



Reconstruction of public policy in the role of cooperative business entities in the field of construction services based on justice value

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Abstract

Cooperatives can provide the possibility of introducing new technologies through savings by getting information that is direct and available to every member who needs it. All of that is seen in the framework of the role of the cooperative autonomously for each individual member who has decided to become a member of the cooperative. Thus as long as the cooperative can produce benefits for its members, it will encourage people to cooperate because it is considered beneficial. This problem was examined by researchers and put on a research with the main issue of what are the weaknesses in the implementation of public policies in advancing the role of cooperative business entities in the field of construction services based on justice values and how the reconstruction of public policies in advancing the role of cooperative business entities in the field of construction services in order to grow and compete with other business entities. The study was done using the constructivism paradigm and the type of research is a qualitative study with a socio-legal approach.

Research shows that the Weaknesses of Public Policy Implementation The Role of Cooperative Business Entities in the Field of Unjust Construction Services, the existence of legal weaknesses, Weaknesses of the Law in the Implementation of Construction Services, Legal Parties to State-Owned Enterprises and Foreign Business Entities. Based on this, the reconstruction proposed by the author is related to the cooperative business entity in the field of construction services made special policies and articles that accommodate business opportunities and facilitate the guarantee of business opportunities legal proceedings by the government. If the cooperative business entity in the field of construction services is successful and growing, the task of the government to advance public welfare and achieve the objectives of the state in accordance with the opening of the 1945 Constitution, paragraph 4 will be wide open. The benefits of cooperative business entities will be enjoyed by workers who have retired national economic competitiveness resilience will be well protected from the influence of the capitalist economy. The cooperative will be the cornerstone of all Indonesian people and fit into the culture of the community. Reconstruction of Legal Norms Article 15 of Law Number 25 of 1992 Concerning Cooperatives.

Keywords: reconstruction, cooperation, justice value

Introduction

The purpose of regulating the delivery of public services is to provide services to the needs of the community in accordance with the mandate of the 1945 Constitution of the Republic of Indonesia as the Basic Norms of the State. The achievement of these goals by keeping up with the paradigm that develops in society is the demand for the application of laws and regulations and public service policies that are more responsive and in accordance with the demands of democracy, namely services that provide more space for participation to the user community.

The regulation and implementation of service standards that include the determination of service procedures, the determination of service costs, the determination of service time regarding the speed of service and the complaint mechanism as well as other locally specific cultural matters, are absolutely considered. The construction of law and policy that draws closer to the characteristics of responsive law above, is always open to be developed by continuing to open the door of community participation, according to the demands of a more democratic society, fair and bring happiness to as many people as Jeremy Bentham's ^[1] ideal ideals so that it brings its characteristics which the author

referred to as the Ultimate Public Service Paradigm is the peak / highest service without limits that can be felt by many people for the achievement of happiness.

Based on Law Number 25 of 2009 concerning Public Services which governs the principles of good governance which is the effectiveness of the functions of government itself. Effective public services carried out by government or corporations can strengthen democracy and human rights, promote economic prosperity, social cohesion, reduce poverty, increase environmental protection, be wise in the use of natural resources, deepen trust in government and public administration. The state is obliged to serve every citizen and resident to fulfill their basic rights and needs within the framework of public services which are mandated by the 1945 Constitution of the Republic of Indonesia, building public trust in public services performed by public service providers is an activity that must be carried out in line with expectations and demands of all citizens and residents regarding the improvement of public services, in an effort to reinforce the rights and obligations of every citizen and citizen and the realization of state and corporate responsibilities in the delivery of public services, required legal norms that provide clear regulation, in an effort to

improve quality and guaranteeing the provision of public services in accordance with the general principles of good governance and corporation and to provide protection for every citizen and citizen from abuse of authority in the administration of public services ^[2].

Theoretically the source of strength is cooperatives as business entities in the context of economic life. The savings that can be a source of cooperative strength are not limited to their economic value. That power can also be sourced from non-economic factors which have an indirect influence on the economic activities of community members and cooperative business entities. The benefits of this cooperative are always related to economic and social benefits. Because cooperatives in addition to providing economic benefits also have attention and concern for social aspects such as education, social environment, the environment, and others. In this case the cooperative has another strength because the cooperative can provide the possibility of introducing new technology through savings by getting information that is direct and available to every member who needs it. All of that is seen in the framework of the role of the cooperative autonomously for each individual member who has decided to become a member of the cooperative. Thus as long as the cooperative can produce benefits for its members, it will encourage people to cooperate because it is considered beneficial.

The above problems make the writer interested to make this research of the policy of public services regarding the development of construction services cooperatives, where the main problems examined by the author are as follows:

1. What are the weaknesses in the implementation of public policy in advancing the role of cooperative business entities in the field of construction services based on justice values?
2. How is the reconstruction of public policies in advancing the role of cooperative business entities in the field of construction services based on justice values?

Method of Research

The paradigm that is used in the research this is the paradigm of constructivism which is the antithesis of the understanding that lay observation and objectivity in finding a reality or science knowledge ^[3]. Paradigm also looked at the science of social as an analysis of systematic against *Socially Meaningful Action* through observation directly and in detail to the problem analyzed.

The research in writing this dissertation is a qualitative research. Writing aims to provide a description of a society or a certain group of people or a description of a symptom or between two or more symptoms.

Approach (approach) the research is to use the approach of *Socio-Legal* ^[4], which is based on the norms of law and the theory of the existing legal enforceability of a sociological viewpoint as interpretation or interpretation.

As for the source of research used in this study are:

1. Primary Data, is data obtained from information and information from respondents directly obtained through interviews and literature studies.
2. Secondary Data, is an indirect source that is able to provide additional and reinforcement of research data. Sources of secondary data in the form of: Primary Legal Material and Secondary Legal Materials and Tertiary Legal Material.

In this study, researchers used data collection techniques, namely literature study, interviews and documentation. In this study, the researcher is a key instrument that is the researcher himself who plans, collects, and interprets the data ^[5]. Qualitative data analysis is the process of searching for, and systematically compiling data obtained from interviews, field notes and documentation by organizing data into categories, describing it into units, synthesizing, compiling into patterns, selecting important names and what will be studied and make conclusions.

Research Result and Discussion

1. Weaknesses in the implementation of public policy in advancing the role of cooperative business entities in the field of construction services based on justice values

If a policy is like a product from a machine, then when the machine has high quality systems and components, the product it produced will also good in quality. If it is assumed that the Indonesian political and governance system after reform is better than before, then the logic of the policies produced by the system is also better in its process and content.

From this illustration, it can be interpreted that a number of public policies that were born from a socio-political system that is more democratic than before, will produce a public policy, which at least is formally procedural better than before when the socio-political system of government is still authoritarian centralism.

In many cases this is so, although in a number of cases, especially from a number of existing articles or provisions contain "innate defects" which indicate that the socio-political system and government that are better labeled are not working properly as they should. The existence of thousands of local regulations which were later revoked because they were considered contrary to the higher provisions or by other reasons were the proof. The existence of a number of laws which were later annulled in a number of articles by the Constitutional Court (MK) is also evidence that a product system which is considered better, does not automatically produce something good because it is not a machine whose elements consist of inanimate objects. It is a "social machine" that is strongly influenced by the strategic environment in which the machine is and what it wants to achieve.

Public policy as a political product that was born in an increasingly democratic socio-political system, which should have better quality than before, does not have to be linear in logic, because not a few of the past's policy products are also classified as good and are still applied today. Not because of anomalies and paradoxical conditions when the policies that are born in a democratic system the contents and substance are considered bad or even worse than similar policies produced by the system that are considered worse than they are now, because once again the components that run and become parts of the system are humans or social beings and not inanimate objects. Required many conditions to make a good system produces something good and quality.

Public policy is a political product, so political elements come to color the resulting policy. It becomes a problem if the political color is not proportional, for example, it is dominated by certain colors and interests or the result of "cattle trading", so that the dominant color appears in certain articles and other dominant colors and other articles.

As a political product, it is full of political interests of groups or groups, but the proportionality of interests and harmony becomes something very important to be considered to produce good policies [6].

The policy making process cannot be separated from the bureaucracy as an executor who knows the exact conditions of the field. The role of bureaucracy is very important in policy making because bureaucrats have more expertise and sufficient knowledge to make a policy that suits their needs, and so that the existing problems can be resolved.

Most of the policies made are initiated by the bureaucracy and subsequently discussed in parliament, but sometimes it does not rule out the design of policies made by the bureaucracy to only accommodate their own interests, and there is an asynchronous or struggle for interests between the legislature and the bureaucracy in policy making.

A good policy is not a policy produced by a simple majority (50 + 1), nor is it an absolute majority or acclamation because it is only a way to make decisions. A good policy is a policy taken through a good system and a good process. If a public policy is a product of political compromise in the sense of the politics of cattle trade, then since the policy was born it has brought an inherent defect or created a number of loopholes.

Despite the fact that there are still a number of public policy reform products that contain a number of innate and flawed defects (loopholes), it must be admitted that in substance and also the process of making them, the current public policy is better than before. The better quality of policy can be tested through a series of the latest theoretical concepts, because from the beginning the policy was indeed made with reference to the latest conceptual developments. From this perspective public policy that is born in a democratic system is better, because it is indeed an improvement from the previous policy, apart from that there are a number of articles in the policy that contain fatal defects.

In the sphere of community life, including in the sphere of government, there are tensions between what should be and what becomes reality, which always creates its own gaps and problems for stakeholders. What should always be at a conceptual level and what happens on the ground becomes a historical fact.

Public policy can be seen as a phenomenon of social movements [7]. In the implementation of public policy, including in the field of transportation, namely the provision of cooperative business entity facilities in the field of passenger construction services, the state administration law and its apparatus play a very large role, because the state gives authority to the authorities to carry out the interests and welfare of the people directly, so that the state functions become active.

The law has been made to regulate the community, the community is required to obey the law and as a consequence of violations of the law committed is punishment. This is very ineffective, and tends to become increasingly violations. Such a legal paradigm must be changed, from laws governing to serving laws, from humans to laws to humans, and from laws that govern towards laws that motivate [8].

During this time, state administrative law which consists of various kinds of regulations aimed at organizing government and administrative services to the public tend to be used by certain parties for their own interests. Services that are supposed to be aimed at the general public are

sometimes turned into community services to the state, even though the state actually stands for the interests of the people who founded it. This means that bureaucrats really must provide the best service to the community [9].

2. Reconstruction of public policies in advancing the role of cooperative business entities in the field of construction services based on justice values

The Cooperative Business Entity in the Field of Construction Services should be able to enter all business sectors so as to be able to contribute optimally in development. Cooperatives in a broader economic level, so far the cooperative is only saving and borrowing and distribution, even though it's like a success story in Europe, cooperatives can go into all business sectors. The role of cooperatives in the direction of national development is to realize cooperatives as drivers of competitive and sustainable development. The effort was carried out through increasing the contribution of cooperative exports in national exports, increasing the participation of cooperatives in national infrastructure development, increasing the role of cooperatives in financial services, developing national tourism, global production chains, and enhancing cooperative synergies with Village-Owned Enterprises (BUM Desa).

The Government should also continue to encourage cooperatives to play a role in infrastructure development. Examples of Cooperative Business Entities that have played a role in the infrastructure sector are the Semen Gresik Citizens Cooperative which has contributed to providing construction material for several national construction companies. This is realized if the coaching is done in earnest. Cooperative business entities need to play an even greater role in supporting the growth of financial services with professional management.

Examples of Savings and Loans Cooperatives (KSP) or Savings and Loans Units (USP) as of July 5, 2017 are 10.7 million people with a business capital of Rp 57.8 trillion. One of the national secondary cooperatives, *Kopelindo Infrastruktur* Cooperatives has played a role as a provider of construction materials for several national construction companies [10].

The Role of Business Entities in legal Provisions explains that they are grouped again into (1) private-owned enterprises (BUMS), (2) state-owned enterprises, and (3) cooperatives. Explanation of various types of business entities, the role of government as regulator of business entities, and functions of business entities.

The Value of Reconstruction of Public Policy The Role of Cooperative Business Entity in the Field of Construction Services Based on Justice Value is the Public Policy on cooperative business entities in the field of justice-based construction services in Indonesia requires reforms / changes to provide business opportunities to cooperatives as a construction business entity that is able to grow and develop at the level of BUMN successful one. Cooperative business entities in the field of construction services will advance the welfare of members, namely experts and workers. This business entity system will help the government advance the welfare of the community and build the national economic order in order to realize a developed, just and prosperous society based on Pancasila and the 1945 Constitution.

The organizational structure of the construction services

cooperative has been formed starting from the central level (Ministry of Cooperatives and Small and Medium Enterprises, Ministry of Public Works and Public Housing) at the Provincial level (Office of Cooperatives and SMEs, Office of Public Works and Public Works) and District Level (Office of Cooperatives and Small and Medium Enterprises, PUPR Service) in 34 Provinces 514 Regencies / Cities. The Cooperative Law and the Law on Construction Services relating to cooperative business entities in the field of construction services are made special policies and articles that accommodate business opportunities are facilitated and guaranteed business opportunities for legal proceedings by the government. If the cooperative business entity in the field of construction services is successful and growing, the task of the government to advance public welfare and achieve the objectives of the state in accordance with the opening of the 1945 Constitution, paragraph 4 will be wide open. The benefits of cooperative business entities will be enjoyed by workers who have retired national economic competitiveness resilience will be well protected from the influence of the capitalist economy. The cooperative will be the cornerstone of all Indonesian people and fit into the culture of the community.

Based on the explanation presented by the author above, the reconstruction proposed by the author is that with regard to cooperative business entities in the field of construction services, special policies and articles are made that accommodate business opportunities and facilities are guaranteed and guaranteed by the government. If the cooperative business entity in the field of construction services is successful and growing, the task of the government to advance public welfare and achieve the objectives of the state in accordance with the opening of the 1945 Constitution, paragraph 4 will be wide open. The benefits of cooperative business entities will be enjoyed by workers who have retired national economic competitiveness resilience will be well protected from the influence of the capitalist economy. The cooperative will be the cornerstone of all Indonesian people and fit into the culture of the community. Reconstruction of Legal Norms Article 15 of Law Number 25 of 1992 Concerning Cooperatives.

Conclusion

1. Weaknesses found in the Implementation of Public Policy The Role of Cooperative Business Entities in the Field of Construction Services, are the existence of legal weaknesses, Weaknesses of the Law in Providing Construction Services, Legal Parties to State-Owned Enterprises and Foreign Business Entities.
2. Reconstruction of Public Policy The Role of Cooperative Business Entities in the Field of Construction Services Based on Justice Value business opportunities for cooperatives as a construction business entity capable of growing and developing at the level of a successful State-Owned Enterprise. Cooperative business entities in the field of construction services will advance the welfare of members, namely experts and workers. This business entity system will help the government advance the welfare of the community and build the national economic order in order to create an advanced, just and prosperous society based on Pancasila and the 1945 Constitution. The organizational structure of the

construction service cooperative business entity has been formed starting from the central level (The Ministry of Cooperatives and Small and Medium Enterprises, the Ministry of Public Works and Public Housing) at the Provincial level (the Office of Cooperatives and Small and medium-sized enterprises, the PUPR Office) and the District Level (the Office of Cooperatives and Small and medium-sized enterprises, the Office of PUPR) in 34 Provinces 514 Regencies / Cities. The Cooperative Law and the Law on Construction Services relating to cooperative business entities in the field of construction services are made special policies and articles that accommodate business opportunities are facilitated and guaranteed business opportunities for legal proceedings by the government. If the cooperative business entity in the field of construction services is successful and growing, the task of the government to advance public welfare and achieve the objectives of the state in accordance with the opening of the 1945 Constitution, paragraph 4 will be wide open. The benefits of cooperative business entities will be enjoyed by workers who have retired national economic competitiveness resilience will be well protected from the influence of the capitalist economy. The cooperative will be the cornerstone of all Indonesian people and fit into the culture of the community. Reconstruction of Legal Norms Article 15 of Law Number 25 of 1992 Concerning Cooperatives.

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