

RETHINKING SOUTHEAST ASIA

Politics and Governance in Indonesia

The police in the era of *reformasi*

Muradi



Politics and Governance in Indonesia

How does an authoritarian state reform its police force following a transition to democracy? In 1998, Indonesia, one of the biggest archipelago countries in the world, faced just such a challenge. Policing had long been managed under the jurisdiction of the military, as an instrument of the Suharto regime – and with Suharto abruptly removed from office, this was about to change. Here we see how it changed, and how far these changes were for the better.

Based on direct observations by a scholar who was involved in the last days of the New Order and who saw how the police responded to regime change, this book examines the police, the new regime and how the police became disassociated from the military in Indonesia. Providing a comprehensive historical overview of the position of police in this change of regime, the book focuses on two key areas: the differences between local and national levels, and the politicization associated with decentralization. Arguing that the disassociation of the Indonesian National Police from the military has achieved only limited success, the book contends that there is continued impetus for the establishment of a professional police force and modern and democratic policing, which will entail effective public control of the police.

A pioneering study of the police in Indonesia, examining key issues in the post-Suharto era, this book will be of interest to scholars of Southeast Asian politics and policing and politics in the developing world.

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Preface

This book was conceived due to the lack of comprehensive studies related to the police and politics in post-Suharto Indonesia, and developed over a ten-year period of work in the field of police studies. Based on direct observations by a scholar who was involved in the last days of the New Order and saw how the police responded to regime change, this book examines the police, the new regime, and how the police became disassociated from the military in Indonesia.

A great number of people have assisted my research for this book, both direct and indirectly. The first “Big Three” were scholars who had a great influence on my scholarly and personal development during my PhD study: Jim Schiller, Priyambudi Sulistiyanto and Anton Lucas, all at Flinders University in Adelaide, Australia. Their patience and expertise encouraged me to become a skeptical scholar; they acted as ‘outsiders’ overseeing what I was doing in order to make my research more valuable and objective. These three scholars gave so many new angles and critical approaches that made me see the police from a local perspective, as part of a long process of disassociation from the armed forces. Anton Lucas also provided critical input on early drafts of this book and always reminded me that the strength of the book is what happened at the local level. Priyambudi Sulistiyanto also reminded me that continuity between sections of this book should provide a new perspective for the study of policing in post-Suharto Indonesia.

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Glossary and abbreviations

ABRI	Angkatan Bersenjata Republik Indonesia – Indonesian armed forces
Akpol	Akademi Kepolisian – police academy
AKRI	Angkatan Kepolisian Republik Indonesia – Indonesian police forces
AMS	Angkatan Muda Siliwangi – Siliwangi Young Generation
APBD	anggaran pendapatan belanja daerah – local annual budget
APRA	Angkatan Perang Ratu Adil – Legions of the Just King
Babinkamtibmas	Bintara Pembina Keamanan dan Ketertiban Masyarakat – Indonesian police NCO for security and order at village level
Babinsa	Bintara Pembina Desa – Indonesian military NCO at village level
Bakesbangpol Linmas	Badan Kesatuan Bangsa, Politik, dan Perlindungan Masyarakat – Agency for National Unity, Politics, and Public Safety
BAKIN	Badan Koordinasi Intelijen Negara – State Intelligence Coordinating Board
Bakorstranas	Badan Koordinasi Bantuan Pemantapan Stabilitas dan Ketahanan Nasional – National Stability and Resilience Coordinating Board
Bareskrim	Badan Reserse dan Kriminal – Criminal Investigation Bureau
Bhayangkara	Indonesian term for the Indonesian National Police (INP)
BPI	Badan Pusat Intelijen – Central Intelligence Board/Agency
Brimob	Brigade Mobil – mobile brigade, police paramilitary unit
Bupati	district head – regent
Dekonsentrasi	semi-autonomy
Densus 88 AT	Detasemen Khusus 88 Anti Terror – Anti-Terror Special Detachment 88

xiv *Glossary and abbreviations*

Dewan Konstituante	Constitutional Assembly
DKP	Dewan Kehormatan Perwira – Officers’ Honour Board
DPR	Dewan Perwakilan Rakyat – national parliament
DPRD	Dewan Perwakilan Rakyat Daerah – district or provincial assembly
Dukop	Dukungan Operasi – Operational Support Fund
Imparsial	Indonesian human rights monitor
Inkopol	Induk Koperasi Polisi – Polri HQ main cooperative
INP	Indonesian National Police – Kepolisian Negara Republik Indonesia
IPW	Indonesian Police Watch
Kamdagri	keamanan dalam negeri – internal or domestic security
Kapolda	kepala kepolisian daerah – head of provincial police
Kodim	Komando Distrik Militer – military district command
Kominda	komunitas intelijen daerah – local intelligence community
Kompolnas	Komisi Kepolisian Nasional – Indonesian National Police Commission
Kontras	Komisi untuk Orang Hilang dan Korban Tindak Kekerasan – Commission for the Disappeared and Victims of Violence
Kopkamtib	Komando Pemulihan Keamanan dan Ketertiban – Command for the Restoration of Security and Order
Koramil	Komando Rayon Militer – sub-district military command
Korem	Komando Resort Militer – military sub-regional command
KPK	Komisi Pemberantasan Korupsi – Corruption Eradication Commission
Lantas	lalulintas – traffic
Markus	makelar kasus – case trader
MPR	Majelis Permusyawaratan Rakyat – People’s Consultative Assembly (upper house of Indonesian parliament)
Murba	Musyawarah Rakyat Banyak – Indonesian leftist party established by Tan Malaka
Muspida	musyawarah pimpinan daerah – local leaders’ forum
NU	Nahdlatul Ulama – traditional Muslim organization in Indonesia
PAN	Partai Amanat Nasional – National Mandate Party
Parman	partisipasi teman – friendship participation
Parmas	partisipasi masyarakat – public participation
Parmin	partisipasi kriminal – mafia or criminal participation
PBB	Partai Bulan Bintang – Star Moon Crescent Party
PDIP	Partai Demokrasi Indonesia Perjuangan – Indonesian Democratic Party of Struggle

PKB	Partai Kebangkitan Bangsa – National Awakening Party
PKI	Partai Komunis Indonesia – Indonesian Communist Party
PNI	Partai Nasional Indonesia – Indonesian National Party
Polda	kepolisian daerah – provincial police
Polres	kepolisian resort – district or municipality police
Polri	Kepolisian Negara Republik Indonesia – Indonesian National Police
Polsek	kepolisian sektor – precinct or sub-district police
Polwan	polisi wanita – police women
PPP	Partai Persatuan Pembangunan – United Development Party
Propam	Profesi dan Pengamanan – Professional Ethics Division
PSP	Persatuan Sekerja Polisi – Police Workers’ Union
PT.	perseroan terbatas – private limited company
PTIK	Perguruan Tinggi Ilmu Kepolisian – police university
P3RI	Persatuan Pegawai Polisi Republik Indonesia – Police Officials’ Union of the Republic of Indonesia
Reformasi	reform
Rekonfu	Rencana, Konsolidasi, dan Fungsi – Plan of Consolidation and Function
Renstra	perencanaan strategis – strategic planning
Reskrim	Reserse And Kriminal – criminal investigation unit
RIS	Republik Indonesia Serikat – United States of Indonesia
Satpol PP	Satuan Polisi Pamong Praja – municipal police
SELAPA	Sekolah Lanjutan Perwira – advanced police school
SEPA	Sekolah Perwira – police inspector candidate school
SESPATI	Sekolah Staf dan Perwira Tinggi – school for police staff and higher-ranking commanders
SESPIM	Sekolah Staf dan Pimpinan – school for police staff and chiefs
TNI	Tentara Nasional Indonesia – Indonesian National Army
UUD 1945	Undang-undang Dasar 1945 – Constitution (Basic Laws) of 1945
Wanjakti	Dewan Kepangkatan dan Jabatan Tinggi – Police Promotion Board
Wedana	(Dutch colonial era) district police chief
Yayasan	foundation
YLBHI	Yayasan Lembaga Bantuan Hukum Indonesia – The Indonesian Legal Aid Institute Foundation

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Introduction

The transition to democracy and the police – theories and the case of Indonesia

Background

How does an authoritarian state reform its police force following a transition to democracy? In 1998, Indonesia, one of the biggest archipelago countries in the world, faced just such a challenge. Policing had long been managed under the jurisdiction of the military, as an instrument of the Suharto regime – and with Suharto abruptly removed from office, this was about to change. How it changed, and how far these changes were for the better, is the subject of this book.

For over half a century the Indonesian police (Polri: Kepolisian Negara Republik Indonesia) had been cooperating, conflicting, and integrating as a single institution with Indonesia's armed forces (ABRI).¹ Since its disassociation from the military to become a separate security agency in 2002, Polri has been trying to be involved in and deal with concepts of democratic policing and civilian police.² The Polri has had problems in its internal culture and with some of its violent approaches in the past, including when it was used as a scapegoat by the military and other political guardians of the New Order regime.

The fall of Suharto's New Order regime, which ruled Indonesia for 32 years, pushed the Polri to come out from that situation. The disassociation of the Polri from the ABRI was a signal for the Polri to become a professional and independent institution. Polri published the 'Blue Book of the Polri' (*Buku Biru Reformasi Polri*), a formal document intended to be used as guidance for its internal reform.³ The book's content was a product of the Working Group for Polri Reform, made up of middle- and higher-ranking police officers.⁴

Although the Polri's involvement in the Indonesian democratic transition was a good note in Indonesian history, the Polri's proposed roles could not be put into practice at that point, as the Polri was still under the shadow of the military.⁵ A working group formed by President Habibie in 1998 initiated the actual Polri reform.⁶ This group, led by Agus Wirahadikusumah (army) and Sofyan Jacob (police),⁷ was mandated to compile a concept for the internal reform of the Polri after its disassociation from the ABRI. Its legal umbrella was a decree of the Majelis Permusyawaratan Rakyat (People's Consultative Assembly or MPR: the upper house of the Indonesian parliament), MPR Decree No. X/MPR/1998, mandating reform in the legal sector by strictly disassociating the roles and

2 Introduction

functions, and also the authority, of law enforcement actors in order to achieve proportionality, professionalism and integrity.⁸

As a national police force, the Polri was to be an indivisible part of efforts to maintain sovereignty of state in the context of internal security affairs (Keamanan Dalam Negeri, known as Kamdagri),⁹ along with maintaining security and public order. The formulation of policy related to the security of regions has a top-down character, although based on local characteristics.¹⁰ The hierarchical structure of the Polri is related to that of the overall national state administrative system, and to that of the previous ABRI and continuing military territorial organization.¹¹ Starting from the lowest level there are precincts (polsek) located in sub-districts; police offices (polres) located in districts (more rural) or municipalities (urban); sub-regional police offices (polwil) in charge of directing several district or municipality police offices; and provincial police offices (polda) located in the capital of each province.

One consequence of the reform was active steps to strengthen the potency of local personnel with the principle of “local boys for local jobs”. This became the Polri’s choice to meet requirements of human resources based on capability, comprehending local characteristics, understanding local society, and being accepted by the local public. However, the law at the time did not accommodate the idea of development of local resources for local police leaders. Law No. 2/2002 on the Polri asserts in its Article 5, point 2 that the Polri is a national police.¹² Therefore the policy of “local boys for local jobs” was only legitimated officially several years later in 2005 by Decision of Chief of the Polri, in 2005–2009 Strategic Plan (Renstra) No. Pol. 20/IX/2005, and then renewed by Decree of Chief of the Polri No. Pol. 9/IV/2007, and again by Decree of Chief of the Polri No. Pol. Kep/37/X/2008 on the Polri Transformation Program toward a Professional and Independent Police.¹³

It is important to research the post-Suharto reform of Polri, considering that there are major problems both internal and external continuing to haunt the processes of the Polri as a national police. The internal problems include its institutional culture; the financial security of its personnel; the lack of funding from the state; rivalries; and inadequate support from the leadership, personnel skills and tools of the police officers. The external problems include the Polri’s relations with the TNI (Tentara Nasional Indonesia – Indonesian National Army) and local governments, and corruption and illegal income from criminal and immoral activities and institutions such as extortion, prostitution, gambling and drug cartels.

The time frame 1998–2008 is selected here as appropriate for studying the Polri, for three reasons. First, 1998 was the beginning of the opportunity for the Polri to come out from the shadow of the military. When Suharto was ousted from the presidency, the Polri had a chance to follow the political and social changes such as the people’s demands to separate the Polri from the ABRI, as part of the *reformasi* (reform) agenda.

Second, the period 1998–2008 is an important time to evaluate the Polri in its first decade as the major state actor in internal security. The aim of disassociating

the Polri from the ABRI was to make both institutions more professional in carrying out their specified functions.

Third, the period 1998–2008 provides a sufficient time span to examine how that intended process of decentralization is running. The role of the Polri in internal security relates to the roles of local government; hence, the process of decentralization and the position of the Polri post-disassociation were intended to involve similar processes and be interrelated.

The aim of this book is to discuss how the process of the Polri's disassociation from the ABRI has been working, and the impacts from that process for the Polri and its relationship with the national government, the military and local government. Institutionally, those institutions may have influenced the Polri in different ways. The influences could be happening from the top, through relationship among the leaders, and downwards through interaction among personnel.

This book also investigates patterns of relations between the Polri and the other institutions on two approaches: the process of political influences and the extension of authority in the form of decentralization. The book will also examine the democratization of Indonesian society and the role of the Polri in this, the extent to which the Polri has demonstrated that professionalism is part of the effort to strengthen democratization process. Another issue addressed in this book is the impact that the disassociation of the Polri from the ABRI has had inside the Polri, and how the Polri as a security actor has been using the authorities for the benefit of the institution itself and its personnel, while reforming its own institution.¹⁴

A local perspective

The research for this book took multiple case-study approaches where unique features of the cases were made available to be scrutinized. The Indonesian province of West Java was selected as the case study site, for three reasons. First, West Java has an important position in geopolitics as a security barometer for the capital of Indonesia, Jakarta. Second, because of its strategic position, many Polri officers hope to be assigned or positioned in regencies and municipality police offices in West Java province. Third, West Java is also adjacent to Central Java and Banten Provinces, and there is busy national economic traffic on the North Java Coast Road around which the police behaviour are active.

This book aims to depict comprehensively how the Polri in the post-Suharto era have faced various problems and attitudes in managing expectations and in the handling of cases, which have affected their public image. There have been complex problems moving towards democratic approaches, paying attention to public rights, and avoiding corrupt activities such as bribery and extortion – notably in six districts and municipalities of West Java Province: Bandung and Cirebon Municipalities, Cirebon, Garut, Tasikmalaya, and Ciamis Districts.

The police, state and society

According to O'Connor, the police are assumed to be 'guard labour' (people paid to enforce the rules on others) to maintain the power of the state and capital owners.¹⁵ He also states that the police profession is part of state and capital owners' interests, and a labour force in security matters, so are positioned as part of the labour class: not the ruling capital-owning class but serving their interests. Modern capitalism has produced two dimensions of division in the police organization: vertical, between subordinates and superiors; and horizontal, between police roles and specializations.¹⁶

According to Marenin, both are unlocked in issues of police organization, because of their relation to the structure of power and politics or to public pressure.¹⁷ Similarly, Ake, using cases from African countries, depicts the relation between the state and the police, and also society, as assumed power relations between classes.¹⁸

Hogg and Findlay describe professional police as the police acting clearly in their roles as the collectors, definers, maintainers and disseminators of criminal justice information, and as being able to enhance a specialist or professional position by cordoning off crucial areas of knowledge.¹⁹ One of the characteristic of a professional police force is that it should be independent in its role and function, independence being defined as having individual discretionary ability that is recognized and relied upon.

Edwards stated three factors that make the police in modern society effective in terms of controlling the society: the lawful power of the police; the structure of the police; and the organized nature of the police.²⁰ The effectiveness of the police in controlling the life of modern society is also affirmed by commitment to individual freedom, effective participation in society by the police, and the principle of no discrimination and no person being above the law. There are at least three sensitive issues for the police:

Firstly, the police can only enforce the law as it stands, not as the public or they might prefer it to be, and conversely they have the duty to enforce the law as it stands and not ignore inconvenient or unpalatable issues. Secondly, the police must enforce the law using the powers granted them under the law, and as prosecutors or investigators for the prosecution, they must assemble sufficient evidence in a form which is acceptable to the courts. Thirdly, the arbiters of whether the police powers are used correctly and lawfully and whether the evidence is legally acceptable are the judges and magistrates of the courts themselves.

(Edwards, 2005: 18)

Critchley describes the existence of the police related to the process of liberalization in a society with a strong tradition of democracy. The police tend to be instructed by and under control of political authority in the context of democracy. The police give security for society and invite society to be actively involved in protecting their own property and also the environment against threat