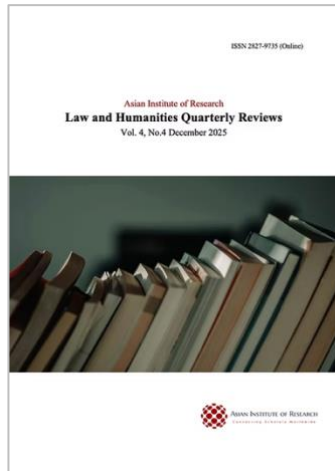




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The Intelligence Cycle in Indonesian Immigration: Improving Service Quality through Responsive Legal Frameworks

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Abstract

The Indonesian Immigration Service faces systemic failures, notably critical digital infrastructure fragility highlighted by the PDN disruption and rampant maladministration (*pungli*) that compromises its integrity and public trust. This research employs a normative legal methodology using Responsive Legal Theory (RLT) to diagnose these issues, arguing that the failures stem from the structural rigidity of Autonomous Law, which prevents the system from achieving *Substantive Justice* or enacting institutional *Learning and Self-Correction*. The study proposes integrating the Intelligence Cycle (IC) as the operational solution: the IC uses forensic and open-source data to precisely diagnose vulnerabilities, such as specific procedural loopholes facilitating corruption or cyber risks. This IC-RLT integration resolves the issues by institutionalizing continuous *Feedback* to enhance digital *Security and Resilience* and enforcing *Goal-Oriented Discretion* to eliminate *pungli*. This dynamic framework provides the necessary adaptability to sustainably balance the state's law enforcement functions with its mandate for high-quality service delivery.

Keywords: Responsive Legal Theory, Intelligence Cycle, Immigration Service, Digital Fragility, Maladministration, Substantive Justice

1. Introduction

Immigration in Indonesia has strategic role in maintaining state sovereignty while facilitating the movement of people across borders. This dual function places the Directorate General of Immigration in a crucial position to ensure national security, but at the same time, it is obliged to provide high-quality public services. Amidst increasingly complex global migration dynamics, characterized by an increased volume of human movement and the emergence of cross-border threats such as irregular migration and transnational crime, the need for efficient and secure systems is becoming more urgent. Academic studies affirm that the transformation of immigration services must balance security and service efficiency, especially in the context of digitalization vulnerable to cyber threats (Betts & Loescher, 2021).

The impetus for digital transformation in public administration, including in the immigration sector, aims to enhance service efficiency and accessibility. However, the implementation of this digitalization often faces real challenges that directly affect service quality. One crucial incident highlighting the fragility of digital infrastructure was the system disruption due to a National Data Center (PDN) issue in June 2024. This event paralyzed

immigration services at Soekarno-Hatta International Airport, forcing officers to conduct manual checks, which led to long queues and widespread public complaints. The disruption was allegedly caused by ransomware and DDoS attacks, indicating that reliance on technology has not been fully balanced with system resilience and adequate cyber risk management (Antaranews, 2024; Kompas, 2024; Liputan6, 2024). International research highlights the importance of cyber resilience in digital public service systems to prevent similar disruptions (Kshetri, 2023), while national studies emphasize the need for responsive regulations to support public service digitalization (Pratama & Sari, 2022).

In addition to technical challenges, the quality of immigration services is also marred by internal integrity issues. The practice of illegal levies (*pungli*) remains rampant at Soekarno-Hatta Airport, with Chinese foreign nationals slipping Rp500,000 for green lane access between February 2024 and January 2025, totaling Rp32.75 million from 60 foreign nationals. Similarly, at I Gusti Ngurah Rai Airport, officers collected Rp100,000–Rp250,000 for free fast track services, earning Rp100–200 million per month. The misuse of fast track and priority lane services, which should be free for the elderly, children, pregnant women, and migrant workers, indicates a lack of internal oversight and integrity (BBC Indonesia, 2025). The Indonesian Ombudsman consistently calls for improvements in public service systems and promotes an anti-maladministration stance within the Ministry of Law and Human Rights (Ombudsman of The Republic of Indonesia, 2024a). Furthermore, the Riau Islands Ombudsman specifically requested Immigration to monitor and prevent *pungli* that went viral in the mass media (Ombudsman of Kepri, 2024). National research underscores that maladministration such as *pungli* erodes public trust and requires an intelligence-based approach for prevention (Widodo & Santoso, 2023).

On the other hand, immigration law enforcement functions have also seen significant increases. Law enforcement by Immigration against foreign nationals in 2024 doubled, with the number of suspects in immigration crimes surging by 228% and immigration administrative actions (TAK) rising by 150%. The Directorate General of Immigration also conducted the Wira Waspada Serentak 2025 Operation, apprehending 294 foreign nationals suspected of violating regulations (Indonesian Directorate of Immigration, 2024; Imigrasi.go.id, 2025), as stipulated in Law No. 6 of 2011 concerning Immigration, as last amended by Law No. 63 of 2024 (UU No. 6 Tahun 2011 jo. UU No. 63 Tahun 2024). While crucial for maintaining state sovereignty and security, this increase in law enforcement needs to be balanced so as not to compromise efficiency and ease of service for legitimate parties. The tension between these enforcement and service mandates indicates a complex dilemma in immigration governance, as analyzed in international literature on balancing security and public service (Hollifield & Wong, 2022).

In this context, the intelligence cycle offers potential as a comprehensive solution. Immigration intelligence, traditionally focused on threat identification and surveillance, has significant potential to proactively enhance the efficiency, accuracy, and transparency of public services. This potential includes leveraging cyber security intelligence for system risk mitigation, internal intelligence for early detection of maladministration, and operational intelligence for workflow optimization. This optimization requires a responsive legal framework, capable of adapting to technological and social dynamics, balancing various interests, and ensuring accountability and human rights protection, as regulated in Law No. 25 of 2009 concerning Public Services (UU No. 25 Tahun 2009), Law No. 30 of 2014 concerning Government Administration (UU No. 30 Tahun 2014), and Law No. 27 of 2022 concerning Personal Data Protection (UU No. 27 Tahun 2022). The concept of "public service intelligence" is even explicitly highlighted by the Ombudsman as a tool for "transforming maladministration prevention in optimizing public service system improvements" (Ombudsman of The Republic of Indonesia, 2024b). Furthermore, international legal frameworks such as the International Covenant on Civil and Political Rights (ICCPR) (UU No. 12 Tahun 2005) and the UNTOC Protocol against the Smuggling of Migrants (United Nations, 2000) affirm the importance of human rights protection in immigration policies, although Indonesia has not ratified all related conventions.

2. Method

Normative qualitative research is a methodological approach primarily used in fields such as law, political science, ethics, and public policy, focusing on the analysis of norms, rules, principles, and values that govern human conduct

or societal structures, aiming to interpret, critique, or construct ideal frameworks by examining what ought to be (Smith & Jones, 2020). This method delves into the conceptual and theoretical underpinnings of a subject to understand the coherence and implications of normative systems, typically involving doctrinal or conceptual analysis where data is primarily collected from primary legal sources (statutes, regulations, judicial decisions) and secondary scholarly sources (academic journals, books) that interpret these norms (Brown & Davis, 2019). Analytical techniques employed include hermeneutics for interpreting legal texts, content analysis for examining documents, logical coherence analysis for assessing consistency, and comparative analysis for comparing different normative systems. The strength of this research lies in its ability to provide in-depth conceptual clarity and theoretical robustness, identifying gaps or contradictions in existing frameworks for refinement (Green & White, 2021), making it valuable for developing new theories or policy recommendations; while its reliance on interpretation can be seen as subjective, rigorous application offers crucial insights into prescriptive dimensions of governance.

3. Discussions

This discussion section critically evaluates the operational failures within the Indonesian immigration system using the Responsive Legal Theory (RLT) as a diagnostic tool and firmly establishes the Intelligence Cycle (IC) as the necessary operational mechanism to restore service quality and fulfill the strategic mandate of the Immigration Service. The analysis explicitly integrates the conceptual frameworks to address the specific empirical problems of digital fragility and maladministration.

3.1. Current Issues in Immigration Service Delivery

The Immigration Service in Indonesia operates under a complex dual mandate: maintaining national sovereignty and security while simultaneously facilitating international mobility (FitzGerald & Cook-Martín, 2014; Castles & Miller, 2009). The tension between these functions—the security-facilitation paradox (Huysmans, 2006)—is exacerbated by two major systemic failures, which RLT diagnoses as a failure of the legal order to maintain adaptability and accountability.

3.1.1. Fragility of Digital Infrastructure

The ongoing digitalization of the Immigration Service, intended to boost *Efficiency* and *Accessibility* (Pratama & Sari, 2022), has been exposed as fundamentally vulnerable. The June 2024 system disruption caused by issues at the National Data Center (PDN) is a prime case study, resulting in the paralysis of critical services at major international airports and forcing a disruptive return to manual processing (Antaranews, 2024; Kompas, 2024). This catastrophic failure, linked to potential ransomware attacks (Liputan6, 2024), demonstrates a critical lapse in the service indicator of *Security and Resilience* (Kshetri, 2023). RLT interprets this not as a mere technical fault, but as evidence of a systemic failure of *Learning and Self-Correction*. The prevailing legal and administrative framework, dominated by the procedural focus of Autonomous Law, proved too rigid to adapt quickly to the dynamic and rapidly evolving nature of cyber threats (Nonet & Selznick, 1978).

3.1.2. Maladministration and the Erosion of Integrity

The quality of the Immigration Service is further deeply compromised by persistent maladministration, specifically the widespread practice of illegal levies (*pungli*) (Widodo & Santoso, 2023). Detailed reports cite officers at airports charging substantial fees (Rp100,000 to Rp500,000) for expedited services that should be free, thereby violating the service indicators of *Integrity, Fairness, and Accountability* (BBC Indonesia, 2025). The Indonesian Ombudsman has repeatedly emphasized the need for intensive internal oversight to curb such endemic corruption (Ombudsman of The Republic of Indonesia, 2024a). RLT provides the crucial theoretical diagnosis: this practice constitutes a dangerous functional regression. While the system maintains the *form* of Autonomous Law (procedural rules), the exercise of arbitrary power for personal financial gain shifts the system toward the instrumental abuse of authority characteristic of Repressive Law, ultimately betraying the commitment to *Substantive Justice* (Nonet & Selznick, 1978).

3.2. *The Role of the Intelligence Cycle in Problem Diagnosis*

The IC must be integrated into the Immigration Service as the institutional sensor mechanism required by RLT to diagnose systemic failures and root causes, thereby moving beyond procedural formalities to address real-world problems (Lowenthal, 2017).

3.2.1. Diagnosing Fragility of Digital Infrastructure

In the context of cyber risk, the IC provides a precise framework for diagnosis. The Planning and Direction phase must redirect intelligence resources (Herman, 2018) away from generic security reports toward identifying the specific procedural and architectural vulnerabilities that enabled the PDN disruption, linking technical flaws to service failures. The Collection phase is crucial, requiring the gathering of technical data (e.g., SIGINT/network logs), internal audit reports, and records of system outages to acquire empirical data on the state of *Security and Resilience*. This raw data is synthesized during Analysis and Production, where analysts assess the precise impact of the disruption on the *Efficiency* indicator and diagnose the underlying technical and regulatory lapses responsible for the failure (Lowenthal, 2017). This output provides RLT with actionable evidence to critique where compliance with existing security laws has failed to deliver the intended social goal of a resilient public system.

3.2.2. Diagnosing Maladministration and the Erosion of Integrity

To diagnose systemic corruption, the IC leverages non-traditional intelligence sources. The Planning and Direction phase focuses on targeting procedural loopholes in priority service delivery, linking operational patterns to service corruption (Herman, 2018). The Collection phase is heavily reliant on gathering public feedback (Open-Source Intelligence/OSINT), analyzing service complaints on social media, and scrutinizing internal audit trails and transaction volume data related to services susceptible to *pungli* (Gill & Phythian, 2018; MoldStud, 2025). Subsequently, the Analysis and Production phase identifies the exact *patterns* of abuse of official discretion, pinpointing which specific policies or lack of oversight mechanisms facilitate rent-seeking behavior (Lowenthal, 2017). This diagnostic intelligence confirms the RLT critique: the legal system failed to establish sufficient mechanisms for *Fairness and Accountability* in the daily execution of the Immigration Service.

3.3. *Obstacles to Achieving Ideal Immigration Service Delivery*

While the IC offers a robust solution, its implementation is hampered by systemic obstacles rooted in the inertia of the existing legal culture and specific operational gaps related to the identified problems.

3.3.1. Obstacles to Resolving Digital Fragility

The conceptual rigidity of Autonomous Law poses a significant theoretical obstacle, as it inherently resists the RLT principle of *Shift from Rules to Principles* (Nonet & Selznick, 1978; Dworkin, 1977). Consequently, the detailed rules governing digital security often become obsolete faster than the bureaucratic or legislative process can update them, rendering the entire legal framework unresponsive to new cyber threats (Gardner, 2011). On the operational side, the lack of local expertise in complex cyber intelligence significantly hinders the ability of the Immigration Service to effectively execute the *Collection* and *Analysis* phases of the IC, limiting the system's capacity to proactively restore *Security and Resilience* (Chen & Hsieh, 2020).

3.3.2. Obstacles to Resolving Maladministration and Integrity Issues

The most significant impediment to eradicating *pungli* is rooted in the political economy, which frequently sabotages the IC's Feedback mechanism (World Bank, 2012). RLT mandates a commitment to *Substantive Justice* over formal compliance (Nonet & Selznick, 1978). However, if the intelligence generated during *Analysis* exposes widespread corruption involving high-ranking figures, the political costs of implementing corrective action—the crucial Feedback step—often exceed the political appetite for reform (World Bank, 2012). This resistance from

entrenched bureaucratic power structures prevents the Immigration Service from truly achieving institutional self-correction and guarantees that the maladministration will continue to plague the service indicators of *Integrity and Accountability*.

3.4. IC Implementation Linked to Responsive Legal Theory in Problem Resolution

The integration of the IC is the functional tool that enables the Immigration Service to realize the normative imperatives of RLT, thereby resolving the diagnosed systemic failures.

3.4.1. Resolving Digital Fragility through Learning and Self-Correction

The IC institutionalizes RLT's core principle of *Learning and Self-Correction* (Black, 1989). The system addresses digital fragility by creating a continuous, adaptive security framework. Intelligence reports concerning cyber vulnerabilities are immediately disseminated to technical stakeholders and integrated into revised security protocols (Feedback), forcing the legal and technical framework of the Immigration Service to dynamically adapt to threats rather than remaining static (Lowenthal, 2017). This iterative cycle, supported by frameworks like the NIST Cybersecurity Framework (National Institute of Standards and Technology, 2014), actively ensures the framework remains compliant with the *Security and Resilience* indicator.

3.4.2. Resolving Maladministration through Goal-Oriented Discretion and Substantive Justice

The IC directly operationalizes the RLT principle of *Goal-Oriented Discretion* (Nonet & Selznick, 1978). To eliminate *pungli*, the system utilizes the *Analysis* phase to continuously monitor operational data (e.g., service transaction logs) in real-time, detecting and flagging anomalous patterns indicative of abuse in areas like *fast track* management (Lowenthal, 2017). This systematic oversight ensures that the officer's discretionary authority is intentionally guided toward achieving the public goal of service *Fairness and Equity*, rather than self-enrichment, thereby guaranteeing *Substantive Justice* for all users, including vulnerable groups (Nonet & Selznick, 1978). By leveraging the intelligence mechanism to force the discretionary application of authority to serve the public good, the Immigration Service is compelled to transition from the functional characteristics of Repressive Law toward a genuinely responsive and accountable administration.

4. Conclusion

The dysfunctionality within Indonesian Immigration services, evidenced by the National Data Center (PDN) incident and persistent practices of extortion (*'Pungli'*), reveals a fundamental failure in the legal framework, which is currently dominated by the rigidity of Autonomous Law. This framework proves insufficient in fostering the necessary Learning and Self-Correction required for dynamic cybersecurity governance and fails to uphold Substantive Justice in anti-corruption efforts.

The integration of the Intelligence Cycle (IC) offers a functional solution. The IC acts as an institutional sensor, compelling the legal and administrative system to embrace the normative imperatives of Responsive Law Theory (RLT). By leveraging the IC to detect real-time cyber vulnerabilities and monitor patterns of maladministration through audit data and Open Source Intelligence (OSINT), Immigration can effectively implement Learning and Self-Correction and facilitate Goal-Oriented Discretion. Ultimately, a responsive legal reform is imperative to codify the legality of the IC, ensuring it functions as an adaptive, ethical, and accountable tool that drives the Directorate General of Immigration towards the provision of high-quality public service.

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