

## **The Role of the Indonesian National Police's Propam in Improving Professionalism and Enforcing the Code of Ethics and Discipline of Indonesian National Police Members**

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**Abstract.** *The professional code of ethics for Polri members is designed to provide guidance in carrying out their duties fairly, honestly, and responsibly. The research objectives in this study: 1). to study and analyze the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members, 2). to study and analyze the obstacles and solutions to the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members. This study uses a sociological juridical approach, with a descriptive analytical research method. The data used are primary and secondary data which will be analyzed qualitatively. Research problems are analyzed using legal system theory and legal objective theory. The results of the study conclude that: 1) The role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members is to foster and organize the function of professional accountability and internal security including enforcing discipline and order within the Polri environment and serving public complaints about any irregularities in the actions of Polri members/PNS; 2). The obstacles to the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members are: a). lack of budget support so that the facilities and infrastructure are inadequate, b). lack of personnel (HR) who become the team implementing the enforcement of the professional ethics of the police with a fairly wide coverage area, c). lack of public support for the performance of the Polri, especially for police members who commit crimes against the community itself, d). the level of awareness and compliance with the regulations of the Code of Ethics of the Professional Police that are binding and applicable to them is still relatively low so that violations of the Code of Ethics of the Professional Police continue to occur. The solution to these obstacles is: a. adding facilities and infrastructure in enforcing the code of ethics, b. adding personnel (HR) who become the team implementing the development of professional*

*ethics of the police with a fairly wide coverage area, c. increasing awareness and compliance of Polri members, d. providing socialization to the community about the performance of Polri, Propam.*

**Keywords:** *Compliance; Ethics; Professionalism; Socialization.*

## 1. Introduction

Indonesia is a country governed by law, adhering to the principle of legality in its criminal justice system. Laws are created and enforced to regulate and protect the interests of citizens, preventing conflict, and also to protect human rights. Law is a set of rules, regulations, and regulations, both written and unwritten, relating to the regulation of relationships between citizens in society.<sup>1</sup> All behavior of citizens is regulated by law, including members of the Indonesian National Police.

Article 1 paragraph 3 of Law No. 2 of 2002 concerning the Indonesian National Police defines an Officer of the Indonesian National Police as a member of the Indonesian National Police who, based on the law, has general police authority. The Indonesian National Police (Polri) plays a very important role in maintaining security, order, and law enforcement in Indonesia. As law enforcers, Polri members are expected to carry out their duties and responsibilities with high professionalism and integrity. To ensure that every Polri member acts in accordance with ethical and moral principles, a professional code of ethics is needed to regulate their behavior. The professional code of ethics for Polri members is formulated to provide guidance in carrying out their duties fairly, honestly, and responsibly. This code of ethics covers various aspects, from interactions with the community, relationships with colleagues, to attitudes towards institutions and applicable regulations. With this code of ethics, it is hoped that Polri members can carry out their duties without abuse of authority, conflicts of interest, or other unethical actions that can damage the image of the police and reduce public trust. However, the implementation and enforcement of this code of ethics face various challenges.

The regulations regarding the police code of ethics are regulated in the Regulation of the Republic of Indonesia National Police Number 7 of 2022 concerning the Professional Code of Ethics and the Commission of the Code of Ethics of the Republic of Indonesia National Police. This regulation was formed based on the mandate of Article 34 paragraph (3) of Law Number 2 of 2002 concerning the Republic of Indonesia National Police and is based on the implementation of the duties, authorities, and responsibilities of members of the Republic of Indonesia National Police must be carried out professionally, proportionally, and

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<sup>1</sup> Yahya Harahap, 2015, Discussion of Problems and Application of the Criminal Procedure Code (Court Hearing, Appeal, Cassation, and Judicial Review), Jakarta: Sinar Grafika, p. 1

procedurally supported by the basic values contained in Tribrata and Catur Prasetya outlined in the professional code of ethics of the Republic of Indonesia National Police as norms of appropriate and inappropriate behavior and enforcement of the professional code of ethics of the Republic of Indonesia National Police must be carried out objectively, accountably, upholding legal certainty and a sense of justice (legal and legitimate), as well as human rights by paying attention to the service of members of the Republic of Indonesia National Police who are suspected of violating the professional code of ethics of the Republic of Indonesia National Police.

Some members of the Indonesian National Police (Polri) may not yet fully understand or internalize the applicable code of ethics, while oversight and enforcement mechanisms still need to be strengthened. This study aims to analyze the importance of the law and the professional code of ethics for Polri members, and to evaluate the effectiveness of code enforcement in maintaining integrity and professionalism within the police force. This study will also examine various obstacles and challenges in implementing the professional code of ethics and provide recommendations for increasing Polri members' awareness and compliance with the code. With a deeper understanding of the role and importance of the professional code of ethics, it is hoped that this study can make a significant contribution to strengthening law enforcement and ethics within the Polri.

Members of the Indonesian National Police (Polri) play a vital role in maintaining security, order, and law enforcement. As law enforcers, Polri members must carry out their duties with integrity, professionalism, and in accordance with established ethical standards. To ensure that every Polri member acts in accordance with these principles, a professional code of ethics is required to govern their behavior. The professional code of ethics for Polri members is designed as a guideline for behavior that must be followed in carrying out daily duties. This code of ethics covers various aspects, including interactions with the community, relationships with fellow members, and attitudes toward the institution and applicable legal regulations. The primary objective of this code of ethics is to prevent abuse of authority, conflicts of interest, and other unethical actions that could damage the Polri's image and undermine public trust. However, the implementation and enforcement of the professional code of ethics for Polri members faces various challenges.

Some members may not fully understand or internalize the applicable code of ethics, resulting in deviations in the performance of their duties. Furthermore, mechanisms for monitoring and enforcing the code of ethics need to be strengthened to be more effective in preventing and prosecuting violations. This study aims to analyze the importance of the law and the professional code of ethics for members of the Indonesian National Police (Polri), and to evaluate the

effectiveness of code enforcement in maintaining integrity and professionalism within the POLRI. Furthermore, this study will identify various obstacles and challenges faced in implementing the code of ethics and provide recommendations for increasing awareness and compliance with the code of ethics among POLRI members. With a deeper understanding of the role and importance of the professional code of ethics, this study is expected to make a significant contribution to strengthening law enforcement and ethics within the POLRI environment, as well as increasing public trust in the police institution. Based on the background described, the research problem formulation in this study is how the law is implemented regarding violations of the professional code of ethics by POLRI members and what role the POLRI organization plays in supporting the enforcement of the professional code of ethics.

The police not only function as law enforcers but also function as servants, protectors and guardians of the community, namely to protect human dignity, maintain public order and handle crimes both in the form of action against criminals and in the form of crime prevention efforts with the aim of citizens being able to live and work and carry out their activities in a safe and peaceful state. With this principle, it is hoped that there will be a police that is close to its community, which changes from an antagonistic police to a protagonist police.<sup>2</sup>Therefore, in enforcing or guaranteeing public security and order, sanctions or punishments are required. In the event of a violation or criminal act against legal norms, the government through the Republic of Indonesia National Police has the duty and obligation to take legal action. In order to prevent criminal acts against the community, the police have the authority regulated in Article 15 paragraph (1) letters (a) to (j), and Article 16 paragraph (1) letters (a) to (i) and paragraph (2) of Law Number 2 of 2002 concerning the Republic of Indonesia National Police.

The implementation of the duties of the Indonesian National Police is closely related to the rights and obligations of citizens and is directly bound by the Police Professional Code of Ethics. Therefore, if a member of the Indonesian National Police who carries out his duties and authorities is deemed to have violated professional ethics, then the member must be accountable for his actions before the Indonesian National Police Code of Ethics Commission. This is intended to glorify the police profession, while violations of disciplinary law and criminal law are resolved in accordance with statutory regulations. Regarding criminal law, it will be directed to criminal justice. Criminal justice is carried out based on criminal procedural law and is divided into several stages. Each stage involves certain institutions.

One of the key players in enforcing the Police Code of Ethics is Propam. The

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<sup>2</sup>Rudi Cahya Kurniawan, *Implementation of Police Duties in the Era of Change: Community Policing Model, Law Enforcement & Local Wisdom*, (Yogyakarta: CV. Budi Utama, 2020), pp. 4-5

implementation of Propam's functions and roles within the Indonesian National Police has an impact on the enforcement of discipline among police officers, particularly in enforcing the Police Code of Ethics. Police professionalism is desired not only by police officers but also by all Indonesians, because the function of protecting and safeguarding the public is supported by Police professionalism, and all of this is inseparable from Propam's role in enforcing the Police Code of Ethics.<sup>3</sup>

The role of the Professional and Security Division (Propam) under the Republic of Indonesia National Police Regulation (Perpol) Number 7 of 2022 is to enforce the National Police's professional code of ethics and maintain internal security within the National Police. Propam is tasked with supervising, investigating, and imposing sanctions on National Police personnel who violate the code of ethics. Furthermore, Propam plays a role in preventing and prosecuting deviant behavior within the National Police and ensuring operational activities comply with regulations.

Based on the background description above, the author is interested in writing a thesis entitled "The Role of the Indonesian National Police Propam in Improving the Professionalism and Enforcement of the Code of Ethics and Discipline of Indonesian National Police Members".

This study aims to examine and analyze the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members, to examine and analyze the obstacles and solutions to the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members.

## **2. Research Methods**

This research uses a sociological-juridical approach, employing a descriptive analytical research method. The data used are primary and secondary data, which will be analyzed qualitatively. The research problem is analyzed using legal system theory and legal objectives theory.

## **3. Results and Discussion**

### **3.1. The Role of the Indonesian National Police's Propam in Improving Professionalism and Enforcing the Code of Ethics and Discipline of Indonesian National Police Members**

Members of the Indonesian National Police (POLRI) cannot be separated from their nature as human beings who live in society and interact with each other. Individuals, in maintaining their survival, interact with other individuals and require the assistance of others because it is impossible for humans to live alone

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<sup>3</sup>Soebroto.2004. Police Authority in Police Law in Indonesia, Jakarta: PTIK Anthology, p. 41

in the world. The Indonesian National Police (POLRI) Code of Professional Ethics contains a description of the behavioral guidelines for every Polri member in their interactions with the community, both when carrying out their duties and authorities and when not carrying out their duties and authorities in the community.<sup>4</sup>

The above deviations in the behavior of Polri members are violations of the disciplinary regulations of Polri members as regulated in the Government Regulation of the Republic of Indonesia Number 2 of 2003 concerning the Disciplinary Regulations of Polri Members. However, the current law enforcement of the disciplinary regulations of Polri members is still felt to be far from expectations and has not been able to provide a maximum positive impact on the behavior of Polri members due to both the process of law enforcement and the results of law enforcement of disciplinary regulations, among others, there are still differences in perceptions regarding the implementation of the disciplinary provisions of Polri members who commit disciplinary violations, even though this has been regulated both by PP RI No. 2 of 2003 concerning the Disciplinary Regulations of Polri Members and the provisions of the implementation procedures based on the Regulation of the Chief of Police No. 2 of 2016 dated May 25, 2016, concerning the Settlement of Disciplinary Violations of Members of the State Police of the Republic of Indonesia, as well as based on the Decree of the Chief of Police No. Pol. : Kep / 97 / XII / 2003 dated December 31, 2003 concerning the organization and work procedures of the Divpropram Polri. The norms contained in the National Police's Code of Professional Ethics, formulated in National Police Chief Regulation Number 7 of 2022, are binding and embody high moral values. They serve as guidelines for police officers to conduct themselves in accordance with moral values.

Violations of the Indonesian National Police Code of Ethics mean that for members of the Indonesian National Police in resolving cases related to violations of discipline or the code of ethics, there are legal problems, including: The decisions of the Disciplinary Hearing and the Code of Ethics Hearing are not yet binding and not final, because the final decision in imposing the law lies with the superior who has the right to punish (Ankum), so that the decision of the hearing is limited to only providing recommendations to Ankum regarding the decision made based on the legal facts revealed in the trial.

The designated police unit that has a control function within the police force, in this case, is the Professional and Security Unit (Propam). In other words, to deal with police officers who commit reprehensible acts, even if they are criminal acts. The function and role of the Professional and Security Unit (Propam) within the Indonesian National Police is important because it will have an impact on enforcing discipline among members of the Indonesian National Police (Polri) and especially

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<sup>4</sup>Ibid, p.87.

the enforcement of the Polri code of ethics. The professionalism of the Polri is desired not only by Polri members but also by all Indonesian people, because the function of protecting and protecting the community is supported by Polri professionalism and all of this is inseparable from Propam's role in enforcing the Polri professional code of ethics.<sup>5</sup>

Police must be friendly and act wisely when dealing with the public. They must always be vigilant when dealing with criminals. It's not uncommon for police officers, who enforce the law, to be in danger of death or at least bodily injury. However, the reality is that most people view the police's role as law enforcers and public servants, but the perception remains that they engage in distorted and destructive behavior, both as law enforcers and public servants.<sup>6</sup>

The Indonesian National Police (Polri) is directly responsible to the President of the Republic of Indonesia. Article 13 of Law No. 2 of 2002 states that the main duties of the Indonesian National Police are:

- a. Maintaining public security and order;
- b. Enforcing the law;
- c. Providing protection, care and services to the community.

The substance of the main task of maintaining public order and security stems from the police's obligation to guarantee public safety. Meanwhile, the substance of the main task of enforcing the law stems from the provisions of laws and regulations that outline the main duties of the Indonesian National Police (Polri) in relation to criminal justice. Furthermore, the main duty of the Indonesian National Police (Polri) to provide protection, care, and service to the public stems from the police's position and function as part of the government's function, which is essentially a public service.<sup>7</sup>In order to carry out the duties as stated in Article 13 of Law No. 2, the Indonesian National Police also has general authority as regulated in Article 15 of Law No. 2 of 2002.

Every profession has a code of ethics established within the institution or professional organization itself, which is morally binding for all members. Similarly, the police profession has a code of ethics that applies to every police officer and officer in a police function. The police code of ethics is regulated normatively in Law No. 2 of 2002 concerning the Indonesian National Police (Polri), which is followed up by the Regulation of the Chief of Police.

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<sup>5</sup>Soebroto, *Police Authority in Police Law in Indonesia*, PTIK Anthology, Jakarta, 2014, p.41

<sup>6</sup>Sadjijono, *Police Functions in the Implementation of Good Governance*, LaksBang, Yogyakarta, 2015, p. 24

<sup>7</sup>Pudi Rahardi, 2007, *Police Law: Professionalism and Police Reform*, Laksbang Mediatama, Surabaya, p. 68.



Article 34 of Law No. 2 of 2002 states that: The attitudes and behavior of Polri officials are bound by the Polri Professional Code of Ethics; The Polri Professional Code of Ethics can be a guideline for other police functionaries in carrying out their duties in accordance with the laws and regulations in force in their environment; and provisions regarding the Polri Professional Code of Ethics are regulated by the Decree of the Chief of Police. The function of the Polri Professional Code of Ethics is to guide the behavior of every Polri member in carrying out their professional duties and also as a reminder of conscience so that Polri members do not commit reprehensible acts that are contrary to ethical values and do not abuse their authority as Polri members. The police professional code of ethics is an elaboration of Tribrata values as a form of moral commitment which includes personal ethics, state ethics, institutional ethics, and ethics in relations with the community.<sup>8</sup>Credibility and commitment as law enforcers must be supported by good morals, competent human resources, and strong discipline. This high level of discipline is expected to improve the performance of Indonesian National Police (Polri) members in carrying out their duties as public servants and security personnel.<sup>9</sup>

This is also supported by Article 27 of Law No. 2 of 2002 concerning the Indonesian National Police which states: "To foster unity and integrity and to increase work spirit and morale, disciplinary regulations for members of the Indonesian National Police are established." Discipline in work is very important because with this discipline it is hoped that the regulations in the police profession can be obeyed by members, work according to procedures so that work is completed effectively and efficiently, and can increase work productivity. Discipline is a person's awareness and willingness to obey all organizational regulations and applicable social norms.<sup>10</sup>Meanwhile, in the Republic of Indonesia Government Regulation No. 2 of 2003 concerning Police Discipline, Article 1 explains that:

"Discipline is the sincere obedience and compliance with the disciplinary regulations of members of the Republic of Indonesia National Police." Violations of disciplinary regulations according to Government Regulation No. 2 of 2003 include words, writings, or actions of members of the Republic of Indonesia National Police that violate disciplinary regulations. Article 6 of Government Regulation No. 2 of 2003 concerning the Disciplinary Regulations of Members of the Republic of Indonesia National Police states that:

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<sup>8</sup>Pudi Rahardi, 2007, *Police Law, Professionalism and Police Reform*, Laksbang Mediatama, Surabaya, pp. 145&149.

<sup>9</sup>Putu Heri Sukarnita and I Nyoman Surata, "The Role of Profession and Security in Enforcing the Police Code of Ethics at the Buleleng Police Resort", *Kerta Widya: Journal of Law*, Faculty of Law, Pasundan University, Vol. 8 Number 1 August 2020, p. 41.

<sup>10</sup>Yana Putri, 2014, "Resolving Disciplinary Violations of Police Officers Who Are Absent from Duty Without Permission at the Pondok Cabe Tangerang Air Police", Thesis, Faculty of Law, Muhammadiyah University, Malang, p. 4.



"Police members are prohibited from abusing their authority; manipulating cases; collecting illegal fees in any form for personal or group gain; and leaking police operational secrets."<sup>11</sup>

Meanwhile, Regulation of the Head of the Republic of Indonesia National Police Number 2 of 2016 concerning the Settlement of Disciplinary Violations explains that disciplinary action will be given to members of the National Police who commit violations of order in the form of:

"Not bringing and/or not having complete documents, violation of behavior; procedures for respect; provisions for wearing the Indonesian National Police uniform; being late and/or not attending the roll call; and leaving the office during working hours without permission from the leader/superior."

All members of the Indonesian National Police who are proven to have violated disciplinary regulations will be subject to sanctions in the form of disciplinary action or disciplinary punishment. Government Regulation of the Republic of Indonesia No. 2 of 2003, Article 8 concerning disciplinary action for members of the Indonesian National Police is in the form of verbal warnings or physical action. Disciplinary punishments regulated in Article 9 of Government Regulation of the Republic of Indonesia No. 2 of 2003 are in the form of written warnings, postponement of education, postponement of salary increases, postponement of promotions, transfers in the form of demotions, dismissal from office and placement in a special place for 21 days.<sup>12</sup>

Regulation of the Chief of the Indonesian National Police concerning the Settlement of Disciplinary Violations by Members of the Indonesian National Police No. 2 of 2016 explains that violations of disciplinary regulations are statements, writings, or actions of Polri members that violate disciplinary regulations. These violations can be identified in three ways, namely based on reports, being caught red-handed, and findings. After a finding or report of a disciplinary violation, the Provost will conduct an investigation which is a series of actions to search for and find an event suspected of being a disciplinary and legal violation, in order to determine whether or not a disciplinary and legal violation investigation can be carried out. After that, the resolution of disciplinary violations is carried out which is the disciplinary handling by the Provost for disciplinary violations committed by Polri members, until a final disciplinary decision is obtained.<sup>13</sup>

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<sup>11</sup>Government Regulation No. 2 of 2003 concerning Disciplinary Regulations for Members of the Republic of Indonesia National Police.

<sup>12</sup>Government Regulation No. 2 of 2003 concerning Disciplinary Regulations for Members of the Republic of Indonesia National Police.

<sup>13</sup>Regulation of the Chief of the Republic of Indonesia National Police No. 2 of 2016 concerning the Settlement of Disciplinary Violations by Members of the Republic of Indonesia National Police.

Every member of the Indonesian National Police (Polri) has taken an oath of office and is committed to following all work procedures and the rules that support them, both those contained in laws and government regulations. However, the numerous rules binding the Polri do not guarantee the development of a professional spirit among some of its members, as numerous disciplinary violations by police officers are still found.

In order to enforce and maintain discipline among members of the Indonesian National Police, both in structural, instrumental and cultural functions and in accordance with the Decree of the Chief of Police number: Kep/54/X/2002, the Propam Division was formed on October 27, 2002. Propam is an abbreviation of Profession and Security which has the task of fostering and carrying out professional accountability and internal security functions including enforcing discipline and order among personnel within the Polri work environment and providing services to public complaints regarding irregularities in actions carried out by Polri members.

The supervision carried out by Propam is internal in nature so that it only involves Polri members who are authorized as a supervisory function. The Professional and Security Division or abbreviated as Divpropam Polri is a supervisory element and assistant to the leadership under the Chief of Police, in addition to that Divpropam Polri is tasked with fostering and carrying out professional accountability functions and internal security including enforcing discipline and order within the Polri environment and serving public complaints regarding any irregularities in the actions of Polri members or PNS Polri. In its organizational structure and work procedures Propam consists of three functional areas in the form of sub-organizations called the Paminal Center, the Professional Development Center, and the Provos Center. In the jurisdiction of the Polrestabes, the Provos Center is called the Provos Unit which is tasked with fostering and carrying out provos functions which include fostering, maintaining discipline, order, as well as law enforcement and resolving cases of disciplinary violations and open security at the central level within the limits of predetermined authority.<sup>14</sup>

Efforts to enforce discipline and the Police Code of Ethics are essential to ensure the effective implementation of assigned duties and achieve police professionalism. Indiscipline and lack of professionalism among police officers will significantly impact law enforcement and the detection of crimes occurring in the community. Therefore, the function and role of the Professional and Security Unit (hereinafter abbreviated as Propam) within the Indonesian National Police (Polri) are crucial, as they will impact the enforcement of police discipline and, in

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<sup>14</sup> Hasiholan Dominicus Rajagukguk, Siharma, "The Role of the Regional Police's Professional and Security Agency (PROPAM) in Enforcing the DIY Police Professional Code of Ethics", *Journal of Law, Faculty of Law, Atma Jaya University, Yogyakarta*, March 2015, p. 3

particular, the enforcement of the police code of ethics.

The implementation of the role in enforcing the Indonesian Police Professional Code of Ethics (KEPP) by the Indonesian Police Propam in the field of Professional Accountability and Personnel Rehabilitation has been running well in accordance with Article 17 paragraph 2 of Regulation No. 14 of 2011 concerning the Indonesian Police Professional Code of Ethics, namely: Enforcement of the KEPP as referred to in paragraph (1) is carried out through:

- a. Preliminary examination;
- b. Kkep session;
- c. Appeals commission hearing;
- d. Determination of administrative sentencing;
- e. Supervision of the implementation of decisions; and
- f. Personnel rehabilitation.

However, based on the Regulation of the Republic of Indonesia National Police Number 7 of 2022 concerning the Code of Professional Ethics and the Code of Ethics Commission of the Republic of Indonesia National Police, Article 14 Paragraph 1 states that:

The preliminary implementation is carried out through the following stages:

- a. Investigative Audit
- b. Examination; and
- c. Filing

The process for handling members of the Indonesian National Police who violate the Police professional code of ethics in committing criminal acts is as follows:

- a. POLRI members who commit crimes are reported/informed by the public, other POLRI members or other sources that can be accounted for.
- b. Following the report, Paminal at every level of the Indonesian National Police organization, such as the Professional and Security Division (Divpropam) at the Indonesian National Police Headquarters level, conducted a preliminary investigation.
- c. The investigation process is not only carried out by the Paminal Affairs Department, but also the Criminal Investigation Unit.
- d. Furthermore, the Internal Affairs Department reports to the Provost or Deputy

Prof Affairs Department to then continue the investigation process for any violations of Discipline or violations of the Code of Ethics and the Criminal Investigation Unit continues the investigation process for the criminal acts that have occurred in accordance with what has been regulated in the Criminal Procedure Code.

e. After an investigation conducted by the Provost or Deputy Profession and Criminal Investigation Unit has proven that a violation of Police Professional Discipline and Ethics has occurred, the case file is sent to the Criminal Investigation Agency (Ankum) and a proposal is made to hold a Disciplinary Hearing or a Code of Ethics Commission hearing.

f. A trial conducted to handle a criminal act committed by a member of the Indonesian National Police, namely a general court trial or in a district court, first obtains a decision that has permanent legal force, then continues with a KKEP trial.

Violation of the code of ethics is a non-conformity of every action of a member of the Indonesian National Police (Polri) to the norms or rules that are a unified ethical or philosophical basis with behavioral regulations and statements regarding things that are required, prohibited or inappropriate for members of the Indonesian National Police (Polri). In enforcing this Code of Ethics, it is not a big challenge for members, because it has become an obligation for members of the Indonesian National Police and requires good cooperation between fellow members of the Indonesian National Police so that the Code of Ethics can be implemented properly. But the author sees that in field practice there are still violations of the Code of Ethics, if it is not a big challenge there should be no violations of the Code of Ethics. Obstacles in the implementation of the Chief of Police regulations are the lack of Propam members in supervising Polri members who have received decisions and often occur among fellow members who protect each other and cover up the mistakes of friends who commit violations and also the lack of welfare of members which is one of the obstacles to the implementation of the Chief of Police regulations.

According to Article 13 of Government Regulation No. 2 of 2003 concerning the Disciplinary Regulations for Indonesian National Police Members, it is explained that Indonesian National Police members who have been subjected to disciplinary punishment 3 (three) times and are deemed unable to maintain their status as Indonesian National Police members can be dismissed either honorably or dishonorably through a hearing of the Indonesian National Police Professional Code of Ethics Commission. Meanwhile, Article 16 of the Chief of Police Regulation No. 7 of 2022 states that if there is an accumulation of violations between disciplinary violations and violations of the Indonesian National Police professional code of ethics, then the resolution will be carried out through a disciplinary hearing or a hearing of the Indonesian National Police code of ethics commission according to the considerations of the Legal Superior (Ankum).

The handling of the Indonesian National Police's professional code of ethics is carried out if there is a report or complaint filed by the public, fellow Indonesian National Police members, or other accountable parties. The report or complaint is submitted to the authorized Propam function at every level of the Indonesian National Police organization. Based on the report, Propam then conducts an initial investigation. If an alleged violation of the Indonesian National Police's professional code of ethics is found after the initial investigation, Propam will send the case file to the authorized official and propose the formation of a National Police Code of Ethics Commission (KKEP) to further hold a trial to examine the Indonesian National Police member suspected of violating the code of ethics and issue a final decision.<sup>15</sup>

The criminal justice process for members of the Indonesian National Police is generally carried out according to the procedural law applicable in the general court environment. This is regulated in Article 2 of Government Regulation Number 3 of 2003 concerning the Technical Implementation of General Court Institutions for Members of the Indonesian National Police. The Police Code of Ethics is very important for Police officers in their duties so that they are seen by the public as professional officers. One of the supporting elements of professionalism that a person possesses is that the person in his duties is based on the ethics that underlie his work actions, namely honesty, trustworthiness and guaranteed work.

### **3.2. Obstacles and Solutions to the Role of the Indonesian National Police's Propam in Improving Professionalism and Enforcing the Code of Ethics and Discipline of Indonesian National Police Members**

Professionalism for the Indonesian National Police (Polri) is a distinctive characteristic that ensures a high level of quality and professionalism. According to Sullivan, there are three measures of professionalism: motivation, education, and income.

First, motivation can be seen in the fact that to achieve professionalism, police must dedicate themselves to the community in order to uphold the law. Second, education to achieve police professionalism should be standardized to avoid being underestimated by the community. In the educational process, police do not necessarily have a high standard of education, but if the police's mentality is weak, what the police must do is develop a tiered curriculum in accordance with the police education pattern. Third, income or salary must receive attention from the police leadership according to the level of their duties. Because salary supports police performance in carrying out their authority and duties in the community, if

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<sup>15</sup>Pudi Rahardi, 2007, *Police Law, Professionalism and Police Reform*, Laksbang Mediatama, Surabaya.

performance does not match salary, it can create an imbalance in the implementation of their authority and responsibilities.<sup>66</sup>

The police are a civil society institution that maintains law and order. The national police force in Indonesia is called the Indonesian National Police (Polri). The Polri reports directly to the President. They carry out police duties throughout Indonesia. Their duty is to protect, serve, and serve the public. They should set an example of discipline for the community. However, Polri members are still ordinary people, and many Polri members still commit disciplinary violations.

Violations of police ethics often occur, usually the forms of violations that are often violated include personal ethics, state ethics, institutional ethics, and ethics of relations with the community. In cases of violations committed by members of the Indonesian National Police through a disciplinary violation trial process that has several stages, first preparation for the trial, second implementation of the trial, finally the implementation of the trial decision. The regulation of the professional code of ethics is a benchmark for actions carried out by members of the Indonesian National Police to avoid unlawful acts and prevent the profession from being carried out properly according to the provisions of the standard activities of professional members as well as a guideline in carrying out duties. In violations committed by members of the Indonesian National Police who violate the code of ethics of the Indonesian National Police profession so that in the legal process they are dishonorably dismissed through the trial of the Indonesian National Police Professional Code of Ethics Commission (KKEP). This case also serves as a lesson and lesson so that members of the Indonesian National Police do not use their duties and authority to commit violations of the law when the profession is supposed to secure and protect the community.<sup>16</sup>

Regulation of the Republic of Indonesia National Police Number 7 of 2022 Concerning the Code of Professional Ethics and the Code of Ethics Commission of the Republic of Indonesia National Police in Article 21 there are 7 sanctions imposed on the police if they violate as referred to in Article 20 paragraph 2 of the Regulation of the Chief of Police Number 14 of 2011 in which there are sanctions, namely: (a) Violating behavior is declared as a despicable act (b) The obligation of the offender to apologize verbally before the professional code of ethics commission hearing and/or in writing to the head of the police and the injured party (c) The obligation of the offender to participate in mental development of personality, spirituality, religion and professional knowledge, for at least 1 (one) week and a maximum of 1 (one) month (d) Transferred to a different position which is a demotion for at least 1 (one) year (e) Transferred to a different function which is a demotion for at least 1 (one) year (f) Transferred to a different area

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<sup>16</sup>Dewa, MJ, Sensu, L., Haris, OK, Tatawu, G., Sinapoy, MS, & Nugroho, PT "Enforcement of Police Professional Code of Ethics Sanctions against Police Members Who Commit Illegal Levies. *Halu Oleo Legal Research*, Vol. 5 No. 1 (2023), p. 279.

which is a demotion 1 (one) year and/or (g) PTHD as a member of the Indonesian National Police. The firmness carried out by a leader has a big impact on its members. The police code of ethics in its implementation to prevent abuse of police authority is currently functioning and running as it should but not optimally, however, many factors cause many violations of the code of ethics that are still often committed by police members. The code of ethics limits the scope of movement of police members to commit deviations within their authority. So many factors cause the code of ethics not to run optimally.

Police discipline, as an element of society, grants the police the responsibility and authority to maintain public order and security, and enforce the law. Without a foundation of discipline, it is difficult for the public to trust the police, as discipline carries a moral charge inherent in each individual police officer. Therefore, it can be said that a member of the Indonesian National Police (Polri) who no longer possesses discipline is considered to have low morals or lacks morality. Behavioral discipline reflects the morality of each Polri member, developed within each individual and then crystallized within the Polri institution.<sup>17</sup>In the disciplinary rules for members of the Indonesian National Police, it is regulated by Government Decree Number 2 of 2003, which contains basic content that emphasizes an obligation or requirement, which can also be called an order. This is what every member of the Indonesian National Police must do and what is prohibited, namely, what must not be done.

If a member of the Indonesian National Police (Polri) fails to carry out their statutory duties and commits a prohibited act, this constitutes a disciplinary violation. Police officers who commit such violations are subject to disciplinary action.<sup>18</sup>The scope of the Disciplinary Charter's prohibition provisions for police officers is quite broad, but is closely related to internal relations, meaning that Polri officers are prohibited from contacting institutions, even though there are a number of rules prohibiting contact with the public, for example carrying out actions that can harm, hinder, or obstruct the work of one of the protected parties, thus resulting in losses for the protected party and collecting extortions in any form for personal, group or other partisan interests.

To maintain professional police ethics, every leader at all levels of the police force (Polsek, Polres, Polwil, Polda, and Mabes) must be able to impose sanctions on Polri members who commit violations during Professional Ethics Code (KKEP) meetings and disciplinary hearings. Enforcement of ethics and discipline for Polri members is expected to be carried out by each Polri organizational unit leader as a superior who has the authority to impose penalties (Ankum) at all levels, so that

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<sup>17</sup>Komalasari, GAK, Wiratni, NK, & Arjawa, AAGP "Enforcement of Disciplinary Law of Members of the Republic of Indonesia Police from the Perspective of Good Governance & Clean Government", *Jurnal Ilmiah Raad Kertha*, Vol. 4 No. 2, (2021), p.108.

<sup>18</sup>Dewa, MJ, Sensus, L., Haris, OK, Tatawu, G., Sinapoy, MS, & Nugroho, Op.Cit, p. 281.



even the smallest violations are accompanied by corrective action or sanctions. If this condition is always observed, then legal violations committed by Polri members can be minimized.<sup>19</sup>The Indonesian National Police (Polri) is entrusted with various tasks and responsibilities and its authority is very broad and extensive, so that many members of the Polri, both intentionally and unintentionally, abuse this authority, so that an internal unit is formed which is tasked with carrying out direct supervision, namely the Polri Propam which consists of the Provos Polri, Profesi Polri and Paminan Polri.

Propam is an abbreviation for Profession and Security, used by the Indonesian National Police as part of its organizational structure. The term Propam has been in use since 27 October 2002 (Decree of the Chief of Police Number: Decree/54/X/2002), previously Propam was known as the Provost Detachment or the Provost Unit of the Indonesian National Police whose organization was still united with the TNI/Military as ABRI, where the Provost of the Indonesian National Police was a functional development unit of the Military Organization Police/POM or the term Military Police/PM. Propam is one of the Indonesian National Police organizational units in the form of a Division that is responsible for professional development and security issues within the internal environment of the Indonesian National Police organization, abbreviated as the Propam Division of the Indonesian National Police as one of the implementing elements of the Indonesian National Police's special staff at the Headquarters level under the Chief of Police and the Professional and Security Division of the Regional Police at the Regional Police level which is responsible to the Chief of Police. Propam is one of the Indonesian National Police organizational units in the form of a Division that is responsible for professional development and security issues within the internal environment of the Indonesian National Police organization, abbreviated as the Propam Division of the Indonesian National Police as one of the implementing elements of the Indonesian National Police's special staff at the Headquarters level under the Chief of Police.

Before the formation of the National Police Propam, the National Police Provost itself carried out supervision and action against problematic police officers so that its supervision was considered very poor, even though when it was still in ABRI there was someone who helped supervise it, namely PAMSAN (security and Sandi) under Intelpam (now changed to Intelkam) but the program and supervision could not be maximized due to differences in core objectives. After the formation of the National Police Propam, the level of violations committed by members of the National Police including routine violations, violations of the code of ethics, and criminal acts committed by individual members of the National Police could be

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<sup>19</sup>E. Yulihastin, *Working as a police officer*. Erlangga Mahameru, Jakarta, 2018, p.44.

reduced because supervision was carried out in stages and assigned to each unit, starting from the National Police Headquarters to the sectoral police.<sup>20</sup>

The obstacles to the role of the Indonesian National Police's Propam in increasing professionalism and enforcing the code of ethics and discipline of Indonesian National Police members are:

- a. lack of budget support so that facilities and infrastructure are inadequate
- b. lack of personnel (HR) to be part of the team implementing the enforcement of professional ethics of the Indonesian National Police with a fairly wide coverage area
- c. lack of public support for the performance of the Police, especially for police officers who commit crimes against the community itself.
- d. the level of awareness and compliance with the regulations of the Police Professional Code of Ethics which are binding and applicable to them is still relatively low so that violations of the Police Professional Code of Ethics continue to occur.

The effectiveness of the implementation of the Polri professional ethics development program has been quite effective because, seen from the violations that occurred, it tended to decrease from year to year, specifically the last three years, namely from 2022 to 2024. This shows that the awareness of each police member is starting to be directed because several efforts have been made to prevent criminal acts by Polri members.

Propam is the vanguard of the Indonesian National Police's image and the last bastion of justice. Therefore, carrying out its duties and functions requires seriousness and independence to uphold discipline and the Indonesian National Police's professional code of ethics, as embodied in the Propam logo: professionalism, discipline, accuracy, and ethics.

Regarding law enforcement within the Polri institution, one of the efforts made by the Polri to improve law enforcement of the Polri Professional Code of Ethics is to strengthen the role of the Polri Propam as the vanguard of law enforcement for Polri member discipline and transparency as well as enforcing the rule of law to

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<sup>20</sup>Syarifuddin, A., Sarbaini, S., & Delliansyah, E. "The Role of Propam in Handling Members of the Indonesian National Police Involved in Narcotics Abuse Crimes and the Implementation of Government Regulation Number 03 of 2003 Concerning the Implementation of Technical Institutions of General Courts for Members of the Indonesian National Police". *Legalitas: Jurnal Hukum*, Vol. 15 No. 2, (2023), pp. 213-222.

realize the National Police Chief's program towards a Professional, Modern and Trusted Polri and realizing Good Governance.<sup>21</sup>

Based on the complexity of the reform era, the challenges of the Police's duties in its journey have provided benefits for the Police with various significant advances in the field of strength development, coaching and operations. However, on the other hand, if it is said honestly, there are negative accesses in the form of deviations in the behavior of Police members from carrying out their main duties, such as abuse of power or authority (abuse of power), the level of service provision which, if assessed from a moral and legal perspective, includes discrimination, requests for services or law enforcement for personal interests, discretion beyond limits, making things difficult, arrogant, slow, impolite and negative behavior, there are still many who commit criminal violations such as cases of drug abuse, polygamy, Polri members who commit fraud, and there are also those who do not have a sense of duty responsibility, namely not coming to duty or being absent from their duties.

#### **4. Conclusion**

The role of the Indonesian National Police's Propam in improving professionalism and enforcing the code of ethics and discipline of Indonesian National Police members is to foster and carry out professional accountability and internal security functions, including enforcing discipline and order within the Indonesian National Police environment and serving public complaints regarding irregularities in the actions of Indonesian National Police members/civil servants. The obstacles to the role of Propam Polri in improving the professionalism and enforcement of the code of ethics and discipline of Polri members are: a. lack of budget support so that facilities and infrastructure are inadequate, b. lack of personnel (HR) who are part of the team implementing the enforcement of Polri professional ethics with a fairly wide coverage area, c. lack of public support for Polri performance, especially for police members who commit crimes against the community itself, d. the level of awareness and compliance with the regulations of the Polri Professional Code of Ethics that are binding and applicable to them is still relatively low so that violations of the Polri Professional Code of Ethics continue to occur. The solution to these obstacles is: a. adding infrastructure in enforcing the code of ethics, b. adding personnel (HR) who become the team implementing the development of professional ethics of the police with a fairly wide coverage area, c. increasing the awareness and compliance of Polri members, d. providing socialization to the community about the performance of Polri, Propam.

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<sup>21</sup>Mutiarin Dyah, *Bureaucratic Management and Policy: Concept and Theory Exploration*, 2014, Yogyakarta, Pustaka Pelajar.

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