



Human rights enforcement in demonstration handling in a democratic rule of law state

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Abstract

This study offers a novel analysis by integrating human rights law with the theory of state–global corporation relations. It focuses on demonstrations in Semarang City within the framework of a democratic rule-of-law state in a normative juridical method with statute, conceptual, and comparative approaches, specified as descriptive-analytical and prescriptive. Data collection relies on library research, while analysis uses grammatical and systematic interpretation of national legal norms and international human rights standards. Findings reveal that demonstrations are a constitutional right guaranteed by the law often violates the principle of gradual use of force and results in excessive use of force, making accountability and command responsibility crucial. Moreover, the relationship between the state and global corporations shows a tendency to prioritize strategic investment interests at the expense of local community rights. This integrative analysis produces normative recommendations for the Semarang City Government to strengthen accountability, harmonize national law with international standards, and protect freedom of expression as a pillar of democratic rule of law.

Keywords: Corporation, demonstration, human rights, proportionality, state law

Introduction

Labor actions in the industrial areas of Semarang city often draw public attention as they highlight the tensions between workers' interests and corporate interests. Workers frequently demand normative rights such as fair wages, social security and humane working conditions. These demonstrations not only reflect the dynamics of industrial relations but also serve as a test for the state in upholding human rights, particularly the right to express opinions in public. Kompas reported that police in Semarang were deemed to have violated human rights by arbitrarily arresting hundreds of people, including minors, without access to legal assistance (Utami, 2025)^[21].

Students demonstrations in front of the Semarang City Governor's office and City DPRD demonstrate the role of the younger generation as agents of social change. Students often raise issues related to public policy, corruption, human rights, and education policy. Their presence in public spaces underscores that democracy in Indonesia requires active participation from citizens, and in other words, the state is also obligated to guarantee that freedom without excessive repressive actions from security forces.

Protest against strategic development of investment projects in Semarang reveal conflicts of interest between local communities and global corporations backed by the state. When these projects are perceived as threatening the living environment or disregarding the rights of indigenous and local communities, demonstrations become a means of articulating rejection by the public. LBH Semarang has revealed six legal violations by the Central Java Police in handling demos in Semarang, including the use of violence and arrests without clear legal procedures. In this context, a democratic rule of law state is challenged to balance economic interests with the protection of its citizens' rights.

Public discourse on repressive versus persuasive approaches in handling demonstrations is becoming increasingly

relevant. Repressive approaches often lead to human rights violations, while persuasive approaches emphasize dialogue and mediation. This debate reflects the search for a law enforcement model that aligns with democratic principles in Indonesia. The right to demonstrate has a strong constitutional basis, as stated in article 28E paragraph (3) of the 1945 constitution, which affirms the freedom to assemble and express opinions. This guarantee positions demonstrations as part of non-derogable human rights, except for lawful and proportional restrictions in the interest of public order. (Marwandianto, 2020)^[11]

Law number 9 of 1998 on freedom of expression in public serves as the legal instrument regulating the implementation of demonstrations. This law provides procedures for notification, responsibilities of organizers, and the obligations of authorities to maintain security without diminishing the substance of freedom of expression. However its field implementation frequently sparks controversy, particularly when authorities prioritize order over the protection of citizens' rights. This raises questions about the state's consistency in upholding democratic principles.

International human rights standards, as set forth in the international covenant on civil and political right to peaceful assembly. As a state party, Indonesia is obligated to align its practices in handling demonstrations with these universal principles. The non-violence principle in international human rights standards emphasizes that security forces must not use excessive violence. Demonstrations must be regarded as peaceful expressions, unless they are demonstrably posing a serious threat to public security. These standards serve as a benchmark for democratic rule of law states, including Indonesia (Komnas HAM, 2021)^[17].

The dynamics of handling demonstrations in Semarang reveal variations in approach. Sometimes, authorities use persuasive methods by opening spaces for dialogue, but

repressive actions are not infrequently taken under the pretext of maintaining stability. These differing approaches indicate a lack of consistency in human rights enforcement practices in Indonesia. According to several sources, there has been a recorded increase in violence perpetrated by authorities against demonstrators. Based on the data finding above, it can be concluded that acts of violence against protest participants continue to occur. This indicates that law enforcement officials have not fully carried out their duties in accordance with applicable regulations (Buldani, 2025)^[4].

The relationship between the state and global corporations in the context of demonstrations become a crucial issue. When strategic investment interests are deemed more important than public aspirations, the state tends to side with corporations (Natamiharja, 2025)^[13]. This raises questions about the democratic rule of law state's impartiality toward its people. A democratic rule of law state should prioritize citizens' rights. Demonstrations serve as a mechanism for social control over state policies and corporate activities. Therefore, the handling of demonstrations must be grounded in the principle of respect for human rights.

Actions by workers, students, and local communities in Semarang demonstrate that protest are not merely expressions of dissatisfaction, but also means of political participation. A democratic rule of law state is required to accommodate this participation as part of the democratic process. When authorities employ repressive approaches, public trust in the state can decline. Conversely, persuasive approaches emphasizing dialogue can strengthen the legitimacy of the democratic rule of law state. Therefore, the choice of approach serves as an indicator of democratic quality.

Demonstrations in Semarang also illustrate how local issues connect to global dynamics. Protests against strategic investments are often linked to multinational corporations. This relationship shows that human rights enforcement faces not only the state but also global actors. From a human rights perspective, demonstrations are fundamental rights that cannot be restricted arbitrarily. Restrictions may only be imposed for lawful, proportional reasons in accordance with international standards. This demands that the state exercise caution in its actions.

Handling demonstrations in accordance with human rights principles can strengthen Indonesia's image as a democratic rule of law state. Conversely, human rights violations during demonstrations can damage its international reputation and provoke global criticism. Semarang City, as a case study, illustrates the complexity of human rights enforcement in a local context. Protests by workers, students, and local communities serve as a mirror reflecting how a democratic rule of law state is tested in real practice. Analysis of human rights enforcement in handling demonstrations in Semarang provides insight that democracy is not merely about procedures, but also about the substance of protecting citizens' rights. A democratic rule of law state is demanded to be consistent in guaranteeing freedom of expression.

Previous studies (Widodo, 2024)^[22] have discussed demonstration rights, however none analyze the relation between state, global corporations, and human rights enforcement in Semarang. Therefore, this research fills the gap by emphasizing the handling of demonstrations in Semarang city that serves as a critical arena for assessing the extent to which a democratic rule of law state can

balance political, economic, and social interests while ensuring the protection of citizens' fundamental rights.

Method

The type of research used is normative juridical research, which is legal research grounded in positive law norms, legal doctrines, and principles. Its focus is to examine legal regulations related to human rights enforcement in handling demonstration actions and to relate them to the relationship between the state and global corporations within the framework of a democratic rule of law state. To achieve comprehensive analysis, this research adopts several approaches. First, the statute approach through an examination of national legislation and international instruments governing citizens' rights in demonstrations, as well as relevant regulations on the issues under study. Second, the conceptual approach using concepts of the democratic rule of law state, human rights, and theories on state-global corporation relations to build an analytical framework. Third, the comparative approach by comparing demonstration handling practices in Indonesia, particularly in Semarang City.

This research is specified as descriptive-analytical, describing the facts of handling demonstration actions in Semarang City, then analyzing them based on applicable legal norms and perspectives, while providing normative recommendations on how human rights enforcement should be conducted in handling demonstrations to align with the principles of a democratic rule of law state. Data is collected through library research by examining primary legal materials such as the 1945 Constitution, Human Rights Law, Police Law, Criminal Code, and international instruments like the ICCPR. Secondary materials consist of academic literature, legal journals, and previous studies related to demonstrations and human rights. Tertiary materials include legal dictionaries, encyclopedias, and relevant indexes.

Analysis is conducted using grammatical interpretation, which interprets legal provisions according to the meaning of words and language structure in legislation, and systematic interpretation, which interprets legal norms by relating them to the overall national and international legal system, thereby achieving a consistent understanding of human rights enforcement in the context of demonstrations.

Results and Discussion

1. Demonstrations as Constitutional Rights and Their Legal Limitations

The constitutionality of democratic rights emphasizes the alignment of citizens' fundamental rights in the democratic process with the Constitution as the supreme law. In Indonesia, citizens' democratic rights are guaranteed by the 1945 Constitution to ensure popular sovereignty and the supremacy of law. Demonstrations constitute a constitutional right of citizens to express opinions in public. As stipulated in Article 28E paragraph (3) of the 1945 Constitution, which states: "Every person shall have the right to freedom of association, assembly, and expression." (Aryandani, 2024) This is also regulated in Law No. 9 of 1998 on Freedom of Expression in Public, as well as Indonesian National Police Chief Regulation (Perkap) No. 7 of 2022, thereby making it an integral part of constitutional democracy. The right to demonstrate stems from freedom of expression as a universal human right,

recognized in Article 15 of Law No. 9/1998, which guarantees freedom without coercion or violence. The right to demonstrate is fundamental, but it must not be exercised in an absolute or unlimited manner. In democracy, every freedom is always accompanied by responsibility. (Suharto, 2024)

The principle of lawful restrictions on demonstrations, from both international human rights and Indonesian national law perspectives, refers to the constitutional and statutory framework that guarantees the rights to association and expression while protecting legal order and the rights of others. Human rights are rights guaranteed by the constitution. Additionally, human rights guarantees are evident through the ratification of the International Covenant on Civil and Political Rights (ICCPR) via Law No. 12 of 2005, and Law No. 39 of 1999. Although human rights are guaranteed by all existing instruments, in practice, human rights may still be limited.

The concept of human rights limitations is indeed justified. However, any existing limitations must be based on Article 28J paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states: "In exercising their rights and freedoms, every person shall be subject to the restrictions established by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting just demands based on considerations of morality, religious values, security, and public order in a democratic society." The Constitutional Court, in its Decision No. 2-3/PUU-V/2007, has stated that no human right is unlimited; rather, all are subject to the limitations set forth in Article 28J paragraph (2) of the 1945 Constitution of the Republic of Indonesia.

The principle of lawful restrictions on demonstrations in Indonesia refers to the constitutional and statutory framework that guarantees the rights to association and expression while protecting public order and the rights of others. These restrictions must meet the three-part test to ensure proportionality and non-discrimination (Bantuanhukum, 2019) ^[8]. Freedom of speech is not an absolute right and may be limited. Under strict conditions when necessary and carried out proportionally. According to the International Covenant on Civil and Political Rights (ICCPR), Article 19(3) permits restrictions on certain rights if prescribed by law and necessary to respect the rights or reputation of others, protect national security, public order, public health, or morals. Additionally, freedom of speech is typically limited to remedy or prevent harm to state authority. The state's institutional efforts in this regard are considered legitimate and necessary. In this sense, the important categories of limitations on freedom of speech are designed to protect the rights and freedoms of others (Chakim, 2020) ^[11].

Additionally, the principle of proportionality requires that restrictions not be excessive—for example, the dispersal of demonstrations is only legitimate if there is a real threat to public safety. The principle of non-discrimination must also be upheld, so restrictions may not be imposed based on political views, religion, or the identity of specific groups. The legality–necessity–proportionality test serves as an academic instrument for evaluating whether state restrictions on demonstrations can be justified.

The proportionality test serves as a constitutional analysis tool for assessing the legality of human rights (HAM) limitations, ensuring that such restrictions do not exceed

what is necessary and remain balanced with constitutional objectives. In Indonesia, this test is grounded in Article 28J paragraph (2) of the 1945 Constitution, which mandates limitations for recognizing others' rights and fair moral demands, frequently applied by the Constitutional Court (MK) in judicial review (Advokatkonstitusi, 2021) ^[15]. Proportionality is not merely balancing two equivalent values, but rather a multi-stage test that places the burden of proof on the state to justify its actions (Martin, 2023) ^[10].

The state has a positive obligation to facilitate demonstrations as a constitutional right of citizens, rooted in the principle that the freedom to assemble and express opinions constitutes part of human rights guaranteed by Article 28E paragraph (3) of the 1945 Constitution. This right not only requires the state to refrain from interference but also obligates it to actively provide safe spaces, non-repressive administrative mechanisms, and legal protection for demonstrators. The police, as state apparatus, fundamentally have the duty to maintain security and order during demonstration activities. This is regulated in the Chief of the Indonesian National Police Regulation No. 7 of 2012 on Procedures for Service, Security, and Handling of Public Expression Cases, which emphasizes the use of persuasive approaches and respect for human rights in securing demonstrations. Nevertheless, field practices often reveal discrepancies between legal norms and their implementation. In several cases, demonstration handling has been marred by excessive use of force by police, such as forced dispersal, arrests without clear procedures, and violent actions against demonstrators (Suardan, 2026) ^[16].

Law No. 9 of 1998 affirms that demonstrations are a citizens' right with a notification mechanism, not a permit, thereby obligating the state to facilitate coordination without diminishing the substance of that right. Within the framework of international law, Article 21 of the ICCPR also affirms the right to peaceful assembly can only be restricted for legitimate purposes such as public security, public order, public health, or morals, as well as the protection of others' rights (Taylor, 2020) ^[20]. The state's positive obligations encompass several important aspects. First, the state must ensure protection of demonstrators from violence, whether from authorities or third parties. Second, the state is required to provide public spaces that enable demonstrations to proceed without intimidation. Third, administrative mechanisms such as notifications must be understood as coordination tools, not instruments for rejecting or limiting rights. Fourth, the state must recognize demonstrations as a means of citizens' political participation, thereby serving as an indicator of democratic quality and rule of law. Thus, the state's positive obligations are active and substantive, rather than merely passive.

2. Use of Force and Police Accountability from a Human Rights Perspective

The principle of graduated use of force emphasizes that authorities must begin with the most minimal measures before escalating to harsher actions. This process typically starts with communication, mediation, and warnings before physical force is employed. The International Committee of the Red Cross (ICRC) affirms that the use of force must always be proportional and in accordance with international humanitarian law, particularly in the context of peaceful civilian crowds. This principle aims to prevent conflict escalation and protect citizens' rights to assemble and

express opinions. In Indonesia, this principle is often disregarded when authorities immediately resort to repressive measures without going through persuasive stages. This has drawn criticism from civil society, which views authorities as inconsistent with international human rights principles.

Additionally, the graduated principle emphasizes the importance of de-escalation, namely efforts to reduce tension through communication before using physical force. Authorities must strive to avoid clashes by opening spaces for dialogue. International human rights guidelines emphasize that authorities must prioritize protection of the freedom to assemble and express opinions. In practice in Semarang, cases of worker and student demonstrations show that authorities often skip persuasive stages. This reveals weak internalization of the graduated principle in demonstration handling. Therefore, the application of this principle becomes an important indicator of whether the state truly respects citizens' rights or merely maintains political and economic stability.

Referring to a demonstration case in Indonesia, excessive use of force—or disproportionate force—was identified in response to the situation faced by authorities. The National Human Rights Commission (Komnas HAM) recorded allegations of violations by authorities in a demonstration that resulted in the death of an online motorcycle taxi driver, where Brimob was suspected of using excessive force. This practice clearly contradicts Article 21 of the ICCPR, which guarantees the freedom for people to assemble and express opinions peacefully. Additionally, Komnas HAM has also identified and highlighted excessive use of force carried out by authorities in several demonstration cases in Indonesia that resulted in multiple fatalities. This demonstrates that the practice of excessive use of force remains a serious problem in Indonesia. Indonesia's Minister of Human Rights, Natalius Pigai, has also emphasized that demonstration handling must not involve excessive violence, but rather uphold restorative justice. Cases in Indonesia show that excessive use of force continues to be a serious issue causing deaths and injuries. Therefore, strict oversight of authorities is essential to prevent excessive use of force from recurring in demonstration handling.

The enforcement of peaceful demonstration practices without repressive actions by authorities must also be grounded in accountability. Accountability in this context means that every action by authorities must be legally, ethically, and professionally justifiable. Transparency and accountability are key to future law enforcement, as emphasized by Hukumonline in its analysis of police reform. Authorities must explain the legal basis for every action, including the use of force. Without accountability, authorities' actions risk becoming human rights violations that erode public trust. Media Indonesia asserts that the police, as a civilian institution, must continue transforming into an accountable and credible body in human rights enforcement. Thus, the accountability of authorities is an absolute requirement for a democratic rule of law state to maintain legitimacy and public trust.

Indometro Law Office highlights that the accountability of authorities in investigation and detention processes is often weak, with cases of arbitrary detention and procedural violations. This situation raises questions about the extent to which law enforcement accountability is applied in Indonesia. Accountability in law enforcement means the

responsibility of public officials to carry out their duties in accordance with the law, ethics, and professionalism. Therefore, the accountability of authorities is an absolute requirement for a democratic rule of law state to maintain legitimacy and public trust. Without accountability, authorities' actions risk becoming human rights violations that erode public trust.

Juridical analysis shows that command responsibility involves the extent to which leaders, officers, or military officials are accountable for the actions of their subordinates. In international law, command responsibility can be found in various legal instruments such as the 1949 Geneva Conventions and Additional Protocol I to the Geneva Conventions of 1949. In national law, command responsibility is found in Law No. 26 of 2000 on Human Rights Courts in Indonesia. This demonstrates that the principle of command responsibility has a strong foundation in both international and national law.

The theory of command responsibility is often associated with violations of human rights and human dignity that result in the loss of fundamental rights. This responsibility is considered essential to prevent arbitrariness by leaders or civilian superiors regarding actions carried out by their subordinates while failing to take appropriate measures to prevent them. Additionally, international law journals affirm that command responsibility enables both civilian and military leaders to be held criminally accountable for their subordinates' actions, in accordance with the Rome Statute. Through the application of this principle, the state can ensure that human rights violations are not borne solely by direct perpetrators, but also by negligent leaders.

Harmonizing national law with international standards is essential to ensure consistent human rights enforcement in Indonesia operates properly. This harmonization or adjustment process between international and national law aims to create alignment between rules applicable at the international level and domestic regulations governing society within a country. The importance of legal harmonization cannot be overlooked, especially in the era of globalization and increasing inter-state interactions that demand unity and consistency in legal application. One important aspect of legal harmonization is preventing conflicts between international provisions and domestic law. The relationship between international law and national law often creates conflicts, making harmonization a solution to prevent potential legal inconsistencies. Reviewed through Diponegoro University literature studies, this emphasizes the urgency of harmonizing national law with global legal developments, particularly after Indonesia ratified various international human rights instruments. In the context of demonstrations, harmonization means that Law No. 9 of 1998 must be implemented in accordance with the ICCPR and international human rights standards. Without harmonization, repressive practices by authorities will continue to contradict Indonesia's international obligations. Thus, legal harmonization becomes a crucial foundation for a democratic rule of law state to consistently enforce human rights at both national and global levels.

3. State Global Corporation Relations in Handling Semarang Demonstrations

In a democratic rule of law state, the use of force by state authorities in handling demonstrations cannot be separated from the fundamental principles of law enforcement

oriented toward human rights protection. These principles include legality, necessity, proportionality, and accountability, which serve as normative boundaries to prevent the use of force by authorities from developing into repressive actions that violate civil liberties. These principles are also universally recognized in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which affirm that law enforcement officials may use force only when strictly necessary and must apply it proportionally to the threat faced.

In a democratic state, demonstrations represent one form of public political participation in the public policymaking process. Therefore, the state's approach to managing demonstration actions should not focus solely on security dimensions, but also on efforts to ensure democratic space that enables the public to express aspirations peacefully. From this perspective, state authorities do not merely function as guardians of public order, but also as protectors of citizens' constitutional rights.

However, in social reality, the practice of handling demonstrations is often influenced by various structural factors, including economic dynamics and development interests. Semarang City, as one of Central Java's main economic growth centers, hosts several industrial zones that serve as production sites for various national and multinational companies. The existence of these industrial zones not only drives regional economic growth but also creates potential social conflicts related to labor issues, wage policies, and the social impacts of industrial development.

In a democratic state, demonstrations represent one form of societal political participation in the public policymaking process. Therefore, the state's approach to managing demonstration actions should not focus solely on security dimensions, but also on efforts to ensure democratic space that enables society to express aspirations peacefully. From this perspective, state authorities do not merely function as guardians of public order, but also as protectors of citizens' constitutional rights (Michalowski, 2006) ^[12].

In a democratic rule of law framework, the application of the graduated use of force principle becomes a crucial instrument to ensure that authorities' actions remain within lawful boundaries. This principle requires authorities to prioritize persuasive and preventive approaches before resorting to coercive measures. These stages typically begin with communication with action coordinators, non-violent crowd control, use of crowd control equipment, and limited physical force only when the situation genuinely necessitates such action.

This graduated approach not only aims to maintain public order but also ensures that the state continues to fulfill its obligation to protect freedom of expression as part of human rights. From a police law perspective, the function of securing demonstrations must be understood as part of public service that guarantees the continuity of democratic space, not as a repressive mechanism to limit public political participation (Aziz, 2023) ^[1]. Therefore, the implementation of the graduated use of force principle becomes an important indicator in assessing the extent to which the state carries out its human rights protection function in demonstration handling practices.

Although the graduated use of force principle has been recognized in various national regulations and international

standards, the practice of handling demonstrations in various regions still shows a tendency toward excessive use of force. From a human rights law perspective, the use of force by authorities can be categorized as excessive if it fails to meet the proportionality principle, is not based on real threats to public security, and is not used as a last resort.

Criminal law and human rights studies of police violence during protest actions reveal that excessive force practices often relate to a security paradigm that still positions demonstrations as potential public order disturbances. This paradigm encourages authorities to prioritize repressive approaches in crowd control, resulting in force often applied disproportionately to the level of threat faced.

In addition to institutional factors, social dynamics within demonstrations can also influence conflict escalation between demonstrators and authorities. Research on student aggressiveness in demonstrations indicates that psychological factors such as self-control, group dynamics, and mass mobilization can affect collective behavior during protest actions (Maghfiroh, 2019) ^[8]. Under certain conditions, conflict escalation between demonstrators and authorities can occur if there is no effective communication mechanism in managing mass actions.

Nevertheless, in the context of state-global corporation relations, the use of excessive force cannot always be understood solely as an issue of individual apparatus behavior. In some cases, demonstrations related to investment or industrial development issues can be perceived as threats to regional economic stability. Such perceptions have the potential to influence the security approach used by authorities in controlling demonstrations, especially when protest actions are seen as disrupting production activities or strategic development projects.

This situation demonstrates that the use of force in handling demonstrations cannot be separated from the political-economic dynamics that influence security policies. If not controlled through clear legal mechanisms, such conditions have the potential to create structural biases in law enforcement, where authorities are more responsive to economic interests than to protecting citizens' civil rights. In fact, constitutionally, the freedom to express opinions in public is a human right guaranteed under Article 28E paragraph (3) of the 1945 Constitution and further regulated in Law No. 9 of 1998 on Freedom of Expression in Public. Therefore, any use of force that does not meet the principles of legality, necessity, and proportionality can be categorized as a human rights violation that contradicts the principles of a democratic rule-of-law state.

Accountability is a fundamental element in a democratic law enforcement system. This principle requires that every action by state apparatus be accountable legally, administratively, and ethically to society. In the context of handling demonstrations, accountability plays a crucial role in ensuring that the use of force by authorities does not evolve into an abuse of power.

Research on law enforcement accountability toward police apparatus who commit acts of violence shows that accountability mechanisms for apparatus often face various structural obstacles, including weak internal oversight systems and limited access for victims to justice mechanisms (Ismail, 2023) ^[7]. Such conditions can affect the effectiveness of oversight systems for apparatus actions in demonstration security operations.

In law enforcement practice, apparatus accountability can at least be viewed through three main dimensions: legal accountability, institutional accountability, and public accountability. Legal accountability relates to the possibility of imposing criminal or administrative sanctions on apparatus who commit legal violations. Institutional accountability relates to the police institution's responsibility to provide effective internal oversight mechanisms through bodies such as the Professional and Security Division (Propam). Meanwhile, public accountability relates to society's right to obtain transparency regarding the demonstration security process and mechanisms for handling alleged violations by apparatus.

In the context of state-global corporation relations, accountability also serves as a control mechanism to prevent potential conflicts of interest in securing investment projects or certain economic activities. The state must ensure that apparatus do not act as instruments for protecting corporate interests, but instead continue to fulfill their primary function as protectors of citizens' constitutional rights.

In the hierarchical police organizational system, responsibility for apparatus actions in security operations lies not only with field implementers but also with the command structure that issues operational orders. This principle is known in international law as command responsibility, a doctrine stating that leaders can be held accountable for violations committed by their subordinates if they knew or should have known about such violations but failed to take preventive or punitive measures.

The concept of command responsibility initially developed in international humanitarian law, particularly in the context of war crimes and gross human rights violations. However, in its development, this principle has also been used to analyze structural responsibility in various forms of human rights violations committed by state agents, including in crowd-control operations (Maharani, 2024) [9]. In the context of securing demonstrations in areas like Semarang City, the police command structure plays a strategic role in determining crowd control strategies, including force usage policies and operational decision-making in the field. Therefore, if repressive actions exceeding legal limits occur, responsibility does not stop at field officers but can also be traced to the operational command level with authority in planning and controlling security operations. The application of the command responsibility principle becomes essential to ensure that the law enforcement system does not focus solely on individual apparatus accountability but also considers structural responsibility within the police organization.

Protecting demonstration rights in a democratic rule-of-law state requires harmonization between national law and international human rights standards. Normatively, Indonesia already has several regulations governing freedom of expression and demonstration security, including Law No. 9 of 1998 on Freedom of Expression in Public and Law No. 39 of 1999 on Human Rights.

Nevertheless, various studies indicate that the implementation of these regulations still faces challenges in practice, particularly in applying the principle of proportionality and protecting human rights during crowd control (Alfaher, 2024) [2]. These challenges become even more complex in the context of economic globalization, where multinational corporate activities exert significant influence on national and regional development policies.

Within the framework of international human rights law, states have an obligation to protect society from potential human rights violations committed by non-state actors, including corporations. This principle is known as the state duty to protect in the United Nations Guiding Principles on Business and Human Rights (UN, 2011) [14]. The principle affirms that states are not only obligated to respect human rights but must also take necessary steps to prevent human rights violations related to business activities.

Therefore, in the context of handling demonstrations related to investment or industrial development issues, the state must ensure that security policies are not used to limit public participation in the public decision-making process. Harmonization between national law and international human rights standards becomes an important step to ensure that the state continues to fulfill its function as a protector of human rights within democratic space.

Conclusion

Based on the analysis conducted, this research concludes that the handling of demonstration actions in a democratic rule-of-law state is not merely a matter of maintaining public order, but also reflects the interaction between the state, civil society, and economic interests in the development process. In Semarang City as an industrial growth center, demonstrations frequently arise from labor issues, development policies, and investment projects involving national and global actors, placing state apparatus in a position that requires balancing security obligations with the protection of constitutional rights to freedom of expression. The use of force in handling demonstrations must comply with the principles of legality, necessity, proportionality, and accountability as regulated in national law and international human rights standards, and violations of these principles may constitute excessive use of force that leads to human rights violations. This research also finds that accountability does not rest solely on field officers but extends to the command structure through the principle of command responsibility, indicating that potential human rights violations are influenced not only by individual actions but also by the relationship between the state and economic interests. Therefore, strengthening dialogic approaches, improving understanding of international human rights standards, enhancing oversight mechanisms, and integrating human rights principles into regional development policies are necessary to ensure that the protection of freedom of expression remains a fundamental element of a democratic rule-of-law state.

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