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Implementation of the Policy Regarding the Expression of Opinions in Public within the Jurisdiction of the Jakarta Metro Regional Police

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Abstract

The objective of this study is to examine and analyze the implementation of the policy on public freedom of expression within the jurisdiction of the Jakarta Metropolitan Police (Polda Metro Jaya), its supporting and hindering factors, and police efforts to address implementation issues. Employing a qualitative descriptive research method, this study utilizes data from in-depth interviews and document analysis involving ten key informants. The participants comprise the Tangerang Metro Police Chief, the Benteng Sector Police Chief, the Head of the National Unity and Politics Agency (Kesbangpol) of Tangerang City, three Crowd Control (Dalmas) personnel, and three representatives from civil society organizations (Ormas). The results indicate that: first, the implementation of the freedom of expression policy within the Polda Metro Jaya jurisdiction adopts a humanistic security approach—where police escort demonstrations without firearms to safeguard citizens' constitutional rights—and designates specific demonstration zones, applying Charles O. Jones's policy implementation theory, which emphasizes organization, interpretation, and application. Second, supporting factors include constitutional guarantees, clear legal regulations, and humanistic security services. Conversely, hindering factors encompass a lack of advance written notification, anarchic crowd behavior, the presence of infiltrators carrying dangerous objects to damage public facilities, and provocations or hoaxes on social media that inflame crowd emotions. Third, police efforts to overcome these structural and situational challenges are executed through comprehensive preemptive, preventive, and repressive measures.

KEYWORDS

implementation of public policy; public order; freedom of expression.

Introduction

In a democracy, freedom of expression is a fundamental principle; while its implementation varies from country to country, every nation must uphold the democratic spirit. Expressing one's opinion is a right held by all citizens. In reality, however, incidents have occurred in Indonesia where opinions voiced within society were rejected by certain groups. Yet, the protection of and respect for human rights remain the responsibility of the state, acting through its government apparatus (Riyadi, 2018).

Democratic ideals introduce the concept of the "rule of law" state, which incorporates principles for the protection of human rights. When linked to democratic principles in national life, the protection of human rights manifests as guarantees for freedom of assembly, expression, and political participation—all of which entail upholding the principle of freedom of expression. Therefore, to ensure a democratic society and national life, a high level of legal protection is required to guarantee every citizen the freedom to convey ideas publicly—whether through newspapers, magazines, books, pamphlets, film, television, or, most recently, various social media applications such as Facebook. (Ayuning & Sardi, 2020).

The freedom to express opinions in public is a universally recognized fundamental right and a cornerstone of modern democratic systems. This right reflects an individual's

freedom to openly voice views, criticisms, and aspirations, including within public spaces. In many countries, including Indonesia, this freedom is constitutionally guaranteed; however, its practical implementation continues to face various structural, political, and cultural challenges.

Public spaces play a central role in accommodating democratic expression. (Mitchell & Mitchell, 2003) emphasizes that cities should serve as arenas where citizens are free to articulate their political and social identities. However, in practice, public spaces are often regulated to restrict certain forms of political expression deemed disruptive to public order (Abbasi & Marzieh, 2017).

Research conducted by (Roqib et al. (2020) explains that the right to freedom of expression and opinion is the right to freely express beliefs and views through spoken words, writing, print, images, and other specific means. However, this right is frequently misused. Meanwhile, research by (Pratama et al. (2022), indicates that the public's freedom to express opinions constitutes both a right and a responsibility within a democratic state. Additionally, research by (Kusuma et al. (2022), notes that while freedom of speech is often deemed justifiable when limited to constructive criticism of individuals, it frequently suffers due to the narrowing of the public sphere—whether in spoken or written form.

In the era of globalization, discourse on freedom of expression has gained significant prominence and openness, driven by rapid innovation and the use of information and communication technologies—particularly the internet. These technologies have radically transformed the exercise of this right, offering ease of access and removing geographical and temporal barriers to public engagement. Social media addresses the need for efficient information exchange, offering speed and time-saving benefits. Individuals who were once limited to sharing their ideas and experiences within narrow circles now have the opportunity to reach a broad public audience. Trends in modern society demonstrate that social media platforms—such as Facebook, Instagram, Twitter, and WhatsApp—serve as the most effective and efficient channels for expressing opinions. The constant availability of up-to-date information from around the globe via these electronic platforms has encouraged the public—and "netizens" in particular—to engage in discussions and voice their opinions within the digital realm.

Despite these developments, numerous violations of legal regulations persist among the general public, and instances of such violations by law enforcement officials also occur. Freedom of expression is a fundamental right held by every citizen and a constitutional right guaranteed by the state. As the center of government and the economy, DKI Jakarta is a prime location for public expression of opinion and demonstrations; consequently, the frequency of protests and the size of crowds in the city remain high. During these demonstrations, it is not uncommon for the opinions expressed to attack the personality, even to the point of insulting a person, including state officials, including insulting the President. Freedom of expression is a category of human rights.

In the post-reform era, demonstrations have increasingly been characterized by bold expressions of intent—often disregarding legal, ethical, and even moral norms—driven by a widespread public perception that the democratic era grants the right to speak freely in public to voice demands, without the accompanying obligation to respect the rights of others. This situation stands in stark contrast to the values of Pancasila democracy, which holds that the exercise of individual rights must be balanced with respect and consideration for the rights of others so as not to infringe upon them; furthermore, the handling of such demonstrations frequently escalates into riots or conflicts between protesters and members of the Mobile Brigade (Brimob) tasked with

managing the crowds.

Research by (Sabela & Pritaningtias, 2017) , explains that the public's freedom of expression—specifically the freedom to voice opinions—constitutes both a right and a responsibility within a democratic state. Meanwhile, research conducted by (Kusuma et al., 2023) indicates that, in recent times, freedom of speech is often deemed acceptable only when it involves constructive criticism of individuals; however, this freedom frequently suffers due to the narrowing of the public sphere, whether in spoken or written form.

Research by (Fernando et al., 2022) highlights that the widespread popularity of social media has led to an expansion of freedom of expression—at times to the point of becoming uncontrolled. Some individuals view social media as a platform for self-actualization, creative output, and personal expression. While the right to freedom of expression is a guaranteed and significant human right, it is acknowledged that this right is not absolute and may be subject to strict limitations under certain circumstances. In the era of Industrial Revolution 4.0, freedom of expression on social media is regulated by Law Number 19 of 2016, which amends Law Number 11 of 2008 concerning Electronic Information and Transactions (the ITE Law). Theoretically, the aim is to place boundaries on social media expression, thereby compelling users to take responsibility for their statements and testing the public's maturity in interpreting the meaning of freedom of expression. However, in practice, the public often perceives these regulations as overly subjective. There is a risk that creativity and freedom of expression could be stifled in the current Industrial Revolution 4.0 era, potentially leading to adverse consequences where the public becomes a victim of the enforcement of these rules.

Research conducted by (Sayuti & Yanti, 2023) and (Febrianasari & Waluyo, 2022) , highlights that attempts to equate freedom of opinion with other rights—such as freedom of expression—often lead to misuse, as these rights differ in terms of their promotion and the handling of legal violations. In practice, this misunderstanding persists in Indonesia, largely because there is no specific legislation governing freedom of opinion. Consequently, this study explores the factors contributing to the legal vacuum surrounding freedom of opinion and proposes solutions to address it. Using a normative-juridical approach, the study examines the legal frameworks and practices regarding the promotion of freedom of opinion in Indonesia during the post-1998 Reform era. The findings reveal a legal vacuum in the promotion of the right to freedom of opinion, stemming from conflicting human rights priorities and ambiguities regarding the concept of freedom of expression. It is essential to harmonize regulations concerning freedom of expression and to strengthen the relevant legal framework by explicitly defining the right, establishing its limits, and outlining procedures for addressing violations. Such measures would provide the necessary direction and a detailed legal framework for efforts to promote freedom of opinion.

This study differs from previous research in that it aims to assess the effectiveness of the policy implementation regarding the freedom to express opinions in public within the jurisdiction of the Jakarta Metro Police (Polda Metro Jaya). This assessment is warranted given the high frequency of public expressions of opinion in the area and the fact that policy implementation on the ground continues to face various structural, political, and cultural challenges; furthermore, such activities frequently disrupt traffic flow and damage public facilities, while incidents of anarchy and resistance against security forces (the police) persist.

Research by (Anindyajati, 2021) and (Staples, 2016) highlights the importance of placing limits on the exercise of freedom of opinion to safeguard the constitutional rights of the public as enshrined in the 1945 Constitution. Pratama et al. (2022), study indicates that public freedom of expression—specifically the freedom to voice opinions—is both a right and a

responsibility within a democratic state. The application of the ITE Law regarding every citizen's fundamental right to freedom of opinion and expression cannot be curtailed or restricted by any party or means—not even by the state itself. Similarly, (Roqib et al., 2020) explain that public freedom of expression—specifically the freedom to voice opinions—constitutes both a right and a responsibility within a democratic state. All the aforementioned studies employed a normative legal research approach. This study utilizes Charles O. Jones's theory, which posits that policy implementation is a process requiring systematic actions comprising organization, interpretation, and application (execution). Applying this theory enables the researcher to analyze the implementation of the Jampersal Policy, thereby distinguishing this study from previous research.

Public order has a broad meaning and can be considered ambiguous. In practice, there are various interpretations regarding the meaning and significance of public order, including public order under a narrow interpretation. According to this narrow interpretation, the meaning and scope of public order are defined solely by prevailing laws (S. S. Harahap, 2013) ; (Saptohadi, 2011) . Consequently, acts that violate or conflict with public order are limited to breaches of statutory regulations. Thus, individuals whose actions conflict with public order—as defined by legislation—are subject to the sanctions prescribed by applicable laws. An example is the violation committed by street vendors selling goods on sidewalks or road shoulders; such actions violate local regulations applicable to the area, making the vendors liable for sanctions corresponding to their violations. Public order under a broad interpretation. This broad interpretation does not limit the scope and meaning of public order to positive law provisions alone; rather, it encompasses all legal values and principles that live and grow within the public consciousness (N. A. Harahap et al., 2024)

According to (Poerwadarminta, 2001) , orderliness refers to rules or sound regulations—such as procedural rules for hearings or meetings, program agendas, or legal order (interconnected rules). Public order signifies rules, regulations, propriety, and good conduct in social interactions, as well as a state of being well-organized. Based on the definitions above, there is a close interconnection: a sense of security exists alongside a society that observes legal order and applicable regulations. Conversely, an attitude of orderliness—characterized by mutual respect for existing rules and an understanding of one another's positions—allows the community to feel both physically and psychologically secure amidst the conditions they face. According to (Suradinata, 2002), public order is defined as a state in which the government and the people can conduct their activities safely, orderly, and systematically. This tranquility and order can be disrupted by various causes and circumstances, including violations of applicable laws that disturb public peace and order; natural disasters or catastrophes caused by humans or other organizations; and factors related to the economic and financial sectors.

According to (Kollewijn, 1969), the term "public order" encompasses a variety of meanings: first, in the law of obligations, it serves as a limitation on the principle of freedom of contract; second, it is a fundamental element of "peace, security, and welfare"; third, it acts as a counterpart to "good morals"; fourth, it is synonymous with "legal order" or—fifth—"justice"; sixth, it refers to the concept within criminal procedural law regarding the conduct of a fair trial; and finally, it relates to a judge's obligation to apply specific statutory provisions (Oppusunggu, 2008; Sadjali, 1993) .

Freedom of opinion is a right inherent to every individual from birth and is guaranteed by the Constitution. Consequently, the Republic of Indonesia—as a democratic state governed by the rule of law—has the authority to regulate

and protect the exercise of this right. The freedom of thought and expression is enshrined in the Fourth Amendment to the 1945 Constitution of the Republic of Indonesia, specifically Article 28E, Paragraph (3), which states that every person has the right to freedom of association, assembly, and expression. Freedom of expression—including freedom of opinion—is one of the most fundamental rights in the life of the nation. Law No. 9 of 1998 concerning Freedom to Express Opinions in Public defines "freedom to express opinions" in Article 1, Paragraph (1) as the right of every citizen to express their thoughts—whether orally, in writing, or otherwise—freely and responsibly, in accordance with applicable laws and regulations (Sadjali, 1993)

As a nation governed by the rule of law, Indonesia naturally possesses regulations that protect human rights. Human rights are not granted by the state; rather, following John Locke's hypothesis, they are inherent, natural individual rights possessed by every human being from birth (El Muhtaj, 2007) Among these is the right to speak and express opinions, a right held by every member of Indonesian society regardless of ethnicity, race, or religion. Freedom of speech and expression can be exercised in various forms, such as through writings, books, discussions, articles, and other media. The more mature a nation becomes, the more respect is accorded to freedom of speech and expression.

Indonesia is a state based on the rule of law, a principle affirmed in Article 1, Paragraph (3) of the 1945 Constitution. Fundamentally, every member of society holds equal rights and obligations before the law; adherence to the law fosters an orderly and safe social environment and ensures the realization of justice, thereby fully protecting the interests at stake. The enforcement of law and order is an absolute prerequisite for creating a peaceful and prosperous Indonesia. Without the enforcement of law and the establishment of order, societal well-being cannot be achieved. Law enforcement and the maintenance of order are inextricably linked to the professionalism of the institutions and individuals within Indonesia's legal and judicial systems

Methods

This research was conducted within the jurisdiction of the Jakarta Metro Jaya Regional Police. This location was selected due to its relevance to the research focus: exploring the implementation of policies regarding the expression of aspirations and the freedom to voice opinions in public within the Jakarta Metro Jaya Regional Police's jurisdiction. This study employs a qualitative approach to analyze facts and phenomena related to the policy on expressing aspirations for independence through public assembly within the jurisdiction of the Jakarta Metro Jaya Regional Police.

The study involves 10 informants—individuals or groups directly involved with the freedom of expression policy in the Polda Metro Jaya jurisdiction—comprising the Tangerang Metro Police Chief, the Benteng Sector Police Chief, the Head of the

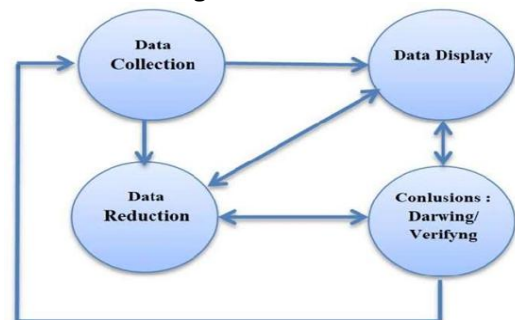


Figure 1. Miles and Huberman (1994) Qualitative Analysis Diagram

National Unity and Politics Agency (Kesbangpol) of the Tangerang City Government, three Crowd Control (Dalmas) personnel, and three representatives from civil society organizations (Ormas).

The selection of research informants was based on criteria regarding position, role, competence, or involvement relevant to the dynamics of maintaining public order and freedom of expression—specifically as analyzed through the implementation of the National Police Chief's policy on the expression of opinion in public. Surveys and consultations with various parties were conducted to identify individuals meeting these criteria. Following this process, purposive sampling was employed to select informants, ensuring that those chosen possessed the capacity to address the specific questions outlined in the interview guide; the selection also took into account the individuals' willingness to participate. In alignment with the phenomenon under study, the composition of the informant group comprised: (1) leadership and bureaucratic officials; (2) relevant experts or academics; and (3) stakeholders.

In this study, the researcher employed both overt and covert observation methods to gather the necessary data. Through this approach, the researcher was able to personally experience the social processes involved in the implementation of policies regarding the expression of aspirations and public opinion within the jurisdiction of the Jakarta Metro Jaya Regional Police.

Source triangulation was conducted by comparing data from various informants with diverse backgrounds and roles in policy implementation. Methodological triangulation was carried out by combining data collection techniques—namely in-depth interviews, field observations, and document analysis—to obtain a comprehensive and valid overview, as well as to identify changes or dynamics occurring during the implementation process.

In qualitative research, the processes of data collection and analysis are conducted concurrently and continuously until a point of saturation is reached—where no new data is obtained and the research report can be finalized. (Miles & Huberman, 1994) explain that data analysis in qualitative research comprises three main stages: data reduction, data display, and conclusion drawing/verification (Figure 1).

In this study, data reduction was carried out by filtering information regarding the implementation of the policy on the freedom to express opinions in public within the jurisdiction of the Jakarta Metro Jaya Regional Police.

- a. The data collected encompasses information relevant to the discussion of the challenges, practices, and sustainability of the implementation of this policy.
- b. The next stage is data presentation, which aims to display the reduced data in an easily understandable format. In this study, data presentation is carried out using structured narrative descriptions, accompanied by visualizations such as charts, graphs, and illustrations of relationships between categories.
- c. The presentation of data in this study is designed to depict the policy process, the challenges involved, and the policy's effectiveness in fostering the aspiration to express opinions in public.
- d. The final stage of qualitative data analysis is drawing conclusions and verification. Initial conclusions are tentative and may evolve in light of new evidence discovered during the data collection process. If the initial conclusions are supported by valid and consistent evidence gathered during further data collection, they can be considered credible.

Result and Discussion

Implementation of the Policy on the Freedom to Express Opinions in Public within the Jurisdiction of the Jakarta Metro Jaya Regional Police

The expression of opinions in public is gaining increasing prominence in a flourishing democratic society, fostering public awareness of the right to voice opinions openly and boldly. The exercise of the right to express opinions in public—as stipulated in Article 9, Paragraph (1) of Law Number 9 of 1998 of the Republic of Indonesia concerning the Freedom to Express Opinions in Public—encompasses four forms of activity: "rallies or demonstrations, parades, public meetings, and/or open forums." In practice, however, rallies or demonstrations are the most visible form and serve as the primary means for the public to channel their aspirations and voice criticism of the government. Such activities often carry the potential to disrupt public order and safety. Consequently, while the state provides a platform for expression, it also manages these events in accordance with applicable regulations—implementing security measures and handling procedures—to safeguard public order and safety. This authority is granted under Law Number 2 of 2002 concerning the Indonesian National Police, which designates the police force as a state instrument tasked with maintaining public order and security, enforcing the law, and providing protection, guidance, and service to the community.

Thus, as a law enforcement agency in Indonesia, the police are primarily tasked with maintaining public order and securing the site during public expressions of opinion to ensure stable and conducive conditions. In managing these events—particularly when faced with anarchic acts or clashes between demonstrators and security personnel—the police, as law enforcement officers, must always act in accordance with statutory regulations.

Legal frameworks comprehensively and strictly regulate the conduct of law enforcement officers when handling demonstrations. These regulations substantively outline the procedures for expressing opinions—ranging from the public's notification of a planned demonstration to the authorities, and the rules governing officers' obligations and prohibitions during the event, to crowd control protocols. These protocols cover various stages of handling demonstrations—from initial management to "red-level" (high-risk) situations and riot control—as well as the use of force (such as tactical vehicles for crowd dispersal, water cannons, or tear gas) and measures to address anarchy should the situation escalate. All actions are assessed and adapted to conditions on the ground, ensuring that every measure taken remains within the limits prescribed by statutory regulations.

Research findings based on interviews with informants indicate that the implementation of the policy regarding the expression of opinion in public within the jurisdiction of the Jakarta Metro Police is characterized by the following:

"Jakarta Metro Police personnel prioritize a persuasive approach to security, uphold humanitarian values, and protect citizens' constitutional rights. The DKI Jakarta Provincial Government and the police direct demonstrations to designated open spaces, such as the Monas South Intersection, the Senayan East Parking Area, and the Democracy Square at the DPR/MPR complex."

Other informants noted the following:

"Event organizers are required to submit a formal written notification to the police prior to the activity. Participants are prohibited from carrying sharp weapons, clubs, or other dangerous objects, and from inciting issues related to ethnicity, religion, race, or inter-group relations (SARA). Furthermore, while the police ensure the protection of freedom of expression, firm legal action is taken against those who damage public facilities, commit arson, or engage in anarchic acts that violate regulations."

Regarding the policy on the freedom to express opinions in public within the Jakarta Metro Police jurisdiction, the police enforce obligations concerning notification and prohibitions, and take firm action against anarchic behavior, specifically:

- 1) Notification requirement
 - a. Submission Timing. The person in charge of the action must submit a written notification to the police no later than 72 hours (3 x 24 hours) prior to the commencement of the activity.
 - b. Not a Permit. This notification is administrative in nature—intended to enable the police to arrange security and traffic management—and does not constitute a permit or license.
 - c. Prohibited Locations. Actions are strictly prohibited at national vital installations, places of worship, military facilities, hospitals, and the vicinity of the presidential palace.
- 2) Prohibitions during the action
 - a. Dangerous Items. Participants are prohibited from carrying sharp weapons, bludgeons, explosives, or other objects that could endanger public safety.
 - b. Public Order. Acts involving the destruction of public facilities, the infringement of others' human rights or freedoms, or violations of prevailing moral standards are prohibited.
- 3) Firm action against anarchic behavior
 - a. Enforcement Stages. The police prioritize a humane and preemptive approach but will not hesitate to disperse the crowd or take measured law enforcement actions if the event becomes chaotic or deviates from a peaceful course.
 - b. Transparent Legal Process. Any individual responsible for destruction or anarchic acts that incite unrest will be processed professionally and transparently in accordance with applicable criminal law procedures.

The implementation of policies regarding the freedom to express opinions in public within the jurisdiction of the Jakarta Metro Regional Police is examined through the lens of Charles O. Jones's theory, focusing on three key activities:

- a. Organization. Involves the police force as the recipient of notifications and the entity responsible for security, as well as the leaders or coordinators of the community groups or citizens voicing their aspirations within the jurisdiction of the Jakarta Metro Regional Police.
- b. Interpretation. Freedom of expression is not an unfettered freedom; rather, it is a responsible freedom interpreted as a moral and legal obligation to respect the rights of others and to uphold security, public order, and national unity.
- c. Application. A written notification must be submitted to the local police no later than 72 hours (3 x 24 hours) before the commencement of the activity.

Research findings based on interviews with informants indicate that the implementation of the policy regarding the expression of opinion in public within the jurisdiction of the Jakarta Metro Police (Polda Metro Jaya)—specifically involving the Tangerang Metro Police Chief—is characterized by a focus on persuasive security measures, respect for humanitarian values, and the protection of citizens' constitutional rights. The DKI Jakarta Provincial Government and the police direct demonstrations to designated open spaces, such as the Monas South Intersection (Silang Selatan), the Senayan East Parking Area, and the Democracy Square at the DPR/MPR (Parliament) complex.

Benteng Sector Police Chief Commissioner outlined the implementation of the policy regarding the freedom to express opinions in public within the Jakarta Metro Police jurisdiction as follows:

“Event organizers are required to submit a formal written notification to the police prior to the activity; participants are prohibited from carrying sharp weapons, bludgeons, or

other dangerous objects, and are forbidden from inciting issues related to ethnicity, religion, race, or inter-group relations (SARA); furthermore, while the police ensure that freedom of expression is protected, firm legal action is taken against those who damage public facilities, commit arson, or engage in anarchic acts that violate regulations.”

These three elements assess how legal regulations are practically implemented in the field to achieve the goals of an orderly and responsible democracy. The policy regarding the expression of aspirations and public opinion within the jurisdiction of the Jakarta Metro Regional Police is implemented through a humanistic security approach—where police escort demonstrations without using firearms to protect citizens' constitutional rights—the designation of specific protest zones (concentrated in open areas such as the Monas South Intersection, Senayan East Parking Lot, and the Democracy Square at the DPR/MPR RI complex between 08:00 and 18:00 WIB), and firm law enforcement against rioters. This policy is grounded in Law Number 9 of 1998.

The implementation of the policy regarding the freedom to express opinions in public—which hinges on institutional readiness, legal understanding, and the day-to-day operations of law enforcement agencies or government bodies—is carried out through the structuring of work units, the interpretation of regulations, and routine execution, with activities coordinated periodically among security personnel, protest organizers, and the institutions to which the opinions are addressed.

The implementation of the policy regarding the freedom to express opinions in public within the jurisdiction of the Jakarta Metro Regional Police is examined through the lens of Charles O. Jones's theory, focusing on three key activities: organization, interpretation, and application. These three elements assess how legal regulations are actually executed in the field to achieve the goal of an orderly and responsible democracy.

a. Organization

- 1) Establishment of specialized police units (such as units dedicated to security for demonstrations) and the preparation of necessary facilities and infrastructure.
- 2) Coordination between law enforcement agencies and the organizers of mass actions to ensure the events proceed safely.

This involves the Police—as the recipients of notifications and the agency responsible for security—and the leaders or representatives of the community groups or citizens voicing their aspirations within the jurisdiction of the Jakarta Metro Regional Police. It also entails establishing a structure of accountability wherein, for every 100 demonstration participants, there must be between one and five designated coordinators, while the police organize security units to maintain public order.

b. Interpretation

- 1) Translating abstract statutory language—such as provisions regarding notification deadlines and locations where protests are prohibited—into easily understandable technical guidelines.
- 2) Ensuring that both law enforcement personnel and the public share a common understanding regarding the right to express opinions and the obligation to maintain public order.

This involves the process of interpreting policy content so that it is understood consistently by both authorities and the public: that freedom of expression is not an unfettered freedom, but rather a responsible one—interpreted as both a moral and legal obligation to respect the rights of others and to uphold security, public order, and national unity. Such interpretation prevents misunderstandings between law enforcement and demonstrators regarding the specific form of the action (e.g., rallies, marches, mass meetings, or open forums).

c. Application

- 1) Transparent issuance of the Notification Receipt Letter (STPP) by the police.
- 2) Field security: Providing direct security escorts for demonstrations to ensure the safety of participants and protect the rights of the general public.

A written notification must be submitted to the local police no later than 72 hours (3 x 24 hours) before the commencement of the activity (with exceptions for academic activities on campus or religious events); meanwhile, the government and police are obligated to provide legal protection and to manage the routes or locations for the expression of opinions, ensuring safety and order without infringing upon the rights of the broader community.

Based on an interview with the Tangerang Metro Police Chief, Senior Commissioner, the implementation of the policy regarding the freedom to express opinions in public—viewed through the lens of Charles O. Jones's theory—involves the following:

- a. Organization: Establishing or restructuring authorized units and agencies (such as the police and permitting divisions) to manage the process of expressing aspirations.
 - 1) Establishment of specialized police units (such as units dedicated to security for demonstrations) and the preparation of necessary facilities and equipment.
 - 2) Coordination between law enforcement agencies and the organizers of mass actions to ensure the activities proceed safely.
- d. Interpretation: Translating the text and language of laws or policies regarding freedom of expression into easily understood technical guidelines or operational directives.
 - 1) Translating abstract statutory language—such as provisions regarding notification deadlines and locations where protests are prohibited—into easily understandable technical guidelines.
 - 2) Ensuring that both authorities and the public share a common understanding regarding the right to express opinions and the obligation to maintain public order.
- e. Application: Concrete measures taken to provide services, security escorts, or facilities for activities involving the expression of opinions in public spaces.
 - 1) Transparent issuance of the notification receipt letter (STPP) by the police.
 - 2) Field security: Direct escorting of demonstrations to ensure the safety of protesters and uphold the rights of other members of the public.

The implementation of this policy—which relies on institutional readiness, legal understanding, and the daily operations of law enforcement or government agencies—is carried out through the structuring of work units, the translation of regulations into practice, and routine execution. These activities involve periodic coordination among security personnel, protest organizers, and the institutions to which the opinions are being addressed.

Furthermore, the Benteng Sector Police Chief, Commissioner, emphasized that the implementation of the policy regarding the freedom to express opinions in public—viewed through Charles O. Jones's theory—entails:

- a. Organization: Preparing security personnel, infrastructure, and coordination methods to ensure demonstrations proceed in an orderly manner.
- b. Interpretation: Establishing a shared understanding between law enforcement officers and citizens regarding the limits of rights and obligations, as well as the locations permitted for demonstrations.
- c. Application: Ensuring that the concrete actions taken by officers during demonstrations align with Standard Operating Procedures (SOPs) that guarantee both safety and the right to freedom of expression. An interview with the Head of the National and Political Unity Agency

(Kakesbangpol) of Tangerang City, highlighted the implementation of the policy regarding the freedom to express opinions in public, analyzed through Charles O. Jones's theory:

- a. Organization: A clear division of tasks among units to prevent overlap when serving citizens who wish to express their views.
- b. Interpretation: Open communication of the policy's content so that citizens understand the procedures for notifying authorities about an action (such as the deadline for notifying the police).
- b. Application: An assessment of whether field implementation truly upholds responsible freedom without disrupting public order.

The implementation of the policy on the freedom to express opinions in public is grounded in Law Number 9 of 1998. Under this framework, the Police are authorized to provide security protection, receive notification letters, and secure the proceedings of the expression of opinion. Public expressions of opinion (such as demonstrations or marches) require written notification to the National Police (Polri) no later than three days before the event; this ensures that aspirations are effectively channeled, government policy is subject to healthy social oversight, and public participation increases.

Factors Supporting and Hindering the Implementation of the Policy on Public Expression of Views within the Jurisdiction of the Jakarta Metropolitan Police

Factors supporting the freedom to express views in public within the Jakarta Metropolitan Police's jurisdiction include constitutional guarantees, clear legal regulations, and a humanistic approach to security services. This is evidenced by the police force's commitment to safeguarding citizens' constitutional rights without the use of firearms, the application of a balancing principle—maintaining public order while facilitating the expression of views—and the enforcement of rules regarding designated locations that do not disrupt general public activity. However, the implementation of this policy faces various obstacles, such as issues regarding compliance with legal procedures, the potential for anarchic behavior, and the risk of provocation in both physical and digital public spaces.

The primary factors supporting the implementation of the policy on public expression of opinion at the Jakarta Metro Police are a clear legal basis, the readiness of security personnel, and effective cooperation with protest coordinators through the submission of demonstration notifications. As stated in the interview with the Tangerang Metro Police Chief:

The supporting factors are:

- a. Legislation: Specifically, Law No. 9 of 1998 concerning the Freedom to Express Opinions in Public.
- b. Standard Operating Procedures (SOP): Internal guidelines for the National Police (Polri) to ensure demonstrations remain orderly and are handled humanely.
- c. The commitment of the Jakarta Metro Police (Polda Metro Jaya) to safeguard and protect citizens' constitutional rights humanely and professionally.
- d. Security procedures that prioritize service and traffic management, ensuring that grievances can be voiced without disrupting public order.

Furthermore, the Benteng Sector Police Chief identified the following factors supporting the implementation of the policy regarding the freedom to express opinions in public within the Jakarta Metro Police jurisdiction:

- a. The requirement for demonstration organizers to submit a notification of planned action, which facilitates the Jakarta Metro Police's security preparations.
- b. Humane communication: A persuasive approach employed by security units (Samapta/Dalmas) in the field to prevent conflict or confrontation.

A representative from the Tangerang People's Student

Association (Himpunan Mahasiswa Rakyat Tangerang) highlighted several supporting factors. These include administrative support—specifically the issuance of the Notification Receipt Letter (STTP) facilitated by the Jakarta Metro Police (Polda Metro Jaya) to ensure orderly protests—and a democratic climate characterized by open public spaces in Jakarta, which serves as the center of government and national activity for voicing aspirations.

Additionally, the Non-Governmental Organization (NGO) Forum cited the availability of facilities as a supporting factor; adequate open spaces and communication channels facilitate the smooth delivery of messages. Members of the Tangerang City Independent Journalists Forum (FWJI) pointed to "humanist security" as a key factor. This involves a protest-handling approach that prioritizes persuasion and distinguishes between peaceful demonstrators and provocateurs. Procedural awareness—specifically the compliance of protest organizers in filing reports prior to the event—also plays a crucial role.

Other supporting factors include the designation of official protest sites by the Jakarta Provincial Government and the police—such as the Monas South Intersection, the Senayan East Parking Area, and the "Democracy Square" at the DPR/MPR RI complex—as well as clear time limits (08:00 to 18:00 WIB) to balance the right to free expression with public convenience.

In summary, the factors supporting the freedom to express opinions in public within the Jakarta Metro Police jurisdiction underscore the importance of a strong legal foundation, humanist security measures, and public legal awareness. Key elements include constitutional guarantees and a clear legal framework, professional security with a humanist approach, procedural compliance by the public and participants, and a commitment by demonstrators to maintain public order and refrain from carrying weapons.

In addition to supporting factors, there are also factors that hinder the freedom to express opinions in public within the jurisdiction of the Jakarta Metro Police (Polda Metro Jaya), including strict regulations, security measures taken by authorities, and socio-political dynamics. These restrictions often stem from formal rules and their implementation on the ground.

a. Regulatory and Legal Factors

- 1) Notification Rules. The obligation to submit a written notification to the police within a specific timeframe; failure to do so renders the action unlawful.
- 2) Ambiguous Articles. The application of regulations—such as provisions regarding treason or the Electronic Information and Transactions (ITE) Law—which are perceived as restricting the scope for expressing critical views.
- 3) Police Edicts. The issuance of additional edicts by police leadership that often impose specific prohibitions or restrictions in public spaces.

b. Security and Field Factors

- 1) Repressive Measures. The potential for physical clashes and excessive security measures by crowd-control personnel, creating a deterrent effect or instilling fear among demonstrators.
- 2) Location Restrictions. The designation of zones where expressing opinions is prohibited (such as the vicinity of the State Palace or specific vital installations), thereby limiting available gathering points for crowds.
- 3) Traffic and Access Control. Road closures or blockades implemented by the police that impede the movement of crowds toward the protest site.

Regarding legal and regulatory obstacles, the Sector Police Chief noted the existence of ambiguous legal provisions—often termed "rubber articles" (clauses open to broad interpretation)—such as those found in the Electronic

Information and Transactions (ITE) Law. Specifically, provisions concerning "defamation" and "hate speech" under the ITE Law appear to target citizens or criminalize the expression of opinions in the digital space. There remain issues of inconsistent interpretation by police personnel—creating legal uncertainty in the field—regarding what constitutes "disturbing public order" or "anarchic acts." Furthermore, complex administrative procedures hinder timely responses to public issues; while the law requires only written notification from those wishing to express opinions in public, this requirement is often treated as a de facto permit system.

Additionally, the implementation of policies regarding public expression faces structural and law enforcement-related obstacles, as highlighted by the Head of the Tangerang City National and Political Unity Agency (Kesbangpol). These include non-compliance with procedures by law enforcement officers, who frequently employ repressive measures against those expressing opinions in public—such as violence, forced dispersal, or intimidation of protesters. There is also a lack of inter-agency coordination regarding security arrangements, often leading to friction between demonstrators and security forces. Finally, there is the criminalization of protests, manifested through the detention of participants, surveillance (tailing) of protesters, and the targeting of vocal activists or university students.

The implementation of policies regarding the public expression of opinion by the Jakarta Metro Police (Polda Metro Jaya) is grounded in the protection of citizens' constitutional rights. This is carried out through the application of measured procedures, a humanistic service-oriented approach, and the promotion of coordination to ensure order and peace.

1) Security Procedures

- a. In accordance with statutory provisions and internal National Police regulations, security operations are conducted in an integrated manner, involving thousands of joint personnel from the TNI (Indonesian National Armed Forces), the National Police, and elements of the DKI Jakarta Provincial Government (such as the Transportation Agency and the Public Order Agency/Satpol PP).
- b. Locations for expressing grievances are designated in areas that do not cause traffic congestion or disrupt vital public economic activity centers; for instance, gatherings are directed to the Horse Statue (Patung Kuda) area or the front of the DPR/MPR RI (Parliament) building.
- c. Time limits for demonstrations are enforced in accordance with applicable regulations to preserve the functionality of public facilities and maintain neighborhood order.

2) Humanistic Approach

- a. Security personnel are instructed to remain patient, avoid emotional provocation, and exercise self-control while in the field.
- b. Police officers are deployed without firearms within the security lines at demonstrations.
- c. This approach is often demonstrated through sympathetic actions, ranging from courteous traffic management to the distribution of drinking water or snacks to the demonstrators.

3) Encouragement and Persuasion

- a. The police position themselves as dialogue partners rather than adversaries to the demonstrators, urging effective coordination between demonstration coordinators and officers.
- b. Encouragement is given for grievances to be expressed in a polite, non-provocative manner and within legal boundaries, aiming to strike a balance between freedom of expression and the comfort of the general public.

Based on an analysis from a law enforcement perspective, the primary obstacles encountered in the field can be outlined as follows: a lack of prior notification (demonstrations often take place without the submission of a written notice to the police); anarchic actions (involving infiltrators or individual protesters carrying dangerous objects and inciting the destruction of public facilities); and provocation and hoaxes (the spread of false information or inflammatory rhetoric on social media that incites the emotions of crowds on the ground).

Police efforts to address issues regarding the implementation of policies on the public expression of views within the jurisdiction of the Jakarta Metro Jaya Regional Police

The efforts made by the Jakarta Metro Jaya Regional Police to address issues surrounding the public expression of views within their jurisdiction are as follows:

- a. Pre-emptive efforts: These are initial actions taken by the police to issue advisories and engage with protest groups, encouraging them to demonstrate in an orderly manner. The aim is to ensure the protest proceeds smoothly without causing harm to the public, and to provide advance notice to the relevant agencies targeted by the protest or demonstration;
- b. Preventive efforts: These are measures taken by the police in the course of their duties, strictly adhering to Standard Operating Procedures (SOPs). This ensures that actions taken by police personnel—whether individuals or units—are not perceived by the public as excessive. When taking action, the police must be astute in anticipating potential scenarios during the protest to minimize dangers or threats arising from the event, thereby preventing mass unrest; one such measure involves clearing the streets;
- c. Repressive efforts: These constitute the final course of action taken by the police when a protest or demonstration spirals out of control and threatens to turn into a riot. In carrying out repressive measures, the police must strictly adhere to SOPs. Such actions are taken when the situation is no longer conducive to peaceful conduct and prevention is no longer feasible; the police intervene to contain the situation and prevent the unrest from escalating further.

Conclusion

This study concludes that the implementation of the policy on freedom of expression in public within the jurisdiction of the Jakarta Metro Jaya Regional Police is carried out through the dimensions of organization, interpretation, and application as proposed by Charles O. Jones. The organizational dimension is reflected in the preparation of specialized police units, allocation of personnel and infrastructure, and coordination with demonstration organizers. The interpretation dimension concerns the translation of legal provisions into operational guidelines and the development of a shared understanding of the rights and obligations associated with public expression. The application dimension is demonstrated through administrative procedures, security arrangements, and direct field implementation during public demonstrations. The implementation of this policy is supported by a clear legal framework, the readiness and commitment of police personnel, a humanistic and persuasive security approach, coordination between relevant actors, and increasing

procedural awareness among demonstrators. However, several inhibiting factors remain, including the absence of prior notification in some demonstrations, inconsistent interpretation of legal provisions, administrative complexity, weak inter-agency coordination, anarchic actions, the presence of provocateurs or dangerous objects, and the spread of provocative information or hoaxes. These factors may affect the effectiveness and consistency of policy implementation. To address these challenges, the police employ pre-emptive, preventive, and repressive measures in accordance with applicable procedures. Pre-emptive measures emphasize communication and early engagement with demonstrators, preventive measures focus on anticipating and minimizing potential disturbances, and repressive measures are applied when demonstrations escalate beyond manageable conditions. Overall, the effectiveness of the policy depends on the balance between protecting citizens' constitutional right to freedom of expression and maintaining public order through clear regulations, consistent implementation, institutional coordination, and a humanistic law-enforcement approach.

Recommendations

Based on the research conclusions, several recommendations are proposed. There is a need to enhance the professionalism of personnel, improve communication between the police and demonstrators, and ensure adherence to Human Rights (HAM) standards to maintain public order while protecting the right to demonstrate. Public understanding of applicable legal regulations, particularly the requirement for prior notification before expressing opinions in public, should also be strengthened through sustained outreach using both direct communication and digital media. To minimize inconsistent legal interpretations, joint technical guidelines involving the National Police (Polri), local governments, and other law enforcement agencies should be developed to provide a consistent basis for implementing existing regulations. In addition, regular capacity-building programs and training should be provided for Crowd Control (Dalmas) personnel, particularly in persuasive communication, negotiation techniques, crowd management, and the appropriate use of force in accordance with established standard operating procedures. Periodic field simulations should also be conducted to strengthen personnel preparedness in managing potential crowd escalation without resorting to excessive force. Administrative complexities and weak inter-agency coordination should be addressed through more integrated cooperation mechanisms, including the establishment of a cross-sector coordination post involving the police, local government, the military (TNI), the Public Order Agency (Satpol PP), and event organizers to accelerate decision-making and streamline procedures. Technology-based information systems should also be utilized to facilitate the rapid and accurate exchange of information regarding planned demonstrations. Furthermore, potential security disturbances, including anarchic acts, provocateurs, dangerous objects, and the dissemination of provocative content or hoaxes, require stronger early-detection measures. This can be achieved by strengthening intelligence functions, enhancing collaboration with community leaders, and improving digital-space monitoring to identify potential vulnerabilities at an early stage. The government and police should also serve as reliable and responsive sources of information by providing timely clarification to prevent the spread of misinformation and hoaxes that may contribute to escalation.

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