



Kasetsart Journal of Social Sciences

journal homepage: <http://kjss.kasetsart.org>



Ethical culture strengthening model at resort police as part of police reform: A bourdieu's habitus based approach

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Article Info

Article history:

Received 13 March 2018

Revised 26 November 2018

Accepted 27 November 2018

Available online 13 March 2020

Keywords:

ethical culture,
public ethics,
Sidoarjo city resort police,
structure-agent

Abstract

This research emerged from concerns over cultural reform within the Indonesian Police, which has yet to show expected results, compared to successfully materialized structural and instrumental changes within the frame of Police Reform in the past two decades. Ethical culture, in this research, is believed as 'organizational capital' that is needed by the Police to facilitate cultural change. Inquiry into police *habitus* at the Sidoarjo Resort Police as this research's object, revealed some problems hindering institutional integrity, i.e.: remainders of paramilitary culture, police *doxa* as crime-fighter, insufficient and partial development of internal oversight system, absence of public participatory ethical infrastructure, and deontologic or rule-based definition of ethical approach. At the present time, on personnel integrity aspect, the following problems were found: limited comprehension of ethics as a philosophy and of public ethics as public official's code of conduct, absence of training on ethics in police education, absence of supporting symbolic capitals, and weaknesses within recruitment and socialization system for newly recruited officers. A model of ethical culture strengthening is thus developed to overcome the problems in institutional and personnel integrity, particularly at the resort level police organization.

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Introduction

Ethical approach in police organization is a new field of study, which is considered important for police studies presently, due to a number of reasons. First, police's position as law enforcement agency calls for pre-eminent integrity in carrying out its tasks. Second, police's position as public institution requires appropriate implementation of public ethics principles. Third, the relation between abuse of police authority and the lack of public ethics is a problem that is yet to be dealt with (Juntunen & Käyhkö, 2008). As law enforcer, police exercise their mandate within the corridor stipulated by the constitution, acts, as well as internal organization

regulations. The ITK Police Assessment (2015) the working area of the East Java Regional Police (including Sidoarjo) was ranked 26th out of a total of 31 Regional Police. If an officer commits act beyond the borders of stipulated rules, the officer is regarded as committing deviant behaviour.

Public ethics approach offers a solution through modality concept, by creating instruments of ethics in an organization, to abridge moral norms and factual actions (Haryatmoko, 2015). In line with public institution reforms currently undertaken in various countries, police organizations are nowadays urged to increase accountability and transparency in the utilization of their authority (Chan, 2004). The "*agent perspective*" utilizes individual point of view, as for example through the "rotten apples" theory, that the root of the problem is caused by the existence of mentally weak officers, or those who have the tendency to commit normative aberrations and abuse of authority (Yildiz, 2001).

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Peer review under responsibility of Kasetsart University.

The “structure perspective”, on the contrary, views system and organizational culture factor as the root of cause, where there is no possibility that corrupt police were natural born corruptors or criminals, or morally evil which makes them constitutively different from their fellows. Thus, through the structure perspective, efforts to control abuse of authority should be done by checking the barrels, not merely the apples, that is, to check the organization, and not only on the personnel individuals (Murphy, 1973 as cited in Barker, 2011).

Bourdieu’s habitus approach is considered appropriate in understanding this contradiction. First, employment of habitus concept is seen as resolute on the dichotomy of individual-society, social agent-structure, and of freedom-determinism. Second, Bourdieu attempts to dissolve the domination mechanism and strategy, where domination is no longer observed from external tangible impacts, but also intangible impacts. Third, Bourdieu explains the praxis logic of social actors in conflictual and of different-level social scope, perspective of social scope with pluralistic dimension, that is constructed out of various autonomous spaces which define specific models of domination culture, politics, gender, arts, and not only economy (Haryatmoko, 2010).

Transformation in the POLRI need a more comprehensive research approach, which can bring the police as an institutional structure and the practice of interpretations of police as individual. This research employs Bourdieu habitus theoretical approach to overcome the structure-agent contradiction in explaining the causes of police officers’ deviant behaviour. The “structure perspective”, in contrast, views system and organizational culture factor as the root of cause, where there is no possibility that corrupt police were natural born corruptors or criminals, or morally evil which makes them constitutively different from their fellows.

Literature Review

Habitus and Public Ethics

Bourdieu social praxis theory has since then compacted through the formula: (habitus x capital) + arena = praxis. This formula can be described as habitus-arena-capital integral relation, where praxis of agents are actually strategies, to increase or maintain their capital. It is worth noting however, that according to Bourdieu (1998), agents do not carry out nor presume these strategies as purely utilitarian, they regard these strategies instead as feel for the game which last from moment to moment in short terms. Accordingly, Bourdieu habitus approach is considered as the right approach to investigate the origins of police officers’ deviant behaviour, be they rooted in individuals or in structure. Theoretically, the situation of ethics in police organization can be differentiated into four possibilities, as depicted through Figure 1.

In the case of social behaviours, habitus takes the role of “opus operatum” and “modus operandi” at the same time; that points to the mode as well as the result of praxis itself (Bourdieu, 1977). As “structuring structure”, habitus encompasses the entire “schemes of perception, thought, feeling, evaluation, conversation, and action that structure all manifestations of expressive, verbal, and practical statements from a person” (Bourdieu, 1984). In habitus, there is *doxa*, the unquestionable

basic and fundamental assumptions. Included in this case, is the police *doxa* as a point of perspective towards Police as a profession with specific mission (Chan, 2004). Public ethics approach offers a solution through modality concept, by creating instruments of ethics in an organization, to abridge moral norms and factual actions (Haryatmoko, 2015).

Methods

This research was conducted with qualitative approach with ethnography approach, which aimed to understand the phenomenon of strengthening ethical culture at Polres Sidoarjo. Some of the basic principles of qualitative research that are held in the sequence of efforts to understand the subject matter covered include: focusing on the interaction of events and processes; organizational settings and the environment understood; the study raises several cases or subjects; analysis is done through coding and thematic; data collection requires indepth interview; and participation observation or focus group discussion (Creswell, 2003). Qualitative research chooses “purposive and snowball” data sources based on the emic approach of obtaining data instead of ‘as it should’, not based on what the researcher thinks.

Data collection techniques using participatory observation (250 people), indepth interview (5 people), Focus Group Discussion (FGD) over 5 sessions (each session was attended by 15 people) and document review, which is a form of data collection in qualitative research, will produce data in the form of text to be analyzed. Data analysis techniques through triangulation techniques are used to check or validate the truth of information from people who are considered to understand and experience the phenomenon being explored.

Determination of key informants is considered whereby participants as data sources are people who are knowledgeable and have better understanding of phenomena that are being experienced, observed and understood by researchers. In-depth information collection carried out through in-depth interviews and FGD was on the following four categories of informants:

- 1. regional Police official consisting of the Chief of Police and Deputy Chief of Police (ranks of top police chiefs);
- 2. the staff were selected purposively including Sub-district Head, and field staff (ranks of middle officers);
- 3. The Sidoarjo regional government is related to ethical reflective phenomena (executive HR ranks); and
- 4. religious leaders and community members (regional stakeholders).

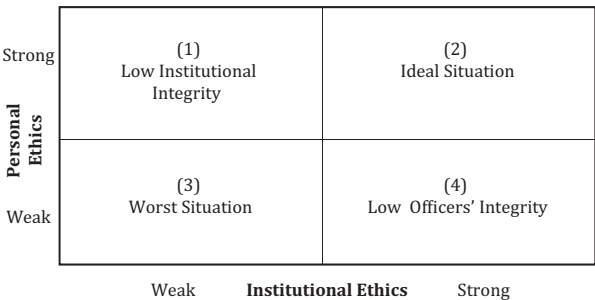


Figure 1 Agent-structure encounter in public ethics

Informants selection was conducted to provide additional data of police, which tends to be private and confidential. The selected informants are those who have ability to give instruction to, influence and motivate their sub-ordinates in working in the field. Moreover, they able to build a good relationship among institutional and the external stakeholder.

Results and Discussion

Sidoarjo City Resort Police : A Changing Police Unit

Polres/Polresta are expected to be spearhead of police services and functions in Indonesia. The same pattern can be seen as well in several countries, for example the District Police in the United States, Sub Division Police in the United Kingdom, Police Stations in Japan, and *District Politie* in the Netherlands, which are all functioning as the forefront of police public service. Bayley (1994) explained that Basic Police Unit is the unit closest to the public, which serves nearly all essential police functions and services, and in Indonesia, these units are the Polres/Polresta.

Related to ethical culture, breach of disciplinary and ethical code among police officers in Sidoarjo Polresta shows statistically similar tendency compared to other Polres/Polresta in Indonesia; year on year hikes and slumps without any certain predictable pattern. Throughout 2012–2015 period, Sidoarjo Polresta managed to unveil 65 breaches of discipline cases, involving 122 personnel (ITK POLRI, 2015). Apart from that, recorded as well were 14 trials on breach of police professional code of ethics, three of which fell within severe/gross violation category that should be dealt with penal code. Two of the three severe violation cases have resulted in discharging of the involved personnel (SPPP), while personnel involved in the other case was not discharged from service with consideration that the involved personnel was sentenced with 3 months imprisonment as probation period.

Paramilitary Culture: The Enduring Old Doxa of The Police

Influence of paramilitary culture as a yardstick for police *doxa* in Indonesia took shape during the New Order era when Police were still under the same roof of ABRI (Armed Forces of the Republic of Indonesia) with the military, and the remains are still found in this research. Nevertheless, remnants of paramilitary behaviour still exist among others in the form of violent behaviour in handling mass rally and suspects during interrogation process, as well as misuse of fire arms, extortion, and many others. These forms of paramilitary behaviour are found in the breach of discipline records collected by the Police Provost Section in Sidoarjo Polresta from 2012 to 2015.

A traffic police officer who joined the police in 1983/84 and spent most of his career as crime intelligence officer raised an example of such paramilitary behaviour during suspect interrogation process in the past, which was full of violence and pressures to have suspect/s sign the interrogation report form, despite the lack of evidence.

"In the past, various methods were carried out, [untill the suspect/s profess/es that he/she committed crime] for he/she could not stand the pressure. Now it is not allowed, interrogation is a heart to heart process. Everything should be directed with

evidence. In the past, we would be angry when interrogation did not go as we wanted. Now everything has to be based on evidence. Now no one may go beyond what has been stipulated" (SP Interview, March 10, 2017).

Police violent behaviour towards public still remains as well within police's point of view as crime-fighter, identically related to physical and verbal violence. Police Reform however has pledged for a new *doxa*: civic (minded) police to serve the public. Police education system nowadays has reduced its military style education, and put more emphasize on police professional and functional education. Soldier style physical and discipline trainings are now gradually replaced with education pattern that gives more space for critical thinking and decision making capacity to handle various operational problems in the society.

Being a police as social mobility vehicle

Majority of personnel at Polres/Polresta level are of low rank officers consisting of 562 personnel that account for 87, 8% of the total personnel. These brigadier and agent rank officers have various motivations behind their profession as police. As the remuneration is relatively low, these officers need to strive for extras (income), forcing them to compromise money making practices, despite being deviant or even illegal. In other words, police officers tend to open their arms to corruptive practices, although not all can be regarded as overt corruption.

A staff officer stated that every month he receives from his commandant what he calls "incentives", amounting to nearly half of his official salary. In return for the incentives, he has to ensure loyalty to his commandant. Loyalty to commandants can be defined in sub-ordinate having to be observant and ready to carry out whatever the commandant orders, even beyond the official job description (Interview CS, March 13, 2017). This loyalty relation can be seen as patron-client relation, a relation personally built by two parties.

Riding on police discretion

Next, the question on how the commandant can fund the monthly incentives for his sub-ordinates shall be addressed. Police salary is based on rank combined with service duration, called as incremental salary increase system, ranging from only 3% to 5% annually. Thus, officers of the same rank, with slight difference in service duration, will have nearly the same salary. But, a brigadier who has served for 32 years can earn more than a commissioner adjutant who has only served for ten years. The question again is, how the commandant can fund the monthly incentives for his sub-ordinates.

Thus it is clear that police discretion capacitates carrying out both legal and illegal measures in handling or halting cases, up for release and discharge. Through an interview with FT, a businessman from Sidoarjo, a further explanation of this "deviant discretion" was revealed. According to his (FT) experience, any case related to business permits, waste disposal permit, to *software* copyright infringement, can be source of income for deviant officers. He once had a café selling alcoholic drinks, and for this he had to provide some amount of "incentives" to be distributed monthly to different police units. Such abuse is hard to detect. First, a specific supervisory system to audit how discretion is used in the field is yet to be set up.

Second, violations of law are often substantially induced from the public side. Third, “under the table” transactions hardly leave trace or evidence, for no written receipt nor any proof of payment needs to be made as in normal business process.

Forms of Capital and Their Strategies in The Police

Habitus shall not avoid analysis on capitals that play certain roles in it. Every arena has its own different capital structure, including the Police as an arena. Bourdieu is certain that positions filled by *agents* in social arena are relative in nature, and they are dependent as well on the volume and portfolio of structures of an *agent* compared to the others in the same arena (Bourdieu, 1998).

Economic capital: The strategic posts

Economic capital, it has to be admitted, always takes on important posts in any arena, including the Police, since it is easily converted into other forms of capital. However, each post has different (illegal) income generation capacity. The Police, including the Polres/Polresta level, colloquially recognize the so called “strategic post” and “dry post”. The strategy to boost economic capital accumulation would involve heading for a “strategic post”. The traffic and crime units are among the ones considered as “strategic”. *Agents* thus must avoid the “dry posts”, like for example, community development and alert units. Police officers outside the “strategic posts” are hoping for job rotation to get “strategic”.

In this research’s context, “strategic posts” are the ones having broader discretion opportunities convertible into bigger economic capital. An officer can rotate from one function to another once he/she has been on a specific course to gain basic requirements of skill in another function. SP, for example, a traffic officer nearing his retirement, had been stationed in all functions in the Police throughout his career. TI, a traffic unit chief, started his 13 years career in alert unit, and was once a human resource officer.

Cultural capital: The education path

Cultural capital in general is a set of capacities required by a person to hold a certain social post; hence it is often said that cultural capital is the primary cause for status and relative positions in a certain social arena (Bourdieu, 1984). At the Polres/Polresta level, the stark difference between having and not having cultural capital can be seen between regular education path (officers who started from brigadier level) and the so called alumni path (graduates of the Police Academy, or abbreviated as Akpol). A younger officer graduated from Akpol, is seen as having plus value at the Polres/Polresta level even when compared to more experienced regular path officer of the same rank.

Beside the education path, various factors like rank, operational experience, skills and knowledge obtained through trainings, are also important cultural capitals in Police organization to determine the *agent’s* post in the organization. These cultural capitals are often accepted as an implicit rule of game by the *agents*. For example, an alumni path Police enjoying better life style and welfare, would not be perceived as something unusual, nor would it spark envy among fellow officers.

“Akpol graduates are higher class. A brigadier should thank God for managing to own a car. It is normal [if an Akpol graduate enjoys better welfare]. No body would [envy], saying you have nice car and house. Akpol graduates are meant to be leaders” (Interview CS, March 13, 2017).

The power of cultural capital in police organization does impact not only on officers’ individual career, but is also proven to be effective in confronting internal supervision. A fundamental weakness of the supervisory section (siewas), as the internal control for managerial affairs, is the weak cultural capital embodied in its personnel. HP, A siewas personnel interviewed in this research, stated that the chief supervision post is held by officers of lower rank relative to the officers under his supervision. Alumni path usually avoid this post (siewas), for it is considered as “dry”.

Social capital: Negative and positive relations

Ownership of high cultural capital, however, does not automatically guarantee that an *agent* (a police officer) can hold a beneficial post in an arena. An Akpol graduate, for example, despite having a the alumni path as his/her cultural capital, may face hardships to obtain and or retain his/her strategic/“strategic” post. He/she needs to develop further social capital in the workplace, with superiors, subordinates, and same rank fellows. In police organization as an arena, according to Chan (2004), *agents* are competing over control of various types of capital. Nevertheless, to be successful, a police officer needs to have social capital in form of vast network support among fellow officers.

As in this research, the development of loyalty relation at Polres/Polresta level, particularly in traffic and crime units, can be explained through two perspectives. First, loyalty for subordinates means carrying out whatever order is given by commandant, even beyond official job description. Second, this relation is a form of social capital beneficial for both parties, superiors and subordinates, to veil abuse of discretion practices that have generated various benefits for them.

Symbolic capital: Creation of new symbols

Symbolic capital is specific kind of capital which is more abstract in nature compared to other types of capital. Symbolic capital relates to honour and specific recognition. This can then explain that the meaning of capital is not independently inherent within the capital itself, but it takes the entire *agents* who compete over the capital in a specific arena to recognize the importance of certain capital (Bourdieu, 1998). The symbolic capital observed in Polres/Polresta level is so far still rooted in the old *doxa* of police as crime-fighter, and related as well to the remains of paramilitary culture. The old *doxa* of police as crime-fighter allows those who can capture criminals to get the biggest symbolic capital, and it makes them worth trusting in protecting the public, and even deserving of rank promotion. Personal integrity up to now is yet considered as symbolic capital. The same case did apply in police organizations of developed countries, for example, in New South Wales Police prior to reform (Chan, 2004).

Police profession as an arena

The crossing of paths between police arena with other arena in a broader social system, particularly with the criminal

justice system, has made police corruption overlap with other law enforcement agencies' corruption. A factual case revealed in this research as told by FT (the entrepreneur from Sidoarjo), when he was a victim of embezzlement, that he still had to provide "lubricant money" for police, attorney, and judge to get the perpetrator sentenced and pay back the embezzled fund. Yet FT still felt fortunate as he stated, "better than the embezzled fund did not go back to me at all".

Ethical Culture Strengthening Model at Polres/Polresta Level

A closer look at the Agent-Structure Encounter Model in Public Ethics (Figure 1), the situation of ethics at Sidoarjo Polresta organization is a mixture between quadrant 1 and quadrant 4. This means, in most cases, the problems lie on the weak institutional integrity. This is due to: remains of paramilitary culture, police *doxa* as crime-fighter, the still weak and partially built internal supervisory system, absence of public participatory ethical infrastructure, and the deontological or rule-based definition approach to ethics. Based on the above findings, the ethical culture strengthening model built in this research is basically aimed at altering the situation from quadrant 1 and quadrant 4 to quadrant 2, as the ideal situation.

The ethical culture strengthening model is built from three main elements: (1) public ethics strengthening, that is, through alteration of police's operational objective and structure headed towards responsive, quality, and relevant public service, (2) strengthening of existing formal supervisory structures as well as informal supervisory structures by involving public participation and (3) strengthening of values socialization through improvement in socialization for newly recruited officers, and strengthening civic-minded police *doxa*.

In order to materialize the above purpose, special topics on ethics need to be accommodated in police education curricula. In addition to that, trainings on ethics as general training or customized training to match the needs of different functions, need to be conducted periodically. For supervisory and audit purpose, trainings on audit of ethics fundamentals should be given to support supervision over code of ethics implementation in the organization. The next problem in personal integrity is the absence of symbolic capitals in supporting integrity strengthening that makes the orientation of ethics implementation seem to be separated from organization culture.

The third weakness is the strict recruitment system that is in fact not strict enough, with the absence of ethics based selection criteria. The last weakness is on socialization to newly recruited officers. The first thing to be taken on this matter is by prolonging the initial posting/assignment period outside specific functions, to prevent newly recruited officers from absorbing the *habitus* of extra income generation outside official duty. The second thing is through employment of better plurality approach in recruitment process to add more diversification in terms of ethnic, religious, social status, and educational background, with special quota for women candidates and those from minority groups. The aim of this strategy is to develop more diverse *habitus* to have a more dynamic and fluid organizational culture.

Conclusion and Recommendation

Bourdieu's *habitus* approach was employed in this research to describe and analyze the situation of ethics within police organization at Polres/Polresta level. In this, the formation and development of loyalty relation and various deviant discretionary practices are related to police *habitus* as a kind of guiding yardstick in thinking framework, perception, and eventually actions of police officer/s. As a "structuring structure", police *habitus* suggests how interactions should be done in the police arena. Yet, in contrast to that, as a "structured structure", it is not passively absorbed by *agents*, for *agents* do play active role in conserving this *habitus* through reproductions of social actions.

How the process actually takes place in the police organization is very much determined by *agents'* ownership of capital portfolio. The economic capital, as the most exchangeable and convertible form of capital, is generally obtained through position/s in the organization, that is, through the "strategic post/s" with higher discretionary loopholes, hence promising in financial potential. Through combination of economic, cultural, and social capital, a police officer not only can hold certain post/s, but may as well obtain certain status and or recognition that will form the symbolic capital.

The research shows that instruments of ethics at the Polres/Polresta level police organization still have significant weaknesses, which demand significant improvements. *Circa* two decades of Police Reform following its separation from the military, instrumental and structural reform can indeed be deemed as successful, but need shifting in cultural reform towards civic-minded police. Among the benefits of employing this ethical culture strengthening model is helping the development of transparency and accountability principles in police's public service.

Conflict of Interest

There is no conflict of interest.

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