

Excessive Police Violence Against Protesters

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Abstract

This study aims to develop and test the validity and reliability regarding excessive police violence against the community against demonstrations that can have an impact on the complexity of the community. The research methods used in examining police violence against demonstrations can be pursued through a literature study approach that allows for in-depth investigation of various perspectives, academic approaches, through scientific journals, and related articles. The aggressiveness of police officers in handling demonstrations often reflects the excessive use of force. The causes of this action can be internal and external. Internal factors include the behavior and dynamics of the demonstrators themselves, while external factors include the broader political and social situation. The conclusions of the study show that police violence against protesters, including women journalists and black protesters, is a serious human rights violation and requires. Police violence against protesters has a very far-reaching and detrimental impact, both physically and psychologically.

Keywords: Excessive, Police Violence

Introduction

Regarding excessive police violence against the community against demonstrations can have an impact on the complexity of the community, in demonstrations there is a lot of violence that is intertwined, in the eyes of the community, the violence committed by the police in demonstrations is quite ironic because the existence of the apparatus is basically to protect the people, the researcher wants to know what the picture of the aggressiveness of the police officers when securing the demonstration, what punishment should be obtained by the apparatus who committed acts of violence as well as a juridical review of the regulations governing demonstrations and how demonstrations exist in society (Saputra, 2021). Police violence in the problem of demonstrations can include various actions, persecution, acts of physical violence, threats or terror, to arbitrary arrests of the community. (IV & Descriptive, 2013).

Due to the difficulty of controlling the demonstration action, there are several factors in the cause of the problem, including internal and external factors from the demonstration

itself, internal factors, namely factors that come from within the scope of the demonstrators themselves, while external factors are from outside the scope of the demonstrators. Against anarchist demonstrators, sometimes police members often act not according to the established regulations. Often when securing demonstrations, the authorities are still difficult to control violent actions and instead participate in provoking, chasing, and retaliating against the perpetrators of the demonstration even to arrest the protesters by violent means such as hitting and persecuting. The violence occurs because of their inability to act persuasively and professionally (Alya Nabila, 2022). The basic legal basis that has not been too comprehensive in securing and handling demonstrations so that the violent acts carried out seem arbitrary. So, we need to study the problem of this phenomenon to find out whether the violent acts carried out by the security forces in dealing with anarchist protesters are the right actions and are allowed to be done, or include excessive actions that are not in accordance with the rule of law and not in accordance with procedures, so it is very necessary to have a rule that provides limits on the actions of the security forces in securing the protesters in a protest (Sasmita & Lasmadi, 2022).

That way, the community should be able to correctly understand the rules related to acts that should not be done when they want to conduct demonstrations or demonstrations, as well as vice versa, the police officers in securing demonstrations lead to anarchist actions, so the police officers continue to carry out their duties, and also the community can know how to enforce the law in handling a case of violence against the protesters (Hanna Theresia Febiola Toha, 2024). Because the community is also given freedom in the right to protest or demonstrate, guaranteed in Article 44 of Law No. 39 of 1999 concerning Human Rights, that is, everyone either alone or jointly has the right to submit opinions, petitions, complaints, and/or proposals (Administratum et al., 2016). In any case, protesters who hold demonstrations in accordance with the rule of law must remain protected and must not be arrested and/or persecuted.

However, if we look at the problem of violence experienced by the community, discretionary authority seems to be the *legal standing* of police officers to act arbitrarily during demonstrations against protesters (Saleh & Sukarno, 2021). This can happen because

members of the police force who secure protests are often faced with a decision where they have to choose an action that is sometimes beyond the limits of their authority and outside the command of their leaders, it is usually called discretion. It is very important that discretion can be done correctly by considering all aspects or things above accompanied by good ethics. Discretion is derived from the principle of general police obligation (*plichtmatigheids beginsel*), which is a principle that gives authority to police officials to act or not act according to their own judgment, in the context of general duty to maintain, and maintain order and ensure public security (Silangit et al., 2022)

We can study the authority of the police over protests, further regulated in the regulation of the chief of police of the Republic of Indonesia Number 7 of 2012 concerning the way of organizing, serving, secure, and handling cases of expressing opinions in public. Police Regulation of the Republic of Indonesia Number 16 of 2006 concerning crowd control (Regulation of the National Police Chief No. 16 of 2006). The National Police Chief's Regulation No. 7 of 2012 has stipulated that in the implementation of public opinion submission by citizens, officials, the National Police is obliged and responsible for: a) providing professional services; b) upholding human rights; c) respect the principle of legality; d) respect the principle of presumption of innocence; e) organizing handling (Aulianisa.S, 2019). The police are expected to be able to handle the protests wisely and be able to control their emotions so that the image of the police in the eyes of the public is not seen badly, which will have an impact on the loss of public trust which can lead to legal order (Sabrina, 2016).

Literature Review

YEAR	HEADING	AUTHOR'S NAME	ISSUES RAISED	THEORY USED	RESULT
2021	Perlindungan Hukum Terhadap Jurnalis Perempuan Ketika Meliput Berita	Hardiyanti, Elma.	Legal protection for Women Journalists in Indonesia who experience	Ibrahim, Johnny (2006).	Knowing the protection p to journal Indonesia. S can be know

	Dalam Aksi Demonstrasi		violence and comparisons for Women Journalists in Indonesia with several other countries when covering demonstrations		the pro provided is the written standard a rest is o provide understandi the commun state ap about the ex of protectio that compar carried out b Indonesia Australia, Philippines a Netherlands are similarities differences t quite (Hardiyanti,
2022	Police Violence Against Black Protesters: A Public Health Issue	Anderson, James F. Lee, Tazinski P. Langsam, Adam H. Reinsmith-Jones, Kelley	The excessive use of force by police against black protesters is a national problem that is likely to continue	Bodapati, M., Anderson, JF, & Brinson, TE (2008).	Research cor on implicit b how it police b reveals tha based on cumulative

			unless policies are put in place to address the necessary reforms in law enforcement practices and training.		perception society built others that has a big impact on outcomes (Greenwald 2015). Glas Knowles, Some experts that implicit bias based stereotypes Black people more susceptible to violence and that are deeply ingrained in American (Anderson 2022).
2023	Kekuatan Hukum Tindakan Represif Kepolisian dalam Unjuk Rasa yang Mengakibatkan Kericuhan	Wibawa, Ryan Sukma	The inconsistency of the actions of the police with the regulations of the National Police Chief and FIFA regulations, which is a critical		Revealing implicit bias findings illustrate complex relationships between protection of individual rights and

			point in the discussion on the accountability of the police officers. Discovery		responsibility state to m public oro protests th potentially r riots (V 2023).
2021	Kebrutalan polisi , Pelanggaran HAM , SARS , End SARS , Nigeria .	Manajemen, Jurnal Internasional Sosial, Ilmu Perdamaian, Studi	Police brutality, the use of torture as an interventionist technique, and other unintentional human rights violations have been major weaknesses of the Nigerian Police Force. reaped ridicule, and public condemnation of the Police	Marxis yang dianut oleh Lersch (1998)	The issue of brutality and human abuses has an integral police opera its formation primarily ai protecting p and gove agencies. Th to their invol in corrupt a and all fo violations, especially s has an imp human violations, v contrary to modus oper

					operations (Manajemen 2021).
2022	Pertanggungjawa ban Pidana Aparat Kepolisian Yang Melakukan Kekerasan Terhadap Demonstran	Lewansorna, Dames Toule, Elsa Rina Maya Sopacua, Margie	Violence committed by the authorities against demonstrators that occurred at the time of demonstrations in Papua, demanding the sharing of mining revenues, they felt that the welfare funds given to them were not in accordance with the profits obtained by the largest company in Indonesia.	E B Hurlock, (1999)	Law enfor officials can criminally lia their acts violence con against demonstrato been prove fulfills su and o elements a be held cr accountable violent committed protesters, i of criminal only human (natuurlijke- personen) All that can b for Accountabili Subject of Criminal

					(Lewansorna 2022).
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Women journalists are at great risk when covering demonstrations. Although there are regulations governing the protection of the press, women journalists in Indonesia still face many challenges in carrying out their profession, such as physical violence and verbal harassment. The case of violence experienced by female journalists in received an inadequate response from the legal system of the case (Hardiyanti, 2021).

Police violence against black protesters, which has an impact on criminal justice that leads to negative health consequences for the victims. Some strategies to reduce police violence in the future This article emphasizes the need for better police training in managing large protests and building relationships with communities to reduce police violence. For community activists to be involved in police training to raise awareness about the needs of protesters and improve police relations with the community (Anderson et al., 2022).

In the law of police repressive measures during demonstrations There are gaps between legal regulations and field practice, as well as challenges in the implementation and enforcement of the law. The importance of accountability and effective supervision in law enforcement to respect individual rights and maintain proportionality of police action. Repressive actions refer to the efforts of the government or authorities to stop, control, or face resistance or protests carried out by citizens or community groups (Wibawa, 2023).

The protests highlighted human rights abuses in Nigeria, and exposed numerous cases of torture, ill-treatment, and human rights abuses committed by SARS police units in Nigeria. These include prolonged pre-trial detention and a judicial system hampered by corruption and political influence. Despite promises of police reform, police brutality practices and human rights abuses continue, reflecting the failure of the government and police forces to protect the human rights of their citizens. Which is the starting point of public disappointment with the government (Management et al., 2021).

Police officers who are suspected of violating several articles in the police law and Indonesia's constitution are required to be held criminally accountable by Indonesia police officers who commit violence against protesters, according to Indonesia's criminal law. It is explained that acts of violence by members of the National Police against demonstrators are not legally justified, and if they occur, they must be processed through disciplinary hearings or general courts. Which explores the legal consequences that may be faced by the police officers involved in the case. It also criticizes the failure of law enforcement in Indonesia, which is attributed to the incompetence and unwillingness of law enforcement officials themselves (Lewansorna et al., 2022).

Research Methods

The research methods used in examining police violence against demonstrations can be pursued through a literature study approach that allows for in-depth investigation of various perspectives, academic approaches, through scientific journals, and related articles. It is used to analyze and synthesize findings from previous research of relevant theories, as well as empirical data documented in various verified literary sources.

Results and Discussion

Police violence against such demonstrations not only violates human rights, but also inflicts profound psychological trauma on the victims of the incident which is divisive and tensions among citizens, threatening their sense of security and mental well-being (Santoso & Rachmatullah, 2023). In addition, in the midst of a pandemic, violence in demonstrations

has a high risk of spreading Covid-19, because crowds and repressive responses of the authorities often do not pay attention to health protocols.

Demonstrations are not only happening in Indonesia, in other countries large demonstrations during the coronavirus pandemic with thousands of people have already occurred during the Black Lives Matter protests in the United States and Europe, which were triggered by the death of George Floyd (Rohman, 2020). Many reports have emerged of excessive use of force by the police. Demonstrations that should have been peaceful often turn into clashes, resulting in many protesters being injured due to the aggressive actions of the authorities, such as the use of tear gas, rubber bullets, and mass arrests that seek to repulse the actions of the protesters, especially some individuals who seek to damage public facilities and provoke (Qatrunnada & Ridwan, 2022). These measures not only endanger the protesters but also exacerbate the pandemic situation with an increased risk of Covid-19 transmission in chaotic crowds.

In Indonesia, a similar phenomenon occurred in various protests, including those against the Job Creation Bill which has caused various problems so that the community participated in protests at the ratification of the Job Creation Bill in early 2020 (Winda Fitri, 2021). Reports of police violence against protesters, including the use of batons, water cannons, and arbitrary detentions, are a familiar sight. This kind of violence often causes a variety of serious injuries and injuries that require medical treatment. Repeated physical violence can cause long-term health problems and psychologically, the effects of domestic violence can be very damaging to health and exacerbate public distrust of law enforcement officials (Sodak & Hardori, 2021).

This repressive act has invited criticism from various human rights organizations such as wrongful arrests, fabricated cases, extortion of suspects, discrimination in protest security services, and various types of human rights violations that have occurred, committed by police personnel who are time to be abandoned in an effort to respect and uphold human rights in every implementation of the main task that demands accountability and reform in the police force (Nuzulia, 1967). They called for better training for police in handling

demonstrations peacefully and respecting human rights. In addition, there is a push for independent investigations into incidents of police violence and the imposition of sanctions for those found guilty of violations.

The aggressiveness of police officers in handling demonstrations often reflects the excessive use of force. Acts such as physical persecution, threats, terror, and arbitrary arrests of protesters are common. The causes of this action can be internal and external. Internal factors include the behavior and dynamics of the demonstrators themselves, while external factors include the broader political and social situation. In the face of potentially anarchic demonstrations, police often lose control and respond with excessive violence, such as chasing and persecuting protesters. This incident is somewhat ironic because the existence of the police is basically to protect the people (S. Agus & Kurniati, 2008). Police officers who are proven to have committed violence against protesters must face punishment in accordance with applicable regulations. This kind of action is not justified by law and should be processed through a disciplinary hearing or general court. Strict punishment is needed to create a deterrent effect, ensure accountability, and restore public trust in police institutions. Law enforcement officials enforce the approach The legal process must be transparent and fair in the judicial process to ensure that justice is upheld and no human rights violations are left unattended (Azharie, 2023).

In Indonesia, various regulations have been established to regulate the holding of demonstrations. Some important regulations include the National Police Chief's Regulation No. 7 of 2012 concerning the way of organizing, serving, securing and handling cases of expressing opinions in public, as well as the National Police Chief's Regulation No. 16 of 2006 concerning crowd control. This regulation requires the police to act professionally, respect human rights, the principle of legality, and the principle of presumption of innocence. Although these regulations exist, in practice there are often gaps between the rules and their implementation in the field, leading to acts of violence. Demonstrations are part of freedom of opinion guaranteed by law, such as Article 44 of Law No. 39 of 1999 concerning Human Rights. The community has the right to express opinions which are part of democracy which

has a very broad meaning, but the community is still afraid to express their opinions in public, and the police are obliged to protect this right (Farida, 2022). However, demonstrations are often accompanied by anarchist actions that can be categorized as criminal acts that trigger a strong response from the police (Mandiri, 2003). This violence not only violates human rights but also has profound psychological impacts, such as trauma, and can exacerbate social tensions and reduce public trust in law enforcement officials.

To address the problem of police violence, better training is needed for officers in handling peaceful demonstrations and respecting human rights. Involving community activists in police training can raise awareness of the needs of protesters and improve the relationship between police and the community. In addition, independent investigations into incidents of police violence and sanctions for offenders are needed to ensure accountability and transparency in law enforcement. Institutional reform in the police force is also very important to ensure that the police can carry out their duties properly and professionally.

Conclusion

The conclusions of the study show that police violence against protesters, including women journalists and black protesters, is a serious human rights violation and requires urgent attention. Police violence against protesters has a very far-reaching and detrimental impact, both physically and psychologically. This violent incident also resulted in division and tension in the community, which threatened the sense of security and mental well-being of the citizens. In Indonesia, police violence against protesters, including the use of batons, water cannons, and arbitrary detentions, has become a common sight. The phenomenon of police violence against protesters did not only occur in Indonesia but also occurred in other countries such as the United States and Europe during the Black Lives Matter protests. Excessive use of force by police officers, including tear gas and rubber bullets, often leads to clashes that result in many injuries. The aggressiveness of the police in handling demonstrations is often due to internal factors, such as the behavior of protesters, and external factors, such as political and social situations.

Repressive actions carried out by police officers have invited criticism from various human rights organizations. What can be done to overcome this incident is the need for better training for police officers in handling demonstrations. The involvement of community activists in police training can raise awareness of the needs of protesters and improve the relationship between the police and the community. Independent investigations and sanctions are also needed for violators to ensure accountability and transparency in law enforcement. In addition, institutional reform in the police is urgently needed to ensure that the police carry out their duties professionally.

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