CONTEMPLATING THE MORALITY OF LAW ENFORCEMENT IN INDONESIA

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ABSTRACT

Objective: This paper aims to elaborate on the morality of law enforcement in Indonesia today and how to reflect on law enforcement in Indonesia in the future. This paper uses a normative type of writing using a statutory, case, and comparative approach.

Method: This paper is then analyzed using the Prescriptive analysis technique.

Result: This paper shows that the morality of law enforcement in Indonesia today can be seen from several things: inconsistent law enforcement, corruption among law enforcement officials, law enforcement by violating the law, and selective law enforcement. The reflection of law enforcement in Indonesia in the future based on morality must be based on strengthening several aspects: strengthening integrity and ethics in law enforcement, transparency and accountability in the law enforcement process, revamping the legal system and institutions, and increasing legal awareness.

Conclusion: The authors of this research want to learn more about and reflect on the moral dimensions of Indonesia's police force. This research aims to provide light on how morality influences the behavior of law enforcement officials by researching law enforcement methods, ethics, and justice. The study's findings should serve as a springboard for implementing more just rules and procedures in Indonesia's law enforcement.

Keywords: morality, law enforcement, reflection.

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CONTEMPLANDO A MORALIDADE DA APLICAÇÃO DA LEI NA INDONÉSIA

RESUMO

Objetivo: Este artigo pretende elaborar a moralidade da aplicação da lei na Indonésia hoje e como reflectir sobre a aplicação da lei na Indonésia no futuro. Este artigo usa um tipo normativo de redação usando uma abordagem estatutária, de caso e comparativa.

Método: Este artigo é então analisado pela técnica de análise prescritiva.


Conclusão: Os autores desta pesquisa desejam aprender mais e refletir sobre as dimensões morais da força policial da Indonésia. Esta pesquisa tem como objetivo fornecer luz sobre como a moralidade influencia o comportamento dos funcionários responsáveis pela aplicação da lei, pesquisando métodos, ética e justiça de aplicação da lei. As conclusões do estudo servirão de trampolim para a implementação de regras e procedimentos mais justos na aplicação da lei na Indonésia.

Palavras-chave: moralidade, aplicação da lei, reflexão.

1 INTRODUCTION

The digital revolution, the advancement of information technology, globalization, rapid world changes, the emergence of new communities, and the ferocity of competition all contribute to the need for innovation and creativity in the fast-moving, highly competitive industrial era 4.0 (Zubair et al., 2023). The outer bond is a formal connection produced by a serious mutual will, which links both partners and others in the community; the inner bond is an informal relationship formed by serious mutual will. This solely binds the parties involved (Kholidah et al., 2023).

The rule of law is a widely discussed topic in almost all countries. This stems from the belief that a nation or state cannot rely solely on its government to maintain social order and stability (A. Ahmad & Nggilu, 2019). The rule of law’s foundational concepts may be traced back to the countless experiments that developed many theoretical artifacts, including constitutionalism (Ahmad; Fence M. Wantu; Novendri M. Nggilu, 2020).

Efforts to uphold law enforcement that is impartial, open, and grounded in constitutional legal principles are the connecting thread between the rule of law and constitutionalism. Constitutionalism is a political philosophy that holds that the United
States Constitution should be used as a blueprint for governing and enforcing the law. Constitutionalism upholds the ideals of the rule of law, including the rule of law itself the preservation of human rights, freedom, and justice (Syuhada, 2021). Law enforcement in Indonesia may be more efficient, trustworthy, and founded on fair and democratic values if there is congruence between the rule of law and constitutionalism (Prabowo, 2017).

In this context, the principle of the rule of law is a philosophical foundation that emphasizes that state power must be subject to the law and not act arbitrarily, so understanding how these ideas relate to one another is crucial (Muabezi, 2017). Constitutionalism, on the other hand, is the view that states need to be founded on written documents outlining the rights of people, how authority is distributed, and what restrictions should be placed on that authority (Hambali, 2021). This discussion on the morality of law enforcement is about compliance and law enforcement that are founded on ethical ideals and fairness (Miswardi, Nasfi, 2021). When the law is enforced morally, it is implemented just, proportional, and impartial (Hayat, 2015). Integrity and professionalism on the part of law enforcement officials in performing their tasks are also essential to the morality of law enforcement (Noor, 2022).

These three ideas are intertwined and reinforce one another. Constitutionalism and the rule of law offer a solid legal foundation to guarantee that law enforcement is carried out fairly and in the public's best interests. Meanwhile, law enforcement morality is crucial to the legal system's legitimacy. Because of this link, rules and regulations that reflect societal morals are drafted in conformity with the rule of law and constitutionalism concepts. The morality of law enforcement also becomes a metric by which the effectiveness of law enforcement may be evaluated concerning the promotion of justice, honesty, and equal protection under the law. Together, they form a system of law that is robust, adaptable, and fair for all members of society.

In the Indonesian context, law enforcement is often debated due to issues related to corruption, controversial legal policies, abuse of authority, and inequality in the legal treatment of various social and economic groups. Some factors that can affect the morality of law enforcement in Indonesia include: Justice. The fundamental question in law enforcement is whether the law is applied fairly. Fair and equitable application of the law for all people is an essential moral foundation; (Adhayanto, 2015) Truth. Moral law enforcement must be based on truth and justice, not on political interests or specific groups (Adonara, 2015). Moral principles should guide the determination of truth and
Justice; (Niru Anita Sinaga, 2020) *Ethics*. Moral law enforcement requires adherence to high ethical standards. Law enforcers must act with integrity, honesty, and professionalism; (Rahmaddani, 2023) *Transparency*. Moral law enforcement should be based on transparency and accountability. An open and transparent legal process can minimize abuse of power and corruption; (Nasution, 2020) *Protection of Human Rights*. The morality of law enforcement must also involve the protection of human rights. The law must protect individual rights, including the right to freedom of speech, the right to justice, and other rights; (Arifin & Alkadri, 2018) and *Legal Awareness*. Contemplation of the morality of law enforcement should also include better legal awareness among the public. A solid legal awareness of legal rights and obligations can help create a more law-aware and law-abiding society (Gede et al., 2020).

Recognizing and understanding these factors is essential in encouraging reflection and improvement of law enforcement morality in Indonesia. By identifying challenges and evaluating factors affecting law enforcement's morality, steps can be taken to strengthen the legal system, minimize corruption, improve justice, and ensure fair legal treatment for all citizens. As the author describes above, the factors of law enforcement are phenomena that the author has recently highlighted. In this case, it can be seen from several significant cases that occurred in Indonesia, including:

1. *The Novel Baswedan case*: Novel Baswedan is a senior investigator at the Corruption Eradication Commission (KPK) who was the victim of a sulfuric acid attack in April 2017 (Parengkuan, 2021). The case raised concerns about the fairness of law enforcement against the perpetrators of the attack. To date, the investigation and trial process related to the case is still ongoing, and the public expects justice for Novel Baswedan.

2. *The Tanjung Priok Human Rights Violation Case*: This case involves human rights violations that occurred during the arrest and disappearances in Tanjung Priok, Jakarta, in 1984 (Kusuma & Suprap, 2021). After a lengthy process, in 2021, the Human Rights Court issued a judgement demonstrating an effort to achieve justice for victims and their families.

3. *The Murder of Human Rights Activist Munir*: Munir Said Thalib was a human rights activist who died in 2004 due to arsenic poisoning (Maramis, 2016). The case raised strong allegations of intelligence apparatus involvement in the murder. The law enforcement process related to this case faced challenges, but
eventually, the perpetrators were found guilty and brought justice (Ayu Setyaningrum et al., n.d.)

4. The Murder of Activist Marsinah: Marsinah, a factory worker in Lampung, was murdered in 1993 after being involved in the struggle for labor rights (Maharani et al., 2018). Although there are strong allegations of security forces involvement in the killings, the case is still not fully uncovered, and the real perpetrators have not been brought to justice.

5. The e-KTP Corruption Case: The e-KTP corruption case is one of the most prominent corruption cases in Indonesian history (Nyoman et al., 2019). This case involved high-ranking state officials and members of the House of Representatives who were allegedly involved in the corruption of the procurement of electronic identity cards (e-KTP). Although some perpetrators have been tried and convicted, or cases have not been fully resolved.

6. BLBI (Bank Indonesia Liquidity Assistance) Corruption Case: The BLBI corruption case involved alleged corruption in the distribution of liquidity assistance by Bank Indonesia to several banks during the 1998 monetary crisis (Utama, 2019). This case involved several relevant figures and officials who were allegedly involved the misappropriation of state funds. This case is still being handled and has yet to be fully resolved.

7. Century Corruption Case: The Century corruption case is also controversial in Indonesia. This case relates to the alleged misappropriation of bailout funds given by the government to Century Bank in 2008 (Fathuddin, 2015). Although some perpetrators have been tried and convicted, aspects of the case still have yet to be fully revealed and resolved.

8. The Case of Mob Handling in Tanjung Balai: In 2016, there was a case of arrest and detention of several residents in Tanjung Balai, North Sumatra, who were allegedly related to the riots (BBC News, n.d.). However, in handling the case, there were allegations of ethical violations, such as using excessive force, torture, and intimidation of suspects. The case caused controversy and raised concerns regarding the ethics of law enforcement (Komnas Ham, n.d.).

9. Cases of Drug Abuse by Law Enforcement Officials: There have been several cases where law enforcement officers have been involved in drug abuse, such as Teddy Minahasa case. (Pasaribu et al., 2022) (BBC News, n.d.)
10. Cases of Abuse of Power by Judges: In several cases, judges have been involved in abuse of power, such as accepting bribes or making unfair decisions. One such case is a corruption case involving a Supreme Court judge, such as Supreme Court Judge Sudrajad Dimyati. The Corruption Eradication Commission (KPK) arrested ten people in a case of alleged handling cases at the Supreme Court (ICW, n.d.).

11. Hoax Spreading Cases: The spread of hoax information or fake news on social media is a serious problem in Indonesia (Pranesti & Arifin, 2019). Cases such as the spread of hoaxes related to health, politics, or religion can affect people’s legal awareness. False or misleading information can cloud people’s understanding of the law, result in non-compliance, or even impede the actual law enforcement process (Hari & Berita, 2017).

The author of this paper intends to provide reflections on law enforcement in Indonesia, focusing on the morality of law enforcement as an epicenter and starting point in light of the cases described above. So, in the future law enforcement context, it does not only rely on norm enforcement alone, which focuses on substance and institutional aspects, but also on the cultural aspects of enforcement related to morality at the top of the law enforcement pyramid.

When considering the morality of law enforcement in Indonesia, it is essential to consider the moral values that should serve as the basis for this system. Justice, honesty, ethics, and a commitment to integrity are all crucial components of a well-functioning judicial system. Law enforcement and the legal system should use these ethical standards as their primary guide to guarantee that the law is implemented in a way that is just, proportionate, and consistent with the values held by the majority of the population. The only way to create a fair, honest, and reliable justice system for all Indonesians is to focus on the ethics of law enforcement.

2 RESEARCH QUESTIONS

With the above as a foundation, the author of this paper intends to go further into the morality of law enforcement in Indonesia now and how this morality will reflect in the future of law enforcement in Indonesia.
3 LITERATUR REVIEW

In analyzing the relationship between law and morals, one thing that becomes clear is the complexity and nuance that characterizes this debate. It should be recognized that the legal realist approach, as described by Harry W. Jones, provides a more "realistic" picture of judicial decisions. Judges' decisions, according to Jones, are not based solely on positive law or legal doctrine, but are also influenced by the broader social and moral context. This seems to undermine the pure positivist view, which regards the law as a set of rules to be followed without considering morals.

Greenawalt and Thaysen bring us to the discourse on legal moralism, where they question the extent to which the law should enforce moral norms. Should all acts that are considered immoral be criminalized? Or are there certain limits? (Greenawalt, 1995) This discourse, also implicit in Stanton-Ife's work, suggests a fundamental difference between morals and law, even though they are often intertwined (Stanton-Ife, 2022). For example, not all immoral acts cause enough harm or social danger to warrant legal sanctions (Kuflik, 2005). In addition, Kenneth Himma offers an exciting view that although morals and law are related, they are two things with different validity criteria (Himma, 2019). This contradicts the idea of natural law, which holds that law cannot exist apart from morality. Himma also argues with positivism's rejection of using moral elements in determining legal validity.

From a liberal point of view, Kuflik casts doubt on the validity of legal moralism. Liberalism's core idea is that people's autonomy is a fundamental right that must be protected. This raises the question, is the government justified in restricting civil liberties in the name of morality? Even in a culture where everyone agrees on what is right and evil, there are "good moral reasons" not to codify every moral standard into legislation, an argument Kuflik uses to criticize legal moralism.

Given the dominant idealism of the legal positivist perspective, Harry W. Jones's realism approach is crucial. There is a broader social system that judges and other legal authorities are a part of that is impacted by moral values; they do not exist in a vacuum. However, this may also be a trap since it can be hard to discern the line between the Scylla of affirmative law and the Charybdis of social justice. As a result, Greenawalt and Thaysen raise the issue of whether or not moral standards should be codified in legislation. One thorny aspect of this is the potential for the "tyranny of the majority," in which the majority's moral standards are used to subjugate those who disagree with them.
The thoughts of Kenneth Himma are a welcome contribution to the debate. Since law and morality are two separate domains yet sometimes share the same criteria for validity, he criticizes the exclusivity perspective of both natural law and positivism. This criticism serves as a timely reminder that, in our complicated world, a black-and-white view of law and morality may not be enough. Kuflik provides a different critical lens, one informed by liberalism. Even in more morally homogeneous countries, he asks us whether governments always have the moral power to implement moral principles into legislation. This begins the conversation on the importance of individual freedom as a moral basis in legal debates.

As Fletcher and others have pointed out, morality is not merely a means to justify the law; it is also a source of law reform. This becomes crucial when discussing minority rights, health care, and other areas of human existence that call for nuanced moral judgments. (Fletcher, 1987) In addition to providing a normative basis for the law's legitimacy, morality also serves as an 'engine' that may set the dynamics of legal change in motion.

In the 20th century, moral concerns about racial and gender discrimination led to legislative reforms in the United States due to the civil rights movement (Thaysen, 2015). However, we must also consider how some forces inside a state might use morality as a tool since it is frequently subjective and culturally particular. Here, public administration and constitutional law ideas are crucial. By instituting 'checks and balances,' for instance, society attempts to limit the possibility that moral concerns may be abused to further the interests of a select few (Thaysen, 2015). As a result, the law is a representation of popular morality and a tool for navigating moral diversity in modern societies.

Equally important is whether the 'right' morality aligns with the majority view or the opposite (Sumirat, 2020). It is not always clear which ethical framework to apply when deciding minority rights or health policy: utilitarianism, which prioritizes the well-being of the majority, or deontology, which gives primacy to the rights of the individual even when doing so conflicts with the wishes of the majority (S, 2010). When the present legal rules are seen as unfair or discriminatory, moral concerns might serve as a form of opposition (Laia, 2023).

As Fletcher and others have shown, morality is both a justification for the law and a driving force towards reform. The ramifications of this are far-reaching, mainly when applied to complex moral issues like minority rights and health care. This moral authority,
however, is not without its contradictions. As the American civil rights struggle shows, morality can be powerful in pushing for legal and social reform. In this case, morality was a liberating force to bring about more fair and equitable legal reforms. On the other hand, morality may become problematic when it is used for repressive or restricted political or societal ends. Constitutional law and checks and balances in government play an essential role by limiting morality’s influence.

One fascinating aspect of the law is its role as a mechanism that attempts to govern and arbitrate between competing moralities in a multi-ethnic community. This raises the philosophical question of whether or not the 'correct' morality is the one that follows the views of the majority. This conundrum raises the question of whether or not the law should be oriented more towards utilitarianism, which seeks the happiness or interests of the most significant number, or deontological principles, which emphasize the intrinsic rights of individuals in the context of minority rights or health issues. As such, morality serves not just as a justification in legal contexts but also as a form of opposition to and criticism of established legal standards.

Integrating empirical research with pre-existing ideas from law, ethics, and social philosophy in this evaluation is crucial. This contributes to a more nuanced discussion of legal issues and aids in creating flexible laws to accommodate evolving social requirements. After all, the law is not a static system but rather an organic whole constantly influenced by the surrounding environment. Therefore, a critical and constructive understanding of morality’s place in the law is needed in this increasingly complicated day.

Despite providing a multifaceted perspective, the prior consideration of the connection between morality and law has space for improvement and critique. While 'checks and balances' are frequently mentioned to prevent the misuse of morality, it is essential to note that this system is more theoretical than practical. In the hands of a single political party or ideology, a 'check and balance' system might be reduced to a mere political weapon. If the moral principles established are based on Western legal or philosophical traditions that are not necessarily applicable or just in other cultural settings, then considering morality in law may also be considered intellectual neo-colonialism.

Furthermore, this predicament is portrayed as a two-way street between utilitarianism and deontology. For example, care ethics and distributive justice theory
may be more applicable in particular contexts, but the reality is more nuanced. The theory also gives the impression that morality can be regulated by law, although morality often resides in symbolic and discursive realms inaccessible to legal means. To be more thorough and critical, this analysis needs to incorporate additional aspects and a deeper-diving criticism, but overall, it gives a rich, in-depth perspective and sensitivity to the complexity of the subject. The law's limitations in regulating morality must be acknowledged, as must the diversity of legal approaches to morality and the critique of legal control mechanisms.

4 RESEARCH METHOD

This study is normative in tone and employs the statute, case, and comparative analysis methods. Prescriptive analysis methods are then used in the article to conclude. Analyzing and evaluating current legal laws and precedents, prescriptive analysis approaches in legal writing determine what legal acts or policies should be adopted. Legal decision-makers, legal practitioners, and policymakers may all benefit from the advice and suggestions generated by prescriptive analytical approaches, which help them tackle complex legal challenges.

5 ANALYSIS AND DISCUSSIONS

5.1 MORALITY OF LAW ENFORCEMENT IN INDONESIA

Right now, the ethics of law enforcement in Indonesia is a significant problem that needs fixing. Maintaining law enforcement's morality in this age of fast modernization and globalization poses more challenging issues. Attention has shifted to problems including corruption, human rights abuses, uneven access to justice, and ethical standards in the workplace. In light of these factors, Indonesia has to critically examine the ethics of its police force if it is to develop a more just, transparent, and moral law enforcement system. There have been severe problems with law enforcement ethics in Indonesia in recent years. The author will describe key elements that provide light on the morality of law enforcement in modern Indonesia.
5.2 UNRAVELING THE COMPLEXITIES OF LEGAL MORALISM: FROM MORAL FAULT TO BALANCING FACTORS

Legal Moralism is often formulated regarding immorality as a sufficient condition for legal coercion. Hart asks whether the fact that an act is immoral is "sufficient to justify its being punishable by law?" (Duff, 2015). According to Larry Alexander, "the position that immorality is sufficient for criminalization" is another definition of legal moralism. Without specifying necessary circumstances, Joel Feinberg considers the possibility that a legal moralist may desire to exclude certain forms of immorality from the definition of legal moralism (Frey & Wellman, 2008).

Even though an act does not directly hurt or offend the perpetrator or anybody else, it may be forbidden because it is immoral. (Stewart, 1999) However, Feinberg's definition needs to be revised compared to his articulation of the competing perspective, and Hart and Alexander's is deceptive at best as a characteristic of legal moralism. What they fail to take into account, however, is the view held by legal moralists, which is that immorality or wrongdoing is a prima facie or pro tanto justification for employing legal compulsion, possibly overridden by other grounds. Devlin argues that society has a "prima facie right to legislate" against actions that are widely agreed to be wrong (Stewart, 1999).

Even while immorality is a valid argument for prosecution, it will not be persuasive if it cannot counteract the other, more damaging arguments that Devlin lists. Lawmakers in a society must balance competing principles and make judgments depending on the specifics of each situation. Devlin lists many "factors that should limit the use of the criminal law," even in cases where immorality or moral turpitude has been shown. "Principle factors" and "expediency factors" must be weighed against one another.

To prevent (eliminate, mitigate) harm to persons other than the perpetrator (the person prohibited from acting) is always a good reason to support criminal laws, and there may be no other way to do so effectively without causing a more significant impact on other values (Baker, 2009). Feinberg carefully qualifies his primary assertion with constraints of what is deemed "effective" and the "costs" it may impose on "other values" when he formulates his concept of damage. However, as he develops his legal moral philosophy, things change. This might be a slip-up on someone's part. As we will see, however, legal moralists place a premium on factors like "effectiveness," "costs to other values," and the like (Stewart, 1999).
The principles would be misrepresented as having nuance and realism if they were emphasized in connection to the damage principle while being ignored about legal moralism. Furthermore, in Feinberg's approach, wrongdoing and immorality come across as an afterthought or a factor of limited consequence in criminalization. On the other hand, legal moralists consider wrongdoing fundamental and consequential rather than peripheral or secondary to the injuries and offenses that are justly due (Lamond, 2007).

As Devlin puts it, blunders "shape" criminal behavior. Murder, rape, assault, theft, fraud, and arson are among the most well-known. Moralists argue that although morality shapes these crimes, the crime of, say, murder is not synonymous with moral culpability in murder because the law will import various other requirements, legality, and many others; for example, the law will have to trim the edges to provide a line sharp enough to be able to give an apparent acquittal or punishment as required by the administration of justice (Harr et al., 2014). Guilt, though, is crucial. Because they break the law, murder, fraud, etc., are all seen by legal moralists as prime candidates for criminalization.

They may (or may not) be wrong because they cause damage, but just because harm is a component of wrongdoing does not mean we should give it more weight than it deserves. Because injuries are so common, it is essential to be careful. Michael Moore is concerned with the suffering of victims who do not provide their permission since the acts that cause that suffering (and sometimes the inability to prevent it) breach our moral duty, as fellow legal moralist Devlin put it (Moore, 2017).

By reworking Feinberg's definition of legal moralism so that it is consistent with his definition of the harm principle, we can get closer to the core of his position, which is that criminal legislation is justified when it is likely to prevent (eliminate, reduce), and in some cases may be the only way to prevent (eliminate, reduce), wrongdoing, and there may be no other equally effective way without sacrificing other values.

In general terms, there are two strands to legal moralism: To decide whether or not to use legal compulsion, it is necessary first to identify a wrong or immorality and then assess a set of opposing reasons. Either the wrong may be more potent than the mitigating circumstances, or the mitigating circumstances may be more powerful than the wrong. Therefore, certain wrongs are acceptable while others are not, according to this view. Beyond this central tenet, however, legal moralists' views vary widely (George, 1992).
Moore's reasoning relies heavily on retributivism, a particular concept of punishment. Duff contends that only some moral wrongs—public wrongs, as opposed to private wrongs—can be criminalized (Duff, 2018). Tadros, which has a muddled connection with legal moralism, likewise does not consider "minor family misdeeds" criminal acts (Tadros, 2004). While Moore agrees that there is an initial justification for criminalizing any morally wrong activity, including violation of contract, he argues that the second half of the structure above, the balancing factor, is necessary to rule out the absurdity of criminalizing such conduct. The definition of "morality" also varies widely among legal moralists. In particular, his successors rejected Devlin's moral philosophy.

When applied to the Indonesian setting, concerns about morality in policing become both pressing and nuanced. Inconsistencies in the implementation of the law, widespread corruption among law enforcement personnel, enforcement that ironically contradicts the law itself, and the practice of selective enforcement in legal cases all reveal a lack of morality in Indonesian law enforcement. According to the theoretical analyses of Hart, Alexander, and Feinberg, these events are manifestations of a more fundamental moral crisis, which comes down to a choice between immorality as the foundation for criminalization and other potentially destructive elements.

The "principle factor" and the "expediency factor" are two opposing considerations that should be weighed carefully while formulating legal policy, as discussed by Devlin and Feinberg. The truth is that these variables should be more frequently noticed, leading to law enforcement failure in Indonesia. Furthermore, morality in the legal arena is distorted by techniques of law enforcement that are frequently criticized as inconsistent or biased. Relevant here is the work of legal moralists like Duff and Tadros, who seek to restrict the range of conduct that may be classified as criminally wrong. From this perspective, instances involving Indonesian law enforcement reveal how morality is often sacrificed in favor of other, more pragmatic, or political factors.

The first step towards a more morally grounded future for law enforcement in Indonesia is to improve police morals and ethics. This honesty, as a model of proper conduct, must serve as the cornerstone of all police work. Furthermore, openness and responsibility need to be institutionalized as core values of the judicial system. The judicial system's lack of accountability and openness frequently leads to acts of corruption.
Reforming the law and other institutions is also crucial for keeping morals alive. Last but not least, it is crucial to raise public understanding of the law so that everyone may play an active part in protecting the legitimacy of the judicial system. Therefore, in the Indonesian context, morality in law enforcement is strongly tied to its practice and execution in the field and not only restricted to theoretical considerations. We need a more thorough and multifaceted approach to this problem, considering moral, practical, and institutional aspects, as shown by the synthesis of critical analysis from legal philosophers and the reality in Indonesia.

5.3 INCONSISTENT LAW ENFORCEMENT

Building the morality of law enforcement in Indonesia is complicated because police must apply the law consistently. Corruption crimes are one area where there has been uneven law enforcement. Corruption offenders who do major activities that affect the state are sometimes given low terms, as the 12 years served by Juliandri P. Batubara in the Bansos Corruption case (BBC News, 2021) (Sunaryanto et al., 2022), have even avoided punishment, as was the case with Harun Masiku and the suspected bribery surrounding the 2019-2024 interim replacement (PAW) of House of Representatives members (Prasetya & Jaya, 2020) (Adiyanto & Nuzuli, 2020), the former Waduruka Village Chief Ramlin of the Lombok District was given a five-year jail term, whereas similar or minor instances may be treated with stringent measures (Lombok Post, n.d.). The public loses faith in the judicial system due to the government's inconsistent response to corruption (Sulaiman, 2016).

Inconsistent law enforcement may be seen in several instances of violence and human rights breaches in Indonesia, including the extra-judicial killing of 6 (six) FPI members (Ariyani, 2022) Similar incidents are handled differently based on the perpetrator's socioeconomic background, wealth, or political ties. Due to this unfair practice, the public loses faith in the judicial system's capacity to treat everyone fairly (Santoso et al., 2023).

5.4 CORRUPTION AMONG LAW ENFORCEMENT OFFICIALS

The morality and efficacy of Indonesia's legal system are seriously compromised by widespread corruption among law enforcement authorities. Law officers, including prosecutors and judges, are tasked with keeping the peace and enforcing the law.
However, as seen in several corruption trials, others misuse their power and exploit their positions for their benefit.

The bribery of a judge is an example of corruption affecting law enforcement officers. In 2022, Supreme Court judge Edy Wibowo was embroiled in a bribery scandal (Indonesia, n.d.). Judge Gazalba Saleh of the Supreme Court (MA) is also under suspicion for bribes related to her work there (News, n.d.). These judges allowed bribery to affect their rulings unjustly. The corruption shown in this case only further damages public faith in the justice system.

Police personnel are not immune to corruption. Three police generals, including Napoleon Bonaparte, were implicated in a bribery scheme using letters from the Djoko Tjandra road. Kompas, n.d.). This kind of corruption shows how some dishonest individuals take advantage of weaknesses in the justice system for their benefit. The author's situation is only one of many like it, which is why the Indonesian Survey Institute ranked the Police Agency (Police) as the Most Corrupt agency in Indonesia in 2018 (Detik News, n.d.).

Corruption is not limited to the executive and judicial branches but is equally prevalent in the prosecutorial branches. A prosecutor called Pinangki Sirna Malasari, who was involved in a corruption case involving the convicted Bank Bali corruption case Joko Soegiarto Tjandra alias Djoko Tjandra, was given a 10-year jail term for receiving a bribe of almost $500,000 (approximately Rp7 billion) (Anam, 2022) (Prayoga, 2023). The prosecutor took part in bribery schemes connected to the case. Because of corrupt prosecutors, the public no longer trusts the prosecutor's office as an upholder of justice.

This incidence of corruption among law enforcement authorities shows the necessity for strict and open law enforcement to combat corruption (Rumadan, 2017). If corruption can be reduced in Indonesia's police force, public trust in the country's judicial system will increase. To prevent corrupt practices from undermining the legitimacy of the judicial system, efforts must be made to increase internal monitoring, strong punishments, and the promotion of professional integrity and ethics in law enforcement.

5.5 LAW ENFORCEMENT BY BREAKING THE LAW

The absurdity of Indonesia's judicial system is reflected in phenomena where police break the law to enforce it. Officials in law enforcement, who are intended to uphold the law, may be complicit in illegal activity (Saputra, 2017). These actions erode
public faith in the legal system and the moral authority of law enforcement (Pratiwi & Arifin, 2019).

Abuse of authority by police personnel is one example of law enforcement gone wrong. For instance, Herman in Balikpapan, East Kalimantan, and Deki Susanto in South Solok, West Sumatra, were detained and later died due to police maltreatment or torture. (BBC News Indonesia, n.d.) This behavior is illegal and violates people's rights, which the police are sworn to uphold.

The execution of the law at the expense of the law itself might also take the shape of governmental corruption. An example is a judge or prosecutor who receives bribes in the form of gifts or awards to influence their rulings. Corruption erodes public trust in the judicial system and reduces justice to a marketable good. Forgery of letters (as in the Napoleon Bonaparte case), manipulation of evidence, and misuse of the legal process for personal or group goals are all examples of instances in which law enforcement has broken the law (Sipayung & Ardiani, 2022); Such actions are unethical and detrimental to law enforcement because they disregard fundamental concepts of justice (Fatkuroji & Meilinda, 2021).

It is crucial to remember that not all Indonesian police are as corrupt as the few that have made headlines recently. These incidents, however, highlight problems and flaws in the current judicial system that must be fixed immediately. Measures such as greater oversight, harsh punishments, and overhauling internal mechanisms are required to guarantee that law enforcement is carried out in line with the principles of justice and dignified morality.

5.6 DISCRIMINATION IN LAW ENFORCEMENT

The term "red tape" is often used to describe the selective case selection and varying legal punishment of comparable offenses in Indonesian law enforcement. This trend is indicative of unequal treatment before the law. Sometimes, certain situations are given more attention or tighter treatment than others, even if the latter may be just as severe (Purnomo et al., 2021).

Law enforcement has been selective in corruption cases involving government officials in Indonesia, such as the Harun Masiku case. Corruption cases involving influential people or high-ranking authorities are sometimes treated with the seriousness they deserve. Conversely, corruption involving lower-ranking officials or individuals
without political clout tends to result in harsher punishments (Muhtar, 2019). The uneven application of Indonesia's anti-corruption legislation explains this discrepancy.

It is also possible for selective prosecution to occur in the prosecution of more common crimes like theft and fraud (Putra, 2016). The story of Grandma Mina is only one example of how persons of lower socioeconomic class are often subjected to harsher treatment and penalties than those meted out to those of higher socioeconomic rank (Maulidah & Jaya, 2019). Such injustices create distrust of the justice system and undermine the morality of law enforcement.

5.7 REFLECTIONS ON LAW ENFORCEMENT IN INDONESIA IN THE FUTURE BASED ON MORALITY

Law enforcement officers are crucial in every nation's effort to uphold the rule of law. However, it is common for law enforcement to encounter difficulties and issues that call for serious thought. In such a scenario, law enforcement reflection is a vital step in evaluating, analyzing, and bettering the current legal system. This introspection will allow us to pinpoint problem areas, examine contentious regulations, and guarantee that morality continues to serve as the foundation for effective, equitable law enforcement.

Reflection on law enforcement is a critical introspection process for a country (Asas et al., 2023). Taking stock allows us to examine whether or not the current legal system has successfully brought about justice and preserved order. Whether or not the current rules apply equally to everyone, regardless of their background, income, or political affiliation, is debatable. Inequities and gaps in the law enforcement system may be revealed via introspection, allowing for implementing of required reforms (Hadi Adha et al., 2020).

The examination of contentious policy is another benefit of reflecting on law enforcement. Law officers are often put in sticky circumstances requiring them to make tough choices (Jalil, n.d.) By pausing for thought, we may determine whether these practices violate any generally recognized norms of morality. Do these guidelines reflect the values upon which law enforcement must be built? (Susilo, 2011).

Assessing the function of police in maintaining peace and order is another important aspect of reflective policing (Santoso et al., 2023). When enforcing the law, do they do it with honesty and honor? Do they treat each other equally and not misuse their positions of power? This introspection allows members of the public to keep tabs on and
provide critiques of police officers' work, which ultimately leads to more accountable law enforcement.

Reflecting on the path ahead with a firm moral compass is essential in responding to the difficulties and disputes in Indonesia's police force. By taking stock, we can assess where the system is broken and what has to be done to make the Indonesian police force more moral.

5.8 STRENGTHENING INTEGRITY AND ETHICS IN LAW ENFORCEMENT

Integrity and ethics play an essential role in effective and equitable law enforcement. (Afrizal, 2022) If a nation wants to be sure that the law is being executed fairly and without abuse, it must work urgently to strengthen the integrity and ethics of its law enforcement (Etika Profesi Hukum Sebagai Upaya Penegakan Hukum Yang Baik: Achmad Asfi Burhanudin Sekolah Tinggi Ilmu Syari et al., 2018) If a nation wants to be sure that the law is being executed fairly and without abuse, it must work urgently to strengthen the integrity and ethics of its law enforcement.

Integrity and ethics in law enforcement can only be strengthened with the full backing of all the appropriate authorities and organisations. Government and law enforcement authorities should make it a priority to foster a moral and ethical climate (Sedarmayanti, 2012). Training and education to foster moral and ethical consciousness among law enforcement personnel may help achieve this goal. Law enforcement agents will be more likely to act honourably if they work in a culture that promotes honesty and fair play (Fence M Wantu, 2013).

Creating a fair and equitable judicial system begins with bolstering police enforcement's integrity and ethics. Law enforcement personnel, the government, and affiliated organisations must commit to acting honestly and morally to achieve this goal. Increased oversight, moral and ethical education, openness, and citizen involvement are steps towards a more reliable and respected police force.

5.9 TRANSPARENCY AND ACCOUNTABILITY IN THE LAW ENFORCEMENT PROCESS

Transparency and accountability are essential principles in Indonesia's law enforcement process (Rizky Gunawan Jurusan S- et al., 2016). Transparency refers to the openness and accessibility of information related to the legal process (Supraja, 2019).
Accountability refers to law enforcement officers’ responsibility for their actions and decisions (Endang, 2018). With significant openness and accountability, the public may understand and monitor the legal process and guarantee that justice is done fairly and objectively.

Using open trial methods is a prime illustration of Indonesia’s commitment to transparency in the criminal justice system (Lestari & Hayati, 2023). In a public trial, the public gets a front-row seat to the presentation of evidence, the testimony of witnesses, and the submission of legal arguments (HILMI & Astuti, 2022). Therefore, transparency allows the general public to judge the impartiality of the law enforcement system.

As a reflection of the priority placed on accountability in Indonesia’s police force, the monitoring process and disciplinary action taken against police personnel who breach ethics and the law are given significant weight (Ilmiah et al., 2016). When examples of serious wrongdoing by law enforcement personnel are exposed, such as abuse of authority or bribery, this illustrates accountability. Appropriate consequences, such as dismissal or criminal prosecution, should be applied to proven culpable officials. These reforms show that law enforcement officers are not immune to accountability for their conduct.

If justice is to be served fairly and evenly in Indonesia, the country’s law enforcement mechanisms must be made more transparent and accountable (Resmadiktia et al., 2023). Efforts are required to improve oversight institutions, make law enforcement methods and mechanisms more transparent, and encourage more public involvement in assessing the justice system’s effectiveness. Therefore, openness and responsibility may support a more moral and trustworthy police force.

5.10 REVAMPING THE LEGAL AND INSTITUTIONAL SYSTEM

Increasingly, honest and moral law enforcement in Indonesia requires reforming the country’s legal system and institutions. Better laws, judicial procedures, and supporting institutions are all required here. An atmosphere more amenable to effective law enforcement is sought via reforms to the judicial and penal systems.

The attempt to review and update laws and regulations controlling the legal profession is one example of changing Indonesia’s legal system and institutions. (Ulya, 2021) The laws governing the police, the prosecution, and the court could all be revised and improved (Wijaya Kusuma et al., 2020). By updating the legislation, we want to make
it more transparent and accountable to who is responsible for carrying out the law and why (Wahyu Donri Tinambunan and Galih Raka Siwi, 2022).

Revamping the legal system and institutions also involves efforts to strengthen law enforcement agencies in Indonesia (Hastuti, 2007). For example, we are increasing law enforcement officials' capacity, quality and independence, such as police, prosecutors and judges (Apriansyah, 2017). This can be done through training programs, selective recruitment, and appropriate remuneration increases (Raharjo & Sunarnyo, 2014). In addition, it is also necessary to strengthen oversight institutions and complaint mechanisms for the public to create effective control over the behaviour and performance of law enforcement officials (Murni Yanti, 2021).

Improving Indonesia's legal system and institutions is an essential commitment to strengthening fair and moral law enforcement (Ansori, 2017). Collaborative and sustained efforts are needed between the government, law enforcement agencies, academia and civil society to realize significant improvements (Santosa & Quina, 2014). Only with comprehensive reforms can Indonesia's legal system and institutions provide a strong foundation for dignified law enforcement and support sustainable development.

5.11 INCREASED LEGAL AWARENESS

Increasing legal awareness in Indonesia is essential for strengthening a moral law enforcement system (Marsinah, 2018). Legal awareness refers to people's understanding and recognition of their rights, obligations and the principles of law that apply in their country (Listyorini et al., 2022). Through increased legal awareness, the community can become subjects aware of their rights, understand law enforcement procedures, and actively create a fair and equitable legal environment (J. Ahmad, 2016).

One example of efforts to increase legal awareness in Indonesia is through inclusive and affordable legal education. Through good legal education, people can learn about their rights and obligations and understand the importance of compliance with the law (Belladonna & Anggraena, 2019). For example, educational institutions, such as schools, universities, and training institutions, can provide programs that thoroughly introduce legal principles to students and learners (Angraini et al., 2018).

Apart from education, mass media is vital in increasing legal awareness in Indonesia (FEBRIANSYAH, 2015). Through accurate coverage and information on legal cases, the public can better understand the legal process and related issues (Auditya,
2020). For example, the media can educate the public about the importance of fair and accountable law enforcement through coverage of corruption cases or human rights violations.

Increasing legal awareness in Indonesia can also be encouraged through information and socialization campaigns organized by the government, non-governmental organizations, or civil society (Partisipasi et al., 2017). For example, through seminars, workshops or other participatory activities, communities can be provided with an understanding of various aspects of the law that are relevant to their daily lives (Simatupang, 2016). By increasing broad legal awareness, the community can actively encourage fair law enforcement, maintain the justice system's integrity, and build a just society.

6 CONCLUSION

There are complex challenges in maintaining the morality of law enforcement, such as inconsistent law enforcement, corruption among law enforcement officials, law enforcement by breaking the law, and selective law enforcement. These phenomena threaten the integrity and credibility of the justice system and create injustice and public distrust of equal justice. Therefore, remedial measures involve revamping the legal system and institutions, raising legal awareness, and strengthening transparency and accountability. Only by addressing these issues can Indonesia strengthen the morality of law enforcement and build a fair, transparent and dignified justice system.

Reflection of law enforcement in Indonesia in the future based on morality is the improvement of legal and institutional systems, increasing legal awareness, strengthening integrity and ethics in law enforcement, and transparency and accountability in the law enforcement process are critical steps to be taken. Reflection on law enforcement makes it possible to identify weaknesses, review controversial policies, and improve morality in fair and just law enforcement. With comprehensive and morality-based improvements, a strong, transparent and trustworthy law enforcement system and judicial system can be created, as well as a society that is aware of its rights and actively creates a fair and just legal environment.
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