Legal Certainty in Police Internal Law Enforcement: Harmonizing Disciplinary Regulations and Professional Ethics

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Abstract

This study aims to analyze legal certainty in the internal law enforcement of the Indonesian National Police through the harmonization of disciplinary regulations and the Police Professional Code of Ethics. The research problem arises from the potential overlap of legal norms, differences in examination mechanisms, and the possibility of inconsistent determination of accountability for violations committed by police officers. This study employs normative legal research using statutory, conceptual, and case approaches. The research materials were obtained through a literature review of legislation, internal police regulations, legal doctrines, and relevant scholarly literature concerning police discipline and professional ethics. The findings indicate that disciplinary enforcement and the Police Professional Code of Ethics serve different but interconnected functions in establishing a fair internal accountability system. Lack of harmonization in the application of these norms may create legal uncertainty, particularly when a single act potentially constitutes both a disciplinary violation and an ethical violation. Therefore, harmonization of legal norms, clarity regarding institutional authority, consistency in examination procedures, and integrated guidelines for the imposition of sanctions are necessary. Such harmonization has significant implications for strengthening legal certainty, protecting the rights of police officers, enhancing institutional accountability, and establishing transparent, proportional, and equitable internal law enforcement within the Indonesian National Police. The harmonization of disciplinary and ethical norms is therefore essential to ensure that internal police accountability operates consistently with the principles of justice and the rule of law.

Keywords: Legal Certainty; Internal Law Enforcement; Indonesian National Police; Discipline; Professional Code of Ethics.

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Introduction

The police institution occupies a strategic position in maintaining public security, enforcing the law, protecting society, and providing public services. The effectiveness of these functions depends not only on the authority granted to police officers but also on the existence of an internal legal system that regulates professional conduct, discipline, accountability, and ethical standards. In the context of a modern democratic state, police authority must be exercised within the framework of legality, professionalism, proportionality, and accountability. Internal police law therefore constitutes an important instrument for ensuring that the exercise of police authority remains consistent with the principles of the rule of law and public trust.

The legal framework governing the Indonesian National Police (*Kepolisian Negara Republik Indonesia/Polri*) contains several instruments for controlling the conduct of police officers, particularly disciplinary regulations and professional ethics regulations. These two regulatory mechanisms have different characteristics and functions but are closely related in practice. Disciplinary regulations primarily regulate compliance with duties, organizational obligations, and internal institutional discipline, whereas professional ethics regulations establish standards of professional behavior and ethical responsibility. The existence of these two mechanisms is intended to ensure that police officers perform their duties appropriately and remain accountable for violations committed in the course of their profession.

The problem arises when a single act committed by a police officer may simultaneously constitute a disciplinary violation and a violation of professional ethics. The potential overlap raises questions concerning the legal basis for proceedings, the authority of the institution examining the violation, the relationship between disciplinary and ethical sanctions, and the procedural rights of the officer concerned. If the relationship between the two regulatory regimes is not clearly harmonized, different interpretations may arise regarding the applicable procedure and sanction. Such circumstances may affect legal certainty and create the perception that internal police enforcement is inconsistent.

Legal certainty is a fundamental element of the rule of law. Every police officer must be able to know which conduct constitutes a violation, which legal provisions apply, which institution has authority to examine the violation, what procedure must be followed, and what sanctions may be imposed. At the same time, society has an interest in ensuring that police officers who violate legal, disciplinary, or ethical standards are held accountable through a transparent and fair process. Consequently, legal certainty in police internal law enforcement must protect both institutional accountability and individual procedural rights.

The issue becomes increasingly important because police officers exercise significant coercive and discretionary powers. Police authority may directly affect individual liberty, property, privacy, and other fundamental rights. Therefore, violations committed by police officers have consequences not only for the internal organization but also for public confidence in law enforcement institutions. A professional police institution requires an internal accountability system capable of distinguishing between errors of discipline, breaches of professional ethics, and conduct that may also constitute a criminal offense.

The development of Indonesian criminal law demonstrates that law enforcement institutions must continuously adapt their regulatory systems to social and institutional developments. Siregar, Adrian, and Rambe explain that the development of the Indonesian criminal law system is closely related to the historical development of legal concepts and the changing needs of society [1]. This perspective is relevant to police internal law because the development of professional policing requires regulatory mechanisms that are capable of responding to increasingly complex demands for accountability, transparency, and protection of human rights.

From the perspective of comparative criminal law, the regulation of professional accountability also demonstrates the importance of distinguishing different forms of legal responsibility. Siregar explains that comparative criminal law provides an analytical framework for understanding differences in criminal responsibility, sanctions, and enforcement mechanisms across legal systems [2]. Although disciplinary and professional ethics proceedings are not identical to criminal proceedings, the principle that different forms of responsibility require clear legal foundations and procedures is relevant to the construction of police internal accountability.

The exercise of police authority is also closely connected with law enforcement discretion. Aspan explains that discretion is an important element of the criminal justice system because law enforcement officers may encounter situations requiring professional judgment; however, such discretion must remain within the limits of law and accountability [3]. In the context of internal police enforcement, this principle is significant because decisions concerning the classification, examination, and sanctioning of alleged violations must not depend solely on institutional discretion without clear legal standards.

The principle of good governance and organizational accountability further strengthens the need for harmonized internal regulations. Aspan explains that good corporate governance emphasizes principles including accountability and responsibility in organizational management [4]. Although the concept is primarily discussed in the context of corporate governance, the principles of accountability, responsibility, transparency, and certainty are equally relevant to public institutions. Police internal law enforcement should therefore operate through a system in which authority, responsibility, procedures, and sanctions are clearly defined.

The state of the art of this research is situated at the intersection of police administrative law, disciplinary law, professional ethics, and the principle of legal certainty. Existing discussions concerning police accountability frequently focus on the professionalism of officers, disciplinary enforcement, ethical standards, or the role of law enforcement institutions separately. However, the relationship between disciplinary regulations and professional ethics as two interconnected internal accountability mechanisms requires further examination, particularly where one act may trigger both forms of proceedings.

The central research gap lies in the potential regulatory overlap between disciplinary provisions and professional ethics provisions. The existence of separate regulatory instruments may provide broader protection for institutional integrity, but it may also create uncertainty if the relationship between the two systems is not sufficiently clear. Questions may arise regarding whether both proceedings can be conducted independently, whether one proceeding should precede the other, how sanctions should be coordinated, and how the rights of police officers should be protected when the same factual conduct is examined under different regulatory regimes.

The problem is particularly significant from the perspective of legal certainty. A disciplinary process that lacks clear boundaries with professional ethics proceedings may produce inconsistent treatment of similar cases. Conversely, excessive separation between the two systems may result in fragmented accountability and inefficient enforcement. Therefore, harmonization does not necessarily mean eliminating one of the mechanisms; rather, it means establishing a clear relationship between their respective legal bases, objectives, procedures, institutional authorities, and sanctions.

The scientific novelty of this research lies in developing a Harmonized Internal Police Law Enforcement Model based on the principles of legality, legal certainty, proportionality, accountability, and procedural fairness. The model positions disciplinary law and professional ethics as complementary mechanisms rather than competing systems. Disciplinary enforcement is directed primarily toward maintaining organizational discipline and compliance with institutional duties, while professional ethics enforcement emphasizes professional integrity,

moral responsibility, and public trust. Where a violation falls within both categories, the relationship between proceedings and sanctions should be determined through clear procedural rules to avoid uncertainty and inconsistent enforcement.

The proposed approach also emphasizes the importance of distinguishing disciplinary responsibility, ethical responsibility, and criminal responsibility. A single act may have implications under more than one legal regime, but each form of responsibility must be assessed according to its own legal basis and procedural requirements. Such differentiation is essential to prevent internal disciplinary or ethical proceedings from replacing criminal accountability where the conduct fulfills the elements of a criminal offense, while also ensuring that criminal proceedings do not eliminate the institution's legitimate authority to enforce professional and organizational standards.

The principle of due process is also essential in harmonizing internal police enforcement. Police officers accused of violations should have the opportunity to receive information concerning the allegations, present evidence and explanations, obtain fair examination, and challenge decisions through available legal mechanisms. At the same time, victims, complainants, and members of the public must receive adequate protection and assurance that complaints concerning police misconduct will be examined independently and objectively. Thus, legal certainty must operate in both directions: protecting the rights of officers while strengthening accountability to society.

Based on these circumstances, this research addresses three principal research problems. First, how is legal certainty constructed in the enforcement of police internal law through disciplinary and professional ethics regulations? Second, what legal problems arise from the potential overlap between disciplinary violations and professional ethics violations? Third, how can disciplinary regulations and professional ethics regulations be harmonized to establish consistent, fair, and accountable internal law enforcement?

This research aims to analyze the legal framework governing internal police enforcement, identify the legal challenges arising from the relationship between disciplinary regulations and professional ethics, and formulate a harmonized enforcement model based on legal certainty and accountability. The research also seeks to establish a conceptual distinction between disciplinary, ethical, and criminal responsibility so that each form of accountability can operate effectively without creating overlapping or contradictory procedures.

The significance of this research lies in its contribution to the development of a more coherent internal police legal system. Harmonization of disciplinary and professional ethics regulations is expected to reduce regulatory overlap, minimize inconsistent interpretations, strengthen procedural fairness, and provide clearer guidance for institutional decision-makers. At the same time, a predictable internal accountability mechanism can strengthen public confidence in the police institution by demonstrating that police officers are subject to clear professional standards and are accountable when those standards are violated.

Ultimately, legal certainty in police internal law enforcement requires more than the existence of disciplinary and ethical regulations. It requires coherence between legal norms, institutional authority, investigative procedures, sanctions, and mechanisms for reviewing decisions. Harmonizing disciplinary regulations and professional ethics is therefore an important step toward creating police internal governance that is professional, accountable, transparent, and consistent with the principles of the rule of law.

Literature Review

Legal certainty is one of the fundamental principles in a rule-of-law state and requires every exercise of governmental authority to be based on clear, consistent, and predictable legal norms. In the context of the Indonesian National Police (*Kepolisian Negara Republik Indonesia/Polri*), legal certainty has a dual function: providing a legal basis for the exercise of police authority and ensuring that police officers remain accountable when exercising such authority. Internal

police law must therefore establish clear standards concerning duties, prohibitions, procedures, violations, sanctions, and mechanisms for reviewing decisions.

The development of the Indonesian criminal law system demonstrates that law enforcement cannot be separated from the development of legal institutions and mechanisms of responsibility. Siregar, Adrian, and Rambe explain that the development of the Indonesian criminal law system has been influenced by historical, social, and legal developments that shape the implementation of criminal law in Indonesia [1]. This perspective is relevant to police internal law because the increasing complexity of police duties requires a regulatory framework capable of balancing institutional authority with accountability and protection of individual rights.

From the perspective of comparative criminal law, responsibility must be distinguished according to the nature of the violation and the applicable legal regime. Siregar emphasizes that comparative criminal law provides an analytical framework for understanding differences in criminal offenses, criminal responsibility, sanctions, and enforcement mechanisms [2]. Although disciplinary and professional ethics proceedings are different from criminal proceedings, the principle of differentiation of legal responsibility is relevant to police internal enforcement. A police officer's conduct may simultaneously have disciplinary, ethical, and potentially criminal consequences, but each form of responsibility must be based on its respective legal foundation.

2.1 Police Internal Law and Professional Accountability

Police internal law can be understood as a set of legal norms governing the organization, duties, authority, discipline, professional conduct, and accountability of police officers. Its existence is necessary because police officers possess public authority that may directly affect the rights and interests of individuals. Therefore, the greater the authority exercised by police officers, the greater the need for effective mechanisms of internal control and accountability.

Professional accountability is not limited to punishing officers who violate regulations. It also serves a preventive function by establishing standards of professional behavior. Disciplinary regulations emphasize obedience to organizational rules and obligations, whereas professional ethics establish standards of integrity, professionalism, morality, and behavior expected from police officers. The two mechanisms therefore have different normative orientations but share the broader objective of maintaining institutional credibility.

The importance of internal accountability can be seen in cases involving errors in police investigations. Karna, Saragih, Ismaidar, and Zarzani examine the implementation of the role of Polri in taking action against investigators who commit procedural errors in investigations at the North Sumatra Regional Police. Their study demonstrates that procedural errors committed by investigators require institutional responses to ensure that investigative authority is exercised according to applicable procedures [3]. This finding reinforces the argument that police internal law must provide clear accountability mechanisms when officers fail to comply with procedural requirements.

2.2 Disciplinary Regulations and Professional Ethics

Disciplinary regulations and professional ethics regulations constitute two important instruments for controlling police behavior. Disciplinary regulations generally emphasize compliance with organizational obligations, orders, and institutional rules. Professional ethics, on the other hand, focus more broadly on professional integrity and the values that should guide police officers in exercising their authority.

The distinction between these two mechanisms is important because not every violation of discipline necessarily has the same characteristics as a violation of professional ethics. An officer may violate an administrative or organizational obligation without necessarily committing an ethical violation. Conversely, certain conduct may seriously undermine professional integrity even when the conduct does not appear to constitute a conventional disciplinary violation.

The problem becomes more complex when one factual act constitutes both a disciplinary and an ethical violation. Without a clear relationship between the two mechanisms, the same conduct may be examined through different procedures, potentially resulting in duplication, inconsistent sanctions, or uncertainty regarding which mechanism should take precedence. Therefore, harmonization between disciplinary and ethical regulations is essential to maintain legal certainty.

2.3 Procedural Errors by Police Investigators

Police investigative authority is one of the most sensitive areas of internal accountability because investigators exercise significant authority in determining the direction of criminal proceedings. Procedural errors can affect the rights of suspects, witnesses, victims, and other parties involved in criminal proceedings.

Karna et al. demonstrate that the role of Polri in responding to investigators who commit procedural errors is an important component of internal supervision [3]. Their findings indicate that internal enforcement mechanisms are necessary to prevent procedural deviations from becoming normalized within police institutions. From the perspective of the present research, this literature demonstrates that disciplinary and professional accountability should be connected with mechanisms for correcting investigative errors.

Procedural accountability is also relevant to the principle of due process. Police officers must perform investigative actions according to legally established procedures, while persons affected by those actions must receive adequate legal protection. Consequently, internal police enforcement has an external dimension: the quality of internal accountability can directly influence the protection of citizens' rights in the criminal justice system.

2.4 Police Discretion and Legal Certainty

Police officers frequently encounter situations requiring professional judgment or discretion. Aspan explains that discretion constitutes an important component of the criminal justice system, particularly when law enforcement officers must respond to circumstances that cannot always be resolved through rigid application of legal rules [4]. Nevertheless, discretion must remain within legal boundaries and cannot become a means of avoiding accountability.

The relationship between discretion and internal police law is particularly important because decisions concerning the classification and handling of alleged violations may involve institutional judgment. Legal certainty requires that such discretion be guided by objective criteria. Otherwise, similar cases may be treated differently depending on the decision-maker, which may undermine equality before the law and institutional credibility.

Accordingly, the exercise of discretion in internal police enforcement should be based on legality, proportionality, consistency, and accountability. Discretion should facilitate professional decision-making rather than create arbitrary or unpredictable enforcement.

2.5 Prevention of Violations in Police Recruitment and Institutional Integrity

The importance of preventive mechanisms can also be observed in the recruitment of police officers. Priyatna, Zarzani, and Aspan examine efforts to prevent fraudulent actions in the Polri recruitment examination process at the Tanah Karo Police Resort [5]. Their research illustrates that maintaining police professionalism begins before an individual becomes a police officer. The integrity of the recruitment process directly influences the quality and legitimacy of the institution.

The prevention of fraudulent practices in recruitment is therefore related to the broader concept of institutional integrity. A police organization that seeks to enforce the law externally must first ensure integrity within its own organizational processes. Disciplinary and professional ethics mechanisms consequently function not only as punitive instruments but also as components of a broader institutional integrity system.

The findings of Priyatna et al. support the view that police internal regulation should incorporate both preventive and repressive approaches [5]. Prevention reduces the possibility

of violations, while disciplinary and ethical enforcement provides accountability when violations nevertheless occur.

2.6 Police Role in Law Enforcement and the Need for Internal Control

The role of Polri in criminal law enforcement involves investigation, public security, protection, and other functions that require professional judgment. Karya and Zarzani examine the role of Polri in handling violent crimes and demonstrate the importance of police functions in responding to serious criminal conduct [6]. Such authority illustrates why police professionalism and accountability are essential.

The greater the responsibility assigned to police officers, the stronger the internal control mechanisms required to ensure that authority is exercised properly. Internal control does not weaken police authority; rather, it provides legitimacy for the exercise of that authority. Police officers who operate under clear standards and accountability mechanisms have stronger institutional legitimacy when exercising coercive powers.

2.7 Protection of the Rights of Reporters and Police Service Standards

The relationship between police internal law and public rights can also be seen in the handling of criminal reports. Akbar, Rafianti, and Siregar analyze the juridical function of the Integrated Police Service Center (*Sentra Pelayanan Kepolisian Terpadu/SPKT*) in guaranteeing the rights of reporters based on the applicable regulation concerning the receipt and handling of criminal reports [7].

Their research demonstrates that police accountability is not merely an internal organizational issue but directly affects the rights of members of the public [7]. The handling of reports represents an initial point of contact between citizens and the criminal justice system. Failure to properly receive, process, or respond to reports can therefore undermine public confidence in law enforcement.

This finding strengthens the argument that internal disciplinary and ethical mechanisms must be designed not only to protect organizational order but also to guarantee the quality of public services. When an officer violates service standards, internal accountability should provide an effective mechanism for correcting the conduct and preventing recurrence.

2.8 Legal Certainty in Internal Police Enforcement

Legal certainty requires clarity concerning at least four elements: the prohibited conduct, the competent authority, the applicable procedure, and the possible consequences or sanctions. In the context of police internal law, uncertainty in any of these elements can affect the fairness and consistency of disciplinary or ethical proceedings.

The principle of legality requires that an officer cannot be sanctioned arbitrarily for conduct that has no sufficiently clear legal basis. At the same time, the principle of accountability requires the institution to respond when conduct violates established professional or disciplinary standards. These principles must therefore operate simultaneously.

The literature concerning investigative errors [3], recruitment integrity [5], police roles in criminal enforcement [6], and SPKT services [7] demonstrates that police accountability occurs across different stages of police activity. Therefore, internal police law should not be understood solely as a disciplinary system but as a comprehensive accountability framework covering recruitment, service, investigation, enforcement, and professional conduct.

2.9 Harmonization of Disciplinary and Ethical Regulations

Harmonization means creating consistency between different legal norms so that they do not produce contradictory interpretations or overlapping authority. In the context of police internal law, harmonization should clarify the relationship between disciplinary and professional ethics proceedings.

The first aspect of harmonization concerns normative harmonization. The definitions of disciplinary violations and ethical violations should be sufficiently clear to distinguish their respective scopes. The second concerns institutional harmonization, particularly the authority of the bodies responsible for examination and adjudication. The third concerns procedural

harmonization, including the relationship between disciplinary and ethical proceedings when the same factual conduct is involved.

The fourth aspect concerns sanction harmonization. Different forms of responsibility should not automatically result in contradictory or disproportionate sanctions. A coherent system should establish how sanctions interact when one act gives rise to more than one form of responsibility.

Table 1. Relationship Between Disciplinary and Professional Ethics Enforcement

Aspect	**Disciplinary Enforcement**	**Professional Ethics Enforcement**	**Harmonization Requirement**
Primary focus	Organizational discipline	Professional integrity and ethical conduct	Clear distinction of scope
Nature of violation	Violation of institutional obligations/rules	Violation of professional ethical standards	Avoid overlapping definitions
Purpose	Maintaining organizational order	Maintaining professional dignity and public trust	Complementary objectives
Procedure	Disciplinary examination	Ethical examination	Clear procedural relationship
Sanction	Disciplinary sanction	Ethical/professional sanction	Proportional and coordinated sanctions
Accountability	Internal organizational responsibility	Professional responsibility	Integrated accountability framework

Research Methodology

This research employs a normative juridical method (*normative legal research*) to analyze legal certainty in the enforcement of internal police law, particularly the relationship between disciplinary regulations and professional ethics regulations. The normative juridical approach is selected because the research focuses on legal norms, principles, doctrines, regulatory structures, and the consistency of legal mechanisms governing police accountability. The research does not primarily examine statistical or empirical data but analyzes legal materials to formulate a coherent model for harmonizing disciplinary and professional ethics enforcement.

The research applies three principal approaches, namely the statutory approach (*statute approach*), conceptual approach (*conceptual approach*), and case approach (*case approach*). The statutory approach is used to examine legislation and internal police regulations governing police discipline, professional ethics, investigative procedures, police authority, and accountability. The conceptual approach is used to analyze the concepts of legal certainty, legality, accountability, proportionality, professional ethics, disciplinary responsibility, and procedural fairness. The case approach is used to examine relevant cases and previous research concerning police officers who commit disciplinary violations, ethical violations, procedural errors, or other forms of professional misconduct.

The legal materials consist of primary, secondary, and tertiary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, legislation concerning the Indonesian National Police, regulations governing police discipline and professional ethics, criminal procedure regulations, and other relevant regulations concerning police authority and accountability. Secondary legal materials consist of books, scientific journals, research reports, academic publications, and legal doctrines. The secondary materials include the works of Siregar, Adrian, and Rambe on the development of the Indonesian criminal law system [1],

Siregar on comparative criminal law [2], Karna et al. on procedural errors by police investigators [3], Aspan on law enforcement discretion [4], Priyatna et al. on integrity in Polri recruitment [5], Karya and Zarzani on the role of Polri in criminal enforcement [6], and Akbar et al. on the protection of complainants' rights through SPKT [7]. Tertiary legal materials include legal dictionaries, encyclopedias, and other legal reference materials.

The collection of legal materials is conducted through library research and systematic document analysis. Relevant legal regulations, judicial decisions, academic literature, and research findings are identified and classified according to their relationship with the research problems. The legal materials are organized into several analytical categories: (1) legal certainty in internal police law; (2) disciplinary responsibility; (3) professional ethics responsibility; (4) police investigative authority; (5) procedural errors; (6) institutional accountability; (7) sanctions; and (8) harmonization between disciplinary and professional ethics mechanisms.

The main research instrument is a normative legal analysis framework developed from the principles of legality, legal certainty, proportionality, accountability, and procedural fairness. The framework is used to identify whether the existing regulatory structure provides sufficient clarity concerning the classification of violations, competent authorities, applicable procedures, sanctions, and review mechanisms. This framework also facilitates the identification of potential overlaps or contradictions between disciplinary and professional ethics regulations.

Results

The results of the normative legal analysis demonstrate that legal certainty in police internal law enforcement depends heavily on the harmonization of disciplinary regulations and professional ethics regulations. Both regulatory mechanisms are essential for maintaining police professionalism, but they have different normative orientations. Disciplinary regulations primarily emphasize obedience to institutional obligations and organizational discipline, while professional ethics regulations emphasize integrity, professional conduct, morality, and public trust. The existence of these two mechanisms creates a comprehensive accountability system, but at the same time may generate uncertainty when one act is capable of being classified as both a disciplinary and an ethical violation.

4.1 The Position of Disciplinary and Professional Ethics Regulations in Police Internal Law

The first finding demonstrates that disciplinary and professional ethics regulations constitute complementary components of police internal law. Discipline establishes minimum standards of compliance with institutional rules, orders, duties, and responsibilities. Professional ethics, meanwhile, establishes standards of conduct that reflect the values and dignity of the police profession.

The distinction between these two mechanisms is important because police professionalism cannot be measured solely by whether an officer obeys an organizational order. Professionalism also requires integrity, honesty, responsibility, respect for human rights, and appropriate conduct toward the public. Therefore, disciplinary and ethical regulations address different dimensions of police accountability.

The research finds that the existence of separate regulatory mechanisms is not inherently problematic. The problem arises when the boundaries and relationship between the two mechanisms are unclear. Where the same factual conduct constitutes both a disciplinary and ethical violation, uncertainty may arise concerning which procedure should be applied, which institution has authority, and how sanctions should interact.

4.2 Overlapping Disciplinary and Ethical Violations

The second finding concerns the potential overlap between disciplinary and professional ethics violations. Police misconduct may have organizational, professional, and even criminal dimensions simultaneously. For example, an investigator who deliberately fails to comply with investigative procedures may violate an internal disciplinary obligation, breach professional

ethical standards, and, depending on the circumstances, potentially incur criminal responsibility.

This finding demonstrates that the classification of a violation should not be based solely on the label attached to the conduct. The legal analysis should consider the nature of the obligation violated, the consequences of the conduct, the officer's intention, the degree of harm, and the applicable legal provisions.

The existence of overlapping responsibility does not necessarily mean that only one form of accountability may be imposed. However, the relationship between proceedings must be regulated clearly so that multiple accountability mechanisms do not produce contradictory decisions or disproportionate sanctions.

4.3 Procedural Errors as an Important Form of Internal Accountability

Procedural errors committed by police investigators represent one of the most significant areas of internal accountability. Karna et al. found that the role of Polri in taking action against investigators who commit procedural errors is important for ensuring that investigative authority is exercised according to established procedures [3].

The present research confirms that procedural errors should not be regarded merely as technical mistakes. Investigative procedures are designed to protect the rights of suspects, witnesses, victims, and other parties involved in criminal proceedings. Therefore, violations of investigative procedures may have consequences beyond the internal organization.

The finding indicates that internal police law should provide a clear mechanism for distinguishing between minor procedural errors, negligence, repeated violations, and serious misconduct. Such classification is necessary to ensure proportional sanctions and to avoid treating fundamentally different violations in an identical manner.

4.4 Police Discretion and the Risk of Inconsistent Enforcement

The analysis further demonstrates that police discretion can become a source of legal uncertainty when it is not supported by sufficiently clear standards. Aspan explains that law enforcement discretion is necessary in certain circumstances but must remain within legal boundaries and accountability [4].

In internal police enforcement, discretion may arise when determining whether a particular conduct constitutes a disciplinary violation, an ethical violation, or another form of responsibility. If similar cases are classified differently without an objective legal explanation, the principle of equality and predictability may be undermined.

Therefore, the research finds that discretion should be accompanied by objective classification criteria, written reasoning, institutional supervision, and review mechanisms. This approach preserves professional judgment while preventing arbitrary decision-making.

4.5 Police Recruitment and the Preventive Dimension of Accountability

The results also demonstrate that internal police accountability should not be limited to punitive mechanisms. Priyatna, Zarzani, and Aspan's research concerning fraudulent practices in Polri recruitment demonstrates the importance of preventive measures in maintaining institutional integrity [5].

The prevention of misconduct during recruitment is particularly important because professional integrity should be established from the beginning of an officer's career. If unethical practices are tolerated during recruitment, they may undermine the legitimacy of the institution and weaken the effectiveness of subsequent disciplinary and ethical enforcement.

Accordingly, internal police law should incorporate preventive, corrective, and repressive mechanisms. Prevention reduces the possibility of violations, correction addresses procedural and professional deficiencies, while sanctions provide accountability when serious violations occur.

4.6 The Relationship Between Police Authority and Internal Accountability

Police officers exercise authority in areas that directly affect public security and individual rights. Karya and Zarzani's research concerning the role of Polri in handling violent crimes

illustrates the substantial responsibility carried by police officers in criminal law enforcement [6].

The present analysis finds that the legitimacy of police authority is closely connected with the existence of effective internal accountability. Internal control does not weaken police authority. On the contrary, it strengthens the legitimacy of that authority by demonstrating that police officers are themselves subject to legal standards.

The principle can therefore be formulated as follows:

Greater police authority → Greater responsibility → Stronger accountability → Greater institutional legitimacy.

This relationship is particularly important where police actions involve coercive powers, investigative authority, detention, searches, or other measures that may affect individual rights.

4.7 Protection of Public Rights Through Police Internal Enforcement

The findings demonstrate that police internal accountability has a direct relationship with the protection of public rights. Akbar, Rafianti, and Siregar's research on the Integrated Police Service Center (*Sentra Pelayanan Kepolisian Terpadu/SPKT*) emphasizes the importance of ensuring the rights of persons reporting criminal offenses [7].

The handling of reports is an important indicator of police professionalism because it represents one of the first points of interaction between citizens and law enforcement institutions. Failure to properly receive, process, or respond to reports may undermine public confidence and potentially constitute an internal violation.

Therefore, disciplinary and professional ethics enforcement should not be understood solely as an internal organizational mechanism. It also functions as an indirect instrument for protecting citizens' rights. Effective internal accountability encourages officers to provide professional services and ensures that deviations can be corrected.

4.8 Legal Certainty as a Core Requirement

The central finding of this research is that legal certainty requires clarity concerning the prohibited conduct, competent authority, applicable procedure, evidentiary mechanism, sanction, and review process. These elements must be sufficiently predictable for both police officers and members of the public.

An officer should be able to determine in advance what conduct may result in disciplinary or ethical proceedings. Similarly, the institution must have clear guidance concerning which mechanism should be applied. This is particularly important when the same conduct potentially violates multiple regulatory provisions.

Legal certainty also requires consistency. Similar cases should generally receive similar treatment unless there are objectively relevant differences. Differences in treatment should be supported by legal reasoning rather than institutional preference.

4.9 Proportionality of Sanctions

The research finds that proportionality is essential to harmonizing disciplinary and professional ethics enforcement. Sanctions should reflect the seriousness of the violation, the consequences produced, the degree of fault, the officer's position and responsibilities, whether the conduct was intentional or negligent, and whether similar violations have previously occurred.

Without proportionality, the existence of multiple accountability mechanisms may result in excessive sanctions. Conversely, weak sanctions for serious violations may create the perception that police officers receive preferential treatment.

A proportional sanctioning system therefore needs clear criteria and structured decision-making. The objective should not simply be punishment but also correction, deterrence, professional rehabilitation, and protection of public trust.

Table 2. Classification of Police Internal Violations and Proportional Responses

Type of Conduct	Primary Dimension	Accountability Mechanism	General Response
Minor organizational non-compliance	Discipline	Disciplinary mechanism	Corrective/disciplinary sanction
Repeated violation of institutional duties	Discipline	Disciplinary mechanism	Stronger disciplinary sanction
Conduct undermining professional integrity	Ethics	Professional ethics mechanism	Ethical sanction
Serious misconduct affecting public trust	Ethics + Discipline	Coordinated internal mechanisms	Proportionate combined response
Procedural violation affecting legal rights	Discipline + Ethics	Internal accountability and corrective action	Investigation, correction, and sanction
Conduct fulfilling criminal elements	Criminal + internal responsibility	Criminal process + internal mechanism	Criminal accountability and appropriate internal action

Conclusion

This research concludes that legal certainty in police internal law enforcement requires a clear and harmonized relationship between disciplinary regulations and professional ethics regulations. Both mechanisms have different normative functions but share the objective of maintaining police professionalism, institutional integrity, accountability, and public trust. Disciplinary regulations primarily function to ensure compliance with organizational duties and institutional rules, while professional ethics regulations emphasize professional integrity, ethical conduct, and the dignity of the police profession. The existence of both mechanisms is therefore necessary, but their potential overlap must be regulated clearly to prevent uncertainty and inconsistent enforcement.

The research further finds that the main legal problem arises when one act may simultaneously constitute a disciplinary violation and a professional ethics violation. Such circumstances may create uncertainty regarding the applicable legal regime, competent authority, examination procedure, and relationship between sanctions. Therefore, the classification of violations must be based on clear legal criteria that consider the nature of the obligation violated, the degree of fault, the consequences of the conduct, and the relevant legal provisions. Where multiple forms of responsibility arise from the same conduct, the applicable procedures should be coordinated to prevent duplication, contradictory decisions, or disproportionate sanctions.

Procedural errors committed by police investigators further demonstrate the importance of internal accountability. As shown by Karna et al., institutional action against investigators who commit procedural errors is necessary to ensure that investigative authority remains consistent with applicable legal procedures [3]. Internal police accountability must therefore not be understood merely as an instrument for punishing officers but also as a mechanism for correcting professional deficiencies, protecting citizens' legal rights, and preventing similar violations from recurring.

The research also concludes that police discretion must be exercised within clear legal boundaries. Discretion is necessary in certain law enforcement situations, but unrestricted discretion in the classification or handling of internal violations may result in unequal treatment of similar cases. Consequently, every exercise of discretion should be supported by objective criteria, written reasoning, institutional supervision, and mechanisms for review. This approach is consistent with the principles of legality, legal certainty, accountability, and proportionality.

Based on the findings, this research proposes a Harmonized Internal Police Law Enforcement Model consisting of: identification of conduct, classification of violation, determination of the applicable legal regime, determination of competent authority, fair examination, assessment of fault and consequences, proportional sanction, review mechanism, and institutional evaluation. This model does not seek to eliminate either disciplinary or professional ethics enforcement. Instead, it establishes a clear relationship between the two so that they can operate as complementary mechanisms of police accountability.

The implication of this finding is that the internal police regulatory system needs to strengthen normative, institutional, procedural, and sanction harmonization. Regulations should provide clearer boundaries between disciplinary and ethical violations, establish coordination mechanisms when one act falls within both regimes, ensure proportionality of sanctions, and guarantee procedural rights for officers and other parties involved. Internal accountability should also include preventive mechanisms, considering that institutional integrity must be built not only through sanctions but also through prevention, supervision, education, and professional development.

In terms of future development, the Harmonized Internal Police Law Enforcement Model can serve as a conceptual basis for improving police internal regulations and developing more consistent mechanisms for handling misconduct. Further research may empirically examine the implementation of disciplinary and professional ethics proceedings in different police jurisdictions, compare decisions in similar cases, and evaluate whether the proposed harmonization model can reduce differences in interpretation and enforcement. Ultimately, harmonization of disciplinary and professional ethics regulations is expected to strengthen the professionalism, accountability, transparency, and legitimacy of Polri within a democratic rule-of-law state.

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