



Inhibiting Factors in Combating Threatening Crime in Paguyaman Pantai Sub-District

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Abstract: The purpose of this research is to identify the factors that hinder the efforts to overcome the criminal act of threatening. The research method used by the author in this research is the empirical research method by conducting a qualitative approach. The results of this study are the prevention efforts carried out by the police initiative aims. The results of field research show that not all cases of criminal threats can be resolved through mediation; the selection of cases to be handled needs to be done. Police at Paguyaman Pantai Police Station first evaluate the impact experienced by the victim in the case. If the case is considered minor and can be mediated, the police will try to resolve it through mediation. However, cases involving repeat offenders are not suitable for mediation. Mediation also depends on the willingness of the victim, as the final decision remains with the victim, while the police can only try to encourage it. In this case, the police use their discretion to facilitate penal mediation, acting as a mediator between the two parties. When the victim and the offender agree to mediation, the role of the police as mediator is to connect them and help formulate goals so that an agreement can be reached.

Keywords : Countermeasures; Criminal Offense; Threatening

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1. Introduction

Indonesia, as a state of law, honors sovereignty with the word "Law" which comes from Arabic and is used in the singular. Law enforcement in Indonesia is very important for all citizens who are binding and of course for the sake of the continuity of the nation in the future to become an orderly, safe, and equitable country so that it can create an orderly, safe, and equitable nation.

A safe and peaceful environment for all Indonesian citizens. On the other hand, it is necessary to enforce the law evenly, seeing the large and archipelagic Indonesian nation, an effort to be able to enforce the law itself, the state has accommodated and presented state institutions that are tasked with carrying out and enforcing the law.

Indonesia has tremendous challenges in the era of the role of technology in enforcing the law itself so various ways to be able to treat actions that refer to criminal acts or criminal acts. Criminal acts committed by a person can occur either directly or indirectly, and this has been comprehensively regulated in law to maintain the sustainability and peace of citizens. Efforts in handling criminal acts can be carried out by anyone, but an important element that directly participates in prevention efforts to deal with crime is the Party in charge of enforcing the law. Crimes can occur at various locations and times, with various types of unlawful acts, one of the unlawful acts is the crime of threatening. The crime of threatening is a criminal act that kills the psychology of someone who feels threatened, so legal protection is needed so that someone can feel safe and peaceful, in this case, efforts to overcome the crime of threatening are very important.¹

Prevention efforts to deal with the threat of crime initiatives carried out by the authorities, especially police officers, to prevent criminal acts in an area, especially in the Paguyaman Pantai Sub-district. However, countermeasures and prevention efforts are not only the responsibility of law enforcement officials but can also be carried out by all members of the surrounding community. Law Number 2 of 2002 on the Indonesian National Police describes the roles and responsibilities of police officers by the provisions in Article 13.

"Maintaining security and public order, enforcing the law, and providing protection, protection, and services to the community". Especially in handling crime, or what is known as criminality. Meanwhile, in the context of Criminal Law, extortion and threatening refer to the act of forcing someone to hand over goods to be controlled.² However, the main regulations related to coercion and intimidation are regulated in Article 368 of the Criminal Code. "Any person who, with the intent to unlawfully

¹ Andrian Dwi Putra dkk., "Faktor-Faktor yang Memengaruhi Tingkat Kriminalitas di Indonesia Tahun 2018," *Indonesian Journal of Applied Statistics* 3, no. 2 (2021): 123–31.

² Republik Indonesia, "Undang-undang Nomor 2 tahun 2002 tentang kepolisian Republik Indonesia" (t.t.).

obtain personal gain or the gain of another, uses force to compel an individual to surrender goods or assets wholly or partially owned by the individual or another person, or with the intent to make an individual owe or cancel his debt, shall be punished with a maximum penalty of nine years for extortion".

The crime of threatening has also been regulated in the Criminal Code in Chapter XXIII. This can be found in Article 369. From the article, it can be understood that the perpetrators of the crime aim to obtain personal gain or the illegal benefit of others. Threats used include verbal or written defamation, as well as threats to reveal secrets.³ The perpetrator also forces a person to give goods, in whole or in part, which belong to that person or another person. It also includes attempts to get the person into debt or to cancel a debt.⁴

In addition, in Section XVIII which discusses Crimes Against the Freedom of the Person, if a person uses violence or threatens violence to force another person to do, not to do, or to tolerate an act, it can be subject to Article 335 of the Criminal Code on unpleasant acts, according to the victim's complaint. In this provision, the threat of violence, even if it has not yet materialized in the form of violence, can still be subject to Article 335 of the Criminal Code as long as the element of coercion is fulfilled.

In depth, if the threat is conveyed through electronic media, the perpetrator of the threat can be subject to criminal sanctions in accordance with the provisions of Article 45B of Law Number 19 of 2016 concerning Electronic Information and Transactions (UU ITE). "Every person who intentionally and without the right to send electronic information and/or electronic documents containing threats of violence or fear aimed personally, shall be punished with a maximum imprisonment of 4 (four) years and/or a maximum fine of Rp. 750,000,000.00 (seven hundred and fifty million rupiah)".⁵ In article 45 paragraph (3) of the ITE Law "Every person who fulfills the elements as referred to in Article 29 shall be punished with a maximum imprisonment of 12 (twelve) years and/or a maximum fine of Rp 2,000,000,000.00 (two billion rupiah).

Paguyaman Pantai Sub-district is one of the sub-districts located in the government area of Boalemo Regency, Gorontalo Province, which is precisely in the jurisdiction of the Boalemo Resort Police, the Paguyaman Pantai Sector is not free from problems faced with various kinds of crimes, of course this is the responsibility of law enforcement officials to become an umbrella for citizens who feel that their dignity has been colonized by a person or group that can be indicated to seize a person's independence. Similarly, the criminal act of threatening experienced by a resident of

³ Republik Indonesia, "Kitab undang-undang hukum pidana Bab XXIII pasal 369" (t.t.), 369.

⁴ Putu Ary Prasetya Ningrum, "Penegakan Hukum Terhadap Pelaku Tindak Pidana Pengancaman Yang Ditunjukkan Dengan Ucapan Dan Hinaan," *Pariksa: Jurnal Hukum Agama Hindu* 4, no. 1 (2020): 39-45.

⁵ Republik Indonesia, "Undang-undang nomor 19 tahun 2016 tentang Informasi dan Transaksi Elektronik" (t.t.).

Lito Village, Paguyaman Pantai Subdistrict, Boalemo Regency, occurred on Wednesday, March 30, 2022 in this case, a threat made by a resident named Kisman Hamu alias Kiman against Mister Kadula.

The threat was made with a death threat, where Kisman Hamu said "*PATE U MATEMATELO MAO YIO, ANU JA MODUNGGAYA TO TIBAWA MO DUNGGAYA TO HUIDU*" which means "I will kill you, if you don't meet in the village I will wait in the garden" while holding a machete. After the incident, the residents who were threatened felt afraid to do their daily activities. A resident who felt threatened made a complaint to the local police, based on the Paguyaman Pantai Sector Police complaint report Number: LP/B07/III/2022/SEK/PAG.PANTAI/RES-BOALEMO.

2. Method

The research carried out or applied is empirical legal research, which can also be referred to as sociological juridical research or field research. The focus of the research is on law, which includes not only aspects of rules or norms (law in book), but also involves legal dimensions related to community behavior in everyday life (law in action).⁶

3. Factors that hinder law enforcement

Law enforcement is an effort made consciously by everyone in order to achieve the justice that everyone wants. Law can run effectively if its enforcement can be done correctly so that people can feel the protection of the law. Some factors that hinder law enforcement are as follows:⁷

- 1) The legal factor itself is that there may be inconsistencies in legislation regarding certain areas of life. Another possibility is the incompatibility between legislation and unwritten law or customary law. Sometimes there is a discrepancy between written law and customary law and so on.
- 2) Law enforcement factors, namely one of the keys to success in law enforcement is the mentality or personality of the law enforcers themselves. Law enforcers include police, prosecutors, defenders, judges, correctional officers, and so on.
- 3) Facility factors or facilities that support law enforcement, which include educated and skilled human resources, good organization, adequate equipment, sufficient finance. The lack of adequate facilities causes law enforcement to not run properly.
- 4) Community factors, namely the most important part in determining law enforcement is public legal awareness. The higher the legal awareness of the

⁶ S. H. I. Jonaedi Efendi, S. H. Johnny Ibrahim, dan M. M. Se, *Metode Penelitian Hukum: Normatif dan Empiris* (Prenada Media, 2018).

⁷ Mohd Yusuf DM dkk., "Tinjauan Yuridis Faktor-Faktor Yang Mempengaruhi Efektivitas Penegakan Hukum Di Masyarakat," *Jurnal Pendidik Indonesia (JPIIn)* 5, no. 2 (2022): 176–84.

community, the more possible good law enforcement will be. Conversely, the lower the level of public legal awareness, the more difficult it will be to carry out good law enforcement.

- 5) Cultural factors, namely culture as a result of work, creation, and taste based on human nature in the association of life. Indonesian culture is the basis of the enactment of customary law, so the enactment of written law (legislation) must reflect the values that are the basis of customary law.

In law enforcement, not only law enforcement officials can enforce the law, the community also has the right to participate in law enforcement so that the law is obeyed by the community. This requires an attitude of cooperation between law enforcement and the community in enforcing the laws in society so that the law can be obeyed and obeyed and legal sovereignty is maintained. The community contributes its thoughts in law enforcement, in addition to law enforcement officials, the community is encouraged to participate in maintaining the law to remain orderly and obeyed by other communities.⁸ This is expected so that in law enforcement between law enforcers and the community help each other and work hand in hand in enforcing existing laws so that the law can be enforced for the sake of certainty justice and benefits which of course will provide prosperity for the community itself. As we know that all countries must have laws and regulations or applicable laws .

Our country, Indonesia, is a state of law that has legal regulations that force all people in the territory of Indonesia to obey and submit to legal regulations made by the Indonesian people, even in Indonesia regulates foreigners who are in Indonesian territory to obey the laws that apply in Indonesia.

4. Law enforcement of the crime of threatening according to the criminal code (KUHP)

In order for society to become more orderly and legally secure, law enforcement is very important. This is done to create order in the functions, duties, and authority of the institutions tasked with enforcing the law in accordance with their respective fields, and based on a strong system of cooperation to achieve the goals that have been achieved. Since today's society has a very high level of organization, the forced development of society has an impact on the pattern of law enforcement.

Law enforcement officials must determine how many individuals are aware of the law, as it determines how the law will be implemented in society. As a result, there are often a number of regulations that cannot be implemented by the law enforcers.⁹

Good because law enforcement officers do not enforce the provisions of the law properly. This sets a bad example and can damage the reputation of law enforcement.

⁸ Andi Irriana D. Sulolipu, "Analisis Tindak Pidana Pengancaman Melalui Pesan Singkat," *Al-Ishlah: Jurnal Ilmiah Hukum* 22, no. 1 (2019): 45-52.

⁹ A. Mudzakiyus Sovi, "Tindak Pidana Pengancaman Menurut Hukum Pidana Positif Dan," T.T.

Law enforcement has always been associated with the ability to focus solely on matters of order. Because the law must be viewed as a single entity that gives rise to a complex system, its enforcement is equivalent to legislation.

Legal System Theory According to Lawrence M. Friedman, a professor of law, historian, American legal historian, and prolific writer, there are three main elements of a legal system, namely:

- 1) Legal Structure
- 2) Legal Substance
- 3) Legal Culture

Lawrence M. Friedman argues that the adequacy and progress of policing rests on three components of the overall legal apparatus, specifically legal construction, legal substance and legal culture.¹⁰

Lawful design involves the police apparatus, lawful substance includes legal instruments and lawful culture is the rule of life adopted by the general public.

1. Legal Structure

In Lawrence M. Friedman's theory, this is referred to as a structural system that determines whether or not the law can be implemented properly. The legal structure based on Law No. 8 of 1981 includes the Police, Prosecutor's Office, Court and Criminal Implementation Agency.¹¹ The police force is guaranteed by regulation, so that in carrying out its obligations and obligations it is free from the influence of government power and different is a saying that "fiat justitia et pereat mundus" even if the world is crumbling, the law must be passed. The law cannot operate or be implemented on the assumption that there are no reliable, capable and independent police. No matter how great a legal code is if it is not enforced by a great police force, then at that point, justice remains a fantasy land.¹²

The weak mindset of the police includes a lack of religious understanding, financial problems, an unstraightforward registration process, etc. So it can be underlined that the police play an important role in law enforcement. Assuming the guidelines are great, but the nature of the police force is low, there will be problems. In addition, if the guidelines are terrible while the

¹⁰ Hengki Prima Hodding, "Penegakan Hukum Pidana Terhadap Tindak Pidana Pengancaman Berbasis Pinjaman," *Journal of Law (Jurnal Ilmu Hukum)* 6, no. 2 (2021): 234–349.

¹¹ Kiki Andrian, Ifahda Pratama Hapsari, dan Dodi Jaya Wardana, "Penegakan Hukum Terhadap Pelaku Tindak Pidana Pengancaman Dengan Kekerasan Melalui Media Sosial," *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-undangan dan Pranata Sosial* 7, no. 1 (26 Juni 2022): 268–89, <https://doi.org/10.22373/justisia.v7i1.13220>.

¹² Suyatno Suyatno Suyatno, "Kelemahan Teori Sistem Hukum Menurut Lawrence M. Friedman Dalam Hukum Indonesia," *Ius Facti: Jurnal Berkala Fakultas Hukum Universitas Bung Karno* 2, no. 1 Juni (2023): 197–205.

nature of policing is good, the possibility that problems will arise is still open. About the legal structure Friedman explains:

"regardless, the lawful system has the construction of a general set of laws comprise of components of this sort: the number and size of courts; their purview ... Structure likewise implies how the governing body is coordinated ... what systems the police division follows, etc. Structure, in a way, is a sort of cross-section of the general set of laws... a sort of still photo, with freezes the activity."

Another part of the collection of general laws is their substance. What the substance implies are the principles, standards and examples of true human behavior within the framework. So the legitimate substance concerns the relevant regulations and guidelines that are restrictive in nature and serve as rules for police officers. Another part of the common law collection is the substance. What the substance implies are standards, standards, and examples of genuine human behavior within that framework. So legitimate substance concerns the corresponding regulations and guidelines that are power-limiting and become the rules for the police.

- 1) Another part of the whole set of laws is their substance. What the substance implies are the principles, standards and examples of true human behavior within the framework. So the legal substance concerns the relevant regulations and guidelines that are limiting in nature and serve as rules for the police force.
- 2) The board is the framework that is applied in the foundation of running the framework. The board can be viewed as a standardized work methodology that serves as a reference in completing a managerial cycle or navigation.
- 3) Contraption human resources are the individuals involved in running the framework, both inside design and outside construction. Device human resources are influenced by legitimate incentives for mechanical assembly and device attitudes towards the law affecting exhibits in handling or managerial directives.

In light of the above picture, a legitimate design about the company is likewise kept in mind for the hierarchical angle, the board perspective, the human resource part of the current device in the framework.

2. Legal Substance

Legitimate substance concerns the relevant principles and standards that limit power and provide rules for police officers. Substance is a kind of perspective so that execution can be measured and coordinated in achieving objectives. Substance provides legal certainty in action. Rules or standards as das sollen

are legitimized realities communicated by jurists at the hypothetical level (regulations in books), becoming specific regulations as the goal of how it should be.¹³

Legitimate substance concerns local reactions to these guidelines and standards, how the principles/standards relate to legitimate constructs (pecking order of regulation) and the importance of mechanical assembly of legal production to the guidelines/standards.

3. Legal culture

Regarding legal culture, Friedman argues:

"The third part of the overall set of laws, of legitimate culture. By this we mean individuals' perspectives toward regulation and the general set of laws their conviction ... in other words, it is the climax of social ideas and social power which decides how regulation is utilized, kept away from, or manhandled".

Legal culture concerns the legal culture which is the human mentality counting culture or culture towards law and legal instruments in general. No matter how great the course of action of the lawful construction to carry out the prescribed lawful guidelines and regardless of how great the nature of the legal substance created without being upheld by the legal culture by the individuals associated with the framework and society, policing does not work in fact.

Legitimate culture concerns individuals' perspectives on the law and legal tools in general. An individual's perspective towards regulation incorporates beliefs, values, thoughts, and assumptions. To more easily understand the culture that is always tied to society, here are statements about legitimate culture, that Catholics will generally stay away from segregation because of their religion, that individuals living in the Ghetto have little or no trust in the police, that working-class individuals are bound to record protests with public authorities rather than the rich, or that high courts value high respect.¹⁴

Legitimate or life-bound culture is, ultimately, the milieu of social ideas and social forces that decide how law is used, kept at bay, or manipulated. Without a legitimate and bound culture, the common law device is as latent as a dead fish lying in a container instead of a live fish swimming in the ocean. Every commonwealth, every country, every region has a culture that is lawful to each of their dwellings. There are reliable mentalities and judgments about the law. This does not mean that everyone thinks the same way. One important part of culture is the insider legal culture.

¹³ Andrian, Hapsari, dan Wardana, "Penegakan Hukum Terhadap Pelaku Tindak Pidana Pengancaman Dengan Kekerasan Melalui Media Sosial."

¹⁴ Zainab Ompu Jainah, *Budaya Hukum Penegak Hukum dalam Pemberantasan Tindak Pidana Narkotika-Rajawali Pers* (PT. RajaGrafindo Persada, 2021).

Law enforcement is one of the arrangements to achieve an order of legitimate principles, therefore the attachment to culture in the region is different, especially with differences in beliefs that are still thick. Because the achievement of a solidarity must have a design, office or police, and culture in the eyes of the public, legal awareness is very important in today's public arena to make common goals. The breadth of the term law enforcement is vast, as it includes people who are directly and indirectly involved with policing. In this paper, what is meant by enforcement is limited to people who are directly related to the field of law enforcement including policing, in addition to harmony support. It is assumed that this meeting involved people working in the fields of equity, examiners, police, prosecutors, and remedial offices.

Enforcement is one of the efforts to deal with offenses properly, satisfying a sense of justice and effectively. With regard to the management of different means as a response that can be given to the perpetrators of demonstration crimes, as criminal and non-criminal means, which can be coordinated with each other. Law enforcement itself must be interpreted within the framework of 3 (three) concepts, including:

- 1) The total enforcement concept demands that all values behind legal norms are enforced without exception.
- 2) A concept of full enforcement that recognizes that the total concept needs to be limited by procedural law and so on for the protection of individual interests.
- 3) The actual enforcement concept emerged after it was believed that there was discretion in law enforcement due to limitations, both related to infrastructure, quality of human resources, quality of legislation and lack of community participation.

Looking at the above description, the creator interprets that what is implied by the police is pretty much a work made to make law, both in the strict conventional sense and in the broad material sense, as a social auxiliary in any lawful demonstration, both by the lawful subjects concerned as well as by the police who are authorized and empowered by the regulations to ensure the operation of the relevant lawful norms in the life of society and the state.

From this understanding, our conversation about policing decides the cut-off point for ourselves whether we will talk about the whole idea of policing, from the idea of policing being absolute, full, genuine or we limit ourselves to examining only certain things, e.g. examining only the idea of policing the true idea of necessity associated with the nature of regulation. The drafting of this regulation was deliberately made to give an overview of the whole idea relating to the subject of policing.

Criminal regulatory authority is a work that is applied to achieve the actual legal objectives. According to Muladi and Barda Nawawi, criminal law enforcement must be carried out in several stages which are seen as work aimed at achieving the actual legal objectives.¹⁵ Because the law cannot be separated from the problem of criminal regulation legislation which consists of three phases, namely:

- 1) A Plan Stage The definitional stage is the stage in which criminal legislation is enacted in the abstract by the legislature. This stage is often referred to as the authoritative drafting stage.
- 2) Application Stage The application stage is the policing stage (rule application stage) by the police from the police to the court.
- 3) Execution Stage The Execution Stage is the stage of substantial requirements (execution) of criminal regulations by criminal implementing officials.

Criminal law enforcement is the most common way of carrying out the law to find out what is legal and what is illegal in people's lives, find out which activities can be rejected by the regulation of material criminal regulations, and guide the activities and efforts that must be made for the smooth execution of the law both when unlawful demonstrations occur according to the regulation of formal criminal regulations.¹⁶

Criminal law enforcement is the most common way of carrying out the law to find out what is legal and what is illegal, find out which activities can be rejected by the regulation of material criminal regulations, and guide the activities and efforts that must be made for the smooth execution of the law both when unlawful demonstrations occur according to the regulation of formal criminal regulations.

Meanwhile, according to Jimly Asshiddiqie, law enforcement is the most common way to complete efforts to implement or actually fulfill legitimate standards as rules for behaving in rush hour traffic or legitimate relationships in the life of friendship and state.¹⁷ Viewed from the perspective of the subject, policing is carried out by a broad subject and can also be interpreted as the work to implement regulation by the subject in a limited or restricted sense. From a broad perspective, policing includes all legal subjects in every legitimate relationship. Any person who applies a regulation that governs or follows something or does not achieve something according to the standards of the regulation concerned, implies that he or she is accomplishing or implementing law and order. From a limited perspective, as far as the topic

¹⁵ Shant Dellyana, "Konsep Penegakan Hukum," *Yogyakarta: Liberty* 33 (1988).

¹⁶ ujang Dwi Wijaya Wahab Lubis, "Upaya Kepolisian dalam Penanggulangan Tindak Pidana Pemerasan dan Pengancaman Melalui Media Elektronik (Studi pada Polda Lampung)," 2018.

¹⁷ Soerjono Soekanto, "Faktor-faktor yang mempengaruhi penegakan hukum," 2004.

goes, policing is only characterized as a specific policing effort to ensure and guarantee that law and order works as it should.

In ensuring the authority of the law, if necessary, the police are allowed to use force. The meaning of law enforcement is also seen from the point of view of the article, specifically about the law. For this situation, importance also encompasses a broad and streamlined meaning. From a broad perspective, policing combines the positive side of equality embodied in formal principles and the positive side of equality lived in the public eye. Thus, the interpretation of the word 'policing' in Indonesian with the broad meaning of the word 'law enforcement' and the term 'rule implementation' can also be used from a narrow perspective. The qualification between the established customs of law and order and the degree of equity value they contain has even emerged in English itself with the sophistication of 'the rule of law' versus 'the rule of just law' or to the extent of 'the rule of law and not of man.' versus the term 'the rule by law' meaning 'the rule of man by law'.

The term 'the rule of law' implies the importance of rule by law, but not in its conventional sense, but also incorporates the aspects of justice contained therein. In this way, the term is used. The term 'the rule of just law' 'the rule of law and not of man' is expected to underscore that essentially the public authority of a sophisticated legitimate state is exercised by rules, not by individuals. The opposite term is 'the rule of man by law' which is envisioned as government by individuals using the law as a tool of simple power.

With the above description, it is clear that what is meant by law enforcement is more or less an effort made to make the law, both in a narrow formal sense and in a broad material sense, as a guide to behavior in every legal action, both by the legal subjects concerned and by law enforcement officials who are officially given the task and authority by law to ensure the functioning of legal norms that apply in the life of society and the state. From that broad understanding, our discussion of law enforcement can set its own boundaries.

Are we going to discuss all aspects and dimensions of law enforcement, both in terms of the subject and the object or are we limited to discussing only certain things, for example, only examining the subjective aspects. Sociologically, every law enforcer has a position (status) and role (role). Position (social) is a certain position in the social structure, which may be high, moderate or low.

The position is actually a container, which contains certain rights and obligations. These rights and obligations are roles. Therefore, someone who has a certain position is usually called a role occupant. A right is actually an authority to do or not do, while an obligation is a burden or duty. A certain role can be described into elements, as follows:

- a. The deal role
- b. Expected role

- c. Self-perceived role
- d. Actual role (actual role)

The role that is actually performed is sometimes also called role performance or role playing. It is understood that the ideal and supposed role comes from the other party or parties, while the role that is considered to be actually performed comes from oneself. Of course, in reality, these roles function when a person relates to another party called (role sector) or with several parties (role set).

The sociological framework will be applied in the analysis of law enforcement, so that the center of attention will be directed to its role. However, in this case the scope is only limited to the supposed role and actual role. The issue of role is considered important, because the discussion of law enforcement is actually more focused on discretion. As stated earlier, discretion involves decision-making that is not strictly bound by law, where personal judgment also plays a role. In law enforcement discretion is very important, because:

- 1) No legislation is so comprehensive that it can regulate all human behavior.
- 2) There are delays in adapting legislation to developments in society, leading to uncertainty.
- 3) Lack of money to implement legislation as intended by the legislature.
- 4) There are individual cases that require special handling.

In the Criminal Code the crime of threatening with violence is regulated in Article 335 Paragraph (1) which reads:

"Whoever unlawfully forces another person to do, not to do or to tolerate something, by means of violence, other acts or unpleasant treatment or by threat of violence, of any other act or of ill-treatment, either against himself or against another person, shall be punished by imprisonment for a term which may extend to one year or by a fine which may extend to four thousand five hundred rupiahs. 4500."

In the Penal Code, harm is used as an ordinary offense and not an offense against a protest event that does not require grumbling, but rather a report or due to the commitment of the state apparatus to move. When examined legally or in the handling of cases through the offense of protest means an offense that must be handled in the event that there is an objection or report from an individual who has survived a wrongdoing, then the indictment of the offense is subject to the consent of the injured or victim. The crime of protest is

regulated in Article 75 of the Criminal Code. Where the victim can withdraw the report unless there is an understanding between the person concerned and the respondent. Article 75 of the Penal Code states that in the event that you document an objection, you have the right to revoke it within three months or less.

5. Conclusion

Based on the results of the research and discussion conducted, law enforcement is a crucial effort to maintain order and justice in society. However, several factors can hinder law enforcement, such as legal factors, law enforcement personnel, facilities, and the community. Legal factors include discrepancies in legislation and between customary and formal law. Law enforcement personnel factors involve the mental quality and personality of law enforcers. Facility factors include the lack of skilled human resources, good organization, adequate equipment, and sufficient funding. Community factors encompass the level of legal awareness and the application of customary law. These factors are interconnected and determine the effectiveness of law enforcement, with a primary focus on law enforcers. The research shows that the steps taken by the police in handling criminal threat cases in the jurisdiction of Paguyaman Pantai Police Sector are adequate, although public legal awareness is still lacking. The implementation of penal mediation is effective, but public awareness of the law, particularly Article 368 of the Criminal Code, remains low, leading to the perception that threats are commonplace. Therefore, effective law enforcement involves understanding the role of each law enforcer, the legal structure, legal content, and legal culture in Indonesia.

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