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External Supervision System Reform in The State of The Republic of Indonesia

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Abstract

Uncovering the engineered handling of the death case of Police Brigadier Nofriansyah Yosua Hutabarat has had an impact on raising other issues related to unprofessionalism of the Indonesian National Police (POLRI) such as the issue of the 303 *gambling consortium*, drugs, promotions associated with factions in the internal of the POLRI, luxury lifestyle, case transactions and so on. The public considers that the unprofessionalism of the Indonesian National Police does not only occur with individual members of the police but it has also been "*institutionalized*", the slow handling of the murder case of Police Brigadier Nofriansyah Yosua Hutabarat is suspected of having a tug-of-war of interests as an example of the "*institutionalized*" unprofessionalism, even though this case has received attention from the President and Coordinating Minister for Political, Legal and Security Affairs (Menkopolhukam). It means, if the unprofessionalism in the organs of the Indonesian National Police has been "*institutionalized*", the internal supervision will weaken and even fail as preventive agency.

Keywords: institutionalized; unprofessionalism; supervision; police.

Abstrak

Terungkapnya rekayasa penanganan kasus kematian Brigadir Polisi Nofriansyah Yosua Hutabarat berdampak memunculkan isu lain terkait ketidakprofesional pada Kepolisian Negara Republik Indonesia seperti isu konsorsium judi 303, narkoba, promosi jabatan dikaitkan dengan faksi- faksi di tubuh POLRI, pola hidup mewah, transaksi kasus dan lain sebagainya. Publik menilai ketidakprofesionalan di tubuh Kepolisian Republik Negara Indonesia tidak hanya terjadi pada oknum individu anggota polisi tetapi sudah bersifat "melembaga", lambatnya penanganan kasus pembunuhan Brigadir Polisi Nofriansyah Yosua Hutabarat ditenggarai adanya tarik ulur kepentingan adalah contoh ketidakprofesional bersifat "melembaga", padahal kasus ini telah mendapat atensi dari Presiden dan Menkopolhukam. Artinya, apabila ketidakprofesional di organ Kepolisian Negara Republik Indonesia telah "melembaga" pengawasan internal akan melemah malahan tidak berhasil sebagai lembaga preventif.

Kata kunci: institusionalis, ketidakprofesionalan, pengawasan, polisi.

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Introduction

In the Indonesian government institution management, Indonesia Police as part of the function of state government to keep the security and public order, law enforcement, protection, guidance to society for the development have to be linier with the national building agenda (Satoto, 2014). The process of Indonesia police reformation has shown result against structural and instrumental aspect that stabilize the Police position and formation in the constitutional system of the Republic of Indonesia, also has created new paradigm as Civilian Police, meanwhile the cultural improvement is still in process, such as: education curriculum, Tribrata Socialization, Catur Prasetya and Proccess Profession Ethic code to reach Indonesia police dignity as the guardian of protection and also public service

(Satoto, 2014). However, this does not rule out the possibility that the behavior of the Indonesian police has not fulfilled the imagination as protectors, as well as the general public.

The premeditated murder case of Police Brigadier Nofriansyah Yosua on July 8 2022 in Duren Tiga Jakarta, involved the Head of the Professional and Security Division of the Indonesian National Police Inspector General Pol Ferdy Sambo with the status of a suspect together with his wife, personal aid and assistant to his household. One of the aspects of life in society, nation and states also affection by supremacy of law is about structuring and organizing the life of the state and state administration practices (Nasser, 2021). The influence of the rule of law principle on the organization of state power and the structure of state organs can work (take place) through one of the elements of the rule of law as a derivative of the rule of law principle of supremacy of law (Azhar, 1995). Therefore, basic of rule of law principle can escalate the constitutional structure and the democratic government system that is expected to provide the service for the society with the objective of organizing the social prosperity (Nasser, 2021).

At the beginning of the handling of this case, many irregularities were found which prompted the public to urge the police to reveal the case of Brigadier Nofriansyah Yosua Hutabarat's death in a transparent manner. President Joko Widodo responded to this public pressure. The President asked the National Police Chief, General Listyo Sigit Prabowo, to disclose the case of the death of Police Brigadier Nofriansyah Yosua Hutabarat, disclose it transparently and not cover anything up. this is full of engineering which allegedly involved dozens of police personnel ranging from mid-level officers to high-ranking officers, the involvement of these personnel was due to the extraordinary influence of Inspector General of Police Ferdy Sambo within the POLRI environment, besides serving as Head of the National Police's Professional and Security Division (KADIV PROPAM), he also serves as Head of the Red and White Special Task Force (SATGASUS) which has "full power" authority. The revelation of the engineering handling of the death case of Police Brigadier Nofriansyah Yosua Hutabarat has had the impact of raising other issues related to unprofessionalism within POLRI institutions such as the issue of the 303 gambling consortium, drugs, promotions linked to factions within the POLRI, luxury lifestyles, case transactions and so on. The public considers that unprofessionalism within the Indonesian National Police does not only occur with individual members of the police but has been "institutionalized, the slow handling of the murder case of Police Brigadier Nofriansyah Yosua Hutabarat is suspected of having a tug-of-war of interests as an example of "institutionalized" unprofessionalism, even though this case has

received attention from the President and Menkopolhukam. This means that if unprofessionalism in the organs of the Indonesian National Police has been "*institutionalized*", internal supervision will weaken or even not function. The question is what about the external supervision. Explicitly Law Number 2 of 2002 concerning the Indonesian National Police does not regulate the supervision of the police. Implicitly, the aspect of internal control is embedded in CHAPTER V concerning Professional Development and External Supervision in CHAPTER VI concerning the National Police Agency.

The National Police Agency, known as the National Police Commission, is placed under and is responsible to the President. It is the National Police Commission that is considered as the external supervisor of the police, because its position is regulated in Law Number 2 of 2002 concerning the Indonesian National Police. Duties and Authorities of the Indonesian Police Commission are as follows: The National Police Commission has the duties of a). Assisting the President in setting the policy directions for the Indonesian National Police b). Giving consideration to the President in the appointment and dismissal of the National Police Chief.

The National Police Commission has the authority to (Law no. 2 of 2022 concerning the Police)

- a. Collecting and analyzing data as material for providing advice to the President relating to the budget of the Indonesian National Police, development of human resources for the Indonesian National Police, and development of facilities and infrastructure for the Indonesian National Police;
- b. Providing advice and other considerations to the President in an effort to create a professional and independent Indonesian National Police;
- c. Receiving suggestions and complaints from the public regarding police performance and submitting them to the President.

From the duties and authorities of the National Police Commission mentioned above, is it appropriate for the National Police Commission to be called an external oversight agency in creating a professional Indonesian National Police? *First*, the National Police Commission is not *labeled* as an independent institution as it should be like other external oversight agencies. *Second*, they do not have supervisory authority which is in direct contact with police performance, such as conducting investigations into cases of unprofessionalism within the Indonesian National Police, supervision carried out by the National Police Commission has only reached the level of scrutinizing and reporting the results to the president, not yet at the level of investigation of unprofessionalism when cases of

unprofessionalism perpetrated by members of the police, both individually and institutionally, are highlighted in society, the position of the National Police Commission is often positioned by many as *the spokesperson for the police*. When a case of unprofessionalism occurred in the Indonesian National Police, external supervision was not only the domain of the authority of the National Police Commission but could also come into contact with other institutions such as the DPR, KPK, Ombudsman, BPK, LPSK and KOMNASHAM. The scope of this research is the external monitoring system for the performance of the Indonesian National Police in carrying out its functions by the National Police Commission as the National Police Agency.

Research Problems

The formulation of the problem to be discussed in this study is as follow:

1. What is the external monitoring system of the Indonesia National Police?
2. How to reform the external oversight system in the Indonesia National Police?

Research Methods

This research is normative juridical research. For the purposes of academic work, the output of a legal research is a transcript in the form of recommendations or suggestions (Marzuki, 2006). The approaches used in legal research are the statute approach, the case approach, the historical approach, the comparative approach, and the conceptual approach (Marzuki, 2006). In this research, the approaches used are statutory approach, case approach, historical approach and conceptual approach.

Discussion

External Oversight System in the Indonesi National Police

1. Reform of the Indonesia National Police

One of the demands for reformation in 1998 was an amendment to the 1945 Constitution CHAPTER XII concerning Defense and Security of the State in the State Constitution The Republic of 1945. The result of changes consists of 1 article (Article 30) and 5 paragraphs, previously CHAPTER XII read "STATE DEFENSE" only consisting of 2 paragraphs (Rakyat, 2006). The following is CHAPTER XII in the 1945 Constitution before and after the amendment;

Before the amendment, CHAPTER XII : STATE DEFENSE

Paragraph (1): Every citizen has the right and obligation to participate in efforts to defend the country

Paragraph (2): The requirements regarding the defense are regulated by law.

After the amendment, CHAPTER XII: STATE DEFENSE AND SECURITY

paragraph (1) : Every citizen has the right and obligation to participate in the efforts of state defense and security.

paragraph (2) : State defense and security efforts are carried out through a defense and security system for the people as a whole by the Indonesian National Army and the Indonesian National Police, as the main force and the people as the supporting force.

paragraph (3) : The Indonesian National Armed Forces consist of the Army, Navy and Air Force as state instruments tasked with defending, protecting and maintaining the integrity and sovereignty of the state.

paragraph (4) : The National Police of the Republic of Indonesia as an instrument of the state that maintains security and public order has the duty to protect, serve the community, and enforce the law.

paragraph (5) : The composition and position of the Indonesian National Armed Forces, the Indonesian National Police, the relationship between the authorities of the Indonesian National Armed Forces and the Indonesian National Police in carrying out their duties, conditions for citizen participation in efforts to defend and secure the state, as well as other matters relating to defense and security is regulated by law.

The results of changes to CHAPTER XII of the 1945 Constitution of the Republic of Indonesia above, are a new paradigm for the Indonesian National Police. According to Ni'matul Hu

“This provision emphasizes the separation between the TNI and POLRI in carrying out their duties. For the field of national defense it is carried out by the TNI, and for the security and public order sector it is carried out by the POLRI. In the previous era, there was a policy in the field of defense/security, where the Army, Navy, Air Force, and Indonesian Police merged into the Indonesian Armed Forces (ABRI). As a result of this merger, there was confusion and overlap between the role and function of the TNI as a national defense force and the role and function of the Indonesian National Police as a force for security and public order. Thus the socio-political role in the dual function of ABRI has led to deviations in the roles and functions of the TNI and POLRI which have resulted in the failure to develop the pillars of democracy in the life of the nation and state and society. In terms of defense there are three aspects in it, namely the issue of state integrity, state sovereignty, and state safety. Apart from these three aspects, it is included in the security category which is the duty of the police as a law enforcement agency. It is hoped that such a division of tasks will increase the professionalism of the TNI and the police. The provisions in Article 30 paragraph (4) show that there is a kind

of "dual function" of the police, namely security and law enforcement. As a security tool, the police are tasked with maintaining and guaranteeing security, order and public order. As law enforcers, the police are tasked with investigating and investigating criminal acts as part of an integrated criminal justice system. The two tasks of the police are very different from one another (Huda, 2005).

In order to accelerate the independence of the Indonesian National Police, the MPR RI established two decrees, namely; first, the Decree of the People's Consultative Assembly of the Republic of Indonesia Number VI/MPR/2000 of 2000 concerning the Separation of the Indonesian National Armed Forces and the Indonesian National Police. This decree consists of 4 articles, the substance of which only reinforces the provisions contained in Article 30 paragraph (2), paragraph (3) and paragraph (4) in CHAPTER XII of the 1945 Constitution of the Republic of Indonesia, the consequences of which led to the "disbandment" of the Armed Forces of the Republic of Indonesia (ABRI) and became two separate institutions, namely; Indonesian National Armed Forces and Indonesian National Police. Second, the Decree of the People's Consultative Assembly of the Republic of Indonesia Number VII/MPR/2000 of 2000 concerning the Role of the Indonesian National Armed Forces and the Role of the Indonesian National Police. This stipulation consists of 12 articles, related to the Indonesian National Police, this stipulation regulates the role of the Indonesian National Police, the composition and position of the Indonesian National Police, the National Police Agency, the duties of assistance to the Republic of Indonesia National Police and the participation of the Indonesian National Police in administering the country (Ketetapan MPR RI Nomor VII/MPR/2000).

Changes to CHAPTER XII in the 1945 Constitution, the emergence of MPR RI Decree Number VI of 2000 and MPR RI Decree Number VII of 2000 became the basis for the formulation of Law Number 2 of 2002 concerning the Indonesian National Police. There are several important points in this law:

1. The laws and regulations that form the basis for carrying out the duties of the Indonesian National Police before Law Number 2 of 2002 was enforced were Law Number 28 of 1997 Concerning the Indonesian National Police as an improvement from Law Number 13 of 1961 Concerning Main Provisions of the State Police. Law Number 28 of 1997 already contains points regarding objectives, position, roles and duties as well as the development of police professionalism, but the formulation of the provisions contained therein still refers to Law Number 20 of 1982 concerning Basic Provisions for Defense and Security of the Republic of Indonesia and Law No. 2 of 1988 concerning Soldiers for the Armed Forces of the Republic of Indonesia, so that their military character is still very

dominant which in turn influences the behavior of police officials in carrying out their duties in the field, therefore Law No. 2 of 2002 is expected to provide confirmation of the character of the Indonesian National Police as stated in the Tri Brata and Catur Prasetya as a source of values for the police code of ethics that flows from the Pancasila philosophy (Law no. 2 of 2002);

2. The rapid development of societal progress, along with the spread of the phenomenon of rule of law, human rights, globalization, democratization, decentralization, transparency and accountability, has given rise to various new paradigms in viewing the goals, duties, functions, powers and responsibilities of the Republic of Indonesia National Police. Indonesia, which in turn has also led to the growth of various demands and expectations of the community regarding the implementation of the duties of the Indonesian National Police which are increasing and are more oriented to the people they serve (Law no. 2 of 2002);

3. The main duties of the Indonesian National Police are to maintain public order and security, enforce the law, and serve the community. However, in carrying out police functions, the National Police of the Republic of Indonesia are functionally assisted by special police, civil servant investigators, and other forms of self-defence through the development of subsidiarity and participation principles (Law no. 2 of 2002);

4. The principle of legality as the actualization of the paradigm of the rule of law in this law is expressly stated in the details of the authority of the Indonesian National Police, namely conducting investigations of all criminal acts in accordance with the criminal procedure law and other laws and regulations. However, preventive action is still prioritized through the development of a preventive principle and the principle of the general obligation of the police, namely maintaining security and public order. In this case, every official of the Indonesian National Police has discretionary authority, namely the authority to act in the public interest based on their own judgment. Therefore, Law Number 2 of 2002 also regulates professional development and a professional code of ethics so that the actions of officials of the Indonesian National Police can be accounted for, both legally, morally, as well as professionally technically and especially human rights. In addition to paying attention to human rights in carrying out their duties and authorities, every member of the Indonesian National Police is also obliged to pay attention to laws and regulations related to their duties and authorities, including Law Number 8 of 1981 concerning Criminal Procedure Law, statutory provisions governing special autonomy, such as the Provinces of Nanggroe Aceh Darussalam and Papua Province as well as other laws and regulations which form the legal basis for exercising the authority of the Indonesian National Police,

furthermore regarding the membership of the Indonesian National Police as mandated by Law Number 43 of 1999 concerning Amendments to Law Number 8 concerning Principles of Civil Service which includes certain arrangements regarding the rights of members of the Indonesian National Police, both civil service rights and political rights, and their obligations are subject to the authority of the general court (Law no.2 of 2002);

5. what is new in Law Number 2 of 2002 is the regulation of the national police institution whose job is to provide advice to the President regarding the direction of police policy and considerations in the appointment and dismissal of the National Police Chief according to the mandate of MPR RI Decree No. VII/MPR/2000, in addition to containing the functional oversight function of the performance of the Indonesian National Police so that the independence and professionalism of the Indonesian National Police can be guaranteed. With the foundations and considerations as previously described, in their complete and comprehensive unanimity, a replacement is made for Law Number 28 of 1997 concerning the Indonesian National Police which not only contains the composition and position, functions, duties and authorities and roles of the police, but also regulates membership, professional development, the national police agency, assistance and relations and cooperation with various parties, both domestically and abroad. Nonetheless, the implementation of this law will be determined by the commitment of officials of the Indonesian National Police to the implementation of their duties and also the commitment of the public to actively participate in realizing the Indonesian National Police which is independent, professional and meets the expectations of society (Law no. 2 of 2002);

2. External Monitoring System for the Indonesia National Police based on Law Number 2 of 2002 concerning the Indonesia National Police

The National Police of the Republic of Indonesia whose function is to be in direct contact with the people of Indonesia in the context of protecting, nurturing, providing community services and law enforcement. Therefore, the police have considerable authority granted by law, this considerable authority will have a negative impact if it is not implemented professionally. The professional ethics contained in the professional code of ethics are signs of professionalism. With a total of approximately 450,000 members of the Indonesian National Police, it is not an easy thing to ensure that there are no violations of the police professional code of ethics, whether it leads to violations of the law or not. The code of ethics for the police profession by police officers goes on and on like it

never ends. Recently, public reasoning has been increasingly disturbed by the existence of a criminal case involving two two-star generals of the Republic of Indonesia National Police, each of whom was involved in alleged premeditated murder and suspected methamphetamine circulation. This case further strengthens public opinion about the weakness of coaching as part of preventive oversight within the Indonesian National Police. In order to create a professional Indonesian National Police, an external oversight mechanism is needed, both preventive and repressive in nature. Law Number 2 of 2002 concerning the Indonesian National Police does not explicitly regulate the supervision of the police. Implicitly, the aspect of internal control is embedded in CHAPTER V concerning Professional Development and External Supervision in CHAPTER VI concerning the National Police Agency. The National Police Agency, known as the National Police Commission, is under and responsible to the President. It is this National Police Commission that is considered as the external supervisor of the police, because its position is regulated in Law Number 2 of 2002 concerning the Indonesia National Police. 17 of 2011 concerning the National Police Commission, the argument for changing the Presidential Regulation is that Presidential Regulation Number 17 of 2005 concerning the National Police Commission is seen as no longer suitable for the need to realize the professionalism, accountability and independence of the National Police Commission so that it needs to be perfected (Presidential Regulation no 17 of 2011). Based on Presidential Regulation Number 17 of 2011, the National Police Commission is a non-structural institution, which in carrying out its duties and authorities is guided by the principles of good governance and Kompolnas is under and responsible to the President. Presidential Regulation Number 17 of 2005 does not regulate the term non-structural institutions . In addition, there are several important points in the context of strengthening the National Police Commission which are regulated in Presidential Regulation Number 17 of 2011 which were not previously regulated in Presidential Regulation Number 17 Number 2005, namely:

First, affirmation of the Kompolnas function as a functional oversight function of National Police's performance to ensure the professionalism and independence of the POLRI, the activities of this functional oversight function are carried out through monitoring and evaluating the performance and integrity of Polri members and officials in accordance with statutory provisions(Presidential Regulation no. 17 of 2011).

Second, in carrying out its authority, Kompolnas can carry out the following activities: a). Receiving and forwarding suggestions and complaints to the National Police for follow-up, b). re-examining or additional examination of

examinations that have been carried out by the Polri internal oversight unit on members and/or Polri officials who are suspected of committing disciplinary and/or professional ethics violations, c). recommending to the National Police Chief, that members and/or Polri officials who commit violations of discipline, professional ethics and/or are suspected of committing a crime, are processed in accordance with the provisions of the applicable laws and regulations, d). participating in court proceedings, disciplinary hearings, and police professional code of ethics commission hearings, e). Following the examination of alleged violations of discipline and the code of ethics committed by members and/or Polri officials (Peraturan Presiden Nomor 17 Tahun 2011). Kompolnas can request a re-examination or an additional inspection if there is evidence or new information which in the previous examination by the Polri internal monitoring unit had not been clarified and the results of the examination by the Polri internal monitoring unit were deemed not in accordance with the mistakes committed by members and/or Polri officials who checked (Presidential Regulation no 17 of 2011).

Kompolnas conveys the follow-up results on community suggestions and complaints submitted and reported to Kompolnas to the complainant concerned (Presidential Regulation no 17 of 2011) Judging from the arrangements regarding activities carried out by Kompolnas in the context of exercising its authority as stipulated in Presidential Regulation Number 17 of 2011 as mentioned above, it can be stated that in certain sections Kompolnas has been directly involved in the process of enforcing the professional code of ethics and law against members and officials of the Republic of Indonesia National Police. Indonesia committed the violation. On the other hand, in the context of legislation, Law Number 2 of 2002 concerning the Indonesian National Police does not provide the slightest gap regarding Kompolnas' authority to be directly involved in enforcing the professional code of ethics and internal law within the Indonesian National Police as regulated in Presidential Regulation Number 17 of 2011. Following are the authorities of Kompolnas in Law Number 2 of 2002:

The National Police Commission has the authority to collect and analyze data as material for providing advice to the President relating to the budget of the Indonesian National Police, development of Police human resources of the Republic of Indonesia, and the development of facilities and infrastructure, provide advice and other considerations to the President in an effort to create a professional and independent Indonesian National Police; and receive suggestions and complaints from the public regarding police performance and submit them to the President (Law no.2 of 2002).

The authority of Kompolnas in Law Number 2 of 2002 mentioned above is only limited to observing the police from the outside and its position is no different from that of the presidential expert staff in the field of police who provide advice or input to the president and there is no involvement in the elements of prosecution, while in Presidential Regulation Number 17 of 2011 Kompolnas' authority in certain sections is directly involved in the process of enforcing the professional code of ethics and law. That is, the regulation of part of Kompolnas' authority in Presidential Regulation Number 17 of 2011 raises new legal norms that increase Kompolnas' authority, this becomes out of sync and harmony with Kompolnas' authority as regulated in Law Number 2 of 2002. The concept of external oversight is attached to authority Kompolnas in Law Number 2 of 2002 is only limited to preventive supervision, in the scope of providing advice or input to the President to create a professional and independent Polri. In contrast to Kompolnas' authority as stipulated in Presidential Regulation Number 17 of 2011, apart from being preventive it also reflects the repressive nature of external supervision with Kompolnas' authority being involved in enforcing the professional code of ethics and law for members or Polri officials who violate it.

Reformation of the External Oversight System at the Indonesia National Police

Incident of the premeditated murder committed by Inspector General of Police Ferdi Sambo against his adjutant Brigadier Nofriansyah Josua Hutabarat which led to attempts to obstruct the investigation process, the riot at the Kajuruhan stadium which killed 133 people, allegedly the result of tear gas being sprayed by police officers in the stadium and the alleged involvement of the former West Sumatra Regional Police Chief Inspector General of Police Teddy Minahasa in the distribution of methamphetamine-type narcotics, which was evidence confiscated from drug cases. These three phenomenal cases are part of the many cases related to unprofessionalism within the Indonesian National Police and are a big question for the public "why did this happen? In addition to the phenomenal cases above, Andri Setianto (Retno, n.d.). described other major cases involving unscrupulous members of the Indonesian National Police in the news lens program through the Kompas daily YouTube channel entitled Ferdi Sambo and a series of major cases that have entangled the Indonesian National Police in the last 20 years. Along with his presentation:

Talking about cases involving members of the police, this can be seen from several aspects of the cause, whether related to scandals, political interests to business matters. Let's see, several cases involving members of the police who are

linked to scandals; Does anyone still remember the term Lizard vs Crocodile? The term which was quite popular 13 years ago, yes. right in July 2009, originated from the contents of the wiretapping by the Corruption Eradication Committee of the Corruption Eradication Commission of the Indonesian Police at that time Susno Duaji who was accused of being involved in disbursing Budi Sampurna funds in the Bank Century case. It was Susno himself who first coined the term Lizard vs Crocodile, which compared the Corruption Eradication Commission to being a lizard and the National Police to being a crocodile. At that time there were already emerging cases involving the KPK and the National Police, one of which was the shooting of Nasruddin Zulkarnain from the golf course. The head of the KPK at that time, Antasari Azhar, became a suspect. From behind bars, Antasari made a statement that caused a public commotion, he revealed the recording of his meeting with the Director of PT. Masaro Anggoro Widjojo, at that time he said that 2 KPK leaders received bribes of 6 billion rupiah from Anggoro, now Anggoro himself is a suspect in a case involving the Department Forestry. The climax of the KPK's feud with the POLRI occurred when Bareskrim Polri arrested two KPK deputy chairmen Bibit Samadrianto and Chandra Hamzah, two weeks after Bibit Chandra was detained, President SBY gave a statement highlighting the problems in three enforcement agencies of the POLRI, the KPK and the AGO. SBY formed a team called team 8 under the leadership of Adnan Buyung Nasution, the team urged the National Police to deactivate Susno Duaji. 5 November 2009 Susno resigned from his position as Kabareskrim, but the National Police Chief at that time, Bambang Hendarso Danuri, did not respond to Susno's resignation, instead he removed Susno from his position and replaced him with Ito Sumardi. Susno was later named a suspect in a case of defamation of the Polri institution after exposing allegations of brokering cases within the Polri body. So that's only volume I, there are still two more volumes related to lizards vs crocodiles.

We try to get into volume II. In 2012, this case started with allegations of corruption in a SIM simulator worth 196 billion rupiah involving the former National Police Traffic Corps Inspector General Djoko Susilo. He was later named a suspect on July 27 2012. A few days after being named a suspect, the KPK conducted a search of the Police Traffic Corps office, during the search, the KPK was complicated, the evidence that was about to be transported was taken back to be brought into the Korlantas office. It was as if the police were reciprocating the drama of the search, 5 October 2012 the police surrounded the KPK building, the night after Novel Bawesdan, who at that time served as Chair of the Police Traffic Corps SIM Simulator case task force, interrogated the former National Police Traffic Chief Inspector General Djoko Susilo for 8 hours, Novel also initiated the

search. KPK at the Korlantas POLRI office. The police only demanded that Novel Bawesdan be handed over to the KPK for legal proceedings regarding the case that ensnared him when he was still Head of Criminal Investigation Unit of the Bengkulu Police. Bengkulu Police named Novel as a suspect because he was suspected of committing serious abuse causing the death of a swallow's nest thief, this accusation has also been denied by Novel.

Volume III, appeared during President Jokowi's leadership era in January 2015. At that time, three days after Jokowi named Komjen Budi Gunawan as National Police Chief, the KPK also officially named Budi Gunawan a suspect in a corruption case. According to Abraham Samad, chairman of the KPK at the time, the Budi Gunawan case had been under investigation for more than half a year, the determination of the suspect was based on 2 pieces of evidence. 11 days after Budi Gunawan was named a suspect, the police arrested KPK deputy chairman Bambang Widjayanto. The arrest was based on a complaint by Sugianto Sabran, a former legislature from the PDIP faction, who accused him of being the mastermind behind false testimony in the 2010 Waringin City Election dispute, Central Kalimantan. The day after Bambang Widjayanto's arrest, it was the deputy's turn KPK chairman Adnan Pandu Praja was complained to Bareskrim Polri for alleged forgery of Notary Letters to control shares of PT. Dessy Timber.

Two days later, KPK deputy chairman Zulkarnain followed a complaint to the police on allegations of corruption in the 2008 East Java Community Socio-Economic Handling Program Grant Fund. It doesn't stop at the lizard vs crocodile, there are still quite a number of cases involving members of the police, especially those with a scandalous nature, this is one of them, still remember? Djoko Tjandra In 2020, this entrepreneur was free to walk abroad in terms of fugitive status or DPO. The case of the disappearance of Red Notice dragged the Head of the HUMINTER Division of the Indonesian National Police Inspector General Napoleon Bonaparte, Karo Korwas PPNS POLRI Brigadier General Prasetyo Utomo and Secretary of NCB Interpol Indonesia Brigadier General Nugroho Slamet Wibowo. In this case, Napoleon was sentenced to 4 years in prison, he was proven to have legally accepted US\$370,000 and 200,000 Singapore dollars in an attempt to remove Djoko Tjandra's name from the list of bans on people being registered at the Directorate General of Immigration. Brigadier General Prasetyo Utomo was sentenced to 3.5 years in prison, MA reducing his prison term to 2.5 years in prison Prasetyo was found guilty of forging letters and allowing Djoko Tjandra to escape and obstructing the investigation of the case, not only that Prasetyo was proven to have accepted a bribe worth US\$100,000 to remove 's Red Notice Djoko

TjandraBrig While . Those are the big cases that drag on members of the police who smell of scandal.

Cases of police officers with a business sense, May 4, 2022 North Kalimantan Regional Police Special Crimes Unit arrested members of the North Kalimantan Regional Police, Brigadier HSB in the Terminal Room at Juwata Tarakan Airport, Brigadier HSB was arrested for owning an illegal gold mine in Sakatak Buji Village, Sakatak District, Bulungan Regency, North Kalimantan, it didn't stop there, he was involved in other illegal businesses such as selling used clothes and drugs. The HSB Brigadier case is still ongoing until now. Not only that, the wealthy police case went back to 2013, Aiptu Labora Sitorus attracted enough public attention because he had an account of 1.5 trillion rupiah. 15 years and a fine of 5 billion rupiah. Labora really seems like the type of naughty police officer, on March 17, 2014 while serving his sentence at Sorong Prison Labora asked permission to seek treatment at the Sorong Naval Hospital but at that time he never returned to prison, until 2015 Labora was still breathing free air, an attempt to send Labora back to prison was only possible in 2016, even when he was about to be executed he moved from Sorong Prison to Cipinang Prison. Labora managed to run away but finally gave up and was placed in a special cell at Cipinang Prison, Jakarta. How come a year of breathing free air? How's the supervision going?, it's impossible for him to be alone...., who do you think is involved.

In addition to the previous cases, there are several other cases that actually involved members of the police such as police slamming students during demonstrations, police using patrol cars to date to police who are considered to be ignoring rape cases, related to police ignoring rape cases, some time ago the Twitter timeline too was busy with the peak of the hashtag "reporting to the police it's useless". It started with a report to the police regarding the rape of three female crew members committed by their biological father in East Luwu, South Sulawesi. However, this case seemed to be stopped and closed.

The peak of the useless hashtag report to the police on Twitter is an expression of the accumulation of public disappointment so that the netizen's expressions must be seen as constructive criticism and evaluation, even if there are elements that are disliked, the police institution is still missed and needed by the community, as the only law enforcement institution that Also carrying out government functions in the field of maintaining security, public order, law enforcement, protection, protection and service to the community, the National Police institution needs to always maintain its dignity, image and professionalism. The popularity of the hashtag 'reporting to the police' is useless which is marked by the increased sensitivity of the police personnel in responding to an incident or

criticism conveyed in the space for freedom of expression. After having shot up to 78.7 percent in April 2021, the image of the National Police before the public, according to the results of a Kompas Research and Development survey, has continued to decline from 77.5 percent in October 2021 to 65.7 percent in June 2022.

Incident after incident of violations of professional ethics led to violations of the law committed by members of the Indonesian National Police, from the lowest rank to the highest officer, making the public question their dignity and efforts to save the Bayangkara corps. The President as the head of state and head of government must immediately adopt a policy to save the dignity of the Indonesian National Police, one of which is to strengthen the external monitoring system.

Strengthening external supervision must begin by looking at the root causes of internal problems within the Indonesian National Police. In carrying out the duties and authorities for members of the National Police of the Republic of Indonesia is professional ethics. The professional code of ethics for the Republic of Indonesia Police is regulated in the Chief of Police Regulation Number 7 of 2006, which contains the values of general morality (common morality). The compliance of police officers with the professional code of ethics is the object of supervision, prosecution of violations committed by unscrupulous police officers is repressive supervision, which is the authority of the Professional and Security Division (PROPAM) of the Indonesian National Police as part of internal supervision. The thing that needs to be questioned is the cause of the violation of the professional code of ethics, the cases of Inspector General of Police Ferdi Sambo and Inspector General of Police Teddy Minahasa can be used as an entry point for improving the surveillance system at the Indonesian National Police. Logically normal for the public, how could a two-star general be involved in alleged criminal acts, one of whom served as Kadiv Propam "the police of the police" with allegations of premeditated murder of his adjutant and fabricated cases involving dozens of officers and the other served as Kapolda who was allegedly involved in the crime. methamphetamine distribution crime. Many people have questioned the recruitment, education and career path systems of the Indonesian National Police. To answer this problem, the existence of a validative external monitoring system, both preventive and repressive, is a solution in the context of improving the Indonesian National Police.

To accelerate the improvement of the public's image and trust in the Indonesian National Police through strengthening the external oversight system, the first step that must be taken is for the President as the head of government to

carry out a transitional policy by forming an ad hoc external oversight team without involving elements of the police, where the duties and authorities are as follows:

1. To conduct a comprehensive study of the recruitment system for enlisted, non-commissioned officers and cadet candidates. This is to ensure weaknesses in the system which have been in the spotlight or issues in society, related to mafia practices in recruiting candidates for members of the Indonesian National Police. The recommendation given by the ad hoc team was a recruitment system formula that was able to cover the gaps in mafia practices in recruiting candidates for members of the Indonesian National Police;
2. To conduct a study of the education system in schools and police academies by aligning the education curriculum with the concept of general moral values that have been outlined in the professional code of ethics for the Indonesian National Police, as well as building a civilian-based curriculum to eliminate the militaristic overtones that still exist felt by the community.
3. To conduct a total evaluation of serving police officers ranging from middle-ranking officers to high-ranking officers such as Kasat, Director, Head of Police, Regional Police Chief and all positions at National Police Headquarters held by high-ranking officers. Evaluation is carried out through competency tests, career tracing and adherence to the professional code of ethics results of the evaluation will result in a conclusion whether the official in office is fit to occupy the position he is currently holding, if not, the team can recommend a replacement of official.

The State of the Republic of Indonesia, with the following substance: First, to include norms related to the system of recruitment, education and career advancement in the Indonesian National Police as content material in the law. Second, to strengthen and confirm the existence of the National Police Agency as an external oversight agency that is involved in the recruitment process, education system and career paths for members or officials of the Indonesian National Police as a form of preventive external oversight. Profession and law against Polri members or officials who violate it as a form of repressive external oversight.

Conclusion

Based on the discussion of the problem, it can be concluded as follows:

1. External supervision attached to Kompolnas authority in Law Number 2 of 2002 is only limited to preventive supervision, within the scope of providing advice or input to the President to create a professional and independent Polri . In contrast to Kompolnas' authority as stipulated in Presidential Regulation Number 17 of 2011, apart from being preventive it also reflects the repressive nature of external oversight with Kompolnas being involved in enforcing the professional code of ethics and law for members of the Police who violate it.
2. Reform of the external oversight system at the Police The Republic of Indonesia is a must. Events after incidents of violations of professional ethics that lead to violations of the law are committed by members of the Indonesian National Police, ranging from the lowest rank to the highest officers, making the public question their dignity and efforts to save the Bayangkara Corps. The President, the head of government, must immediately adopt a policy to save the dignity of the Indonesian National Police, one of which is to strengthen the external oversight system by carrying out a transitional policy by forming an ad hoc external oversight team without involving elements of the police and submitting a Bill to the DPR related to revision of Law Number 2 of 2002 concerning the Indonesian National Police with substance; organize and include systems for recruitment, education and career paths for Polri members and officials as content material for the law, as well as strengthening the existence of external oversight institutions (preventive and repressive) and their inherent authority at Kompolnas as the National Police Agency

Suggestion

The suggestions are for the DPR and the President to revise Law Number 2 of 2002 concerning the Indonesian National Police, the substance of the revision related to the recruitment system, education and career paths for Polri members and officials as well as strengthening the external oversight system, both preventively and repressively.

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- Government Regulation Number 2 of 2003 concerning Discipline Regulations for Members of the Indonesian National Police
- Presidential Regulation Number 17 of 2005 concerning the National Police Commission
- Presidential Regulation of the Republic of Indonesia 17 of 2011 concerning the National Police Commission
- Regulation of the Head of the Indonesian National Police Number 7 of 2006 concerning the Professional Code of Ethics for the Indonesian National Police.