

Law Enforcement against the Destruction of the Tanjung Panjang Nature Reserve in Randangan District

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Article Info	Abstract
Corresponding Author: ridwanharun6060@gmail.com History: Submitted: 19-06-2023 Revised: 20-07-2026 Accepted: 05-08-2026 Keyword: Law Enforcement; Nature Reserve; Police Role.  Copyright ©2026 by Ridwan Harun. All writings published in this journal are personal views of the authors and do not represent the views of the Estudiante Law Journal.	Article 19 of Law Number 5 of 1990 on the Conservation of Living Natural Resources and Their Ecosystems prohibits any activity that alters the integrity of a nature reserve, and Article 40 paragraph (1) attaches a maximum penalty of ten years' imprisonment and a fine of IDR 200,000,000. Nevertheless, 93.31 per cent of the Tanjung Panjang Nature Reserve in Randangan District, Pohuwato Regency, has been cleared for fish ponds. This article examines how the law is enforced against the destruction of that reserve and identifies the factors that inhibit enforcement. The study uses empirical legal research; primary data were obtained through observation, interviews at the Pohuwato Resort Police and documentary study, supported by secondary legal materials. The study finds that enforcement is pursued preventively, through outreach and education for the surrounding community, and repressively, through criminal process. Enforcement is inhibited by difficulties in gathering evidence and completing case documents, difficulty in securing expert testimony, the absence of the alleged perpetrators from the site, and weak coordination between law enforcement agencies and the institutions concerned.

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1. Introduction

Regarding Indonesia as an archipelago, it will be side by side with the activities of the Indonesian people who are engaged in the maritime field. One of the maritime fields that exists in the pattern of natural relations with society is related to the use of the surrounding natural environment related to the sea, including the existence of mangrove forests.¹

A nature reserve area or nature reserve is a form of protected area designated for the purpose of ecosystem protection and tourism development.² Because a nature reserve area is a form of protected area, in addition to ecosystem protection and its utilization, one thing that must be held and always remembered as the main mission of the conservation area manager is the management of biodiversity and its ecosystem.³

International attention to the problems of utilization, management and preservation of natural resources has been manifested by the approval of various declarations, such as the Stockholm Declaration, the Nairobi Declaration, the Rio De Janeiro Declaration, the Johannesburg Declaration and The Earth Charter. This international conference has given rise to the concept of sustainable development, namely long-term and sustainable development.⁴

Based on Law no. 5 of 1990 on the Conservation of Living Natural Resources and Their Ecosystems, Nature Reserves are nature reserve areas because their natural conditions have unique plants, animals and their ecosystems or certain ecosystems that need to be protected and their development takes place naturally.⁵ Damage to the nature reserve area is not small, even as a whole, as a result of human activities that want to dominate an area to serve as an effort to meet the economic needs of the community itself.

Pohuwato Regency in Gorontalo is one of the areas with a relatively extensive distribution of mangrove forest, reaching 25,688.09 hectares. With such a wide expanse of mangrove forest, it should be a buffer for the ecosystem around the coastal area. The importance of protecting the mangrove forest area, the government designated the Tanjung Panjang area as a permanent forest with a function as a Nature Reserve on 20 December 1984 by Decree of the Minister of Forestry Number 250/Kpts-II/1984. Under Decree of the Minister of Environment and Forestry Number 9612/MENLHK-PKTL/KUH/2015, The mangrove forest is located in the Tanjung Panjang nature reserve area of 3,174.10 hectares.

¹ Muhammad Syaiful Anwar, "Analisis Kebijakan Pemanfaatan Lahan Dalam Wilayah Hutan Mangrove Di Provinsi Bangka Belitung," *University of Bengkulu Law Journal* 6, no. 1 (2021): 21.

² Dian Ekawaty Ismail et al, "Model for Legal Settlement on Damage to the Tanjung Panjang Nature Reserve in Pohuwato Regency," *Russian Law Journal* 11, no. 3s (2023): 3s, <https://doi.org/10.52783/rlj.v11i3s.734>.

³ Mohammad Abdi Lanjahi et al, "Analisis Yuridis Terhadap Perlindungan Ekspresi Budaya Tradisional Provinsi Gorontalo," *Perkara: Jurnal Ilmu Hukum Dan Politik* 1, no. 3 (2023): 3, <https://doi.org/10.51903/perkara.v1i3.1347>; Fence M. Wantu et al, "Indonesian Constitutional Interpretation: Constitutional Court Versus the People's Consultative Assembly," *Journal of Legal, Ethical and Regulatory Issues* 24, no. 6 (2021): 6.

⁴ Fenty U. Puluwulawa, "Pengawasan Sebagai Instrumen Penegakan Hukum Pada Pengelolaan Usaha Pertambangan Mineral Dan Batubara," *Jurnal Dinamika Hukum* 11, no. 2 (2011): 306.

⁵ Undang-Undang Nomor 5 Tahun 1990 Tentang Konservasi Sumber Daya Alam Hayati Dan Ekosistemnya (1990).

There is a lot of potential in the mangrove forest area, especially the Tanjung Panjang nature reserve area which has so many diverse ecosystems in it, both the diversity of animal and plant species with uniqueness and functions that greatly affect the ecosystems around the area.⁶ Apart from that, the mangrove forest which is in a nature reserve area certainly has the potential to become a tourist object and an object of education and research if it is used properly and wisely. So that with the potential that is so important for the community and the sustainability of a sustainable environment, the government is trying to protect and protect the area through various regulations and policies.

Deforestation, land degradation, depletion of the ozone layer, global warming, oil spills at sea, fish kills in tributaries caused by chemicals and the extinction of species are examples of environmental problems. In the literature environmental problems can be grouped into three forms, namely environmental pollution (pollution), misuse of land (*land misuse*) and depletion of natural resources (*natural resource depletion*).⁷ So that we can carefully understand that what is happening in the nature reserve area today is a wrong form of land or area use and there is a drain on natural resources, namely by opening ponds in areas that are not supposed to be even carried out in a massive and uncontrolled manner.

The damage to the Tanjung Panjang nature reserve area is clearly visible from the expanse of pond land within the nature reserve area, the mangrove forest which previously had many types of vegetation became denuded due to the logging and destruction of the trees in it. In addition, various types of natural animals that should live and thrive in the area are threatened and can even become extinct due to changes in the physical form of the actual ecosystem.

Based on article 19 of Law Number 5 of 1990 states that:

- 1) Everyone is prohibited from carrying out activities that may result in changes to the integrity of the nature reserve area.
- 2) The provisions referred to in paragraph (1) do not include habitat development activities for the benefit of animals in the wildlife sanctuary.
- 3) Changes to the integrity of the nature reserve area as referred to in paragraph (1) include reducing, eliminating the function and area of the nature reserve area, as well as adding other non-native plant and animal species.

In the article above, we can understand that there are limitations that must be carried out by every human being or Indonesian society in general so as not to cause damage that can change the ecosystem in it. So that through this rule of law, it is hoped that it can put emphasis on the community so that they can obey and always maintain the preservation of nature reserve areas. It is not only a mere pressure, but community actions that can cause damage and are not in accordance with existing regulations, will explicitly have a

⁶ Zamroni Abdussamad et al, "Pendekatan Cultural Studies Perlindungan Hukum Bagi Penyandang Disabilitas Di Kabupaten Boalemo," *Community Development Journal : Jurnal Pengabdian Masyarakat* 4, no. 6 (2023): 6, <https://doi.org/10.31004/cdj.v4i6.16043>.

⁷ Takdir Rahmadi, *Hukum Lingkungan Di Indonesia* (PT Raja Grafindo Persada, 2015). 1.

legal impact on the people who commit these violations. The legal impact in question is in the form of criminal sanctions in accordance with the actions committed and the applicable regulations.

Based on the criminal provisions of Article 40 Paragraph (1) of Law Number 5 of 1990 On the Conservation of Natural Resources and Their Ecosystems it states that "Anyone who deliberately violates the provisions referred to in Article 19 paragraph (1) and Article 33 paragraph (1) shall be subject to imprisonment for a maximum of 10 (ten) years and a fine of a maximum of IDR 200,000,000.00 (two hundred million rupiah)".

In article 40 as explained above, it is a legal impact on the destruction of nature reserve areas. This shows that the impact of destroying nature reserve areas does not only have an impact on environmental, economic, socio-cultural aspects, but these actions have an impact on applicable criminal law sanctions. So that clearly and unequivocally in the law provides an illustration that there is an affirmation regarding prohibitions and restrictions accompanied by criminal sanctions for anyone who commits damage to the area of a nature reserve.

In simple terms, there are many impacts that occur due to destruction of nature reserve areas. This can open and make the human mindset to always maintain the preservation of nature reserve areas and the surrounding environment which are functionally very beneficial for human life and all existing ecosystems. What's more, there is a legal impact that should be the foundation and give fear and a deterrent effect to the community so as not to damage the buffer system in the nature reserve area. Basically the Tanjung Panjang nature reserve area in Randangan District is a very valuable asset for the survival of the surrounding community and for humanity universally.

Based on the description above, we can realize that currently there have been many changes in the Tanjung Panjang nature reserve area in Pohuwato Regency. The change in question is a change in the physical form and function of the area itself, where there has been a reform and clearing of ponds in the Tanjung Panjang nature reserve area, so this of course indirectly changes the actual function of the area.

Head of BKSDA Region II Gorontalo, Sjamsuddin Hadju, even said that land clearing in this area had reached 93.31 percent, with an area of damaged land reaching around 3,129.48 hectares.⁸ This condition is a very critical condition and there has actually been massive destruction of the Tanjung Panjang nature reserve area so that almost the entire area of the Tanjung Panjang nature reserve has now become community ponds. The clearing of ponds in the Tanjung Panjang nature reserve area has been going on for a long time, with the peak occurring in the 2000s to the present. This has been hereditary in the opening of ponds in the Tanjung Panjang nature reserve area coupled with the socio-cultural conditions of the community, most of whom are fishermen as their main livelihood.

⁸ "No Title," <https://dulohupa.id/upaya-para-pihak-selamatkan-cagar-alam-tanjung-panjang-yang-kritis/>.

Based on initial observations made by researchers at the Pohuwato Police, namely at the General Criminal Investigation Directorate, it shows that to date there have been 6 (six) reports related to cases of destruction of the Tanjung Panjang Nature Reserve area in the Randangan District. This case was reported by a non-governmental organization that still cares about preserving the living natural resources contained in the Tanjung Panjang nature reserve.

The destruction of the Tanjung Panjang nature reserve area that occurred as described above, legally this act can be classified as a crime. This is expressly explained in article 40 of law No. 5 of 1990 on the Conservation of Living Natural Resources and their Ecosystems which results in criminal sanctions in the form of imprisonment and fines as stipulated in the said law. So in an effort to guarantee and maintain the preservation of the Tanjung Panjang nature reserve, it must be balanced with law enforcement against actions that damage the Tanjung Panjang nature reserve area. Law enforcement in question is through the Pohuwato Police, which is authorized to resolve the problem in accordance with applicable laws and regulations, namely by carrying out investigations and investigations. So that the role of the police in providing legal guarantees and justice is very necessary, because in fact nature also requires a guarantee of its rights as stated in the law.

Based on the explanation described above related to the problems that occurred in the Tanjung Panjang nature reserve area in Randangan District, Pohuwato Regency, the authors are interested in conducting research with the title "Law Enforcement of the Destruction of the Tanjung Panjang Nature Reserve Area in Randangan District".

2. Method

The research method is a way or way to get back the solution to all problems.⁹ The research method is a way or steps taken by researchers in collecting data or information related to what will be studied. Based on the title taken by the author in this study, it is determined that this type of research is a type of empirical legal research.

Empirical research proceeds from the premise that knowledge is formed and acquired through experience. Empirical legal research is therefore grounded in real events apprehended through the senses and recorded through observation, experience and field enquiry. [CITATION REQUIRED]¹⁰

3. Law Enforcement against the Criminal Act of Destroying the Tanjung Panjang Nature Reserve

Law enforcement is the process of making efforts for the sake of upholding or the real functioning of legal rules to guide behavior in traffic or legal relations in the life of society and the state. Law enforcement is a series of processes in order to describe values, ideas, abstract ideals which are the goals of law. The ideals or goals of law contain moral values, such as truth and justice. As a process, law enforcement is the exercise of discretion which

⁹ Joko Subagyo, *Metode Penelitian Dalam Teori Dan Praktik Cet 7* (PT Rineka Cipta, 2015). 2.

¹⁰ "No Title," <https://penerbitdeepublish.com/penelitian-empiris/>.

involves making decisions that are not strictly regulated by the rule of law, but have an element of personal judgement. Enforcement of environmental law is closely related to the ability of the apparatus and compliance of citizens with applicable regulations.¹¹

Jimly Asshidiqie divides the meaning of law enforcement into two, namely in a narrow sense it is "the activity of taking action against any violations or deviations from laws and regulations through the criminal justice process which involves the role of the police, prosecutors, advocates or lawyers and judicial bodies. Meanwhile, in a broad sense, it is an activity to implement and apply the law and take legal action against any violations of the law committed by legal subjects either through judicial procedures or through arbitration procedures and other dispute resolution mechanisms (alternative disputes or conflict resolution).¹²

The aspect of environmental punishment is a very important factor to be concerned about by the relevant parties because it is the key to law enforcement and a factor in the sustainability of the environment and life in the future. If we pay close attention to the facts in the field, there are a lot of actions that have deviated from the environmental sector on various sides, which has resulted in increasing damage to the environment and the ecosystems within it so that it will have an impact in the future.¹³

Efforts to enforce environmental law through criminal law are how the three main issues in the aspect of criminal law can be embodied in a law that has a role to carry out social engineering, which includes the formulation of criminal acts, criminal responsibility, and both criminal and regulatory sanctions.¹⁴ Based on the purpose of criminal law which is not only a means of order, environmental law also contains the aim of a community renewal or social engineering. By Therefore, the accuracy of law enforcers, especially investigators, public prosecutors and judges is needed in finding laws and regulations related to environmental crimes in various kinds of laws and regulations. In other words, which laws and regulations will be used, depending on what resources the environmental crime was committed. Like the criminal act of destroying the Tanjung Panjang nature reserve area in Randangan District, Pohuwato which then should have used regulation or law number 5 of 1990 on the conservation of living natural resources and their ecosystems. So that the police or law enforcement officers must use the basis of these regulations in carrying out criminal law enforcement that occurs in the nature reserve area.

¹¹ Farah Nur Laily, "Penegakan Hukum Lingkungan Sebagai Upaya Mengatasi Permasalahan Lingkungan Hidup Di Indonesia," *Wacana Paramarta: Jurnal Ilmu Hukum* 21, no. 2 (2022). 19.

¹² Tony Yuri Rahmanto, "Penegakan Hukum Terhadap Tindak Pidana Penipuan Berbasis Transaksi Elektronik (Legal Enforcement Against Fraudulent Acts In Electronic-Based Transactions)," *Jurnal Penelitian Hukum De Jure* 19, no. 1 (2019). 35.

¹³ Weny Almoravid Dungga et al, "Ensuring Justice in the Trend of Remote Working: Legal Challenges and Implications for Companies and Workers," *Jurnal IUS Kajian Hukum Dan Keadilan* 14, no. 1 (2026): 201–27, <https://doi.org/10.29303/ius.v14i1.1721>; Fence M. Wantu et al, "Reconstructing Alternative Dispute Resolution for Land Disputes Based on Local Wisdom in the Coastal Area of Tomini Bay," *Journal of Law and Legal Reform* 7, no. 2 (2026): 863–902, <https://doi.org/10.15294/jllr.v7i2.18287>.

¹⁴ Wahyu Lukito, "Implementasi Pelestarian Lingkungan Hidup Dalam Bidang Penegakan Hukum Pidana Terhadap Kasus Illegal Logging (Studi Kasus Polres Rembang)," *Jurnal Hukum Khairah Ummah* 13, no. 1 (2018). 156.

Until now, there are still very few cases of law enforcement against criminal acts related to environmental crimes. The police mostly deal with criminal matters in general, such as murder, theft, rape and so on. However, it will be very difficult for us to meet the process of enforcing or handling criminal acts on environmental issues. Therefore, in this research, the authors would like to further explore the extent of the role and steps of the police in handling and enforcing environmental criminal laws that often occur in the field.

Consciously, we have seen many excessive human actions in the management and use of forest areas or the environment. Exploitative actions that we often encounter in the field and many are carried out without regard to aspects of environmental impact, and not the least of community and corporate activities in managing the living environment are carried out illegally or violate the laws that regulate it. Prohibitions or regulations on environmental issues are actually made to control and limit human activities in making wise use of the environment and prioritizing the concept of conservation.

Responsibility for the environment requires support in the form of the application of positive laws that provide direction for the improvement and prevention of business activities that damage the environment. Utilization of environmental resources needs to pay attention to the basis of environmental ethics as outlined in the form of laws and regulations. On the other hand, the utilization of the environment continues to ensure that the people's prosperity in a sustainable manner is a top priority. The environment is the biggest asset that must be protected by the state, considering the importance of the meaning and dimensions of the environment.

Today, the increasing level of population density is in line with the increasing level of community needs in terms of living an increasingly complex life. Thus, nature or the environment itself will become an object that will be the source of life for the community itself. So that a conflict between society and environmental sustainability cannot be avoided. Therefore, it can be ascertained that not a few people or a corporation will be faced with applicable law, if the activities carried out are beyond what has been stipulated or carried out excessively which have massive and long-term environmental impacts.

Environmental problems that are currently often confronted with legal problems are mining area issues which have become a lot of controversy in a number of regions in Indonesia and in Gorontalo itself. But this time, the author will examine the issue of conservation areas or nature reserve areas that have been deforested and have suffered very severe damage. While the prohibition against activities that can damage or change the physical form or function of the nature reserve area has been expressly stated in a regulation or law.

The Tanjung Panjang nature reserve area in Randangan District, Pohuwato is a mangrove forest area that has been designated as a conservation area that needs to be protected and preserved all the ecosystems in it. This is clearly emphasized in Law number 5 of 1990 on the conservation of natural resources and their ecosystems.

Even though the prohibition along with sanctions for activities that can damage the nature reserve area have been emphasized in the regulations, the facts on the ground show things that are very different from what should be. Until now, the Tanjung Panjang nature

reserve which was originally a mangrove forest area with its biodiversity, has now become a pond area and no longer leaves a stretch of mangrove trees. This happens because there is an implication of community dependence on mangrove areas located on the sea coast to be used as objects to meet needs and serve as livelihoods.

Based on the existing regulations and rules, namely in article 17 and article 40 of law number 5 of 1990 on the conservation of natural resources and their ecosystem which expressly stipulates a prohibition accompanied by criminal sanctions for activities that damage a nature reserve area. Therefore, the police, in this case, the Pohuwato Police, should strictly and visibly enforce the criminal law committed by a number of persons who have damaged the habitat and biodiversity in the Tanjung Panjang nature reserve area in Randangan District.

Seeing the deteriorating condition of the Tanjung Panjang nature reserve area, the police must really pay serious attention as a form of criminal law enforcement so that the perpetrators of the destruction of the nature reserve can be held accountable for their actions legally. So that in this discussion, the author will describe the efforts that have been made in enforcing environmental criminal law that occurred in the Tanjung Panjang nature reserve area.

Environmental law enforcement can be carried out preventively or repressively. Preventive or preventive law enforcement is a form of supervision carried out on compliance with a regulation without direct events involving concrete events that raise suspicions that legal regulations have been violated. This action can be carried out by monitoring and using supervisory powers. Meanwhile, repressive law enforcement is carried out in the event that an act violates the rules and aims to end or directly stop a prohibited act that has an impact or is contrary to the law and that sanctions are the result of an act or a reaction from another party, both human and social institutions for the act. humans destroy the environment.¹⁵

Preventive Efforts

In all actions taken by the police, of course, it must be preceded by preventive efforts or preventive actions so that actions or activities that can damage the Tanjung Panjang nature reserve area do not continue to develop and expand. Preventive action itself is one of the steps that must be taken before the police or related parties take repressive action against a case. Tanjung Panjang Nature Reserve is known to have experienced degradation and damage for a long time as a result of community activities that depend on their livelihoods by utilizing the mangrove forest area within the Nature Reserve area as shrimp and fish ponds.

With conditions that have reached 80 percent of the Tanjung Panjang Nature Reserve area has turned into pond land which is cultivated by local communities to migrant communities. Seeing this condition, the police did not stay silent by continuing to make preventive efforts to keep the damage that occurred in the Tanjung Panjang nature reserve

¹⁵ Laily, "Penegakan Hukum Lingkungan Sebagai Upaya Mengatasi Permasalahan Lingkungan Hidup Di Indonesia." 19.

area from spreading. Polres Pohuwato as one of the institutions that are expected to be able to provide protection and law enforcement in accordance with applicable laws and regulations.

Head of Criminal Investigation Unit III Pohuwato Police, Sengly Manop said that so far the Pohuwato Police had not simply ignored the current conditions in the Tanjung Panjang Nature Reserve area. As a preventive effort to prevent further damage to the area, the Pohuwato Police have conducted outreach and education to the people living around the area and the people who incidentally carry out activities within the Nature Reserve area. The socialization and education in question is related to the existence of laws and regulations that regulate the prohibition of activities in the reserve area in accordance with Law number 5 of 1990 on Conservation of Natural Resources and their Ecosystems.

In addition, the Pohuwato Police continue to collaborate with related parties, in this case the Natural Resources Conservation Center (BKSDA) to conduct patrols in the Tanjung Panjang nature reserve area at unscheduled times. During the patrol, the police continued to inform the public not to carry out activities in the Tanjung Panjang nature reserve area. Preventive efforts carried out by the police are a form of protecting the environment and also the community itself so that they are not entangled in criminal cases and become perpetrators in the destruction of nature reserve areas.

Even though most of the Tanjung Panjang nature reserve area has now been turned into ponds, the police have not stopped providing education and understanding to the public not to clear land or damage the nature reserve area. The police are currently coordinating with the local government on how then the remaining untouched and undamaged nature reserve areas can be installed and given signs or boundaries so that the community does not carry out activities that have the potential to further damage the Tanjung Panjang nature reserve.

Responding to the various conflicts and problems that occur in the Tanjung Panjang nature reserve area related to the control of wetlands and the destruction of mangrove areas to become ponds, the Pohuwato Police also continues to seek solutions by coordinating with the local government to provide guarantees to people who carry out activities in the area. . This means that the problem of solving existing problems is not solely the responsibility of the police but must be accompanied by synergy between related institutions in providing solutions without having to sacrifice or neglect the people who depend on the nature reserve area. The importance of preserving nature and the environment must be considered without neglecting the interests and welfare of the community.

Repressive Law Enforcement Efforts

Repressive criminal law enforcement is an action that is carried out at the time of the activity of destroying the area or after the occurrence of an act that damaged the area which requires the presence of skilled, professional and authoritative law enforcement officers. The method of enforcing repressive criminal acts focuses more on the process of arrest, detention, investigation, prosecution and up to the judicial process.

In responding to the problem of the destruction of the Tanjung Panjang nature reserve area which results in criminal sanctions for those who do the damage, the Pohuwato Police have put forward preventive efforts to ensure and protect nature conservation and the community not to be involved in the destruction of the nature reserve area which is increasingly widespread. However, Head of Criminal Investigation Unit III of the Pohuwato Police, Sengly Manopo emphasized that he would take firm action against people who continue to carry out activities in the Tanjung Panjang nature reserve area. So far, the Pohuwato Police have also handled cases of destroying the Tanjung Panjang nature reserve area based on reports from community organizations that are starting to feel the various impacts of the damage to the mangrove forest area in the nature reserve area which is now being used as a pond area.¹⁶ However, it is very unfortunate that the handling of this case did not reach the judicial process to impose sanctions on the perpetrators of the destruction of the nature reserve area.

Sengly Manopo revealed that his party had attempted to enforce the law in a repressive manner, but in the process of enforcing the law that was about to be carried out there were various obstacles and obstacles which resulted in the case not yielding results until a sanction decision was made. These obstacles and obstacles are in the form of difficulties for the police in completing several files or documents requested by the court and constraints on the person or actor who wants to be examined often runs out of blood and comes alternately in managing pond land in the Tanjung Panjang nature reserve area. Repressive efforts by the police have also often met with resistance from local people who depend on the Tanjung Panjang nature reserve for their livelihood.

On the other hand, the lack of repressive actions or efforts carried out in enforcing criminal law against the perpetrators of the destruction of the Tanjung Panjang nature reserve area by the Pohuwato Police is not without reason. The vulnerability of social conflicts that will occur due to problems that are so complex in the Tanjung Panjang nature reserve area is one of the reasons why the police are reluctant to carry out or put forward repressive efforts. Where the police still prioritize preventive efforts to provide understanding to the public. However, that does not mean that the police are indifferent to their role and duties as law enforcement officers. Therefore,

4. Factors Inhibiting Law Enforcement against the Destruction of the Tanjung Panjang Nature Reserve

Law is not synonymous with justice, law is general, binds everyone, generalizes. Whoever destroys the environment must be punished. Everyone who destroys the environment must be punished without discriminating against the person. On the other hand, justice is subjective, individualistic and not generalized. Law enforcement is not only the implementation of legislation, but also the factors that influence it.

In law enforcement, it is very likely that there will be obstacles that affect its implementation in the field. Obstacles themselves are obstacles, hindrances, or a condition that is unwanted and unwanted, hinders the development of a person or activity, creates

¹⁶ Sengly Manopo, *Wawancara* (Gorontalo, n.d.).

difficulties that need to be eliminated. In enforcing environmental law there are also obstacles that need to be faced. Although many regulations have been issued by the government, there are still obstacles in its implementation. Soerjono Soekanto said that there are five factors that influence law enforcement, namely:

- 1) Law enforcement factors, namely the parties that form and apply the law.
- 2) The legal factor itself, which is limited by law only.
- 3) Facility factors or facilities that support law enforcement.
- 4) Community factors, namely the environment where the law applies and is applied.
- 5) Cultural factors, as a result of work, creativity and taste based on human initiative in social life.

The five factors above can truly have a big influence on the maximum law enforcement process carried out by the police or law enforcement officers. Where there are relationships with each other that are interrelated and influence each other on the smooth running of the enforcement of applicable laws and regulations. Based on the results of the research and analysis carried out by the author in addressing the issue of law enforcement against the perpetrators of the destruction of the Tanjung Panjang nature reserve area in Randangan District, Pohuwato Regency, it is inseparable from the various obstacles and obstacles faced by the Pohuwato Police Police in carrying out action.

In the matter of law enforcement against the perpetrators of the destruction of the Tanjung Panjang nature reserve area, the socio-economic and cultural conditions of the community are one of the obstacles and obstacles faced by the police when they want to enforce the law.

One of the obstacles faced by the Pohuwato Police in enforcing the law against the perpetrators of the destruction of the Tanjung Panjang nature reserve area is in the process of proving or completing documents related to determining the status of the area which until now has become an obstacle to the implementation of the judicial process. It's not just a matter of completing documents, the Pohuwato Polres revealed that the police are having difficulties in presenting or providing expert testimony which is still very far away and will take a long time to issue related documents. Don't stay still. Polres Pohuwato continues to build communication and collaboration with the BKSDA in terms of completing the intended documents.

Furthermore, the majority of community factors or actors who carry out activities in the Tanjung Panjang nature reserve area are not local people, but are people from outside Gorontalo and it is generally known that the actors who carry out aquaculture activities in the area are people from South Sulawesi. This had a major impact on the law enforcement stage carried out by the Pohuwato Police, where when an investigation or investigation was carried out, the suspected perpetrator was no longer in the location and left the area with the aim of eliminating traces from the police for a long time. However, ponds that have been cleared are not abandoned,

Apart from that, we can see that the lack of coordination between law enforcement officials and related institutions has become an obstacle in law enforcement against

perpetrators of destruction of nature reserve areas. How could it not be, this is proven by the incomplete handling of the judicial process due to the non-fulfillment of one of the documents related to the status of a nature reserve area which should have been able to be followed up and assisted by related institutions in terms of accelerating or procuring the document in question. In addition to the weak coordination that is established, the lack of police officers in the field and the lack of skills and abilities in law enforcement for environmental crimes or acts of destruction of nature reserve areas. Because,

Polres Pohuwato is of the view that the location of the Tanjung Panjang nature reserve area which has already been cleared to become ponds by the community and has become the source of livelihood and the foundation of life for the local community not to be disturbed. This is because the police prioritize and consider social conflicts that will occur if repressive actions are continued. This condition is certainly the reason why law enforcement against perpetrators of destruction or clearing of ponds in the Tanjung Panjang nature reserve area has not been optimally resolved. Seeing these conditions, the Pohuwato Police then conveyed and provided input and solutions so that the area that had now been cleared to become a pond by the community could be given the status of a land use area by legalizing it.

5. Conclusion

Whereas based on the series of discussions that the author has put forward in previous chapters, the conclusions that can be drawn by the author are as follows:

Law enforcement against the criminal act of destroying the Tanjung Panjang nature reserve area in Randangan District is pursued through preventive measures, where Polres Pohuwato has carried out outreach and education to the people who live around the area and the people who actually carry out activities in the Nature Reserve area. The Pohuwato Police also continues to cooperate with related parties, in this case the Natural Resources Conservation Agency (BKSDA) to carry out patrols in the Tanjung Panjang nature reserve area at unscheduled times. Then there are also efforts to enforce the law in a repressive manner, but in the process of enforcing the law that is about to be carried out there are various obstacles and obstacles that result in the case not reaping results until a sanction is decided.

Obstacle factor The problem faced by the Pohuwato Police in carrying out enforcement is in the process of proving or completing documents related to determining the status of the area which until now has become an obstacle to carrying out the judicial process, then difficulties in presenting or providing expert testimony which is still very far away and will take a long time to issue related documents, the community or actors carrying out activities in the nature reserve area are not local people so that when an action or investigation is carried out, the suspected perpetrator is no longer in the location and leaves the area with the aim of eliminating traces from the police for a long time. Besides that,

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