



## **POLICE DISCRETION IN HANDLING DEMONSTRATIONS AS SEEN IN THE APPLICATION OF HUMAN RIGHTS**

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### **Abstract**

Police discretion is the authority held by the Indonesian National Police (Polri) to act based on their own judgment in certain situations, including in handling demonstrations. However, in practice, the use of discretion often raises legal issues, particularly regarding potential human rights violations. This study aims to analyze the regulation of police discretion in handling demonstrations and assess whether existing restrictions are adequate to guarantee human rights protection. The research method used is normative legal research, with a statutory and conceptual approach. The legal materials used include primary legal materials in the form of laws and regulations related to the police and human rights, as well as secondary legal materials in the form of literature and expert opinions. The analysis was conducted qualitatively using a deductive method. The results indicate that, normatively, police discretion has a legal basis and limitations based on the principles of legality, proportionality, and accountability. However, the existing regulations are still general and open to multiple interpretations, potentially leading to abuse of authority and human rights violations in the practice of handling demonstrations. Therefore, a more assertive and measurable reformulation of police discretionary regulations is needed, establishing clear boundaries and developing standard operating procedures (SOPs) oriented toward protecting human rights. In conclusion, strengthening police discretionary regulations through clear limitations and implementing human rights-based SOPs is a crucial step toward achieving just, proportional law enforcement that respects citizens' rights to express their opinions in public.

**Keywords: Police Discretion, Demonstrations, Human Rights, Legal Reformulation, SOPs.**

### **INTRODUCTION**

Demonstrations are the constitutional right of the people to express their opinions and aspirations regarding justice and public policy, as guaranteed in Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) which is further regulated in Law Number 9 of 1998 concerning Freedom of Expression, that freedom of expression is the right of every citizen to express their thoughts orally, in writing and so on freely and responsibly in accordance with the provisions of applicable laws and regulations. Furthermore, the implementation of freedom or freedom of expression in public as regulated in Article 9 Paragraph (1) of Law No. 9 of 1998 can be carried out by means of demonstrations or demonstrations, parades, public meetings and/or free speech. However, in real life, demonstrations often give rise to complex social dynamics, ranging from the possibility of disturbing public order to conflicts between the masses and security forces. In situations like this, the function of the police becomes very strategic because of its function as law enforcers and guardians of public security and order. In carrying out these functions, police officers are often faced with specific situations that are not regulated in detail in laws and regulations. As a result, they must use discretion. Police discretion is normatively regulated in Law Number 2 of 2002, specifically Article 18 paragraph (1), which states that in the public interest, police officers in carrying out their duties and authorities can act according to their own judgment. This provision provides room for police officers to make quick decisions in certain situations to maintain security and order. In addition, the principle of discretion is also strengthened in Law Number 30 of 2014 which stipulates that discretion is used to overcome

government stagnation in certain circumstances for the benefit and public interest. As a nation governed by the rule of law, every government action must be based on law. Law is a system of norms that includes criminal law. Law enforcement in the criminal court system aims to combat all crime (Ella Angelia, 2018). Law enforcement in the criminal justice system is closely related to the principle of legality or *wetmatigheid van bestuur*. This principle is a determining factor even though it is not based on the responsibility delegated by the applicable legal policies. Therefore, all law enforcement officers in carrying out their duties as law enforcers will not have responsibilities that could influence or reverse the conditions or legal status of their community (Bambang Waluyo, 2024). In reality, not all law enforcement actions are based on existing positive regulations/rules. In a sensitive situation, law enforcers can act quickly to resolve concrete problems without going through existing laws and regulations. This is what is called discretionary power, which is an example of a means that provides freedom of action for law enforcers to implement a policy without being fully restricted by legislation. Police discretion is not detailed in terms of limitations, provisions, or elements, so that the use of police discretion is misused by irresponsible individuals. When making policies or analyzing, it must always be based on legislation and human rights, must be in line with the general principles of good governance (*algemene beginselen van behoorlijk bestuur*) and based on good governance, therefore the use of discretionary authority cannot rely on a power approach alone, but must consider human rights and police functions which are closely related to the existence of the police agency (Indra Pramana-2020).

On the other hand, the police also find themselves in a dilemma between guaranteeing freedom of speech and maintaining public order. In situations of potentially anarchic demonstrations, officers are required to act swiftly and decisively, while remaining within the law. Therefore, the limits of discretion are a crucial issue that requires in-depth examination, particularly regarding the extent to which such authority can be exercised without violating citizens' rights. Human rights are also an issue in the application of discretion, as the principle of protecting human rights contradicts the possibility of arbitrary action, which can arise from the uncontrolled and inadequately supervised exercise of discretion. If law enforcement officers abuse or misuse their discretion, it can lead to legal uncertainty and a violation of the values of justice. Therefore, to maintain operational efficiency and protect democratic principles and citizens' constitutional rights, limits, procedures, and oversight systems must be established. The Indonesian legal system recognizes the term discretion as a normative concept that was only recently officially introduced through legislation. This is marked by the explicit inclusion of the term in Law Number 30 of 2014 concerning State Administration. This provision provides the first legal basis that explicitly formulates the definition and scope of discretion in the practice of government administration. Based on the provisions of Article 1 number 9 of the law, discretion is defined as a decision or action taken by government officials to respond to concrete situations that arise in the implementation of state administration functions, especially in conditions where applicable laws and regulations do not clearly regulate, are incomplete, give rise to multiple interpretations, or even do not provide any enforceable legal solutions at all (Andi Haerur Rijal, et al. in Doni Hafendi and Wilma Silalahi- 2024)

In practice, discretion serves to bridge the gap between the dynamics of factual and urgent governmental issues and the firmness of written legal rules. It is not a violation of the law but rather part of a legalized administrative procedure to ensure that the government operates in a designated state of emergency. From an institutional perspective, discretionary authority impacts law enforcement and the civil government bureaucracy. Therefore, discretion is essentially an exception to the principle of absolute legality, as the law provides certain room for the state government to develop and maintain legal, moral, and administrative accountability for taking actions deemed necessary. In professional police practice in the field, discretionary practices typically arise in urgent situations where public order must be restored immediately or when there is a legal vacuum that precludes decisions based on regular procedures.

## LITERATURE REVIEW

The literature review in this study was designed to provide a theoretical basis for discretion, demonstrations, police duties and authorities, and the concept of law enforcement. This will serve as an analytical tool for the implementation of police discretion in handling demonstrations from a human rights perspective.

### a. The Concept of Discretion

Discretion comes from the Dutch word "Discretionair," which means discretion in deciding on an action not based on the provisions of applicable regulations, laws, or laws but on the basis of wisdom, consideration, or justice. Discretion is always associated with decision-making, power, or authority exercised by an individual

regarding the problem at hand.<sup>1</sup>Discretion is a power or authority that is exercised based on law based on considerations and beliefs and places more emphasis on moral considerations than legal considerations (M. Faal- 1991).

Discretion is the freedom to choose one of several actions to be taken. Discretion is a policy that must be taken by law enforcement due to the real situation in the field, an authority in the form of freedom of action from state officials or making decisions according to their own opinions in order to serve the public with full responsibility (David L. Carter'- 1999).

Discretion in government actions is regulated in Law Number 30 of 2014 concerning Government Administration, with the aim of discretion regulated in Article 22 paragraph (2) which states that every use of discretion by government officials aims to:

1. Facilitate government administration.
2. Filling the legal gap,
3. Providing legal certainty
4. Overcoming government stagnation in certain circumstances for the benefit and public interest (State Administration Law).

Discretion is implicitly outlined in the State Administration Law (State Administration Law), namely the authority granted to state officials under certain conditions. Decisions and/or actions of government officials to address concrete problems in cases where laws and regulations do not provide options, do not regulate, are unclear (empty norms and vague norms) and there is stagnation of a government. Meanwhile, discretion in matters of law enforcement and maintaining security and public order. It is contained in Article 18 paragraph (1) of Law Number 22 of 2022 concerning the State Police, which states that officials of the Republic of Indonesia State Police in carrying out their duties can act according to their own judgment in the public interest. Therefore, police discretion is more operational in nature and is often applied directly in the field. A police officer must be able to make the right decisions in certain situations, known as discretion. Of course, judgment and accountability are necessary to make quick and accurate decisions. However, the user's background must be based on broader interests, although its implementation is relatively dependent on the police officer's will.

## **b. Demonstration Concept**

Article 28 of the 1945 Constitution. This article reads: "Freedom of association and assembly, of expressing thoughts orally and in writing, and so on, is determined by law." It is clear that ethical demonstrations are the embodiment of freedom of expression. Freedom of speech in public is a human right guaranteed by the 1945 Constitution and the Universal Declaration of Human Rights. Every citizen has the freedom to express their opinion in public as a form of democracy in the life of the nation and state. To build a democratic state that implements social justice and guarantees human rights, a safe, orderly, and peaceful state and social system are needed. The right to express opinions in public must be used responsibly, in accordance with applicable laws and regulations (Agryan Pikarsa- 2012).

In Law Number 9 of 1998 Article 1 paragraph 2 states: "Demonstration or Demonstration is an activity carried out by one or more people to express their thoughts". In the Big Indonesian Dictionary, the meaning of "Demonstration" is a statement of protest in front of many people (demonstration). Protest is a movement to oppose a party or someone by means of demonstration (Law No. 9 of 1998 concerning Freedom of Expression in Public). In the Big Indonesian Dictionary, the meaning of "Demonstration" is a statement of protest in front of many people (demonstration). Protest is a movement to oppose a party or someone by means of demonstration (Big Indonesian Dictionary - 2005).

Theoretically, demonstrations are a form of political participation. Gabriel A. Almond categorizes demonstrations as non-conventional political participation. This differs from conventional participation such as voting in elections, political discussions, campaigns, forming and joining interest groups, and communicating directly with public or administrative officials (Kunarto Prayudi-1995). According to Legg, there are three main "actors" that play a role in the emergence of demonstrations: masters (elites and community leaders), servants (dissatisfied citizens), and politicians (people's representatives and state officials) (Jeffry Martunas Oktavianus-2016).

Through the Regulation of the Chief of the Republic of Indonesia National Police No. Pol.: 16 of 2006 concerning Guidelines for Crowd Control, it is explained that the form of handling in demonstration activities

<sup>1</sup>WJS Poerwardarminta, (2007), General Indonesian Dictionary, Lakarta: Balai Pustaka, p. 56

is through the preparation stage, the implementation stage and the consolidation ending stage (Law Number 9 of 1998 concerning Freedom of Expression in Public). Every group that will hold a demonstration must prepare and have a notification letter submitted to the police. This is one of the requirements that must be fulfilled by the person in charge of the activity in accordance with the provisions in Article 9 and Article 11 of Law Number 9 of 1998 concerning Freedom of Expression in Public (Jeffry Martunas Oktavianus -2016).

Article 9 Paragraph (1) of Law Number 9 of 1998 states that expressing opinions in public can be divided into several ways, such as; a. Demonstration or Demonstration is an activity carried out by one or more people to express their thoughts verbally, in writing, and so on demonstratively before the law. b. Parade is a way of expressing opinions by marching on public roads. c. General Meeting is an open meeting held to express opinions with a certain theme. d. Free Forum is an activity of expressing opinions in public which is carried out freely and openly without a certain theme (Law No. 9 of 1998 concerning Expressing Opinions in Public).

### **c. Duties and Authorities of the Police**

According to Article 5 paragraph (1) of Law No. 2 of 2002: "The Republic of Indonesia National Police is a state apparatus that plays a role in maintaining public security and order, enforcing the law, and providing protection, patronage, and services to the community in the context of maintaining domestic security." The Republic of Indonesia National Police (POLRI) is the Indonesian national police and is directly responsible to the president. POLRI carries out police duties throughout Indonesia, namely maintaining public security and order, enforcing the law, and providing protection, patronage, and services to the community. The National Police as a law enforcement agency and supervisor of public security and order. The concept of the duties, functions and roles of POLRI is based on a foundation that is still actual, but remains oriented towards community development (M. Arif - 2021).

The role of the police is described as follows in Law Number 2 of the 2002 Police Regulations:

1. Article 2 of Law No. 2 of 2002 states that the function of the Police is: "one of the functions of state government in the field of maintaining public security and order, law enforcement, protection, patronage and service to the community."
2. In order to implement the provisions in Article 5 of Law No. 2 of 2002, in accordance with Article 13 of Law No. 2 of 2002, the National Police has the following main duties:
  - a. maintaining public security and order;
  - b. Enforcing the law; and
  - c. Providing protection, care and services to the community.
3. Article 14 Law no. 2 of 2002, regulates the implementation of main duties as intended by Article 13 of Law no. 2 of 2002, tasked with:
  - a. carry out regulation, guarding, escorting and patrolling of community and government activities as needed;
  - b. carry out all activities in order to ensure security, order and smooth traffic on the roads;
  - c. fostering the community to increase community participation, community legal awareness and community compliance with laws and regulations;
  - d. participate in national legal development;
  - e. maintain order and ensure public security;
  - f. carry out coordination, supervision, and technical guidance for special police, civil servant investigators, and forms of independent supervision; carry out investigations and inquiries into all criminal acts in accordance with criminal procedure law and other laws (Law Number 2 of the 2002 Police Regulations).

### **d. Law Enforcement Theory**

Law enforcement is an effort made to implement legal norms in real life, so that they can be obeyed by all levels of society. Along with the times, the demands of Indonesian society for the presence of laws that are firm, authoritative, and capable of guaranteeing a sense of social justice are increasing. In this context, law enforcement is understood as a series of actions to properly apply legal provisions, monitor their implementation to prevent deviations, and take remedial measures if violations of these legal norms occur.<sup>2</sup>

<sup>2</sup>Fadhlin Ade Candra and Fadhilatu Jahra Sinaga, "The Role of Law Enforcement Officers in Law Enforcement in Indonesia," Edu Society: Journal of Education, Social Sciences, and Community Service 1, no. 1 (2021) p. 44.

Law enforcement in the broad sense is the enforcement of all norms of social order, while in the narrow sense, law enforcement is defined as the practice of justice and the implementation of law in everyday social life. It has a very important meaning, because the purpose of law lies precisely in the implementation of the law. Order and peace are indeed the laws made to be implemented, otherwise the legal regulations will only exist in social life. Such legal regulations will become dead on their own.<sup>3</sup>

Law enforcement in Indonesia is inseparable from the role of law enforcement officials. According to Article 1, Chapter 1 of the Criminal Procedure Code (KUHP), law enforcement officials are defined as follows:

1. Investigators are police officials of the Republic of Indonesia or certain Civil Servant officials who are given special authority by law to conduct investigations.
2. A prosecutor is an official who is authorized by law to act as a public prosecutor and to implement court decisions that have become legally binding.
3. The public prosecutor is a prosecutor who is authorized by this law to carry out prosecutions and implement judges' decisions.
4. A judge is a judicial official who is authorized by law to adjudicate.
5. A legal advisor is a person who meets the requirements specified by law to provide legal assistance.

Enforcing the law in Indonesia is not as easy as flipping a switch, as many factors hinder law enforcement in Indonesia. According to Soerjono Soekanto (2017), these factors include:

1. The better a legal regulation, the better its enforcement. Conversely, the worse a legal regulation, the more difficult it is to enforce. In general, good regulations are those that are legally, sociologically, and philosophically sound.
  - a. Legally, every applicable legal regulation must be based on a higher-level regulation. This means that any applicable legal regulation must not conflict with a higher-level legal regulation. For example, laws in Indonesia are created by the President with the approval of the House of Representatives.
  - b. Sociologically, when the legal regulations are recognized or accepted by the community to whom the legal regulations are directed/applied according to "Anerkennungstheorie", "The Recognition Theory". This theory is in contrast to "Machttheorie", "Power Theory". Which states that legal regulations have sociological behavior when they are enforced by the authorities, whether or not they are accepted by the community members.
  - c. Philosophically, if the legal regulations are in accordance with the legal ideals (rechtsidde) as the highest positive value in the Indonesian state, the legal ideals as the highest positive value are a just and prosperous society based on Pancasila and the 1945 Constitution.
2. Law Enforcement Factors Sociologically, each law enforcer has a status or role. Social status is a specific position within the structure of society, which contains rights and obligations. Law enforcement requires personal judgment in making decisions, which plays a role because:
  - a. There is no such comprehensive set of laws that can regulate human behavior.
  - b. There are obstacles to completing legislation with societal developments, thus giving rise to uncertainty.
  - c. Lack of funds to implement the legislation.
  - d. There are individual cases that require special handling.
3. Facilities Factors Facilities include educated and skilled human resources, good organization, adequate equipment, sufficient finances, and so on. If these factors are not met, it will be difficult for law enforcement to achieve its goals. For example, to prove whether a signature is forged or not, the local police cannot know for sure because they do not have the tools to examine it, so they are forced to send the case to a place that can handle the problem. Without adequate facilities, law enforcement will not be able to run smoothly and law enforcement cannot function perfectly.
4. Societal Factors: The higher the level of public legal awareness, the more likely it is that law enforcement will be effective. However, the lower the level of public awareness, the more difficult it will be to enforce the law effectively. Legal awareness is a prevailing view within society regarding the meaning of law. This view develops and is influenced by various factors, such as religion, economics, politics, and so on. This view is constantly changing, so efforts are needed to foster legal awareness, including:
  - a. Legal knowledge;

<sup>3</sup>H. Riduan Syahrani.S. Summary of the Essence of Legal Science. Op.Cit. P. 191

- b. Legal understanding;
  - c. Attitudes towards norms; and
  - d. Legal behavior.
5. Cultural Factors Culture basically encompasses the values that underlie applicable laws, which values are abstract conceptions of what is considered good and what is considered bad.

Therefore, Indonesian culture is the basis or underlying factor for existing customary law. In addition, written law (statutes) is also in effect, established by certain groups within society with the power and authority to do so. These laws must reflect the values underlying customary law so that they can be effectively enforced.

## METHOD

This research is a normative legal research, namely research that focuses on the study of applicable legal norms, both those contained in laws and regulations, court decisions, and the doctrines of legal experts. The study in this research is the police discretion in handling demonstrations and the extent to which its application is in line with human rights principles. According to Soerjono, normative legal research is legal research conducted by examining library materials or secondary data (Soerjono Soekanto - 2015). This research uses an approach that focuses on norm analysis, namely how discretionary actions are based on the State Administration Law and also police regulations that form the basis for police actions in taking discretionary actions.

The data collection technique was carried out by searching for literature related to the implementation of discretion and how it is applied in the context of handling demonstrations. The identification of regulations that form the basis of police discretion and analyzing them. The analysis used was a normative qualitative method to obtain a brief overview of the problem of the use of discretion in handling demonstrations based on applicable laws and regulations related to the problem discussed. Then, conclusions were drawn using the deductive method, namely concluding the discussion from general matters to specific matters.

## RESULTS AND DISCUSSION

Article 18 paragraph (1) of Law No. 2 of 2002 concerning the Indonesian National Police, clearly regulates the duties and authority of the police to be able to act according to their own judgment, which means that the police act based on the law. These duties and authority are required to be used by paying attention to statutory regulations and the professional code of ethics in accordance with Article 18 paragraph (2) of the Law. Based on the above regulations, of course, the implementation of these police duties and authority is regulated by several principles that must be fulfilled. As stated by Philipus, every government action, including discretion, must be subject to the principle of legality as a form of the rule of law (Philipus M. Hadjon-1987). Furthermore, discretion must also be seen as a necessity in urgent circumstances in accordance with the contents of Article 18 paragraph (2) of the Indonesian National Police Law. In addition, according to Satjipto, the police in carrying out their duties and authorities related to discretion is law enforcement must pay attention to the humanitarian aspect and not solely oriented towards power (Satjipto Rahardjo: 2009) which means that the police in taking discretionary action must certainly remember the balance between the goals to be achieved with the means used. So that there is no form of abuse of power. Regarding discretionary actions carried out by officers, of course they must be accountable, in a democratic legal state, every use of authority by officers must be testable and accountable (Jimly Asshiddiqie: 2005) because Discretion may not be used for personal gain or contrary to the purpose of granting authority. Abuse of authority occurs when officials use their authority not in accordance with the purpose of granting the authority (Ridwan HR -2016).

In carrying out their duties, the police are authorized to enforce the law and maintain social stability within the community. Article 4 of Law No. 2 of 2002 states that the main objective of the National Police is to realize domestic security, including maintaining public order, enforcing the law, and providing protection and services to the community while upholding human rights (Adnyani, 2021). Discretion in law is defined as the authority held by government officials or institutions to make decisions based on their own judgment in certain situations, especially when applicable regulations do not explicitly regulate a situation (Tamam, 2024). However, discretion is not absolute authority, but must be exercised proportionally, not violate human rights, and can be accounted for (Oktaviandra, 2020). Legal regulations regarding demonstrations in Indonesia are regulated in Law Number 9 of 1998 concerning Freedom of Expression in Public. Article 1 number 3 defines a demonstration or demonstration as an activity carried out by one or more people to express their thoughts demonstratively in public. This law (Mundung, 2022) aims to ensure that freedom of expression remains exercised in an orderly manner and does not disrupt public order. During

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demonstrations, the police also have the duty to escort and secure the protesters. Based on Article 7 of Law No. 9 of 1998, government officials, including the police, are obliged to protect human rights, respect the principle of legality, respect the principle of the presumption of innocence, and provide security. Officials must be able to carry out their duties and authorities professionally while maintaining and respecting the rights of demonstrators.

Article 16 of Law No. 9 of 1998 concerning Demonstrations states that demonstrators who commit unlawful acts may be subject to sanctions in accordance with applicable regulations. Therefore, the police have the authority to disperse demonstrations if they deviate from established regulations, such as leading to anarchic actions or threatening security stability. However, in exercising their authority, the police must prioritize a proportional approach and prioritize persuasive efforts before taking repressive action.

To protect police officers from arbitrary action, standards governing discretion during demonstrations are crucial. Discipline can be abused to restrict freedom of speech and public expression if there are no clear limits. Therefore, regulations are needed. Therefore, more detailed regulations are needed regarding the limits of discretion, including in Article 18 of Law No. 2 of 2002. Formulating standards and rules for the application of discretion, in addition to restrictions, is also crucial. The police must establish clear operational protocols for handling demonstrations, including evaluation mechanisms before taking actions such as crowd dispersal or the use of force. These guidelines must be based on the principles of democracy, human rights, and the principle of proportionality, as stipulated in Law No. 9 of 1998. Without restrictions and an implementation mechanism with evaluation, the use of discretion will be futile and cannot be implemented properly. With clear regulations, the police can focus more on making decisions without abusing their authority. Thus, protection of the human right to freedom of expression can still be implemented and guaranteed.

Regarding the implementation of demonstrations as a manifestation of expressing opinions in public, the Regulation of the Head of the Republic of Indonesia National Police No. 9 of 2008 concerning Procedures for the Implementation, Service, Security and Handling of Cases of Expressing Opinions in Public ("Perkapolri No. 9 of 2008") as a guideline in the implementation of expressing opinions in public and guidelines in the context of providing service standards, securing activities and handling cases (in expressing opinions in public, so that the process of freedom of expression of opinion can run well and orderly (see Article 2 Perkapolri 9/2008). If seen from a different perspective, demonstrations or demonstrations, such as expressing opinions in public, have many different definitions and meanings. Law Number 9 of 1998 concerning Freedom of Expressing Opinions in Public guarantees the rights of every citizen, especially in Article 1 number 1 which reads: "Freedom of expression is the right of every citizen to express thoughts orally, in writing, and so on freely and responsibly in accordance with the provisions of applicable laws and regulations." Article 1 number 3 defines freedom of expression as a right.

### **CONCLUSION**

Discretionary authority has been clearly regulated in Law Number 2 of 2001 concerning the Police and is also regulated in the State Administration Law, namely discretion exercised by state officials. In regulating the use of discretion has been limited by the principles of law and human rights, namely the principles of quality, necessity, proportionality and accountability of the apparatus. The existence of human rights regulated in the constitution regarding freedom of expression is something that indirectly provides guidelines in exercising discretionary authority. Although the regulation of discretion still contains room for multiple interpretations, especially in phrases such as "very necessary circumstances" and "self-assessment", thus opening up the opportunity for subjectivity of officers in acting.

Furthermore, oversight of the police's use of discretion is needed, both externally and internally. It is necessary to reformulate the provisions on police discretion in legislation to make it clearer, more measurable, and less open to multiple interpretations, particularly regarding:

### **SUGGESTION**

1. There needs to be a reformulation regarding the limits on the use of discretion by officers, with clear parameters, especially during demonstrations. Internal and external oversight mechanisms are needed for officer actions.
2. There needs to be human resource capacity in the apparatus which of course has a great sense of responsibility.
3. Implementation of international standards on the use of force, such as the UN basic principles on the use of force and firearms by law enforcement officials, to minimize the potential for human rights violations.
4. There needs to be an effective and open accountability mechanism,

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