

## The Case of Militarization of Civil Servants in the Palace Circle

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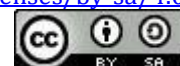
Article Info :	ABSTRACT
Accepted: 08-01-2026 Approved: 13-02-2026 Published: 04-03-2026	<p><b>Background:</b> The era of President Prabowo Subianto's administration has witnessed the resurgence of military involvement in civilian governance, challenging the principles of civil supremacy established after the 1998 reforms. The placement of active military officers in strategic civilian positions raises fundamental questions about constitutional boundaries and democratic governance in Indonesia.</p> <p><b>Objective:</b> This study examines the legitimacy and constitutional implications of militarization in civilian government functions against the principles of civil supremacy and constitutional democracy as mandated by the 1945 Constitution of the Republic of Indonesia.</p> <p><b>Method:</b> A normative juridical and political law approach is employed, utilizing statutory analysis, conceptual frameworks, and historical examination to assess the legal and political dimensions of military placement in civilian positions.</p> <p><b>Findings and Implications :</b> The study reveals that militarization in the Prabowo era constitutes a form of state power reformulation that blurs the boundaries between civilian and military domains, threatening the independence of public accountability mechanisms and the principle of checks and balances. Military involvement in non-defense sectors such as food security, social welfare, and development projects represents an expansion beyond applicable legal norms, creating disharmony between political practices and constitutional design.</p> <p><b>Conclusion:</b> This research contributes to the discourse on civil-military relations by demonstrating how contemporary militarization practices deviate from reform-era principles. It emphasizes the urgency of strengthening civilian control mechanisms and implementing regulatory reforms to ensure military professionalism while preserving democratic governance and constitutional order.</p>
<b>Keywords:</b> militarization; civil; democracy; state power	

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### INTRODUCTION

The phenomenon of the militarization of public functions in Indonesia has increasingly become a concern during the administration of President Prabowo Subianto. This trend shows the increasing influence of the military in various aspects of national and state life, not only in the defense sector, but also in the social, economic, and civil government spheres. The military, which was previously limited to its primary function of defending the state, has

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gained new space that expands its authority, even entering into functions that are constitutionally supposed to be carried out by civilians.

Therefore, it cannot be denied that one of the main indicators of this militarization is the placement of active and retired TNI members in strategic positions within the government, including the bureaucracy and state-owned enterprises. Through this policy, military power is not only limited to the defense aspect, but also extends to the political and social spheres, potentially threatening the principle of civilian supremacy as mandated by the Indonesian constitution. As we know, the military reform driven by the 1998 reforms, which focused on professionalism and civilian control, often faced challenges. The revision of the TNI Law, which expands the military's role in defense, including the management of social development programs, has raised concerns about a return to the abolished practice of dual military function. According to experts, policies that lead to the militarization of public functions actually erode democratic control over military power and blur the lines between military and civilians.

Recent scholarship has documented the acceleration of this trend, particularly in the post-reform era. Ng & Kurniawan, (2024) demonstrate that Indonesia's civil-military relations remain in transition, characterized by what they term "cooperative oversight" whereby parliamentary institutions maintain harmonious relations with the military while inadvertently stalling comprehensive military reforms. Their analysis reveals that this cooperative model, while promoting stability, has reinforced military autonomy and weakened democratic accountability mechanisms. This pattern has intensified under President Prabowo Subianto, whose administration has witnessed an unprecedented expansion of military involvement in civilian governance structures.

While extensive literature exists on Indonesia's post-1998 military reforms and civil-military relations, there remains a significant gap in understanding the contemporary resurgence of military involvement in civilian governance under the Prabowo administration. Previous studies have primarily focused on historical analyses of the New Order dual function (*dwifungsi ABRI*) or the immediate post-reform period, yet limited research examines how new forms of militarization emerge within ostensibly democratic frameworks. The legal and constitutional dimensions of placing active military personnel in civilian positions remain underexamined, particularly regarding the tension between executive authority and constitutional principles of civil supremacy.

The central problem this research addresses is the apparent contradiction between Indonesia's commitment to democratic civil-military

relations as articulated in the 1998 reforms and the 1945 Constitution, and the current practice of expanding military authority into civilian governance. This raises critical questions about whether contemporary militarization represents a regression to authoritarian patterns or constitutes a new form of civil-military configuration compatible with democratic governance. Understanding this phenomenon is crucial for several reasons.

The legislative framework surrounding military involvement in civilian affairs has undergone significant transformation in recent years. Djuyandi, Sudirman, and Suryana (2025) analyze the evolution of civil-military relations in post-1998 Indonesia, arguing that while democratic transition has progressed, the full realization of civilian control remains incomplete and continues to face structural obstacles rooted in institutional path dependencies and elite political accommodation. Their research emphasizes that Indonesia's military reform trajectory has been characterized by incremental progress rather than fundamental transformation, with persistent gaps between formal institutional arrangements and actual practice. This incomplete transition creates vulnerabilities for democratic consolidation, particularly when political leadership lacks strong commitment to maintaining civil-military boundaries.

The 2024-2025 revision of the Indonesian National Armed Forces Law (TNI Law) reflects a significant shift in Indonesia's post-Reformasi civil-military relations. Nalle, (2026) demonstrates through legal political analysis that the legislative process behind the revision functioned less as a technical legal exercise and more as a political bargaining platform between the executive, the parliament, and the military. The accelerated and opaque deliberation process was driven primarily by executive incentives and the military's organisational interests, with the parliament playing a largely reactive role that enabled the formalisation of practices already occurring informally. This analysis reveals how contemporary militarization operates through legal-institutional channels rather than extra-constitutional means, making it simultaneously more difficult to contest while potentially proving more durable in eroding civilian supremacy principles that Indonesia's 1998 Reformasi explicitly sought to establish.

First, it directly affects the quality of Indonesian democracy and the viability of constitutional governance. Second, it has implications for public accountability and good governance principles. Third, Indonesia serves as an important case study for other democratizing nations navigating civil-military relations. Finally, this research provides empirical evidence to inform policy debates about military reform and constitutional boundaries of executive authority. This situation indirectly leads to tensions in civil-military relations

and poses a threat to legal and constitutional standing. The military's presence in the public sphere and its influence on political policy leads to practices that could threaten democracy, including the possibility of a state of military emergency or even auto-gopel. And a number of observers believe that this policy risks returning Indonesia to the authoritarian era previously experienced during the New Order era.

The militarization of public functions is a phenomenon in which military institutions take on significant roles or involvement in the implementation of public functions that have traditionally been predominantly civilian. This phenomenon has a number of impacts on the principles of democracy, civilian supremacy, and the effectiveness of public service delivery. Septiansyah & Verstek, (2025) Several key studies have examined civil-military relations in Indonesia. The contemporary context demands renewed scholarly attention to these dynamics. The 2024-2025 revision of the TNI Law, which formalized the expansion of Military Operations Other Than War (MOOTW) and legitimized the placement of active-duty officers in civilian institutions, represents a critical juncture in Indonesia's post-Reformasi trajectory.

As Ng & Kurniawan, (2024) observe, the institutionalization of practices that previously occurred informally signals not merely policy adjustment but a qualitative shift in the civil-military relationship that warrants systematic empirical and normative analysis. Understanding this evolution requires examining not only the legal and institutional dimensions but also the political economy of military involvement in governance and the implications for democratic accountability structures.

Djuyandi, Sudirman, and Suryana (2025) established the foundational framework for understanding professional military control and civilian supremacy, arguing that military professionalism requires clear subordination to civilian authority. Nalle, (2026) developed the agency theory of civil-military relations, examining how civilian principals maintain control over military agents through institutional mechanisms. In the Indonesian context, Ng & Kurniawan, (2024) analyzed power politics within the Indonesian military during the transition period, documenting the structural challenges of military reform. However, these studies primarily focus on either theoretical frameworks or historical periods, leaving a gap in analyzing contemporary manifestations of militarization.

This research makes a novel contribution by employing a legal political approach to examine the specific constitutional and statutory dimensions of military placement in civilian positions under the current administration. Unlike previous studies that focus on informal influence or historical patterns, this research systematically analyzes the legal legitimacy and constitutional

implications of formal policies expanding military authority. Furthermore, it bridges theoretical frameworks of civil-military relations with Indonesia's specific constitutional architecture, providing both empirical evidence and normative analysis of how democratic principles are challenged by contemporary militarization practices.

In countries undergoing transitions or facing challenges to national stability, the use of the military in public functions is often seen as a response to crises or the weakness of civilian institutions. However, this expansion of the military's role also risks military domination over civilian affairs, resulting in the loss of civilian control and democratic legitimacy. The military, on the other hand, has a function The main role of the security and defense of the state, which is a military function. However, in practice, especially in developing countries, including Indonesia, the military often enters non-military areas, including social aspects. politics to public bureaucracy.

This is closely related to the concept of the dual function of the military, which mandates the military to also manage government and socio-political affairs. This phenomenon of militarization of public functions demands a critical examination of the limits of military functions and oversight mechanisms to avoid overlapping authority that threatens democracy and civilian democracy. Integration of military government reform and revision of regulations governing the position and authority of the military in the public sphere are necessary to ensure that the military's presence does not disrupt democratic and accountable governance.

Military professionalism must be maintained, while simultaneously strengthening the civilian oversight mechanisms exercised by legislative bodies and other oversight institutions, in order to maintain a healthy balance in civil-military relations. Therefore, the militarization of public functions is not only seen as a threat, but also as a challenge requiring policy solutions based on the principles of democracy and civilian supremacy. Therefore, the author considers it important to examine the placement of active TNI soldiers in civilian positions through a legal political approach.

The urgency of this research lies in the need to assess the extent to which this policy aligns with the principles of civilian supremacy in a democratic state, as well as its potential implications for the legal order and the civil-military government system in Indonesia. The legal Septiansyah & Verstek, (2025) political approach was chosen because it is able to examine both the normative aspects and the political dimensions of presidential policy, particularly in the context of cabinet composition, which is essentially part of the product of executive law.

Based on the research gap and problem identified above, this study aims to achieve the following specific objectives: To analyze the constitutional and legal legitimacy of military involvement in civilian governance functions under the Prabowo administration; To examine the impacts and implications of militarization on civil supremacy, bureaucratic professionalism, and the effectiveness of governance; To evaluate the mechanisms through which bureaucratic accountability and professionalism can be maintained amid the expansion of military authority.

This research contributes to civil-military relations theory by examining how militarization manifests within formally democratic systems, extending theoretical frameworks beyond traditional dichotomies of civilian versus military control. It provides empirical evidence for understanding the nuanced forms of military influence that emerge when constitutional democracies experience institutional stress. The international dimensions of this democratic regression carry significant implications for regional stability and democratic norms in Southeast Asia. Diamond, (2021) positions Indonesia's trajectory within comparative perspectives on democratic backsliding globally, highlighting how populist and authoritarian tendencies manifest across diverse contexts while maintaining electoral facades.

The theoretical implications extend beyond Indonesia's borders, contributing to broader scholarly debates about civil-military relations in democratizing states. Contemporary research increasingly recognizes that militarization in post-authoritarian contexts manifests through legal-institutional mechanisms rather than overt coups, requiring analytical frameworks capable of capturing these subtle forms of democratic backsliding Lührmann & Lindberg, (2019). The Indonesian case demonstrates how military organizations preserve institutional prerogatives and vested interests under ostensibly democratic systems, creating 'comfort zones' that discourage direct political intervention while maintaining significant informal influence through MOOTW expansion and civilian position occupation (Haripin, 2019 : Mietzner, 2021).

Comparative civil-military scholarship highlights Indonesia's unique trajectory within regional contexts. Unlike Thailand and the Philippines, where military adventurism has directly challenged democratic governance through coups and constitutional crises, Indonesia's military maintains institutional commitment to civilian supremacy while simultaneously expanding its functional authority through legislative reform (Crouch, 2010). This paradox reflects what scholars term 'loyal defection,' where armed forces nominally accept democratic frameworks while working to maximize autonomy and minimize accountability within those structures.

The human rights implications of expanded military authority demand critical examination. Historical precedents from the New Order demonstrate how military involvement in civilian affairs correlates with systematic rights violations, including restrictions on freedom of expression, assembly, and political participation. The 2025 TNI Law revision raises concerns about repeating these patterns, particularly given documented increases in state-sanctioned violence against protesters, journalists, and civil society activists across 19 Indonesian cities following the law's passage. Such developments signal potential regression toward authoritarian governance models that Indonesia's 1998 Reformasi explicitly sought to transcend.

Economic dimensions of militarization intersect with governance quality and institutional effectiveness. Research demonstrates that military business involvement and position-holding in state-owned enterprises/ *Badan usaha milik negara (BUMN)* creates conflicts of interest that undermine market efficiency and transparency (Mietzner, 2021). The 2020 Ombudsman report documenting that 65% of BUMN board members comprised TNI and other state security personnel illustrates the scope of this challenge, raising questions about corporate governance, accountability, and the separation between commercial and security interests that effective market economies require (Honna, 2003).

The COVID-19 pandemic created additional justifications for military expansion into civilian domains, with deployment of military forces for health protocol enforcement establishing precedents for domestic security operations beyond traditional defense functions. This pandemic militarization exemplifies how crisis situations enable institutional boundary-shifting, with temporary emergency measures potentially becoming permanent features of civil-military relations. Such developments align with global patterns where democratic backsliding accelerates during periods of social stress, as security concerns override civil liberties protections and institutional checks (Diamond, 2021).

Contemporary scholarship on Indonesia's democratic trajectory confirms patterns of military re-engagement in civilian governance (Sambhi, N. 2021). documents how democratic regression intensified during the Widodo administration, marked by increased military appointments in civilian positions, expanded reliance on territorial command systems, and growing influence of retired officers in policy discourse. This militarization accelerated during COVID-19, as military deployment for health protocol enforcement established precedents normalizing military involvement in domestic civilian affairs beyond traditional defense functions.

The 2025 TNI Law revision represents institutionalization of military authority expansion. Diamond, (2021) characterizes this development as "militarization without tanks on the street," wherein formal legislative amendments enable military officeholding in civilian positions while maintaining democratic façades. Unlike historical military interventions through coups, contemporary militarization operates through legal-institutional channels, making it more difficult to contest while potentially proving more durable in eroding civilian supremacy principles.

Comparative analysis of defense governance reveals Indonesia's unique trajectory toward quasi-civilian military arrangements (Haripin et al., 2023). examine how Indonesia's Ministry of Defence under military leadership creates ambiguous civil-military boundaries that formally maintain civilian control while substantively expanding military institutional prerogatives. This hybrid arrangement reflects broader patterns where democratic institutions coexist with military influence mechanisms that undermine effective civilian oversight.

## **METHOD**

The study employs a legal political framework integrating constitutional analysis with political science perspectives. The analytical framework consists of three interconnected components: (1) normative legal analysis examining the constitutional hierarchy and statutory provisions governing military authority; (2) political institutional analysis assessing the power dynamics, policy motivations, and institutional arrangements facilitating military involvement in civilian governance; and (3) democratic governance analysis evaluating the implications for civil supremacy, accountability mechanisms, and checks and balances. This triangulated framework enables comprehensive assessment of both the legal validity and political implications of contemporary militarization practices.

Data interpretation follows a systematic four-stage process. First, data collection involves gathering all relevant constitutional provisions, legislative documents, policy statements, and academic literature through library research methods. Second, data organization entails categorizing sources by type (legal instruments, expert opinions, historical documents) and chronologically mapping policy developments. Third, analytical interpretation applies the legal political framework to examine: (a) constitutional compliance through statutory interpretation and hierarchy analysis; (b) political dynamics through policy analysis and actor motivation assessment; and (c) governance implications through democratic principle evaluation. Fourth, synthesis and conclusion development integrates findings across all analytical dimensions to

produce comprehensive responses to research objectives while identifying patterns, contradictions, and implications for Indonesian democracy and constitutional order.

Data were collected through the Library Research method, which involves collecting information from various relevant literature, legislative regulations, legal expert opinions, legal journals, mass media, and websites relevant to the topic. This research uses a qualitative method with descriptive and selective analysis approaches, which aims to offer legal political solutions related to the regulation of the placement of active TNI in civilian positions. This methodological approach aligns with recent scholarship on legal political analysis in democratizing states. Feaver (2003) established foundational frameworks for examining civil-military relations through agency theory, analyzing how civilian principals maintain control over military agents through institutional mechanisms, statutory provisions, and accountability structures.

Contemporary applications of this framework to Indonesian contexts require integration of post-authoritarian transitional dynamics, where formal legal provisions may diverge significantly from actual practices and informal power arrangements (Mietzner, 2021). The normative legal analysis component examines constitutional hierarchy, statutory coherence, and legal legitimacy of military authority expansion, while political institutional analysis assesses power dynamics, policy motivations, and institutional configurations enabling military involvement in civilian governance (Gunawan, 2024).

The qualitative descriptive approach employed in this research facilitates comprehensive examination of legislative processes, policy documents, and expert interpretations while capturing nuances of political bargaining and institutional resistance (Flick, 2022). Library research methodology enables systematic collection and analysis of diverse source materials, including constitutional provisions, legislative transcripts, academic journals, legal expert opinions, and policy documentation.

Guest et al., (2020) This multi-source approach enhances research validity by triangulating evidence from legal texts, scholarly analyses, and policy implementation records, thereby providing robust foundation for conclusions about constitutional legitimacy and democratic implications of TNI Law revision (Yin, 2018). The analytical framework's three-component structure—normative legal analysis, political institutional assessment, and democratic governance evaluation—ensures comprehensive examination of militarization's multifaceted impacts on Indonesian democracy and civil supremacy.

The normative legal research paradigm employed in this study aligns with contemporary methodological developments in Indonesian legal scholarship. (Masnun et al., 2025.) emphasize the importance of reconstructing normative legal research to address complex constitutional challenges, particularly in examining hierarchical legal frameworks and constitutional consistency. This approach enables systematic analysis of statutory provisions, constitutional principles, and institutional arrangements governing military authority, while maintaining analytical rigor appropriate for examining legal-political phenomena in transitioning democracies.

## RESULTS AND DISCUSSION

### The Impact and Implications of The Military as a Public Function on Civil Supremacy and The Effectiveness of Governance

In fact, reforms have dismantled the New Order political order, but this does not preclude the possibility that the dual function will continue to loom large. Since the era of the collapse of the Indonesian military, the Indonesian military has been given a political role. In the 1950s, with his " *Jalan Telangguh*" speech, the Indonesian Armed Forces (ABRI) established the dual function of the Indonesian Armed Forces (ABRI), which empowered the military to play a dual role not only as a protector of the state but also as a socio-political actor on the national stage.

Civil-military relations reform in post-1998 Indonesia remains incomplete and vulnerable to reversal. (Djuyandi et al., 2025) Analyze how military reform efforts have progressed unevenly, with formal institutional changes coexisting alongside persistent informal military influence in civilian domains. Their analysis confirms that TNI reform and effective civilian control remain transitional processes rather than consolidated achievements, requiring continued vigilance against democratic regression.

This practice was further reinforced by the placement of high-ranking ABRI officers in government positions, the legislature, and even state-owned enterprises. For example, until the early 1990s, thousands of active officers held various governorships, members of the House of Representatives/*Dewan Perwakilan Rakyat (DPR/MPR)* and other bureaucratic positions. This situation often made the military stronger than civilian institutions, effectively determining the direction of national politics.

The BARI faction, which sat in parliament without elections, and military institutions such as the Operational Command for the Restoration of Security and Order (*Kopkamtib*), which was transformed into the Coordinating Agency for Assistance and Strengthening National Stability (*Bakorstanas*), allowed the military to control many state institutions. In short, civilian supremacy was

practically reduced during the New Order, allowing the military to become the controlling force in the state. However, the ideals of reform It has not yet been fully realized. Many observers say there are still "residues of Dual Function" in Indonesian politics. Andi Widjajanto, a defense observer, mentioned the 2014 overhaul of the military business as a crucial milestone, but he also acknowledged that there are remnants of the military's involvement in civilian affairs. The active participation of military officers in certain strategic positions, although limited by Article 47 of the TNI Law, still continues.

The eighth challenge is to ensure that the TNI truly operates as a professional force focused solely on national defense and under civilian control. Ironically, the draft revision of the TNI Law actually reverses this progress. Development Military reform has become increasingly complex with the revision of Law No. 3 of 2005 concerning amendments to Law No. 34 of 2004 concerning the Indonesian National Army ("New TNI Law"), which was approved by the House of Representatives (DPR).

Post-1998 military reform achievements remain fragile and vulnerable to reversal. Guest et al., (2020) confirm that TNI continues seeking political legitimacy through non-electoral channels, including MOOTW activities, disaster response operations, and food security programs that expand military visibility and functional authority while cultivating public support. These activities create constituencies dependent on military services, generating popular legitimacy that supplements—and potentially rivals—democratic electoral legitimacy. The Food Estate program exemplifies this dynamic, with Ministry of Defense assuming responsibilities traditionally allocated to Agriculture Ministry under security justifications, establishing new agencies and profit-oriented companies that institutionalize military economic involvement (Honna, 2003).

This concern has sparked widespread protests from civil society, including student activists, due to concerns that the current of military reform is no longer in line with the ideals of reform. Research results show that the revision of the TNI Law, which was passed on March 20, 2025, contains three main aspects that have become the focus of public debate. The first aspect is the amendment to Article 7, which regulates the main duties of the Indonesian National Army in military operations other than war (OMSP). This revision expands the scope of the TNI's core duties, particularly regarding countering cyber threats and protecting citizens abroad.

This additional task is seen as a response to the increasingly complex challenges of non-traditional security in the era of globalization and the development of information technology. However, some observers argue that this expansion of scope has the potential to blur the line between military

functions and civilian state responsibilities in crisis management, thus opening up space for abuse of power. The second aspect that has come under scrutiny is the increase in the number of civilian positions that can be filled by active soldiers, as regulated in Article 47. In this revision, the number of ministries and institutions that can be filled by active soldiers is also reduced. The number of active soldiers has increased from 10 to 14 (or even 15 in some sources).

This change is claimed to be an effort to improve the synergy between the TNI and government agencies, thus supporting coordination in the implementation of national strategic tasks. However, criticism has emerged from the public and academics who worry that this mechanism could lead to a return to the past. This concern refers to past experiences during the New Order era, where military dominance was considered to threaten the principles of civilian supremacy and democracy. The third aspect is the change to Article 53, which regulates the retirement age limit for soldiers.

This revision extends the service period of soldiers by increasing the retirement age adjusted for rank levels. For example, non-commissioned officers and privates will retire at the age of 55, while officers up to the rank of colonel retire at the age of 58. For high-ranking officers, the retirement age is adjusted in stages, reaching 60 to 63 years, with the possibility of a maximum extension of two times for 4-star high-ranking officers. This adjustment is seen as a response to the need to maintain human resources that are still in prime condition, but also invites criticism because it can delay the regulation of military leadership and open a gap for the practice of nepotism or abuse of power in the military structure.

### **1. Human Rights**

The human rights implications of military expansion into civilian spheres require urgent attention from both domestic and international actors. Amnesty International (2025) highlights that controversial articles in the TNI Law revision could perpetuate military involvement in civilian domains, creating conditions conducive to systematic rights violations observed during New Order authoritarianism. Historical precedents demonstrate clear correlations between military authority in civilian affairs and restrictions on fundamental freedoms, including expression, assembly, association, and political participation (Crouch, 2010). The documented violence against protesters across 19 cities following the law's enactment provides empirical evidence of these dynamics, with state apparatus deploying excessive force against civilians, students, journalists, and even bystanders.

The potential threat to civilian supremacy and human rights (HAM) is a crucial issue in the context of countries undergoing democratization, including

Indonesia. One of the potential threats is the return of military influence to the civilian sphere through the revision of related laws, particularly the Indonesian National Armed Forces Law (UU TNI). This revision raises concerns about the balance of power between civilians and the military and its negative impact on human rights. Civilian supremacy is a fundamental principle in a democratic state, which stipulates that military power must be subject to democratically elected civilian authorities.

This principle arose from historical experience in which military power was often used to dominate politics or carry out coups, thus potentially undermining democracy and the rights of citizens. In Indonesia, civilian supremacy began to be enforced more clearly after the 1998 reformation, with efforts to limit military roles to defense and security sectors through structural reforms, including the abolition of the ABRI dual function that previously allowed the military to play a role in politics and civilian government. The revision of the TNI Law, which allows the placement of active military personnel in civilian positions, has resurfaced concerns that civilian supremacy is under threat. When active military personnel occupy key positions in government, there is the potential for confusion in the boundaries of civilian and military authority.

This can create a situation where political decisions, which should be dominated by civilian authority, are influenced by military influences. In a healthy democracy, political decisions must be based on deliberative mechanisms, transparency, and clear accountability to the public. If active military personnel are allowed to participate directly in government, civilian control over the military could be degraded. This naturally raises concerns about the loss of accountability and transparency, two important pillars of a democratic system. The potential threat to human rights becomes increasingly apparent when the military is involved in civilian affairs, particularly in law enforcement.

The military is trained with a different paradigm and approach than civilian officials, particularly in dealing with social problems. Military law enforcement tends to be more restrictive and less considerate of human rights aspects than law enforcement carried out by civilian authorities. Indonesia's past experience, such as during the New Order era, shows that military involvement in civilian affairs often results in human rights violations. Cases such as silencing, freedom of expression, unfair trials, and acts of violence against activists and civilians are clear evidence of how military intervention in civil affairs can damage the basic rights of citizens.

International human rights frameworks emphasize civilian supremacy as foundational to democratic governance and rights protection. Human

Rights Watch (2025) documents systematic decline in civil and political rights throughout Indonesia's recent political trajectory, with government policies undermining free elections, weakening legislative checks, and increasing corruption. This deterioration reflects broader patterns where military involvement in civilian governance correlates with democratic backsliding, reduced transparency, and weakened accountability mechanisms (Freedom House, 2024). The TNI Law revision must therefore be evaluated not merely as security sector reform but as fundamental challenge to constitutional democracy and human rights protection in Indonesia.

## 2. Impact on Governance

The political motives behind the revision of the TNI Law are a crucial aspect to examine. Some argue that this revision is motivated by the desire of several political actors to strengthen military influence within the government structure. Article 7, which discusses the TNI's main duties, is one of the most controversial sections. The revised version includes a shift in focus that allows for broader TNI involvement in civilian affairs. This cannot be separated from the dynamics of domestic politics, where political actors, both from the military and civilian circles, have a certain interest in maintaining, and even expanding, the military's role can take a more dominant role in matters that should be the civilian domain, such as law enforcement, security, in the military, and the management of state resources.

This motive then has a direct impact on good governance, which should be based on the principles of transparency, accountability, and public participation. The placement of TNI personnel in civilian positions, as stipulated in Article 47, not only contradicts the spirit of reform, which emphasizes a clear separation between civilian and military personnel, but also raises concerns about transparency and accountability in various government agencies. Civilian officials should be accountable to the public through clear accountability mechanisms (Septiansyah & Verstek, 2025).

Discourse analysis of the TNI Law revision process reveals competing narratives between institutional and public spheres. (Haripin, 2026) employ corpus-assisted discourse analysis to examine media coverage from January-March 2025, demonstrating how the draft bill utilized institutional technocratic vocabulary emphasizing administrative continuity, while media discourse spotlighted civic interests, democratic accountability, and dual function concerns. This discursive contestation reflects underlying power negotiations shaping civil-military relations through linguistic framing and legitimization strategies.

The placement of military personnel in civilian positions also has the potential to reduce public participation in the decision-making process. The principle of *good governance* emphasizes the importance of public participation as one of the key elements in effective and inclusive governance. When military personnel are placed in strategic positions without an open and participatory selection process, the public may feel that their voices are no longer heard in policymaking. The legislative process involving the revision of the TNI Law has not escaped criticism. Many believe that this revision was conducted with a lack of transparency and public participation.

Parliamentary oversight of military institutions in Indonesia exhibits cooperative rather than adversarial characteristics. Ng & Kurniawan, (2024) reveal how this cooperative oversight model stabilizes civil-military relations by promoting harmonious working relationships, yet simultaneously stalls substantive reforms and erodes democratic defense sector management. The Parliament's largely reactive role enables formalization of practices already occurring informally, including MOOTW expansion and active-duty officer placement in civilian institutions.

Elite collusion mechanisms have both enabled and constrained democratic backsliding in Indonesia. Mietzner, (2024) demonstrates how legislative capture through super-majority coalitions facilitates executive aggrandizement while simultaneously establishing limits on authoritarian consolidation. This pattern explains why military expansion proceeds through formal legal channels rather than extra-constitutional means—elite pacts tolerate incremental authority expansion but resist wholesale democratic collapse that would threaten their own political advancement opportunities.

Furthermore, criticism of the closed legislative process and minimal public participation further strengthens the perception that this revision is not in accordance with the principles of democracy that should be upheld in a country that adheres to a rule-of-law system. From the explanation above, it is clear that the political dynamics behind the revision of the TNI Law not only affect civil-military relations, but also have long-term impacts on governance in Indonesia. Septiansyah & Verstek, (2025) The non-transparent and minimally participatory legislative process reinforces the impression that this revision is part of a broader political strategy to strengthen the military's position within the government. In this context, the revision of the TNI Law is not only a legal issue, but also a political one that reflects the current power dynamics in Indonesia.

### **The Bureaucratic Implementation Mechanism Can Still Maintain Professionalism and Accountability, Particularly Regarding the Expansion of Military Authority**

The persistence of informal military power despite formal institutional reforms represents a critical challenge to Indonesia's democratic consolidation. Kosandi & Wahono, (2020) examine the role of the military in Indonesian democracy since 1998, arguing that after two decades of democratic reforms, the military has not executed all necessary reform agendas toward achieving genuine professional military status. Their qualitative research reveals how Indonesian military successfully maintained its power and leverage in politics through securitization and strategic power negotiations with civilian elites.

Civilian elites, dependent on military support to secure power, were compelled to leave the military reform agenda largely to the military itself, creating a situation that has ensured military informal power while simultaneously halting substantive reform toward professional military standards. This pattern of incomplete reform creates structural vulnerabilities that the current TNI Law revision exploits, institutionalizing what previously existed as informal arrangements and thereby making democratic regression more difficult to reverse through future reform efforts.

Military professionalism and bureaucratic accountability represent critical yet under-examined dimensions of civil-military relations in democratizing contexts. Contemporary scholarship on military professionalism emphasizes importance of character development, ethical training, and institutional systems that promote accountability, responsibility, and adherence to democratic norms. However, military organizational cultures often privilege hierarchical authority, operational secrecy, and institutional autonomy over transparency and civilian accountability—creating tensions when military personnel occupy civilian bureaucratic positions requiring different professional standards and accountability mechanisms. These cultural differences become particularly problematic when active military officers hold civilian government positions, as dual loyalties and conflicting professional norms can undermine bureaucratic effectiveness and democratic governance.

Since 1998, Indonesia has launched a fundamental, gradual, and sustainable constitutional government reform in the fields of politics, law, public administration, economics, socio-culture, defense, and security towards good governance. *In* government reform, it requires a government bureaucracy as the organizer of the state that prioritizes competence, profession, and ethics in national life by prioritizing the principles of honesty, trustworthiness, exemplary behavior, discipline, work ethics, independence, tolerance, shame, sportsmanship, and maintaining the honor and dignity of the

nation. The bureaucratic establishment in organizing government faces challenges to respond to changes both internally and externally, thus requiring the reformation of government bureaucracy.

The reformation of government bureaucracy in responding to changes in the strategic environment in the implementation of government. The reformation of government bureaucracy through reorientation, revitalization, reconstruction and refunctionalization is based on a new paradigm of government bureaucracy that focuses on changing "*bureaucracy, mindsets, and transforming behavior*" in accordance with the foundation of values, systems, structures, and culture of state government. The challenges of government bureaucracy that are influenced by the internal strategic environment of government due to global environmental influences include: globalization of the feudal economy, government paradigms and decentralization, the progress of science, technology, communication and information, human rights, democratization and environmental changes and so on.

Meanwhile, internal challenges due to the influence of national and local environments that are synergistic to address the global environment in the context of multiple reforms, especially in the field of government in the form of corruption, collusion and nepotism (KKN), feudal bureaucratic culture, authoritarian leadership style, system quality, dysfunctional bureaucratic structure and behavior, low quality of bureaucratic knowledge and skills (professionalism and performance) the challenges of the government bureaucracy, impact the growth of "*bureaucratic pathology*" which requires strengthening and developing the capacity of the government bureaucracy "*capacity government bureaucracy*" in carrying out government functions based on values and ethics, bureaucratic structures and cultures that are based on performance based on competence, professionalism and proportionality.

The bureaucratic aspects of military organizations present unique challenges for democratic governance and civilian accountability. Unlike civilian bureaucracies that derive legitimacy from constitutional authority and public accountability, military bureaucracies operate through chain-of-command structures emphasizing discipline, hierarchy, and mission accomplishment over transparency and stakeholder participation (Haripin, 2019). When military personnel assume civilian bureaucratic roles, these competing organizational cultures create accountability gaps and professionalism deficits that compromise governance effectiveness. Research on bureaucratic reform demonstrates that successful public administration requires merit-based selection, professional competence, ethical conduct, and accountability to civilian authorities—principles potentially compromised when active military officers occupy positions traditionally reserved for civilian officials.

Military is a large government bureaucracy in any country. The administrative changes that have occurred in the military throughout the nation's history have been responsible for some of the most significant changes in public administration. The most significant public administration changes have occurred in the defense department, which has impacted more

public servants than any other change. The military is the largest government bureaucracy in any country. The administrative changes that have occurred in the military throughout the nation's history have been responsible for some of the most significant changes in public administration.

The bureaucratic aspects of military organizations present a model of accountability and democratic legitimacy that differs from that of civilian bureaucracies. In the professional model, the military is responsible for the fulfillment of civilian policy objectives, while the bureaucratic model relies more on the transmission of authority, direction, and, subsequently, legitimacy down the chain of command from the National Command authority. Similarly, the professional domain focuses “on the interaction of political actors at play in the institutional arrangements of government. In the bureaucracy In the military, there are two emphases, one emphasizing complete professional autonomy and the other emphasizing democratic control over the complexity and diversity of civil-military relations.

Regional comparative analysis reveals Indonesia's democratic trajectory carries significant implications for Southeast Asian governance norms and regional stability. While Indonesia's democracy appeared durable following 1998 Reformasi, recent developments suggest concerning parallels with democratic backsliding observed in Philippines, Thailand, and Myanmar, where military influence in politics has undermined civilian supremacy and democratic institutions (Diamond, 2021). However, Indonesia's large population, economic significance, and historical role as regional democratic model make its trajectory particularly consequential for Southeast Asian political development. Democratic regression in Indonesia could embolden authoritarian tendencies across the region, while successful resistance to militarization could strengthen regional democratic norms and civilian governance standards.

Military organizations, as prime examples of bureaucracies: initially highly coercive and mechanistic organizations with a sharp division of labor, and power (i.e., command and rule) flowing unidirectionally from the top, have faced considerable criticism from academics. Bureaucracy in the military has developed various responses to undesirable organizational phenomena such as nepotism, corruption, and misbehavior such as rigid hierarchies, political influence, or strong (physical) domination. Strict organizational rules, as a complement to community law, are important in preventing unacceptable behavior such as using weapons at will.

Bureaucratic organizational structure can be said that the bureaucratic organizational structure is an organizational design that regulates the relationship of roles, responsibilities, authority and authority and reflects the operation and process between units and ministries within the organization. Thus, the structure within the organization becomes the main foundation for the organization to be able to run and the organizational structure also becomes the driving force for the organization. In the organizational structure, the main point is to carry out tasks and responsibilities that are delegated evenly according to the expertise of each existing structural chart.

The convergence of domestic legitimacy deficits and international reputational risks creates critical junctures where civil society intervention becomes decisive for democratic trajectory. Halizah et al., (2025) document foreign investment implications of TNI Law revision, suggesting economic costs to democratic backsliding that extend beyond domestic political consequences to encompass international economic relations and investor confidence. Maintaining Indonesia's democratic credentials requires sustained civil society mobilization, robust parliamentary oversight, independent judicial review, and international pressure on Indonesian government to uphold constitutional commitments to civilian supremacy and democratic governance. These multilevel accountability mechanisms collectively constitute necessary conditions for preventing military domination and preserving democratic achievements gained through decades of reform efforts since 1998.

Septiansyah & Verstek, (2025) Indonesia is gradually undergoing bureaucratic reform in the dimensions of institutions, apparatus resources, and governance, both by the central government and regional governments. Moreover, Law No. 17 of 2007 concerning the 2005-2025 National Long-Term Development Plan stipulates that: "Development of the state apparatus is carried out through bureaucratic reform to increase the professionalism of the state apparatus and to realize good governance, both at the central and regional levels. The existence of government bureaucracy, as a personification of the state, will generally always be faced with: Guaranteeing the defense and security of the state

1. Maintaining order and conduciveness in society and the state
2. Good treatment distribution
3. Community Service
4. Improving community welfare
5. Increasing economic capacity and independence

The six points above are crucial in the implementation of government bureaucracy, both at the national and local levels. The strategic environment, as mentioned above, is a factor influencing the capabilities of the bureaucratic system itself. Therefore, the challenge for government bureaucracy is to respond to various changes occurring in a country's internal, religious, and even global society. Government bureaucracy has relevance to the government environment based on the system, structure and culture in carrying out functions, processes, behavior in carrying out government facing bureaucratic challenges or "*Bureaucratic Pathology*" both internally and externally, so that it requires government bureaucratic reform.

Government bureaucratic reform in responding to changes in the strategic environment in the administration of government. Government bureaucratic reform through reorientation, revitalization, reconstruction and functionalization based on a new paradigm of government bureaucracy that focuses on changing "*bureaucracy, mindset and transforming behavior*" in accordance with the foundation of values, systems, structures and culture of

state government. ,considering that government bureaucracy as a transformation of state and community interests, has a strategic and dominant position in the state administration system as a means of achieving state government goals Septiansyah & Verstek, (2025).

## CONCLUSION

The militarization of public functions under President Prabowo reflects the blurring of the civil-military divide through the placement of active and retired soldiers in strategic civilian positions, the expansion of the authority of the National Armed Forces (OMSP), and the revision of the TNI Law without adequate transparency. These policies reopen political and structural space for the military, weaken checks and balances, reduce the independence of the civilian bureaucracy, and increase the risk of military domination in non-defense sectors. This situation has the potential to threaten professionalism, human rights, and the future of democracy if not balanced by strong civilian control and the enforcement of the principles of the rule of law and good governance.

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## REFERENCES

- Crouch, H. (2010). *Political Reform In Indonesia After Soeharto*.
- Diamond, L. (2021). Democratic Regression In Comparative Perspective: Scope, Methods, And Causes. *Democratization*, 28(1), 22–42. <https://doi.org/10.1080/13510347.2020.1807517>
- Djuyandi, Y., Sudirman, A., & Suryana, N. (2025). Analisis Hubungan Sipil-Militer Di Indonesia Pasca Reformasi 1998. *Journal Of Political Issues*, 7(1), 46–56. <https://doi.org/10.33019/jpi.v7i1.337>
- Flick, U. (2022). *An Introduction To Qualitative Research*. <https://Www.Torrossa.Com/Gs/Resourceproxy?An=5409482&Publisher=Fz7200>
- Guest, G., Namey, E., & Chen, M. (2020). A Simple Method To Assess And Report Thematic Saturation In Qualitative Research. *Plos One*, 15(5), E0232076. <https://doi.org/10.1371/journal.pone.0232076>

- Halizah, A., Sains, S. R.-J., & 2025, Undefined. (2025). Implikasi Revisi Uu Tni Terhadap Iklim Investasi Asing: Studi Kasus Perusahaan Lg Di Indonesia. *Ejurnal.Kampusakademik.Co.Idan Halizah, Sap Rahayujournal Sains Student Research, 2025•Ejurnal.Kampusakademik.Co.Id, 3(3)*, 170–181. <https://doi.org/10.61722/jssr.v3i3.4666>
- Haripin, M. (2019). *Civil-Military Relations In Indonesia: The Politics Of Military Operations Other Than War*. <https://doi.org/10.4324/9781003089834>
- Haripin, M., (2023). Quasi-Civilian Defence Minister And Civilian Authority: The Case Study Of Indonesia's Ministry Of Defence During Joko Widodo's Presidency. *Journals.Sagepub.Comm Haripin, A Priamarizki, Ss Nugrohoasian Journal Of Comparative Politics, 2023•Journals.Sagepub.Com*. <https://doi.org/10.1177/20578911221095446>
- Honna, J. (2003). Military Politics In Pandemic Indonesia. *Cambridge.Orgj Honnaasia-Pacific Journal, 2020•Cambridge.Org, 18*. <https://doi.org/10.1017/s1557466020030107>
- Kosandi, M., & Wahono, S. (2020). Military Reform In The Post-New Order Indonesia: A Transitional Or A New Subtle Role In Indonesian Democracy? *Asian Politics & Policy, 12(2)*, 224–241. <https://doi.org/10.1111/aspp.12534>
- Lührmann, A., & Lindberg, S. I. (2019). A Third Wave Of Autocratization Is Here: What Is New About It? *Democratization, 26(7)*, 1095–1113. <https://doi.org/10.1080/13510347.2019.1582029>
- Masnun, M., Hukum, D. P.-N. J., & 2025, Undefined. (N.D.). Reconstruction Of The Normative Legal Research Paradigm In Responding To Global Challenges: An Epistemological Analysis. *Ejournal.Unesa.Ac.Idma Masnun, De Prasetionovum: Jurnal Hukum, 2025•Ejournal.Unesa.Ac.Id*. <https://doi.org/10.24071/njh.v12i3.74364>
- Mietzner, M. (2021). Sources Of Resistance To Democratic Decline: Indonesian Civil Society And Its Trials. *Democratization, 28(1)*, 161–178. <https://doi.org/10.1080/13510347.2020.1796649>
- Mietzner, M. (2024). Elite Collusion In Indonesia: How It Has Both Enabled And Limited Executive Aggrandizement. *The Annals Of The American Academy Of Political And Social Science, 712(1)*, 223–234. <https://doi.org/10.1177/00027162241309436>
- Nalle, V. I. W. (2026). Legislating Civil–Military Relations In Post- *Reformasi* Indonesia. *Global Change, Peace & Security, 1–18*. <https://doi.org/10.1080/14781158.2025.2611247>
- Ng, J., & Kurniawan, Y. (2024). The Parliament And Cooperative Oversight Of The Indonesian Armed Forces: Why Civil–Military Relations In Indonesia

- Is Stable But Still In Transition. *Journals.Sagepub.Comj Ng, Y Kurniawanarmed Forces & Society, 2024*•*Journals.Sagepub.Com, 50(3), 683–709. <https://doi.org/10.1177/0095327x221137281>*
- Sajida, S. (2026). The Expansion Of Military Influence In Indonesia's Governance: A Corpus-Assisted Discourse Analysis Of Media Narratives. *Elseviers Sajidasocial Sciences & Humanities Open, 2026*•Elsevier. <https://doi.org/10.1016/j.ssaho.2025.101234>
- Sambhi, N. (2021). *Generals Gaining Ground: Civil-Militar...* - Google Scholar. (N.D.). Retrieved February 13, 2026.
- Septiansyah, D., & Verstek, M. R.-. (2025). Strategi Pembuktian Yang Dilakukan Penuntut Umum Pada Perkara Narkotika Yang Dijatuhkan Hukuman Mati. *Jurnal.Uns.Ac.Id. <https://doi.org/10.20961/jv.v13i2.88528>*
- Yin, R. (2018). *Case Study Research And Applications*. [https://Www.Academia.Edu/Download/106905310/Artikel\\_Yustinus\\_Calvin\\_Gai\\_Mali.Pdf](https://Www.Academia.Edu/Download/106905310/Artikel_Yustinus_Calvin_Gai_Mali.Pdf)