

Polemic on Polri Reform: Where Do You Want the Police To Be Directed?

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Abstract : This paper examines the polemic surrounding the reform of the Indonesian National Police (Polri), which remains a key issue in the discourse on law enforcement and democracy in Indonesia. Since its separation from the Indonesian National Armed Forces (TNI) in 1999, the Indonesian National Police (Polri) was expected to become a professional, transparent, and accountable civilian institution. However, numerous cases of ethical violations, abuse of authority, and close ties to political power have resurfaced the fundamental question: where will Polri reform lead? This paper examines the background to the polemic, the cases that triggered the crisis of public trust, and the debate over the institutional position of the Polri, whether it should remain directly under the President or be moved into a ministerial structure. The research method used is a normative-empirical one. The normative approach is used to examine laws and regulations, particularly Law Number 2 of 2002 concerning the Indonesian National Police (Polri), as well as relevant internal Polri regulations. Meanwhile, an empirical approach is carried out by examining secondary data in the form of reports from independent institutions (Komnas HAM, Ombudsman, ICJR), court decisions related to cases involving police officers, and national and international media coverage. The analysis was conducted qualitatively and descriptively, outlining the phenomenon of violations, political dynamics, and civil society responses, and then linking these to theories of state institutional reform and legal principles. The analysis shows that structural change without accompanying cultural reform, a strong oversight system, and merit-based recruitment will only result in cosmetic reform. This article recommends strengthening external oversight, improving internal management, and orienting toward human rights-based policing as fundamental steps to answer the question "Where are we taking the police?" within the framework of a democratic state based on the rule of law.

Keywords : Police reform, accountability, independence, law enforcement, human rights.

I. INTRODUCTION

Since the beginning of the post-New Order era, the reform of the Indonesian National Police (Polri) has been a crucial part of the state's institutional reform agenda. In 1999, the Polri was separated from the TNI (Indonesian National Armed Forces) based on MPR Decrees No. VI/MPR/2000 and No. VII/MPR/2000, with the hope of establishing itself as a professional, neutral, and public service-oriented civilian institution. However, more than two decades after the separation, the debate over the position and



direction of Polri reform remains relevant. ¹The fundamental question that continues to resonate is: *Where are we taking the police?*

The Indonesian National Police (Polri) plays a strategic role in the state system. As a constitutionally mandated state apparatus, the Polri is tasked with maintaining public order and security, enforcing the law, and providing protection and assistance. However, in practice, the reality on the ground often deviates from expectations. Public trust in the Polri, which should be the primary foundation for institutional legitimacy, has instead degraded over time.²

A recent survey conducted by Indikator Politik Indonesia (2024) showed that only around 63% of the public expressed confidence in the National Police , a significant decrease compared to the 2021 survey, which had reached over 70%. This decline indicates a clear *crisis of trust* . *In fact, a survey by the Indonesian Survey Institute (LSI, 2023) found that more than 30%* The public does not trust the Indonesian National Police , with the main reasons being: arrogance of officers in the field, extortion, slow handling of cases, and selective practices in law enforcement.³

As one of the officers in the implementation of criminal policy, the Indonesian National Police (Polri) is a government organ that is very busy with law enforcement matters, especially regarding criminal law. However, over time until now, the public wants the police's role not only in criminal law enforcement but also in all aspects of social interests. It is natural for the police, from a criminal policy perspective, to emphasize two concepts simultaneously: criminal policy in its broadest sense and criminal policy in its broadest sense. Therefore, it is appropriate that the police must be wise when determining a legal policy that will later be used in the legal process. This is because law enforcement in a society has its own tendencies influenced by its societal structure.⁴

To see the trend of changes in public trust, here is a comparative table of the results of the 2021–2024 survey of trust and distrust in the Indonesian National Police:

| Year | Public Trust Percentage | Percentage of Public Distrust |
|------|-------------------------|-------------------------------|
| 2021 | 72 | 18 |
| 2022 | 68 | 22 |
| 2023 | 65 | 28 |
| 2024 | 63 | 30 |

Source: Indonesian Political Indicators (2021–2024).

Why do some people tend to hate or at least doubt the integrity of the Indonesian National Police (Polri)? There are several reasons that can be systematically outlined. First, cases of abuse of authority and violence by officers are still frequent. For example, **repressive** actions against student demonstrators often go beyond the limits, causing

¹Ashri, Munif. "The Impact of Iccpr Accession on Preventing the Practice of Extrajudicial Killings from an Indonesian Perspective." *Veritas et Justitia* 11, no. 1 (2025): 50-81.

²Yustina, Isna Putri. "Legal Review of the Indonesian National Police Code of Ethics in Law Enforcement in Indonesia." PhD diss., Sultan Agung Islamic University Semarang, 2024.

³Indonesian Political Indicators, *National Survey Release: Public Trust in State Institutions* , Jakarta, 2024.

⁴Edi Saputra Hasibuan, *Police Law*, (Jakarta: Erlangga, 2024), p. 42

trauma and public antipathy. Second, the practice of extortion , from traffic administration to criminal case management, remains a structural problem. Third, the involvement of officers in crimes they should be eradicating, such as drug cases, gambling, and illegal logging, further tarnishes the institution's image. Fourth, major cases that have shaken the internal Polri , such as *the obstruction of justice scandal* in the murder of Brigadier J in 2022, have drastically reduced public trust.⁵

According to the National Police Commission's (Kopolnas) annual report (2023) , public complaints related to maladministration and abuse of authority by police officers ranked second only to poor public service. This demonstrates that the problems are not limited to individuals but are systemic, necessitating more comprehensive institutional reform.⁶

Examining the direction of National Police reform is urgent because it encompasses two dimensions: normative and practical . From a normative perspective, National Police reform must be directed toward conformity with the principles of the rule of law and constitutional democracy. The National Police must be clearly positioned within the constitutional system: whether it is sufficient to be solely under the President or whether it needs to be overseen by an independent oversight body to ensure accountability. From a practical perspective, National Police reform must be able to address the public's need for a sense of security, legal certainty, and services free from corruption and discrimination.

Without serious evaluation and in-depth academic research, the direction of Polri reform risks becoming mere political jargon exploited by the ruling elite. Polri could become trapped in a tug-of-war between the executive, legislative, and even certain business interests, while neglecting the interests of the public. This is dangerous because Polri, with its broad authority, could become a repressive instrument of power if not guided by principles of accountability and transparency.

Thus, this study is imperative for further investigation, as it concerns the sustainability of democracy, the upholding of the rule of law, and social justice in Indonesia. This research will not only provide academic contributions in the form of legal and constitutional analysis, but also serve as practical input for policymakers in determining the direction of National Police reform. National Police reform must no longer remain symbolic or ceremonial, but must address fundamental aspects of the institution, culture, and behavior of its officers.

II. RESEARCH METHODS

This research uses a normative juridical research method. A qualitative approach was chosen because the research focused on analyzing concepts, theories, and laws and regulations related to the institutional reform of the Indonesian National Police. The data used were sourced from primary legal sources , such as the 1945 Constitution of the Republic of Indonesia and Law Number 2 of 2002 concerning the National Police. The

⁵Kompas, *Obstruction of Justice Murder Case of Brigadier J Shakes Police Reform* , August 2022 Edition

⁶Kopolnas, *Annual Report on Public Complaints against the Indonesian National Police* , Jakarta, 2023.

Republic of Indonesia, as well as other relevant regulations, were also used. Secondary legal materials such as books, scientific journals, articles, and current news were also used to strengthen the analysis. The data analysis technique used was descriptive qualitative, namely by describing and interpreting the data from a legal and public policy perspective, then connecting it to the dynamics of Polri reform developing in society. Using this method, the research seeks to provide a comprehensive picture of the direction of Polri reform and its implications for the Indonesian constitutional system.⁷

III. RESULTS AND DISCUSSION

A. The direction of Polri reform in responding to the crisis of public trust related to the practice of abuse of authority and human rights violations

National Police reform is a major agenda item in Indonesia's democratization process. After being separated from the Indonesian Armed Forces (ABRI) through MPR Decree No. VI/MPR/2000 and MPR Decree No. VII/MPR/2000, the National Police were expected to transform into a professional, transparent, and accountable civilian institution that upholds human rights. However, in practice, this reform still faces serious challenges. The old hierarchical and militaristic culture remains, while abuse of power by certain police officers remains common. This demonstrates that despite more than two decades of ongoing National Police reform, the expected results have not yet been fully realized.⁸

One of the biggest problems is accountability. The public believes the Indonesian National Police (Polri) has not been able to enforce the law transparently and fairly. The 2024 Indonesian Political Indicators Survey showed that public trust in the National Police (Polri) stood at 55.5%, down from 62% the previous year.⁹ This decline was triggered by various incidents, such as excessive use of force in handling demonstrations, the involvement of officers in drug syndicates, and extortion and corruption within the police force. Normatively, internal oversight mechanisms through the Propam Division and external oversight through the National Police Commission (Kompolnas) and the House of Representatives (DPR) are in place, but their effectiveness remains weak due to limited authority and independence.¹⁰

Furthermore, the independence of the Indonesian National Police (Polri) is a crucial issue. In various political moments, the Indonesian National Police (Polri) is often perceived as lacking neutrality. For example, the involvement of officers in securing electoral politics or close ties with the ruling elite often give rise to the perception that the police are being used as political tools. This is dangerous, because in a state governed by the rule of law, the police must be neutral and free from political interference, so they can

⁷Ariman Sitompul, "Normative Legal Research Methods (Practical Strategies for Writing Theses, Dissertations)." (2022) pp. 30-40

⁸Jimly Asshiddiqie, *The Indonesian Constitution and Constitutionalism* (Jakarta: Sinar Grafika, 2022), p. 189.

⁹Indonesian Political Indicators, "National Survey Release: Public Trust in the Indonesian National Police," 2024.

¹⁰Satjipto Rahardjo, *Police and Society in a Democratic State* (Bandung: Alumni, 2022), p. 156.

serve the entire community without discrimination. Weak independence reduces the public's legitimacy for the Indonesian National Police as a law enforcement institution.¹¹

In terms of law enforcement, the stigma of "sharp at the bottom, blunt at the top" remains strong. Minor cases such as minor thefts or traffic violations are dealt with harshly, while major cases involving officials and businesspeople are often resolved through compromise. This practice of legal discrimination reinforces the perception that law in Indonesia is easily traded and that the police are part of the problem.¹² As a result, public trust in the legal system is declining and the image of the Indonesian National Police is further tarnished.

From a grand perspective, the Indonesian National Police's (Polri) strategy for achieving a civil society must encompass three main pillars: strengthening law and democracy, maintaining public order and security, and developing synergistic partnerships with the community. These three pillars form the foundation for building a police institution capable of carrying out its duties professionally, transparently, and accountably. One of the main elements of a civil society is fair law enforcement that upholds democracy. The Indonesian National Police (Polri) plays a central role in ensuring that the legal system functions effectively and that all citizens receive equal legal protection. The law enforcement options chosen by the Polri certainly have advantages and disadvantages. This has become a particular concern for the Polri, necessitating a breakthrough and development of existing options. Therefore, in response, William Dunn attempts to analyze policies, which are new products of social science, for application in everyday life.

The performance of the Indonesian National Police (Polri), with all its dynamics, must not cease. Anticipation of the many emerging problems in society must be carried out consistently. This basis then led the Indonesian National Police to create a guidance line, namely a grand strategy. This arose from the state's concern for maintaining strong security from the presence of the Indonesian National Police institution. Domestic security is the primary requirement for the presence of a just and prosperous civil society. With a 20-year period, this strategy is expected to be the main point of the Indonesian National Police's work according to the agreed deadlines or stages, from 2005 to 2025, namely:

- a) Phase I: Trust Building (2005-2009), building internal and external trust within the Police;
- b) Phase II: Partnership Building (2010-2014), creating strong cooperation with various parties related to the Police regarding law enforcement, public services and to create a sense of security;
- c) Phase III: Strive for Excellence (2015-2025), creating superior community capabilities.

¹¹Muladi, *Democracy, Human Rights, and Police Reform* (Jakarta: Prenadamedia, 2023), p. 211.

¹²Todung Mulya Lubis, *Law and Politics in Indonesia* (Jakarta: Kompas, 2022), p. 94.

It can be seen that 2024 should have entered the third phase, namely creating superior community capabilities, including building public trust so that they can elaborate effectively. However, looking at the trends in 2022, numerous incidents hit the Indonesian National Police (Polri). This had a devastating impact. From mid-2022 to the end of 2022, the Indonesian National Police (Polri) was in a very difficult situation. This institution had to face the reality that the behavior of certain members within its ranks had destroyed and eroded public trust. The Ferdy Sambo case, the Kanjuruhan case, and most recently the Teddy Minahasa case were severe blows that dealt a severe blow to the Indonesian National Police's position as a law enforcement institution.¹³

From a human rights perspective, the Indonesian National Police (Polri) has also drawn considerable criticism. A 2023 report from the National Commission on Human Rights (Komnas HAM) noted that approximately 37% of total public complaints related to alleged human rights violations committed by the police.¹⁴ These violations include excessive use of force during demonstrations, torture of detainees, shootings without due process, and discrimination in legal services. This fact confirms that the Indonesian National Police (Polri) are still often viewed not as protectors of human rights, but as violators. Yet, within the framework of legal reform, the police are expected to be at the forefront of protecting citizens' rights.

Overall, Polri reform can only be effective if it encompasses four fundamental elements: increased accountability through strong oversight, strengthened independence to ensure freedom from political interference, consistent and just law enforcement, and guaranteed human rights protection in all officer actions. Without these, Polri will continue to face a crisis of public trust, and the big question will always arise: "Where are we taking the police?"

B. Structural Reform of the Indonesian National Police: Remain Under the President or Move to a Ministry

The debate over the structural position of the Indonesian National Police (Polri), whether it should remain directly under the President or be transferred to a ministry, has become a recurring topic in the discourse on security sector reform in Indonesia. This question concerns not only technical bureaucratic aspects but also touches on a deeper level: how to ensure the independence, accountability, and effectiveness of the Polri in carrying out its functions as law enforcers, protectors, guardians, and servants of the public.¹⁵

Historically, the placement of the Indonesian National Police (Polri) directly under the President arose from the spirit of the 1998 reforms, which sought to break the police's dependence on the Indonesian Armed Forces (ABRI) and establish the police as a civilian

¹³Edi Saputra Hasibuan and Kurniawan Tri Wibowo, *Police Legal Politics (Formation of Police Regulations)*. Yogyakarta, Jejak Pustaka, 2025, page 113

¹⁴National Commission on Human Rights of the Republic of Indonesia, *Annual Report 2023: Human Rights Situation in Indonesia*, p. 48.

¹⁵Edi Saputra Hasibuan. "Police Reform: Examining the Success of the Police Precision Program." *Krtha Bhayangkara* 17, no. 3 (2023): pp. 515-524.

institution. MPR Decree No. VII/MPR/2000 explicitly separated the Indonesian National Armed Forces (TNI) and the Indonesian National Police (Polri) and positioned the Polri as an institution directly responsible to the President. This concept is considered relevant to strengthening the independence of the Polri, preventing it from being subordinated to the interests of certain ministries or political actors. Thus, this structural position under the President is expected to provide the Polri with space to maintain neutrality in law enforcement.¹⁶

However, as time went on, the position directly under the President created accountability issues. The Indonesian National Police (Polri) has extensive authority—ranging from law enforcement and maintaining security to investigating various crimes—but oversight of this authority is considered weak. The President's oversight mechanisms tend to be politically motivated and ineffective in addressing ethical violations and professionalism of officers in the field.¹⁷ Furthermore, the weak role of the National Police Commission (Kompolnas) as an external oversight body frequently calls into question the accountability of the Indonesian National Police (Polri).¹⁸

On the other hand, the idea has emerged to place the Indonesian National Police (Polri) under a ministry, for example the Ministry of Homeland Security or the Ministry of Law and Security, to strengthen checks and balances. This model harkens back to practices in several democratic countries, where the police are subordinated to specific ministries to create clearer bureaucratic channels and more measurable public accountability. By joining a ministry, the Indonesian National Police (Polri) would no longer be a "superpower" institution, but would instead become part of the government system, more easily monitored and accountable.¹⁹

However, the option of placing the National Police under a ministry also raises new concerns. One is the potential for greater politicization, as the ministry is part of the cabinet, which is fraught with political interests. If the National Police were under a ministry, there would be a risk that any security and law enforcement policies would be more easily influenced by the interests of political parties or the elites controlling the ministry.²⁰ Thus, the independence of the National Police could be further eroded, particularly in the context of handling major cases involving political interests.

Since the 1998 reforms, the Indonesian National Police (Polri) has been placed directly under the President, based on MPR Decree No. VI/MPR/2000 and MPR Decree No. VII/MPR/2000. The primary objective was to break the Polri's subordination to the Indonesian Armed Forces (ABRI) and ensure its neutrality in law enforcement. By being

¹⁶Jimly Asshiddiqie, *The Indonesian Constitution and Constitutionalism* (Jakarta: Sinar Grafika, 2022), p. 203.

¹⁷Bivitri Susanti, *Security Sector Reform in Indonesia* (Jakarta: Epistema Institute, 2023), p. 81.

¹⁸Amostian, Amostian, Yusriyadi Yusriyadi, and Ana Silviana. "Police Reform Through Strengthening the Functions and Authorities of the National Police Commission in Conducting External Supervision of the Police." *Indonesian Legal Development Journal* 5, no. 3 (2023). Pages 510-522.

¹⁹Muladi, *Democracy, Human Rights, and Police Reform* (Jakarta: Prenadamedia, 2023), p. 219.

²⁰Todung Mulya Lubis, *Law and Politics in Indonesia* (Jakarta: Kompas, 2022), p. 99.

under the President, the Polri is expected to maintain a high degree of independence, free from interference from ministries or short-term political interests.²¹

However, in practice, this position creates accountability issues. The Indonesian National Police (Polri) is perceived as having superpowerful authority with weak oversight mechanisms. The president often fails to exercise effective control, while external oversight bodies like the National Police Commission (Kopolnas) are merely consultative and lack coercive authority.²²As a result, the perception arises that the Indonesian National Police (Polri) is relatively free from strict oversight, increasing the potential for abuse of power. However, this option is not without its problems. Placing the Indonesian National Police (Polri) under a ministry opens up the potential for greater politicization. Given that the ministry is part of the political cabinet, the Indonesian National Police (Polri) is vulnerable to being used as a tool for the interests of the ruling party. If this occurs, the police's independence in handling cases involving the political elite could be further weakened.²³

The following is a comparison of the constitutional consequences if the Indonesian National Police were under the President or under a Ministry:

| Aspect | Police Under the President | Police Under the Ministry |
|----------------------------------|---|---|
| Independence | Higher, because it is directly responsible to the President; the potential for neutrality is greater. | Lower, potentially more influenced by the ministry's political interests. |
| Accountability | Relatively weak; Presidential oversight is ineffective, Kopolnas is limited. | More structured through bureaucratic mechanisms and political accountability of ministers in the DPR. |
| Effectiveness of Law Enforcement | Fast and flexible because it does not go through ministry bureaucracy. | It can be hampered by ministry bureaucracy, but it is more controlled. |

The table shows that both options have advantages and disadvantages. Remaining under the President guarantees greater independence but carries the risk of lower accountability. Conversely, being under a ministry strengthens accountability through political mechanisms but opens up greater opportunities for politicization.

Based on the presentation from the Head of the Indonesian National Police Education and Training Institute on September 16, 2025, the transformation of the Indonesian National Police encompasses organizational, operational, public, and supervisory aspects. The organizational aspects include leadership, administration, logistics, budget, and capacity. Operational aspects include: routine, special, and

²¹Jimly Asshiddiqie, *The Indonesian Constitution and Constitutionalism* (Jakarta: Sinar Grafika, 2022), p. 203. See also Edi Saputra Hasibuan, *Police Law and Criminal Policy in Law Enforcement*, Depok: Rajawali Pers, 2021, p. 9

²²Bivitri Susanti, *Security Sector Reform in Indonesia* (Jakarta: Epistema Institute, 2023), p. 81.

²³Todung Mulya Lubis, *Law and Politics in Indonesia* (Jakarta: Kompas, 2022), p. 99.

contingency. Public aspects include: security, safety, administration, and information/humanitarian, while supervision includes: internal and external. ²⁴This presentation focuses on a democratic Indonesian National Police, a people's police, and a state apparatus.

The placement of the Indonesian National Police (Polri) under the President was based on thorough theoretical and empirical studies by the nation's founders. A wise nation will not repeat the mistake of placing the Indonesian National Police (Polri) under a specific institution or department, which tends to weaken its power. Many interventions and interests are difficult to manage if the Polri is not under the President's control. From a historical perspective, constitutional law, the only way to have a strong and resistant police force is to place the Polri under the President, in accordance with the decision of the nation's founders.²⁵

Based on this description and development of the reform, it is clear that the choice between remaining under the President or being transferred to a ministry cannot be seen in a simple manner. Structural reform of the Indonesian National Police (Polri) must consider the balance between independence and accountability. If the POLRI remains under the President, it will be necessary to strengthen a truly effective independent oversight mechanism, either through the National Police Commission (Kopolnas) or other external institutions with investigative and sanctioning powers. Conversely, if the POLRI is transferred to a ministry, there must be strong assurances that the ministry is free from practical political interference and has legal mechanisms in place to guarantee police neutrality. Therefore, the structural issue of the POLRI is not merely a matter of being under the President or a ministry, but rather a matter of building an institutional system that ensures the POLRI is able to carry out its duties professionally, transparently, accountably, and with a focus on protecting human rights. Without comprehensive reforms in oversight, transparency, and political neutrality, changes in structural position alone will not address the crisis of public trust in the POLRI.

Thus, structural reform of the National Police (Polri) is not sufficient to simply answer the question of "under the President or a ministry," but must also strengthen the design of independent external oversight, such as strengthening the authority of the National Police Commission (Kopolnas) or establishing a new institution equivalent to a police-specific Ombudsman. Without strong oversight, structural changes will be merely cosmetic and will not resolve the crisis of public trust in the National Police.

IV. CONCLUSION

The controversy surrounding the direction of Polri reform, particularly regarding whether it should remain under the President or be transferred to a ministry, is a strategic issue related to the effectiveness of law enforcement, accountability, and human rights

²⁴Presentation by Komjenpo Chtynanda Dewi Laksana, Head of the Indonesian National Police Education and Training Institute, September 16, 2025, regarding the Reformation of the Indonesian National Police

²⁵Edi Saputra Hasibuan and Kurniawan Tri Wibowo, *Police Legal Politics (Formation of Police Regulations)*. Yogyakarta, Jejak Pustaka, 2025, p. 86

protection. This study confirms that having Polri directly under the President offers advantages in terms of independence, speed of decision-making, and effective cross-sector coordination in addressing national threats. However, this model is also vulnerable to excessive political intervention if not accompanied by a strong oversight mechanism. Conversely, the idea of placing Polri under a ministry could improve administrative accountability and bureaucratize oversight, but has the potential to weaken Polri's independence in carrying out its duties. Therefore, the direction of Polri reform does not depend solely on changes to the state structure, but rather on establishing a transparent, participatory, and rule-of-law oversight mechanism. Therefore, the most relevant option in the current Indonesian constitutional context is to maintain Polri's position under the President, but also to strengthen the system of checks and balances through an independent external oversight body. This will ensure Polri remains professional, accountable, and oriented toward the interests of the people and the protection of human rights.

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