

The Impact of Administrative Sanctions and Protection of Citizens' Rights with the Enactment of Criminal Procedure Code No. 20 of 2025 on Banyumas Regional Regulation No. 14 of 2020

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Abstract. *The implications of Banyumas Regency Regional Regulation Number 14 of 2020 with the transformation of formal criminal law in the form of the issuance of Law No. 20 of 2025 (New Criminal Procedure Code) are the problems that arise in the form of whether the application of administrative sanctions in Banyumas Regional Regulation 14/2020 achieves effectiveness with the enactment of the new Criminal Procedure Code which affects the method of administrative enforcement and the protection of citizens' rights before the law when facing legal problems contained in the regulation. The purpose of this study is to determine and analyze (1) the interpretation of the enforcement or application of administrative sanctions within the scope of regional regulations, (2) the influence of the enforcement of administrative sanctions in Banyumas Regional Regulation 14/2020 with the enactment of the new Criminal Procedure Code on the protection of citizens' rights, (3) the legal problems of the application of administrative sanctions in Banyumas Regional Regulation 14/2020 in relation to the new Criminal Procedure Code. The approach method used in this research is normative juridical. Based on the results of research and discussion, it can be concluded: (1) In the context of legal legitimacy of the content of administrative sanctions in Regional Regulations based on Article 238 paragraph 5 of the Regional Government Law, the administrative sanctions in Regional Regulations contain several actions, one of which is administrative fines. (2) The criminal instrument in Banyumas Regional Regulation 14/2020 functions with an emphasis on violations of the provisions of the Regional Regulation regarding social ills which were originally violations with administrative sanctions can be transferred into criminal efforts against violators without clear parameters.*

Keywords: Administrative; Criminal; Procedure; Regulations; Sanctions.

1. Introduction

The law is a set rules and norms set by the government or competent authority in a country or society. The main objective law is arrange behavior individuals and groups, as well as guard order and justice in something system social. The law includes various aspect life, such as law criminal law (which regulates action criminal), law civil (which regulates connection between individual or entity), law constitution (which regulates structure and function government), and many again. The law can set through legislative, judicial, or other processes even consensus social in a number of cases.¹

Law as a set rule set by the authorities certain or institution government with objective main purpose of creating order social justice that is fair, safe and orderly. Laws work too as tool finish conflict, protecting rights and freedoms individuals, as well as promote justice.² Fundamentally, the law is a set of norms promulgated by the government limit and direct behavior citizens to create harmony and peace together. If these norms violated, then offender will face sanctions in the form of action forced, which remains is reaction to actions or negligence in accordance order law.³

Interrelation between society and law reciprocal: society need law for arrange interaction social, while law formed from needs and values public That itself. The law stipulates limitation behavior, but also shaped by customs, culture, and aspirations collective citizens. Without existence society, rules law lost context and relevance. On the other hand, without law, structure social will difficult maintained and conflict will easy erupt.

Understanding about the rule of law has develop quite a long time, namely since first put forward by Plato in 429 BC. For That power must

held by people who know goodness, namely a philosopher (*the philosopher king*). However in his books "*The Statesmen*" and "*The Laws*", Plato stated that which can realized is best form second (*the second best*) which places supremacy law. A capable government prevent decline power somebody is government by law.⁴ The term rule of law or country based on law in the Indonesian constitution can found

¹Dian Karisma, Dyah Listyarini. *State Administrative Law* , Prima Agus Teknik Foundation: Semarang, 2024, p. 1

² *Ibid*

³Ketut Bobby Suryawan, Understanding the Function and Purpose of Law in an Introduction to Legal Science. *Consensus: Journal of Defense, Law, and Communication Sciences* , 2 (3) June 2025, p. 226

⁴Jimly Asshiddiqie, *Constitutional Law and the Pillars of Democracy* , Jakarta: Constitution Press, 2006, p. 147

in Explanation of Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia.⁵

Based on Article 7 Paragraph (1) of the UUPPP, it is stated that the types and hierarchy Regulation Legislation is as following:

- 1) 1945 Constitution of the Republic of Indonesia;
- 2) Provisions Assembly People's Consultative Assembly;
- 3) Laws / Regulations Government Replacement Constitution;
- 4) Regulation Government;
- 5) Regulation President;
- 6) Regulations; and
- 7) Regency/City Regional ⁶Regulations.

Sanctions criminal and sanctions administrative are two different things Good in implementation and acquisition state rights to violation the so that own different impacts. With thus which one between both of them are more potential implemented specifically in regulation area Goods level district / city and level province.

However material regulated load in every Regional Regulation may it is said almost all of it related with problem administrative and creating A sanctions administrative. Based on Article 15 of the UUPPP, the provisions criminal has a maximum limit may listed in Regional Regulation that is criminal imprisonment for a maximum of 6 (six) months and criminal a maximum fine of IDR 50 million (Fifty Million Rupiah).

In a way literally, sanctions part important cover inside law administration. This is is something form coercion from state administration (government) towards citizens in matter existence commands, obligations, or the prohibitions that are regulated in regulation legislation invitation issued by the state administration (government). In the context sociological, sanctions form effort enforcement law enforcement law is a process for realize desires law become reality.⁷

Like as in one of the the area that becomes object study writer that is District Regional Regulation Banyumas related with cargo sanctions administrative in

⁵Ahmad Firmanto Prasedyo mukt i and Rakhmat Bowo Suharto, The Role of Judicial Commission on Supervision of Judge's Crime in Indonesia , *Jurnal Daulat Hukum* , 1 (4) December 2018 , p. 895

⁶ Article 7 Paragraph (1) of the Law Number 13 of 2022 concerning Change Second on Constitution Number 12 of 2011 concerning Formation Regulation Legislation

⁷Arma Sina Alfarabi, Regulation of Administrative Sanctions for Health Protocols through Regional Head Regulations. *Wasaka Law Journal* , 9 (1) February 2021, p. 188

District Regional Regulation Banyumas Number 14 of 2020 concerning countermeasures disease society. Disease public is phenomenon social that has been There is since man created. Disease public always current for discussed due to always exist and always exist There is in the middle life. Disease public is very complex problem. Disease problem community in the Regency Banyumas grow and develop along with growth economy and activity development in the region this. Existence disease public specifically homeless people, beggars, prostitution, alcohol, drugs, gambling has cause strong criticism and reaction from public Banyumas.⁸ Reality that is what underlies urgency Banyumas Regional Government publish Regional Regulation Banyumas Regency Number 14 of 2020.

Based on perspective pathology social, existence disease social or disease public caused by several factor that is:

- a. Condition broken home;
- b. Problem economy;
- c. Venting feelings of disappointment;
- d. Influence environment public;
- e. Inability capable absorb applicable values and norms.⁹

This matter implications with procedures carried out in enforcement administrative to existence source law criminal formal namely the Criminal Procedure Code which specifically interrelation between enforcement administrative with the Criminal Procedure Code located in the context enforcement law integrated nature complementary (mutually complete), where enforcement administrative in the form of implementation sanctions administrative often become step beginning (*primum remedium*) before or simultaneously with sanctions regulated criminal law in the Criminal Procedure Code which matters This represent strict boundaries between realm administrative and criminal.

Moreover with implementation transformation law criminal formal in the form of marked with the enactment of Law No. 20 of 2025 (New Criminal Procedure Code) as of January 2, 2026, replacing Law No. 8 of 1981 (OLD Criminal Procedure Code) which in essence paradigm enforcement changing laws from *crime control* (retributive) to *due process of law*¹⁰ and *restorative justice* which emphasizes

⁸Tri Utami, et al. Typical Beggars Along Kebun Krumpt Road, Pageralang Village, Kemranjen District, Banyumas Regency. *Geo Education*, 5 (1) March 2016, pp. 27-29

⁹Ridwan and Abdul Kader. Social Pathology of Society ((Case Study in Wera-Ambalawi District). *Sangaji: Journal of Sharia and Legal Thought* , 3 (2) March 2019, pp. 311-313

¹⁰Due process of law is a fundamental legal principle that guarantees fair, transparent, and equal treatment for everyone in the legal process. It prevents arbitrary state action in depriving a person

human rights protection, transparency procedural, usage technology, as well as balance between victims, perpetrators, and society.

As for the implication to Regional Regulation Banyumas Regency Number 14 of 2020 concerning countermeasures disease society, imposition sanctions administrative in regional regulations the acts that violate Article 23 Paragraphs (2) and (3), Article 24 Paragraph (2), as well as Article 25 and Article 27 as categorized actions in actions violation criminal like circulation or production drink alcoholic without permit, prostitution that can leading to trade humans, as well as online gambling that targets agencies that provide or as facilitator activity online gambling, which is the thing This become One unity in the form of enforcement law integrated between enforcement administrative with new KUHP mechanism if instrument criminal enforced in investigation by officials regions and law enforcement law local.

2. Research Methods

The approach used in this research is a normative legal or written legal approach (statutory approach). ¹¹The normative legal approach is an approach carried out based on primary legal materials by examining theories, concepts, legal principles, and laws and regulations related to this research. This approach is also known as a literature approach, namely by studying books, laws and regulations, and other documents related to this research.¹² This research uses descriptive research specifications. analysis or the nature of the presentation of the research object. The purpose of descriptive research specifications is to obtain a complete picture of the legal conditions that apply in a particular place and at a particular time. The data used for this research is secondary data. Secondary data is data obtained from library research consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The main data collection method used in library studies is secondary data obtained from library books, regulations, and other sources. legislation, as well as the opinions of legal experts. The data obtained was then analyzed using qualitative analysis, namely data analysis that does not use numbers, but data obtained through research. Qualitative data analysis is carried out by examining all available data from various sources, namely from personal documents, official documents, testing the data with concepts and theories of related laws. This method is expected to obtain clear data regarding the main problem.

of their freedom, rights, or property, ensuring that legitimate legal procedures are followed from investigation to final verdict. See in: Rahmat Effendy Al Amin Siregar. Due Process of Law in the Criminal Justice System in Indonesia in Relation to Human Rights Protection. *Jurnal Fitrah* , 1 (1) January-June 2015, pp. 37-44

¹¹ Johny Ibrahim, *Theory and Methodology of Normative Legal Research* , Bayumedi a, Malang, 2006 , p 1m 295

¹² Soerjono Soekanto, *Normative Legal Research* , Raja Grafindo Persada , Jakarta, 2004 , p. 1m 10

3. Results and Discussion

3.1. Interpretation Enforcement or Implementation Sanctions Administrative in Scope Local regulation

Form implementation principles autonomy one of the areas mandated by the Indonesian constitution is presence Regional Regulations or abbreviated Regional Regulation. Regional Regulation ensure organization government walk in accordance with characteristics, needs, and potential specific to each region throughout all corners of Indonesia

Based on Article 1 Paragraph (1) of the 1945 Constitution of the Republic of Indonesia states that the Republic of Indonesia is a unitary state in the form of a republic. Then Article 18 Paragraph (1) states: The Unitary State of the Republic of Indonesia is divided into on regions provinces and regions province That shared on districts and cities, each of which provinces, districts and cities That have government area, which is regulated with Constitution.¹³

In the implementation regional government, government area given autonomy as widely as possible, except affairs government by law determined as affairs Central Government. In order to carry out autonomy area in the area, then government area entitled set regulation regional and other regulations for carry out autonomy and duties assistance.

In a way historically, at the beginning Indonesian independence, system government area experiences a number of change significant as part from the process of forming a new state independence. One of the incidents important in history beginning independence is implementation Constitution Main Point Regional Government of 1945. In law said, the concept autonomy area start acknowledged, even though at the time That its coverage Still limited and government area still very dependent on the government center. Following period beginning independence, occurred various change politics and laws that influence government regions in Indonesia. One of the incidents important is the New Order period, where the government centralization strong below power President Suharto dominate landscape politics. At this time, autonomy very limited area, and government area play a role as extension from policy government center. Most of decisions and allocations source Power controlled by the government center, leaving A little room for government area arrange affairs local Alone.¹⁴

Failure development economy through approach centralized has grow inspiration new in designing get up return implementation development. Through approach

¹³A. Zarkasi. Formation of Regional Regulations Based on Statutory Regulations. *Inovatif: Journal of Legal Studies* , 2 (4) 2010, p. 103

¹⁴Dina Susiani. *Regional Government Law*. First edition, Published by Tahta Media Group, 2025, p. 1

decentralization expected intervention The Central Government will can reduced in a way significant and further will open enough opportunity wide for Regional Government for develop development the economy in accordance with potential their respective regions. Shift orientation government from the centralistic model which is characterized by *command and control* by the government very prominent center become system government fulfillment - oriented decentralization need area based on potential area That Alone.¹⁵

The reform era in 1999 and followed with Amendment The 1945 Constitution of the Republic of Indonesia has impact positive and impact negative in life nation and state especially field state administration. Impact positive reforms are visible in life state among others, increasingly transparency organization government at the center and in the regions, as well as in organization regional government given more autonomy broad and real to government area organize affairs House the stairs Alone.¹⁶

Autonomy area from on the other hand, must it also anticipated that birth area or new territory it turns out also raises problems new especially concerning dimensions social culture in the form of feeling or effect *social psychological* for community or group public certain areas become marginalized in role, function and position in participate as well as coloring dynamics social culture in the area said. Besides other good impacts impact politics, economics, territoriality, defense and security and so on. Development area with existence autonomy show the more Lots visible area more progress and develop since given more autonomy big especially areas that have source Power enough nature big.¹⁷

If examining Article 18 of the 1945 Constitution of the Republic of Indonesia based on change second the year 2000 will seen things as following:

- 1) Unitary State of the Republic of Indonesia is divided over the Provincial Regions and Provincial Regions That shared on districts and cities, each of which Provinces, districts and cities That have Regional Government is regulated with Constitution.
- 2) The Provincial, District and City Regional Governments regulate and manage Alone affairs government according to principles autonomy and duties assistance.
- 3) The Provincial, Regency and City Regional Governments have Regional Representative Councils whose members are chosen through election general.
- 4) Governor, Regent and Mayor respectively as head The Regional Governments of Provinces, Districts and Cities are selected in a way democratic.

¹⁵Dina Susiani. *Op.Cit* , 2025, page 1

¹⁶ *Ibid* , p. 3

¹⁷ *Ibid*

- 5) Regional Government carries out autonomy as widely as possible, except affairs government by law determined as affairs Central government.
- 6) Regional Government has the right set Regional regulations and other regulations for carry out autonomy and duties assistance.
- 7) Composition and procedures organization Regional Government is regulated in Constitution.¹⁸

Meanwhile, Article 18A of the 1945 Constitution states that that connection authority between government central and provincial, district and city governments are regulated with Constitution with notice specificity and diversity area. Relationship finance, services general, utilization source Power

and sources Power other between The Central Government and Regional Governments are regulated and implemented in a way fair and harmonious based on Constitution. And Article 18B confirms that the State recognizes and respects units Regional Government which is of a nature special or nature special arrangements with Constitution. The state recognizes and respects it units public law customs along with rights traditional throughout Still alive and well with development society and the principles of the Unitary State of the Republic of Indonesia, which are regulated in Constitution.¹⁹

Draft government area originates from translation draft *local government* which in essence contain three meaning, namely: first means government local, second means government local, and third means local area. ²⁰Government local in meaning First, refers to an organization /body/ institution that functions organize government area. In the context of this, the government local or government area refers to the organization that leads implementation activity government area, in meaning This in Indonesia refers to the Head regions and the Regional People's Representative Council. Both institution this is what moves activity government area everyday. Therefore that, second institution This interpreted with Government local area *government or local authority*).²¹

Government local in meaning second, refers to activities governance implemented by the government area. In order to organization government regional government area do activities settings. Activities This is function important in essence is function manufacturing policy government the area that was used base or direction in organize government. This The same with function government

¹⁸M. Aries Djaenuri and Water Lily. Regional Government System. In: Basic Concepts of Regional Government . Open University, Jakarta, *IPEM4214/Module 1* , 2014, p. 4

¹⁹ *Ibid* , pp. 4-5

²⁰Nurcholis Hanif, *Theory and Practice of Regional Government and Autonomy* . Jakarta: Gramedia Widiasarana Indonesia. 2007, p. 24

²¹M. Aries Djaenuri and Water Hyacinth. *Op.Cit* , 2014, p. 6

center that includes function legislative, function executive and functions judiciary. Government local government basically only carry out function legislative and functions executive whereas function judiciary still

handled government center. Function legislative implemented by the government area in essence is function manufacturing policy government area. So, it's not function legislative like case in point function parliament in which Indonesian context function This implemented by the House of Representatives. Temporary that, function judiciary held by judicial bodies (Supreme Court, High Court, District Court and Court others). Hoessein is of the opinion that term legislative and executive also do not common used in local government. Common term used in local government is function manufacturing policy (*policy making function*) and function implementation policy (*policy executing function*). Function formation policy carried out by officials selected through elections, while function implementation policy carried out by appointed officials / bureaucrats local.²²

Government local in meaning third, refers to the area of government or area autonomous. In the Indonesian context, the region autonomous is areas that have right organize and manage affairs government that has handed over by the Central Government to area become affairs House the ladder. The right to regulate This realized with manufacturing regulation the area which is essentially is policy general government area currently right for look after House ladder area realized in implementation regulation area the in the form of related activities with implementation governance, implementation development and coaching public.²³

According to de Guzman and Stapler, that that elements government area includes:

- 1) Government area is subsidy political from sovereignty nation and state.
- 2) Government area regulated by law.
- 3) Government area has a governing body elected by the population local.
- 4) Government area organize activity based on regulation legislation.
- 5) Government area give service within its jurisdiction. Associated with function general government so elements government the area above Still added with Government area carry out development regions and empower public area within its jurisdiction.²⁴

In a way juridical, dynamics journey legitimacy law in the form of Constitution about Post- reform regional government is characterized by several milestone

²²Nurcholis Hanif, *Op.Cit* . 2007, p. 24

²³M. Aries Djaenuri and Water Hyacinth. *Op.Cit* . , 2014, p. 7

²⁴ *Ibid*

regulations the main thing that has been experience a number of changes also include:

- 1) Constitution Number 22 of 1999, becomes runway the beginning of the autonomy era broad areas and decentralization, emphasizing autonomy at the level Regency and City with minimize intervention center.
- 2) Constitution Number 32 of 2004, is improvement of the previous law which regulates mechanism election head regional (regional elections) in general directly by the people and clarify connection between Central and Regional Government.
- 3) Constitution Number 23 of 2014, the basis law decentralization moment this, which shifts part authority licensing and management from Regency /City to Government Province For guard equality between area.
- 4) Law Number 9 of 2015, amendments second regarding Law Number 23 of 2014 concerning arrangement authority between levels government area.
- 5) Law Number 11 of 2020 (Job Creation), changes a number of provision licensing and spatial planning in the region give convenience investment and synchronization policy national.²⁵

In the implementation regional government, government area given autonomy as widely as possible, except affairs government by law determined as affairs Central Government. In order to carry out autonomy area in the area, then government area entitled set regulation regional and other regulations for carry out autonomy and duties assistance.

Regional Regulations are an integral part of theory regulation legislation, Article 1 paragraph (7) and paragraph (8) of the Law Number 12 of 2011 concerning Formation Regulation Legislation say Regional Regulation is Regulation Legislation formed by the Regional People's Representative Council with agreement together Good Regional Head Province and City/ Regency. Definition Regional Regulation according to Article 1 paragraph (10) of the Law Number 32 of 2004 concerning Regional Government is Provincial and/ or Regional Regulations Regency/City Regional Regulations. Regulations area is policies that have been determined by the head area after get agreement together with the Regional People's Representative Council (DPRD), meaning that each area own authority For form Regional Regulation.

According to Aristo Evandy A. Barlian, Regional Regulations are Legislations formed by Regional People's Representative Council with the joint approval of the Regional Head (governor or regent/mayor). Content material Regional Regulations are all the material contained in the framework of implementation of regional

²⁵BA Ramdhani Saimima. The Urgency of Amending Law Number 23 of 2014 concerning Regional Government. *Bhinneka Tunggal Ika Journal* 7, 2022, pp. 19-24

autonomy and assistance tasks, and accommodate specific regional conditions and further elaboration Higher legislation. Regional Regulations consist of:

- 1) Provincial Regional Regulations, which apply in the province said. Regulations
- 2) Provincial Area formed by the Provincial DPRD with agreement together Governor.
- 3) District/City Regional Regulations, which apply in the district / city The Regency/City Regional Regulations are formed by the Regional People's Representative Council (DPRD).
- 4) Regency /City with agreement together Regent / Mayor.
- 5) District/City Regional Regulations do not subordinate to Provincial Regional Regulations.²⁶

The area does not Can as well as immediately in compile related regulations with area or Regional Regulations, but rather must referring to existing legislation. There are several requirements that must be met obeyed area in give birth to regional regulations, including Regional Regulation No may contradictory with interest general and/ or regulation more legislation high, Regional Regulation is description more carry on from regulation more legislation high, and Regional Regulation required in frame organization autonomy areas and tasks assistance. Lastly, the one that is not lost important is formation Regional Regulation must notice characteristics typical of each region.

According to Bagir Manan ²⁷, considering that Regional Regulation made by the unit Independent (autonomous) government, with environment independent authority, then in the test to regulation More legislation tall No may solely based on " Level " but also on " environment " " Contradictory regional regulations " with regulation legislation to level more high (except the 1945 Constitution) not yet of course it's wrong, if it turns out regulation legislation level tall violate rights and obligations areas guaranteed by the 1945 Constitution or the Regional Government Law.

3.2. Influence Enforcement Sanctions Administrative Regional Regulation Banyumas 14/2020 with the new Criminal Procedure Code comes into effect To Protection of Citizens' Rights

Legal politics indeed covers policy official state/ *legal policy*, namely the process of making and implementing laws that can show nature and which direction the law will built and enforced by state institutions that have authority For That.²⁸

²⁶Aristo Evandy A. Barlian. *Op.Cit* , October-December 2016, p. 608

²⁷Bagir Manan, *Op.Cit* , 2004, p. 142

²⁸Moh Mahfud MD. *Legal Politics in Indonesia* , Jakarta: Rajawali Pers, 2009, pp. 4-5

Legal politics also means something statement will state rulers regarding the laws applicable in its territory and regarding direction development constructed law. Legal politics is effort for realize good regulations in accordance with conditions and situations in a time certain. regional regulation is one of the form political regional law. legal politics regional regulation, in particular simple understood as what the creator wants regional regulation through the regulation that will be its formation.²⁹

Regional Regulation at a time is product politics and law. Politics and law That nature each other determine (interdeterminant) in the formation process something Regional Regulation, the process of its formation No can separated from configuration politics surrounding it. Configuration democratic politics marked through the legislative process done in a way democratic Where formation Regional Regulation based on principle openness with give big role and participation full for groups social or individual in society, especially group which is stakeholders interest related the regulation that is wanted produced.³⁰

Sanctions administration can implemented together external balk both internal and external. Cumulative sanctions differentiated above; cumulative external and internal cumulative. Cumulation external is sanctions administration implemented together sanctions others, such as sanctions criminal and sanctions civil. Internal Cumulation is two or more sanctions administration can implemented in a way together.³¹ Cumulation sanctions in essence related with balance sanctions. That means sanctions must balance with heavy lightness violation.

In the sub chapter this, concentration research and discussion there are sanctions administrative in A Regional Regulations in which area is taken as object study that is Regency Banyumas in the form of District Regional Regulation Banyumas Number 14 of 2020 concerning countermeasures disease public.

Banyumas is a special region because apart from having the status of as the district capital, banyumas also has the status of provincial capital. residency. residency status was granted by the colonial government of the indies the netherlands through the resolution of the dutch east indies council dated august 22, 1831 Number 1. The Banyumas Residency area consists of five districts, namely: Purbalingga Regency, Banjarnegara Regency, Banyumas Regency, Cilacap Regency and Purwokerto Regency.³²

²⁹Josep Leonardy, Egiardus Bana. The Existence of Responsive-Participatory Regional Regulations: A Concrete Approach Democratic-Populist Legal Politics in the Regions. *Sainmikum: Journal of Science, Economics, Management, Accounting and Law* , 2 (4) 2025, p. 350

³⁰Moh Mahfud MD. *Op.Cit* , 2009, pp. 4-5

³¹Philipus M. Hadjon, et al., *Op.Cit* , 1993 , pp. 342-345

³²Budiono Herusatoto, *Op.Cit* , 2008 , p. 14

The western boundary of the Banyumas Residency is the Province of West Java with the Citanduy River as its territorial boundary. south is bordered by the coast of the Indian Ocean, southeast is bordered by with the Bagelen area (Purworejo Regency), to the east with Wonosobo Regency, while to the north it borders on Wonosobo Regency Pekalongan, Pemalang, Tegal, and Brebes.³³Geographically, the Banyumas Regency area is located between 108° 39' 17"-109° 27' 15" East Longitude and 7° 15' 05"-7° 37' 10" South Latitude. Regency Banyumas has an area of 132,759 hectares. The area of Banyumas Regency is more than of the 45% is a plain area spread across the central and southern parts and stretches from west to east.³⁴

Regency Area Banyumas covers 11 sub-districts that is part subdistrict Baturraden, part of subdistrict Patikraja, part of subdistrict Karanglewas, part of subdistrict Kedungbanteng, part of subdistrict Donate, partly subdistrict Twins, some subdistrict Sokaraja, sub-district South Purwokerto, sub-district West Purwokerto, sub-district East Purwokerto, and sub-districts North Purwokerto.

In terms of productivity, village areas in Banyumas Regency have potential in the agricultural sector, livestock, plantations, fisheries, industry, and trade. In the sector In agriculture, rice is a commodity that almost all villages have. The majority of villages in Banyumas Regency also have agricultural commodities. others such as corn and cassava. Several other commodities have the potential of the village which are distributed unevenly, such as coffee, cloves, coconuts and sweet potatoes. Cows and goats are livestock commodities that almost everyone owns. villages in Banyumas Regency besides poultry. Industrial sector in Banyumas Regency Banyumas, which is a potential village, is dominated by small and medium industries. households, although there are several villages that have large industries and moderate. The village economy in Banyumas Regency is also supported by the trade sector with the development of shops/kiosks/stalls and stalls Eat.³⁵

In space scope government, government Regency Banyumas own authority in organization affairs government in accordance Constitution Number 23 of 2014 concerning Regional Government as has changed several times final with Constitution Number 11 of 2020 concerning Job Creation.

Affairs government concurrent shared become affairs government mandatory and business government choice. Matters Mandatory Government is Affairs Mandatory government organized by all regions. Meanwhile Affairs Government Choice is Affairs Mandatory government organized by the Region in accordance with with potential owned by the Region. In order to carry out affairs mandatory

³³ *Ibid* , p. 13

³⁴ Central Statistics Agency of Banyumas Regency, *Op.Cit* , 2002, p. 1

³⁵ Bambang. *Op.Cit* . 3 (2) December 2016, pp. 127-153

and business the choice that becomes authority region, government Regency Banyumas has form institutional Regional Devices that are guided by Regulations Government Number 18 of 2016 concerning Regional Devices as has changed with Regulation Government Number 72 of 2019 concerning Change on Regulation Government Number 18 of 2016 concerning Regional Devices that are followed up with District Regional Regulation Banyumas Number 16 of 2016 concerning Formation and Composition Regional Devices as has changed final with District Regional Regulations Banyumas Number 2 of 2024 concerning Change Second on District Regional Regulation Banyumas Number 16 of 2016 concerning Formation and Composition of Regional Devices.³⁶

In reviewing the Banyumas Regional Regulations Number 14 of 2020 concerning countermeasures disease society (Pekat), that own objective main for prevent, overcome, supervise and foster society to create a safe, orderly and moral environment. In general terminology, according to Kartini Kartono³⁷ disease public or disease social is all form behavior behavior that is considered No conforming to and violating general norms, customs customs, laws and Religion. It is called as disease Because symptom social events that occur in the middle public Keep going erupting and getting bigger day the more become. Can also be called as structure disturbed social its function, caused by factors social.

Disease public Already There is since public is on the face earth this, okay disease impacted communities direct to individual, personal and to public in a way wide. Disease public No just occurs in urban areas, but also in rural areas, not only happens to educated people low, but also occurs in educated people middle and high, no only occurs in children young people and teenagers, but also occurs in adults who have families.³⁸

In a way essential, disease public is behavior deviations that occur in social society. Disease social diverse (concentrated) society types and forms determined by society Java known with 5M, namely main (gambling), Maling (stealing), *Medok* (prostitution), *Madat* (drugs), and *Mendem* (drinking) hard / drunk).³⁹ So as conveyed by G. Kartasapoetra that behavior deviation as expression somebody or

³⁶Banyumas Regency Government. 2024 *Banyumas Regency Government Agency Performance Report* , March 2025, page 6

³⁷Kartini Kartono, *Social Pathology 2 Juvenile Delinquency* , Jakarta: Rajawal i Press, 1992, p. 4

³⁸Rusdiana, Social Interaction between Commercial Sex Workers in the Bandang Raya Localization and the Village Community Mugirejo, Samarinda City. *e-Journal of Social Sciences* , 2014, p. 1

³⁹Muslimin, Cecep Sumarna, Abd. Rozak. Social Pathology and Mental Health; Orientation to Problems and Solutions (in the Study of Islamic Religious Education). *Journal of Education and Counseling* , 4 (6) 2022, p. 9821

a group of people who aware or No aware No adapt self with the norms that apply and are accepted by most big member public.⁴⁰

As for the factors main reason occurrence disease public in perspective pathology social is:

1) Internally consists of from:

- a. Psychological: Instability emotions, unstable soul teenagers, and easy stressed.
- b. -Awareness: Lack of understanding ethics, morals, and faith consequence minimal religious education.

2) In a way external consists of from:

- a. Family: Lack parental attention, patterns wrong parenting, or division family (*broken home*).
- b. Economics: Poverty and fulfillment need urgent life, which often trigger crime.
- c. Socializing: Influence Friend bad peers as well as environment permissive society to deviation.
- d. Technology & Information: Presentation negative progress technology and culture foreign without the presence of a strong filter.⁴¹

In a way implication factor to emergence disease society is one of them is poverty which is based on data from Agency Performance Report Government Regency Banyumas In 2024, that Poverty in the Regency Banyumas among other things caused by Still lack of quality source Power human. Although improvement quality of human resources in the Regency Banyumas Keep going done can seen from The Human Development Index (HDI) in 2024 was 74.52, indicating improvement by 0.56 from the 2023 HDI of 73.96. The quality of education public Regency Banyumas shown with An increase in the Average Length of Schooling (RLS) in 2023 from 7.87 to 7.91 in 2024, an increase in the Expected Length of Schooling from 13.26 years in 2023 to 13.34 years in 2024. Achievements This Still need optimized Because lack of culture read society and still the presence of Children Not in School (ATS). Conditions the give description quality source Power man Regency Banyumas from aspect his education.⁴² As for the level unemployment open Regency Banyumas in 2023 amounted to 6.35 and experienced decline to

⁴⁰Ciek Julyati Hisyam. Study of Deviant Behavior: Motives and Criminal Behavior of Prisoners in Domestic Violence (KDRT) Cases. *Dewantara: Journal of Social Humanities Education* , 3 (4) December 2024, p. 317

⁴¹Jhon Afrizal and Adynata. Social Illnesses in Bangkinang District, Kampar Regency. *Menara Riau: Journal of Entrepreneurship* . 13 (2) July-December 2014, pp. 140-143

⁴²Banyumas Regency Government. *Performance Report of Banyumas Regency Government Agencies 2024* , March 2025, page 13

6.18 in 2024 which is the although happen decline However Still Not yet reach optimization.

This is what makes political law Government Regency Banyumas beside make policy in the form of improvement welfare public Banyumas through various local government programs, also accommodate A product political law in frame prevent and enforce *punishment* in the form of law administrative to actions that represent category disease public through Banyumas Regional Regulation Number 14 of 2020.

If examined more specific in substance Regional Regulation Banyumas 14/2020, regulations area This arranged aim for:

- a. prevent actions that can destroying the morals of the generation young;
- b. protect public from all possibilities that can cause disturbance health and disorders social other;
- c. create condition orderly society from vulnerability security and order in society; and
- d. support enforcement law in a way maximum based on provision regulation related legislation with activities and/ or categorized actions as disease public.⁴³

Whereas categorization disease regulated society in Regional Regulation Banyumas 14/2020 includes type actions in the form of beggars, vagrant psychotic and non- psychotic, buskers, abandoned people, children street, drinker drink alcohol, gambling, and prostitution. ⁴⁴Local government Banyumas try reduce results observation in a way factual will activity deviation social issues that occur in the Banyumas region and are parameterized become A qualification disease social and listed into the product law in the form of Regional Regulation For become A guidelines enforcement law to Who only those who violate in the region administration Regency Banyumas.

4. Conclusion

Interpretation enforcement or implementation sanctions administrative in scope regulation area is in context legitimacy law to cargo sanctions administrative Regional Regulations based on Article 238 paragraph (5) of the Regional Government Law state that sanctions administrative provisions contained in the Regional Regulations contain a number of action in the form of reprimand verbal; reprimand written; termination temporary activity; termination still activities;

⁴³ Article 3 of the Regency Regulation Banyumas Number 14 of 2020 concerning Change on District Regional Regulation Banyumas Number 16 of 2015 concerning Countermeasures Social Diseases

⁴⁴ Article 5 of the Regency Regulation Banyumas Number 14 of 2020 concerning Change on District Regional Regulation Banyumas Number 16 of 2015 concerning Countermeasures Social Diseases

revocation temporary permission; revocation still permit; fine administrative; and/ or sanctions other administrative matters as appropriate with provision regulation legislation. In its interpretation, the warning oral is sanctions the lightest and most common administrative warning / reprimand oral is stage beginning before going to to level / stage sanctions administrative next, because usually sanctions administrative Can implemented in a way tiered. This means, to apply sanctions sufficient administrative heavy done in a way tiered started with sanctions the lightest administrative, usually done warning moreover formerly until several times. If it turns out after done warning several times no There is response new implemented sanctions administrative stage next enough weight. Influence enforcement sanctions administrative Regional Regulation Banyumas 14/2020 with the new Criminal Procedure Code comes into effect to protection right citizen have urgency based on efforts device government area Banyumas For regulate and enforce regulations an area that is none other than for stabilize situations and conditions area Banyumas so as not to become A areas that are not ideal for peace life public Banyumas consequence emergence disease society. Based on provision form sanctions administrative functions Local government Banyumas in Regional Regulation Banyumas 14/2020 which regulates that any body that violates provision as referred to in Article 23 paragraph (2) and paragraph (3) concerning coordination activity vagrancy, begging and busking; Article 24 paragraph (2) concerning facilitator sell buy liquor; Article 25 concerning gambling; as well as Article 27 concerning prostitution charged punishment sanctions administration in the form of reprimand verbal; warning written regulation; termination temporary from activities; fines administration; security goods; revocation permit, freezing permits, sealing; and/ or demolition building. Banyumas Regional Regulation Number 14 of 2020 also has provision which crime in matter This violation administrative with imposition sanctions administrative can connected with effort use instrument criminal if punishment administrative No can finish issues concerning disease community in the Regency Banyumas. When analyzed in a way careful, instrument criminal in Regional Regulation Banyumas 14/2020 is put into effect with emphasis on violations provision Regional Regulation about disease the original society as violation with sanctions administrative can diverted to in effort criminal to offender without clear parameters.

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