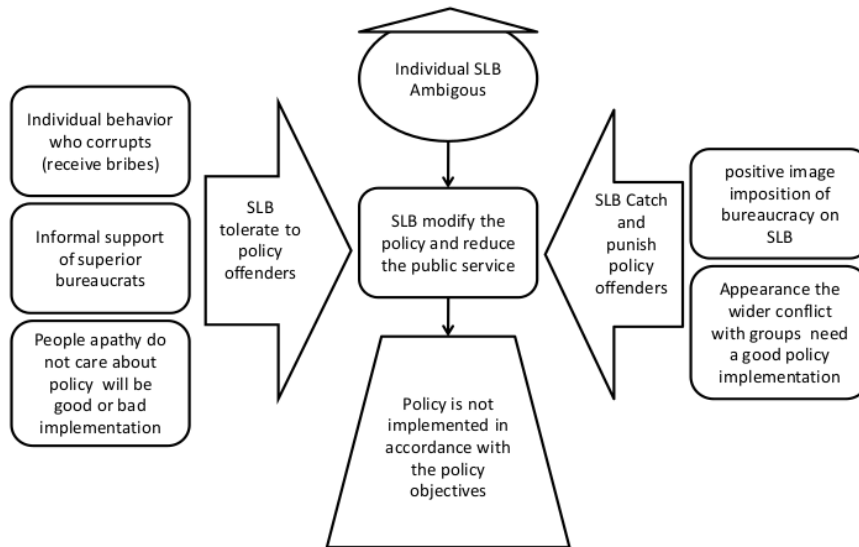


Figure 1: Individual Ambiguous of SBL in Public Services

SLB: Street Level Bureaucrats

d. Conclusion: Good governance, strengthening street level bureaucrats, and increasing community participation

In the end, related to the above research findings, academically there is one thing that is considered good to be suggested. This is related to the importance of another in-depth study of the relationship between network group targeting factors in the policy formulation process. This review will provide a more detailed picture of how the bargaining process of group targets and policy makers, which at the time of policy formulation with the back-up of 'order' groups (adheres to social norms). The in-depth study will be able to explain the dissident group's 'defeat' strategy in the process of policy formulation that theoretically prohibits their activities, but in fact they still get the 'freedom' to keep their 'defiance'. Such a study can be a comparison with this study which takes 'setting' on the policy implementation process.

On the other hand, it is important to advise the willingness of the government to generate activities that support the Local Regulations that have been made. The main focus of the activity is the process of prevention and supervision that should be done continuously and systematically designed. Activity based on monitoring and prevention is possible to be made in partnership design with the community.

This study illustrates the possibility of a process towards formulating a policy implementation model based on community participation. Through the participation of the community, it is possible to formulate a model in order to have added value to a better prostitution prohibition policy. So far the impression 'just' done by the government is very thick.

Community participation can be activities that are integrated with the direction of government policy. The community performs the creation of activities in accordance with the concentration of activities undertaken by the group itself. On the other hand supervision can also be integrated in the activity. During this time the supervisory function is problematic when it is only done by the internal structure of the bureaucracy.

About the participating community is not an individual community, Michael Lipsky advocates to readers of his paper, that it should be by developing groups that have attention to the public service.

Accordingly, these groups may be derived from the 'formation' of the government, but the best is the community grouped by importance and has been 'self' for many years (such as established organizations). Monitoring and prevention programs and activities may be easier to develop inherently through their own program of activities.

The community groups that are members of the team in the case of the implementation of the prohibition policy in the Decree of the Bupati 188/2007, are essentially community organizations that have enormous social and political influence. Equitable stewardship is all over the territory, membership based on belief in the truth of religious teachings in number of thousands spread over the city to the village. Nahdatul Ulama, for example, mass organizations that have base membership in rural areas as well as in cities. A solid stewardship makes members built through organizational programs that are carried out to their child's twigs. Similarly, Muhammadiyah organization. Two organizations that have a better membership base and stewardship than others make it possible to become a 'group of participants'.

Participant groups are not just 'invited' to become 'passive' team members, but more than that the organization is made 'actors' active through a creation of policy activities. This organization applies as part of the 'implementor' in the field even as well as the creator in the formulation of policy activities to be funded by the Regional Budget, at least when the community participation initiation project is held (as a pilot project) in the hope that the future will have formed awareness of natural membership grows.

What natural membership can grow, the question that usually comes from policy analysts who have experienced to observe the various programs for the community based self-managed activities system. So far, self-managed programs are still not deserted by critics who are associated with some activities not continuing when the program is over from the government monitoring so it is considered not appearing actual community participation is expected. . However, many also recognize that the basis of community participation in the PNPM program, for example, is based on an individual society, where they do not have a high degree of interest compared to the existing ties in social organizations Moreover more truth-based ties to beliefs which is adopted (religion). It could be much different because the membership of religious organizations is more based on volunteerism and expect the reward of the Almighty. With this background, the difference with other self-managed activities is possible.

This model refers entirely to the Decree of the Bupati nno 188/2007 on the closure of former TPST and Closure of Prostitution in Jember District. In this study, a study has been made about the direction of the policy and at which position the policy can accommodate the policy activities related to more concrete community participation so as to make the implementation of the prohibition policy that becomes the main content can be implemented properly. More clearly observe table 9.2 below.

In addition to the above policy suggestions, there are suggestions that have high urgency is related to advanced research. Departing from the limitations of this study that have been presented in Chapter I, it is suggested that there are studies that look at the existence of illegal prostitution in terms of policy formulation, or from networking factors of drug business and other criminal businesses such as women's trade businesses and gambling businesses that all use prostitution localization as bed-rest or even the best rest which means they do not merely use brothels as a place to buy sexual services, but they also hide and assemble new crime from that location.

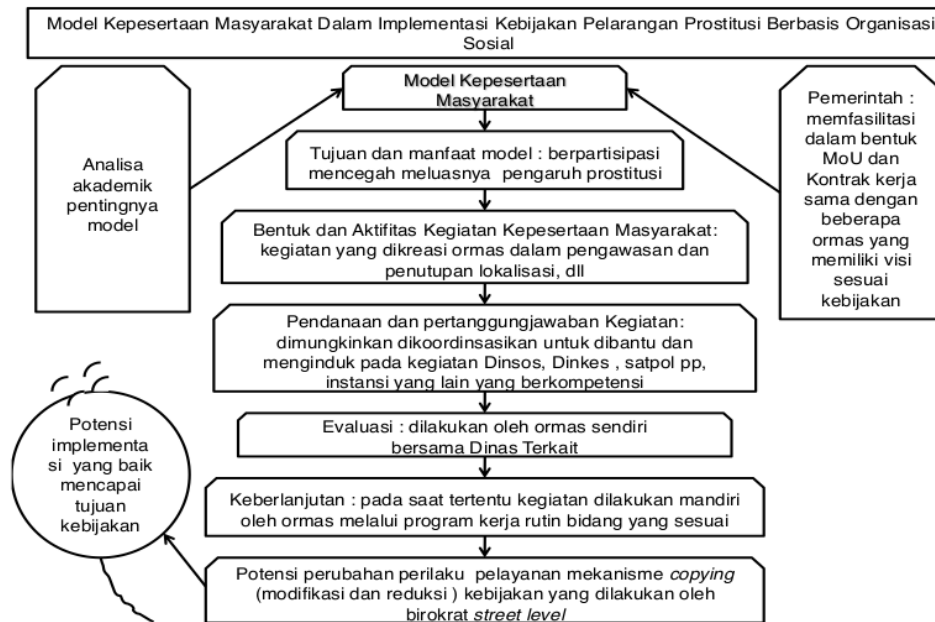


Chart: Community-Based Policy Implementation Model

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