



Police Efforts To Handl Anarchical Demonstrations

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ABSTRACT

This study examines the role and efforts of the Indonesian National Police in addressing anarchic demonstrations within the jurisdiction of the Jambi Regional Police. The research is motivated by the increasing occurrence of public protests that sometimes escalate into violence, property destruction, and disturbances of public order. While freedom of expression and assembly are constitutionally guaranteed in Indonesia, anarchic demonstrations pose serious challenges for law enforcement and social stability. This research aims to analyze the role of the police in handling anarchic demonstrations, identify preventive and repressive measures taken by the police, and examine such actions from the perspective of Islamic law. The study employs a juridical–empirical approach with descriptive analytical methods. Data were obtained through library research, analysis of relevant legislation, and field research involving interviews with police officers and participants in demonstrations. The findings show that the police play a crucial role in maintaining public order through crowd control, preventive security measures, legal enforcement, and coordination with related institutions. Preventive efforts include public communication, monitoring potential conflicts, and implementing operational guidelines for mass control. Repressive actions are taken only when demonstrations turn violent and must follow the principles of legality, necessity, and proportionality. From the perspective of Islamic law, expressing opinions is permissible, but acts of violence, destruction, and chaos are strictly prohibited because they contradict the principles of public welfare and social harmony. Therefore, peaceful and responsible demonstrations are encouraged within both legal and ethical frameworks.

Keywords: Police; Anarchic Demonstrations; Law Enforcement; Public Order; Islamic Law

INTRODUCTION

Indonesia is a state based on law and Pancasila democracy. The law protects every citizen's right to express their opinions, as stipulated in Article 28 of the 1945 Constitution, which states, "Freedom of association and assembly, the expression of thoughts orally and in writing, etc., shall be established by law." However, this provision has given rise to broader public assumptions and perceptions. Consequently, during the recent reform era, demonstrations have occurred throughout the archipelago, with some demonstrating without self-control, ultimately leading to anarchy, including looting, arson, murder, and rape, the consequences of which are felt by the community itself.

Freedom of expression in public is a human right guaranteed by the 1945 Constitution and the Universal Declaration of Human Rights. The freedom of every citizen to express their opinions in public is a manifestation of democracy in the life of the nation and state. Building a democratic state that upholds social justice and guarantees human rights requires a safe, orderly, and peaceful system.

The years 1998 and 2000 marked the beginning of the crackdown on demonstrations in Indonesia, so news about demonstrations was a constant in print and electronic media. This was because in those years, demonstrations were a trend, especially among students. This stemmed from the instability of the Indonesian economy in 1999, a result of the Asia-Pacific economic crisis. Consequently, the prices of nine basic commodities continued to soar. The rupiah's value at that time hovered around Rp. 17,000 per US dollar. The crisis resulted in significant losses for many national companies.

Many of them even went bankrupt. Consequently, unemployment increased, stemming from the displaced workers who had previously worked there. This situation sparked various public protests, led by students. They demanded that the government immediately resolve the crisis. However, at the time, the New Order government under Soeharto's leadership was highly repressive towards mass demonstrations. Even in the previous era, activists who held demonstrations were often identified with the security disturbance movement (GPK). Many activists experienced persecution, even kidnapping, and imprisonment under the pretext of maintaining national stability. Finally, the culmination of student anger occurred on May 12, 1998, after four Trisakti students were shot dead by security forces during a demonstration demanding Soeharto's resignation. Simultaneously, various riots, looting, and arson broke out in various locations, resulting in numerous casualties and incalculable material losses. Ethnic Chinese were among the victims of these events.

Furthermore, student demonstrations against the fuel price hike have also dragged our intellectuals towards anarchy. These anarchic actions occurred not only in the capital but also spread to Eastern Indonesia, particularly Makassar.

Why is anarchy chosen? Because it's easier to attract attention. As has been shown on television, these include student arson attacks and stone-throwing

between students and security forces. These incidents are not only featured in the news but even made into investigative reports. In the name of fighting for the people, these anarchists often forget that their anarchic actions actually cause suffering. Just look at the road blockade in Cawang by UKI students. Public transportation drivers are forced to pay less because they waste time in traffic. Not to mention the wasted fuel. Or consider their actions, which damage passing vehicles.

In securing demonstrations from these unlawful acts, the role of the National Police is crucial to maintaining the peace and order of the Indonesian nation. With the issuance of Law No. 9 of 1998 dated October 16, 1998 concerning "Freedom of Expression in Public", the Indonesian National Police (Polri) is expected to be able to handle the current lively demonstrations or demonstrations in Indonesia in general and especially those occurring in the jurisdiction of the Jambi Regional Police. The effectiveness of the implementation of this Law is very dependent on all levels of public enforcement, in this case all agencies directly related to the demonstrators or demonstrations, namely the Indonesian National Police and other law enforcers. On the other hand, it is very important that there is legal awareness from all levels of society in order to uphold the authority of the law and especially regarding Law No. 9 of 1998. For this reason, the role of the Indonesian National Police together with the community is very important in handling demonstrations or demonstrations, in order to ensure peace and security for all the people of the Republic of Indonesia.

We still remember several cases of demonstrations that if not handled properly will become dangerous and result in significant losses, namely office buildings being damaged as was done by students who demonstrated in front of the Jambi Provincial DPRD office yard due to anarchic demonstrations, causing the glass chandeliers and doors of the Jambi Provincial DPRD building to be shattered in addition to causing injuries both among demonstrators and law enforcement officers, in addition to traffic congestion. To anticipate and overcome these anarchic demonstrations, of course the role of the National Police is very necessary. Because it is in accordance with the duties and responsibilities and authorities attached to it.

METHODOLOGY

The approach taken in this research is empirical juridical research. This research focuses more on the legal norms contained in applicable laws and regulations, as they relate to their application in society. This research is descriptive analytical in nature, where in this writing the author intends to provide an overview and description of the Police's Efforts to Overcome Anarchic Demonstrations in the Jambi Regional Police's Jurisdiction.

RESULT AND DISCUSSION

The Role of the Indonesian National Police in Addressing Anarchic Demonstrations in the Jambi Regional Police Jurisdiction

As is known, anarchic riots or unrest occur when a group of people gather together to commit acts of violence, usually in retaliation for perceived unfair treatment or because someone has "planned" the mass to become brutal, resulting in anarchic demonstrations.

Gatherings should be able to create a mutually beneficial democracy in accordance with Article 4 of Law of the Republic of Indonesia No. 9 of 1998 concerning Freedom of Expression in Public, in the form of (a) realizing responsible freedom as one of the implementations of human rights in accordance with Pancasila and the 1945 Constitution; (b) realizing consistent and sustainable legal protection to guarantee freedom of expression; (c) creating a climate conducive to the development of participation and creativity of every citizen as a manifestation of their rights and responsibilities in a democratic life. (d) placing social responsibility in community, national, and state life, without neglecting individual or group interests.

The development of gathering activities is often marked by disruption or the removal of other people's rights by disrupting traffic flow, reducing the public's sense of security in the form of anxiety, restlessness, and most feared, the occurrence of anarchic acts in the form of destruction of public facilities, shops, arson, murder and others which in turn will have an impact on disrupting the economy.

In fact, demonstration activities have been regulated in Law No. 9 of 1998 concerning freedom of expression in public and the Indonesian National Police, in accordance with Article 13, are obliged (2) In carrying out the expression of opinions in public. The Indonesian National Police is responsible for providing security protection for the perpetrators or participants in the expression of opinions in public. (3) In carrying out the expression of opinions in public, the Indonesian National Police is responsible for organizing security to guarantee public security and order in accordance with applicable procedures. And the public who will hold a demonstration are obliged to notify the Indonesian National Police in writing, Article 10 (1) Expression of opinions in public as referred to in Article 9 must be notified in writing to the Indonesian National Police. (2) The written notification as referred to in paragraph (1) is submitted by the person concerned, the leader, or the person in charge of the group. (3) The notification as referred to in paragraph (1) must be received by the local Indonesian National Police no later than 3 x 24 (three times twenty-four) hours before the activity begins. (4) The written notification as referred to in paragraph (1) does not apply to scientific activities on campus and religious activities.

Referring to Article 10, it is clear that members of the public who wish to express their opinions in public must "actively" notify the National Police (Polri) of their planned activities, and the notification must be "officially" submitted to the Police. What is meant by official here is that the written notification is delivered personally

by the leader or person in charge of the demonstration. This regulation is intended to bring together the leaders/persons in charge of the demonstration with Polri officers. By meeting the leaders/persons in charge of the demonstration with Polri members, it is hoped that agreements will emerge that will benefit both parties. Considering that the Polri has an obligation to notify the parties who are the targets of the demonstration, when the opportunity to meet with the leaders/persons in charge of the demonstration, the Polri will try to mediate between the two parties (protesters and targets of the demonstration) in the hope that if an agreement is reached before the D-day, the demonstration will not need to be held or will be canceled.

When examining the role of the Indonesian National Police (Polri) in addressing anarchic demonstrations within the Jambi Regional Police jurisdiction, the ideal and proper role can be seen in the following opinion.

According to Mr. Frangky Samosir, in carrying out its ideal role, the Indonesian National Police (Polri) always upholds the human rights of the people and the law in carrying out its duties.

The proper role of the Jambi Regional Police in addressing anarchic demonstrations is as follows:

1. Providing security protection for perpetrators or participants expressing opinions in public.
2. Maintaining security and public order in accordance with applicable procedures.
3. Protecting property or buildings targeted by anarchic demonstrations.
4. Protecting and arresting perpetrators of anarchy.

Efforts to Prevent Anarchic Demonstrations in the Jambi Regional Police Jurisdiction

Demonstrations are commonplace, but when they are accompanied by anarchic actions and result in casualties or even deaths, it is ironic. Demonstrations often arise because of problems within a system, prompting the public to correct them. In this context, we all agree that demonstrations are positive for system improvement because they serve as a medium for constructive criticism. However, the facts on the ground often show the opposite. Demonstrations can turn into anarchy when momentary emotions become uncontrollable. Crowds spread, riots break out, and physical clashes often result, often resulting in casualties, both material and human.

The actions taken are still limited to repressive measures that have the potential to spark conflict between the police and the demonstrators. The demonstrators should understand the role of the police, as they have repressive authority to control the crowd. During demonstrations, there are already established procedures that demonstrators must adhere to. These include permits for demonstrations, restrictions on crowd size, and regulations regarding demonstration attributes, including loudspeakers (which should not be confiscated for exceeding their capacity). Article

21 of the Regulation of the Chief of the Indonesian National Police Number 16 of 2006 concerning Guidelines for Crowd Control, better known as the SOP, clearly prohibits officers from acting arrogantly, being provoked by crowd behavior, and committing acts of violence that violate procedures. If the police have carried out their duties and functions in securing a demonstration and then anarchic actions by demonstrators that exceed legal limits occur, the police can take decisive action.

Furthermore, the factors contributing to anarchic demonstrations, from interviews conducted by the author with the Head of Operations (Kara OPS) of the Jambi Regional Police, include:

1. The attitude of demonstrators who believe their opinion is the most correct and must be obeyed.
2. The hot, stuffy, and stifling atmosphere will make the demonstrators prone to emotional outbursts.
3. There are no representatives willing to respond to or speak with the demonstrators.
4. The riots during the demonstration were indeed planned.
5. There was provocation.

Anarchic Demonstrations from an Islamic Legal Perspective

A demonstration is essentially an effort by the people to express their views on an issue. While it may not necessarily lead to serious conflict, we can all agree that a demonstration is an example of a form of interaction between parties that divides one party from another (dissociative).

Demonstrations are not, in principle, new; they are a form of criticism from one party to another. Criticism has existed for a long time. The Prophet Muhammad himself received advice and criticism from his companions on several occasions. One tradition relates that during the Battle of Badr, the Prophet ordered the Muslim army to take up positions near a spring. However, this strategy was criticized by a companion named Husab ibn Mundhir.

Husab argued that this could lead the Muslim army into a water crisis, as there were more springs ahead. Therefore, Husab suggested changing the strategy to position the troops at the most forward spring, hoping that the Muslim army would not experience water shortages. The Prophet Muhammad accepted this suggestion, and the strategy was changed.

CONCLUSION

Based on the thesis presented above, several conclusions can be drawn, including the following: 1. The role of the Indonesian National Police (Polri), particularly the Jambi Regional Police (Polda Jambi), in handling anarchic demonstrations within the Jambi Regional Police jurisdiction, can be said to have been quite effective. The presence of the police in dealing with anarchic demonstrations is expected to prevent loss or damage to property or objects

around the demonstration site, as well as to prevent casualties due to anarchic actions, both among protesters and security forces. Considering the role of the Indonesian National Police (Polri) within the Jambi Regional Police jurisdiction in dealing with anarchic demonstrations, there are two types of roles: 1. Ideal Role In carrying out its duties, the Jambi Regional Police always upholds the human rights of the people and the law of the land. Therefore, when dealing with anarchic demonstrations, the police are prohibited from using violence, especially firearms with lethal ammunition. 2. The proper role, in this case, of the Jambi Regional Police (Polda Jambi) in dealing with anarchic demonstrations is to: a. Provide security protection for perpetrators or participants expressing opinions in public. b. Maintain security and public order in accordance with applicable procedures. c. Secure property or buildings targeted by anarchic demonstrations. d. Secure and arrest perpetrators of anarchy. 2. Efforts taken to prevent anarchic demonstrations within the jurisdiction of the Jambi Regional Police, where the role that should have been carried out by the National Police, include: police officers on duty on the ground coordinate/negotiate with representatives of the leaders/coordinators of the protesters, thus enabling security forces to convey these demands to the policy-making agency (government/authorities). If the protesters' demands are met, they usually disperse. 3. Anarchic demonstrations are not permitted under Islamic law, but Islam permits demonstrations. According to Yusuf Al Qardawi, legal demonstrations are permissible in Islam as long as they have good intentions and do not contain elements that conflict with Islamic sharia and Islam does not justify being carried out in an anarchic manner.

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