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## The role of the police in the effort to take action against the criminal act of cockfighting gambling in the legal territory of buleleng resort police (case study in Banyuning Village)

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### ABSTRACT

This study aims to analyze law enforcement efforts against cockfighting gambling (Tajen) in Banyuning Village, Singaraja District, Buleleng Regency, and the obstacles encountered. Using a qualitative descriptive approach, primary data were collected through interviews with police officers, village officials, community leaders, and related actors. The results indicate that the Buleleng Police Resort has implemented preemptive, preventive, and repressive measures, but their effectiveness remains limited. Preemptive efforts through community education by Bhabinkamtibmas are not systematic, preventive patrols struggle to reach arenas located in narrow alleys, and repressive actions are influenced by reactive attitudes and discretionary decisions without the prosecution of key actors. Law enforcement obstacles are shaped by internal factors, such as a police organizational culture that tends to wait for reports, and external factors, including community economic dependence on Tajen, environmental conditions that facilitate offenders, and cultural beliefs that blur the line between rituals and gambling. This study recommends strengthening synergy among stakeholders, enhancing patrols in vulnerable areas, and improving environmental management and customary norms to reinforce law enforcement.

**Keywords:** cockfighting gambling; law enforcement; Buleleng Police Resort; internal factors; external factors.

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RESEARCH & PUBLISHING



## 1. INTRODUCTION

According to the 1945 Constitution of the Republic of Indonesia, Indonesia is a state based on the rule of law (*Rechtsstaat*). The logical consequence is that the entire social order must be grounded in the prevailing legal norms. Law enforcement agencies have a significant mandate to carry out their duties fairly to ensure that the law possesses strong legitimacy as a guide for social behavior (*Zaztia et al., 2025*). However, complex societal dynamics often give rise to conflicting interests and criminal acts, one of which is gambling (*Sastrawan et al., 2022*).

The state views gambling as a practice that undermines public order and national morality; thus, it is strictly prohibited under Article 303 of the Criminal Code (KUHP) and Law No. 7 of 1974 (*Wahyuni, 2019; Juhara, 2025*). Juridically, Article 303, Paragraph (3) of the Criminal Code defines gambling as any game in which the possibility of profit depends solely on chance. Specifically, Government Regulation (PP) No. 9 of 1981 categorizes gambling into three types: gambling in public places and gambling associated with customs/traditions, such as cockfighting. Although often regarded as entertainment, this activity acts as a catalyst for criminality, leading to material losses and even triggering violence (*Ali, 2016; Suwito & Lestari, 2021*).

In Bali, this phenomenon is closely linked to the practice of cockfighting. Historically, cockfighting is related to the *Tabuh Rah* ritual in *Yadnya* ceremonies, which is intended to maintain cosmic balance. However, a massive shift in meaning has occurred, transforming a sacred ritual into *Tajen*, which is commercial and serves as a betting arena (*Mileh, 2022*). This conflict of values poses a significant challenge for law enforcement, as gambling practices are often hidden behind the guise of culture.

The phenomenon in Banyuning Village demonstrates the real-world urgency of this research. Since 2015, the cockfighting arena in Cherry Alley caused public unrest until it was eventually relocated. Since 2021, these activities have settled in Indraprasta Alley and Pulau Timor Street, operating on a routine weekly schedule without any significant legal intervention. The discrepancy between field reality and law enforcement is clearly reflected in [Table 1](#).

**Table 1. Number of Cockfighting Gambling Cases in Buleleng Regency**

No.	Years	Number of Cases
1	2023	1
2	2024	0
3	2025	1
<b>Total</b>		2

The data above reveal a drastic gap, known as the "Dark Figure of Crime" phenomenon. The absence of cases in 2024 stands in stark contrast to the sociological facts in Banyuning Village, where gambling arenas remain operational. This indicates a stagnation in law enforcement and neglect of the mandate under Article 13 of Law No. 2 of 2002. The gap between *Das Sollen* (what the law should be) and *Das Sein* (empirical reality) raises serious questions regarding the integrity and effectiveness of the police.

Prior research by *Sastrawan et al. (2022)* discussed gambling regulations in Buleleng, focusing on legal aspects at the regency level. This study aims to fill this research gap by focusing on a case study in Banyuning Village. The novelty of this research lies in its ability to dissect specific obstacles, both internal, such as indications of operational information leaks, and external, such as communal economic resistance that turns the *Tajen* arena into an informal source of livelihood. Consequently, this study aims to uncover why law enforcement against cockfighting in this area remains ineffective despite the availability of adequate regulations.

## **2. LITERATURE REVIEW**

### **2.1. General Overview of Role**

A role is the dynamic aspect of a social position or status which, according to Soekanto (2008), encompasses normative, conceptual, and structural dimensions. In the context of law enforcement, the Indonesian National Police (Polri) is tasked with harmonizing social values with normative rules through preemptive functions in the form of fostering legal awareness, preventive functions through patrols and preventive raids, and repressive functions in the form of investigation and arrest of perpetrators to create a deterrent effect. The effectiveness of implementing this role depends heavily on the synergy of five law enforcement factors: the quality of the legal substance itself, the capacity and integrity of law enforcement officers, the availability of supporting facilities and infrastructure, the level of public legal compliance and awareness, and the alignment of the law with the prevailing local cultural values.

### **2.2. General Overview of the Police**

Based on Law No. 2 of 2002, the police are defined as a state instrument acting as the main gateway (frontline) in the criminal justice system with the primary duties of maintaining public security and order (Kamtibmas), enforcing the law, and providing protection, guidance, and service to the community. In accordance with Article 13 and its derivative regulations, Polri holds authority encompassing general realms, such as receiving reports and conducting patrols, to specific authority within the realm of criminal procedure law, which includes acts of arrest, detention, search, and seizure to ensure the upholding of justice and social order.

### **2.3. General Overview of Criminal Acts**

A criminal act (*strafbaar feit*) is defined as an unlawful act prohibited by law and committed by a subject who possesses fault (*mens rea*), so that they can be held criminally liable. In legal discourse, punishment is based on two main theories: the absolute (retributive) theory, which views punishment as pure retribution for a crime, and the relative (utilitarian) theory, which aims to achieve public welfare through prevention, both in the form of special prevention to prevent the convict from repeating their act and general prevention as a warning to the wider community. By classification, criminal acts are distinguished into crimes (*rechtsdelict*), which contradict the sense of justice, and violations (*wetsdelict*), which are administrative in nature. Violations are further divided into formal offenses, which emphasize the act, and material offenses, which emphasize the resulting consequences of the act.

### **2.4. General Overview of Gambling Crimes**

Gambling is a game involving betting, with results that depend on chance or the player's skill. In Indonesian positive law, the practice of cockfighting (*Tajen*) is strictly categorized as a criminal offense. The legal basis for its enforcement is regulated through Article 303 of the Criminal Code (KUHP), which threatens bookmakers or organizers with a maximum of 10 years imprisonment, and Article 303 bis of the Criminal Code, which targets players or participants with a maximum threat of 4 years, all of which are reinforced by Law Number 7 of 1974 concerning the Curbing of Gambling as a legal instrument to affirm the illegal status of all forms of gambling practices within the territory of the Republic of Indonesia.

### **2.5. General Overview of Cockfighting Gambling**

Cockfighting is a form of traditional gambling that pits two roosters against each other in an arena where the outcome of the fight determines the victory over bets placed by spectators or interested parties. Although this practice has been widely known since the royal era in Indonesia, in Bali, cockfighting or *Tajen* has a special status, historically rooted in a Hindu religious ritual called *Tabuh Rah* or *Mecaru*. In this sacred context, cockfighting serves as a means of animal blood offering to maintain cosmic balance and neutralize negative energy, so it essentially holds religious values closely tied to the local community's belief system (Suartha, 2019: 65). This includes the ability to understand and appreciate cultural identity and civic responsibility, which are crucial in navigating the complexities of modern life and contributing

to the welfare of society (Dharma et al., 2025). This is exacerbated by the current legal conditions in Indonesia which are still partial and sectoral, thus not yet providing optimal protection (Mangku et al., 2021).

### **3. METHOD**

#### **3.1. Type of Research**

This research employs a juridical-empirical research type, examining the gap between *das sollen* (legal norms) and *das sein* (empirical reality) regarding cockfighting gambling in Banyuning Village. This approach is used to analyze the sociological factors and institutional hurdles that prevent effective law enforcement in high-resistance contexts (Salim & Nurbani, 2016).

#### **3.2. Nature of Research**

This research is descriptive-empirical in nature, providing a factual description of the police's role in enforcing gambling laws by harmonizing positive legal rules with field implementation. The study was conducted over a three-month period from May to July 2025, ensuring a structured observation of the “Dark Figure of Crime” phenomenon in the research setting.

#### **3.3. Data and Data Sources**

In this empirical legal research, the data used consists of two types. First, Primary Data: Data obtained directly from the first source through observation and interviews at the Buleleng Resort Police and Banyuning Village. This location was chosen because Banyuning Village is an area where cockfighting gambling practices are empirically still found, making it relevant for examining the police's role in law enforcement (Salim & Nurbani, 2016); Second, Secondary Data: Data obtained through library research, classified into three categories: (1) Primary legal materials: Legislation (1945 Constitution, Criminal Code, Law No. 7 of 1974, Law No. 2 of 2002, and Government Regulation No. 9 of 1981); (2) Secondary legal materials: Journals, doctrines, and relevant previous research results; (3) Tertiary legal materials: Supporting materials such as the Great Dictionary of the Indonesian Language (*KBBI*) and legal dictionaries to clarify technical terms (Sutaryo & Hadi, 2020).

#### **3.4. Data Collection Techniques**

In collecting data, this research utilizes three main techniques as follows: (1) Document Study Technique: Used to obtain a legal basis through the review of primary legal materials (legislation), secondary materials (literature, journals, articles), and tertiary materials (dictionaries/encyclopedias) to ensure the accuracy of phenomenon analysis (Salim & Nurbani, 2016); (2) Observation Technique: Conducting direct reviews at the research locations, namely the Buleleng Resort Police and Banyuning Village, through recording, photographing, and documenting the legal situations and events occurring in the field (Sugiyono, 2017); (3) Interview Technique: Collecting data through direct communication (face-to-face) with systematically selected sources. Interviews are directed at members of the Buleleng Resort Police Criminal Investigation Unit (*SatReskrim*), the Head of Banyuning Village, and local residents to obtain in-depth information regarding the research focus (Sugiyono, 2017).

#### **3.5. Research Sampling Technique**

This research uses a non-probability sampling technique through a purposive sampling approach, which is intentional sampling based on specific criteria and objectives relevant to the research focus (Sugiyono, 2017). In this case, samples were selected to represent population characteristics to obtain in-depth data. The determined research subjects include the Buleleng Resort Police *SatReskrim* as the primary informants in law enforcement, as well as the Head of Banyuning Village and the Community of Banyuning Village as sources to provide social and territorial perspectives regarding cockfighting practices.

### 3.6. Data Processing and Analysis Techniques

The research data is analyzed qualitatively by presenting data in the form of narratives and descriptions to understand social phenomena in depth (Moleong, 2019). The analysis process is carried out iteratively and systematically, including the stages of data collection, categorization based on emerging themes or patterns, and interpretation of meaning within a social context (Sugiyono, 2017; Creswell & Creswell, 2018). Interpretation is performed on the entirety of the classified data to produce a comprehensive picture, which is then presented descriptively so that research patterns and findings can be clearly understood (Nowell et al., 2017).

## 4. RESULTS AND DISCUSSION

### 4.1. The Role of the Buleleng Resort Police in Enforcement Efforts Against Cockfighting Gambling Crimes in Banyuning Village

Law enforcement against cockfighting gambling in Banyuning Village presents a multidimensional challenge where positive legal norms intersect with local cultural realities. Juridically, the practice of cockfighting (Tajen) in this region cumulatively fulfills the elements of an offense under Articles 303 and 303 bis of the Criminal Code (KUHP), ranging from the provision of facilities (arenas) and the presence of monetary or material bets to the element of chance. Based on interviews with AIPTU I Dewa Gede A.S., S.H. (Criminal Investigation Unit of Buleleng Resort Police), there is a fundamental distinction between the sacred Tabuh Rah ritual and the profane/commercial Tajen. However, in the field, perpetrators often blur these boundaries to evade criminal charges, creating a dilemma for officers to enforce the law without triggering social conflict.

Empirical facts in Banyuning Village reveal a significant "Dark Figure of Crime" phenomenon. Official data from the Buleleng Resort Police Criminal Investigation Unit recorded very low crime rates for cockfighting (only 1 case in 2023 and 0 cases in 2024); nonetheless, field observations show that arenas in Indraprasta Alley and Pulau Timor Street operate on a scheduled weekly basis. This discrepancy indicates that criminal law has not functioned effectively at the grassroots level. To address this, the Buleleng Resort Police implement a counter-strategy through three main channels:

#### 4.1.1. Pre-emptive Efforts



**Figure 1. Bhabinkamtibas Banyuning conducts education on the dangers of gambling and narcotics**

Based on Figure 1, as the frontline, the Community Policing Officers (Bhabinkamtibas) perform guidance functions in accordance with National Police Chief Regulation (Perkap) No. 3 of 2015. These efforts focus on "dialogic visits" (sambang dialogis) to educate the public on the legal and social implications of gambling. Theoretically, pre-emptive efforts aim to control the intent factor before it transforms into a criminal act. However, this study finds that such education tends to result in "symbolic

compliance." The community appears cooperative in the presence of officers but reverts to deviant behavior once the authorities leave. This suggests that a purely educational approach is not yet strong enough to deconstruct the institutionalized culture of gambling in Banyuning.

#### 4.1.2. Preventive Efforts



**Figure 2 . Polsek Singaraja Conducts the Patrol Activities**

Preventive efforts are manifested through the “Blue Light Patrol” mechanism by the Buleleng Resort Police Sabhara Unit and the Singaraja City Sector Police to eliminate opportunities for gamblers (Figure 2). Based on the Crime Prevention Through Environmental Design (CPTED) approach, the effectiveness of prevention heavily depends on physical environmental conditions. In Banyuning, narrow alley access and minimal street lighting are major obstacles for police patrols. Tajen organizers utilize these geographical conditions as an "early warning system" to disperse before officers reach the location. Furthermore, the stagnation of village officials' roles in reporting new arenas weakens the synergy of police intelligence in the field.

#### 4.1.3. Repressive Efforts

Repressive efforts are carried out as a last resort through the process of investigation and inquiry in accordance with the Criminal Procedure Code (KUHAP) standards. In practice, the Buleleng Resort Police are faced with situations where massive enforcement often risks triggering mass resistance or horizontal conflict. Consequently, police officials frequently exercise Discretionary Power as stipulated in Article 18 of Law No. 2 of 2002. The use of this discretion aims to maintain broader security stability. However, the author argues that repetitive use of discretion without firm action against arena providers (uitlokker) may undermine the principle of equality before the law. Consistent enforcement against intellectual actors and primary organizers is imperative to ensure that the sanctions in Law No. 7 of 1974 maintain their compulsory force and provide a tangible deterrence effect for the community.

### 4.2. Obstacles – Obstacles Faced by the Buleleng Resort Police in the Enforcement of Cockfighting Gambling Crimes in Banyuning Village

The effectiveness of law enforcement, from a sociological legal perspective, is determined by the systemic synergy of various factors. Referring to Soerjono Soekanto's theory, the obstacles encountered by the Buleleng Resort Police in eradicating cockfighting gambling in Banyuning Village can be categorized into two primary dimensions: internal institutional factors and external sociological factors.

#### 4.2.1. Internal Factors

Organizational Culture and Operational Dilemmas of Law Enforcement The most significant internal obstacle relates to a reactive organizational culture within the force. Field enforcement is often initiated only after receiving Information Reports (LI) from the public, indicating a weakness in independent early detection by officers. According to AIPTU I Dewa Gede A.S., S.H., the police are frequently faced with a dilemma between strict legal enforcement and the risk of security instability.

In densely populated areas like Banyuning, mass arrests are often avoided due to the high risk of physical resistance from the community. This prompts the use of Police Discretion (as stipulated in Article 18 of Law No. 2 of 2002), which tends to lean toward persuasive measures such as temporary dispersal. However, from a juridical standpoint, repetitive discretion without further investigation into the arena providers (*uitlokker*) creates a perception of negligence and undermines legal authority. An institutional culture that prioritizes social stability over consistent repressive measures remains a major hurdle in targeting the key actors behind the gambling operations.

#### **4.2.2. External Factors**

Economic Resistance, Strategic Environment, and Cultural Shields External factors encompass sociological and geographical variables that collectively weaken the pressure of positive law:

##### **4.2.2.1. Communal Economic**

The Tajen arena in Banyuning has evolved into an informal economic agglomeration structure. This ecosystem involves small traders, local transportation services, and informal financial practices. This economic dependence creates community loyalty toward gambling organizers; residents tend to protect the arena as it is perceived as an alternative source of livelihood. Criticism from local authorities also highlights the "instant money" drive and lifestyle factors that encourage participation across economic strata, leading to strong social resistance against enforcement.

##### **4.2.2.2. Physical Environment (Geographical)**



**Figure 3. Location of sabung ayam arena indraprasta street and padang keling sabung ayam arena**

Based on field observations (Figure 3), the selection of arena locations in Indraprasta Alley and Padang Keling provides strategic tactical value. Locations in narrow alleys with multiple escape routes (paddy fields and shortcuts) allow perpetrators to detect police presence from a distance. The lack of supporting infrastructure, such as adequate street lighting and the absence of surveillance systems (CCTV) in vulnerable spots, further complicates police efforts in gathering valid evidence and conducting effective sting operations.

##### **4.2.2.3. Cultural and Value Conflict**

The cultural factor is the most fundamental and persistent obstacle. The systematic blurring of boundaries between the sacred Tabuh Rah ritual and commercial Tajen gambling is used as a shield against legal action. Organizers often manipulate cultural sentiments to evade repressive measures. Without strict synchronization between national law and customary norms (*Awig-awig* or village *Pararem*), police efforts will continue to hit the wall of cultural sensitivity, ultimately hindering the achievement of legal certainty and the deterrence effect mandated by Law No. 7 of 1974.

## 5. CONCLUSION

Based on the research findings and discussion, it can be concluded that cockfighting gambling (Tajen) in Banyuning Village is a criminal act that fulfills the elements of an offense under Article 303 of the Criminal Code (KUHP) in conjunction with Law No. 7 of 1974 concerning the Curbing of Gambling, as it involves open arenas, monetary stakes, and financial profit orientation. Although there are elements of the Tabuh Rah ritual within Balinese culture, the practice of Tajen has shifted into commercial gambling, which is misused to blur the boundaries between tradition and criminal acts, thereby creating a law enforcement dilemma for the Buleleng Resort Police.

The efforts of the Buleleng Resort Police in handling Tajen have been carried out through pre-emptive, preventive, and repressive approaches. Pre-emptive efforts, such as guidance and education by Community Policing Officers (Bhabinkamtibmas), are considered limited due to their sporadic and unstructured nature. Preventive efforts through patrols and regional mapping are also suboptimal because of limited penetration into narrow alleys and a lack of environmental support, such as adequate lighting and CCTV surveillance. Repressive efforts involving arrests, investigations, and enforcement still face obstacles, as officers tend to wait for public reports and repeatedly use discretionary power without taking firm action against the primary actors.

Obstacles to law enforcement against Tajen include both internal and external factors. Internal factors encompass a reactive organizational culture, concerns over socio-political risks, and a tendency toward excessive use of discretion, which potentially leads to negligence. Meanwhile, external factors include economic factors that turn Tajen into an alternative source of livelihood, environmental factors that allow perpetrators to evade surveillance easily, and cultural factors that obscure the line between the sacred Tabuh Rah ritual and commercial gambling. Consequently, effective law enforcement requires synergy between the police, regional authorities, customary leaders, and environmental management to reduce the perpetrators' room for maneuver and enhance public legal awareness.

### **Ethical Approval**

Not Applicable

### **Informed Consent Statement**

Not Applicable

### **Authors' Contributions**

KY conceptualized the study, conducted field research and data analysis, and drafted the manuscript. MSH, INS, and NPEP contributed to research design, data interpretation, and manuscript revision. All authors have read and approved the final manuscript.

### **Disclosure Statement**

The Authors declare that they have no conflict of interest

### **Data Availability Statement**

The data presented in this study are available upon request from the corresponding author for privacy.

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Not Applicable

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