

The Role of Legal Sociology in Understanding the Dynamics of Law Enforcement in Society

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Law enforcement in Indonesia is not only a process of formally implementing legal norms but is also influenced by social, cultural, political, and economic conditions in society. This study aims to analyze the role of legal sociology in understanding the dynamics of law enforcement in society, particularly in explaining the gap between normative law and empirical legal practice. This study uses a qualitative approach with a critical perspective through exploratory literature review of legislation, legal sociology literature, and scholarly articles from reputable journals. Data analysis was conducted using a thematic approach to identify social patterns, societal legal behavior, and structural factors that influence the effectiveness of law enforcement. The results indicate that legal sociology plays a crucial role in bridging the gap between written law and social reality, analyzing social factors in legal implementation, assessing the effectiveness of law as a tool of social control, and providing input for the formulation of more responsive and equitable legal policies. This study confirms that integrating a legal sociology perspective into law enforcement is necessary to create a legal system that not only guarantees legal certainty but also substantive justice and social benefits for society.

Keywords: Sociology of Law, Law Enforcement, Social Dynamics, Legal Awareness, Legal Policy.

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1. Introduction

Law enforcement in Indonesia is a process that is not only related to the formal mechanisms of judicial institutions but also reflects the complex social and cultural conditions of society (Ansori, 2017). Law, formulated normatively in the form of statutory regulations, is essentially intended to serve as a guideline for communal life and ensure the creation of justice, order, and legal certainty. However, in reality, the enforcement of the law does not always operate as envisioned by lawmakers (Putri & Basagili, 2023).

In the practice of social life, discrepancies are often found between written legal norms and people's legal behavior (Yudhayana & Aziz, 2024). Some people do not fully comply with positive law, either due to a lack of understanding, low legal awareness, or social and economic factors that influence their behavioral choices. This situation indicates that the effectiveness of the law is highly dependent on the acceptance and internalization of legal values by society (Hadi, 2022).

This discrepancy emphasizes that law does not operate in a vacuum, but rather constantly interacts with the values, norms, and social structures that exist within society (Isnawan, 2018). Cultural values, social customs, and power relations also influence how the law is understood and implemented. In a pluralistic society like Indonesia, the diversity of social and cultural backgrounds means that law enforcement practices are not always uniform across regions (Hariansah, 2022).

Various problems in law enforcement can be seen in the low level of public trust in law enforcement institutions (Jawa et al., 2024). The public often perceives the law as being applied unfairly, inconsistently,

and tending to favor certain groups. This perception has implications for declining legal legitimacy and weakening public compliance with applicable legal regulations (Sulaiman, 2016).

Furthermore, local norms and customary laws continue to develop in Indonesian society, serving as guidelines for resolving conflicts. Living law is often more widely adhered to than state law, especially within certain communities (Hadi, 2018). This phenomenon demonstrates that society relies not only on formal law but also on social values and norms deemed more in line with their sense of justice (Zarianto & Adityarani, 2025).

The existence of living law is inseparable from the social dynamics of society and does not always conflict with state law. In some circumstances, customary law and social norms can actually resolve problems more effectively and are accepted by society (Kurniawan et al., 2024). However, on the other hand, the difference between formal law and living law in society also has the potential to give rise to conflict and legal uncertainty if not comprehensively understood (Pratiwi et al., 2024).

In this context, a sociological approach to law is crucial for understanding law as a social phenomenon. The sociology of law is a science that examines the reciprocal relationship between law as a social phenomenon and other social phenomena empirically and analytically. It examines how law is formed, applies, and influences society, as well as being influenced by it. It goes beyond normative legal texts to examine law in everyday practice (Ali, 2023). This science examines how law is organized by institutions (police, courts), why people obey or violate it, and how the law reflects and drives social change (Utomo, 2025).

The sociology of law not only studies legislation but also examines how law is practiced, obeyed, or even ignored by society. This approach places law within a concrete social context, thus explaining the relationship between law and social behavior (Wiratama et al., 2022). Through a sociological legal perspective, the dynamics of law enforcement can be analyzed more deeply by considering the non-judicial factors that influence it. Factors such as the legal culture of law enforcement officers, social structure, economic and political interests, and community participation are important variables in determining the success of law enforcement. Thus, the sociology of law makes a significant contribution to understanding the complexity of law enforcement in Indonesia (Amin, 2021).

Many scholars have conducted research on law enforcement from a sociological perspective. Soekanto (1989) emphasized that the effectiveness of law enforcement is influenced by factors such as legal substance, law enforcement officers, infrastructure, society, and legal culture. This finding suggests that weak legal culture and public legal awareness are the primary causes of suboptimal law enforcement. This finding is consistent with Satjipto Rahardjo's (2005) approach to progressive law, which critiques legalistic and formalistic law enforcement. Rahardjo emphasized that law must be responsive to social realities and oriented toward substantive justice. Furthermore, Eugen Ehrlich's study of living law demonstrates that social norms and customs prevailing in society are often more widely obeyed than state law. This indicates a gap between normative law and legal practice in society (Nelken, 2008).

This study aims to analyze the role of legal sociology in explaining the relationship between normative law and social reality in the law enforcement process. This research is expected to provide theoretical benefits in the form of strengthening the study of legal sociology as an interdisciplinary approach, as well as practical benefits as a consideration for policy makers and law enforcement officers in formulating and implementing legal policies that are more responsive, fair, and in accordance with the social conditions of society. This research is also expected to provide a more comprehensive understanding of the relationship between law and society, as well as being a consideration in formulating policies and law enforcement practices that are fairer, more effective, and in accordance with the social realities of Indonesian society.

2. Method

This research uses a qualitative approach with a critical perspective to understand the dynamics of the relationship between legal structures and social realities in Indonesia. The research focuses on how law is understood, implemented, and interpreted by society in everyday social practices. The method used is interpretative-sociological, interpreting law not merely as written norms, but as the result of interactions between social actors, cultural values, and the surrounding social context (Anggito & Setiawan, 2018).

Data collection was conducted through an exploratory desk study, examining legislation, legal sociology literature, and scholarly articles from reputable journals relevant to the research topic. Data analysis was conducted using thematic analysis to identify social patterns, structural issues, and the dynamics of the relationship between normative law and social practices. This approach allows researchers to observe shifts in the meaning of law and the social factors that influence law enforcement.

In the interpretation stage, this research uses a legal sociology framework to understand law as a social institution shaped not only by the state but also by social practices, local values, and economic and political dynamics. The results of the analysis are then synthesized to assess the implications of legal policy on society and formulate recommendations that are more contextual and responsive to social realities.

3. Result and Discussion

The sociology of law plays a crucial role in understanding the dynamics of law enforcement by placing law within the context of social life. Through the study of the interaction between law and society, the sociology of law uncovers the gap between normative written law and empirical legal practice. This gap does not arise by chance, but is influenced by various social, cultural, political, and economic factors that shape how law is understood, implemented, and accepted by society and law enforcement officials.

Furthermore, the sociology of law also plays a role in identifying the function of law as an instrument of social control that can create order, but under certain conditions, has the potential to reproduce inequality and social injustice. The following are some of the roles of the sociology of law in understanding the dynamics of law enforcement in society.

Bridging the Gap Between Law and Reality

One of the primary roles of the sociology of law in understanding the dynamics of law enforcement in society is bridging the gap between normative law and empirical legal practice. Normative law refers to legislation formally formulated by the state and generally applicable, while empirical law is the law that is actually implemented, obeyed, and interpreted in social life. The sociology of law believes that the validity of law is determined not only by the strength of written norms, but also by social acceptance, cultural values, and the structural conditions of the society in which the law is applied.

In practice, written law often does not fully align with social reality. This discrepancy can be caused by cultural factors, educational level, economic conditions, and long-standing value systems within a society. The sociology of law plays a role in uncovering these factors by examining people's legal behavior and interactions between them and law enforcement officials. Through this approach, it is possible to understand why certain legal rules are obeyed, negotiated, or even ignored by society.

A concrete example of this gap can be seen in the relationship between customary law and formal state law. In various regions of Indonesia, such as Bali, Papua, and several customary areas in Kalimantan, disputes over land, marriage, or social violations are often resolved through customary mechanisms. Although the state has normatively regulated dispute resolution procedures through the courts, local

communities tend to prefer customary law because it is considered more in line with local values, faster, and more socially just. This phenomenon demonstrates that living law possesses strong social legitimacy, even though it is not always enshrined in legislation.

Through the study of legal sociology, the existence of customary law is not viewed as a violation of state law, but rather as a social reality that needs to be accommodated within the national legal system. This approach encourages recognition of legal pluralism and the importance of harmonizing formal law and living law within the community. For example, the recognition of customary law in the Basic Agrarian Law and the resolution of certain cases through restorative justice mechanisms reflect the state's efforts to bridge this gap.

Analyzing Social Factors in Legal Implementation

The crucial role of legal sociology in understanding the dynamics of law enforcement in society lies in its ability to analyze the various social factors that influence legal implementation. Legal sociology views law as not only a normative product of the state, but also the result of the interaction of values, culture, and social structures that develop within society. Societal values and culture influence how the law is understood and obeyed, while social structures such as class, ethnicity, and gender also determine the position and access of individuals or groups to legal justice.

Local values and culture often shape societal perceptions of justice and the appropriateness of the law. In societies that strongly uphold communal values, for example, conflict resolution through deliberation and peace is prioritized over individualistic formal legal processes. As a result, state laws that emphasize formal procedures are often seen as less relevant or even contradictory to local cultural values. Legal sociology helps explain why these differences in cultural values influence the level of compliance and effectiveness of legal implementation.

In addition to culture, social structure also plays a significant role in legal implementation. Social class factors, for example, influence a person's ability to access legal services, from legal aid to the judicial process. Social groups with higher economic and social resources tend to have a stronger bargaining position in the legal process than vulnerable groups. This can create inequality in law enforcement, where the law indirectly favors certain groups. The sociology of law plays a role in uncovering these power relations so that they are not hidden behind legal formalities.

Ethnic and gender aspects also influence how laws are created and enforced. In some cases, ethnic minorities or women experience unequal treatment in the legal process due to social stigma or patriarchal cultural constructs. The sociology of law examines how social norms and stereotypes influence the attitudes of law enforcement officials and the resulting legal policies. Thus, law can be understood not only as a neutral rule but also as an instrument that can reflect existing social biases.

Furthermore, the sociology of law also analyzes group interests in the process of law formation and enforcement. The law often becomes an arena for political and economic interests to compete, where groups with greater power tend to influence the content and application of the law. In this context, law can function as a tool of social control, but it also has the potential to reproduce structural inequality. Therefore, a sociological approach to law is important to ensure that the law does not only serve the interests of certain groups, but is oriented towards inclusive social justice.

Examining the Effectiveness of Law as a Tool of Social Control

The sociology of law plays a crucial role in examining the effectiveness of law as a tool of social control, namely as an instrument used to direct societal behavior toward established values, norms, and goals, such as justice and social order. From a sociological perspective, the success of law as a tool of social control is

measured not only by the existence of sanctions and the certainty of norms, but also by the extent to which the law is accepted, understood, and complied with by society. Thus, law is considered effective if it is able to influence social behavior sustainably, rather than simply being complied with out of coercion.

However, in practice, law does not always optimally fulfill its social control function. The sociology of law examines various situations in which law becomes a source of social conflict, particularly when the law is perceived as unjust, discriminatory, or contrary to prevailing values within society. When the law is applied rigidly without considering the social context, it can trigger resistance, violations, and even open conflict between the community and law enforcement officials. An example of this can be seen in the implementation of certain legal policies that elicit public rejection because they are perceived as detrimental to certain groups or do not reflect a sense of social justice. The effectiveness of law as a tool of social control is also greatly influenced by the level of legal awareness in society. Legal awareness encompasses an understanding of legal norms, an attitude of respect for the law, and a willingness to voluntarily obey the law. The sociology of law emphasizes that people with high legal awareness tend to obey the law not out of fear of sanctions, but because they internalize the values of justice embodied in the law. Conversely, low legal awareness can result in laws being only formally obeyed or even ignored.

Through a sociological approach to law, it is possible to assess whether the law truly functions as a means of creating social order or whether it actually increases tension and distrust in the legal system. This approach allows for a more comprehensive evaluation of legal policies and law enforcement practices, so that the law can be directed to function not only as a tool of coercion but also as a means of social development capable of promoting sustainable justice and order in society.

Understanding the Behavior of Actors and Recipients of the Law

The sociology of law plays a crucial role in understanding the behavior of actors and recipients of the law, both the public as legal subjects and law enforcement officials as law enforcers. From a sociological perspective, compliance or non-compliance with the law is not solely caused by the existence of sanctions, but is influenced by various social factors that shape individual legal attitudes and behavior. Thus, law is understood as a social process involving interactions between norms, actors, and the social context.

From a societal perspective, the sociology of law explains that compliance with the law can be driven by several motivations, such as fear of sanctions, the conformity of legal norms with adhered values and morals, and the level of public understanding of legal rules. People tend to comply with the law if the law is perceived as fair, relevant, and in line with the social values prevailing in their environment. Conversely, non-compliance often arises when the law is perceived as unfair, difficult to understand, or not addressing the real needs of the community.

Furthermore, low levels of legal understanding are also important factors influencing public legal behavior. The sociology of law highlights that the lack of legal socialization and limited access to information results in some people not clearly understanding their rights and obligations. This situation has implications for the emergence of legal violations that are not caused by malicious intent, but rather by ignorance or misunderstanding of applicable regulations.

On the other hand, legal sociology also examines the behavior of law enforcement officials in exercising their authority. Official behavior is determined not only by legal regulations, but also by organizational culture, institutional interests, structural pressures, and their personal values. Law enforcement practices that are inconsistent, discriminatory, or deviate from the objectives of the law are often influenced by these factors. Therefore, understanding the behavior of law enforcement officials is crucial for assessing the extent to which the law is applied fairly and professionally.

Through the study of legal sociology, the behavior of perpetrators and recipients of the law can be more comprehensively understood as a result of the interaction between legal norms and social reality. This approach provides an analytical basis for formulating strategies to increase public legal awareness and improve the behavior of law enforcement officials, so that law enforcement can be more effective, fair, and oriented toward the public interest.

Providing Input for Legal Policy

The sociology of law plays a strategic role in providing input for the formulation and development of legal policies to make them more responsive to the needs and social conditions of society. From a sociological perspective, laws are not viewed solely as normative products of the state, but as the result of social processes influenced by political, economic, and cultural dynamics. Therefore, the formulation of legal policies must be based on a deep understanding of social reality so that the resulting laws are not abstract and detached from societal needs.

Through empirical studies and analysis of societal legal behavior, the sociology of law helps identify real social problems and the groups affected by legal policies. This approach enables policymakers to understand the potential social impacts of regulations, both positive and negative. Thus, laws can be designed to be more inclusive and sensitive to social conditions, such as economic inequality, cultural pluralism, and differences in interests between societal groups.

Furthermore, the sociology of law also plays a role in evaluating the effectiveness of implemented legal policies. By assessing how a law is implemented and accepted by society, the sociological approach can uncover weaknesses in regulations that do not align with social realities. The results of this evaluation provide an important basis for improving and updating legal policies to make them more adaptive to social change and evolving societal needs.

Thus, the contribution of legal sociology to legal policy formulation lies not only in the theoretical aspect but also in the practical aspects of realizing just and effective laws. Legal policies designed with consideration of social, political, and economic factors are expected to increase legal legitimacy, encourage public compliance, and ensure that the law functions as a means to achieve social justice and shared prosperity.

4. Conclusion

This study concludes that law enforcement cannot be adequately understood solely through a normative approach that emphasizes statutory regulations and the formal mechanisms of legal institutions. Law is essentially a social phenomenon whose validity is strongly influenced by the interaction between legal norms and the social realities of society. The results of the study indicate a significant gap between written law and legal practice in society. This gap arises from differences in values, culture, social structure, and group interests that influence how the law is understood and implemented. The existence of living law in society demonstrates that formal state law is not always the sole reference point for regulating social behavior. In this context, the sociology of law plays a role in bridging this gap by uncovering the social factors that influence the effectiveness of law.

Furthermore, this study confirms that the effectiveness of law as a tool of social control depends heavily on the level of public legal awareness and the behavior of law enforcement officials. Laws perceived as just and in accordance with social values tend to be voluntarily complied with, while laws deemed unjust have the potential to generate resistance and social conflict. Therefore, understanding the behavior of the public and law enforcement officials is crucial in assessing the success of law enforcement. Furthermore, this research demonstrates that the sociology of law makes a significant contribution to the formulation of more

responsive and equitable legal policies. By using social reality as the basis for analysis, legal policies can be designed and evaluated more contextually, thereby addressing the diverse needs of society. This approach is expected to encourage the creation of a legal system that emphasizes not only legal certainty but also substantive justice and social benefit. Therefore, it can be concluded that integrating a sociological perspective of law into the study and practice of law enforcement is an urgent need in a dynamic and pluralistic society. This approach not only enriches theoretical understanding of law but also provides a practical foundation for efforts to reform law enforcement to make it more effective, equitable, and in line with the social realities of society.

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