

# THE CONCEPT OF ISLAMIC LAW IN LAW ENFORCEMENT PROFESSION ETHICS

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## ABSTRACT

*Law enforcement officers should strive for self-repair, the ethics of law enforcement professionals are expected to make changes in various fields, ranging from structural aspects, instrumental and cultural aspects of independent, professional, moral, and modern law enforcement officers. Good and bad, pleasure and satisfaction, give pleasure as per expectation or something useful. While the bad sense is all that is disgraceful, contrary to life in society, morality, politeness, unkind religion, inappropriate to do. In religious teachings, especially Islam, it is said that every ins has good and bad potential, both the grace of Allah ALMIGHTY, both complement each other, pair and complement each other as the nature of the creature, because the unpaired is God the Creator. Efforts to realize the ethics of law enforcement profession is intended to conduct the enforcement of truth based on belief, faith and sincerity in carrying out the trust of the people, nations and the State and further as a sense of responsibility to the trust of Allah SWT.*

**Keywords:** Law Enforcement, Profession, Ethics, Islamic.

## INTRODUCTION

The community's belief in the apparat of law enforcement is still low, the fear inherent in the hearts of the community over the rule of law enforcement is still high, caused by stereotypes on law enforcement officials in the past that tends to accentuate violence and power from the actions of police that reflect moral ethics, virtuous character. For the law enforcement authorities and the community risks of the risk of work, that is why law enforcement is directly in the midst of society, society assesses and sees the figure of the police not only the appearance of the team or the duties and roles that are held by the state to him, but further observe the individual behavior of the police behind the uniform he wore. This kind of mentoring law enforcement officers seeks to improve themselves by making changes in various fields, ranging from structural aspects, instrumental and cultural aspects. As the organizer of countries or civil servants who are always willing and able to learn, change, dialogue, and treat the complexity of the community that is all-system in vision-driven and rule-driven corridors transparently and accountable.

Law enforcement itself must be interpreted in the framework of three concepts, namely the total enforcement concept which demands that all values behind the legal norm are enforced without exception, a full enforcement concept which realizes that the concept the total needs to be limited by procedural law and so on for the protection of individual interests and the concept of actual law enforcement which emerged after it was believed that there was discretion in law enforcement due to limitations, both relating to facilities and infrastructure, quality of human resources, quality of legislation and lack of community participation

This collective culture needs to be well aware and paid attention to by everyone who works in the legal system, that the law (substance component) in the formulations contained in the form of regulations or legal texts is an inanimate object which is abstract in nature. As an inanimate and abstract object, it requires a driving component, namely structure, so that the law is alive and incarnated in a concrete

Cultural aspects reform is the focus of the improvement of law enforcement officers, especially the improvement of human resources development management that concerns the attitudes and behavior of law enforcement, which is manifested in the form of deed, internalization and enforcement of professional code of ethics, both through the appeal and direction and application of the enforcement of a fair, strict and transparent code of ethics, or the sanction of the Code, so that the existence of law enforcement officers who are trusted by the community as a responsibility for security and public order can materialize. There is a tendency for men to have freedom of action, and that freedom has choices. If man in his actions knew and chose, then he deliberately did the deed. According to Wirjono Projodikoro, an element of intent or *Opzet* in a criminal act, consists of 3 (three) things, namely: first, the deed is prohibited; Second, the result of the reason for which the prohibition was held; Third, the act violates the law or conflicts with the applicable law. It is therefore closely related to the deliberate, and the deliberate factor of the indicator of such ethical or moral value.

Some of the opinions of ethical religious experts are a collection of principles or values pertaining to manners. The subject matter is the outward behavior of humans in its control. Such behaviour may be the attitude, speech or appearance of a person that is displayed to another party. Muhammad Quraish Shihab argued that one needs to know what is referred to as the "ethics Diniyah", which is more broadly meaning and scope of the notion expressed by the experts above, and includes some things that are not outward, that are related to the attitude of the spirit and or the mind or what is termed the *A'mal al-Quluub* (the Will of the heart) and covers various aspects, starting from the ethics of Allah SWT. To the ethics of lifeless objects.

The universal teachings of Islam provide Muslims with a basic ethical perspective on which to base their choices and decisions in life actions, including in the socio-political field. On the basis of this basic ethic, a Muslim chooses a socio-political view that is considered the most supportive of his efforts to realize his ideals, namely goodness for all. For that purpose, he is also working with others, in a spirit of open humanity. Cooperation can give birth to agreements and agreements, while Muslims are "those who are loyal to the agreement when they have made that agreement" (Qs al-Baqarah [2]: 177). Furthermore, it is the obligation of Muslims to live according to the teachings of their religion as it is their legal right guaranteed by the agreement, and their religious obligation is to invite all groups to carry out the agreement together. The verses that are frequently quoted in this regard include: We did not send you (Muhammad) but for all mankind, as a bearer of joy and threat (Surah as-Saba '[34]: 28); Do not We send you (Muhammad) but as a mercy for all nature (Qs al-Anbiya "[21]: 107); You are the best of the people who are presented to mankind, because you encourage good and prevent evil, after all you believe in God: We have made you (Muslims) a just people and the choice of the middle group (*ummat wasath*) or the moderator group, so that you become witnesses of humanity (Qs al-Baqarah [2]: 143).

About good and bad, pleasure and satisfaction, give pleasure as per expectation or something worthwhile. While the bad sense is all that is disgraceful, contrary to the norm in society, morality, politeness, and religion is not good, it is not appropriate to do. In religion, especially Islam, it is said that each *insan* has a beautiful and bad nature, the two potentials of

God's grace, both complement each other, pair together and complement each other as the nature of the creature, because the unpaired is God the Creator.

What is the concept of Islamic law enforcement profession ethics? "

## THEORY REVIEW

The word ethics has a broad understanding of the moral, because the term "moral" is often used only to explain the outward attitude of someone who is ordinary in the value of the form of behavior or actions alone. Being ethical has a sense of other than showing a person's outward attitude, it also includes the rules and native motives of one's deeds. Ethics as science and philosophy requires a common measure, it does not apply the decided of some people, but to all humans. In the language "Islamic religion" the term ethics is part of the chastity, because morality is not merely about human behavior that is outward deeds, but includes the broader things that include the field of creed (faith, beliefs, and beliefs), worship (deeds Charity) and Shari'ah (rules that have been determined by God).

The object of ethical material is human, while the objects of Formanya or a view that is not only human action is done intentionally, but also ways of thinking (mind set) to act. As Allah Swt, said the Qur'an letter 3-Ali Imran verse 110: "Kuntum Khaira ummatin Ukhrijat Lin-Naasi, Ta'muruuna bil ma'ruufi wa tanhauna ' anil-munkari wa tu'minuuna Billaah, WA lau aamana alhadith kitaabi lakaana khairal lahum, Minhumul mu'minuuna wa akssarhumul faasiqun"

110. Ye are the best people born to man, telling the Ma'ruf, and preventing from the Munkar, and having faith in God.If a member of the Book of Faith is better for them, among them are believers, and most of them are ungodly. The word Bil Ma'ruf in the Qur'an is repeated 20 times, most of which have the meaning of "good" and "according to the persistence" in the "keeping justice" nuance. Agus Mustofa argues, said Bil Ma'ruf one of the meaning is to do virtue by making an apology to the person who made the mistake, while the person who sinned and always broke the law is the people who do the possibility. Although the verse is clearly understood, but for the laymen, who are unable to comprehend it will have a sense of encountering it. So a deed that is said to be good or bad is not dependent on the consequences posed or the outcome, but based on the encouragement of the heart of "intention" or nawaytu meaning (I intend) of the person doing the deed or innamal A'malu bii intention means every charity deed depends on his intention.

The moral reality in people's lives that is clarified through critical studies is an area in the field of 'ethics'. Thus, the critical study of morality becomes an area of ethics, so that morality is nothing but a material object of ethics. Different from ethics, namely moral philosophy, morals are defined as a normative-binding "package" or "finished product", which must be applied in the daily life of a Muslim. Morals or sometimes referred to as Sufism are a set of religious values that must be realized in everyday life without the need to question and chew critically first, in the field of law, this view was elaborated by the famous jurist Shafi'i (d. 820).

Shafi'i opposes the opinion that the human mind can make legal decisions, because the nature of the human mind is arbitrary and always fails to make law truly Islamic, that is, according to Islamic Shari'ah rules. Adhering to the Al-Quran, Shafi'i prefers and uses more hadith as a source rather than a valid law. Only then was expanded to involve the analogy methodology (qiyas). Because the use of qiyas means that the use of mind must be under the guidance of revelation, it is said that reason is dependent on revelation. Shafi'i is not very comfortable with receiving ijma, which is the agreement of legal experts.

Ethics is based solely on revelation. This opinion is the most conservative ethical opinion taught by Ibn Hambal (died 855) and also by followers of the Zahiri school, namely people who believe that it is the outer meaning of the Koran that can be used as a concrete guide. Ibn Hambal collected many hadiths to support revelation. They don't like analogies (qiyas). Hambali and Zahiri's followers reject allegorical or metaphorical interpretations of the Koran. The above conception of Islamic ethical thought occurred in the pre-development era of contemporary science. Ibn Rushd's ethical thinking is a style of ethical thought before the emergence of renaissance culture in Europe. Ibn Rushd's ethical thoughts, better known as Averroism, have inspired quite a lot of new cultures in Europe. Ibn Rushd's ethical thinking is of little interest to Muslims in the East. Political interference in the arena of religious thought as symbolized in the jargon of political ideology "al-Islam: Din wa Daulah" more colors the struggle of Islamic thought at every trajectory of time. Professional morals are moral guidelines aimed at holders of certain positions or jobs in the framework of serving the interests of the community, for example doctors, teachers, civil servants, lawyers and judges. Broadly speaking, professional holders are required to perform and carry out their duties as well as possible, which can be classified in ihsan. Al-Quran commands that people do justice and ihsan (Qs 16: 90). To do ihsan in a profession means to carry out the profession that has become his choice sincerely. If the right is receiving compensation, it should only demand what is due, do not demand more. The motive for cooperation and mutual assistance should underlie every practice of any profession. Humans cannot possibly live alone. Humans are social creatures according to their nature. Therefore, working with the motive of serving the interests of others will encourage professional holders to provide good, fair and ihsan services.

According to the Islamic ethical system, humans occupy a central place in nature. It is not only an element in the omnipotence of God's creation, but serves a purpose for all who appear: Do you not notice that Allah has conquered everything in the heavens and on earth for your benefit ... (Qs 31: 20). It is a theomorphic nature, which has a likeness to God in itself. The Koran testifies to the glorious place for humans in nature. When I created it and breathed my spirit into it "( Qs 15:29).

The fact in everyday life, sometimes good intentions can be either negative or bad, because of the strings attached, Riya ' and Ujub, show off and Bermegah-megah and want to be praised others who are not because of God. If it is because of Allah, then the negative perception does not happen, because God himself is omniscient. So it is obvious that in Islamic teachings, if a deed is considered good, is judged well, if the man obeyed and obeyed the command of God, otherwise something is considered bad, if doing the deeds forbidden by Allah SWT, such as doing shirk or sin, stealing, killing, persecuting, adultery and so on.

The breath of a democratic law country above can be implemented into a judicial system known as the criminal justice system or de system van Straafrecht spleging or the administration of criminal justice, which is a criminal justice system, which has 3 (three) limits of understanding, namely normative, administrative, and social boundaries. As the normative system is a law-forming institution that states social values contain prohibitions of criminal sanctions against conduct in view as a serious or dangerous mistake. As a system within administrative boundaries, see the criminal justice system as a law enforcement apparatus, police, prosecutors, judges and correctional institutions, authorized to enforce the law, provide protection and service to the community or four components (sub-systems) such law enforcement officers, (police, prosecutors, judges, correctional institutions) should work in an integrated criminal justice system as a watch, where wheels keep the time right. While the

criminal justice system from the point of social restriction is a disclosure related to all elements in the society whose scope is not only in the scope of criminal law that is enacted by the legislator, but rather covers the provisions that exist in the community at all levels.

The development of the criminal justice system is a whole series consisting of functionally interconnected elements which are each sub-systems of the system. At the very least in the criminal justice system there are sub-systems judicial, prosecutors, police, correctional and civil affairs. The criminal justice system in Indonesia can also be understood as the administrative system and criminal justice system which is the concretization of both formyl and material criminal law.

The purpose of the law is to attain peace, which means a harmony between order and personal harmony. Order is drawn to the outward relationship by looking at the process of interpersonal interaction in the community. While the tranquility is on the inner state of the inward is to look at the inner life of each person in society. According to Mochtar Kusumaatmadja, the principal and first purpose of the law is Order. The need for order is a basic or fundamental requirement for an orderly human society. The law is not only aimed at achieving order and fairness, but it can also serve as a means to change or renew the community. The law can also renew the attitudes and ways of thinking society, so that the law can participate in the face of the situation of development in the country of Indonesia which is essentially a process that concerns the aspects of human life. Thus, implementation of these theories is the necessity of understanding the judicial process for the Indonesian National Police investigator in order to fulfill the elements of the law enforcement process in accordance with aspects of community life.

## DISCUSSION

Efforts to implement the concept of Islam in profession ethics through strategy and policy in order to do with the Kholiq (Hablum Min'allah) and in relationship with fellow man (Hablum Minanaas). The strategy of the organization or human body condition, associated with strengths, weaknesses, opportunities and obstacles, when manifesting its behavior, namely:

1. The analysis of Strenghts or strength is an analysis of the internal strength of the human body in the form of potential that exists in human beings through studies based on religious teachings, including:
  - a. Fitrah, human beings have the potential of Fitrah that is behavior that appears as congenital since birth or occurrence from the beginning, according to the Fitrah tend to do good.
  - b. Nafs or soul (human beings), endowed with the potential of a functioning means of consideration to choose between 2 (two) roads that are ungodly/distorted/misguided or the path of fear/straight/correct.
  - c. Qalb (heart), the means of functioning to understand the meaning and honesty.
  - d. Ruh, the power can enable or to make hearing, vision and heart.
  - e. Aql (resourceful), serves to think intelligently, the presence of faith and shame.
2. Analysis of Weaknesses or weakness is an analysis of the weaknesses that exist in the internal human beings in the form of qualities that can bring destruction, that is;
  - a. Ghurur or Congkak, arrogant. Humans are often deceived or powered by themselves, due to the worldly glitter, whether the property, children, and high standing are various factors that lead to Ghurur.
  - b. Envy, Dengki, or SMOs is a psychiatric disease because no faith or is disturbed, the disease is not real because it violates the rule of God in the form of sin.

- c. Hubris, the greatest is not to accept the absolute truth of Laa Ilaaha Walaa Allaah (there is no God who is the right to be worshipped but Allah).
  - d. Tamak, a desire to obtain something unnatural or unnatural is covetousness.
  - e. Anger or quarrel, the desire to convince the other party is often a quarrel.
  - f. Haste, hurry often caused by one does not think or less to take into accounts the consequences of an action, so that it is at least sent a man to do the original obligation, even sending someone to take a shortcut and contrary to the provisions of the law, take opportunities in the narrow.
  - g. Limited knowledge, reluctance to study and do not understand the philosophy of Iqra ' cause human ignorance. So the word sage "reading and writing is the key to knowledge".
  - h. And many others like: forgotten and negligent, ' like Riya ', exhibitionist, Pengehormatan, ambition of fame, search face/sensation, to be arguably great.
3. Opportunities analysis or opportunity is an analysis of the factors that encourage the achievement of the final goal of the realization of good behavior, namely:
- a. Repentance, pleading forgiveness to God from all the sins and mistakes that have been committed and promises to cease from sin, not repeating it, the deep or simple sense of regret is called by returning to the right path.
  - b. Patience, meaning to prohibit, steadfast, and refrain, according to the ' Syara ' means to withstand the lust of hurry, patience is a glorious morality. Patience is the power to accomplish good. Patience is the roomy when the calamity is overwritten. While steadfast is to remain firmly in the heart, so patience as a spiritual defence, the inner fortress and its aim to escape the sense of despair.
  - c. Ikhlas and Ridho ', the charity is sincere. Ikhlas is the expression of a pure and unmixed feeling. According to Shari'ah, the worship of virtue is purely because of Allah and hope of Its welfare. Sincere means wholeheartedly and sincerely, not half-hearted and hesitant. While Ridho ' is accepting wholeheartedly, there is encouragement in the heart of not rejecting, immediately accepting when the order is given. So since the first realize that choice is the most appropriate, so that the interaction occurs in the form of "Ridho ' Man to God and Ridho ' God against Man".
  - d. Tawakal, is a soberness in relying on God to raise the benefits and prevent the affairs of the World and the hereafter. Creating tawakal does not mean negating endeavors or attempts. Strive with the limbs as a form of obedience to God and laugh with the heart as a manifestation of faith in Him.
  - e. Khauf (Afraid of Allah), the expression of heartache and his distress to what will be faced. Khauf was the Whip of God to lead his servants to science and charity so that they could get closeness to him. This khauf is what prevents himself from immoral deeds and ties them with forms of obedience.
  - f. Mahabbah (love of God), the most helpful, the obligatory, the highest the degree, and the most exalted is the love of Dzat that has made the tendency of love to HIM and make the whole creature of this earth have a reason to keep it. God is a Dzat that is beded by the heart with love, glorification, breeding, self-humiliation in his Presence, submission, and worship.
  - g. Muhasabah (introspection), a way to overcome the power of lust in the heart of a believer is introspection or self-correction. Muhasabah before charity or doing

good is; Should someone pause, ponder at the very first time the desire to do something.

- h. Zuhud, is turning his desire toward something better than him. The importance of the hereafter is better than that of worldly interests, not that the affairs of the world should be abandoned, the benefits sought for the affairs of the Hereafter.
- i. Rajaa ' (Hope in God), that means calm and glad to wait for something that is like or loved.

The efforts of realizing the personal ethics of law enforcement in the implementation of tasks are as follows:

- a. To God (Hablum Minallah):

To fully believe (believe and believe) to the oneness of God; One in Dzat, one in nature, one in deed, and one in worship of him (af'al), it means:

- a. The ineness of his substance, does not consist of elements or parts, because he is Dzat the Almighty and Supreme Creator. There is nothing similar to him, let alone like him, and more so much the same as he does not exist. The ineness of his substance, does not consist of elements or parts, because he is Dzat the Almighty and Supreme Creator. There is nothing similar to him, let alone like him, and more so much the same as he does not exist.
- b. The ineness of his nature, no one equals the substance and capacity of that trait. He remained unchanged (Baqaa '), eternally lasting forever. He is the earliest (Wal-Awallu) and the last, which means beginning without beginning, ending without end.
- c. The nature of his deeds, all things are in this kingdom, both the system of his work and his cause and form, all of which are the result of the deeds of God alone, he is supreme and Almighty (Qodrat and Irodzat).
- d. The ineness in worship of him, as a manifestation of the third meaning of the former, so that the meaning of worship can be understood all sorts of activities done in the sake of merely because of God.
- e. Beliefs have the level of faith, that is; Ilmu sure; Beliefs for being told by others, new believers; ' Ainul sure; Conviction for seeing with his own eyes, just believing; Haqqul sure; A full level of confidence in the truth without being told by others nor having to look with their own eyes, already believing. The believers are actually people who have common sense.

The words of deeds that are useless, not beneficial, do charity, take care of his, do not commit adultery, keep the orders or beliefs of others to him and do not deny the promise, keep his prayers. So the meaning of the believer is that people must believe not because he knows, but because he does not know that is faith.

To bring about piety to the Almighty God with traits; Believe in the unseen, perform prayers well and Bersinambung, to recite a portion of the sustenance they have gained, to believe in the Qur'an and the previous book Sici, believing in the presence of the last day, to provide wealth, both in a narrow and airy state. The intent of pure intention in carrying out the task is no strings attached or loss of desire and willingness that is assumed that the task of worship solely because of God, not because of leadership, not wanting to be praised, not wanting popularity.

Always Bershalawat to the prophets and to the Angels. Allah with the Angels of Shalawat to the prophet, is very ironic if the man who believes not to do Shalawat. To run the Islamic pillars correctly, from the beginning of the understanding of the Shahadat (Tauhid and

Rasul), the prayer is done correctly, Zakat with sincerity, earnest fasting, understand the meaning of Hajj worship as a refinement of previous worship, because the Hajj is essentially a trail or follow that performed the Prophet Ibrahim and other prophets. Always remember Allah (Dhikrullah) continuously without breaking up until the end of Hayyat.

b. Against fellow human beings (Hablum Minannas):

It has forgiving nature, if other people feel guilty of apologizing or not having time to ask the hunt in question No. Being an example for others, as the fidelity of Rosulullah has an "honest trustworthy" trait called "Al-Amin". The messenger as the good example (Uswatun Hasanah) for the people who hope God's mercy. Even God also praised him through his word in QS 68 Al-Qalam (4) "Wa Innaka la'aala raakhuluqin ' Adiiim" which means; And verily You (Muhammad) is truly a virtuous character. The meaning of divine character that is great has a sense that the nature of Shiddiq means true, the nature of the mandate means to be trusted, the nature of Tabliq means to convey, and the nature of Fathonah means intelligent, meaning that all that the Prophet Muhammad did reflected the four traits. Every human being has the potential of this trait but not realized, not even well utilized to do activities in his life.

To engage with fellow Muslims (as such, beliefs), the meaning of connecting, arranging, collecting, bonds of affection that have been broken, established good communication in emotional relationships and family ties. Help each other, people as social beings have a tendency to socialize with other human beings. Religion does not prohibit doing good, does not prohibit acceptance nor gift from and to anyone as long as it does not produce pollution of creed. As mentioned in Qur'an Surah 60 Al-Muntahanah Verse (8), "Establishing a relationship of affection with the adversary (not a seakidah) is forbidden, but it is fair against them is obligatory.

Act firmly and bravely, but still prudent and thoughtful, knowledgeable, guiding in resolving the issues, being friendly, speaking polite, trustworthy and responsible for what it does. Look simple, yet authoritative, be honest as it is and always give spirit, motive to others. Always maintain physical and spiritual health through exercise coaching, spiritual mental coaching.

Grateful favor from Allah SWT, through the activities of charity not because Riya ', want to be praised or show off because of the strings wanted to fame. His life is more meaningful, meaning beneficial to himself and for others.

## CONCLUSION

Efforts to realize the ethics of law enforcement profession is intended to conduct the enforcement of truth based on belief, faith and sincerity in carrying out the trust of the people, nations and the State and further as a sense of responsibility to the trust of Allah SWT. In its implementation it is implanted through socialization methods and mental coaching talks about the consistent understanding of law enforcement profession Code of ethics, consequent to all the legal enforcement officers from the highest leadership level until the executing member of the task field. Besides the speed factor of reward and punishment to the apparatus that excels and for offenders, it is important to provide legal certainty, a sense of justice, and a deterrent effect to the perpetrator and the preventive impact for other law enforcement to not commit violations of law enforcement profession Code of Ethics in the later.

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