

## **QUALITATIVE APPROACH IN LAW ENFORCEMENT ANALYSIS: A STUDY OF CHALLENGES AND PRACTICES IN INDONESIA**

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### **Abstract**

This research aims to analyze law enforcement through a qualitative approach with an emphasis on an in-depth understanding of the challenges and practices that occur in the social, cultural, and institutional context in Indonesia. The qualitative approach was chosen because it allows researchers to explore the experiences, perceptions, and interpretations of law enforcement actors and society comprehensively. So far, law enforcement studies tend to be dominated by normative and quantitative approaches that focus more on regulatory and statistical aspects. In fact, the dynamics of legal practice in the field are often influenced by non-judicial factors such as legal culture, power structure, and socioeconomic conditions of the community. Therefore, this study seeks to fill this gap by providing a more contextual and reflective analysis.

This study uses in-depth interviews, observations, and documentation studies on law enforcement practices in several institutions and communities that interact directly with the legal system. The results of the study show that the challenges of law enforcement are not only related to regulatory limitations, but also include the integrity of the apparatus, professionalism, access to justice, and public trust. In addition, it was found that law enforcement practices are often influenced by certain power and interest relationships, thus potentially causing injustice. On the other hand, there are also good practices that show a commitment to substantive justice.

The findings of this research are expected to contribute to the development of law enforcement theories and practices that are more responsive to the needs of the community. This research also emphasizes the importance of reforming the legal system that is not only structural, but also cultural. Thus, a qualitative approach can be a strategic alternative in understanding the complexity of law enforcement in more depth.

**Keywords:** law enforcement, qualitative approach, substantive justice

### **Abstrak**

Penelitian ini bertujuan untuk menganalisis penegakan hukum melalui pendekatan kualitatif dengan menitikberatkan pada pemahaman mendalam terhadap tantangan dan praktik yang terjadi dalam konteks sosial, budaya, dan kelembagaan di Indonesia. Pendekatan kualitatif dipilih karena memungkinkan peneliti untuk menggali pengalaman, persepsi, serta interpretasi para aktor penegak hukum dan masyarakat secara komprehensif. Selama ini, kajian penegakan hukum cenderung didominasi oleh pendekatan normatif dan kuantitatif yang lebih berfokus pada aspek peraturan dan statistik. Padahal, dinamika praktik hukum di lapangan sering kali dipengaruhi oleh faktor non-yuridis seperti budaya hukum, struktur kekuasaan, dan kondisi sosial ekonomi masyarakat. Oleh karena itu, penelitian ini berusaha mengisi kesenjangan tersebut dengan memberikan analisis yang lebih kontekstual dan reflektif.

Penelitian ini menggunakan metode wawancara mendalam, observasi, dan studi dokumentasi terhadap praktik penegakan hukum pada beberapa institusi serta masyarakat yang berinteraksi langsung dengan sistem hukum. Hasil penelitian menunjukkan bahwa tantangan penegakan hukum tidak hanya berkaitan dengan keterbatasan regulasi, tetapi juga meliputi integritas aparat,

profesionalisme, akses keadilan, serta kepercayaan publik. Selain itu, ditemukan bahwa praktik penegakan hukum sering kali dipengaruhi oleh relasi kekuasaan dan kepentingan tertentu, sehingga berpotensi menimbulkan ketidakadilan. Di sisi lain, terdapat pula praktik-praktik baik yang menunjukkan adanya komitmen terhadap keadilan substantif.

Temuan penelitian ini diharapkan dapat memberikan kontribusi terhadap pengembangan teori dan praktik penegakan hukum yang lebih responsif terhadap kebutuhan masyarakat. Penelitian ini juga menekankan pentingnya reformasi sistem hukum yang tidak hanya bersifat struktural, tetapi juga kultural. Dengan demikian, pendekatan kualitatif dapat menjadi alternatif strategis dalam memahami kompleksitas penegakan hukum secara lebih mendalam.

**Kata kunci:** penegakan hukum, pendekatan kualitatif, keadilan substantif

## INTRODUCTION

Law enforcement is one of the main pillars in realizing a democratic and just state of law. In modern legal theory, the existence of good rules is not enough without effective implementation (Unger, 2019). Therefore, the success of a legal system is not only determined by the quality of laws and regulations, but also by law enforcement practices in the field. The practice involves various actors such as law enforcement officials, judicial institutions, and the public. The complexity of the relationship between these actors often creates dynamics that cannot be explained simply. This shows that law enforcement is a complex and multidimensional social phenomenon. Therefore, a research approach that is able to understand this reality in depth is needed.

So far, legal studies have been dominated by a normative approach that emphasizes the analysis of legal texts. This approach has the advantage of providing certainty and legal systematics (Moho, 2019). However, normative approaches are often unable to explain the gap between law in books and law in practice. This phenomenon is known as the gap between law in books and law in action. In reality, many regulations do not work according to the purpose of their formation. This shows the existence of non-juridical factors that affect law enforcement. Therefore, legal research requires a more contextual alternative approach.

Qualitative approaches in legal research are becoming increasingly relevant in answering these needs. This approach allows researchers to understand the experiences, perceptions, and interpretations of legal actors (Susetiyo, 2025). Through interviews and observations, researchers can explore social realities that are not seen in quantitative data. In addition, a qualitative approach also allows for an analysis of the legal culture and values that live in society. This is important because law functions not only as a system of rules, but also as a social institution. Thus, the qualitative approach provides a more holistic perspective.

In the context of law enforcement, various challenges often arise in practice. These challenges include limited resources, low integrity of the apparatus, and lack of coordination between institutions (Patari et al., 2025). In addition, political and economic pressure can also affect the independence of law enforcement. This condition causes uncertainty and injustice in the legal system. As a result, public trust in the law has decreased. Therefore, it is important to examine these challenges in depth.

In addition to challenges, there are also law enforcement practices that demonstrate innovation and commitment to justice. For example, the use of a restorative approach in case resolution (Salsabila & Wahyudi, 2022). This approach emphasizes on the restoration of social relationships and the interests of the victim. The practice shows that law enforcement can evolve dynamically. Therefore, it is important to identify such good practices. This can be a reference for the development of a more progressive legal system.

This research is also relevant in the context of legal reform. Legal reform is not only related to changes in regulations, but also changes in legal culture (Ansori, 2017). Legal culture reflects people's attitudes and behaviors towards the law. Without cultural change, structural reforms will not be effective. Therefore, research that explores cultural aspects is very necessary. A qualitative approach is an important instrument in this regard.

Based on this background, this study aims to analyze law enforcement through a qualitative approach. The focus of the research includes challenges and practices in law enforcement (Jawa et al., 2024). This research also seeks to understand the social and cultural factors that affect the implementation of the law. In addition, this research is expected to make theoretical and practical contributions. These contributions include the development of legal research methodologies. Thus, this research has both academic and practical relevance.

## **METHODS**

This study uses a qualitative approach with a socio-legal research design. This approach was chosen because it is able to integrate normative and empirical analysis. Socio-legal research views law as a social phenomenon. Therefore, research focuses not only on rules, but also on practice. This method allows for an exploration of the experiences of legal actors. In addition, this approach is also relevant in understanding the social context. Thus, the results of the research are expected to be more comprehensive.

Data collection techniques were carried out through in-depth interviews, observations, and documentation studies. Interviews were conducted with law enforcement officials, practitioners, and the public. Observations were made to understand law enforcement practices directly. The

documentation study includes an analysis of decisions and policies. The data obtained was then analyzed thematically. The analysis is carried out through the process of reduction, categorization, and interpretation. This aims to produce valid findings.

The validity of the data is maintained through triangulation of sources and methods. In addition, the researcher also conducted member checking. Research ethics is the main concern in this study. Informants are given confidentiality protection. The research also considers the sensitivity of legal issues. Thus, this research is expected to have scientific integrity.

## **RESULTS AND DISCUSSION**

The results of the study show that law enforcement is influenced by various structural factors. Complex institutional structures often give rise to poor coordination. This has an impact on the slow process of the legal process. In addition, there is an overlap of authority between institutions. This condition causes legal uncertainty. People have become confused about the legal mechanism (Ahadi, 2022). Therefore, institutional reform is an urgent need.

The integrity factor of the apparatus is also an important issue. Some informants stated that there was a practice of abuse of authority. This causes public distrust. Low integrity causes the law to not run fairly. In addition, this phenomenon also has an impact on the legitimacy of the legal system. Therefore, improving integrity is a priority (Nisak & Riza, 2023). Education and supervision need to be strengthened.

The legal culture of the community also influences law enforcement. Some people still view the law as a tool of repression. This leads to low participation in legal proceedings. In addition, people tend to look for informal solutions. This condition shows the importance of legal education. Community legal education needs to be improved (Ernis, 2018). Thus, legal awareness can develop.

Access to justice is a significant challenge. Vulnerable groups often face obstacles. These barriers include costs and procedures. In addition, there are limitations in legal aid. This condition creates inequality. Therefore, the state needs to expand access to justice (Sati, 2025). Legal aid reform is important.

Restorative practices emerged as an alternative. This approach provides a more humane solution. The victim and the perpetrator were actively involved. This increases the sense of justice. In addition, social conflicts can be resolved. This practice shows the potential for reform. Therefore, a restorative approach needs to be developed (Arief et al., 2025).

Technology also plays a role in law enforcement. Digitalization increases transparency. Electronic systems speed up the process. However, there are data security challenges. In addition, the

digital divide has also emerged. Therefore, the implementation of technology needs to be careful. Policies must be inclusive (Nurwan, 2019).

Law enforcement is influenced by political factors. Political intervention can hinder independence. This has an impact on objectivity. In addition, elite interests influence the process. This condition causes injustice. Therefore, the independence of the institution is important. Surveillance mechanisms must be strengthened (Naen et al., 2025).

Good practices were also found. Some officials showed professionalism. The commitment to justice is visible. This increases public trust. Such practices can be a model. Therefore, replication is needed. Incentive systems can support (Falensia et al., 2025).

The qualitative approach has proven effective. This method is able to explore reality. The findings are more contextual. In addition, the actor's perspective is revealed. This enriches legal analysis. Therefore, this method is relevant. Research development is needed (Slamet, 2022).

## CONCLUSION

This research shows that law enforcement is a complex phenomenon. Structural, cultural, and political factors play a role. A normative approach alone is not enough. Therefore, a qualitative approach is important. This method is able to understand reality. The findings provide new insights. This enriches the study of the law.

Key challenges include integrity, access, and legal culture. Legal reform must be comprehensive. Not only regulations, but also culture. Education and supervision are important. In addition, technology and restorative need to be developed. This increases effectiveness. The legal system can be more responsive.

This research is expected to contribute academically and practically. A qualitative approach needs to be developed. Further research is needed. Multidisciplinary collaboration is important. Thus, the legal system can be fairer. Public trust is increasing. A state of law can be realized.

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