



DEMOCRATIZING INTELLIGENCE OVERSIGHT IN INDONESIA: CHALLENGES, REFORMS, AND COMPARATIVE INSIGHTS

Muhammad Nur Abdul Latif Al Waroi¹

¹National Resilience Studies, School of Strategic and Global Studies, University of Indonesia, Indonesia
Email: latif.alwaroi46@gmail.com¹

Abstract

This study examines the democratization of intelligence oversight in Indonesia, emphasizing the need for robust accountability frameworks within its intelligence sector. While established democracies employ comprehensive oversight structures that include legislative, judicial, and independent bodies, Indonesia's current framework remains underdeveloped, constrained by historical, political, and institutional factors. The study explores Indonesia's oversight mechanisms compared to models from mature democracies such as those in Denmark, the United States, and Germany, where parliamentary committees, independent agencies, and judicial reviews collectively ensure transparency and mitigate abuse of power. Findings reveal that Indonesia's primary oversight challenges stem from limited legislative authority, insufficient judicial engagement, and a need for more independent oversight bodies. Additionally, limited public participation, including civil society and media, further hinders transparency. To enhance democratic intelligence oversight, this paper suggests reforms, including establishing specialized oversight committees, independent review agencies, and judicial oversight protocols. Such measures are essential for protecting civil liberties, fostering public trust, and ensuring intelligence accountability within Indonesia's evolving democratic landscape. This research contributes to the global discourse on intelligence reform, highlighting strategies for emerging democracies to strengthen intelligence governance in response to modern security challenges.

Keywords: Democratic Oversight, Intelligence Accountability, Indonesia, Civil Liberties, Intelligence Reform

INTRODUCTION

Intelligence oversight development reflects a longstanding effort to balance security needs with democratic accountability. In democratic societies, intelligence agencies wield substantial powers, which must be regulated to prevent abuses and preserve public trust. Oversight frameworks have evolved in response to specific challenges and historical events, and countries have developed mechanisms to ensure that intelligence agencies remain accountable. For example, Denmark has implemented a dual structure of legislative and independent oversight bodies to monitor intelligence practices while respecting civil liberties (Andersen et al., 2022). Similarly, the oversight frameworks within the Five Eyes alliance underscore the importance of a balanced approach that integrates legislative review and transparency in intelligence practices (Battersby & Ball, 2023).

These global efforts highlight how oversight mechanisms have adapted to evolving security needs, including non-traditional threats like terrorism and cyber threats. This evolution reflects a universal trend where democratic oversight grows in importance as intelligence operations expand in scope. The increasing power of intelligence services has led to greater demands for accountability, with oversight bodies now focusing on domestic and international intelligence activities. However,

implementing effective oversight remains challenging as countries navigate complex security landscapes while adhering to democratic principles (R. W. Bellaby, 2022; Cayford et al., 2018).

In Indonesia, intelligence oversight is relatively new, influenced by the nation's historical context and democratic transition. For much of Indonesia's history, the intelligence community operated with limited transparency, often serving as an instrument of control during the authoritarian New Order period. Following the shift to democracy in 1998, new frameworks aimed at governance and oversight emerged, although Indonesia's intelligence sector still faces challenges in fully adopting democratic oversight. The current intelligence framework includes agencies such as Badan Intelijen Negara (BIN), which manages domestic and international intelligence functions. Despite reforms, critics argue that the legal structure surrounding intelligence agencies lacks robustness, raising concerns about potential abuses of power (Matei, 2014).

Indonesia's intelligence landscape also reflects broader socio-political challenges. The role of civil society and the media in fostering accountability has been limited, which poses significant obstacles to genuine oversight. In addition, Indonesia's intelligence agencies confront emerging security threats, such as terrorism and cyber-attacks, necessitating robust intelligence operations. Balancing these security needs with transparency and accountability is essential for establishing a democratic oversight structure. Drawing lessons from countries with established oversight mechanisms may offer valuable insights as Indonesia seeks to strengthen its governance frameworks (Lefebvre, 2003).

The primary aim of this review is to examine the democratic oversight mechanisms within Indonesia's intelligence sector and to identify the challenges that impede effective accountability. Democratic control over intelligence is crucial for preventing abuses, protecting civil liberties, and ensuring intelligence agencies function in the public interest. This review analyzes Indonesia's oversight mechanisms in a comparative context, drawing from established democracies to highlight areas for improvement. In particular, this study addresses how Indonesia's historical and political context influences its approach to intelligence governance.

Understanding these challenges is crucial, given Indonesia's strategic role in addressing regional security issues. This study evaluates existing legislative and institutional structures, assessing their effectiveness in promoting transparency, accountability, and civil rights protection. Additionally, this review will explore Indonesia's specific socio-political challenges, such as public trust, that impact the democratic oversight of intelligence. Through this analysis, the review aims to contribute to ongoing discussions on intelligence reform and the democratization of security governance in Indonesia (Brantly, 2014).

This review contributes to the broader discourse on intelligence oversight in emerging democracies by addressing these objectives. Studies on intelligence reform in new democratic contexts, such as Bruneau's work on counterterrorism, demonstrate the importance of continuously refining oversight mechanisms to address changing security environments effectively. By examining

Indonesia's experiences, this review seeks to inform policymakers, academics, and civil society about practical and theoretical approaches to enhancing intelligence oversight (de Castro Garcia et al., 2017).

LITERATURE REVIEW

Concept of Democratic Control of Intelligence

1. Definition and Purpose

Democratic intelligence control involves a structured system that ensures intelligence agencies operate within legal bounds, are answerable to elected officials, and maintain public accountability. The central goal of this oversight is to prevent power abuse, safeguard citizens' rights, and bolster public trust in governmental institutions. Democratic societies recognize that while intelligence agencies possess substantial authority for covert operations, this power necessitates rigorous oversight to prevent misuse. Effective democratic control requires intelligence activities to align with national security needs without infringing on individual rights, thus striking a balance between security and civil liberties (R. W. Bellaby, 2022).

The mechanisms of democratic oversight are designed to maintain transparency and accountability while protecting intelligence agencies' operational effectiveness. In democracies, intelligence agencies are expected to uphold national security without overstepping ethical and legal boundaries. The purpose of democratic oversight is to regulate intelligence activities and reinforce the legitimacy and public trust in these agencies within democratic governance (Bateman, 2023).

2. Legal and Ethical Foundations

Legal frameworks are foundational to intelligence oversight, providing structured mechanisms that hold intelligence agencies accountable. For instance, Denmark's legislative framework integrates parliamentary and independent bodies to ensure intelligence activities conform to democratic and national security standards (Andersen et al., 2022). Similarly, countries in the Five Eyes alliance emphasize adherence to national laws and ethical guidelines across intelligence activities that may span multiple jurisdictions (Battersby & Ball, 2023).

In addition to legal frameworks, ethical norms guide the conduct of intelligence personnel, setting boundaries that prevent ethical breaches. A core ethical challenge in democratic intelligence involves balancing transparency with the need for operational secrecy. Ethical standards delineate acceptable practices for surveillance, personal data handling, and covert operations, thereby embedding respect for individual rights within intelligence practices. As R. W. Bellaby (2022) highlights, intelligence operations increasingly face ethical complexities, especially with the advent of cybersecurity and international cooperation, necessitating an updated paradigm integrating ethical considerations into intelligence governance.

3. Theoretical Models of Oversight

Several models of intelligence oversight have been developed, reflecting different priorities and structures within democratic governance. One prominent model is legislative oversight, where parliamentary or congressional committees monitor intelligence agencies' activities. This model, prevalent in Western democracies such as the United States and several European countries, allows legislative committees to review intelligence budgets, investigate misconduct, and ensure adherence to democratic principles (de Castro Garcia et al., 2017).

Another model involves independent oversight bodies, such as inspector generals or ombudspersons, which operate autonomously from government influence. In countries like Germany and the Netherlands, independent bodies audit intelligence practices and investigate public complaints, providing impartial oversight that reduces the risk of politicization (Oomens et al., 2024). Combining legislative oversight with independent bodies, hybrid models offer a more comprehensive accountability structure. Denmark's oversight system, for example, includes parliamentary committees and independent agencies, fostering a multi-layered approach to intelligence governance that is increasingly regarded as effective in addressing modern intelligence challenges (Hillebrand, 2019).

METHOD

This study employs a comparative and multidisciplinary approach, integrating theoretical analysis with practical examples from worldwide oversight frameworks. The research uses qualitative and comparative methodologies to assess Indonesia's intelligence oversight mechanisms, including analyzing legislative documents, policy reports, and case studies. By referencing established models from mature democracies such as the legislative oversight committees in the United States and the parliamentary commissions in Europe this study establishes a foundation for evaluating Indonesia's progress and identifying potential areas for reform (Abdalla, 2024).

The literature reviewed includes contributions from scholars like R. Bellaby (2012) and Lahneman (2010), who offer frameworks for understanding the ethical dimensions of intelligence oversight, while Matei Bruneau (2011) provides best practices that may guide reform strategies for Indonesia's intelligence sector. Theoretical frameworks are examined alongside practical case studies to form a comprehensive understanding of the challenges in intelligence governance, especially in emerging democracies.

The analysis extends to domestic and international intelligence activities, focusing on their impacts on civil liberties, national security, and political accountability. This study also considers the roles of civil society and media in fostering transparency and accountability in Indonesia's intelligence sector. Adopting this multidisciplinary perspective, the research addresses technical oversight elements and engages with the broader socio-political context shaping Indonesia's intelligence landscape.

RESULT AND DISCUSSION

Public Accountability and Civil Society's Role

Public accountability and civil society engagement are fundamental to effective intelligence oversight, fostering transparency and democratic governance. In democracies, civil society organizations (CSOs), the media, and advocacy groups serve as informal oversight mechanisms that hold intelligence practices accountable to the public. The media, for instance, often plays a crucial role in uncovering misconduct within intelligence agencies, highlighting issues like illegal surveillance or unauthorized data collection that may otherwise remain hidden. Investigative journalism not only exposes abuses of power but also pressures governments to take corrective action (Matei, 2014).

CSOs are instrumental in promoting transparency within the intelligence sector. In nations where formal oversight structures may be inadequate, CSOs monitor intelligence agencies and advocate for policy reforms by organizing public campaigns, lobbying policymakers, and collaborating with international human rights organizations (Lomas, 2021). Through these actions, CSOs provide a platform for citizen involvement, enabling the public to voice concerns about intelligence operations and influence intelligence activities' limits.

Freedom of Information (FOI) laws also support public accountability by granting citizens access to government-held information. Countries like the United Kingdom and New Zealand have strong FOI frameworks that balance transparency with national security needs, allowing citizens to verify that intelligence agencies operate within legal constraints (Battersby & Ball, 2023). These mechanisms underscore the importance of a broad-based, democratic oversight framework beyond government institutions, integrating civil society and media voices to enhance transparency and accountability in intelligence oversight.

Legal Frameworks and Structures for Oversight in Indonesia

1. Current Legislative Framework

Indonesia's legal framework for intelligence oversight has evolved in alignment with its transition to democracy. However, foundational legislation, such as the Law on State Intelligence (Law No. 17 of 2011), needs to be expanded, and more transparency and accountability provisions. Although the law grants the Badan Intelijen Negara (BIN) broad authority over domestic and international intelligence functions, it does not adequately address democratic oversight concerns (Matei & Bruneau, 2011).

Other legal provisions, like the Criminal Code and the Law on Human Rights, indirectly regulate intelligence by setting boundaries for actions that could infringe on individual rights. Nonetheless, significant gaps still need to be in regulating covert surveillance and data collection, creating an environment where intelligence agencies operate with considerable discretion and

limited checks from independent oversight bodies (Hillebrand, 2019). This structural gap weakens Indonesia's capacity to enforce accountability and erodes public trust.

2. Roles of Executive and Legislative Branches

In Indonesia, the executive branch especially the president exerts substantial control over intelligence operations, including appointing the head of BIN and setting strategic priorities. While this centralized control can streamline decision-making, it also heightens the risk of politicization, particularly when intelligence resources are directed toward political objectives instead of national security priorities (Davies, 2019).

The legislative branch has some constitutional authority over intelligence, yet its capacity for meaningful oversight is limited. Commission I, responsible for defense, foreign affairs, and intelligence, can question intelligence leaders and review budgets. However, lacking a specialized intelligence oversight committee restricts the depth of parliamentary scrutiny, which often focuses on budgetary issues rather than operational accountability. Furthermore, limited access to classified information prevents legislators from fully assessing intelligence activities against legal and ethical standards, contributing to an accountability gap (Oomens et al., 2024).

3. Judicial Oversight and Checks

Judicial oversight of intelligence activities in Indonesia is minimal. Unlike other democracies, where courts are proactive in reviewing intelligence operations, Indonesia's judiciary typically intervenes only in response to clear rights violations. Proactive mechanisms, such as warrant requirements for surveillance, are largely absent, leaving intelligence agencies with significant autonomy (Cayford et al., 2018).

Occasional judicial intervention occurs when rights violations are brought before the courts, but these cases are rare and insufficient for comprehensive oversight. Challenges like limited judicial independence and susceptibility to political influence further hinder the judiciary's role in intelligence oversight. Establishing specialized courts or judicial panels to review sensitive intelligence matters could introduce an additional layer of oversight, helping Indonesia achieve a balance between national security needs and civil rights protections (Lomas, 2021).

4. Challenges in Legal Implementation

Despite existing oversight structures, Indonesia needs help in implementing effective intelligence oversight. Bureaucratic inertia and a lack of inter-agency collaboration lead to inefficiencies and inconsistent standards, complicating the assessment of intelligence operations' effectiveness and legality (Lefebvre, 2003). Additionally, politicization within intelligence agencies undermines accountability as intelligence resources may be redirected to serve political ends, complicating the development of an impartial oversight culture (Davies, 2019).

A culture of secrecy also restricts public access to information and limits civil society engagement, further inhibiting effective oversight. Unlike other democracies with robust FOI laws, Indonesia lacks transparency mechanisms, reducing the ability of civil society to contribute

meaningfully to intelligence oversight (Matei, 2014). Moreover, more resources and specialized training within oversight bodies are needed to maintain their ability to hold intelligence agencies accountable effectively as expertise in cyber and digital intelligence becomes increasingly essential (de Castro Garcia et al., 2017).

Mechanisms of Intelligence Oversight in Mature Democracies

1. Best Practices in Established Democracies

In established democracies, countries like the United States, the United Kingdom, and Germany have developed robust frameworks that enforce intelligence agency accountability. In the United States, intelligence oversight primarily occurs through congressional committees empowered to review budgets, hold hearings, and investigate misconduct, with additional executive oversight from inspectors general (Abdalla, 2024). In the U.K., the Intelligence and Security Committee (ISC) ensures that MI5, MI6, and GCHQ comply with legal standards and public accountability requirements by publishing annual reports (Battersby & Ball, 2023). Germany integrates legislative and independent oversight through the G10 Commission, which monitors surveillance and enforces strict privacy standards (Hillebrand, 2019). These systems demonstrate the importance of oversight frameworks integrating checks from multiple branches, independent auditing, and public reporting to enhance accountability and public trust.

2. Legislative Committees and Special Agencies

Legislative committees play a foundational role in oversight across established democracies. In the U.S., the Senate Select Committee on Intelligence (SSCI) and House Permanent Select Committee on Intelligence (HPSCI) conduct comprehensive reviews of intelligence activities, reinforcing ethical standards and budgetary accountability (Phythian, 2016). In the U.K., the ISC reviews intelligence operations and presents findings to Parliament, while Germany's Bundestag operates in conjunction with the G10 Commission to oversee surveillance activities. Independent agencies, such as the Dutch Review Committee on the Intelligence and Security Services (CTIVD), conduct impartial evaluations and provide oversight free from executive and legislative influence, safeguarding civil rights (Oomens et al., 2024).

3. Inter-Agency and International Cooperation

Modern intelligence oversight also relies on inter-agency and international cooperation. For instance, intelligence-sharing agreements align oversight standards across borders within the Five Eyes alliance (comprising the U.S., UK, Canada, Australia, and New Zealand). The U.S. has fusion centers coordinating federal, state, and local intelligence activities, reducing duplication and improving efficiency. Germany's Federal Intelligence Service (BND) collaborates with domestic law enforcement under Bundestag oversight, illustrating the benefits of inter-agency cooperation (Battersby & Ball, 2023).

In cybersecurity, countries like the U.S., U.K., and Germany engage in international partnerships, sharing information to counter transnational threats. Such cooperation is vital for managing the global nature of contemporary intelligence challenges (Lefebvre, 2003).

4. Adaptation of Best Practices in Emerging Democracies

Applying best practices from mature democracies requires adaptation to Indonesia's political and social context. Establishing a specialized legislative committee for intelligence oversight within Indonesia's parliamentary structure could strengthen legislative scrutiny and accountability (Matei & Bruneau, 2011). Additionally, an independent oversight agency modeled after the Dutch CTIVD would provide impartial evaluations, mitigating political influence. Inter-agency coordination through fusion centers, like those in the U.S., could streamline intelligence-sharing between domestic agencies, enhancing oversight effectiveness.

International cooperation can also support Indonesia in developing oversight mechanisms that address transnational security threats. By adopting protocols from international partnerships, Indonesia can align its intelligence practices with regional standards while reinforcing accountability within a democratic framework (Battersby & Ball, 2023).

Challenges in Democratizing Intelligence Oversight in Indonesia

Efforts to establish effective democratic oversight of intelligence in Indonesia face substantial challenges shaped by historical, political, and institutional factors. Despite progress in reforming its intelligence sector, Indonesia encounters several critical barriers to creating a transparent and accountable oversight framework.

1. Political and Institutional Barriers

Political resistance and institutional inertia are major obstacles to democratizing intelligence oversight in Indonesia. Historically, intelligence agencies operated with minimal scrutiny, aligning closely with political interests. This legacy has fostered resistance to reform, especially where oversight reforms threaten agency autonomy or expose politically sensitive information. Indonesia's centralized oversight structure, with the president holding direct authority over the primary intelligence agency, BIN, limits independent oversight and reduces the roles of legislative and judicial checks, thus increasing susceptibility to executive overreach (Matei & Bruneau, 2011).

Institutional inertia further complicates the establishment of cohesive oversight. Intelligence and law enforcement agencies often operate in isolated silos with limited coordination, unlike countries like the United States, where fusion centers streamline inter-agency collaboration to enhance efficiency (de Castro Garcia et al., 2017). Indonesia's lack of a specialized legislative committee for intelligence oversight weakens its parliamentary accountability mechanisms, with bodies like Commission I needing more resources, expertise, and authority to conduct thorough investigations into intelligence practices.

2. Socio-Cultural Factors

Socio-cultural dynamics, including historical distrust and limited public support, complicate intelligence oversight development in Indonesia. During the New Order regime, intelligence agencies were tools of political control, leading to pervasive public distrust. Although democratic reforms have since been implemented, many Indonesians still perceive intelligence agencies as opaque and unaccountable, reducing public support for oversight measures (Matei, 2014).

Civil society and media engagement in intelligence oversight remains limited compared to mature democracies, where these actors promote transparency. In Indonesia, CSOs and media face restricted access to intelligence information due to the absence of FOI laws specific to intelligence operations, further hampering their ability to hold agencies accountable. Additionally, Indonesia's hierarchical socio-cultural context discourages challenges to authority, limiting civil society's involvement in intelligence oversight. Countries like Denmark and the Netherlands demonstrate how active civil society participation can foster public trust and transparency in oversight (Andersen et al., 2022).

3. Balancing Intelligence and Civil Rights

Balancing intelligence activities with civil rights presents a complex challenge. Although intelligence agencies are mandated to protect national security, their surveillance and data collection practices often encroach upon individual freedoms. The lack of comprehensive data protection laws compounds these privacy concerns, especially as intelligence agencies have significant latitude to monitor citizens and non-citizens (Cayford et al., 2018).

In established democracies, judicial oversight bodies play a key role in balancing security with civil rights. Germany's G10 Commission, for example, reviews surveillance activities to ensure they align with legal standards and protect individual rights (Hillebrand, 2019). Indonesia lacks comparable judicial oversight, allowing intelligence agencies to conduct largely unregulated surveillance. A warrant-based review system could help safeguard privacy rights while allowing intelligence agencies to fulfill their security mandate (Oomens et al., 2024).

4. Corruption and Abuse of Power

Corruption and abuse of power pose risks to Indonesia's intelligence oversight framework. Limited transparency and accountability allow resource misuse for personal or political gain. Instances of intelligence agencies surveilling political opponents or conducting politically motivated operations exemplify the potential for abuse, which erodes democratic principles and public trust (Davies, 2019).

Weak financial oversight further exacerbates corruption risks, as Indonesia's intelligence budget needs more parliamentary scrutiny, unlike in countries like the U.S., where congressional reviews provide budgetary accountability. The opacity of Indonesia's intelligence budget increases the likelihood of resource misallocation and weakens institutional accountability. Addressing these

challenges requires legal reforms that promote financial transparency and establish checks on agency authority, such as independent auditing processes and enhanced parliamentary oversight (Bateman, 2023).

Case Studies of Oversight Challenges

1. Counterterrorism

Counterterrorism has been a focal point of intelligence operations worldwide, and Indonesia is no exception. Following the 2002 Bali bombings, Indonesia escalated intelligence efforts to counter domestic terrorism, achieving operational successes. However, these counterterrorism measures often lacked transparency and were minimally accountable to democratic oversight. In contrast, mature democracies incorporate legislative and judicial reviews to ensure counterterrorism operations comply with legal standards. For instance, the U.S. utilizes the Foreign Intelligence Surveillance Act (FISA) courts to oversee surveillance in counterterrorism, balancing security with civil liberties (Bruneau, 2008).

2. Surveillance Practices

Surveillance practices in Indonesia expose critical gaps in legal protections for civil liberties. Surveillance conducted by intelligence agencies, particularly for counterterrorism and political monitoring, operates with limited oversight, unlike Germany's G10 Commission, which closely monitors surveillance to ensure it aligns with legal and ethical standards (Hillebrand, 2019). The absence of comprehensive data protection laws further undermines citizens' privacy rights, as intelligence agencies need accountability. In the Netherlands, independent bodies like the CTIVD evaluate intelligence practices and report abuses, providing a model that Indonesia could adapt to build public trust (Oomens et al., 2024).

3. Public Scandals and Reforms

Publicized intelligence scandals in Indonesia have underscored the need for stronger oversight mechanisms. A prominent case in 2004 revealed that BIN had allegedly surveilled journalists, sparking public outrage and calls for reform. While similar cases in the U.S., such as the Rockefeller Commission, have led to significant reforms, Indonesia's response to these scandals has been limited, with resistance within political and intelligence institutions to independent oversight bodies (Davies, 2019; Townley, 2024).

4. Comparative Case Studies

A comparative analysis reveals that countries like Malaysia and Mexico face similar oversight challenges. Intelligence agencies in these countries often serve political elites, hindering independent oversight. Malaysia's experience highlights the importance of autonomous oversight bodies capable of resisting political pressures—a lesson that could benefit Indonesia. By contrast, mature democracies like Denmark and Germany offer models of effective oversight, integrating

parliamentary and judicial bodies to enhance accountability and public confidence (Andersen et al., 2022; Cayford et al., 2018).

Strategic Approaches to Strengthen Democratic Oversight

1. Reforming Legal and Institutional Frameworks

Strengthening intelligence oversight in Indonesia requires targeted legal and institutional reforms. Establishing a dedicated parliamentary oversight committee, similar to the U.S. Senate Select Committee on Intelligence, would create a structured platform for legislative review of intelligence budgets, operations, and complaints (Matei & Bruneau, 2011). Additionally, judicial mechanisms, such as Germany's G10 Commission, could monitor surveillance activities to balance security needs with civil rights, reinforcing a legal check on intelligence practices (Hillebrand, 2019).

Independent oversight bodies like the Netherlands' CTIVD could offer impartial evaluations of intelligence activities, building public trust by ensuring intelligence operations align with democratic and ethical standards (Andersen et al., 2022).

2. Engaging Civil Society and Media

Civil society and the media are essential in fostering a transparent oversight ecosystem. Allowing CSOs, particularly human rights groups, greater access to intelligence information could enable them to provide constructive feedback on intelligence practices while advocating for civil liberties (Matei, 2014). The media also serves as a democratic safeguard by exposing abuses of power, as seen in the U.K.'s investigative journalism on MI5 and MI6. Indonesia could introduce protections for journalists covering intelligence issues, similar to U.S. legal safeguards, to encourage responsible reporting (Cormac & Lomas, 2024).

3. Enhancing Transparency and Accountability

Transparency and accountability are foundational to democratic oversight. Protocols for declassifying intelligence information after a set period, as seen in New Zealand, can enhance public trust by allowing retrospective accountability (Battersby & Ball, 2023). Annual public reports from intelligence agencies could also provide an overview of key activities and budgets, fostering public trust while protecting sensitive information (Andersen et al., 2022). Regular audits of intelligence budgets, modeled after U.S. congressional audits, would further prevent resource misuse and promote financial accountability (Bateman, 2023).

4. International Collaboration and Best Practices

International partnerships and best practices offer valuable guidance for Indonesia's intelligence oversight. Collaborating with democracies in Southeast Asia could provide insights into effective governance and oversight. Regional forums could facilitate sharing oversight techniques, aligning Indonesia's practices with regional security needs (Lefebvre, 2003). Adopting international standards, such as those upheld by the Five Eyes alliance, would strengthen

accountability, particularly in information-sharing and privacy protections (Battersby & Ball, 2023).

Participating in global intelligence ethics initiatives could also enhance Indonesia's oversight framework. Workshops organized by the U.N. or ASEAN could provide platforms for sharing best practices on emerging challenges, including cyber threats and transnational terrorism (Brantly, 2014).

CONCLUSION

This review highlights the significant challenges and opportunities in establishing democratic intelligence oversight in Indonesia. Despite steps toward reform, Indonesia's oversight framework remains limited in ensuring transparency, accountability, and adherence to democratic principles. Compared to established democracies, Indonesia lacks essential elements of an effective oversight structure, such as specialized legislative committees, independent oversight bodies, and judicial mechanisms. The absence of these components increases the risk of power abuse within intelligence agencies and hinders efforts to build public trust.

This analysis also emphasizes the tension between intelligence activities and civil rights protection. Indonesia's current framework lacks adequate safeguards for individual rights, particularly concerning surveillance practices and data privacy. Without comprehensive data protection laws or judicial review processes, intelligence operations can potentially encroach on citizens' freedoms with minimal accountability. Case studies on counterterrorism and surveillance practices reveal how unchecked intelligence activities can undermine public trust and the democratic integrity of the intelligence sector.

Targeted policy reforms are essential to strengthening democratic intelligence oversight in Indonesia. First, establishing a specialized legislative committee for intelligence oversight, similar to those in established democracies, could empower lawmakers to review budgets, operational strategies, and ethical compliance in intelligence activities. This committee should be authorized to summon intelligence officials for hearings and access classified information, providing comprehensive legislative oversight.

An independent oversight body would enhance accountability by objectively evaluating intelligence practices and recommending policy improvements. Additionally, implementing judicial oversight mechanisms such as a licensing system for surveillance activities—could help balance national security needs and civil rights protection.

Furthermore, increased transparency and public engagement through accessible annual reports and strengthened Freedom of Information (FOI) laws could foster a culture of accountability and openness within the intelligence sector. These measures would enable civil society, the media, and the public to contribute meaningfully to intelligence oversight, ultimately reinforcing democratic governance in Indonesia.

In summary, democratizing intelligence oversight is essential for protecting civil liberties, strengthening national security, and fostering public trust. As Indonesia faces increasingly complex security challenges, from terrorism to cyber threats, a robust oversight framework will allow intelligence agencies to respond while adhering to democratic values. By adopting these reforms, Indonesia can reinforce its commitment to democratic principles, safeguard citizens' rights, and ensure that its intelligence practices align with the standards of a modern, open society.

Future Research

Future research on intelligence oversight in Indonesia should explore oversight practices tailored to the country's distinct political and social landscape. Comparative studies with other emerging democracies may highlight effective strategies for countries transitioning from authoritarian rule to democratic governance. This research could examine how legislative and judicial structures manage challenges like political resistance and institutional inertia.

Further investigation into the role of civil society and media in intelligence oversight is also crucial, especially regarding transparency initiatives and data protection laws to strengthen public trust. Insights from established democracies can guide Indonesia in engaging non-governmental organizations in oversight while safeguarding national security. Additionally, research on the ethical dimensions of intelligence, such as surveillance practices, would support policies that balance civil liberties with security needs.

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