

Law Enforcement Of Football Players Which Do

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Law Enforcement Of Football Players Which Do Physical Violence To Referee In Soccer Matches

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Abstract

Football in Indonesia has an organization that is authorized to administer, organize, and organize a soccer match, namely the All Indonesian Football Association or commonly called PSSI. In a soccer match, there are rules that must be obeyed and obeyed by football players. The referee has an important role in football matches, where the referee is in charge of managing the game and deciding disputes that occur on the field. There is a case, where a soccer player who does not accept the referee's decision, commits an act of physical violence by deliberately hitting the referee so that the referee is injured. The player is subject to criminal sanctions in the Criminal Code, even though every case of violence that occurs during a football match is regulated in the PSSI Disciplinary Code. The research method that I use is normative juridical namely the type of research carried out by examining library materials or secondary data obtained from legislation, books, internet, to then be arranged, elaborated, and interpreted to obtain answers and conclusions related to problems which are discussed in this study. The results of this study can be seen through the element of physical violence by football players in referees in soccer matches, law enforcement, and sanctions against soccer players who commit physical violence against referees in soccer matches.

Keywords: Football, Law Enforcement, Physical violence

I. Introduction

Football is the most popular sport in the world. The game of football is quite liked and sought after by various groups, ranging from teenagers, and parents. Children are often found using 'balls' of various materials to be used in soccer games. Due to economic difficulties, they make balls from existing materials, for example from plastic, rubber, etc

Football in Indonesia has an organization that is authorized to administer, organize and organize various football matches throughout Indonesia, namely the All Indonesia Football Association or PSSI. In a football match has rules that must be obeyed by football players. Football also needs sanctions so that the rules of the game are obeyed and obeyed by every soccer player himself.

The referee has an important role in football matches, where the referee has the task to set the course of the game and also decide any disputes that occur between each player and team. But it cannot be denied, when one of the players or the team does not accept the decision of the referee. In this problem, something undesirable can occur such as violence or persecution of the referee in the soccer match.

What often happens when a soccer match in Indonesia is a soccer player who hits the referee during a soccer match. Whereas cases of physical violence committed by soccer players to referees are regulated in the PSSI Disciplinary Code. Sanctions for players who have committed physical violence against referees have raised questions about the existence of criminal law in the field of sports, especially for a sport that does not demand violence but has the potential for violent acts such as football. One example of the referee beating by the three Sigli PSAP players whose chronology began when the three players did not accept the referee's decision which was not fair. Then, the three PSAP players Sigli beat the referee and the case was forwarded to the Court.

Every case of physical violence or ill-treatment to referees is guided by disciplinary rules made by the Indonesian football association PSSI. Therefore, acts of physical violence committed by players against referees often recur because the sanctions provided are not criminal sanctions as stipulated in the Criminal Code, but PSSI Disciplinary Commission sanctions such as suspension, fines, etc.

This study aims to find out 1) how is the proof of the element of physical violence by soccer players on referees in a soccer match? 2) How is law enforcement against soccer players who commit physical violence to referees in soccer matches?

II. Method

The type of legal research used in this study is normative juridical legal research, or what is often referred to as normative legal research or doctrinal legal research. In the case of normative legal research, the author conducts research on legislation and various related legal literature, namely examining library materials or secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The materials are arranged then reviewed and drawn conclusions about the relationship with the problem under study.

In this normative research, the legal approach that will be examined is various legal rules which become the focus of research comprehensively and systematically. Obtained from secondary data, which consists of primary legal materials, secondary legal materials, and tertiary legal materials. The primary legal materials referred to in this study are Law Number 1 of 1946 concerning the Criminal Code Act, Law Number 8 of 1981 concerning the Criminal Procedure Code, the FIFA Statute, the PSSI Statute, and the PSSI

Disciplinary Code. Secondary legal material is a textbook, where the textbook contains the principles of legal science and the classical views of highly qualified scholars,¹ and tertiary legal materials are instructions or explanations regarding primary legal materials or secondary legal materials derived from dictionaries, encyclopedias, magazines, and so on.

To get the legal materials needed in writing this thesis obtained by studying documents that are collecting data by studying various literature readings, articles, internet, research results, and legislation. Then by conducting interviews with questions and answers, face to face to obtain data and information from the relevant agencies to complete this research.

III. Main Heading of the Analysis or Results

A. *Proof of the element of error in the act of physical violence by a soccer player on the referee in a soccer match.*

Mistakes referred to in criminal law are mistakes or accountability of only acts which can cause the judge to sentence, and can be held accountable to the maker. So, it can be said that the error exists if it is done intentionally or negligently where it has done an act which causes a condition or result which is prohibited by criminal law.²

Based on the element of wrongdoing physical violence is a crime against the body, divided into 2 types, namely:

- a. Crimes against the body that are done on purpose (intentional element). The crime referred to as persecution, which is contained in Chapter XX of book II, Article 351 through Article 358 of the Criminal Code (KUHP).
- b. Crimes against the body due to negligence, contained in Article 360 Chapter XXI

If the element of error is associated with the thesis that the author discusses here, there is a case of physical violence committed by a football player to the court on the field, the referee. The case occurred because a player who disagreed or felt aggrieved by the referee's decision when leading a soccer match. In the case of physical violence perpetrated by a soccer player on referees during a soccer match occurred when the Aceh

¹ Mardzuki, Peter Mahmud. (2010). *Legal Research*. Jakarta: Kharisma Putra Utama. p. 182

² Schaffmeister, D. (2011). *Criminal Law*, Bandung: PT Citra Aditya Bakti, Bandung. p. 77

Pidie Football Association (PSAP Sigli) competed against the Aceh United team. The case began when three players from the Sigli PSAP team, Muhammad Causar, Nurmahdi, and Fajar Munandar beat the referee while leading a soccer match because they did not accept the referee's decision not to give a yellow card to an opposing player who violated. As a result of the beating, the referee was injured.

That the act of physical violence by the three soccer players on the referee is not in the context of the game of football so that state law is imposed on the three soccer players. Based on the case and understanding above, every act that intentionally causes pain or injury to the body is an act of physical violence or abuse.

The formulation of acts of physical violence or maltreatment is contained in Article 351 of the Indonesian Criminal Code (KUHP) which contains elements of intent, acts, acts as a result of the intended acts (pain in the body, and or injury to the body), and which results are the sole aim. Based on these elements, that is associated with cases of physical violence committed by a football player on the referee, there is an element of intent.

In the case of physical violence committed by the three soccer players on the referee is an action carried out deliberately to injure the referee who leads the soccer game. Where in that case, the three soccer players from PSAP Sigli threw a punch at the referee who at the time led the way the soccer match to be injured. In this case, the three soccer players intentionally made an action and caused a result because of the action.

The element of the wrongdoing of physical violence by the soccer player on the referee is the existence of an intentional element, where the action is carried out intentionally to injure the referee by beating the referee because the offender did not accept the referee's decision which was deemed unfair in leading the football match.

If it is connected with a case of an act of physical violence committed by a soccer player on the referee, it is proven that there is a witness' statement (Article 185 of the Criminal Procedure Code). In the case of a beating done by a soccer player on the referee, the injury caused the referee. This makes the victim report to the authorities so that it is processed up to the Court. The referee who became a victim of a beating by a soccer player described what he experienced at the trial when physical violence was committed by a soccer player while leading the course of a soccer match. Then, also proved by the

evidence in the form of letters (Article 187 of the Criminal Procedure Code) such as the Visum et Repertum,

However, acts of physical violence or torture in the rules of football no specific rules are governing them. In the Disciplinary Code PSSI still does not regulate acts of violence or persecution up to the motive stage so that the elements of these actions cannot be known. Based on Article 48 of the PSSI Discipline Code in the category of Severe Violations, where a football player is sanctioned for being evicted from the playing field with a red card when the match takes place, if the person concerned commits a serious disciplinary offense that is committing a serious offense, committing an act of violence, spitting on an opposing player or someone else, make a deliberate effort to use his hands to prevent and prevent the opposing team from scoring goals, saying insulting, harassing or abusive words and / or gestures. Whereas based on this Article, if related to the case of a soccer player who beats a referee, there is an element of intent in Article 48 letter b, where the soccer player intentionally acts violently on the referee by hitting, until the referee is injured.

Football rules for punching, kicking, elbowing, which are carried out by soccer players on referees during football matches will be subject to punishment by the PSSI Disciplinary Committee. Acts of physical violence by football players on referees who cause injuries will certainly get a punishment from the Disciplinary Committee because these actions are included in the rules of football which is in Article 50 of PSSI's Disciplinary Code on Bad Behavior of Matches.

Whereas if related to a case of physical violence by a soccer player at a referee in a soccer match, where the three PSAP Sigli players who hit the referee to cause injury, the three players are subject to sanction in Article 50 letter b PSSI Disciplinary Code, namely a 6 (six) month suspension due to hit the matching device, the referee.

The elements in the formulation of Article 351 of the Criminal Code that have been outlined above cannot be imposed on soccer players who commit acts of physical violence to the referee during a soccer match. If physical violence is carried out by a soccer player on the referee in a soccer match, then state law cannot be imposed on players, because it is considered as a form of intervention by the state against organizing a soccer competition.

Football is a sport that does not require violence but has the potential for physical violence. Due to dissatisfaction with the decision issued by the court in the field, the referee when leading the football match. Referee decisions are biased, can harm the team that does not accept referee decisions that are considered unfair. This caused outrage by football players, so the referee was subjected to physical violence.

Under the rules of football, the beatings committed by soccer players on referees during a football match must be subject to punishment by the PSSI Disciplinary Committee. Beatings done by soccer players on referees are included in the rules of football, namely Article 50 letter b PSSI Disciplinary Code, namely suspension or prohibition on playing and participating in football matches for 6 (six) months. Based on the sanction of violation of the discipline, then the right to punish football players who commit acts of physical violence against the referee is the PSSI Disciplinary Committee in accordance with Article 78 letter a PSSI Disciplinary Code. Therefore, soccer players who commit acts of physical violence against referees in a soccer match cannot be subject to criminal sanctions, but instead, be subject to disciplinary sanctions that exist in Indonesian soccer regulations namely the PSSI Disciplinary Code.

B. Law enforcement against soccer players who commit physical violence against referees in soccer matches

Law enforcement against soccer players who commit physical violence against referees in soccer matches uses the concept of actual law enforcement because there are acts that violate the existence of beatings committed by soccer players on the referee is an act of physical violence or abuse that results in pain or injury to the body, then strengthened with evidence, namely witness testimony and post mortem. Football players who commit acts of hitting referees knowingly violate Article 351 of the Criminal Code (KUHP), which contains one element, namely intentional elements.³

In a football match, of course, it cannot be avoided such as actions such as sliding tackle, body fighting, elbowing, and hitting which certainly can cause pain or injury to the body. This could have happened when the referee as the court in the field in carrying out their duties by giving an unfair decision, thus triggering the anger of football players who felt

³ Husein Maruapey, M. (2017). "Law Enforcement and State Protection", *Journal of Political Science and Communication*, 7 (1): 24

aggrieved over the referee's decision. If a footballer commits an act of physical violence to the referee, not in the context of a soccer match or is not already part of the football game in progress, then this is where state law can be present.

Examples of cases that the author discusses here are soccer players from the PSAP Sigli who hit the referee during the match because the player did not agree with the decision given by the referee and felt unfair. The referee who suffered the injury was not reported and reported to the authorities and the case of violence in football was brought to the realm of law. That a legal event in the field of a sports match cannot be resolved by criminal law efforts, because in football there are rules that must be obeyed namely in the PSSI Disciplinary Code.

Criminal law cannot be entered and enforced in the body of Indonesian football because sports especially football has the specificity of an independent and independent legal autonomy to be upheld for every legal event that occurs in his body in this case the rules that exist in the PSSI Disciplinary Code. Footballers who commit physical violence cannot be prosecuted by criminal law as long as the act is committed in an ongoing match.

Sanctions against soccer players who beat the referee in a soccer match have been regulated by PSSI (All Indonesian Football Association) in the PSSI Discipline Code in Article 50 of the PSSI Disciplinary Code on Bad Behavior in Fighting, especially against match devices, namely referees.

In addition to suspension or suspension of play given by football players who commit acts of physical violence to the referee, there is a penalty. Based on Article 50 number 2 of the PSSI Disciplinary Code, a minimum fine of Rp. 50,000.0000 (fifty million rupiahs) is given to soccer players who beat the match, the referee.

The All Indonesian Football Association (PSSI) is the only national soccer organization that has the authority to regulate, administer, and organize all football activities or competitions in Indonesia. Handling of football players who commit acts of physical violence on the referee is carried out by the Disciplinary Committee as a PSSI judicial body that has the task and function of enforcing the rules contained in the PSSI Disciplinary Code.

The handling of physical acts of violence by soccer players on referees according to the aspects of football regulations that starts at the time of a soccer match, made the minutes of the match, the disciplinary committee has the authority to impose sanctions, then give decisions in the form of sanctions for fines or suspension, and then the results are sent to the player or club. The PSSI Disciplinary Committee has the authority to impose sanctions on soccer players who commit acts of physical violence to referees in football matches based on Articles 77 and 78 of the PSSI Disciplinary Code.⁴

IV. Conclusion

1. The element of the wrongdoing of physical violence by the soccer player on the referee is the existence of an element of intent, where there is a deliberate beating done by the soccer player on the court in the field, the referee, causing pain or injury to the body. The existence of this element of intent is one form of error, so that criminal sanctions. That every act that is done intentionally causes pain or injury to the body is an act of physical violence or ill-treatment, the formulation of which is contained in Article 351 of the Criminal Code (KUHP). To prove the mistakes of the perpetrators of the beatings, namely the existence of proof of criminal cases regulated in the Criminal Procedure Code (KUHAP). However, in the rules of football, the beatings committed by soccer players on referees during a soccer match should be subject to punishment from the PSSI Disciplinary Committee, because these actions are included in the soccer rules, namely in Article 50 of the PSSI Disciplinary Code concerning bad behavior towards match devices namely referee.
2. Law enforcement against soccer players who commit physical violence against referees in football matches must be under the rules in football, which are contained in the PSSI Disciplinary Code, where criminal law cannot be entered and enforced in the body of Indonesian football, because sports especially football has specificity. independent and independent legal autonomy to be upheld for any legal events that occur in his body in this case the rules that exist in the PSSI Disciplinary Code. Therefore, soccer players who commit physical violence against referees in soccer matches cannot be subject to criminal sanctions. Whereas sanctions against soccer players who commit acts of physical violence against referees in football matches

⁴ Interview with Ardian, Administration Section of the PSSI Provincial Association of East Java, 10 October 2019.

violate Article 50 of the PSSI Disciplinary Code concerning Bad Behavior of Match Devices. Handling physical acts of violence by soccer players on referees according to the aspects of soccer regulations that starts at the time of a soccer match, then the minutes of the match is made, the disciplinary committee has the authority to impose sanctions, then give decisions in the form of fines or suspension, and then the results are sent to the player or club.

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