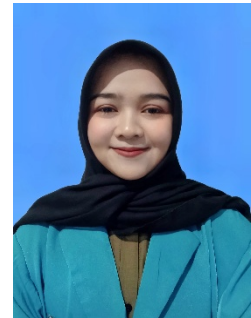




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## **JURIDICAL REVIEW OF THE ROLE OF THE POLICE OF THE REPUBLIC OF INDONESIA IN LAW ENFORCEMENT IN THE CASE OF STUDENT BRAWLS ON THE STREET OF STRUGGLE (Case Study: Kesambi Police Cirebon City)**

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### **Abstract.**

**Background.** Brawls between students in Indonesia, especially in Cirebon City, especially on Jalan Perjuangan, Kesambi District, have disturbed the community. Brawls are triggered by the desire to show strength or defend the group, which even damages the community.

**Aims.** This study aims to analyze the role of the Kesambi Cirebon City Police in handling cases of brawls between students and the law enforcement efforts carried out.

**Methods.** The research method is an empirical juridical approach with qualitative and descriptive techniques. The data was obtained through interviews with police officers and the public.

**Result.** The study's results show that the Kesambi Cirebon City Police have made preventive and repressive efforts, such as the Police Goes to School program and student raids.

**Conclusion.** However, preventive and repressive efforts have not been able to overcome the root of the problem of student brawls comprehensively.

**Implementation.** To effectively and sustainably address the problem of student brawls, a more comprehensive approach involving character education, stricter supervision, and stricter law enforcement is needed.

**Key word :** student, juridical, law enforcement

## INTRODUCTION

Students who are in the self-search phase often engage in less beneficial actions. These students are particularly vulnerable to acts such as deviance.<sup>1</sup> In general, any form of deviation committed by students is contrary to the applicable rules, and this can cause harm, both to themselves and others. Unlawful behavior committed by students or children is usually known as juvenile delinquency.<sup>2</sup>

One form of delinquency that often occurs among children or students is brawls. Brawls are still a major concern because the number of brawl cases continues to increase every year. According to data released by the Indonesian National Police, the number of student brawl cases in Indonesia will increase by 20% in 2024 compared to 2023, with 90% of the perpetrators of brawls being students.<sup>3</sup> In Cirebon City, especially on Jalan Perjuangan, Kesambi District, brawls between students often occur to make the community uneasy because they disturb the tranquility of the environment. The phenomenon of brawls among students is very concerning, they do not hesitate to take to the streets en masse and attack each other until they cause damage.<sup>4</sup>

This is strengthened by the plan for a brawl that occurred in the holy month of Ramadan at 03:00 WIB on March 13, 2025, by involving a group of junior high school, vocational school, alumni who deliberately came to the grave near MTS Salafiyah, Cirebon City where they gathered to plan a brawl while drinking Balinese liquor, even they sang and got drunk

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<sup>1</sup> Arsyil Nur Akbar, Asniar Khumas, et al. (2023). Self-awareness of individuation in adolescent perpetrators of brawls. *Journal of Perception Psychology*, 6 (1), 30.

<sup>2</sup> Chintya Tiara andi Yanti, Esri Edhi Mahanani's Anajeng. (2022). Law Enforcement Against the Crime of Brawls by Children at the Tanjung Perak Port Police. *Supremacy Journal of Law*, 6 (1), 39.

<sup>3</sup> Halizah Destriana, Hera Damayanti, et al. (2024). The Role of the Police in Handling Brawls between Students in the Perspective of Criminal Law in Indonesia. *Journal IAIN Kediri*, 5(3), 2.

<sup>4</sup> Rizki, Kevin Christian Simanjuntak, et al. (2024). Juridical Analysis of Restorative Justice in the Case of Brawl between Students in Medan City. *Journal of Legal Interpretation*, 5(3), 1313.

on the grave of his late mother, Mr. Deny, who was a soldier. They gathered while looking for opponents and will carry out actions on the Jalan of Struggle and are content to go viral on social media such as Instagram. However, they were caught by local residents so that their brawl failed to happen.

The incident of brawls on Jalan Perjuangan did not only occur once or twice, but from before 2021 when before the establishment of the Kesambi Cirebon City Police has often occurred. In fact, the establishment of the Cirebon City Kesambi Police in 2021 to overcome brawl cases because the distance of the Cirebon City Police to this location is quite far, but until now brawls still often occur.

The police have a major role in law enforcement, as they play an important function in social surveillance that requires them to act quickly and appropriately in resolving conflicts, such as brawls. As law enforcement officers in Indonesia, the police are expected to contribute to resolving the problem of fights between students, so that the community feels safe and comfortable. Although the police are not the only party that can overcome the problem, the public hopes that the police as the front party can deal with the problem effectively. This is in line with the view of Dwi Indah Widodo who stated that "the police in general have a duty and role to protect the security and discipline of the community in accordance with the applicable law, in order to create legal certainty and justice."<sup>5</sup>

The incidents of constant brawls have triggered the public to question the role of law enforcement officials, especially the police in handling brawl cases involving students or children. Because, the establishment of the Kesambi Cirebon City Police in 2021 was to handle rampant brawl cases. Therefore, the community wants more real law enforcement from law enforcement officials, especially the police.

Based on the events arising from the above background, the author will examine the role of the Indonesian National Police, especially the Kesambi Cirebon City Police in resolving student brawl cases and the efforts of the Indonesian National Police, especially the Kesambi Cirebon City Police in overcoming student brawl cases.

This study aims to determine the role of the police in handling student brawl cases, their effectiveness, and the factors that affect their effectiveness.

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<sup>5</sup> Suhaimi asked. (2024). Juridical Review of the Role of the Indonesian National Police in the Legal Enforcement of Student Brawls in Semarang City, *Verstek Journal*, 2 (1), 39.

Thus, this research is expected to contribute to the development of science and technology and can provide useful recommendations for the police and the government on handling student brawl cases and the importance of avoiding student brawls.

## **METHODS**

This study uses an empirical juridical method with a qualitative and descriptive approach. The data source consists of primary data obtained through interviews with police officers and the public. In addition, secondary data is collected from books, articles, and relevant laws and regulations, such as the Criminal Code.

## **RESEARCH RESULTS**

### **The Role of the Indonesian National Police, Especially the Cirebon City Kesambi Police in Resolving the Case of Student Brawls on Jalan Perjuangan, Cirebon City**

The police are one of the important elements in the country's defense, and they have a special role in maintaining public order and security. Based on the 1945 Constitution of the Republic of Indonesia as a result of the second amendment, Decree of the People's Consultative Assembly of the Republic of Indonesia No. VI/MPR/2000, and the People's Consultative Assembly of Indonesia No. VII/MPR/2000, internal security is one of the main objectives of the Indonesian Police. The main duties of the National Police of the Republic of Indonesia include maintaining public order, law enforcement, and protection and service to the community. In carrying out its duties, the National Police of the Republic of Indonesia is also assisted by the Special Police, Civil Servant Investigators, and various forms of security by applying the principle of subsidiarity and community participation.<sup>6</sup>

Basically, brawls are a form of juvenile delinquency that is not under the norms that apply in society or is contrary to government regulations, because it is deviant behavior.<sup>7</sup> Deviant behavior can also be understood as a result of the social context. It cannot be considered just an inappropriate act but rather should be viewed as the result of an unhealthy interaction between the individual and his or her social environment.<sup>8</sup>

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<sup>6</sup> Decree of the People's Consultative Assembly of the Republic of Indonesia No. VI/MPR/2000, and TAP of the People's Consultative Assembly No. VII/MPR/2000, Affirming the Main Duties of the National Police of the Republic of Indonesia.

<sup>7</sup>Fandi Arisca, Akhyar Yusuf Lubis. (2022). Policing Strategies in the Prevention of Brawl Conflicts by the South Jakarta Metro Police, 16(3), 95.

<sup>8</sup> Haryono, (2021) The Role of Parents and the Police in Handling Brawls Between Students (A Study of T-shirts Between Students in the Jurisdiction of Cirebon City). *Journal of Law*, 6 (4), 245.

In the case of a brawl that occurred on Friday night at 03:00 WIB on March 13, 2025 at the grave near MTS Salafiyah who planned a brawl on Jalan Perjuangan consisting of junior high school students, vocational schools, alumni who amounted to 9 people deliberately came to the grave near MTS Salafiyah where they gathered to plan a brawl while drinking Balinese liquor, they even sang and got drunk on the grave of his late mother, Mr. Deny, who was a soldier. They gathered while looking for opponents and would act on Jalan Perjuangan and be content to go viral on social media such as Instagram. However, they were caught, so their brawl failed to happen.

The failure of their brawl based on the results of the author's interview with the head of RW, Mr. Parja, began with one of the children who was about to brawl to make *SG* on Instagram and was known by his friend, then reported to the parents of the owner of the tomb, Mr. Deny who was a soldier. So, Pak Parja was contacted by Pak Deny and went directly to the grave's location, but they fled and saw that the tomb's condition was a mess and even damaged. Then, Mr. Deny reported to the Kesambi Cirebon City Police regarding his mother's grave being damaged, because it should be the holy month of Ramadan, the children were reduced to things that were not useful, especially since they were drunk on the grave of their deceased mother. Pak Parja also said that of these nine children, several committed repeated acts of brawling.<sup>9</sup>

Based on the results of an interview with the Head of the Criminal Investigation Unit of the Kesambi Cirebon City Police, IPTU Agus Suryadi, S.H, explained that in this brawl case, the practice is rare for the perpetrators of the brawl to be categorized as children who are detained or to the court prosecution process because it refers to the juvenile court system. Usually, each school will give sanctions such as suspensions or fines if they are outrageous and have committed many previous violations. However, in the case of the brawl that will occur on Jalan Perjuangan, the settlement is carried out by an investigation process first. In this investigation, there was initial information in the form of a video of a child or student singing and getting drunk on the grave. Then it was followed by interviews with nine child perpetrators, calling witnesses, one of whom was the Chairman of the RW, and calling the parents of the children involved in the case. After the collection of evidence, the results of interviews with

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<sup>9</sup> Interview with the Chairman of RW, Mr. Parja on March 14, 2025 at 12.00 WIB  
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children, it turned out that two people had previously been affected by a brawl case as well. Still, for this case, the settlement was through diversion for several reasons, namely:<sup>10</sup>

1. Age, the children involved in the brawl are still minors, so they are not fully responsible for their actions, though, in the case of this brawl, there are alumni who are not underage who also provoked them to commit the brawl. But if you look again, because the brawl was still a plan, the 9 children also handed themselves in to the Police by themselves, and they also did not bring a weapon, this is a consideration.
2. Lack of awareness, children involved in brawls may not be fully aware of the impact of their actions because they are also affected by alcoholic beverages that render them unconscious.
3. Avoiding stigmatization, because diversion can help avoid stigmatization of children involved in brawls, so that they do not feel embarrassed or punished excessively so that their future can still be fought.

This brawl case was resolved when the nine children and their parents apologized to the community. The perpetrators apologized to Mr. Deny's family and local residents for their actions and promised not to repeat them.

The author argues that the settlement of brawl cases carried out by the Kesambi Cirebon City Police, based on juridical review, is still relatively ineffective because it does not prevent the recurrence of brawls. Moreover, in this brawl case, two perpetrators are not minors and become provocateurs, but the settlement is equated with minors, so in this case, it is contrary to the legal principles of child protection. Then, some children repeatedly brawled several times, but because the solution was not firm, only an apology, it would not have a deterrent effect. This settlement only focuses on short-term actions so that the perpetrators of the brawl feel that there are no serious legal consequences. On the other hand, the settlement also fails to touch the root of the social problems underlying the brawl, such as injustice, group mentality problems, and the influence of a hostile social environment. In resolving the case of student brawls, it is necessary to have character education, stricter supervision at school, and the provision of psychological guidance for the perpetrators of the brawl, which needs to be strengthened. Thus, a more holistic and sustainable handling of brawl cases will be more effective in stopping the brawl cycle.

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<sup>10</sup> Interview with Mr. IPTU Agus Suryadi, S.H as the Head of the Criminal Investigation Unit of the Kesambi Cirebon City Police on March 19, 2025 at 13.00 WIB

## **Efforts of the Indonesian National Police, Especially the Cirebon City Police, in Overcoming Student Brawl Cases**

The efforts of the Police in overcoming brawls between students are based on the 1945 Constitution Article 30 paragraph (4), which explained that the National Police of the Republic of Indonesia is a state tool that maintains public security and order, tasked with protecting, protecting, serving the community, and enforcing the law.<sup>11</sup> The role of the Police in overcoming juvenile delinquency (fights between students) is to protect, protect, serve, and enforce the law in the community.<sup>12</sup>

In handling student brawl cases, the Kesambi Cirebon City Police have a crucial role in enforcing the law and preventing the recurrence of acts of violence among students. A juridical review of the measures taken by the police is essential to ensure that the actions taken are under existing legal regulations and can have a deterrent effect. The Kesambi Cirebon City Police, as a law enforcer in handling student brawls, has both penal and non-penal businesses. However, the Kesambi Cirebon City Police prioritize non-penal efforts. Non-penal efforts through preventive measures are prioritized because they are more economical, strengthen unity and harmony, and increase responsibility for fellow community members.<sup>13</sup>

The Kesambi Cirebon City Police carried out prevention efforts by carrying out several integrated programs mentioned by IPTU Erni Suhaeni, as the Head of the Binmas Unit (Community Guidance) of the Kesambi Cirebon City Police, as follows:<sup>14</sup>

### **1. Implementing Police Goes To School Activities**

This activity aims to prevent juvenile delinquency, especially student brawls in Kesambi District. Usually, this activity is carried out by being a supervisor of ceremonies on Mondays in schools and conducting socialization by providing messages about the importance of students avoiding fights, which are usually organized by the Binmas unit.

### **2. Conducting Student Raids**

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<sup>11</sup> Azizah Ilmi, A., & Nst, F. (2024). The Application of Group Guidance Services in Overcoming Fights Between Students. *Journal of Education*, 13(2), 2079.

<sup>12</sup> Irzan Fachrozi1, Bob Alfiandi, Maihasni, et al. (2024). Tradition of Brawl between SMKN 5 Padang Students with SMKN 1 Padang, 7 (7), 6388.

<sup>13</sup> Muhamad Saikul Fiqri, Ari Wibowo. (2024). Criminal Law Enforcement Against Student Brawls in Yogyakarta City. *Legal Studies Journal*, 4(1), 63.

<sup>14</sup> Interview with Mrs. IPTU Erni Suhaeni as the Head of the Community Guidance Unit of the Kesambi Cirebon City Police on March 14, 2025 at 09.00 WIB

This activity is carried out every hour after school. At that time, the police patrolled in brawl-prone locations, such as in front of the Living Plaza, to prevent brawls. The efforts of the police also include the placement of Babinkamtibmas in each village because we also do not always *stand by* at vulnerable points, so there are still those who supervise students.

### 3. Collaboration with Schools, Communities, and Parents

The police also work with schools, the community, and parents to prevent fights. With this collaboration, it is hoped that supervision of students can be maximized, to minimize the occurrence of fights between students

These programs are planned and implemented by the Kesambi Cirebon City Police to prevent student fights. Successful programs are constantly monitored and continued; less successful programs will be evaluated. However, these efforts are sometimes challenging because even though various steps have been taken, the child still behaves mischievously, which can happen from other factors.

In the case of this brawl, usually, the factors are the process when this student is looking for their identity or wants to be seen as the greatest and the best, but sometimes there is an element of provocation from alumni that affects them. In addition, family factors can also include a broken home, a lack of affection from parents, parents who are too busy working, parents who are rarely at home, and a family's mediocre economic situation, which can also be factors for brawls.

Based on an interview with the Head of the Criminal Investigation Unit, IPTU Agus Suryadi, S.H., regarding other efforts made besides preventive, namely repressive, this effort is the last step in law enforcement. Repressive efforts are law enforcement by following criminal law procedures for resolving cases according to applicable rules. In this form of law enforcement, repressive actions focus more on the steps taken after a crime or violation occurs, namely the provision of punishment under existing legal provisions. Forms of repressive law enforcement include investigations.

According to Article 1, Number 2 of the Criminal Procedure Code (KUHAP), an investigation is a series of actions carried out by investigators under the provisions of the law to collect evidence regarding the criminal acts that occurred. In cases involving children, the responsible investigator is an adult investigator with a special task as a child investigator from

the Women and Children Services (PPA) unit. The investigation process is carried out under the procedures stipulated in the Criminal Procedure Code (KUHAP), including:

- Arrest

What is meant by arrest here is a direct arrest or arrest carried out by police officers from the Kesambi Cirebon City Police when a brawl occurs, along with the discovery of evidence. The arrest of children involved in brawls was carried out under the procedures listed in the Criminal Code by paying attention to humanitarian aspects. However, for investigation, the detention of children can only be carried out for 1x24 hours, as explained in Article 30 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

- Detention

After the arrest and examination of the child, the next step is temporary detention. This detention is carried out to prevent children from escaping or losing evidence, especially if there is a victim who dies. The detention of children must be obtained with permission from a child investigator in coordination with the public prosecutor, based on clear stipulations. Children can be detained if the criminal act committed is threatened with a prison sentence of more than 7 years. The detention of children in prisons usually lasts for 7 days and can be extended for 8 days. The child must be released if the investigation has not been completed within the time limit. For children involved in minor crimes, detention is carried out for a maximum of 1x24 hours, followed by educational coaching, and then returned to their parents.

- Confiscation

Based on interviews, the confiscation was carried out to secure evidence found at the incident scene that was allegedly closely related to the case. According to Article 36 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the court must stipulate that the confiscation of evidence in children's cases must be carried out no later than 2 days. In the case of brawls that often occur, proof that the Cirebon City Police usually find includes sharp weapons such as celurit, machetes, and long swords. This direct confiscation was carried out to prevent the loss of the evidence.<sup>15</sup>

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<sup>15</sup> Interview with Mr. IPTU Agus Suryadi, S.H as the Head of the Criminal Investigation Unit of the Kesambi Cirebon City Police on March 19, 2025 at 13.00 WIB

Referring to the results of interviews in the brawl case that will occur on Jalan Perjuangan, the author argues that the efforts made by the Kesambi Cirebon City Police in handling brawl cases so far are still somewhat ineffective, because they tend to focus on short-term efforts that do not touch the root of the problem in depth. Moreover, from the data collected by the Cirebon City Police Department, not all are wholly related to brawl data because some brawl cases have no case reports. How will this brawl case subside if the police do not pay attention to this? Although the police have tried to deal with the brawls with preventive and repressive measures, they have only temporarily calmed down without providing a permanent solution to the problem. More firm and consistent law enforcement must be implemented so that the perpetrators of brawls feel that there are real consequences of their actions, which can have a deterrent effect. Not only that, but a more comprehensive approach, such as counseling and psychological guidance for the perpetrators of the brawl, is also urgently needed to help them overcome the emotional or social problems that may be triggering the brawl. Thus, applying balanced sanctions coupled with rehabilitation can reduce the number of brawls in the future.

## CONCLUSION

The Indonesian National Police, especially the Kesambi Cirebon Police, have made various efforts to handle brawl cases, both through preventive and repressive approaches, the results achieved are still not optimal. Preventive efforts such as *the active Police Goes to School* and student raids, although they have a positive impact in the short term, have not completely prevented the recurrence of brawls. Likewise, repressive efforts that prioritize settlement through diversion, although aimed at avoiding stigmatization of children, do not touch the deeper roots of social problems, such as injustice, family problems, or the influence of a poor social environment.

Handling brawl cases requires a more comprehensive and sustainable approach. Stricter and consistent law enforcement must be implemented so that the perpetrators of brawls feel that their actions have real consequences. A strategy that involves counseling and psychological guidance is also essential to help the perpetrator of the brawl overcome the social or emotional problems that trigger the action. With this more holistic approach, it is hoped that the problem of brawls can be solved effectively and will not continue to recur.

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