

THE DEFECTS OF POLICE REFORM IN INDONESIA

MUHAMAD HARIPIN¹, SARAH NURAINI SIREGAR²

Abstract

This paper discusses the development of the Indonesian National Police (POLRI) in undertaking internal reform, and its place within the democratic transition in Indonesia. This paper tries to enrich the on-going discussion on police and political dynamics, and to provide valuable insight into internal debates. The main challenges to advancing reform are identified, which are the politicization of the police and external obstruction.

Keywords: Indonesian national police (POLRI), police reform, democratization, Indonesia

Abstrak

Makalah ini membahas perkembangan Kepolisian Republik Indonesia (POLRI) dalam melakukan reformasi internal, dan posisinya dalam transisi demokrasi di Indonesia. Tulisan ini mencoba untuk memberikan kontribusi dalam diskusi terkini tentang polisi dan dinamika politik, dan untuk memberikan masukan yang berharga bagi perdebatan internal. Tantangan utama untuk memajukan reformasi POLRI telah diidentifikasi, yaitu politisasi polisi dan obstruksi eksternal.

Kata kunci: Kepolisian Republik Indonesia (POLRI), reformasi POLRI, demokratisasi, Indonesia

INTRODUCTION

The initial idea of reforming the Indonesian National Police, or *Kepolisian Negara Republik Indonesia* (hereinafter POLRI) emerges out of public resentment and dissatisfaction upon poor performance and misconduct of the state's law enforcement apparatus. POLRI have also been widely condemned for allegedly committing human rights abuses and corruption. Critics have pointed out issues such as a hard-to-break militaristic culture, politicization and lack of scrutiny amongst others, are the source of the problems. Therefore, POLRI reform based on democratic principles is necessary; otherwise the public will be in constant danger of state violence, extortion and discrimination.

POLRI, on the other hand, defensively assert that "reform" has been a work in progress.

From the early days of democratization in 1998 onwards, the security apparatus has produced numerous documents, reports and policies to address public concerns about reform. However, as can be seen from existing literature, POLRI reforms have achieved mixed results.

Research on Indonesian police tends to focus on the institution's state of relation with other security stakeholders and its performance. One study assessed police performance in four regions. The study found that police performance has been quite unsatisfactory (Kristiansen and Trijono 2005). Another study expounded on the coordination of POLRI with others security stakeholders in Yogyakarta, Central Java. This study concluded that POLRI had succeeded in coordinating

¹ Ph.D. student, Graduate School of International Relations, Ritsumeikan University, Kyoto. Researcher, Centre for Political Studies – Indonesian Institute of Sciences (P2P-LIPI), Jakarta

² Senior Researcher Centre for Political Studies – Indonesian Institute of Sciences (P2P-LIPI), Jakarta

the local security arrangement (Jansen 2008). These particular studies have shed a light on how the police reform had been interpreted and implemented in local levels. They confirmed some scepticism regarding the apparatus professionalism and impartiality in handling sensitive cases, but on the other hand also clarified common wisdom about, for instance, an infamous and often-violent rivalry between police and military. Meanwhile, other scholars were taking institutional and political economy approaches as point of departure to discuss the subject. Meliala (2001) discussed the disastrous effect of integrating police and military, as in the case of Indonesia's authoritarian New Order (1966-1998). Public had suffered from police's lack of law enforcement and policing capability, and abusive practice. He argued that the remnants of militarism were unfortunately still quite strong within the police. Baker (2012, 2013) argued that following the disassociation of police from armed forces, the pattern and intensity of security actor-business conglomerates relations have yet changed much. Having political legitimacy to exercise its power in domestic security, POLRI has become main beneficiary –and therefore prime target– of off-budget revenues from illicit trades and gambling, left behind the old-player army.

Furthermore, study by Muradi (2014) provides an extensive survey of the relationship between police and democratization in the national and local arenas. Power struggles among elites have shaped the way the police perceive their role in the new era of multiparty democracy in Indonesia; they hold major responsibility to uphold public order and law enforcement. Nonetheless, politicization, or overt intervention from political elites to police, has been a predominant narrative of the Indonesian police since the early days of *Reformasi*. Post-Soeharto administrations have employed different strategies to control POLRI; Abdurrahman Wahid was rather open, direct and confrontational imposing his will, Megawati Soekarnoputri preferred a closed model of intervention, whilst Susilo Bambang Yudhoyono is said to have used a combination of the open and closed models. Furthermore, discussing the performance of the Yudhoyono administration in the security sector, Baker

(2015) suggested that the Indonesian security stakeholders, including POLRI, had succumbed into a “professionalism” discourse without meaningful “reform” in practice.

Looking at the existing literature, this paper argues that thorough analysis of the question of why POLRI reform has failed has been minimal in the recent discussion. This paper will examine the development of police reform and its challenges: over politicization and external obstruction. This paper argues that even though POLRI has enjoyed managerial autonomy over the years, why police reform in Indonesian failed. To address that question, the following three propositions will be discussed: *first*, burden of the past, or politicization of POLRI; *second*, divergent views on reform; and *third*, external challenge, or battle of turf against military over jurisdiction. To conclude the discussion, this paper proposes two recommendations for further reform initiatives.

BURDEN OF THE PAST

This section highlights three challenges of police reform. By discussing these complicated problems, the article intends neither to marginalize others issues nor exaggerate particular events on the dynamics of police reform. The challenge discussed in this paper is reflecting the limitation of changes so far in comparison with public aspirations.

First challenge is POLRI's indirect involvement in political affairs. In early democratic era, President Abdurrahman Wahid (1999-2001) unilaterally appointed Chairuddin Ismail as new Chief of POLRI (or *KAPOLRI*) without notification to DPR. Later, President Megawati Soekarnoputri (2001-2004) appointed Da'i Bachtiar with the hope that security actors will protect her administration. During Susilo Bambang Yudhoyono era (2004-2014), KAPOLRI was appointed based on his close proximity with president, or in another case, someone who is trusted by Yudhoyono able to overcome internal competition among police generals.

In economic field, it is well known that POLRI is involved in semi-legal and illegal economic activity. POLRI is said to receive revenues from informal sources, an off budget financing or “*parman*” (*partisipasi teman*, “friend participation”), which are “hidden, secretive and

invisible” (Baker 2013: 127). Some personnel, known as “*oknum*” or culprit, work either part-time or full-time as private security guards (or bodyguards) for businessmen, politicians and public figures. POLRI has been easily influenced by business interests. However, no meaningful effort has been taken by either the internal police or the central government to end this practice. As a matter of fact, officers get real advantages by the “easy money” - the commonly used term. Such practice is made possible by POLRI’s wide discretion in conducting operations, coupled with the lack of enforcement and the demand from illicit businesses. Business needs security and protection, and the officers are more than willing to provide their services.

The second challenge is militarism within the police institution. A culture of violence remains within the police force even though POLRI have been separated from the military since 1999. With brown-colour uniforms decorated with rank, police officers often see themselves as special group within society who are entitled to certain privileges. Police deliberately exercise the right to use of force to handle societal problems. On some occasions, it was found that police officers have used excessive force and therefore, violated human rights (International Crisis Group 2012; Amnesty International 2009).

The third challenge is the weak leadership within POLRI. High ranking officials have failed to create and maintain professional connections with field officers. The case of a huge amount of money owned by high-ranking officers, known as “*rekening gendut*,” undermined the connection to low and middle-ranking officers. This case was exposed by the media and anti-corruption NGOs, and evoked public outcry. Another indicator of weak leadership is the practice of “*manajemen jendela*,” which literally can be translated as “window management”. This is essentially a clientelism-based promotion where senior officers only reward promotions to certain individuals, not based on any merit system or achievement. In a cynical tone, officers would say their supervisor only gives promotions to those whom he sees through the office window. This practice sparks dissatisfaction among the young officers. They feel their superiors have treated them unfairly.

It creates a perception that reward is obtained through personal connection and personal preferences drive promotion for high position within POLRI. Therefore, in essence, respect shown to supervisors is superficial.

REFORM BEGINS

Ever since the era of Sukarno (1945-1966) and Suharto (1966-1998), the Indonesian police had been integrated with army. This unification formed *Angkatan Bersenjata Republik Indonesia* (ABRI), or the Indonesian National Armed Forces. This arrangement has instilled traditions and a mind-set that police shared a similar function and duty with the military. As the fourth force, the police deemed it necessary to internalize coercive militaristic approaches to law enforcement in the name of public order and national security. This practice is deeply rooted in the day-to-day operation of POLRI so that the idea of change or “*reform*” is apparently unthinkable. However the position of the police has often been neglected by the New Order state.

Therefore, when police reform eventually entered the democratization agenda, it should be seen as a real political breakthrough in response to public aspirations of a new and open political climate. In 1999 POLRI introduced reform in three areas, structural, instrumental, and cultural reform. POLRI offers a general definition of the aforementioned reform plan (see Table 1).³

Table 1 POLRI reform

Dimension of Reform	Area
Structural	Human resource
	Infrastructure
	Equipment
	Weaponries
Instrumental	Philosophy
	Doctrine
	Capability
	Function
	Regulation Code of conduct
Cultural	Norms
	Values
	Manner
	Attitude

Source: POLRI

³ See Indonesian National Police’s official website, Indonesian National Police (2014), Tentang POLRI (On POLRI), online: <<http://www.polri.go.id/organisasi/op/tp/>> (31 October 2014).

In 2005, POLRI then announced a new reform initiative called “Grand Strategy” that outlines the 25-year-long reform with the main objective stated as follows: “POLRI will put extra effort to obtain trust from society, arrange partnership, and striving to be excellent institution.”⁴ However, POLRI reform has not been applauded by public. The “Grand Strategy” was only good on paper and had limited practical contributions in advancing the reform agenda. Responding to the critics, POLRI answered that the public should not ignore the milestones the force has achieved so far.⁵

WHAT IS REFORM? AN INTERNAL DEBATE

Debate within POLRI on police reform is divided into three groups with different points of view. The categorization of these groups refers to the general description of resource assessment and the results of reviews into the nature of police reform. The three groups are progressive, conservative, and moderate (Siregar & Bhakti 2015). The progressive group aspire to swift reform and fundamental change in policy. In contrast to that, the conservative group was pro status quo that adhered to existing norms. Lastly, the moderate group believe that reform can only be taken forward gradually. This group tends to run towards the middle ground, trying to be neutral, and open-minded.

However, there are similarities in the views of the three groups. All three agree that the POLRI should be a neutral institution, away from politics, and not under the defence and security ministry. In addition, they share the view that reform should focus on structural, instrumental and cultural aspects.

One crucial point of difference is the subject of structural reform. The moderate and

conservative groups share similar views that changes to the structure of POLRI need to take place gradually, to the extent that it does not change the position of POLRI under the president (Siregar & Bhakti 2015:113). Given historical factors, both groups believe that POLRI, under the control of the president, can still maintained independence, while being unable to intervene in politics. However, divergent views emerged from the progressive group, which noted that POLRI have a functional responsibility to be separated. Such responsibility must be placed within the framework of the POLRI power system prevailing in Indonesia, i.e. emphasizing the separation of powers between state institutions. Therefore, the president should not be in charge of almost all the judicial institutions, because the logic of the separation of powers is that judicial institutions are outside the executive. This should also apply to POLRI (Siregar & Bhakti 2015:102-103).

The progressive group are also concerned that if POLRI remains under the president, there will be problems of implementing effective internal controls and monitoring mechanisms, as such mechanisms are currently run entirely under the Chief of POLRI (KAPOLRI). This creates a structural centralization leading to dictation by police superiors to subordinates. Objectivity in making decisions related to the supervision will be difficult because the concept of command structure is still firmly attached to the internal police.

Further to the debate regarding structural aspects, the progressive group argue that there is a problem with the position and the relationship between the national police and the regional autonomies. They argue that this problem of accountability should be clear because in Article 5 of the Regional Government Law No. 32/2004 implies that regional governments also have a security function.

The three groups also have strong views on aspects of cultural change. Basically, the three groups agree that POLRI internal cultural change forms a major challenge, yet the difference is the first steps to achieve this cultural reform.

⁴ See Surat Keputusan Kapolri No. Pol.: Skep/360/Vl/2005 tentang Grand Strategy POLRI Tahun 2005-2025 (Decision Letter of Head of POLRI No. Pol.: Skep/360/Vl/2005 on Grand Strategy POLRI 2005-2025).

⁵ Deputy Chief of POLRI Nanan Soekarna stated that POLRI received positive evaluation on bureaucratic reform from the central government, transparency assessment from State Audit Agency, and in the 1st position among other state departments for public satisfaction. See Soekarna, (2012).

The moderate groups, for example, argue that cultural change can be realized if the police initiate changes in the curriculum. This implies changes to teaching materials and doctrine at all levels of police education. Meanwhile the conservative group claim that cultural change will follow after changes in POLRI's doctrine. According to this group, doctrine change is a fundamental reform because all POLRI culture starts from the doctrine, and this will gradually change the police culture from a militaristic culture to civilian culture. Progressive groups emphasize training all members of POLRI in the development of human resources. Systems and processes are also necessary to build personnel development, as the new cornerstone of the educational curriculum (Siregar & Bhakti 2015:106-107).

These discussions show that the police's own internal spectrum of perspectives regarding reform varies. This is a record for the journey of POLRI reform and even though there are differing opinions, the ultimate objective must be to ensure that reforms can work well, especially to shift POLRI culture from militaristic and repressive to civilian and democratic.

In summary the following table provides a trajectory of the internal debate on police reform:

It shows that POLRI's internal power struggle has been less antagonistic compared to factional politics in the armed forces. All parties seem to enjoy more similarities than differences. On principle matters, they agree that the Indonesian police should withdraw from national and local politics. For them, *Reformasi* has provided a window of opportunity to redefine the role and function of POLRI in the newly democratic Indonesia. This relative internal cohesion has shaped the police's political stance against outsiders who systematically pursue possible rearrangement and reformulation of the role of POLRI in domestic security.

INSTRUMENTAL, STRUCTURAL, AND CULTURAL REFORM: A WORK IN PROGRESS?

This part of the paper will attempt to explain POLRI's perception and interpretation of "police reform". The genesis of this notion came naturally after the student, labor and peasant movement in 1998 successfully compelled President Soeharto to step down leading to the disassociation of the police from the armed forces. In a gesture of self-initiated reform, POLRI introduced the "Blue Book", an internal grand plan, to be implemented in

Table 2 Divergent views of reform

General view	Similarities	Differences
Progressive Fast-pace, holistic, substantial reform	All three agree that POLRI should be: Retreat from politics Institutionally detached from defence and security ministry and national armed forces	Locating POLRI under president could create structural centralization. Police ministry is needed, or relocate POLRI to interior ministry Training for officers Promoting agenda of fundamental curriculum amendment (to alter established tradition of militaristic, repressive policing approach) Enhancing internal human resources development, e.g. transparent recruitment, professional personnel training, skills and capacity building
Moderate In favor of incremental, step-by-step change	Conduct reform on three inter-related sectors: institution, structure, and culture	Gradual structural reform President should keep under direct command of president Emphasizing the importance of curriculum amendment as first important step of cultural reform
Conservative Reluctant to appreciate new democratic norms		Gradual structural reform President should have direct line of command to POLRI, without ministerial intermediaries Proposing doctrinal change to open the gate towards cultural reform.

accordance with public aspirations of security sector reform. The reform would be conducted accordingly, encompassing instrumental, structural, and cultural aspects.

The tenet of instrumental reform is to create a modern, professional and fully-equipped police institution. Professionalism and independency are key words in dealing with security problems and when action is taken it is in accordance with government, police and society expectations. Thus, the instrumental reform needs to provide legal protection, either in the form of legislation or other executive orders, so when POLRI handle security problems they can be independent and professional.

In addition, the efforts of instrumental reform need to reflect the civil police paradigm. This paradigm has the spirit of upholding human rights and democracy, the rule of law, public transparency, accountability, fairness in service, protection of the public and the law enforcement community to establish public order.

However early attempts of instrumental reforms have had varied success. For instance, the persecution of Ahmadiyah in Cikeusik, Banten in 2010 resulted in casualties. This unfortunate event gave the impression that the police were not only slow to act, but were also unprepared to anticipate assaults against the Ahmadiyah group. In this regard, various orders that were made by police headquarters seemed to be poorly understood by personnel in the field.

Therefore, the challenge in instrumental reform is how the police can be professional and independent in carrying out their duties and functions. The next challenge is how the state can fulfill the operational and personnel needs of the police force.

On structural reform, there is internal debate regarding constitutional changes to the POLRI's organization, structure, and position. This debate continues following criticism from civil society in regards to the position of the national police under the president. The criticism emphasizes the weakness of external oversight of the police if the position is directly under the president. Mechanisms to monitor police performance have become too vertical in nature or overly centralized (Haripin 2015).

In addition, the results of structural reforms which can be clearly seen are the expansion of the police structure in the regions. However, problems have arisen because the expansion is too centralized and the organizational structure is too flat or horizontal. Furthermore the National Police Chief (KAPOLRI) does not have sufficient authority to control the Regional Police (Kepolisian daerah, Polda). POLRI headquarters often fail to understand the situation in the field.

However, the reasons for POLRI's expansion of the structure in the regions cannot be separated from the requirements needed by the police to function effectively and efficiently. POLRI have tried to create an integrated system of national and regional police which saves on structure and functionality. However it can be seen during the last eleven years that the flat structure actually cause problems because even the local police are now experiencing difficulties in carrying out their functions in a comprehensive manner. Moreover, the national police must now adapt to the regulation of regional autonomy, or Local Government Law No. 32 of 2004 (Siregar & Bhakti 2015:114).

Another issue of the expansion of the POLRI's structure is the lack of human resources. Police structuring is done by following the dynamics of regional autonomy, although not all the elements of police approve of this because of budget difficulties in the placement of personnel.⁶ Such skepticism has been proven in the field. Increasing the effectiveness of policing functions through structural reform has not been fully optimized.

The expansion of the structure of the Papua Regional Police (*Kepolisian Daerah Papua*), for instance, has not been followed by additional personnel and police infrastructure. Not all local police stations in Papua, totaling 176, can be filled. A similar situation exists at the level of *polres*, which amount to 29. In addition, not all the positions in the structure of the Papua Regional Police organization can be filled. There are more personnel at the criminal investigation and traffic levels, whilst at the planning and local levels, where serious structural reforms should be made, there is only minimal personnel.

⁶ Interview with high-ranking officer at Indonesian National Police Education and Training Institute (Lembaga Pendidikan dan Pelatihan POLRI), in *ibid.*, pp. 119-120

There are also overlapping functions. This creates unease towards authority and affects the operations of criminal investigations. A Criminal Investigation Unit is composed of an implementation unit with functions that range from a central forensic laboratory, identification (identification center), up to five directorates and a special detachment (Detachment 88/Anti-Terror).⁷ A Criminal Investigation Unit is considered as an example of a functional buildup. The scope of the duties and functions of the unit is so vast and has the authority to formulate and execute policies simultaneously. These conditions are considered to be vulnerable to abuses of authority and power.

Since 1999, it was clear that POLRI have been working hard to reform the culture of the police from a military culture to a civilian police force. This does not mean that the police have abandoned all the traditions of the military, such as the culture of command from superiors to subordinates, but rather emphasized the changing functions of a civilian police force, reflecting public aspirations.

One example of how the national police can become more civil-cultured is to build relationships with the community in regards to public security and law enforcement. This known as community policing. (Bhakti 2015): This does not mean the national police make the public an auxiliary force, but works to ensure the community can become a major partner in the security of the region. Examples of this include providing information on the security situation in the region, the police and the community working together closely to safeguard the environment, and taking joint initiatives to prevent crime and violations of the law.

The question is, how to create the link between cultural reform and the dynamics of the society. Some of the basic reforms faced by POLRI is how the institution and individual officers respect human rights and democracy, and how to ensure officers do not violate laws and regulations (Siregar & Bhakti 2015). POLRI's

cultural reforms still face major challenges including, but not limited to: (1) the lack of civilian control over the planning and implementation of laws and other regulations related to police reform; (2) politicization of POLRI by politicians; (3) the limitations of the state to provide an adequate national police budget; (4) the lack of supervision, both executive and legislative, to accelerate the pace of police reform.

POLITICIZATION OF POLRI

After Abdurrahman Wahid was elected by the national parliament as the fourth President of the Republic of Indonesia in October 1999, and the national political situation settled down, the tensions towards POLRI deescalated. However, national non-governmental organizations and international agencies were moving into pursuing strategic advocacy and agenda setting. Under the banner of Security Sector Reform (SSR), a concept promoted by international agencies such as the Organization for Economic Cooperation and Development (OECD), NGOs and academia, many articles and policy papers were published on the military, intelligence, police and other security forces (Haripin 2013). On numerous occasions, the Defence Minister at that time, a civilian and who later became the Head of the Constitutional Court, Mahfud M.D., did not hesitate to ask the academia and activists to sit together to discuss security-related issues, such as draft of laws on state defence and the Indonesian Armed Forces.

Nevertheless, the political situation became unstable as Wahid declared an open confrontation with the People's Representative Council (*Dewan Perwakilan Rakyat/DPR*), Indonesia's lower parliament. The situation escalated rapidly when Wahid asked the military to defend him in front of the DPR, because at that time military still had appointed seats on the DPR (Honna 2003: 188-194). Wahid had a plan to disband the DPR and declare state in emergency. Instead of confirming Wahid's request, the military played an active role in supporting the opposition to Wahid in the DPR. The military stance, however, could not be separated from the fact that, according to the military, Wahid had intervened in intra-military affairs, particularly the appointment of National Armed Forces commander.

⁷ Directorate I (Direktorat I) covers criminal offense against state security and general criminal offense. Directorate II (Direktorat II) covers financial and banking crime. Directorate III (Direktorat III) covers corruption case. Directorate IV (Direktorat IV) deals with narcotics and drugs case. Directorate V deals with other criminal offense. See "Tugas Pokok dan Fungsi Bareskrim" official website -Badan Reserse dan Kriminal- (Criminal Investigation Bureau), <http://bareskrim.polri.go.id>. (September 2016).

Knowing the military was against him, Wahid then looked for support from POLRI. Wahid unilaterally appointed Chairuddin Ismail as the POLRI chief without DPR consultation. This event put the police to the test. POLRI, which was relatively inexperienced dealing with political affairs – compared with the Army- was essentially in limbo. Thus it was claimed POLRI was nothing but a puppet of the regime. Both the political situation in general and the police force slowly went back into some semblance of normalcy when the DPR put forward a no confidence motion against Wahid. Megawati Soekarnoputri then replaced Wahid as president. Megawati continued the reform of the military, police and intelligence forces initiated during Wahid administration. In 2002, through back and forth negotiation, the Law on National Police and the Law on State Defence were finally concluded (Sebastian 2006).

Not all members of the Indonesian security forces were satisfied with these new arrangements, since several key issues were not addressed in a comprehensive way. On the National Police Law, one of the key debates is the position of POLRI in the Indonesian state, whether it was to be directly under the president or under a ministry, notably the Ministry of Internal Affairs, the Ministry of Legal and Human Rights or the Ministry of Police. This debate has involved a wide range of participants, not only elite circles consisting of members of parliament, government, police officers, activists and the media, but also from the general public. One camp argues that POLRI would be much empowered if placed under the direct authority of the president. The national and international situation has is becoming more challenging and the president needs strong and reliable instruments to ensure public order as well as law enforcement. The experiences of deadly conflict in several regions, e.g. Sambas, Poso and Maluku, and the police's misconduct in these hotspots act as a reminder that the POLRI reform and modernization has to be prioritized under the supervision of president.

On other hand, those who oppose the latter idea conveyed their concerns that POLRI would probably become a tool of the regime,

just as what happened during the New Order and the Wahid administration. Thus, they argue that POLRI should be under the supervision of a ministerial department. The first years of democratization is a crucial moment for security sector reform, therefore police should not be left alone to conduct internal reform. Moreover, it is a matter of urgency for the cohesion of the Indonesian state to ensure that POLRI does not self-interestedly govern planning, implementation and evaluation mechanisms of reform without rigorous supervision.

However, at the time there were no political actions from opposition groups in civil society side to challenge the law or lobby within the legislative body to amend the Law on National Police. The Constitutional Court was yet to be established. Megawati then appointed General Da'i Bachtiar as POLRI chief, a decision taken to serve the new president's interests. Megawati learned from Wahid's experience and fully realized that she had to play nice and smart with the police, military and intelligence forces. Those institutions were pillars of New Order authoritarianism. The *Reformasi* government realized that they could not drastically reform the security sector without the consent of high ranking officials. Never the less, a civilian government has to negotiate and compromise, giving way for POLRI to arrange internal reforms and respond to public demands of transparency, accountability and professionalism. Da'i was a senior officer and respected among his colleagues, so his appointment also served POLRI's interest. Moreover, Mega was looking for support, albeit indirectly and implicit, from the police. She did not want the DPR toppling her with support from military and police.

Serious discussion about police reform started to take place. Resources were mobilized to implement the reform plan. Government and parliament agreed to increase the budget of POLRI. After more than thirty years under the Army's shadow, POLRI had much work to do in the *Reformasi* era. To be able to find the best practice of policing, Da'i and other high level officers were in close communication with their counterparts in other countries. A

government-to-government (G2G) agreement was arranged in order to find solutions. Foreign counterparts were more than happy to help (Crawford and Hermawan 2002: 203-229). Japan and the United States were among of the foreign countries that provided training and technical assistance for POLRI (Iwama 2010: 9-16). The International Organization for Migration (IOM) also assisted POLRI's efforts on capacity building.

Many hoped that the newly elected president, Susilo Bambang Yudhoyono would reassert security and stability. Yudhoyono and the Democrat Party, the political party he established for the 2004 election, came with the promise to advance democratization and bring prosperity to the people. As a former member of the military, Yudhoyono was regarded by the public as a strong and decisive leader (Honna 2012: 473-489).

In 2005, as Da'i's term of office ended, Yudhoyono chose Sutanto to lead POLRI in combating terrorism and managing the unfinished agenda of internal reform. In his early days, Sutanto quickly announced large scale operations to wage war against gambling, prostitution, distribution of narcotics and illegal alcohol in big cities. POLRI slowly gaining the public's trust during this time, announced a new reform agenda called POLRI's Grand Strategy 2005-2025. The strategy deliberately involved management experts, criminologists and researchers.⁸ POLRI was influenced by the framework of modern management in conducting the reform process. In other words, POLRI decided to pursue a technocratic way to respond to the public demand for a modern and professional police force. This process reflects the *technocratization* of Indonesia post-New Order, particularly in the economic field, both in terms of managerial approach and professional recruitment (Shiraishi 2014: 255-281).

POLRI's Grand Strategy comprises of three phases with different but inter-related objectives. In the first phase, from 2005 to 2009, the main agenda is trust building. The second phase, 2010-2014, the objective is partnership building. And, the third phase, 2015-2025, the agenda is to strive for excellence. During the third phase,

⁸ Interview with commissioner of National Police Commission (Komisi Kepolisian Nasional, Kompolnas), Jakarta, 11 September 2013.

POLRI is expected to have succeeded in gaining trust and support from society and has become a modern and professional institution in its best condition to serve and protect the people—an ideal, normative objective.

At this point, the central government also tried to implement the principles of good governance at both national and regional levels. For instance, as part of his efforts to curb corruption and at the same time to achieve an efficient and effective bureaucracy, Yudhoyono instructed all ministries and local governments to conduct bureaucratic reform, including POLRI. In coordination with Ministry of State officials and bureaucratic reformers, the police then announced POLRI's Bureaucratic Reform (Reformasi Birokrasi POLRI, RBP).

Following the national framework, RBP takes place for two periods (Soekarna 2012). The first period targets reform at an institutional level from 2004 until 2009, with a main objective of implementing the principles of good governance. Areas of reform include the structure and culture of the organization, operational management, regulation and human resources management. The second period targets reform at a national institutional level from 2010 until 2014. These reforms include the realization and enhancement of clean government (corruption eradication), public service, and high performance of police bureaucracy in terms of capability and accountability. The areas of reform in the second phase share similar features with the first phase and can be arranged sequentially as follows: organization, operational management, government regulation, human resources, monitoring, accountability, public service, and culture.

Nevertheless, it was unclear how both reform agendas, i.e. Grand Strategy POLRI and RBP, complement each other. Of particular interest is how the agendas are implemented together in the field. High officials often comment about the two agendas without clarifying the differences, as if the two reform agendas were complementing each other and POLRI had found no difficulties in their implementation.

Yudhoyono acknowledged the importance of POLRI for his regime maintenance; the police were deployed not only to ensure domestic

security and public order but also for stability and political legitimacy. The President carefully chose the candidates before he gave one name to the DPR to undergo a fit and proper test. All of POLRI's chiefs (*KAPOLRI*) were Yudhoyono's men. After Sutanto, Yudhoyono subsequently appointed Bambang Hendarso Danuri (2008-2010), Timur Pradopo (2010-2013) and Sutarman (2013-2015). In his second term, Yudhoyono then assigned Sutanto as the head of the State Intelligence Agency (BIN). This was the first time in history that a former police general became the head of BIN. During New Order and early *Reformasi*, although BIN is arranged as a civilian institution, the head of BIN had always come from the military, i.e. AM Hendropriyono and Syamsir Siregar.

One feature that often influenced the dynamics of police during the *Reformasi* period is Yudhoyono's perseverance to choose candidates for police chief who can conciliate the competition among police high officials. However, at first it must be noted that according to the National Police Law, the position of POLRI is under the president; the POLRI chief has to give report directly to president.⁹ As discussed above, some argue POLRI's current position need to be changed in order to keep the police above the political interests of the president. At the same time, the public do not want to see POLRI being indifferent and hiding behind the president when there is trouble, particularly with regards to corruption and cases of human rights violations.

In the field, police officers were criticized to have shown only passive gestures to protect the rights of minorities. On the other hand, police officers often complained that they are treated as fire fighters, always being deployed in complicated situations and facing an angry mob.¹⁰ Even though they fully realize that riot control is a part of the public order mission, field officers feel that they are being sacrificed for problems rooted in social, economic and political affairs, which are beyond POLRI's duty. A complaint that would probably illustrate the perception held by field officers about their role in society is, "*Police nowadays is like a cleaner, a janitor. Every day we are given order to make sure*

that the toilet is clean and dry. However, how we conduct the tasks perfectly if tap water is always open, and it makes the toilet floods?"¹¹

NATIONAL SECURITY DRAFT: EXTERNAL OBSTRUCTION

Here we will see how the polemics of the national security draft (*Rancangan Undang-undang Keamanan Nasional*) provides unintended yet good opportunities to consolidate different factions within POLRI. The draft, which was initiated by the defence ministry and military headquarters, would compromise POLRI's domestic security role (Haripin 2012). The draft regulates that the military could be deployed in security operations that are supposed to be POLRI's law enforcement mission, for instance counter terrorism, settling down public disturbances and social conflicts. This plan was widely rejected by the police force.

Government officials, legislatives, and civil society have been discussing the national security draft since the early 2000s. Since then revisions have been made several times to adjust the contents with contemporary developments and, inevitably, interests of stakeholders. Debate regarding this delicate matter has revolved around the definition of national security and who will be the leading agency. It is argued that national security could no longer be applied, and interpreted, exclusively upon the state's territorial integrity and sovereignty; instead, human security should be constituted as the basis of national security. In this sense the deepening understanding of security has to be followed by redefining the security forces' role in society. However, when it comes to translating this new-way-of-seeing security into workable policy, the military and police have come to different conclusions and agendas. The army has been aspiring to be more involved in domestic security and public order arrangement, notably in counterterrorism operations. There are ready-to-be-deployed special units within the army that have skills, equipment and organisational capability to work hand in hand with POLRI. In essence the police have agreed to these proposed joint-operations. However, the police worry that jurisdiction of counterterrorism and other public order and

9 Law of Indonesian National Police No. 2 Year 2002, article 8.

10 Interview with police officer, Jakarta, 11 September 2013.

11 Interview with police officer, 30 April 2012.

law enforcement operations will be gradually taken over by army; what is initially prepared for contingencies could become routine, regular practice.

Debate on the national security draft gradually faded and was replaced by other legislation, notably the state secrecy draft (*Rancangan Undang-undang Rahasia Negara*) and the reserve drafts (*Rancangan Undang-undang Komponen Cadangan*). These two drafts were in essence closely related to the national security draft; forming a package of legislation proposed by the Yudhoyono administration to clarify agencies roles and to improve inter-agency relations. In 2012 the defence ministry and military headquarters reintroduced an updated version of the national security draft. The military reasserted the importance of army participation in maintaining public order, not to mention joint-counterterrorism operations. To ease resistance from the police force, the chain of command in such events would be held by POLRI officers; the military would be positioned as an auxiliary force (*perbantuan*). Chief General Timur Pradopo was initially interested with the proposal and he openly welcomed a new round of consultation on the national security draft. But then Pradopo surprisingly renounced his support after he was given briefing by high-ranking officers and police retirees.

However, how exactly this attack on police autonomy changes POLRI's internal factions and influences their agenda should be further investigated. But this development has made police officers alert that their designated role on domestic security could be undermined.

CONCLUSION

Having said all of the above the Indonesian national police reform is underway, yet the results are still a far cry from POLRI's own ideals and the public's aspiration for a professional and modern police force. This paper has discussed the main obstacles from within the POLRI itself, or in other words, the internal factors. The recommendations resonate with what has been stated in a previous study (Kristiansen and Trijono 2005),¹² on strengthening the central

government control over the security apparatus. This conclusion implies that over the years the police have enjoyed managerial autonomy, yet the result is unsatisfactory.

The first recommendation is assigning POLRI under a ministry, namely the interior ministry or the law and human rights ministry. POLRI will be irritated by this idea, as shown in the legislation debate on the national security draft. Officers will argue that the current structure, which is directly under the president, is the best. The police officers are working as the law enforcer and guarantor of public security and order. However, looking at POLRI's track record in the democratic era, academia and activists did not see the police in that way. The violence committed by officers, corruption, and other irregularities are the result of allowing the police to determine whole process of management by themselves, from planning to implementation of policies, with minimal oversight.

The second recommendation is expanding the mandates of the National Police Commission (*Komisi Kepolisian Nasional*, Kompolnas), an expert group assigned to help the president in police matters. According to Police Law, Kompolnas' main task is to inform and give advice to the president on police related matters, including appointments of a new police chief. Kompolnas has resources to verify the track record and achievements of candidates, and then give the list of candidates to the president. Another role of the commission is to scrutinize and monitor police performance. It should be pointed out that since the Kompolnas is part of POLRI structure and faces inevitable budget constraints, the commission could not monitor all of POLRI operations. However, monitoring could be conducted based on complaints, criticisms and aspirations from the public. For instance, on cases that receive a lot of public attention, a Kompolnas member could advocate for the victims to be protected immediately. Members of the commission often complain about their limited authority and budgetary constraints. NGOs also raise this issue because the commission has the potential strength to advance police reform.

¹² The authors' recommendation is strengthening the capacity of national apparatus to govern the local apparatus.

REFERENCES

- Abuza, Z. (2007), *Political Islam and Violence in Indonesia*, London: Routledge.
- Amnesty International (2009), *Unfinished Business. Police Accountability in Indonesia*, London: Amnesty International.
- Baker, J. (2013), "The Parman Economy: Post-Authoritarian Shifts in the Off-Budget Economy of Indonesia's Security Institutions," *Indonesia*, 96, 123-150.
- Baker, J. (2012), *The Rise of Polri. Democratization and the Political Economy of Security in Indonesia*. London School of Economics and Political Science (Ph.D. thesis).
- Bhakti, I. N. (2015), "Reformasi Kultural POLRI: Problem and Prospek" (POLRI's Cultural Reform: Prospect and Challenge). In Siregar, S. N. (ed.), *Tinjauan Kritis Reformasi Kultural POLRI, 1999-2012 (Critical Review of POLRI's Cultural Reform, 1999-2012)*, Jakarta: PT Gading Inti Prima.
- Crawford, G. and Y. P. Hermawan (2002), "Whose Agenda? 'Partnership' and International Assistance to Democratization and Governance Reform in Indonesia," *Contemporary Southeast Asia: A Journal of International & Strategic Affairs*, 24, 2, 203-229.
- Haripin, M. (2015), "Dampak Pelaksanaan Reformasi Struktural POLRI terhadap Efektivitas Fungsi Kepolisian" (The Effect of POLRI's Structural Reform on Police Effectiveness). In Siregar, S. N. (ed.), *Reformasi Struktural POLRI 1999-2010 (POLRI's Structural Reform, 1999-2010)*, Yogyakarta: Penerbit Andi.
- Haripin, M. (2013), *Reformasi Sektor Keamanan Pasca Orde Baru. Melacak Pandangan dan Komunikasi Advokasi Masyarakat Sipil (Security Sector Reform in Indonesia Post New Order. Exploring the Aspiration and Advocacy Communication of Civil Society)*, Tangerang: Marjin Kiri.
- Haripin, M. (2012), "RUU Keamanan Nasional: Konsolidasi Demokrasi atau Remiliterisasi? (The Draft of National Security: Democratic Consolidation or Remilitarization?)," *Jurnal Analisis CSIS*, 41, 3.
- Honna, J. (2012), "Inside the Democrat Party: power, politics and conflict in Indonesia's Presidential Party," *South East Asia Research* 20, 4, 473-489.
- Honna, J. (2003), *Military Politics and Democratization in Indonesia*, London: Routledge, 2003.
- Indonesian National Police (POLRI) (2014), Tentang Polri (On POLRI), online: <<http://www.polri.go.id/organisasi/op/tp/>> (31 Oktober 2014).
- Iwama, Yoko (2010), *International Donors and the Reform of Indonesian National Police*, GRIPS State-Building Workshop 2010: Organizing Police Forces in Post-Conflict Peace-Support Operations, January 27-28th, 2010.
- International Crisis Group (2012), *Indonesia: The Deadly Cost of Poor Policing. Asia Report No. 218 - 16 February 2012*, Jakarta: ICG.
- Jansen, D. (2008), "Relations among Security and Law Enforcement Institutions in Indonesia," *Contemporary Southeast Asia: A Journal of International & Strategic Affairs*, 30, 3, 429-454.
- Kristiansen, S., and L. Trijono. (2005), "Authority and Law Enforcement: Local Government Reforms and Security Systems in Indonesia," *Contemporary Southeast Asia: A Journal of International & Strategic Affairs*, 27, 2, 236-254.
- Komisi Nasional Hak Asasi Manusia (n.d.), *Ringkasan Eksekutif. Laporan Penyelidikan Pelanggaran HAM Berat (Executive Summary. Report on the Investigation of Gross Human Rights Violation)*, Jakarta: Komnas HAM
- Meliala, A. (2001), "Police as Military: Indonesia's Experience," *Policing: An International Journal of Police Strategies & Management*, 24, 3, 420-431.
- Muradi (2014), *Politics and Governance in Indonesia: The Police in the Era of Reformasi*, London: Routledge.
- Muradi (2009), "The 88th Densus AT: The Role and the Problem of Coordination on Counter-Terrorism in Indonesia," *Journal of Politics and Law*, 2, 3, 85-96.
- Sebastian, L. (2006), *Realpolitik Ideology: Indonesia's Use of Military Force*, Singapore: ISEAS.
- Shiraishi, T. (2014), "Indonesian Technocracy in Transition: A Preliminary Analysis," *Southeast Asian Studies*, 3, 2, 255-281.
- Siregar, S. N. and Bhakti, I. N. (2010), "Dinamika Internal Pemikiran Reformasi POLRI" (Internal Dynamics of POLRI's Reform Discourse). In Siregar, S. N. (ed.), *Polri di Era Demokrasi: Dinamika Pemikiran Internal (Police in Democratic Era: Internal Dynamics of Reform Discourse)*, Jakarta; LIPI Press.
- Soekarna, N. (2012), "Reformasi POLRI: Menuju POLRI yang Profesional dalam Melayani Masyarakat (POLRI Reform: Enhancing the Professionalism of POLRI on Serving the Society)," Jakarta, Indonesia, Powerpoint Presentation, April 30th, 2012.
- Surat Keputusan Kapolri No. Pol.: Skep/360/VI/2005 tentang Grand Strategy POLRI Tahun 2005-2025 (Decision Letter of Head of POLRI No. Pol.: Skep/360/VI/2005 on Grand Strategy POLRI 2005-2025).
- Undang-undang No. 2 Tahun 2002 Tentang Kepolisian Negara Republik Indonesia (Law of Indonesian National Police No. 2 Year 2002).