

Effectiveness of Forestry Law Enforcement Against Forest Destruction in Central Lombok

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Abstract

Forests play an important role in maintaining ecological balance, supporting community livelihoods, and protecting biodiversity. However, forest destruction in Central Lombok remains a serious problem due to illegal logging, forest encroachment, land conversion, and limited law enforcement capacity. This study aims to analyze the effectiveness of forestry law enforcement against forest destruction in Central Lombok. The discussion is based on statutory regulations, literature review, and interview findings related to forestry law enforcement practices. The results show that forestry law enforcement in Central Lombok has not been fully effective. Although Indonesia already has legal instruments such as Law Number 41 of 1999 concerning Forestry and Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, implementation in the field still faces various obstacles. These obstacles include limited personnel, inadequate monitoring facilities, weak inter-agency coordination, low legal awareness, and high community dependence on forest resources. In addition, sanctions have not always created a strong deterrent effect. Therefore, strengthening institutional coordination, improving supervision, increasing community legal awareness, and providing sustainable economic alternatives are needed to protect forest areas more effectively.

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1. INTRODUCTION

Forests are crucial for environmental sustainability and community life. Nearly every region in Indonesia has forests. They serve not only as conservation areas but also as water buffers, soil protectors, biodiversity support, and as living spaces related to community economic activities. In West Nusa Tenggara Province, the forest area in 2025 was recorded at 884,011.82 hectares, with the largest composition being protected forests covering 438,336.04 hectares, or 49.58 percent of the total forest area. This data shows that the protection function of forest areas has a very strategic position for the sustainability of the NTB region, including Central Lombok Regency.

Central Lombok Regency itself has 20,427 hectares of protected and conservation forest. Regional planning documents state that the area of Central Lombok Regency reaches 120,800 hectares, resulting in a new green open space ratio of 16.91 percent. This situation indicates that the existence of forest areas in Central Lombok cannot be viewed as merely complementary elements, but rather as an important part of the region's ecological structure. At the same time, the northern region of Central Lombok, such as Batukliang and North Batukliang, is an area close to the slopes of Mount Rinjani, offering potential for water sources, agriculture, plantations, and natural tourism. Therefore, forest destruction in this

area will directly impact the environmental balance and the lives of the surrounding communities.

Despite their crucial role, local government documents depict forests and land in Central Lombok Regency as experiencing increasing degradation. This includes land conversion, illegal mining, illegal logging, excessive forest exploitation, and human activities within and outside forest areas. This depiction demonstrates that forest destruction in Central Lombok is not merely an ecological issue, but also a legal and governance issue. As various forms of violations continue to emerge, the effectiveness of forestry law enforcement is a crucial issue to examine.

Forest destruction remains a widespread issue, and several preventive and repressive security measures are ongoing. In 2024, Indonesian National Armed Forces (TNI), Indonesian National Police (Polri), and the Forest Management Unit (KPU) conducted integrated patrols in the Gawah Pakis area of Central Lombok to prevent encroachment on protected forests. Previously, the local government had also publicly expressed concern over the rampant encroachment and illegal logging, particularly in the Pujut area. The fact that integrated patrols are still required demonstrates that threats to forest areas have not been fully mitigated through existing legal instruments. In this context, the issue that needs to be examined is not simply the existence or absence of regulations, but the extent to which those regulations are effectively implemented.

Normatively, Indonesia has a legal basis in the forestry sector. Law Number 41 of 1999 concerning Forestry serves as the general basis for forest management and protection, while Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction specifically regulates the prevention and eradication of forest destruction, covering aspects of prevention, eradication, institutions, community participation, witness and whistleblower protection, and sanctions. The status of both laws is still in effect, with Law Number 18 of 2013 having been amended through Law Number 6 of 2023. From a regulatory perspective, the state has demonstrated a clear commitment. In addition, there are several implementing regulations to carry out the authority of the Ministry of Forestry, namely the Regulation of the Minister of Environment Number P.22 / Menlhk / Setjen / Set.1 / 3/2017. However, the existence of legal norms is not always directly proportional to the success of their implementation in the field.

These implementation issues were also evident in previous research in North Batukliang, Central Lombok, which showed that the practice of transferring community forest management was influenced by economic factors and weak government guidance, oversight, and evaluation. These findings are important because they demonstrate that forestry issues in Central Lombok are not only related to perpetrators of violations, but also related to institutional capacity, oversight, and consistency of law enforcement. Therefore, research on the effectiveness of forestry law enforcement against forest destruction in Central Lombok is relevant for assessing whether the law is truly working, what factors are hindering it, and how law enforcement can be directed to provide more concrete protection for forest areas.

Problem statement: How? Effectiveness of Forestry Law Enforcement Against Forest Destruction in Central Lombok?

2. RESEARCH METHOD

This study uses a normative-empirical legal research method. The normative approach is applied to examine legislation related to forestry, the prevention and eradication of forest destruction, environmental protection, and regional policies regarding forest

management. The empirical approach is used to observe how these legal norms are implemented in practice in forestry law enforcement in Central Lombok Regency.

The research data consist of primary legal materials, secondary legal materials, and field data. Primary legal materials include forestry and environmental legislation, while secondary legal materials are obtained from books, scientific journals, government documents, and relevant media reports. Field data were collected through interviews with law enforcement officers and other relevant stakeholders. The collected data were analyzed qualitatively, emphasizing the relationship between legal structure, legal substance, and legal culture in determining the effectiveness of forestry law enforcement.

3. RESULT AND DISCUSSION

Forestry law enforcement is a crucial instrument for preserving forest resources, particularly in areas with high pressure on land conversion, such as Central Lombok on Lombok Island. The effectiveness of law enforcement is measured not only by the number of cases processed, but also by the law's ability to prevent, suppress, and deter perpetrators of forest destruction. Forest destruction in Central Lombok cannot be separated from a broader phenomenon in West Nusa Tenggara, namely the rampant practice of illegal logging, encroachment, and other illegal activities such as unauthorized mining. Empirical findings indicate that forest destruction continues to occur in several areas of West Nusa Tenggara (NTB) and has serious environmental, social, and economic impacts on communities.

Law enforcement in the forestry sector is essentially a manifestation of the mandate of Article 33, Paragraph (3) of the 1945 Constitution, which places the state as the party authorized to control and manage the earth, water, and all natural resources for the greatest possible welfare of the people. In relation to the protection of forest areas in Central Lombok, the state has a responsibility to maintain the sustainability of forest functions through optimal law enforcement mechanisms against any act of forest destruction. Ineffective law enforcement has the potential to cause ecological damage, reduce the quality of the environment, and hinder the realization of the goal of people's prosperity as envisioned in the Constitution.

From a normative perspective, the legal framework for forestry in Indonesia has been formulated through Law Number 41 of 1999 concerning Forestry and strengthened by Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. Both regulations provide a comprehensive legal basis for law enforcement officials to take action against illegal logging practices, forest encroachment, and various other activities that have the potential to damage forest ecosystems. However, at the implementation level in Central Lombok, the effectiveness of law enforcement still faces various structural, cultural, and substantive obstacles. Central Lombok Regency has several regulations governing forestry. Among them is West Nusa Tenggara Provincial Regulation Number 14 of 2019 concerning Forest Management, which specifically regulates regional policy instruments governing governance (*governance*) and comprehensive forest management, encompassing aspects of planning, utilization, protection, and monitoring of forest areas. The regulation still contains prohibitions and controls on actions classified as forest destruction.

From a structural perspective, limited human resources and infrastructure are key obstacles. Officers such as Forestry Police (Polhut) and Civil Servant Investigators (PPNS) are often outnumbered by the size of the forestry area they oversee. This results in weak oversight of forest areas, particularly in remote areas. Furthermore, coordination between law enforcement agencies such as the police, prosecutors, and forestry services is suboptimal, resulting in case handling often being hampered at the investigation and

prosecution stages. Beyond human resources, case handling is often slowed or halted when dealing with corporate actors with strong political and economic influence, who can exploit gaps in inter-agency coordination to avoid legal entanglements.

Furthermore, law enforcement officials, through the Directorate General of Forestry Law Enforcement (Gakkum), have uncovered illegal logging networks in the West Nusa Tenggara (NTB) region and brought the cases to the prosecution stage. This fact demonstrates that law enforcement is ongoing, but has not yet significantly reduced the number of forestry crimes. Gakkum regularly conducts patrols and joint forest security operations, frequently uncovering illegal logging activities. Structurally, the success of network disclosure is often hampered by the ratio between the size of the surveillance area and the number of available personnel. This limitation means that continuous monitoring cannot be carried out, so that criminals can easily exploit gaps in time and locations with minimal security. This weak law enforcement shows that current legal instruments do not fully reflect the spirit of "ecocracy" or environmental protection as a progressive constitutional right, as proposed in the concept of *Blue/Green Constitution*.

Meanwhile, in terms of legal substance, although regulations are quite comprehensive, there are gaps in the application of sanctions that do not provide a maximum deterrent effect. In some cases, perpetrators of forest destruction are only subject to administrative sanctions or minor criminal penalties, disproportionate to the ecological impacts caused. This indicates a persistent gap between legal norms and their implementation on the ground. Current law enforcement remains heavily focused on formal legal certainty through the imposition of criminal sanctions.

This situation reflects the gap between written legal norms and their implementation in society. This gap is not only influenced by the substance of the regulations, but is also closely related to institutional factors, the limited capacity of law enforcement officers, and the suboptimal use of a multidisciplinary approach in identifying and assessing environmental losses. Articles 3 and 4 of the Minister of Environment Regulation Number 7 of 2014 state that environmental loss assessments are conducted by assigning a monetary value to the impact of pollution or ecosystem damage using the economic valuation of natural resources. This assessment is generally based on restoration costs (*restoration*), environmental functions, loss of ecosystem services, and the costs of lost community utilization.

Long-term and often difficult-to-measure ecological impacts, such as reduced biodiversity, ecosystem degradation, and increased potential for ecological disasters, have not been fully considered in determining the type and severity of sanctions. Implementation weaknesses are often driven by overlapping jurisdictions between the Ministry of Environment and Forestry, the Police, and the Prosecutor's Office, creating obstacles to coordinating enforcement.

Law enforcement against forest destruction in Central Lombok Regency still faces various obstacles, stemming from regulatory aspects, law enforcement mechanisms, and limited facilities and operational support. Before the enactment of the new Criminal Code (KUHP), handling of forestry crimes focused more on the application of repressive criminal sanctions that had a burdensome effect on perpetrators. However, the development of the criminal law paradigm, which is moving towards a more holistic approach, has caused the resolution of certain cases to no longer solely emphasize criminal punishment, but also take into account aspects of recovery and the social conditions of the community.

On the ground, forest destruction in Central Lombok remains quite intense, particularly in the form of illegal logging and unauthorized transportation of forest products. This situation is influenced by limited operational budgets, inadequate patrol facilities, and

challenges in securing evidence of forestry crimes. In such situations, the application of administrative sanctions is often prioritized, particularly in production forest areas where administrative mechanisms are generally permitted.

However, administrative sanctions cannot be applied absolutely to all forest areas. In protected forest areas, the application of the provisions of Article 82 paragraph (2) of the Law on the Prevention and Eradication of Forest Destruction, which is linked to the provisions in the Job Creation Law, imposes certain limitations on handling forestry violations. In practice, communities that have long lived in and managed forest areas, especially for more than five years, often receive lighter legal treatment, taking into account the social and economic aspects of the local community.

Furthermore, regarding the implementation of restorative justice mechanisms (*restorative justice*), the prosecutor's office explained that until now, this mechanism has never been applied in forestry crime cases in the Central Lombok region, and it is still being studied whether it meets the requirements for Restorative Justice to be applied. The possibility of applying restorative justice at the prosecution level refers to the provisions of Articles 79 to 86 of the new Criminal Procedure Code. However, its application is seen as more relevant to individual perpetrators, especially communities around forest areas who commit violations not for commercial economic motives, but to meet their daily needs, and with a relatively minimal amount of evidence for forestry crimes committed by corporations, in addition to being subject to criminal sanctions, it is also possible to apply administrative sanctions as a form of legal accountability. These administrative sanctions are seen as important to provide a control effect and recovery against forest damage caused by corporate activities.

In addition, in law enforcement practice, there is also the possibility of resolving cases through restorative justice mechanisms. This is linked to the provisions of Article 82, Paragraph (2), which initially regulated cumulative criminal threats in the form of imprisonment and fines. However, following the provisions of Roman II number 5 concerning adjustments to sentencing, the nature of these criminal threats is understood to have changed from cumulative to alternative. With this change, the possibility arises that certain cases can be resolved through restorative justice mechanisms, as long as they meet the requirements and criteria specified in criminal law enforcement policies.

This policy was implemented by considering the effectiveness of case handling and the limited capacity of criminal law enforcement in the field. The application of administrative sanctions for forest destruction is regulated in Article 18 of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. This provision stipulates that in addition to criminal sanctions, legal entities or corporations committing forest destruction can also be subject to administrative sanctions in the form of government coercion, financial penalties, and permit revocation as a form of administrative law enforcement in the forestry sector.

From an operational perspective, forest destruction prevention efforts are carried out through daily patrols by the Forestry Police (Polhut) as a preventive measure, accompanied by joint patrols involving various relevant agencies. Joint patrols are considered crucial in strengthening forest area surveillance, but their implementation still faces obstacles in the form of limited budget and personnel. Furthermore, officers in the field often face security risks when taking direct action against illegal logging perpetrators in forest areas. Therefore, law enforcement actions are mostly carried out at the stage of transporting forest products on the road. However, this enforcement pattern is considered ineffective in creating a deterrent effect for perpetrators of forest destruction.

In the process of proving forestry cases, the presence of experts or academics plays a significant role, especially in explaining the level of forest damage, the ecological impacts caused, and the magnitude of state losses due to forest destruction. Expert testimony is an important instrument in strengthening the evidence and legal considerations against perpetrators of forestry crimes. The position of expert testimony in forestry crime cases is essentially independent of evidence. This means that the judge is not absolutely bound by the opinion expressed by the expert in court. Expert testimony can be used or set aside by the judge according to the needs and direction of legal considerations in deciding the case. In practice, the judge will assess the relevance, suitability, and strength of the expert testimony with other evidence presented in court before using it as the basis for the decision. Therefore, although expert testimony plays an important role in explaining the technical and scientific aspects related to forest damage and ecological impacts, the final decision remains the authority of the judge based on the overall legal facts revealed in court.

In general, the effectiveness of forestry law enforcement against forest destruction in Central Lombok still faces various structural and substantive obstacles. Therefore, strengthening inter-agency coordination, increasing budget support, and optimizing preventive and repressive efforts are needed to enhance the effectiveness of law enforcement and maintain the sustainability of forest areas.

Cultural factors are a significant contributor to forest destruction in Central Lombok. These factors include value systems, social customs, community lifestyles, perceptions of the existence of forests, and the socio-economic culture that develops in communities surrounding forest areas. From the perspective of forestry law enforcement, cultural aspects strongly influence the level of public awareness and compliance with legal provisions regarding forest protection and preservation. Furthermore, cultural factors also play a crucial role. The high level of community dependence on forest areas for economic needs, such as land clearing for agriculture and timber harvesting, is a major cause of forest destruction. Low public legal awareness and a lack of alternative livelihoods exacerbate this situation. In this context, a repressive approach alone is insufficient; it must be balanced with preventive and educational approaches. Research shows that economic motivation is the dominant driver, with communities living near forest edges often engaging in timber encroachment or illegal land clearing to meet basic living needs (subsistence economy).

The effectiveness of forestry law enforcement can also be analyzed using the legal system theory proposed by Lawrence M. Friedman. According to Friedman, the success of law enforcement is determined by three main elements, namely the legal structure (*legal structure*), legal substance (*legal substance*), and legal culture (*legal culture*). These three elements are interrelated and influence the success of implementing forestry law in protecting forest areas from various forms of violations, such as *illegal logging*, forest encroachment, forest fires, and illegal conversion of forest areas. To strengthen this, regulatory harmonization (substance), increased capacity and coordination of officials (structure), and extensive legal education for the public (culture) are needed. Low legal awareness means some people don't understand the impacts of forest destruction or the importance of preserving the environment. As a result, illegal logging remains common.

In addition, a collaboration-based approach or *collaborative governance* is starting to become an alternative to increase the effectiveness of forestry law enforcement. The involvement of local communities, regional governments, and non-governmental organizations in forest management can improve oversight and foster a sense of ownership of forest areas. Models, such as *community-based forest management*, are considered more adaptive to the socio-economic conditions of local communities. Communities are often able to manage forests sustainably through socio-cultural systems that incorporate local customs

and culture. By legalizing this practice, the law is no longer seen as an external pressure, but rather as a tool that ensures economic security and the survival of society.

In Central Lombok itself, several preventive measures have been implemented, such as the forest and land rehabilitation (RHL) program and the socialization of forestry law by the Pelangan Tastura Rinjani Barat Forest Management Unit. However, program sustainability and consistent implementation remain challenges. Without strict oversight and a strong commitment from all parties, these programs tend not to have a long-term impact on the community. Therefore, it can be concluded that the effectiveness of forestry law enforcement against forest destruction in Central Lombok is still suboptimal. This is due to a combination of interrelated structural, substantive, and cultural factors. Therefore, a comprehensive effort is needed that focuses not only on repressive law enforcement but also includes strengthening the capacity of officials, improving regulations, increasing public awareness, and developing sustainable economic alternatives for communities surrounding the forest.

4. CONCLUSION

Based on research results, forestry law enforcement against forest destruction in Central Lombok Regency is still not optimal. Although legal regulations exist through the Forestry Law and the Law on the Prevention and Eradication of Forest Destruction, in practice, various obstacles remain in its implementation. These obstacles include limited law enforcement personnel, minimal monitoring facilities and infrastructure, suboptimal inter-agency coordination, and the vast forest area that must be monitored. Furthermore, the application of sanctions that have not provided a deterrent effect and the use of a restorative justice approach in some cases also affect the effectiveness of forestry law enforcement. From the community perspective, high economic dependence on forest areas, low legal awareness, and limited alternative livelihoods are also contributing factors to the continued occurrence of encroachment and illegal logging in Central Lombok's forest areas. Thus, the effectiveness of forestry law enforcement is influenced by factors such as legal structure, legal substance, and legal culture. Therefore, strengthening law enforcement, improving inter-agency coordination, and increasing community awareness and empowerment are needed to maintain sustainable forest conservation.

5. SUGGESTION

The government and law enforcement officials need to increase the effectiveness of forestry law enforcement by strengthening inter-agency coordination, adding monitoring facilities and infrastructure, and implementing strict sanctions to provide a deterrent effect on perpetrators of forest destruction in Central Lombok.

Regional governments need to increase preventive efforts through legal education, empowerment of communities around forests, and development of sustainable economic alternatives so that communities do not depend on illegal forest encroachment and logging activities.

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