

## HOW THE ELITE ARBITRATES (LAW AND POLITICS)

There were two notable events in the history of law enforcement in Indonesia. First, regarding with the old story that was often written in this section, namely the eradication of corruption; and the second was an event that seemed became institutionalized in the form of split within the party after the congress. The first issue certainly could not be separated from the previous events, in which the resistance of National Police (Polri) against the establishment of Police Commissioner General Budi Gunawan done by other channels, namely through the pre-trial. Many were hoping the court did not pass the pre-trial plea for establishing the status of a suspect on the Police Commissioner General Budi Gunawan because of the criminal procedural law, pre-trial plea for setting the suspect did not exist or was not regulated. After all the efforts made by Police Commissioner General Budi Gunawan was not in accordance with the spirit of anti-corruption that were inflamed and became one of the government work program Joko Widodo - Jusuf Kalla.

A court decision on the request for pre-trial were unexpected. Sarpin single judge at the South Jakarta District Court, granted a pre-trial that led to the suspect status of the Police Commissioner General Budi Gunawan fall. It was a blow for steps to eradicate corruption as well broke down into two camps academics who agree or disagree with the decision. On the one hand, the decision was not in accordance with the procedural law, and on the other hand it was a breakthrough in the law of criminal procedure.

Regardless of this, the court decision was reminiscent of the OJ Simpson case in the United States were also granted the lawsuit over the arrest and detention. OJ Simpson as a single suspect case of the murder of his wife, decided free from the status as the suspect because police at the time of arrest acted racist and did not read the suspect's rights in accordance with the Miranda Rules. Finally, the principal case until now was not be heard, as well as the case of Police Commissioner General Budi Gunawan, the principal case (corruption) was unable to prove in court.

The second issue related with the split within the political parties after they held a congress. The event which was quite concerned were the split of the United Development Party (PPP) and the Functional Group (Golkar). If previously the National Awakening Party (PKB) had been preceded and provided important lessons in politics, especially in the face split parties, PPP and Golkar entered a new phase in the split. Worth noted that the three parties eventually used legal channels to resolve disputes in the party. This indicated that the party was not able to run the party's rules of association and internal by laws (AD/ART) in which there were rules on the settlement of internal conflicts. Although they agreed to resolve the chaotic party to justice, was not often accompanied by a great spirit to accept and respect the court's decision. This was the face of law that seems to be improved from the way politics and arbitrate for Indonesia.

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