

Legal Protection Against Sekaa Sidha Angklung Gamelan Equipment Theft Work by Tabanan Police

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Abstract

The aim of writing this article is to explain legal protection and obstacles to the theft of Sekaa Sidha Karya angklung gamelan equipment by the Tabanan Police. This research uses an empirical legal research method with a sociological approach, data obtained from field research directly at the location through interviews with informants and respondents to obtain primary data, while the literature obtains secondary data. The results of the research explain that legal protection for cases of theft of Sekaa Sidha Karya angklung gamelan equipment by the Tabanan Police is through preventive and repressive legal protection in accordance with the provisions of Articles 13, 14, 15 and 16 of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia. Obstacles that occur in law enforcement regarding the theft of angklung gamelan equipment include not finding evidence, the absence of witnesses and supporting facilities at the crime scene, delays in reporting, and a lack of community cooperation with the police.

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1. INTRODUCTION

The Indonesian state is a state of law, this is stated in the provisions of Article 1 paragraph (3) of the 1945 Constitution which reads, "The Indonesian state is a state of law".[1] As a rule of law, all actions of state administrators and citizens must be in accordance with applicable regulations or laws. In other words, all authority and actions of state equipment or state administrators and citizens are solely based on law with the dynamics of all elements, components, hierarchies and aspects that are systematic and interrelated with each other. So in a legal state, the purpose of the law is to regulate human interaction peacefully.

The principle of the rule of law is the guarantee of certainty, order and legal protection based on truth and justice. [2] In the dynamics of social and state life in a legal state, there will certainly be actions or behavior by society or individuals that violate applicable laws and regulations, this is referred to as crime. Crime or crime is behavior prohibited by the state because it is an act that is detrimental to the state and to this act the state reacts with punishment as the ultimate measure.[3]

Many criminal cases occur in Indonesia. These various criminal cases range from theft, fraud, robbery, extortion, and all behavior that results in threats and losses to victims. Victims are people who experience physical, mental suffering and economic losses

resulting from a criminal act. Victims in the scope of victimology have a broad meaning because they are not only limited to individuals who suffer from losses, but also groups, corporations and governments. Meanwhile, a criminal act is behavior that is punishable by a crime that is against the law which is related to wrongdoing and which is carried out by a person who is capable of taking responsibility.[4]

Actions in a criminal case certainly cannot be tolerated and therefore all these actions receive full resistance from society. Criminals with their crimes or criminality have also caused unrest, anxiety, shock and feelings of worry for the general public, besides that they have also created a feeling of unease, insecurity and peace in people's lives. Theft is one of the criminal acts that is often found in society, namely the act of taking other people's property that does not belong to them through illegal means.[5]

The crime of theft is a crime against individual interests which is a crime against objects or wealth, this is contained in Chapter XXII Articles 362-370 of the Criminal Code.[6] The explanation in the article is as follows:

- 1) In article 362 of the Criminal Code which reads as follows: "Any person who takes an item which once or partially belongs to another person, with the intention of possessing the item against his or her right, shall be punished for theft with a maximum imprisonment of five years or a fine of up to - amount Rp. 900,-". Based on the words of Article 362 of the Criminal Code.
- 2) Then the criminal offense of theft with aggravation is regulated in Article 363 which consists of 2 paragraphs, which reads: Paragraph (1), "Penalized by a maximum imprisonment of seven years: 1. theft of livestock; 2. theft when there is a fire, eruption, flood, earthquake or seaquake, volcanic eruption, shipwreck, stranded ship, train accident, riot, rebellion or danger of war; 3. theft at night in a house or closed yard where the house is located, which is committed by someone who is there who is unknown or not wanted by the person in charge; 4. theft committed by two or more people; 5. theft which is to enter the place of committing a crime, or to get to the goods taken, is carried out by breaking, cutting or climbing, or by using a fake key, a fake order or official clothing false". Then the explanation in paragraph (2) reads, "If the theft described in point 3 is accompanied by one of the things in points 4 and 5, then it is punishable by a maximum imprisonment of nine years." In Article 363 there is a statement regarding the crime of aggravated theft, namely ordinary theft which in its implementation is accompanied by certain aggravating circumstances. The elements in Article 362 of the Criminal Code are anyone who takes goods in whole or in part with the intention of possessing them unlawfully. Apart from that, there is one additional element, namely that the act was carried out by two or more people in alliance. Therefore, an act that fulfills these elements should be suspected of being a criminal act of theft. The maximum penalty is 5 years in prison.
- 3) Then in Article 364 of the Criminal Code which regulates theft with aggravation which results in death, serious injury or serious injuries to the person who is the victim. This kind of theft can be subject to life imprisonment or the death penalty.
- 4) Article 365 of the Criminal Code which regulates theft with violence or threats of violence against people with the intent to steal. This kind of theft can be subject to imprisonment for a maximum of 9 years.
- 5) Article 366 of the Criminal Code explains aggravated theft committed by civil servants or private employees in their position as administrators, supervisors or office holders involving the management of goods. This kind of theft can be subject to imprisonment for a maximum of 12 years.

- 6) Article 367 of the Criminal Code discusses aggravated theft committed by people who regularly involve themselves in theft activities. This kind of theft can be subject to imprisonment for a maximum of 12 years.
- 7) Article 368 of the Criminal Code regulates aggravated theft committed in a group or together with at least three people. This kind of theft can be subject to imprisonment for a maximum of 12 years.
- 8) Article 369 of the Criminal Code discusses theft with violence which results in the death of the victim. This kind of theft can be subject to life imprisonment or the death penalty.
- 9) Article 370 of the Criminal Code regulates theft with violence which results in serious injury to the person who is the victim. This kind of theft can be subject to imprisonment for a maximum of 12 years.

Cases of criminal acts of theft with weighting carried out by means of damage such as what happened to Sekaa Angklung Sidha Karya, Banjar Pasekan Belodan, Dajan Peken Village, Tabanan where the angklung gamelan equipment in the form of angklung leaves was stolen. The case of theft of the angklung gamelan equipment occurred on May 13 2022, initially the gamelan equipment was still neatly stored in Bale Banjar. The gamelan angklung set was last used at the temple piodalan ceremony on May 5 2022. Then from the crime scene results, the perpetrator removed 15 (fifteen) angklung gamelan blades made of bronze mixed with siem and took them away. One angklung consists of four blades, so the total number of angklung blades stolen was 60 (sixty) angklung blades. Apart from that, the perpetrator also removed another angklung instrument, namely a reong. One reong consists of four reong children, while the gong inside is still complete and neat. So, the total loss caused by the theft is estimated at approximately IDR 200 million. The incident of the theft was only discovered on Friday, May 13 2022 at around 17.30 WITA by I Gede Made Sapta Yuliarmiga who was about to prepare gamelan equipment for Sekaa Gong Istri practice or a group of musicians consisting of mothers. He then reported the condition to Kelian Tempek and continued to Penglingsir Banjar Pasekan Belodan, I Made Sukadana and I Nyoman Sukanada, to check together. From the results of the crime scene investigation and the identification process carried out by the Tabanan Police, it is suspected that the perpetrator entered the storage area for the angklung gamelan equipment by breaking through the back door. The law enforcement process regarding the theft of the Sekaa Sidha Karya angklung gamelan equipment is still in the investigation stage, this is because no evidence was found but the perpetrator has admitted to his actions. From the results of the interrogation, the perpetrator admitted that he had sold the evidence in the form of an angklung gamelan device to someone he did not know. This makes it difficult for the police to search for evidence and process it legally to carry out law enforcement in this case.[7]

Some cases of criminal theft may not be able to be handled and resolved by the police because each case has different criminal characteristics. However, this requires extra performance from police agencies and other law enforcement officials to act quickly in resolving problems in order to create law enforcement in the community, especially in the form of providing legal protection. Legal protection aims to provide justice to victims and ensure that perpetrators of crimes receive appropriate punishment.

In the case of the theft of the Sekaa Sidha Karya angklung gamelan equipment, the police have not been able to continue the legal process because evidence in the form of angklung gamelan equipment has been sold to the perpetrator and the police are having difficulty following up on the search for the evidence. When evidence cannot be found, legal protection efforts for victims are hampered, which in the end can reduce public confidence in the justice system. Protection for every citizen is an obligation that must be fulfilled by a country. This is in accordance with the Preamble to the 1945 Constitution of the Republic

of Indonesia (1945 Constitution of the Republic of Indonesia) Paragraph 4 (four) which reads, "To protect the entire Indonesian nation and all of Indonesia's blood." The embodiment of this paragraph is outlined in the Body of the 1945 Constitution of the Republic of Indonesia, Article 28D paragraph (1), which states that, "Everyone has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law." Legal protection as a universal concept of the rule of law is all efforts to fulfill rights and provide assistance to provide a sense of security to witnesses and/or victims. Legal protection for victims of crimes or criminal acts as part of community protection can be realized in various forms, such as through the provision of restitution, compensation, medical services and legal aid. The most obvious form of legal protection is the existence of law enforcement institutions such as courts, prosecutors, police and other out-of-court (non-litigation) dispute resolution institutions.

Legal protection for victims of criminal acts often receives insufficient attention. The victim of a criminal act is the party who suffers the most harm but does not receive as much protection as the law provides for the suspect or defendant of a criminal act. In the Criminal Procedure Code, hereinafter referred to as the Criminal Procedure Code, protection does not favor the victim of a criminal act because it regulates more protection for suspects or defendants. The rights of suspects or defendants are more popularly regulated in Articles 50 – 68 of Law Number 8 of 1981 concerning Criminal Procedure Law (KUHAP). If examined, the Criminal Procedure Code regulates more the rights of suspects or defendants, rather than the rights of victims. This is because the victim of a criminal act and the community are automatically represented by the state by adjudicating and imposing a crime commensurate with the defendant's actions. In the criminal justice process which relies on criminal law and criminal procedural law, the state through its organs has the right or authority to impose criminal penalties (*the right to punish*).^[8] If a criminal act occurs, the perpetrator will be prosecuted through a judicial process and given criminal sanctions. The aim of writing this article is to explain legal protection and obstacles to the theft of Sekaa Sidha Karya angklung gamelan equipment by the Tabanan Police.

2. RESEARCH METHOD

Research methods are an element that absolutely must be present in scientific research and development. The method can also be used as a guide to find results from research or writing that have validity and accuracy (high accuracy and correctness). This research uses empirical legal research methods.^[9] The empirical legal research method is research whose object is about symptoms, events and phenomena that occur in society, institutions or countries that are non-library in nature by looking at phenomena that exist in society.^[10] The type of approach used in this research is the Legal Sociological Approach. The sociological approach to law is a branch of science that empirically and analytically studies the reciprocal relationship between law as a social phenomenon and other social phenomena. The sociological approach to law looks at the reality of law in society. The sociological approach to law is an approach that analyzes how reactions and interactions occur when the norm system works in society. This approach looks directly at the symptoms and behavior of the community in responding to an incident. The data sources used in this empirical legal research are primary data, secondary data and tertiary data. The data collection techniques used are observation techniques, interview techniques and document study techniques. The data analysis technique used in this research is a qualitative data analysis technique by compiling data systematically by selecting quality data to be able to answer the problems posed.

3. RESEARCH RESULTS AND DISCUSSION

3.1. Legal Protection Against Theft of Sekaa Sidha Karya Angklung Gamelan Equipment by the Tabanan Police

Indonesia as a legal state requires that all actions of state administrators and citizens must be in accordance with applicable regulations or laws. The state must determine as carefully as possible the paths and limits of its activities, as well as how the environment or atmosphere of freedom cannot be penetrated. The state must embody or enforce moral ideas from the state's perspective, also directly, no further than is required according to the legal situation. This is the definition of a rule of law, not one that states that the state only maintains the legal order without the aim of government, or only protects the rights of individuals.

According to Mutiara's view in his book entitled General Constitutional Science, states that a legal state is a state whose structure is regulated as well as possible in law so that all the powers of its governmental instruments are based on law. People must not act independently according to everything that is contrary to the law. The rule of law is a state that is ruled not by people, but by laws (state that is not governed by men, but by laws).

Therefore, in a legal state, the people's rights are fully guaranteed by the state and the state, on the other hand, by submitting to and obeying all government regulations and state laws. The meaning of this definition is that in a legal state it is connected with internal organizations and a state structure regulated according to law. Every action or behavior of the authorities and their people must be based on law and at the same time include the aim of the rule of law, namely guaranteeing the human rights of their people.

Law as a tool is a regulation that can prevent authorities from acting arbitrarily. It is the boundaries of freedom between individuals and authorities in every social interaction, so that the law is a protection for public order. Without the implementation of law in society, chaos and arbitrariness will arise. The law requires justice to create peace and tranquility in society. Law is simply that which is meant to bring about justice. Because, unjust laws oppose their own existence.

The rule of law in the concept of the rule of law, legal protection is a universal concept. Protection can be interpreted as protecting something from dangerous things. The meaning of the word something referred to in this definition could be interests, objects, even goods. Apart from that, protection also means protection given by someone to someone who is weaker. Meanwhile, law can be interpreted as rules, regulations, or norms.

Legal protection is to provide protection for human rights that are harmed by other people and this protection is given to the community so that they can enjoy all the rights provided by law. In other words, legal protection is various legal measures that must be provided by law enforcement officials to provide a sense of security, both mentally and physically from various disturbances and threats from any party.

Legal protection also includes protection of honor and dignity, as well as recognition of human rights possessed by legal subjects based on legal provisions from arbitrariness or as a collection of rules or rules that will be able to protect one thing from another. Legal protection is a variety of legal efforts to protect human rights as well as rights and obligations arising from legal relationships between humans as legal subjects. According to Muchsin, legal protection is an activity to protect individuals by harmonizing the relationships between values or rules which are manifested in attitudes and actions in creating order in social interactions between

fellow human beings. 38 Regarding the distribution of legal protection, Muchsin believes that legal protection can be divided into two, namely:

- a. Preventive Legal Protection is protection provided by the government with the aim of preventing violations before they occur. This is contained in statutory regulations with the aim of preventing violations and providing signs or limitations in carrying out an obligation.
- b. Repressive Legal Protection is final protection in the form of sanctions such as fines, imprisonment and additional penalties given if a dispute has occurred or a violation has been committed.

Based on the results of an interview with Mr. I Nyoman Sarpanaya as Ps Kaur Mintu Sat Reskrim, at the Tabanan Police, he said that the Police Law to date does not specifically regulate the protection of witnesses and victims, especially in the investigation process, because the rights of victims or witnesses have been represented. by the state, however, the implementation of legal protection carried out by the police, especially the Tabanan Police, is something that must be done even before a criminal act occurs, so that legal protection also applies to the general public.

Protection of victims or witnesses is part of the main task of the police institution in order to maintain security and order (peace and order maintenance) and law enforcement (law enforcement). The legal protection carried out by the police at the Tabanan Police Station is based on the Preamble to the Constitution of the Republic of Indonesia. Indonesia of 1945 (1945 Constitution of the Republic of Indonesia) The 4th (fourth) paragraph reads, "protect the entire Indonesian nation and all of Indonesia's bloodshed". The embodiment of this paragraph is outlined in the Body of the 1945 Constitution of the Republic of Indonesia, Article 28D paragraph (1), which states that, "Everyone has the right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law." Article 28G paragraph (1) states that, "Everyone has the right to personal protection, family, honor, dignity and property under his control, and has the right to a sense of security and protection from the threat of fear of doing or not doing something that constitutes rights".

Then Article 30 paragraph (4) states, "The State Police of the Republic of Indonesia as a state instrument that maintains security and public order is tasked with protecting, protecting, serving the community and upholding the law." From the basis of this protection, police officers have the authority and duty to protect their citizens, this is stated in Law Number 2 of 2002 concerning the National Police Article 2 states that, "The function of the police is one of the functions of state government in the field of maintaining security and public order, law enforcement, protection, protection and service to the community".

Then in Article 4 it states, "The State Police of the Republic of Indonesia aims to realize internal security which includes maintaining security and public order, orderly and upholding the law, providing protection, protection and service to the community, as well as maintaining public peace by upholding human rights." Article 5 paragraph (1) states, "The State Police of the Republic of Indonesia is a state instrument that plays a role in maintaining security and public order, enforcing the law, and providing protection, guidance and service to the community in the context of maintaining domestic security." Legal protection for cases of theft of Sekaa Sidha Karya angklung gamelan equipment by the police in the jurisdiction of the Tabanan Police is carried out based on the main duties of the Indonesian National Police as regulated in Article 13 of Law Number 2 of 2002 concerning the National Police.

The main duties of the National Police in this Article are classified into 3 (three), namely: (1) Maintaining security and public order, (2) Enforcing the Law, and (3) Providing protection, guidance and service to the community. Then continued in Article 14 paragraph (1) which states, "In carrying out the main duties as intended in Article 13, the National Police of the Republic of Indonesia is tasked with: a. carrying out regulation, guarding, escorting and patrolling community and government activities as needed; b. carry out all activities to ensure security, order and smooth traffic on the roads; c. developing the community to increase community participation, community legal awareness and community compliance with laws and regulations; d. participate in national legal development; e. maintain order and ensure public security; f. carry out coordination, supervision and technical guidance for special police, civil servant investigators and other forms of independent security; g. carry out inquiries and investigations into all criminal acts in accordance with the criminal procedural law and other statutory regulations; h. organize police identification, police medicine, forensic laboratories and police psychology for the purposes of police duties; i. protect the safety of body and soul, property, society and the environment from disturbances of order and/or disasters, including providing aid and assistance by upholding human rights; j. serve the interests of community members temporarily before being handled by the authorities and/or authorities; k. provide services to the community in accordance with their interests within the scope of police duties; and carry out other duties in accordance with statutory regulations.

Article 15 paragraph (1), states that in order to carry out the duties as intended in Articles 13 and 14 the National Police of the Republic of Indonesia is generally authorized to: a. receive reports and/or complaints; b. help resolve community disputes that may disturb public order; c. prevent and overcome the growth of community diseases; d. monitor flows that can cause division or threaten national unity and unity; e. issue police regulations within the scope of police administrative authority; f. carry out special inspections as part of police action in the context of prevention; g. take the first action on the scene; h. taking fingerprints and other identification and photographing a person; i. search for information and evidence; j. administering the National Crime Information Center; k. issue permits and/or certificates required for community service; l. providing security assistance in trials and implementation of court decisions, activities of other agencies, as well as receiving and temporarily storing found items.

Article 16 paragraph (1), states that in order to carry out the duties as intended in Articles 13 and 14 in the field of criminal proceedings, the National Police of the Republic of Indonesia has the authority to: a. carry out arrests, detention, searches and confiscations; b. prohibit anyone from leaving or entering the crime scene for investigation purposes; c. bringing and presenting people to investigators in the context of an investigation; d. ordering suspected people to stop and asking for and checking personal identification; e. carry out inspection and confiscation of letters; f. summon people to be heard and examined as suspects or witnesses; g. bringing in experts needed in connection with the case examination; h. terminate the investigation; i. submit case files to the public prosecutor; j. submit a request directly to the authorized immigration official at the immigration checkpoint in an urgent or sudden situation to prevent or deter a person suspected of committing a criminal act; k. provide guidance and investigative assistance to civil servant investigators and receive the results of investigations by civil servant investigators to be submitted to the public prosecutor; and l. carry out other actions according to the law that are responsible.

Apart from that, related to the legal process carried out by the police, especially investigations, it is regulated in the Regulation of the Head of the National Police of the Republic of Indonesia (Perkap) Number 14 of 2012 concerning Management of Criminal Investigations, which regulates the procedures and procedures for investigations that must be carried out by the police in handling various types of crimes. crimes, including theft, to ensure that the legal process is carried out in accordance with applicable regulations. The right of the reporter to know information about the progress of the case during the investigation process is regulated in Perkap Number 21 of 2011 Juncto Article 12 letter c Perkap No. 16 of 2010 Article 11 paragraph (1) letter a where the reporting party can submit an application to be given SP2HP, namely knowing the progress of the ongoing investigation process.

SP2HP (Letter of Notification of Investigation Result Progress) is a police service that provides information to the public regarding the progress of cases handled by the Police. SP2HP is a right for reporters in terms of ensuring accountability and transparency of investigations/investigations. The SP2HP should at least contain the main points of the case, investigative actions that have been carried out and their results, problems or obstacles faced in the investigation, plans for further action, and an appeal or affirmation to the reporter regarding their rights and obligations for the smooth and successful investigation.

Based on the results of interviews with sources, the legal protection provided by the police in cases of theft of Sekaa Sidha Karya angklung gamelan equipment through preventive and repressive legal protection is in accordance with the provisions of Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia, namely: preventive legal protection is carried out through routine patrol activities, carrying out all activities to ensure security and order, developing the community to increase community participation, community legal awareness and community compliance with laws and regulations, maintaining order and ensuring public security. This is in accordance with the police's duty to maintain security and public order as regulated in Article 13 and Article 14 of this Law.

Repressive legal protection is implemented through an inquiry and investigation process. This investigation includes the investigator's actions to search for and discover an incident that is suspected of being a criminal act in order to determine whether or not an investigation can be carried out. Investigation includes the investigator's actions to search for and collect evidence which will shed light on the criminal act that occurred and in order to find the suspect. This step is in accordance with Article 14, Article 15 and Article 16 of this Law. This is in accordance with the theory of the rule of law according to Mutiara's, namely that the rule of law is a state whose structure is regulated as well as possible in law so that all the powers of its government instruments are based on law.

People must not act independently according to everything that is contrary to the law. The rule of law is a state that is ruled not by people, but by laws (state that is not governed by men, but by laws). Therefore, in a rule of law, the people's rights are fully guaranteed by the state and the state, on the other hand, by submitting to and obeying all government regulations and state laws. Where the police, especially the Tabanan Police, in providing legal protection are guided by Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia which regulates their main duties and authorities as state officials and legal institutions.

The legal protection carried out by the Tabanan Police is not in accordance with the theory put forward by Muchsin regarding the theory of preventive legal protection and repressive legal protection. This discrepancy is the preventive legal protection

737 | Legal Protection Against Sekaa Sidha Angklung Gamelan Equipment Theft Work by Tabanan Police (Made Sinthia Sukmayanti)

carried out by the police according to Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia Article 13 covering operational actions such as patrols and direct community empowerment aimed at maintaining security and order and preventing violations. Meanwhile, according to Muchsin, preventive legal protection is provided by the government through statutory regulations with the aim of preventing violations and providing signs or limitations in carrying out obligations. Repressive legal protection is carried out by the police based on Articles 14, 15 paragraph (1), and 16 covering operational aspects and the authority of the National Police in handling criminal acts through the steps of inquiry, inquiry, arrest and detention. However, the police are currently still unable to carry out legal proceedings in investigations and investigations because the stolen evidence was not found. So the perpetrator cannot be arrested and the legal process will continue, including imposing sanctions. Meanwhile, according to Muchsin, repressive legal protection places more emphasis on deterrent effects such as sanctions, imprisonment and additional punishment.

3.2. The Role of the Police in Law Enforcement Against the Theft of Sekaa Sidha Karya Angklung Gamelan Equipment in the Legal Area of the Tabanan Police

Law enforcement is a rule that must be implemented in community life in order to improve order and legal certainty in society. Law enforcement is an effort to deal with crime rationally, fulfill a sense of justice and be effective in dealing with crime using various means as a reaction that can be given to perpetrators of crime, in the form of criminal and non-criminal means, which can be integrated with one another.

Law enforcement is the activity of carrying out and applying the law as well as taking legal action against legal violations or deviations committed by legal subjects, either through judicial procedures or through arbitration procedures and other dispute resolution mechanisms.[11] This is done, among other things, by arranging the functions, duties and authority of the institutions tasked with enforcing the law according to the proportions of their respective scopes, and based on a good system of cooperation and supporting the goals to be achieved.

According to the theory put forward by Prof. Sudarto, S.H., discussing law enforcement issues does not discuss how the law is, but rather what law enforcement officials do in dealing with problems in law enforcement.[12] Thus it can be argued that law enforcement discusses what legal officials should do in dealing with social problems. Soedarto revealed that efforts to enforce criminal law in Indonesia are carried out in a preventive (non-penal) manner, namely prevention before a crime occurs with more focus on the process of socializing laws and regulations, especially those that regulate morality. Repressively (penal), namely eradication after a crime occurs by carrying out an investigation by the police which can then be processed through the courts and given sanctions in accordance with applicable regulations.

In the dynamics of social and state life in a legal state, there will certainly be actions or behavior by society or individuals that violate applicable laws and regulations, this is referred to as crime. Crime or crimes are all kinds of actions or actions that result in losses to the victim, both economically and/or psychologically, that violate the laws in force in the country of Indonesia as well as social and religious norms.

Criminal case of theft of equipment traditional gamelan angklung music that befell Sekaa Angklung Sidha Karya, Banjar Pasekan Belodan, Dajan Peken Village, Tabanan. The Sekaa Sidha Karya angklung gamelan set is a set of gamelan that is sacred and is a cultural heritage that has been passed down from generation to

generation. Usually used in every Pitra Yadnya ceremony or other traditional and religious events. The gamelan angklung set was last used in the temple piodalan ceremony on the 5th May 2022. Then from the results of the crime scene investigation, the perpetrator removed 15 (fifteen) angklung gamelan blades made from bronze mixed with siem. One angklung consists of four blades, so the total number of angklung blades stolen was 60 (sixty) blades. Apart from that, the perpetrator also removed one reong consisting of four reongs, while the gong inside was still complete and neat. So, the total loss caused by the theft is estimated at approximately IDR 200 million. The theft incident was only discovered on Friday, May 13 2022 at around 17.30 WITA. The law enforcement process regarding the case of theft of Sekaa Sidha Karya angklung gamelan equipment is still in the investigation stage, this is because evidence in the form of angklung gamelan equipment was not found.

Based on the results of the interview I conducted with Mr. I Nyoman Sarpanaya, Ps Kaur Mintu Sat Reskrim, at the Tabanan Police, he said that law enforcement carried out by the police, especially in the jurisdiction of the Tabanan Police, regarding the case of theft of the Sekaa Sidha Karya angklung gamelan equipment had stopped in the investigation process. This is because the evidence in the form of the angklung gamelan equipment that was stolen was not found, but from the results of the interrogation the perpetrator admitted his actions.

The perpetrator also said that he had sold the angklung gamelan set to an unknown person (junk person). So from the results of the interrogation the police concluded that the evidence in the form of the angklung gamelan set had been melted down, so it was very difficult to follow up on the search for evidence. The efforts made by the police in enforcing the law in the case of theft of Sekaa Sidha Karya angklung gamelan equipment were still trying to prove the perpetrator guilty with evidence in other theft cases, because at that time the police received a report that the perpetrator had committed theft in a hospital in the Tabanan area.

In this case, the Tabanan Police are collaborating with community to uncover cases of theft of Seka Sidha Karya angklung gamelan equipment through complaints or reports by people who care about the law. Preventive law enforcement carried out by the police in the Tabanan Police jurisdiction includes carrying out socialization, appeals and approaches by babinsa/binmas to the community with the aim of avoiding the emergence of potential social problems and crime in the community (kamtibmas). This action is carried out through communication that is persuasive and invites people to do so things that should be done and not doing things that are prohibited according to social rules and norms. Carrying out patrol activities using official clothing every night in areas prone to crime by the sabhara function. Carrying out investigations by the intelligence function on criminal plans to be carried out, such as in certain places that are considered vulnerable by carrying out criminal mapping such as potential criminals, criminal modes, times when criminal acts are carried out.

Then a monthly evaluation is carried out regarding the data obtained in field. Repressive law enforcement is carried out through receiving complaints/reports from the public or reporters, processing or following up on these reports, carrying out crime scene investigations, asking for information from reporters or witnesses without pressure, carrying out investigations until they are revealed, and fingerprinting until the court process.

Based on the results of interviews I conducted with respondents who were witnesses, traditional administrators, and angklung workers at the time this case occurred, namely Mr. I Made Sukadana (Mr. De Na) in Banjar Pasekan Belodan said, regarding law enforcement regarding the case of theft of Sekaa angklung gamelan

equipment Sidha Karya by the Tabanan Police has not been implemented well. We and the community here really regret this, especially when I, together with traditional village officials from the Banjar Pasekan Belodan Party, were not allowed to meet the perpetrator of the thief of the angklung gamelan equipment, who at that time had reportedly been arrested by the party. police. Furthermore, evidence in the form of stolen angklung gamelan equipment was not found by the Police, as well as information on the progress of the case that we did not receive from the Police, especially the Tabanan Police during the process of this theft case. Our party has tried to go to the Tabanan Police to meet with the perpetrator. thief, because we wanted to resolve this case amicably, but the police did not allow it because it was in the process of being investigated.

Then the reporting party, namely Kelian Adat Banjar Pasekan Belodan, also went to the Tabanan Police to find out the progress of the case but the police said that they would be informed soon, but until today, where the perpetrator has been detained at the Tabanan Prison, there is no information regarding the progress of the case that we have received from the Tabanan Police. Mr De Na, who is also a traditional administrator in Banjar Pasekan Belodan, said that the perpetrator who stole the angklung gamelan equipment was not subject to customary sanctions, because the perpetrator was not an indigenous community in Banjar Pasekan Belodan. So from the beginning of the process, his party gave authority to law enforcement officials to resolve this theft case. Mr. De Na responded with disappointment regarding the police not finding evidence and not being able to continue the legal process in the case. theft of Sekaa Sidakarya's angklung gamelan equipment. Respondents and The people of Banjar Pasekan Belodan, especially Sekaa Angklung Sidha Karya, have suffered huge losses due to the theft incident and hope that the police can immediately obtain the angklung gamelan equipment and the perpetrator will be punished for the case he committed, not for another case.

Apart from that, respondents also hope that the police, especially in carrying out investigations and interrogations of perpetrators, will be improved and efforts will be made so that evidence can be found so that the legal process can continue and we can get justice. Law enforcement carried out by the police regarding the case of theft of Sekaa Sidha Karya angklung gamelan equipment in the Tabanan Police jurisdiction includes preventive and repressive law enforcement, this is in accordance with the theory of law enforcement expressed by Prof. Sudarto, SH. Preventive law enforcement aims to prevent crime and improve environmental security and order through various actions carried out by the police in the Tabanan Police jurisdiction, such as carrying out routine patrols, carrying out outreach, appeals and approaches to the community with the aim of avoiding the emergence of potential social problems and crime in society. Repressive law enforcement is carried out after a crime occurs, with a focus on arresting and prosecuting criminals.

In the case of theft of gamelan angklung equipment, the Tabanan Police conducted an investigation and investigation to identify and arrest the perpetrator, and make efforts to find evidence. This is in accordance with the law enforcement theory of Professor Sudarto S.H., which emphasizes the importance of balancing preventive and repressive measures in creating a safe and orderly environment. Law enforcement regarding the theft of the Sekaa Sidha Karya angklung gamelan equipment by the Tabanan Police is in accordance with the theory of the rule of law according to Mutiara's, namely that a rule of law is a state whose structure is as well regulated as possible in law so that all the powers of its instruments of government are based on law. People must not act independently according to everything that is contrary to the

law. The rule of law is a state that is ruled not by people, but by laws (state that is not governed by men, but by laws). Therefore, in a rule of law, the people's rights are fully guaranteed by the state and the state, on the other hand, by submitting to and obeying all government regulations and state laws. Where the police, especially the Tabanan Police, carry out law enforcement based on Law Number 2 of 2002 Concerning the State Police of the Republic of Indonesia which regulates its main duties and authority as a state apparatus in enforcing the law.

4. CONCLUSION

Legal protection is a collection of regulations or rules to protect the dignity and recognition of human rights possessed by legal subjects. Based on the results of an interview with Mr. I Nyoman Sarpanaya as Ps Kaur Mintu Sat Reskrim at the Tabanan Police, the legal protection provided by the police in the jurisdiction of the Tabanan Police for the theft of Sekaa Sidha Karya angklung gamelan equipment is based on the provisions of Law No. 2 of 2002 concerning the State Police The Republic of Indonesia through Articles 13, 14, 15 paragraph (1), and article 16 paragraph (1), namely preventive and repressive legal protection. This legal protection has not been fully implemented by the police at the Tabanan Police because the police cannot find evidence of stolen goods so that the legal process is hampered and the perpetrator cannot be subject to criminal sanctions. In implementing legal protection, the police are in accordance with these laws and regulations.

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