THE APPLICATION OF HUMAN RIGHTS IN HANDLING DEMONSTRATIONS IN THE CITY OF MAKASSAR FROM THE PERSPECTIVE OF SIYASAH SYAR'IYYAH

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ABSTRAK

Penelitian ini bertujuan membahas penerapan HAM dalam penanganan aksi demonstrasi di kota Makassar perspektif Siyasah Syar'iyyah. Jenis penelitian ini adalah penelitian kualitatif. Desain penelitian ini adalah penelitian lapangan. Hasil penelitian ini menunjukkan bahwa; Terkait penanangan aksi demonstrasi di Kota Makassar, adanya komitmen pihak kepolisian untuk terus meningkatkan transparansi dan pertanggungjawaban dalam pelaksanaan setiap tugas, termasuk penanganan aksi demonstrasi. Selain itu ditemukan bahwa langkah yang telah dan akan terus dilakukan pihak kepolisian terkait transparansi dan akuntabilitas penanganan aksi demonstrasi. Siap terbuka untuk dikoreksi bahkan dilaporkan kepada Propam, terbuka untuk diawasi oleh lembaga eksternal seperti Komnas HAM, Ombudsman, serta organisasi masyarakat, membuka ruang komunikasi dengan koordinator demonstran dan media massa saat aksi berlangsung. Juga ada upaya evaluasi dan dokumentasi penanganan aksi. Selain itu, tindakan represif hanya diatur pada kondisi tertentu. Jika benar-benar diperlukan untuk mengatasi ancaman nyata terhadap keselamatan jiwa, kerusakan properti yang meluas, atau gangguan ketertiban umum yang signifikan. Tapi tindakan represif ditempuh setelah melalui langkah persuasif. Pihak kepolisian yang turun menangani aksi demonstrasi telah mengikuti pelatihan mengenai prinsip-prinsip HAM. Hal tersebut menunjukkan adanya kemanfaatan. Menjadi indikator adanya kesejalanan dengan Siyasah Syar'iyyah. Namun adanya penggunaan kekuatan yang berlebihan, hal tersebut menunjukkan pelanggaran terhadap HAM. Diantaranya disebutkan bahwa implementasi prinsip-prinsip HAM dalam penanganan aksi seringkali jauh dari kata ideal. Pihak kepolisian memungkinkan melakukan kesalahan pada penanganan aksi demonstrasi yang berpotensi melanggar HAM. Adanya pelanggaran terhadap HAM menunjukkan kontradiksi terhadap kemanfaatan. Menjadi indikator adanya ketidaksejalanan dengan Siyasah Syar'iyyah.

Kata Kunci: HAM, Demonstrasi, Kota Makassar, Siyasah Syar'iyyah.

ABSTRACT

This study aims to discuss the application of human rights in handling demonstrations in the city of Makassar from the perspective of Siyasah Syar'iyyah. This study is qualitative in nature. The research design is field research. The results of this study show that; Regarding the handling of demonstrations in the city of Makassar, there is a commitment on the part of the police to continue to improve transparency and accountability in the performance of every task, including the handling of demonstrations. In addition, it was found that the police have taken and will continue to take steps related to transparency and accountability in handling demonstrations. They are open to correction and even reporting to Propam, open to supervision by external institutions such as Komnas HAM, the Ombudsman, and community organizations, and open to communication with demonstration coordinators and the mass media during demonstrations. There are also efforts to evaluate and document the handling of demonstrations. In addition, repressive measures are only regulated under certain conditions. They are only used when absolutely necessary to overcome a real threat to life, widespread property damage, or significant disturbances to public order. However, repressive measures are only taken after persuasive measures have been exhausted. The police officers who handled the demonstrations had undergone training on human rights principles. This shows that there are benefits. It is an indicator of alignment with Siyasah Syar'iyyah. However, the use of excessive force indicates a violation of human rights. Among other things, it is mentioned that the implementation of human rights principles in handling actions is often far from ideal. The police may make mistakes in handling demonstrations that have the potential to violate human rights. Violations of human rights indicate a contradiction to the benefits. This is an indicator of a lack of alignment with Siyasah Syar'iyyah.

Keywords: Human Rights, Demonstrations, Makassar City, Siyasah Syar'iyyah.

INTRODUCTION

Democracy requires a basis of ideological agreement on order and freedom so that it exists in political competition. Democracy is important for the people who use it because democracy guarantees the people's right to determine the course of government organization according to their wishes. Therefore, almost all definitions given to the term democracy always give an important position to the people, even though its operational implications in various countries are not the same. In addition to containing universal elements, democracy also contains contextual elements. Thus, in its implementation, democracy has various terms, such as liberal democracy, constitutional democracy, Pancasila democracy, and others.[1]

A demonstration is a mass protest or demonstration. Demonstrations usually

[1] Faredo Yudasena, Prima Angkupi, and Intan Pelangi, 'Peran Polisi Dalam Mencegah Tindak Kerusuhan Demonstrasi', *JUSTICE: Jurnal Hukum*, 1.1 (2021), 38–51.

take the form of expressing opinions or opposing policies implemented by a particular party. Demonstrations are generally carried out by student groups and people who disagree with the government or oppose government policies. During protests, these groups express their opinions in public. Article 1 of Law No. 9 of the Republic of Indonesia of 1998 concerning Freedom of Expression in Public states that "Freedom of expression is the right of every citizen to express their thoughts verbally."[2]

The existence of this law guarantees that every Indonesian citizen has the right to freedom of expression. The law also regulates the form and manner of expressing opinions, the rights and obligations of participants, and sanctions for protesters.[3]

Normatively, the state already has a comprehensive legal basis to guarantee freedom of expression. The 1945 Constitution of the Republic of Indonesia, Law No. 9 of 1998, and Perkap No. 7 of 2012 ideally position the National Police as a facilitator of citizens' rights, with the principles of legality, necessity, proportionality, and accountability as the main guidelines.[4]

There is a National Police Chief Regulation No. 16 of 2006 concerning Crowd Control, which stipulates that the police must respond to demonstrations in a disciplined manner without involving emotions. However, in reality, many police actions in handling demonstrations are repressive. In this case, police officers often do not secure and quell mass actions, but instead are unable to control their emotions and get provoked. This leads to arrogant and emotional behavior on the part of the police, who immediately chase and retaliate against the demonstrators, even arresting them using violent means such as abuse and beatings. The use of violence is the cheapest and easiest option for dealing with social problems.[5]

Protests, often referred to as demonstrations, are part of democratic life and embody the order of society, nation, and state. Demonstrations carried out by the public should not be prohibited, let alone stopped with repressive responses, as long as they follow the rules set out in legislation. Indonesia is a country based on the rule of law that upholds the principles of justice and the protection of human rights, including the right to freedom of expression. This is emphasized in the 1945 Constitution of the Republic of Indonesia, where freedom of expression is guaranteed in Article 28, which states: "Freedom of association and assembly, and the expression of thoughts through speech and writing, etc., shall be regulated by law. In addition, the enactment of Law No. 9 of 1998 on Freedom of Expression in Public in Article 9 paragraph (1) states that it is permissible to express opinions

[2] Hanna Theresia Febiola Toha, 'Tanggung Jawab Oknum Kepolisian Yang Bertindak Represif Dalam Pengamanan Demonstrasi Anarkis', *LEX PRIVATUM*, 13.2 (2024).

[3] Toha.

[4] Muhammad Arafat and Rizki Mulyaningsih, 'KONSTITUSI, KEBEBASAN BERPENDAPAT, DAN DILEMA APARAT DALAM MENGHADAPI AKSI DEMONSTRASI: CONSTITUTIONAL GUARANTEES FOR DEMONSTRATORS AND THE PROPORTIONALITY TEST OF LAW ENFORCEMENT ACTIONS', *Jurnal Nomokrasi*, 3.2 (2025), 193–208.

[5] Toha.

through protests or demonstrations.[6]

Furthermore, Article 13 paragraphs 2 and 3 regulate freedom of expression in public, stating that the National Police is responsible for providing protection to perpetrators or participants of public expression and is responsible for providing security to ensure public safety and order in accordance with applicable procedures. Although the law regulates freedom of expression in public, in practice, its implementation often encounters challenges. One of the main problems that arises is violence committed by the police in response to demonstrations. Although demonstrations are a legitimate means for citizens to express their opinions, the actions taken by the police to disperse demonstrations often involve violence. Based on the facts on the ground, the Advocacy Team for Democracy (TAUD) announced its findings on the handling of a demonstration titled "Emergency Warning" that took place on August 22, 2024, in front of the Indonesian House of Representatives building by joint security forces, as well as legal assistance for demonstrators who were arrested and taken to the Metro Jaya Regional Police Headquarters. At least 21 demonstrators, particularly those accompanied by TAUD, suffered physical and psychological injuries as a result of the violence.[7] This issue is not in accordance with Regulation of the Chief of the Indonesian National Police (Kapolri) Number 16 of 2006, which states that the police must not be provoked, must not be arrogant, and must not resort to violence even when the crowd is out of control. This act of violence reflects a violation of the principles of security that focus on handling situations professionally, proportionally, and with respect for the rights of participants, especially the right to express opinions in public. This incident demonstrates a violation of the right to express opinions in public, which should be protected by law. The right to demonstrate is an important part of the principles of democracy and respect for human rights. In Indonesia, this right is guaranteed in Law No. 39 of 1999 on Human Rights, specifically in Article 25, which states that everyone has the right to express their opinions in public, while still complying with the provisions of the applicable laws and regulations. Violence against demonstrators contradicts this basic principle, which prioritizes the protection of freedom of expression and the rights of individuals to voice their opinions. It is also inconsistent with Regulation of the Chief of the Indonesian National Police (Kapolri) Number 7 of 2012 Article 18 Paragraph 1 letters (a), (b), and (c), which regulates the manner of providing security services and handling cases of expressing opinions in public with the aim of: (a) providing security protection for participants expressing their opinions in public; (b) to protect freedom of expression from interference by other parties; and (c) to maintain public security and order.[8]

[6] Nurazizah Maharani, Sufirman Rachman, and Anzar Makkuasa, 'Pertanggungjawaban Pidana Terhadap Aparat Kepolisian Yang Melakukan Kekerasan Terhadap Demonstrasi', *Legal Dialogica*, 1.1 (2025), 11–20.

[7] Komisi Untuk Orang Hilang dan Korban Tindak Kekerasan, *Brutalitas Aparat Bentuk Kejahatan Terhadap Kemanusiaan* (Jakarta, 2024) <https://kontras.org/media/siaranpers/brutalitas-aparat-bentuk-kejahatan-terhadap-kemanusiaan>; Maharani, Rachman, and Makkuasa.

[8] Maharani, Rachman, and Makkuasa.

In practice, there is often tension between efforts to maintain security and public order and the right to freedom of expression. One of the main issues is the use of violence by the police in dispersing demonstrations. Although Article 18 of National Police Chief Regulation No. 7 of 2012 stipulates that the police must provide protection to participants in demonstrations and protect freedom of expression from interference, in reality, physical violence and repressive actions against demonstrators often occur, creating a conflict between the interests of maintaining order and basic human rights. In addition, another issue that has arisen is the lack of training and clear standard operating procedures (SOPs) for police officers in dealing with demonstrations, which can lead to abuse of authority in security operations.[9]

Efforts made by the police in dealing with anarchic demonstrations can be carried out through non-penal or penal measures. Non-penal measures can be carried out through reasonable security measures and negotiations with the demonstrators. Meanwhile, penal measures are carried out by using force responsibly in accordance with applicable laws. The policy of combating crime or criminal acts is not a stand-alone effort, but exists within a specific context, in this case social change and modernization. This development can be seen as an effort to reform society or as a change in the legal system itself.[10]

Legal provisions regarding the handling of demonstrations by the Indonesian National Police are regulated in Law No. 9 of 1998, National Police Chief Regulation No. 7 of 2012, and Indonesian National Police Standard Operating Procedure No. 1 of 2010. The mechanism for holding police officers accountable for acts of violence against demonstrators is regulated in applicable laws. Investigations into members of the Indonesian National Police who commit acts of violence are conducted based on rank, in accordance with Article 5 of Government Regulation No. 3 of 2003, to ensure a fair investigation process in accordance with applicable regulations.[11] One of the demonstrations that took place in Makassar City resulted in three victims dying in the Makassar City Council building, which was set on fire by the crowd. In addition, Rusdamdiansyah (21 years old) was beaten to death by the crowd on Jalan Urip Sumoharjo, in front of the Indonesian Muslim University campus. The crowd accused him of being an intelligence officer. The victim was taken to the hospital, but eventually died.[12] This reality shows that crowd control is necessary during demonstrations. However, on the other hand, there are also reports of violence, namely LBH Makassar recorded 157 human rights violations during 2025, with 58

[9] Maharani, Rachman, and Makkuasa.

[10] Yudasena, Angkupi, and Pelangi.

[11] Maharani, Rachman, and Makkuasa.

[12] Efendy, 'Agustus 2025: Dari Staf DPRD Makassar Hingga Mahasiswa Jogja', *Rakyatsultra.Id*, 2025 <https://www.rakyatsultra.id/nasional/506518064/daftar-korban-tewas-dalam-aksi-demo-2831-agustus-2025-dari-staf-dprd-makassar-hingga-mahasiswa-jogja>.

cases involving the Indonesian National Police.[13]

With the majority of Indonesia's population being Muslim, Islamic law is considered part of the Law of Life, which is strongly related to the percentage of Muslims who constitute the majority. Therefore, siyasah syar'iyyah is a part of Islamic law that directly highlights the relationship between society and the state. Thus, the review of siyasah syar'iyyah regarding the handling of demonstrations in the city of Makassar is considered compatible in detecting the benefits of an action taken by the authorities.

Siyasah Syar'iyyah in the sense of science is a field of study that examines the regulation of society and the state through all forms of laws, rules, and policies made by state authorities in accordance with the spirit and basic principles of Islamic law to achieve the welfare of society.[14]

The fuqaha define siyasah syar'iyyah as government action on a matter in order to achieve a benefit, even if that action has no specific basis in the text. In another definition, they say it is managing human affairs in accordance with the provisions of the Shariah. Most writings related to Islamic politics define the concept of politics within the scope of these two definitions.[15]

The novelty of this study can be seen through the literature review, namely the results of previous relevant studies. Among the studies relevant to the handling of demonstrations in the city of Makassar from the perspective of Siyasah Syar'iyyah are those by Muhammad Arafat and Rizki Mulyaningsih on the constitutional guarantees of demonstrators and the proportionality test of law enforcement actions.[16] Alif Maulana et al. focused on analyzing the use of violence by the Indonesian National Police in securing demonstrations from a legal and human rights perspective.[17] Meanwhile, Varik Farsyak et al. focused on the legal analysis of the arrest and detention of demonstrators from the perspective of human rights violations.[18] On the other hand, Hanna Theresia Febiola Toha et al. highlight the responsibility of police officers who acted repressively in securing anarchist demonstrations.[19] Qaulan Sadidah and Selly Patria Amanda focus on the legal analysis of human rights protection against repressive actions by authorities during student

[13] Nurul Hidayah, 'LBH Makassar Catat 157 Pelanggaran HAM Selama 2025, 58 Kasus Libatkan Polri', *Detiksulsel*, 2025 <https://www.detik.com/sulsel/makassar/d-8276124/lbh-makassar-catat-157-pelanggaran-ham-selama-2025-58-kasus-libatkan-polri>.

[14] Hasan, 'Tinjauan Siyasah Syar'iyyah Terhadap Pelayanan Publik Dalam Penerbitan Dokumen Kartu Tanda Penduduk (KTP) Dan Kartu Keluarga (KK)(Studi DISDUKCAPIL Kabupaten Polewali Mandar)' (IAIN Parepare, 2024).

[15] Mahmood Zuhdi Abd Majid, 'SIYASAH SYAR'IYAH DALAM PELAKSANAAN UNDANG-UNDANG JENAYAH ISLAM', *Jurnal Syariah*, 12.1 (2004), 89–100.

[16] Arafat and Mulyaningsih.

[17] Alif Maulana, Daffa Avrilian Sardi, and Adil Abdillah, 'Analisis Penggunaan Kekerasan Oleh Aparat Polri Dalam Pengamanan Demonstrasi: Perspektif Hukum Dan Hak Asasi Manusia', *Causa: Jurnal Hukum Dan Kewarganegaraan*, 16.1 (2025), 1441–50.

[18] Varik Farsyak, Ariel Lian Pratama, and Aldo Kurniawan, 'Analisis Yuridis Terhadap Penangkapan Dan Penahanan Demonstran Dalam Perspektif Pelanggaran Hak Asasi Manusia', *Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan*, 1.4 (2025), 555–65.

[19] Toha.

demonstrations at the House of Representatives building.[20] Galang Febriansyah and Abdul Khamid highlighted the State Policy on Student Demonstrations focused on Human Rights Violations from a Legal and Social Perspective.[21] Nurazizah Maharani et al. focus on highlighting criminal liability for police officers who commit violence against demonstrations.[22]

The fundamental difference from previous studies is that this study specifically focuses on highlighting the handling of demonstrations in the city of Makassar from the perspective of Siyasah Syar'iyyah. Therefore, based on this novel approach, the results of this study can contribute to the realization of handling demonstrations in the city of Makassar based on Siyasah Syar'iyyah.

RESEARCH METHOD

This research is a qualitative study. The research design is field research. This study focuses on the handling of demonstrations in the city of Makassar from the perspective of Siyasah Syar'iyyah.

RESEARCH RESULTS AND DISCUSSION

A Review of Siyasah Syar'iyyah on Handling Demonstrations in Makassar City

Student demonstrations are a form of citizen participation in the democratic process, guaranteed by the constitution as the right to express opinions and express oneself in public spaces.[23]

State policy in handling student demonstrations tends to prioritize maintaining order and social stability, thereby neglecting the protection of the rights to freedom of expression and peaceful assembly. The repressive approach through the use of force and restrictions on freedom of action has resulted in human rights violations that are contrary to national and international legal principles. This shows that existing policies do not fully respect the constitutional rights of citizens, especially students, as part of political participation in democracy.[24]

Violence by the Indonesian National Police (Polri) is a complex issue that places the Polri in a dilemma between maintaining order and respecting human rights. Although these actions are based on law enforcement authority, the reality on the ground shows that there is potential for abuse of power that leads to human rights violations, such as beatings, torture, and the use of disproportionate force.

[20] Qaulan Sadidah and Selly Patria Amanda, 'Analisis Yuridis Perlindungan HAM Terhadap Tindak Represif Aparat Dalam Aksi Demo Mahasiswa Di Gedung DPR', *Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan*, 1.4 (2025), 524–34.

[21] Galang Febriansyah and Abdul Khamid, 'Kebijakan Negara Terhadap Demonstrasi Mahasiswa: Pelanggaran HAM Dalam Perspektif Hukum Dan Sosial', *JURNAL ILMIAH NUSANTARA*, 2.5 (2025), 941–48.

[22] Maharani, Rachman, and Makkuasa.

[23] Febriansyah and Khamid.

[24] Febriansyah and Khamid.

These violations not only harm victims physically and psychologically, but also erode public trust in the police institution. Therefore, the main principle that must be upheld is that violence should be a last resort and subject to the principle of proportionality, where the level of force used must be commensurate with the threat faced.[25]

Response from the Deputy Chief of Intelligence and Security at the Makassar Police Headquarters regarding the lack of transparency and accountability in the police's handling of demonstrations:[26]

> "We fully understand that the issues of transparency and accountability are important considerations in every police action, including in handling demonstrations, especially those of an anarchic nature in Makassar. We are committed to continuing to improve openness and accountability in every task we carry out."

Based on the results of the interview, it can be understood that the police are committed to continuously improving transparency and accountability in the performance of their duties, including the handling of demonstrations.

The Deputy Chief of Intelligence and Security at the Makassar Police Headquarters also said that the police have taken several steps and will continue to do so in relation to this matter:

1. We strive to be more active in disseminating Standard Operating Procedures (SOP) for handling demonstrations to the public and participants, both before and during demonstrations. The aim is for all parties to understand the limitations and steps that will be taken by the police.
2. We continue to strive to improve the quality of documentation at every stage of handling demonstrations, both through video recordings and detailed field notes. This documentation is important as a form of accountability and as material for evaluation in the event of a problem.
3. We have a Propam (Profession and Security) unit tasked with supervising and taking action against police officers who violate procedures or the code of ethics when handling demonstrations. The public can also report alleged violations to Propam.
4. We are also open to supervision from external institutions such as the National Human Rights Commission, the Ombudsman, and civil society organizations to monitor our performance in the field. We also welcome constructive criticism and suggestions for future improvements.
5. After every demonstration, especially those involving anarchist actions, we always conduct an internal evaluation. The aim is to identify shortcomings and find solutions for future improvements.

The results of this evaluation are used as a basis for refining SOPs and

[25] Maulana, Sardi, and Abdillah.

[26] AKP Surahman. Wakasat Intelkam Polrestabes Makassar. Wawancara,Makassar 30 Desember 2024

improving personnel capabilities.

6. We strive to establish better communication with demonstration coordinators and the mass media during the action, by conveying accurate and clear information regarding the situation in the field and the actions taken by the police.

We understand that building public trust is not something that happens instantly, but rather requires time and consistent, tangible evidence. Therefore, we do not merely express our commitment, but also strive to realize it through direct action in the field. We hope that through these measures, transparency and accountability in handling every demonstration in Makassar can continue to be improved, in order to create a situation that is safe, orderly, and respects the human rights of all parties.

From the results of the interview, it can be understood that the police have taken and will continue to take several steps related to transparency and accountability in handling demonstrations. They are open to correction and even reporting to the Internal Affairs Division, open to supervision by external institutions such as the National Human Rights Commission, the Ombudsman, and community organizations, and open to communication with demonstration coordinators and the mass media during the demonstrations. There are also efforts to evaluate and document the handling of the demonstrations.

Deputy Chief of Intelligence and Security at the Makassar Police Headquarters, Surahman, regarding the police's handling of anarchic demonstrations:[27]

"We, the police, also have principles in handling demonstrations, such as: Before taking repressive action, we always prioritize persuasive efforts through dialogue and negotiation with the coordinators or representatives of the demonstrators. The use of force will only be carried out if it is absolutely necessary to overcome a real threat to life, widespread property damage, or significant disruption to public order. We also form tactical formations to control the movement of the masses, break up anarchic crowds, and isolate perpetrators of violence. Police officers assigned to secure demonstrations have received training on human rights principles and appropriate procedures for handling mass actions, and we also coordinate well between police units (intelligence, public order, mobile brigade, investigation) to ensure integrated and effective handling."

Based on the results of the interviews, it can be understood that repressive measures are only regulated under certain conditions. If it is truly necessary to overcome a real threat to life, widespread property damage, or significant disruption to public order. But repressive measures are taken after persuasive steps have been

[27] AKP Surahman. Wakasat Intelkam Polrestabes Makassar. Wawancara,Makassar 30 Desember 2024

exhausted. The police officers who handled the demonstrations have undergone training on human rights principles.

Based on the results of these interviews, there are benefits. This is an indicator of alignment with Siyasah Syar'iyyah. As in one of the definitions of siyasah syar'iyyah, namely siyasah syar'iyyah as government action on a matter in order to achieve a benefit, even if that action has no specific basis in the text.[28]

Nurul Aulia Fitra, as one of the students in Makassar who may have witnessed and participated in demonstrations against the police's handling of anarchist demonstrations, our responses vary greatly, but I will cover a few key points, such as:

> We are often concerned and critical of the possibility of police using excessive force when dealing with anarchic demonstrations. It is often unclear what constitutes security measures and what constitutes repressive measures that violate human rights. We are concerned that the label "anarchist" is used to discredit all demonstrations, when in fact only a few people may be acting anarchically, and we often feel that the police are not transparent about their role in dealing with anarchist actions and how they are held accountable for any mistakes."[29]

Nurul Aulia Fitra responded again regarding the measures promised by the police:

> "We appreciate the police's recognition of the importance of transparency and accountability. Perhaps this is a positive first step. We note the various efforts that have been mentioned, such as the dissemination of standard operating procedures, documentation, strengthening the role of the Internal Affairs Division, openness to external oversight, post-action evaluation, and improved communication. All of this sounds promising if it is actually implemented."

However, one student named Andi Nurwazilah questioned these measures:

> Our main questions are: How will these measures be implemented in practice? Will the dissemination of the SOPs truly reach all members of the police force? And will the documentation be transparent and accessible to the public when needed?[30]

The following are the opinions and suggestions expressed by a student named Saiful Arifin regarding the implementation of human rights principles in handling demonstrations: "In our view as students who have participated directly in demonstrations, the implementation of human rights principles in handling demonstrations is often far from ideal and even tends to be violated by the police.

[28] Abd Majid.

[29] Nurul Aulia Fitra.(Umur 21), Mahasiswa UIN Alauddin Makassar. Wawancara,Makassar 17 Maret 2025

[30] Andi Nurwazilah.(Umur 21), Mahasiswa UIN Alauddin Makassar. Wawancara,Makassar 22 April 2025

There may be several points that need to be improved:[31] First, regarding freedom of expression and opinion; second, regarding the use of force; third, regarding the protection of demonstrators' rights, which is often neglected; fourth, regarding the balance with public order; and perhaps lastly, regarding effective oversight and accountability mechanisms.

This argument is further reinforced by Azzer Arifuddin:[32]

> "In my opinion, what Saiful Arifin said is correct. The police must improve these points because even though we have the right to express our aspirations, we are often faced with unclear and seemingly repressive restrictions. We also often feel that excessive and disproportionate force is used, not to mention that the protection of demonstrators' rights is often ignored by the police."

The Deputy Chief of Intelligence and Security at the Makassar Police Headquarters stated that:[33]

> "For us in the police force, handling demonstrations that turn anarchic is very difficult. Often, the emotions of the students peak, there is provocation, and acts of violence that we cannot predict. Finding out who the anarchists are among the large crowd is also not an easy task. We always try to enforce the law while respecting human rights in this rapidly changing and potentially very dangerous situation. We in the police force are also very aware that unwanted incidents may occur while handling protests. Nevertheless, we promise to continue learning and improving our handling methods so that demonstrations, including anarchic ones, can be managed more professionally, clearly measured, and in accordance with the law and applicable human rights regulations."

The response from one of the students, Andi Nurwazilah, regarding the police's commitment to improving their handling of demonstrations:

> "We, the students, would like to thank the police for their promise to continue improving themselves and respecting human rights. However, we will see the proof directly in the field. We will continue to monitor and voice our criticism if their actions are not in line with human rights principles and what we expect in expressing our opinions. We hope that this promise is not just words, but will truly form the basis of every police officer's actions

[31] Saiful Arifin. (Umur 22), Mahasiswa UIN Alauddin Makassar. Wawancara,Makassar 22 Maret 2025

[32] Azzer Arifuddin. (Umur 23), Mahasiswa UIN Alauddin Makassar. Wawancara,Makassar 17 Maret 2025

[33] AKP Surahman. Wakasat Intelkam Polrestabes Makassar. Wawancara,Makassar 30 Desember 2024

when handling demonstrations."

Based on several interview results, it can be understood that the use of excessive force constitutes a violation of human rights. Among other things, it was mentioned that the implementation of human rights principles in handling demonstrations is often far from ideal. The police may have made mistakes in handling demonstrations that potentially violated human rights. Human rights violations are contradictory to the concept of benefit. They are an indicator of a lack of alignment with Siyasah Syar'iyyah. As stated in one of the definitions of siyasah syar'iyyah, namely siyasah syar'iyyah as government action on a matter in order to achieve a benefit, even if that action has no specific basis in the text.[34]

CONCLUSION

Regarding the handling of demonstrations in Makassar City, the police are committed to continuing to improve transparency and accountability in the performance of their duties, including the handling of demonstrations. In addition, it was found that the police have taken and will continue to take steps related to transparency and accountability in the handling of demonstrations. They are open to correction and even reporting to the Internal Affairs Division, open to supervision by external institutions such as the National Human Rights Commission, the Ombudsman, and community organizations, and open to communication with demonstration coordinators and the mass media during the action. There are also efforts to evaluate and document the handling of the action. In addition, repressive measures are only regulated under certain conditions. If it is truly necessary to overcome a real threat to life, widespread property damage, or significant disruption to public order. But repressive actions are taken after going through persuasive measures. The police who were deployed to handle the demonstrations had undergone training on human rights principles. This shows that there are benefits. It is an indicator of alignment with Siyasah Syar'iyyah.

Namun adanya penggunaan kekuatan yang berlebihan, hal tersebut menunjukkan pelanggaran terhadap HAM. Diantaranya disebutkan bahwa implementasi prinsip-prinsip HAM dalam penanganan aksi seringkali jauh dari kata ideal. Pihak kepolisian memungkinkan melakukan kesalahan pada penanganan aksi demonstrasi yang berpotensi melanggar HAM. Adanya pelanggaran terhadap HAM menunjukkan kontradiksi terhadap kemanfaatan. Menjadi indikator adanya ketidaksejalanan dengan Siyasah Syar'iyyah.

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