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THE ROLE OF LAW IN HANDLING VIOLENCE IN FOOTBALL GAMES IN INDONESIA: A REGULATION AND ENFORCEMENT PERSPECTIVE

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ABSTRACT

Violence in football in Indonesia has become a recurring and concerning problem. Violent incidents between supporters, players and security forces often occur, tarnishing the image of sport which should prioritize sportsmanship and unity. This incident was not only physically detrimental, but also had a negative impact on the development of national football. The role of law in dealing with violence in the game of football is very important in regulating the behavior of players, officials and fans as well as in enforcing rules to maintain safety and security. This study examines the role of law from two main perspectives: regulatory and enforcement. From a regulatory perspective, the law plays an important role in determining the rules and regulations governing behavior on the field, including stadium policies, spectator rules and sanctions for violators. On the other hand, in enforcement, the law acts as a tool to enforce these rules and apply consequences to violators, whether through disciplinary action from the football federation or criminal legal processes. The normative legal research method was chosen as the method in this research. The aim of this research is how the law can be an effective tool in overcoming violence on the football field, creating a football environment that is safe, fair and has integrity.

Keywords: *Violence in Football; Role of Law; Law Enforcement*

1. Introduction

Football is a sport that is widely enjoyed by people from various circles regardless of caste and age. The high response from the public can be seen in every match, whether watched on television, the internet, or in the stadium. Indonesia is a country that has a high interest in the field of football. This sport often involves physical contact between players, whether intentional or not. Collisions between players that cause violent crimes that result in injuries, both minor and serious or even death.[1] In an effort to control players interacting physically with each other, there are rules known as the "Rule of the Game". This rule aims to ensure that players from both teams do not carelessly commit acts of violence or violence, whether intentional or not, against

[1] Djohar Arifin Husin, *Jas Merah Sepakbola Indonesia* (Jakarta: PT Tunas Bolea, 2014).

teammates or opponents.[2]

Violence in football has become a serious concern for the All Indonesia Football Association (PSSI) and the national legal system. Football players are often involved in cases of violence that result in criminal acts. A criminal act is an act that is prohibited by law and is punishable by punishment, where the definition of an act here is in addition to an active act, namely doing something that is actually prohibited by law and a passive act, namely not doing something that is actually required by law.[3] Criminal acts refer to acts that are prohibited by law and can be subject to certain criminal sanctions for violators. To be categorized as a criminal act, an act must have elements that meet the requirements of a criminal act. Based on the Criminal Code (KUHP), one of the crimes against the body is called abuse. Abuse is an act of violence that results in physical impacts on a person.[4] The act of abuse has elements such as malicious intent, real action, desired physical consequences, pain or injury to the body, and impacts that are the sole purpose.[5] One example of a case that can be taken is the beating that occurred in 2009 between two soccer players in a match between Persis Solo and Gresik United. After the match, the police arrested two players involved in the beating, but their detention was later suspended. The case was then taken to court for further proceedings. There are many different opinions on this issue. The state argues that PSSI has the authority to handle the case, but PSSI argues that it is not its authority.[6]

Violence between players in a soccer match is a criminal act of assault as regulated in Articles 351-355 of the Criminal Code. The crime of assault is included in the category of Ordinary Crimes, where reporting is not a requirement for making criminal charges.

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[2] M. Febry Saputra dan Yati Nurhayati, "Dualisme Lembaga Arbitrase dalam Penyelesaian Sengketa Olahraga di Indonesia," Jurnal Penegakan Hukum Indonesia 1, no. 1 (2020): 1–20, https://doi.org/10.51749/jphi.v1i1.1.

[3] S. Afnita, "Tinjauan Yuridis terhadap Tindak Pidana Penganiayaan dalam Pertandingan Sepakbola di Indonesia Dikaitkan dengan Asas Lex Sportiva," Jurnal Online Mahasiswa (JOM) Bidang Ilmu Hukum 7, no. 2 (2020): 1–15.

[4] Haris, "Tinjauan Kriminologis terhadap Penganiayaan Pemain kepada Wasit dalam Pertandingan Sepakbola (Studi pada Kantor PSSI Jakarta)," Jurnal Ilmu Hukum, Universitas Muhammadiyah Malang (2007).

[5] R. R. Pramudana dan Emmilia Rusdiana, "Kajian Yuridis Perkara Kematian Akli Fairuz pada Pertandingan Sepak Bola Persiraja Banda Aceh Melawan PSAP Sigli," Jurnal Ilmiah Hukum, Fakultas Ilmu Sosial dan Hukum, Universitas Negeri Surabaya (2016)

[6] Anggit Bisma B., Nyoman Serikat Putra Jaya, dan Pujiyono, "Tinjauan Yuridis Kasus Pemukulan yang Dilakukan oleh Pesepakbola yang Dikenai Pasal 351 KUHP tentang Penganiayaan (Studi Kasus Pertandingan Sepakbola antara Persis Solo vs Gresik United)," Diponegoro Law Journal 5, no. 3 (2016): 1–1 1, https://doi.org/10.147 10/dlj.2016.1257

One form of rational effort is to apply criminal law (application of criminal law) through criminal law enforcement. This effort is then called countermeasures through criminal means (penal).[7] Criminal law enforcement is used as a basis for resolving various anarchic actions in soccer. This is not only limited to the method of law enforcement, but must also pay attention to the values of justice that contain the rights and obligations of legal subjects (Anggit Bisma, 2016).

The values of justice are used as the basis for creating wise and civilized soccer players. Law enforcers must also provide legal clarity to the public regarding the regulations made because the purpose is made for the benefit of the community itself in order to create an orderly society. Therefore, firm action must be taken by the police to minimize and even prevent incidents like this from happening. The police have an important role in prosecuting the perpetrators of riots and also providing legal protection for victims of the impact of violence that occurs in soccer champions.[8] The problem of criminal acts of abuse in soccer matches in Indonesia is a concern for the public and government. This study aims to analyze the role of law in dealing with violence in soccer games, with a focus on the perspective of regulation and enforcement. Thus, this article will review the challenges faced in maintaining the integrity of the sport and the safety of players, as well as the efforts made by various parties, including sports regulatory authorities, soccer clubs, and law enforcement agencies. Through a comprehensive approach, this article aims to provide an understanding of how the law can be used as an effective tool in dealing with violence in soccer games. Thus, it is hoped that it can be identified and respected.

2. Methods

This legal research is a normative legal research to analyze efforts to handle violent crimes in soccer games. In this method, an analysis of relevant legal regulations is carried out to understand the role of law in handling cases of violence in soccer matches in Indonesia. The author collects and studies laws, regulations, court decisions,

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[7] Mhd. Teguh Syuhada Lubis, "Penyidikan Tindak Pidana Penganiayaan Berat terhadap Anak," EduTech: Jurnal Ilmu Pendidikan dan Ilmu Sosial 3, no. 1 (2017).

[8] Bagas Alif Ramadhan dan Ahmad Sholikhin Ruslie, "Penegakan Hukum terhadap Pelaku Tindak Pidana Penganiayaan dalam Pertandingan Sepak Bola," Journal Evidence of Law 2, no. 2 (2023): 73–83, https://doi.org/10.59066/jel.v2i2.289

and other legal documents related to the role of law in cases of violence in soccer matches. In normative analysis, the author will identify applicable legal norms, understand law enforcement procedures, and evaluate the effectiveness of existing law enforcement. Data collection is taken through primary legal sources in the form of laws and regulations with secondary legal sources in the form of scientific works containing explanatory elements from the primary legal sources used, and also tertiary legal sources which are additional in the discussion review process of this research.

3. Result and Discussion

3.1 Analysis of the Role of Law in Handling Violence in Football in Indonesia

3.1.1 The role of law in regulating supporter behavior off the pitch

Violence in football in Indonesia is a serious problem that requires special attention, especially related to the behavior of supporters outside the field. In this context, the role of law is crucial in regulating and controlling the actions of supporters in order to create a safe and conducive environment for all parties involved. The following is an analysis of the role of law in dealing with violence in football in Indonesia with a focus on the aspect of the role of law in regulating the behavior of supporters outside the field:

a. Regulations and Laws Regarding Violence in Football Indonesia has several regulations and laws that indirectly regulate the behavior of supporters, such as:
   - Law No. 3 of 2005 concerning the National Sports System
     This law regulates the organization of sports in Indonesia, including football. In this context, the law acts as a legal umbrella that provides sanctions for individuals or groups who commit acts of violence or damage sports facilities..
   - KUHP (Criminal Code)
     Articles related to assault, destruction and other criminal acts can be applied to supporters involved in violence.

b. Role of Law Enforcement Officers
   Law enforcement officers, such as police and prosecutors, play an important role in enforcing laws related to fan violence. Some of their main roles include:
   - Prevention
     Conducting strict patrols and surveillance during and after matches to prevent

acts of violence.

- Enforcement

  Arrest and legally process supporters who are proven to have committed violence or anarchic acts.

- Education and Socialization

  Providing education to supporters about the legal consequences of violent acts.

c. Internal Policies and Rules of Food Organizations

Football organizations, such as PSSI (All Indonesia Football Association), also have internal policies to regulate supporter behavior. For example:

- Supporters Code of Ethics

  PSSI can implement a code of ethics that must be adhered to by all supporters. Violation of this code of ethics can result in sanctions, both for individuals and clubs.

- Supporter Counseling and Development Program

  Conducting programs aimed at developing positive attitudes among supporters and encouraging them to support in a peaceful and sporting manner.

d. Role of Government and Related Stakeholders

The government and other stakeholders also have an important role in dealing with supporter violence, including:

- Formation of Additional Regulations

  The government can create special regulations that specifically regulate the behavior of supporters outside the field.

- Facilitation of Dialogue and Mediation

  Encourage dialogue between supporters, clubs and security forces to find joint solutions to address violence.

- Infrastructure Support

  Providing adequate facilities for supporter safety, such as CCTV in the stadium and surrounding areas.

e. Community awareness and participation

Increasing public awareness of the importance of maintaining order and security in football is essential. Active community participation in monitoring and reporting acts of violence can help law enforcement become more effective.

3.1.2 Legal procedures applied to perpetrators of violence in football

Violence in football in Indonesia, especially involving supporters, has become a concerning issue. To handle these cases of violence, the implementation of effective legal procedures is very important.[9] The following is an analysis of the role of law in handling violence in football in Indonesia with a focus on the aspects of legal procedures applied to perpetrators of violence:

a. Applicable Legal Framework

   Indonesia has several legal instruments used to deal with violence in football:

   KUHP (Criminal Code)

   Articles in the Criminal Code that regulate criminal acts such as assault (Article 351), destruction of property (Article 406), and other criminal acts are often used to ensnare perpetrators of violence. UU no. 3 of 2005 concerning the National Sports System this law includes regulations regarding the implementation of sports activities and can be used as a legal basis for prosecuting perpetrators of violence in sports activities, including football.

b. Legal procedures applied

   The legal procedure against perpetrators of violence in football involves several stages:

   Arrest and Investigation

   Arrest: Police officers arrest perpetrators of violence based on reports from victims or witnesses, or through direct arrest at the scene. Investigation: After arrest, the police conduct an investigation to collect evidence and witness statements. This process involves examining the crime scene (TKP), collecting physical evidence, and examining the perpetrator and witnesses.

   Detention and Prosecution

   Detention: If sufficient evidence is found, the perpetrator can be detained to ensure that he/she does not flee, repeat his/her actions, or destroy evidence. Prosecution: The Public Prosecutor (JPU) prepares the case files and brings the case to court. The JPU is tasked with compiling the indictment based on the evidence collected by the investigator.

   Court Process

[9] Moch. Marsa Taufiqurrohman dan Muhamad Ghifari Fardhana Bahar, "Problematik Kedudukan, Kepastian, dan Penegakan Hukum Statuta FIFA di Indonesia," Jurnal Legislasi Indonesia 20, no. 3 (2023)

Court Hearing: A court hearing is held to examine evidence and listen to witness statements and the perpetrator's defense. The judge decides whether the perpetrator is guilty or not based on the available evidence. Court Decision: If proven guilty, the judge imposes a sentence in accordance with applicable regulations, such as imprisonment or a fine. If not proven guilty, the perpetrator is released.

c. Challenges in legal procedures

Legal procedures in dealing with football violence often face several challenges, including:

i. Limitations of Evidence

Inter-agency coordination of violence between supporters often occurs in crowds, making it difficult to identify the perpetrators with certainty.

ii. Inter-Agency Coordination

Coordination between the police, prosecutors and courts is sometimes not optimal, which can slow down the legal process.

iii. Procedural non-compliance

iv. At times, arrest and investigation procedures are not conducted in accordance with applicable legal standards, which may result in the release of perpetrators due to procedural errors.

d. Role of related institutions and organizations

Several institutions and organisations also play a role in supporting legal procedures, including:

i. PSSI (Indonesian Football Association)

ii. Can provide data and support for the legal process, and apply administrative sanctions against clubs whose supporters are involved in violence.

iii. NGOs and Community Organizations

iv. Monitor the legal process and provide legal assistance to victims or engage in advocacy to improve legal procedures.

3.2 The responsibility of football federations in dealing with violence in matches

In dealing with violence in football in Indonesia, the role of the football federation, especially the All Indonesia Football Association (PSSI), is very vital. The federation has the responsibility to create a safe and conducive match environment, as well as to

prevent and handle violence that occurs. The following is an analysis of the role of law in the aspect of the responsibility of the football federation in dealing with violence in matches:

1. Internal Regulations and Policies

   PSSI is responsible for establishing regulations and policies aimed at preventing violence and regulating the behavior of supporters and related parties during matches. Some important policies include:

   - Code of Ethics and Discipline

     PSSI implements a code of ethics and disciplinary rules that regulate the behavior of players, officials, and supporters. Violations of these rules can result in administrative sanctions, fines, or a ban on participating in matches.

   - Security Regulations

     PSSI issues security guidelines that must be adhered to by match organizers, including stadium security procedures, spectator checks, and emergency response procedures.

2. Implementation and Enforcement of Rules

   PSSI's responsibility does not stop at making rules, but also at implementing and enforcing those rules:

   - Supervision and Inspection

     PSSI supervises and inspects the implementation of matches to ensure that all parties comply with the rules that have been set. This includes evaluating stadium security readiness and security procedures.

   - Handling Violent Incidents

     PSSI has a mechanism to handle violent incidents, such as forming a disciplinary committee tasked with investigating and imposing sanctions on perpetrators of violence, whether players, officials, or supporters.

3. Cooperation with Security and Law Enforcement

   PSSI also collaborates with security and law enforcement officers to ensure security during matches:

   - Coordination with the Police

     PSSI coordinates with the police to provide security during matches. This includes planning security before, during, and after matches.

   - Collaboration with Law Enforcement

PSSI supports the legal process against perpetrators of violence, including providing data and information needed by law enforcement officers.

4. Anti-Violence Education and Campaign Programs

   As part of its responsibilities, PSSI also runs education and campaign programs to reduce violence in football:

   - Supporter Education

     PSSI holds education programs for supporters about the importance of supporting the team positively and the negative impacts of violence.

   - Awareness Campaigns

     PSSI launches anti-violence campaigns through social media, advertisements, and other activities to raise awareness about the importance of security in football.

5. Club and Organizing Committee Responsibilities

   PSSI assigns responsibilities to clubs and match organizing committees to ensure security and order:

   - Club Responsibilities

     Clubs are required to educate their supporters and take proactive steps to prevent violence.

   - Organizing Committee

     The match organizing committee is responsible for implementing the security policies set by PSSI and ensuring that all security procedures are carried out properly.

3.3 The Role of Authorities in Addressing Violence on the Football Field.

Law enforcement against perpetrators of criminal acts of violence in football matches is the task of law enforcement officers, such as the police and the judiciary. They have the responsibility to conduct professional investigations, collect sufficient evidence, and follow up on the case in accordance with applicable legal procedures. In addition, they must also maintain justice in handling cases so that there is no discrimination against anyone involved in acts of violence. PSSI (All Indonesia Football Association) and football clubs also have an important role in enforcing the law against perpetrators of criminal acts of violence.

They must provide full support to law enforcement officers by providing relevant evidence or information related to the perpetrators of violence. In addition, PSSI and

football clubs can also impose internal sanctions on players or officials involved in acts of violence, such as a ban from playing or dismissal. To prevent criminal acts of violence in football matches, it is important for all parties involved to raise awareness of the importance of maintaining sportsmanship and respecting the rules of the sport. Education on the ethics of playing football, the legal consequences of acts of violence, and how to resolve conflicts peacefully can be provided to players, officials, and supporters. The authorities play an important role in dealing with violence on the football field. Here are some of their main roles:

1. Prevention

   Authorities such as the police and security authorities have a responsibility to prevent potential violence before, during and after matches. Here are some preventive measures that can be taken by authorities:

- Access control and regulation, namely the authorities regulate strict supervision of access to the stadium. They check everyone who enters to ensure that there are no dangerous items or objects that can be used to commit violence.
- Enforcement of rules and prohibitions, namely the authorities enforce rules and prohibitions against behavior that can trigger violence in the stadium. This includes a ban on carrying weapons, firecrackers or other dangerous objects.
- Effective communication, namely the authorities communicate effectively with supporters, club staff and other related parties. They provide information about the rules, regulations and consequences for violations committed in the stadium. Through these preventive measures, authorities strive to create a safe and peaceful environment in football stadiums. Prevention is key to reducing incidents of violence and maintaining security during matches.

2. Law Enforcement

   The authorities are responsible for enforcing the law against anyone involved in violence, whether supporters, players or security officers who break the rules. Here is a more detailed explanation of law enforcement in this context:

- Stadium Rule Enforcement: Authorities are responsible for enforcing the rules and regulations that apply in football stadiums. This includes prohibiting behavior that can lead to violence, such as throwing objects or using abusive language.
- Enforcement of Violations: If an incident of violence occurs, authorities take law enforcement action against the perpetrators of violence. They will arrest and

prosecute people involved in acts of violence or disturbances in the stadium.

- Investigation and Evidence Collection: Authorities conduct thorough investigations into incidents of violence. They collect evidence, such as video footage, witness statements, and other evidence to support the law enforcement process.
- Investigation and Prosecution: After collecting sufficient evidence, authorities investigate cases of violence on the football field. They prosecute perpetrators of violence in accordance with applicable laws, by filing charges in court.
- Cooperation with Clubs and Federations: Authorities coordinate with football clubs and football federations to handle cases of violence involving players, officials, or club staff. This cooperation is important to enforce the law fairly and thoroughly.
- Enforcement of Disciplinary Penalties: In addition to criminal law enforcement, authorities can also enforce disciplinary sanctions against clubs or individuals involved in violent incidents. This can be in the form of fines, bans, or other sanctions.
- Post-Match Supervision: Authorities also monitor the post-match situation to identify and follow up on cases of violence that may occur outside the stadium or in public places. With effective law enforcement, authorities can provide a deterrent effect to perpetrators of violence, as well as create a safer and more controlled environment around football stadiums. This step is important to maintain the integrity of the sport and the safety of all parties involved in the match.

3. Counseling and Education

   The authorities can also provide counseling to supporters, players, and club staff about the importance of avoiding violence and respecting the rules of the game. The authorities can organize education and outreach to supporters and the public about the importance of supporting the team in a positive way and avoiding acts of violence.

   With the active role of the authorities, it is hoped that violence on the football field can be reduced and the safety of spectators and the integrity of the game can be maintained.

4. Conclusion

The need for strict regulation in Indonesian football violence is a serious problem that requires firm action from the authorities. In other cases, coordination between related parties requires cooperation between the football federation, government, and police to address this problem effectively. Then, the legal implications are violations of the law that occur on the field must be handled in accordance with applicable law.

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