

The National Police's Efforts to Eradicate Thuggery Offences (A Law Study)

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Abstract

Thuggery has increased in recent years as a result of numerous segments of the community members who were unable to perceive economic well-being, such as other community members. Street crime and crime (Street Crime) are grassroots crimes that actually worry tiny people, which is why law enforcement officials, particularly the National Police, require them. The researcher's definition of the issue is as follows: What is the form of legal protection against thuggery actions in Indonesia? And how is the effort to overcome the crime of thuggery in Indonesia? The researcher's study method is a normative juridical one, which entails analyzing the relationship between applicable laws, legal theories, and the practice of implementing positive law in relation to the issues covered.

Keywords

legal case; thuggery; police



I. Introduction

Thuggery is an obnoxious act that can jeopardize public safety and order (Santoso, 2004). Thuggery activities have increased in recent years as a result of numerous segments of the community being unable to afford economic wellbeing, such as other community members (Sunarto, K. 2004). The majority of persons who commit thuggery lack jobs and lack the necessary abilities, and hence seek a shortcut through manifexing, squeezing, robbing, and frightening. As is the case with thuggery at the bus terminal in the form of illegal levies on drivers, which, if denied, jeopardize the driver's and vehicle's safety as they pass through the terminal. The market goons collect unlawful charges from stamps, which, if rejected, will result in damage to the stalls implicated (Satjipto R, 2009).

Street Crime's thuggery and crime are grass-root offenses that have wreaked havoc on small communities. It is far more disturbing than the current corruption scandals in the news. However, the mainstream media is generally uninterested in discussing street crime, as it is viewed as a minor issue that is uninteresting for media coverage (Mahmud, 2008). As with any celebration, certain individuals seek to profit off street throngs. Pickpockets, squeezers, palak, and buskers are just a few examples. All are seeking chances in their own unique ways, some of which are partially organized, such as beggars, pickpockets, and parking attendants; some even engage in mafia-inspired groups or narcotics networks, while others operate independently (Sadjijono, 2008).

District Police of Tanah Abang detained ten people on suspicion of thuggery in Tanah Abang's Tasik market. Several of the goons were apprehended on the scene." Following the receipt of a viral video, the direct police chief dispatched a check member to the scene. There are still some individuals listed who were directly safeguarded by ten individuals." Four and 10 individuals can be eliminated and sufficient evidence collected for investigation. The police identified four offenders in a viral thuggery video that circulated on social media. T (22), Mia (21), MNH (26), and S (27), are the four suspects (40). Four of the culprits are

known to be homeless and unemployed. District Police of Tanah Abang detained the criminals promptly after receiving reports from traders who were frequently victims of the thugs' elders. A quantity of money ranging from Rp. 50 thousand to Rp. 90 thousand, along with a Rp. 2,000 and Rp. 500, was discovered as evidence of the suspects' money extortion incident. Previously, the thugs levied illegally after assisting motorists in removing their parked cars. The perpetrators were apprehended under article 368 of the Criminal Code, which prohibits extortion of crimes punishable by more than five years in jail. In the current era of globalization, the development of criminal acts has spawned new types of crime, transnational crime (Kartika in Lubis, 2021). Gunawan (2019) state that There is a fundamental difference between the two acts, even though the two acts are elements that determine whether or not an action can be declared a criminal act, furthermore the two acts are also important to determine whether someone can be blamed. To realize the benefit of the application of the penalty or sanction is something effort to prevent crime, made repairs and a deterrent for offenders not to repeat it again (Munawarsyah, 2018).

Other instances include the early morning of 11 January 2020, when North Jakarta County Police apprehended 150 thugs with a variety of sharp weapons, liquor, and drugs. Sr. Comr. Mohammad Iqbal, the chief of North Jakarta of County Police, stated a number of people apprehended during the thugs' raid were suspected of being involved in a variety of disturbing activities. "They typically carry sharp weapons and frequently exploit passing motorists; yet, there are individuals who work professionally as the backbone of a darkly lighted shop." A total of 188 police officers from the North Jakarta Metro Police were lowered during the thugs' raid and secured many pieces of evidence collected from them, including 32 sharp weapons, 45 bottles of liquor Oplosan, 9.64 grams of methamphetamine, and 106 marijuana samples. Some The location of the thugs' raid is Tanjung Priok raid, specifically the area surrounding the Tanjung Priok Bus Station and Train Station. The raid was detained in Koja Subdistrict at the T-junction of Plumpang, Perleading Semper, and Lagoa. For Penjaringan sub-districts were carried out along the two bridges, Bridge Three to Jalan Bandengan. Kampung Banand Station and Jalan R.E Martadinata are also one of the operating points of thug raids in Pademangan District. Then following the Cilincing sub-district where the raid was held on Jalan Cakung Cilincing, BKT, and Nusantara Bonded Area. Whereas for Kelapa Gading Subdistrict, the raid was held on the road around shopping centers and shop houses that often became the target of the illegal parking attendants and thugs. These points have often been used as thugs to launch the action, therefore with this activity is expected to make them deterrent because we will snare with applicable legal provisions.

Another case as on March 16, 2020, the perpetrators of the thuggery of the land of Hercules Rosario Marshall along with 11 of his men languishing in the Salemba Central Jakarta detention center after the West Jakarta Metro Police Trust a complete file of the second stage to the West Jakarta District Prosecutor's Office. The total number of suspected acts of occupation of land occupation was illegally received by West Jakarta Kejari as many as 12 people. "The file has been declared complete. The suspects were subject to article 170 then article 167 and article 335 of the Criminal Code," he said. Patris said the suspects would be in Salemba prison for 20 days. Furthermore, the West Jakarta Kejari will carry out the preparation of the indictment, which will later be handled to the West Jakarta District Court. Then, the West Jakarta Kejari will issue the determination of the trial day, and will begin the trial process.

Another thuggery occurred on May 20, 2020, North Jakarta Police arrested 83 thugs who often smared truck drivers and road riders in the operation of thuggery and extortion. Head of North Jakarta Police Criminal Investigation Unit, AKBP Febriansyah explained that

the number, as many as 13 suspects had been detained by the police. Detention did to the perpetrators carrying sharp weapons in action. They often smared truck drivers and traders around the market. That's what we spend.

The North Jakarta Police Station will work with the DKI Social Service to provide guindce of 70 thugs that are not detained. Although coaching will be under the Dinsos, but according to the police chief after the police will request it in advance. If it's finished, it's finished and it will come out, the Dinsos must get recommendations from us first to get them out. Based on the background urain above, the formulation of the problem will be discussed by the author as follows:

1. What is the form of legal protection against thuggery actions in Indonesia?
2. How is the effort to overcome the crime of thuggery in Indonesia?

II. Research Methods

The research methodology is critical for obtaining accurate and dependable data. Additionally, the approach of this research is used as a guideline or tool for performing research. This legal research employs a normative juridical technique, namely an examination of the relationship between applicable laws, legal theories, and the practice of positive law implementation in relation to the issues covered. The research phase is comprised of gathering and cataloguing legal resources (library studies) that will be utilized to analyze the No. 8 of 2004 and other regulations pertinent to the study's topic. Additionally, as a careful object, the author reviewed the study's findings, the work of the legislation, articles, seminars, and others that dealt with the issue of legal protection for witnesses and victims of evil thouts. Then there are further legal documents, dictionaries, both translation and legal dictionaries, periodicals, and the internet (virtual research) (Soekanto, 1995).

III. Discussion

3.1 A Form of Legal Protection against Thuggery Actions in Indonesia

Legal protection encompasses all attempts to uphold rights and provide aid to witnesses and/or victims. Victims of Crime Protection, as a component of community protection, can take different forms, including restitution, compensation, medical treatment, and legal protection. According to Satjipto Raharjo, legal protection is defined as the provision of a fanteous to human rights that have damaged other people, and the protection is extended to the community in order for them to enjoy all of the legal rights (Satjipto, 2009). Whereas, according to Setiono, legal protection is an activity or endeavor to protect the public from arbitrary acts by authorities that violate the law, to bring about order and peace, and to allow individuals to enjoy their inherent dignity as humans (Satjipto, 2009).

According to Philipus M. Hadjon, legal protection for people consists of two components:

1. Preventive Legal Protection, which is a type of legal protection in which the public is given the opportunity to voice their concerns or opinions before a government decision becomes final.
2. Repressive legal protection, that is, legal protection that is more geared toward dispute resolution.

Each person has the right to legal protection. Almost all legal relationships must be protected by law. The principle of legal protection against government actions was founded on and derived from the concept of human rights recognition and protection, because according to Western history, the birth of concepts about human rights recognition and protection aimed at restricting and establishing community obligations and establishing the

government. The concepts of legal protection in Indonesia are founded on Pancasila, the country's ideology and philosophy. In the West, the concept of legal protection for individuals is based on the principles of *Rechtstaat* and "Rule of Law."

By establishing a framework of thought based on the Western notion on the basis of Pancasila, the principle of legal protection in Indonesia becomes the principle of recognition and protection of human dignity and dignity originating in Pancasila. Due to the West's history, the principle of legal protection against government acts is rooted in and derived from the concept of human rights recognition and protection. The origins of concepts about human rights recognition and protection are geared toward restricting and establishing community liabilities and the government. In resolving a criminal case, a balance of protection must be struck between perpetrators and victims. However, the justice system as it currently operates is disproportionately focused on perpetrators, with little attention paid to victims as the disadvantaged side. As a result of this chasm, the restoration / restoration of this state is referred to as restorative justice, which emphasizes the balance of treatment by focusing not just on criminals but also on victims, communities, and countries with a balanced perspective.

The law serves a purpose in protecting human interests. The primary objective of legislation is to provide order and balance. To do this, the law is entrusted with separating the rights and obligations of community members, dividing authority, and regulating the means by which legal problems are resolved and legal certainty is maintained (Sudikno, 2009). Gustav Radbruch defined three fundamental characteristics of legal purposes as "Priority principles," stating that legal objectives must prioritize justice first, followed by benefits and then legal certainty. In an ideal world, the three fundamental legal objectives would be developed in every legal judgement, by judges, prosecutors, lawyers, and other members of the legal apparatus. Only by adhering to this priority concept can our legislation stay dynamic and prevent conflict that threatens to destroy it. Three fundamental ideals of legal purposes, which are at the heart of Radbruch's teaching, should serve as the foundation for law enforcement. In legal countries such as Indonesia, the three fundamental ideals of legal objectives in the concept of the Rule of Law can indeed produce conflict in their manifestation. Because in actuality, the three experiences frequently exhibit flexibility with one another (Ahmad, 2008).

What is considered to be the current objective is the diversification of abroad (deterrent) measures, both directed against offenders of their own laws and at those with the potential to become criminals, as well as protection of the society from evil activities and rehabilitation of criminals. In the modern era, punishment is primarily motivated by a feeling of justice and the need to safeguard the public. A sense of justice requires that a punishment be proportionate to the severity of the maker's fault, without regard for the maker's adverse circumstances, and this is a punishment in the true sense (Ahmad, 2008).

According to Rawls, justice is the primary virtue of all social organizations; deviation from justice resulted in widespread immorality and harmed the communal system. In general, Rawls's demands for justice create enormous chances for each individual to express themselves in support of the development of a just situation. By bestowing an award on each individual, the rights that each individual possesses get legitimacy and can be respected.

Efforts to enforce the law eventually require a robust protective umbrella. The most critical initial umbrella is in the shape of legislation and government regulations that ensure the execution of fair procedures and opportunities for everyone in all aspects of justice enforcement. Additionally, to ensure the success of all justice enforcement activities, it is vital to establish organizations dedicated to organizing and monitoring justice enforcement programs.

Law enforcement officers are a deciding factor, as they are the driver or implementer of legislative measures. In the concrete sense, it is highly anticipated of law enforcement agents to act psychologically in accordance with the spirit of the law. According to some, even if the legislation is bad but the law enforcement officials are excellent, the outcomes will be good; conversely, if the provisions of the laws and regulations are good but the law enforcement officials are bad, the consequences will be worse. A good law enforcement agency is one that operates objectively, is not biased, and pays close attention to and carefully considers the values that exist and evolve in society.

In the context of victim empowerment in the criminal justice system, there are two widely accepted models:

- a. The model of procedural rights. This perspective views the victim as a subject who should be granted legal rights to demand and pursue their interests.
- b. The service models. This kind of approach sees victims of crime as a distinct objective to be served by police and other law enforcement.

3.2 Legal Protection Efforts Due to Thuggery Crimes in Indonesia

Due to the fact that the National Police's primary responsibility is to maintain the community's security and order, both as law enforcers and as servants, protectors, and tourists, the problems of thuggery, which are inextricably linked to violations of law and crime, is one of the significant responsibilities brought by the police. Appropriate action is required to solve the challenges of those who have been ingrained in community life. In attempting to overcome the police thuggery in this case in two ways, preventative and repressive.

a. Preventive Transfer Efforts

The National Police, through the Police and Polesek, provided legal assistance to the public in order to avoid thuggery. Legal guidance was conducted in collaboration with a variety of persons and agencies. Legal counseling is an activity that aims to promote public legal knowledge by delivering and explaining legal regulations to the community in an informal setting, in order to shape people's attitudes and behaviors. Apart from knowing, comprehending, and living the law, society is also expected to adhere to or obey the law. Counseling is critical because, while many community members already know and comprehend what is proper and what is required by law, some nevertheless cannot conduct or act in line with existing laws.

Today's legal counseling paradigm must be more oriented towards community empowerment. The community, as the intended recipient of legal guidance, is expected to comprehend not just its obligations in the life of the nation and state, but also its rights. Being aware of these rights will enable them to protect their interests. The community is made aware that they have certain rights that, if exercised, will improve their quality of life. As a result, they should seek legal guidance to ensure that they understand that the law guarantees protection and that by advancing the next welfare, they will reap benefits in the form of protection and well-being.

Counseling is also related to the presence of concealed legal material. Numerous disregarded legal materials are incompatible with the needs of the community for whom legal assistance is intended. Legal material that is disconnected from one another has not aided in addressing legal challenges in the community. Regulated legal material should incorporate not only national regulations, but also regional regulations. The linked regulatory regulations address not only the status of the state, but also the demands of the local community as determined by the evaluation and mapping of legal concerns in the area. This relates to the community's part in the fight against thuggery. The community is believed to have a critical

role in disclosing acts of thuggery that occur in their vicinity. The majority of thuggery activities handled by the National Police via the Police and Polesk can be revealed following a community report.

With mental folks - this decent society is supposed to contribute to the improvement of the environment's quality, hence lowering crime rates and reintroducing thuggery into the community. Preventive activities (prevention) are deemed critical and beneficial in efforts to prevent thuggery. Several reasons for increasing our focus on prevention efforts prior to the occurrence of thuggery include the following:

1. Preventative approaches are preferable to punitive measures and corrections. Prevention initiatives do not always require a complicated and bureaucratic organization, which might breed bureaucracy, which is adverse to power or authority abuse. Prevention activities are more cost effective than repressive and rehabilitative efforts. In comparison, there is no need or power for repressive operations or rehabilitation to serve a greater number of individuals. Preventive activities can also be undertaken independently and do not always require competence, such as repressive measures and rehabilitation. For instance, avoid becoming a victim of thuggery or other crimes.
2. Preventive actions do not have to result in negative repercussions such as stigmatization (affecting those who commit punished or encouraged thuggery), exile, suffering in many forms, human rights violations, anger or hatred toward one another, all of which can contribute to recidivism. Certain structural victims' inconvenience can be mitigated by the presence of prevention measures, such as victims of a system of punishment or specific restrictions that subject them to physical and social mental agony.
3. Furthermore, prevention activities can help to develop communal unity, harmony, and a sense of responsibility for one's neighbors. Thus, preventative initiatives can assist individuals in developing naturally and socially. By ensuring and promoting community stability, which is necessary for the realization of national development and the creation of a just and affluent society. Preventing crime and other anomalies can be a way to improve an individual's mental, physical, and social well-being.

b. Repressive Countermeasures

To combat thuggery, in addition to preventive efforts, repressive actions, including rehabilitative techniques, might be taken. There are two distinct perspectives on the rehabilitation technique. To begin, establish processes and programs aimed at punishing people who behave like thugs. The system and program are reformatory in nature, as evidenced by the use of conditional punishment, incarceration, and jail sentences. The second strategy places a greater emphasis on the work required to transform into ordinary people. In this situation, psychological and awareness coaching is combined with work skills exercises as a form of punishment to ensure that the individual has the capital necessary to obtain work. Along with preventing thuggery, the National Police traveled through oppressive activities via the Police and Polsek.

Repressive efforts are being made with the goal of eradicating thuggery in the community. This is to act as a deterrent to thuggery. The National Police, through the Police and Polsek, conduct special operations under the codename "Street Crime Operation," the implementation of which has been structured by the National Police. The National Police and his staff arrived at the police level to pursue legal action against acts of thuggery, including individual thuggery, group thuggery, and apparatus thuggery. The legal action in question includes executing systematic raids and apprehending thuggery who are apprehended during raids (Donni, 2012).

The National Police conducted a thuggery raid through the police and police officers in order to diminish and suppress criminal acts while also providing a sense of security and comfort. Raids on thugs are conducted in every location where the community reports that there are numerous thugs bothering the people. Terminals, markets, and other public spaces are examples of these locations.

The National Police, via the Police and Polsek, apprehended all thugs in these locations and took them to be examined to determine whether they were connected to crime or not; if they were, they were kept for further action; if not, they were taken to the rehabilitation center of people for getting constructed. With this operation, we hope to accomplish both the purpose of the operation and to make the community or residents safer and more comfortable, because many people or citizens have previously expressed concern about the high number of conversions or seizures, stackings, pickpocketing, and other incidents that occur in a public place such as on public roads or public transportation (March, 2013).

The National Police's efforts to combat thuggery through the country police and district police are unavoidably and linked to the existence of certain restrictions, which include the following:

- a. Although legal counseling has been conducted, society as a source of knowledge on the prevalence of thuggery actions fears skeptics in the community toward gangsters. The community is fearful of the consequences of reporting thuggery they have witnessed or learned about.
- b. The difficulty in tracking the apparatus's thuggery is due to a lack of information networks concerning thuggery actions that are sponsored by specific persons who also function as apparatus.

IV. Conclusion

4.1 Conclusion

1. Legal protections against thuggery and street trials in the criminal justice system, as specified in Article 98 paragraph (1), namely that if an act constituting the basis of an accusation in a criminal case examined by the District Court results in losses to others, the chairman's judgment At the request of the individual, the trial may decide to merge the compensation case with the criminal case. Throughout this period, the concept of conversion has always been associated with the criminal administration of violators and the recovery of losses from neglected victims. Although the criminal compensation for increased criminal status is not mandatory, such a policy is an attempt to improve the criminal compensation for general policies by all deliques.
2. Protecting victims of thuggery and street crime through preventive and repressive control efforts by law enforcement (National Police).

4.2 Suggestion

1. The protection of victims of thuggery should be increased to include not only personal, family, and property security, but also protection from threats connected to the testimony that will be given, moderated, or offered. Witnesses and victims are also entitled to participate in the process and to have a say in the manner in which they are protected and supported.
2. To ensure that the law functions optimally and in accordance with the community's wishes, the existing system must be replaced with one that is more compatible with the community's conditions, namely that the law not only punishes the perpetrators, but also considers the victim's interests, in order to achieve the legal objective, not only providing certainty, but also providing justice. The National Police must exert maximum effort to combat thuggery, whether through preventive or repressive action.

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