

The Urgency of Police Reform to Improve the Quality of Law Enforcement in Indonesia (A Comparative Analysis of Law in Three Countries)

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ABSTRACT

Objective: This normative legal research examines the urgency of police reform to improve the quality of law enforcement in Indonesia through the establishment of a Police Reform Team. **Method:** A statutory regulatory approach is used to examine the constitutional and legal basis for the team's formation, its institutional standing, and the limits of its authority, while a comparative approach is used to examine the reform designs in Mexico, Georgia, and Hong Kong. **Results:** The analysis shows that the President's authority to form the team is justified based on Article 4 paragraph (1) of the 1945 Constitution and Law Number 2 of 2002, as long as the team's mandate is limited to studies, evaluations, and recommendations without taking over operational law enforcement authority. **Novelty:** Public response is an indicator of the quality of the reform's political legal design, particularly regarding independence and participatory legitimacy. This research recommends a clear mandate, measurable follow up mechanisms, meaningful public participation, and independent oversight so that the reform encourages substantive changes in accountability, professionalism, and the quality of police services.

INTRODUCTION

Quality law enforcement is an essential requirement for the functioning of a democratic state of law[1]. This is affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that Indonesia is a state of law, so the administration of state power must be subject to the rule of law, legal certainty, and justice. In this context, the National Police of the Republic of Indonesia (Polri) occupies a strategic position because it has the function of maintaining public security and order, law enforcement, and providing protection, protection, and services to the community in accordance with Article 30 paragraph (4) of the 1945 Constitution and Law Number 2 of 2002[2]. Ideally, this function should be carried out professionally, accountably, and respectfully human rights so that law enforcement runs fairly and gains public legitimacy.

In practice (*das sein*), the implementation of police functions still raises problems that are not small[3]. Various criticisms lead to the problem of the widespread use of authority without adequate control, weak accountability mechanisms, alleged human rights violations, and declining public trust in law enforcement officials. This situation shows the distance between the normative mandate that demands professional and fair law enforcement and the reality on the ground. In fact, Article 28D paragraph (1) of the 1945 Constitution guarantees everyone's right to fair legal recognition, guarantee,

protection, and certainty[4]. Therefore, the debate on police reform cannot be seen solely as an internal managerial issue, but is directly related to the fulfillment of citizens' constitutional rights[5].

The strengthening of the police reform agenda emerged when a polemic emerged related to a number of internal police arrangements that were considered potentially contrary to the principles of the rule of law and the decision of the Constitutional Court of the Republic of Indonesia, especially regarding the placement of active members of the National Police in civilian positions. In response to these dynamics, the President established a Police Reform Team or Commission as a policy instrument to encourage reform from within the National Police[6]. Normatively, the formation of this team is directed to improve institutional governance, increase professionalism, and strengthen the protection of citizens' rights through recommendations for policy changes and more systematic improvement steps[7].

However, the formation of the reform team also raises juridical issues that need to be tested. The Police Law has not explicitly regulated the existence and authority of this kind of ad hoc team, so questions arise about the basis of authority, institutional position, and binding power of the resulting recommendations[8]. If the team's authority is not clearly formulated and the follow-up mechanism is not built, the reform team risks stopping at the recommendation product without the impetus for implementation. In fact, from a governance perspective, these conditions can cause overlapping authorities and increase the complexity of coordination between institutions[9]. This is the reason why the formation of a reform team is not sufficiently judged by its political objectives, but should be read as a legal design that determines the effectiveness of the reform.

The urgency of police reform will be more visible if it is read through a comparative law. Georgia is often credited with succeeding in rapid reforms that have had an impact on lowering service-level corruption and restoring public trust, but the experience also leaves a note of oversight and consolidation of the principles of the rule of law[10]. Mexico emphasizes gradual reforms with the strengthening of institutional frameworks and normative recognition of human rights, but its substantive achievements are still questionable because the problems of violence, corruption, and low public trust have not been fully resolved[11]. Meanwhile, Hong Kong shows a model that relies heavily on complaint and surveillance mechanisms (*oversight*) and the establishment of a review tool in times of crisis, but their effectiveness is debated when the supervisory agency is deemed to have limited independent investigative powers[12]. The comparison points to one common thread: the success of reform is largely determined by the design of authority, effective oversight mechanisms, and consistency of commitment to the principles of the rule of law.

A number of previous studies have examined police reform from various perspectives, but have not specifically placed the formation of police reform teams as the main object of cross-border comparative analysis. The research by S. Hidayatullah focuses on the implementation of bureaucratic reform of the National Police from the perspective of *good governance*, especially on improving accountability, transparency, and

quality of public services to strengthen public trust. Meanwhile, V. Lumbanraja et al. analyzed bureaucratic reform more generally, including the police sector, with a focus on the effectiveness of public services and administrative governance, but did not specifically examine the design of the authority of the police reform team or the comparative approach of the law. The research of A. P. Wardana, B. Sakti, and H. Aprianty also discussed the implementation of bureaucratic reform at the regional police level by assessing the application of reform principles, the quality of public services, and administrative obstacles in its implementation. Although it makes an important contribution, previous research has not placed the formation of police reform teams as the focus of normative-comparative analysis of the limits of authority, institutional design, and effectiveness of cross-border reform models. Therefore, this study is directed to examine the formation of the Police Reform Team in Indonesia, assess the limits of its authority, and compare the practices and achievements of similar models in several countries in order to formulate a reform model that is effective, democratic, and in line with the principles of the rule of law and the protection of human rights.

This study aims to analyze the basis for the formation of the Police Reform Team in Indonesia, including the legal basis, institutional position, and the limits of authority possessed in the constitutional system. In addition, this study also aims to assess the role and effectiveness of the Police Reform Team in encouraging institutional improvement, improving the quality of public services, and strengthening the quality of law enforcement. Furthermore, this study compares the practices of forming and implementing police reform teams in several countries to identify effective institutional design, authority, and work mechanisms. Through this approach, this research is expected to formulate a normative model for the formation and implementation of the ideal Police Reform Team in Indonesia, so that it is in line with the principles of a democratic state of law, the rule of law, accountability, and the protection of human rights.

RESEARCH METHOD

This research is a normative legal research that focuses on the urgency of police reform to improve the quality of law enforcement in Indonesia through the formation of the Police Reform Team. This analysis was carried out using two main approaches. First, the statute approach to examine the constitutional basis and juridical basis for the formation of the reform team, its institutional position in the constitutional structure, and the limits and forms of authority it has. Furthermore, a comparative approach is used to assess the practice of establishing a police reform mechanism in several comparative countries, so that relevant regulatory patterns, mandate designs, and accountability models can be identified as material for the formulation of recommendations for the Indonesian context. There is also a limited conceptual approach to clarify key concepts such as the rule of law, police discretion, accountability, and human rights protection as a standard for evaluating reform designs.

The legal materials in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, relevant constitutional provisions (including Article 1 paragraph (3), Article 28D paragraph (1), and Article 30 paragraph (4) of the 1945 Constitution), as well as related laws and regulations and/or policies related to the formation, functions, and authority of the police reform team. Then secondary legal materials, namely, scientific journal articles, results of previous research, expert opinions, and relevant policy reports to explain the context, test arguments, and enrich comparative analysis. Tertiary legal materials are used in a supporting manner, such as legal dictionaries, encyclopedias, and regulatory indexes, to ensure terminology consistency and make it easier to trace sources.

All legal materials are collected through *library research* with systematic document tracing techniques, both from official sources of laws and regulations and scientific publications that can be accessed openly. The analysis carried out is qualitative with a deductive reasoning pattern, namely drawing conclusions from the general norms and principles of the state of law and the standards of law enforcement accountability towards an assessment of the design of the authority of the reform team and its relevance to Indonesia. Then, the results of the analysis are formulated in the form of prescriptive conclusions and suggestions, namely offering a draft of principles and directions for the police reform team to work effectively, have adequate juridical legitimacy, and be able to encourage measurable improvement in the quality of law enforcement.

RESULTS AND DISCUSSION

A. The Legitimacy of the Police Reform Team in Improving Institutional Governance and the Quality of Police Services

The discussion of the legitimacy of the Police Reform Team in improving institutional governance and the quality of police services needs to begin with the understanding that the reform of the National Police was not born suddenly through the establishment of a commission by the President, but began first through internal reform measures within the National Police itself. In this context, it is important to look at how the procedure for the formation of an internal reform team by the National Police Chief and the establishment of the National Police Reform Acceleration Commission by the President have different legal basis, institutional character, and scope of authority. An understanding of the procedures, legal basis, and nature of the two teams became the initial basis for assessing the political legitimacy of the formation of the law before further explaining its implications for institutional governance and the quality of police services[13].

a. Formation of the National Police Reform Team Formed Internally by the National Police & Formed by the President

The formation of the National Police reform in Indonesia is carried out through two interrelated and strategic steps. The first step is an internal reform initiated by the National Police institution itself, namely the establishment of the National Police Reform

Transformation Team through the Presidential Decree of the National Police Chief Number Sprin/2749/IX/TUK.2.1/2025 dated September 17, 2025, consisting of 52 high-ranking and mid-level officers who are tasked with evaluating institutional governance, public services, internal supervision, and operational procedures within the National Police in response to the demands of institutional reform[14]. The second step is pembentukan *National Police Reform Acceleration Commission* by the President of the Republic of Indonesia on 7 November 2025 through Presidential Decree (Keppres) Number 122/P of 2025 concerning the Appointment of Members of the Commission for the Acceleration of Reform of the National Police of the Republic of Indonesia, which establishes Ten members including legal experts, state officials, and the leadership of the National Police, led by *Jimly Asshiddiqie* as chairman[15]. This commission has a mandate to conduct a thorough study and provide policy recommendations to the President in order to accelerate the institutional reform agenda and the professionalism of the National Police.

Table 1 Difference in Functions and Status: National Police Chief vs President[14]

Factors	National Police Transformation Team (Kapolri)	National Police Reform Commission/Team (President)
Legal basis	Warrant (Sprin) of the National Police Chief numbered Sprin/2749/IX/TUK.2.1/2025	Presidential Decree Number 122P/2025
Properties	Internal <i>ad hoc</i> of the National Police	<i>National/presidential ad hoc</i> (6 months)
Focus	Internal evaluation & recommendations	Institutional & policy strategic reforms (Recommendations)
Authority	Internal recommendations of the National Police	Recommendations for <i>policy change</i> (incl. legislation where needed)
Character	Internal operations	Broad, cross-institutional strategic

These differences in character show that the reform of the National Police is designed through two approaches at once, namely the internal organizational approach oriented to operational evaluation and the state policy approach oriented towards long-term institutional change[16]. This dual-track reform model shows that the police reform agenda does not only rely on administrative changes at the institutional level, but also requires strategic policy support from the government as the holder of government power[14]. Thus, the formation of the two teams reflects reform efforts that are simultaneous between reform from within the organization and strengthening the direction of reform policies from the state level.

The establishment of the Police Reform Team by the President cannot be understood solely as an administrative step, but rather as a political choice of state law in response to the governance crisis and lowering public trust in the police institution. In this context, legal politics is interpreted as the direction of state policy regarding how the law is used as an instrument to improve state institutions to be in line with the principles of democracy, accountability, and public service. When the institution of the National Police is considered to be experiencing systemic problems both in internal governance and the quality of public services, the President as the holder of government power takes extraordinary steps through the formation of an independent team outside the structure of the National Police[17].

b. Legal & Political Legitimacy of the National Police Reform Team

The establishment of the Police Reform Team by the President cannot be understood solely as an administrative step, but as a political choice of state law in response to the governance crisis and the decline in public trust in the police institution. In this context, legal politics is understood as the direction of state policy regarding how the law is used as an instrument to improve state institutions to be in line with the principles of democracy, accountability, and public services[18]. Therefore, when the institution of the National Police is considered to have systemic problems both in internal governance and the quality of services to the community, the President as the holder of government power takes strategic steps through the formation of an independent team outside the structure of the National Police[19].

Constitutionally, the legitimacy of the formation of the Reform Team comes from Article 4 paragraph (1) of the 1945 Constitution which affirms that the President holds the power of government according to the Constitution[1]. The authority provides room for the President to take strategic administrative actions, including establishing teams, committees, or task forces through Presidential Decrees as part of the government's discretion (*Free Discretion*)[20], that is, the authority to act when regulations have not been regulated in detail but action is needed in the public interest. This legitimacy is even stronger when it is associated with Article 8 paragraph (1) of Law Number 2 of 2002 which affirms that the National Police is under the President, so that the formation of the Reform Team is part of the authority of institutional development, not an intervention on the independence of law enforcement[21].

On the other hand, before the establishment of the reform commission by the President, reform steps had been taken through internal organizational channels. The National Police Chief established the National Police Reform Transformation Team through the National Police Chief's Decree as an internal managerial evaluation instrument aimed at improving institutional governance, public services, and internal supervision mechanisms[22]. Thus, the 2025 National Police reform shows a dual model (*dual track reform*), namely internal reform by the organization and external reform through the President's policy[23]. By state administrative law, both the internal team of the National Police and the Presidential reform commission are not permanent state institutions, but auxiliary devices (*auxiliary/ad hoc body*) for the officials who formed it.

The internal team functions as a managerial instrument of the National Police Chief, while the Presidential commission functions as an instrument of the President's strategic policy in fostering the National Police as a state tool. This position has important implications for the nature of the recommendations produced, namely that it is not legally coercive and only gains binding force if it is adopted as an official legal product such as a Presidential Regulation or a Regulation of the National Police Chief[24].

If there is a difference in recommendations between the two teams, then administratively the direction of the President's policy must be prioritized, because the National Police Chief is legally under the President. This shows that the reform of the National Police is carried out through a mechanism *self-correction* organizations combined with *state-driven reform*, a model that in the police reform literature is considered effective if the resulting recommendations are truly transformed into binding policies. In addition to legal legitimacy, institutional reform also depends on social legitimacy, i.e. the extent to which the community accepts and supports the reform policy. Public criticism of the composition of reform team membership shows that the public not only assesses the teamwork program, but also the members' backgrounds and the level of civil society representation within them[25]. Some people consider the dominance of internal police figures to have the potential to limit substantive reforms, while the existence of academics and constitutional law figures provides intellectual legitimacy but still raises debates related to proximity to political power[26].

Table 2. Comparison of the National Police Reform Team Formed Internally by the National Police and the President

Aspects	National Police Reform Transformation Team	National Police Reform Acceleration Commission
Kedudukan	Internal ad hoc team of the organization	Non-structural ad hoc commissions under the President
Institutional position	Within the National Police	Outside the structure of the National Police
Legal status	Internal managerial instruments	Government policy instruments
Legitimacy	Attributive authority of the National Police Chief (Law No. 2 of 2002)	Constitutional authority of the President (1945 Constitution and Presidential Decree)
Members	High-ranking and mid-level officers of the National Police	Academics, state officials, elements of the National Police and retired officers
Authority	Internal evaluation and preparation of organizational recommendations	Strategic review and policy recommendations for reform
Scope	Internal governance, public services, internal supervision, operational procedures	Corporate reform, national police policy, institutional design

Properties	Internal administrative	National, cross-elemental, strategic policy
Recommendation objectives	Non-normatively binding	Non-normatively binding
Being coercive	No	No
Should be rejected	Can be rejected by the National Police Chief	Can be rejected by the President
Becomes compelling when	Adopted as an internal policy/perkap	Adopted as a Presidential Regulation/policy

Based on the table, it can be understood that the success of reform is not only determined by the legal basis of the formation of the team, but also by the level of public confidence in the independence and integrity of the reform process[27]. Therefore, civil society involvement and public consultation mechanisms are important factors in strengthening the social legitimacy of police reform.

The National Police reform agenda is no longer limited to administrative reforms, but has entered the stage of reconstruction of the institutional design of the police in the Indonesian constitutional system "*There are four structural issues that are now being discussed,*" said Mahfud MD when explaining the agenda of the National Police Reform Acceleration Commission[28]. From this quote, it can be concluded that the police reform agenda that is being formulated by the government is no longer limited to technical-operational improvements, but has entered the stage of reconstructing the institutional design of the police in the Indonesian constitutional system. Various issues discussed included the position of the National Police and the National Police Chief in the constitutional structure, the mechanism for electing the National Police Chief, the placement of members of the National Police in civilian positions, and strengthening external supervision through the National Police Commission (Kompolnas). These four issues are part of the legal politics of police reform because they are directly related to the design of state institutions, the legitimacy of power, and the accountability system of police institutions. Normatively, some of the regulations have been contained in the 1945 Constitution and Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, but the regulations are still general so that they open up space for policy reformulation through legislative changes and strengthening of derivative regulations.

Table 3. Structural Issues of Police Reform and Its Legal Basis[28]

No.	Reform Issues	Legal Basis	Substance of the Arrangement	Implications of Reform
	The Position of the National Police and the National Police Chief	Article 30 paragraph (4) of the 1945 Constitution; Article 8 of Law 2/2002	The National Police is under the President	Opening up the space for institutional design reconstruction

Mechanism for the election of the National Police Chief	Article 11 of Law 2/2002	President with the approval of the House of Representatives	Improved transparent and professional selection
Placement of members of the National Police in accordance with civil positions	Article 28 of UU2/2002	Assignments outside the police function	Need stricter restrictions to maintain professionalism
Strengthening external supervision (Kompolnas)	Articles 37-39 of Law 2/2002; Presidential Decree 17/2011	External supervision of the National Police	Strengthening the authority and binding power of supervisory recommendations

Based on the table, it can be understood that the current reform agenda of the National Police is oriented towards *institutional redesign*, namely the restructuring of power relations, the mechanism of leadership legitimacy, the professionalism of the apparatus, and the effectiveness of the external supervision system. Reforms directed at these four aspects have the potential to produce not only administrative, but also structural changes in the national police system so as to support the realization of a more democratic, professional, and accountable police institution[29].

The 2025 National Police Reform shows a model of institutional reform that is carried out through two mechanisms at once, namely internal organizational reform and state policy-based reform[30]. The success of reform is determined not only by the existence of a reform team, but by the clarity of the legal basis for its formation, the accuracy of the scope of authority, and the extent to which the resulting recommendations are transformed into binding legal policies. Thus, legal legitimacy and social legitimacy must run simultaneously so that police reform produces substantive and sustainable institutional change.

B. Experience of Police Reform Through the Formation of Police Reform Teams in Several Countries.

The comparative legal approach is used as an analytical tool to understand how other countries respond to the problem of declining public trust in police institutions through the institutional design, legal basis, and reform mechanisms chosen[31]. This framework is in line with the police governance guidelines that emphasize the importance of reading the national context, assessing existing institutional conditions, and formulating reforms based on accountability and integrity, rather than just formal changes to organizational structures. Although each country has a different political, social, and legal system background, the three show the same relevant issues to be discussed comparatively, namely the issue of professionalism of the apparatus,

corruption or abuse of authority, and challenges to the legitimacy of the police in the eyes of the public.

The experience of police reform in each country shows that the reform of police institutions is not only related to organizational structure, but also concerns the design of legal policies, strengthening external supervision, and changes in organizational culture that affect institutional behavior in practice. The guidelines of democratic policing place accountability to the law and to society as key principles, so reforms that are merely administrative are unlikely to be sufficient to restore public legitimacy. In the policy spectrum, there are countries that choose to build a systematic national regulatory framework as an architecture for coordination and standardization of public security, such as Mexico through the strengthening of the national public security system in the general law of the sector[11]. There are also countries that have made rapid improvements through large-scale restructuring after political changes, such as Georgia which is often discussed as an example of reform that has an impact on public perception, but at the same time presents homework related to the consolidation of long-term supervision and accountability[32]. Meanwhile, there are jurisdictions that highlight reforms in the form of strengthening complaints mechanisms and oversight of police actions, such as Hong Kong through thematic studies of supervisory agencies, although emerging criticisms point to limited investigative capacity and independence as obstacles to legitimacy[33].

These different approaches give an idea that the success of police reform is not solely determined by the existence of a reform team or committee, but by the clarity of the legal design, the firmness of the scope of authority, and the effectiveness of its implementation and follow-up mechanisms in practice. In other words, strong reform demands clear mandates, testable accountability, and effective independent oversight[34]. Based on this framework, the next discussion describes the experience of police reform in Mexico, Georgia, and Hong Kong through the legal and institutional instruments used in each context, and then analyzes its relevance to the urgency of police reform in Indonesia. The goal is to obtain an overview of reform designs that are not only administratively effective, but also able to rebuild public trust and improve the quality of law enforcement within the framework of a democratic state of law.

Table 4. Analysis of Police Reform in Three Countries

Country	Legal Basis	Organ Properties	Focus
Mexico	National Security Act 2009	Permanent	Standardization and certification
Georgia	Law on Police 2005	Ad hoc, revolutionary	Demolition of old structures and rapid restructuring
Hong Kong	ICAC dan IPCC Ordinance	Permanent, relatively independent	Supervision and complaint mechanism

a. Mexican Police Reform

In Mexico's experience, the formation of police reform organs tends to take the form of a permanent national coordination architecture, rather than a task force completed in a given period. The entry point is the design of a public security "system" that forces standardization, quality control, and policy integration across levels of government. The framework is built through *National Public Security System* which is normatively supported by *Undang Undang General Law of the National Public Security System*[35].

Table 5. Basic Articles of Reform of the Mexican State Police[36]

Article	Article Content (Norm core quote)	Implementation
Art. 1 General Law of the National Public Security System	"regulate the integration, organization and operation of the National Public Security System"	Establish a national framework for coordinating police reform across federal, state, and municipal levels. Implementation has not been optimal due to the fragmentation of the regional police structure.
Art. 10	"The System will be integrated by... National Council of Public Security... National Conferences..."	Establish a national coordinating organ for public security reform. In practice, coordination between institutions is still inconsistent.
Art. 14	"The National Council will have ... establish public policies... evaluate... Public Safety programs"	Provide policy authority and national evaluation. Evaluations are often ineffective because the capacity of local institutions differs.

Within the structure, the roles of the "steering team" and "technical implementer" are placed in two main organs, namely *National Council of Public Security* as a coordination forum at the national level and *Executive Secretariat of the National Public Security System* as an operational organ. This law affirms that *Executive Secretariat* is an operational organ of the system and has technical, managerial, and budgetary autonomy. This formulation is important because it is the basis for the authority to carry out the reform function, not just the administrative function[36].

In terms of mandate, the Mexican model shows a broad scope and cross-level, as it targets federal, state, and municipal relations. The orientation "*reform minded*" in the sense of focusing on standardization, professionalization, career development, evaluation, certification, and integration of public security information systems nationally[37]. Logically, when standards for recruitment, training, certification, and databases are standardized, service quality and accountability can be pulled to the same minimum level, even if local government capacities differ. The internal regulations of the

Secretariado Ejecutivo also show that this institution is indeed designed for continuous institutional work, so that its working period does not stop as *komite ad hoc*.

The ineffectiveness of police reform in Mexico can be explained by the link between the increasing fragmentation of criminal groups and the strong economic influence of cartels on state institutions. Security policies that focus on arresting or eliminating cartel leaders actually encourage the emergence of many new criminal groups with smaller and more dispersed structures, making the dynamics of the conflict increasingly complex and difficult for law enforcement officials to handle. In such a situation, criminal organizations that have large financial resources from various illegal activities are able to build networks of corruption, political patronage, and informal protection mechanisms that undermine the professionalism and independence of the security forces. As a result, institutionally implemented police reforms often do not result in significant change as informal practices supported by such financial power remain in law enforcement operations[38]. On the other hand, increasing illegal economic opportunities, such as fuel theft, encourage criminal groups to expand their areas of operation, which at the same time increases the funding capacity of the organization. Growing financial power allows criminal groups to expand their influence over political actors and local officials, making it increasingly difficult to implement effective police reforms.

Reform in Mexico tends to be ambivalent. Several policy studies consider that there has been progress in the aspects of regulatory and coordination architecture, but the substantive results have not been stable due to the persistent problems of corruption, violence, and the choice of security strategies that often move towards the use of armed actors or militarization patterns. *Washington Office on Latin America* He emphasized that reform efforts have been going on for a long time, but the fundamental problems of the police institution are still recurring, including abuse of authority and weak accountability. In line with that, *International Crisis Group* It also discusses how security strategies that rely on a hard-line approach can hinder the consolidation of accountable civilian police reform[39].

The implications that can be drawn for the framework of the thesis analysis are that the Mexican-style permanent model excels in the clarity of institutional design and the continuity of the mandate, but its success remains largely determined by the political courage to uphold accountability, limit discretionary deviations, and ensure that reforms run consistently to the level of implementation.

b. Georgia Police Reform

Unlike Mexico, the reforms in Georgia are often used as references because of the character of "*rapid reform*" which departs from an acute crisis of legitimacy and corruption. After political changes in the early 2000s, the government took drastic measures such as disbanding the old traffic police and establishing new patrol units, with the aim of breaking the chain of street corruption and restoring public trust quickly. This policy narrative is recorded in a case study of public sector reform that emphasizes replacing old structures, increasing remuneration, and rebranding police services as a symbol of a new state[40].

In the context of the formation of a "reform team", one of the relevant references is the executive decision of the ministry. The security sector reform literature notes that *Ministry of Internal Affairs of Georgia* issued Decree No. 10 dated January 10, 2005 ordering the establishment of an operational subgroup for the *Police Authorities and Crime Prevention*[41]. The framework shows the form of an operational team that works to formulate recommendations for organizational design, policing functions, and crime prevention, including working with a council of experts. Here it appears that the "reform team" is positioned as an output-oriented internal policy-making machine, rather than a stand-alone permanent institution.

Law of Georgia on Police adopted on October 4, 2013 and entered into force on January 1, 2014, thus becoming a modern legal basis for organizing the principles, duties, and limits of police authority[42]. In the text of the law, principles such as legality, proportionality, and restrictions on actions that degrade dignity are part of the basic norms that direct the behavior of the apparatus. For example, norms of coercive action demand attachment to legality, necessity, and proportionality, and affirm the prohibition of inhuman or degrading treatment[41].

To understand more deeply the normative basis of police reform in Georgia, it is not enough to look at the institutional restructuring policies carried out after the reform, but also to examine the normative provisions in *the Law of Georgia on Police* that are the operational foundation of the police institution. The law systematically regulates the institutional position of the police in the structure of executive power, the principle of legality of police activities, restrictions on the discretion of the authorities, and the standards for the use of state power. The arrangement shows that Georgia's police reform is not only oriented towards organizational change, but also on the establishment of a legal framework that limits and directs the use of police authority within the framework of *the rule of law policing*.

Table 6 Reformasi Georgian[41]

Article	Sound of Article (Core Substance)	The Meaning of Reform	Implications of Reform
Article 3	The Georgia Police Force is a system of law enforcement agencies under the Ministry of the Interior that exercises executive powers in maintaining public safety and law and order	The reforms placed the police in centralized executive administrative control	Enable rapid institutional restructuring of the police through government policies
Article 5	The legal basis for police activities is the Constitution, laws, and	Affirming the principle of legality	Strengthening the rule of law policing and limiting

	normative regulations of the government and relevant ministers	as the basis for police operations	informal policy-based actions
Article 8	The police are obliged to carry out their duties based on the principles of respect for human rights, legality, non-discrimination, proportionality, political neutrality, and transparency	Reform emphasizes standardization of police operational principles	Establish legally binding standards of behavior for the apparatus
Article 12	Every police action must be in accordance with a legitimate, necessary, and proportionate purpose	Police discretion is limited by objective legal standards	Reducing the potential for abuse of authority in police actions
Article 31	The use of physical force, special tools, and firearms can only be carried out proportionately, if necessary, and as a last resort	Reforms to organize the procedural use of state power	Increase accountability for the use of coercive force by the authorities

An analysis of these provisions shows that Georgia's police reform is not only in the form of organizational restructuring, but also a normative reform of the use of police power. The affirmation of the position of the police under the ministry through Article 3 provides a legal basis for centralized institutional restructuring, which is a prerequisite for the implementation of rapid reforms after the crisis of legitimacy. At the same time, Article 5 ensures that all police actions must be based on a formal legal framework, so that reform is not only administrative but also reorganizes the legal basis for the use of authority by the authorities[41]. The regulation of the principles of human rights, legality, and proportionality in Article 8 and Article 12 shows that Georgia's reforms seek to shift the police paradigm from a model of repressive power to a rule-of-law policing model, which is the exercise of power limited by objective legal standards. This restriction of discretion is an important normative instrument to control the actions of the apparatus while increasing public legitimacy of the police institution.

In addition, Article 31, which regulates the use of coercive force proportionately and as a last resort, affirms that reform is also directed at standardizing procedures for the use of state force, not just organizational change[41]. The norm shows that Georgia's reforms are based on the integration of institutional restructuring and the strengthening

of the operational regulation of the apparatus, resulting in structural and normative changes in the national police system.

In terms of success, Georgia has shown achievements that are often taken for granted in reducing street corruption and improving public perception in a relatively short period of time. However, many studies also confirm that quick success does not automatically mean that reform is completed in a state of law. The risks that are often mentioned are weak checks and balances, the potential for executive dominance, and limited independent oversight mechanisms, so that strong reforms on efficiency can lag behind the dimensions of human rights and long-term accountability. The key lesson is that *a rapid ad hoc* model can effectively restore service functions and suppress certain corruption, but stability reform requires strengthening the legal base, standard procedures for the use of power, and the design of external oversight capable of resisting abuse of authority.

c. Hong Kong Police Reform

In Hong Kong, police "reforms" often appear not primarily as a dismantling of the police organizational structure, but as a strengthening of the integrity architecture and oversight mechanisms. The historical approach that is most often used as a starting point is the police corruption scandal that culminated when Peter Fitzroy Godber escaped on June 8, 1973, sparking public outrage and a crisis of confidence in the ability of the police to investigate themselves. This event became an important background that encouraged the birth of an independent anti-corruption agency[43].

The legal framework is realized through *Independent Commission Against Corruption* which was established by the Independent Commission Against Corruption Ordinance Cap 204. This ordinance stipulates the existence of the commission and its commissioner structure, as well as an entrance to see the anti-corruption investigative authority as an instrument of reform of the integrity of the apparatus. In addition, *Prevention of Bribery Ordinance Cap 201* It is the main reference for the bribery regime and the investigative authority apparatus that supports the work of eradicating corruption. Official access to the text of the Cap 204 and Cap 201 regulations can be obtained through the database *eLegislation Hong Kong Government*[44].

In terms of practice, the approach *historical* It can also be strengthened by the example of a major case that shows how the integrity and enforcement mechanism of corruption targets the elite, not just the lower level. For example, the case in *Court of Final Appeal of Hong Kong* involving Rafael Hui Junior and others, where the legal argument emphasized that large payments aimed at buying the partiality of public officials undermined public trust in the impartiality of public office[45]. Another example that is often referred to in literature and news is the case of Donald Tsang Yam Kuen which shows that the issue of the integrity of high-ranking officials remains the object of legal scrutiny, so the narrative of "reform through integrity and enforcement" has an empirical basis[46].

However, when the issue of reform shifts to the realm of the use of police force and the handling of public order, the mechanism moves more through complaint and

supervision institutions. In the context of public order events since June 2019, *Independent Police Complaints Council* based *Independent Police Complaints Council Ordinance Cap 604* conduct thematic studies related to police events and operations, including forming a task force and involving an international panel of experts. The thematic report was published on May 15, 2020[47]. This is where the debate on success becomes sharp, because an international panel of experts then assesses that there is a serious lack of powers, capacity, and independent investigative capability to conduct a truly rigorous inquiry according to the scale of events. Policy review *Legislative Council Secretariat* It also shows that the design of complaints and the use of force in public order events are issues that are heavily influenced by the power of mandates and oversight structures.

Table 7 Hong Kong Reform[44]

Section	Original wording (excerpt)	The Meaning of Reform	Implications of Reform
Section 3	“There is hereby established the Independent Commission Against Corruption which shall consist of the Commissioner, the Deputy Commissioner and such officers as may be appointed.”	Formal establishment of independent supervisory bodies through legislation	The reform places oversight of the integrity of the apparatus as a permanent institution of the state
Section 5	“The Commissioner, subject to the orders and control of the Chief Executive, shall be responsible for the direction and administration of the Commission.”	Establish a commission leadership structure with clear administrative responsibilities	Providing legal legitimacy over the operations of supervisory institutions
Section 10	“An officer authorized... may without warrant arrest a person if he reasonably suspects that such person is guilty of an offence...”	Granting direct investigative authority, as well as arrests without warrants under certain conditions	Strengthening the effectiveness of law enforcement against corrupt practices of the apparatus
Section 10C	“Power of search and seizure...”	To grant search and seizure authority in investigations	Ensure the operational ability of the commission to collect evidence
Section 17	“Annual report...”	Annual reporting obligations to government authorities	Ensuring the institutional accountability of

The provisions in *ICAC Ordinance* suggests that police reform in Hong Kong is not carried out through the restructuring of the police organization directly, but rather through the strengthening of legal norms that establish an independent external oversight body with full investigative powers. Section 3 affirms the establishment of the commission as a permanent institution of the state, while Section 5 provides an administrative basis that affirms the operational responsibilities of the institution[44]. At the same time, Section 10 and Section 10C show that supervision is not only administrative, but also equipped with law enforcement powers that allow effective investigations into corruption crimes involving police officers.

Institutionally, the Independent Commission Against Corruption (ICAC) sits directly under the Chief Executive of Hong Kong, so it is not within a specific police or ministerial structure. This position is designed to ensure the operational independence of the ICAC in investigating and prosecuting corruption crimes without bureaucratic or political intervention. With direct accountability to the Chief Executive, ICAC has a strong and autonomous institutional position in Hong Kong's system of government. The relevant legal basis is contained in Article 57 of the Basic Law of the Hong Kong Special Administrative Region, which states that an anti-corruption commission shall be established, function independently, and be directly accountable to the Chief Executive. In addition, its operational arrangements are reaffirmed in the Independent Commission Against Corruption Ordinance (Cap. 204) which gives full investigative powers to the ICAC

Thus, normatively police reform in Hong Kong is based on the *institutionalized external oversight model*, which is to strengthen the integrity of the police through the establishment of independent oversight agencies that have clear, permanent, and operational legal authority. This approach shows that the effectiveness of reform does not always depend on changes in the structure of the police, but can be achieved through the strengthening of external control mechanisms that are able to maintain accountability of the police in an ongoing manner.

An analysis of the legal basis, institutional design, and implementation of police reform in Mexico, Georgia, and Hong Kong shows that each country develops a different approach to reform according to its political context and constitutional structure. This difference lies not only in the form of the reform team formed, but also in the depth of the normative arrangements that are the basis for the implementation of reforms, especially related to the mandate of authority, supervisory mechanisms, and the institutional sustainability of reforms.

Table 8 Comparison of 3 Countries

Aspects	Mexico	Georgia	Hong Kong
Main legal basis	General Law of the National Public Security System	Law on Police	ICAC Ordinance dan IPCC Ordinance
Police position	Fragmented (federal, state, municipal) under their respective executive authority	Di bawah Ministry of Internal Affairs	The Hong Kong Police Force is under the Security Bureau (executive government)
Police independence	Not fully independent; Be in a multi-level executive structure	Not independent; is directly under the Ministry of Education.	Not institutionally independent; Oversight is carried out by an independent agency (ICAC/IPCC)
The character of the reform	Coordination-based permanent national system	Rapid reform based on organizational restructuring	Oversight and integrity-based reforms
Forms of reform organs	Sistem kelembagaan permanen (National Council & Executive Secretariat)	Institutional reform and restructuring operational team	Permanent independent supervisory agency
Policy focus	National standardization, certification, federal-local coordination	Dismantling of old structures and formation of new organizations	Supervision of police actions and the eradication of corruption
The normative power of the mandate	Strong on national institutional design	Strong on executive restructuring authority	Strong in the investigative authority of the integrity of the apparatus
Key challenges	Fragmentation of implementation between regions	Risk of weak checks and balances	Limitations of the authority to investigate police complaints

Overall, the comparison of the three countries shows that the effectiveness of police reform is greatly influenced by the depth of the legal norms that govern the mandate of reform, especially in the institutional aspects of reform, the normative authority of reform, and the design of supervision that accompanies it. Permanently institutionalized reforms in the national legal system have stronger institutional sustainability, but still require consistency of implementation and adequate institutional capacity. Certainly, reforms that provide policy, evaluation, and investigation authority operationally have a stronger incentive for implementation than reforms that only produce policy recommendations without a binding follow-up mechanism. The main takeaway from this comparison is that effective police reform requires a firm legal mandate, direct operational authority, and a sustained independent oversight mechanism, so that reform

does not stop at the formation of a team or administrative policy alone, but results in sustainable structural and normative changes in police governance.

C. The Prospect of Police Reform in Indonesia Through the Establishment of Police Reform Teams in Several Countries.

The establishment of the Police Reform Team really results in an improvement in the quality of law enforcement, the existence of the team must be understood as a political and legal instrument that works within the framework of a democratic legal state. In other words, the team must not stop at its status as an administrative policy, but must appear as a governance reform mechanism that can be tested normatively and empirically measurable. In this perspective, the success of the team is not determined by how quickly a recommendation is drafted, but rather by the extent to which it has a legitimate basis of authority, a transparent process, adequate social support, and a follow-up mechanism that guarantees real change in police institutional behavior.

Based on the analysis of the legitimacy of the formation of the reform team, the experience of police reform in various countries, and the need for institutional reform of the police in Indonesia, the prospects for police reform can be formulated through a political and legal design that emphasizes the clarity of the mandate, evidence-based processes, public participation, independent oversight, and sustainable implementation mechanisms as formulated in the following table:

Table 9. The Prospects of Police Reform through the Legal Political Design of the Police Reform Team

No	Political Design Direction of Police Reform Law	Policy Design of the Reform Team	Law Enforcement Improvement Prospects
1	Clarity of the reform mandate	A written mandate that contains reform objectives, scope of work, data access authority, and limitations that the team does not carry out the operational functions of law enforcement	Ensure legal certainty in team formation and prevent conflicts of authority between institutions
2	Evidence-based working methods	Norm audits and practice audits through cross-verification of internal police data with external data such as supervision reports, court decisions, and public complaints	Produce objective, empirical, and implementable reform recommendations
3	Gradual and measurable reform agenda	Separation of structural reforms (recruitment, promotion, disciplinary systems, investigative governance) and institutional behavioral reforms	Driving institutional change that is not only administrative but also cultural

Political Design			
No	Direction of Police Reform Law	Policy Design of the Reform Team	Law Enforcement Improvement Prospects
		(transparency of services, restrictions on discretion, strengthening of public complaints)	
4	Meaningful public participation	Public consultation forums, open input channels, and involvement of groups affected by police practices in the reform process	Strengthening the social legitimacy of reform and increasing public trust
5	Independent oversight of reforms	Open periodic reporting, reform progress indicators, and independent audits that are synergized with the National Police Commission, the Ombudsman, and the National Commission on Human Rights	Ensure accountability for the implementation of reform recommendations
6	Prescriptive reform products	Recommendations in the form of draft regulations, operational SOPs, design of disciplinary and complaint mechanisms, and reform performance indicators	Accelerating the transformation of recommendations into binding legal policies
7	Reform sustainability mechanism	Establishment of a follow-up unit or reform implementation secretariat with cross-institutional coordination of the criminal justice system	Ensure that reforms run continuously and do not stop at the teamwork period
8	Indicators of reform success	Measurement of reform outcomes such as reduced procedural violations, increased legal compliance, improved quality of public services, and public trust	Reforms can be empirically tested within the framework of the rule of law and accountability

The first decisive step is the formulation of a firm and written mandate in the instrument of team formation. The mandate must explicitly answer what the purpose of the reform is, what issues are included in the scope of work, and what products must be produced. Mandate clarity is not just a technical issue, but a legal requirement for the team to work according to the principle of legal certainty and not exceed the limits of authority. Based on the context of state administrative law, a clear mandate also serves to prevent overlapping authority and minimize the risk of abuse of discretion. Therefore, the instrument of team formation should ideally contain the authority to obtain data and

documents, the obligation of relevant institutions to provide access and response, and limitations that affirm that the team does not take over the operational functions of investigation, prosecution, or prosecution. With such a design, the team is placed as a director of policy and governance reform, not as a day-to-day law enforcement actor.

The second step is to organize evidence-based work procedures so that all reform conclusions do not become assumptions or opinions, but depart from norm audits and practice audits. Norm audits are directed to map regulatory gaps, overlapping rules, too wide discretionary space, and weak supervisory designs. On the other hand, the practice audit is focused on how police authority is exercised in reality, such as patterns of procedural irregularities, quality of public services, handling of complaints, and use of force. By using the way the team works, it must ensure cross-verification between internal police data and external data, including the findings of the supervisory agency, relevant court decisions, and public reports. Such a work pattern is important to maintain objectivity and prevent reforms from turning into biased internal evaluations.

The third step is to prepare a gradual and measurable reform agenda by distinguishing between structural reform and institutional behavior reform. Structural improvements include improving the merit-based recruitment and promotion system, standardizing competencies, strengthening investigative governance, and strengthening the discipline and integrity system. Institutional behavior improvement is directed at the quality of public services, transparency of procedures, restriction of discretion at points prone to abuse, and strengthening an easily accessible and trustworthy complaint mechanism. This division is important because the quality of law enforcement is not only influenced by organizational structure, but also by culture, habits, and patterns of use of authority that touch on citizens' rights.

The fourth step is to institutionalize public participation as a mandatory component in the reform process. From a political and legal perspective, social legitimacy is a prerequisite for the success of reform, because formally legitimate reforms can still be rejected or distrusted if the public does not see the independence and openness of the process. Therefore, the team must open meaningful participation mechanisms, such as thematic hearing forums, publicly announced written input channels, and the team's obligation to provide responses to key issues raised by the public. Meaningful participation also demands the involvement of groups most affected by policing practices, including victims of procedural misprocedures, victims of violence, vulnerable groups, and communities that frequently interact with police in the context of public order. In this way, reform departs not only from an institutional perspective, but also from the experience of citizens as subjects protected by law.

The fifth step is to ensure independent and effective oversight of teamwork and follow-up on its recommendations. One of the common drawbacks of team-based reform is that the process stops when the team's work period is over or when recommendations have been submitted. Therefore, the team must propose concrete oversight mechanisms, such as periodic reporting that is open to the public, publication of progress indicators, and independent audits of the implementation of recommendations. In the Indonesian

context, this supervision can be synergized with existing institutions such as the National Police Commission, the Ombudsman of the Republic of Indonesia, and the National Human Rights Commission. The normative key is to ensure that oversight does not stop at observations and recommendations, but rather has impetus through institutional response obligations, follow-up deadlines, and transparency of results.

The sixth step is to formulate a teamwork product in a prescriptive form that is ready to be executed. The ideal recommendation is not just a general statement, but a policy package that can be immediately translated into legal instruments and operational standards. The product at least includes the design of regulatory changes, operational procedure guidelines, the design of complaints and discipline mechanisms improvements, and measurable performance indicators. If the team's findings touch the realm that requires changes in the law, then the team needs to prepare an academic manuscript and draft norms as material for legislative discussion. Thus, the team is not stuck on moral recommendations, but produces outputs that can be processed through regulatory and legislative channels legally.

The seventh step is to prepare a sustainability scheme after the team's tenure ends, as police reform is essentially a long-term agenda. The team needs to encourage the establishment of a follow-up unit or implementation secretariat that is tasked with monitoring the implementation of recommendations, identifying barriers, and submitting progress reports. This follow-up unit must have access to cross-agency coordination, because improving the quality of law enforcement cannot be separated from the relationship between the police and the criminal justice system as a whole. With a sustainability mechanism, team recommendations don't stop at being documents, but move into procedural changes, behavior changes, and governance changes.

Overall, the police reform team must close its work with success indicators that measure changes in substance. These indicators can be in the form of a decrease in proven complaints related to maladministration and violence, an increase in procedural compliance in investigations, an improvement in the quality of measurable public services, and an increase in public trust read together with disciplinary data and complaint handling. With clear indicators, reform is no longer judged by rhetoric or symbols, but by tangible changes that can be tested within the framework of the rule of law, accountability, and the protection of citizens' rights.

The establishment of the National Police Reform Team of the Republic of Indonesia (Polri) is more appropriately understood as an institutional structural approach rather than a cultural approach. Such steps are taken through a formal legal instrument in the form of a Presidential Decree, with a mandate oriented towards the evaluation of institutional design, the structuring of authority, the strengthening of supervisory mechanisms, and the possibility of recommendations for regulatory changes. This character shows that reform is directed at *institutional redesign*, namely the improvement of the structure, power relations, and accountability system within the framework of the constitution, not just changes in values, ethics, or organizational culture internally. In the police reform literature, structural change is often seen as a prerequisite for sustained

cultural transformation, as organizational culture is difficult to change without being preceded by changes in the system of incentives, supervision, and distribution of authority

With such a construction, the police reform team in Indonesia should work as an instrument of governance reform based on a firm mandate, an evidence-based process, meaningful public participation, effective independent oversight, and a follow-up mechanism that ensures recommendations become real change. A work design like this not only strengthens the normative legitimacy of team formation, but also builds the social legitimacy needed for police reform to truly improve the quality of law enforcement in Indonesia.

CONCLUSION

Fundamental Finding : This normative legal research emphasizes that the formation of the Police Reform Team is a political and legal instrument that does not stop at administrative actions, but is directed to strengthen police governance and improve the quality of law enforcement through the design of institutional and policy reforms; juridically, the legitimacy of the formation of a team at the Presidential level can be linked to the authority of the President's government according to Article 4 paragraph (1) of the 1945 Constitution and the position of the National Police under the President according to Law Number 2 of 2002, so that the reform team should be understood as part of the function of institutional development as long as its mandate is limited to studies, evaluations, and recommendations without taking over the operational authority of law enforcement; at the same time, the design difference between the internal team formed by the National Police Chief and the commission or team at the Presidential level shows a difference in the legal basis, nature, scope, and driving force of policy, where the internal team tends to have a managerial operational character within the scope of the National Police while the Presidential commission is strategically oriented across agencies and is directed to broader policy changes. **Implication :** From a political and legal perspective, public response is an indicator of the quality of reform design because formal legitimacy does not automatically lead to effectiveness if social legitimacy is weak, especially when the composition of the team is perceived as too internalistic and public participation is considered minimal; thus, the strengthening normative implications for the Indonesian context are the need to formulate the mandate of the reform team decisively, build measurable follow-up mechanisms, expand meaningful public participation, and strengthen independent oversight so that reform recommendations have policy binding power and are able to encourage substantive changes in the accountability, professionalism, and quality of police services. **Limitation :** Furthermore, the comparative framework used shows a common thread that the success of police reform in various countries is largely determined by the clarity of mandates, draft authorities, and effective oversight mechanisms, not just the existence of committees or teams. **Future Research :** Future research can further develop comparative and empirical examinations regarding the effectiveness of reform mandates, institutional authority

design, and oversight mechanisms in order to understand how reform recommendations can be translated into sustainable policy implementation and institutional change.

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