

Legal Policy and Suporting Factors of Criminal Law Enforcement Crime Prevention

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ABSTRACT

This study aims to identify the factors that act as obstacles in handling criminal acts and enforcing criminal law. Law enforcement is a necessity carried out by the state in protecting its society as members, because law enforcement has the essence of upholding the values of truth and justice. Crime prevention efforts through criminal law are essentially part of criminal law enforcement efforts. Criminal law enforcement is realised through legal policy as part of national legal politics. This matter relates to various factors ranging from the formation of regulations, law enforcement officials, and the behaviour of the community itself. The focus of this article review is to explain how the criminal law enforcement policy towards crime prevention, as well as the extent to which it can support the implementation of criminal law enforcement policy. This paper review consists of several main points, namely law enforcement policy, aspects of legislation, aspects of law enforcement, and aspects of community legal culture. This study concludes that criminal law enforcement policy can be initiated by making legal products that are suitable with the social conditions of society.

Keywords: Crime Prevention, Criminal Law, Legal Policy

ABSTRAK

Penelitian ini bertujuan untuk mengetahui faktor-faktor apa saja yang menjadi kendala dalam penanganan tindak pidana dan penegakan hukum pidana. Penegakan hukum merupakan suatu keharusan yang dilakukan oleh negara dalam melindungi masyarakat sebagai anggotanya, karena penegakan hukum pada hakikatnya menjunjung tinggi nilai-nilai kebenaran dan keadilan. Upaya pencegahan kejahatan melalui hukum pidana pada hakikatnya merupakan bagian dari upaya penegakan hukum pidana. Penegakan hukum pidana diwujudkan melalui kebijakan hukum sebagai bagian dari politik hukum nasional. Hal ini berkaitan dengan berbagai faktor mulai dari pembentukan peraturan, aparat penegak hukum, dan perilaku masyarakat itu sendiri. Fokus ulasan artikel ini adalah untuk menjelaskan bagaimana kebijakan penegakan hukum pidana terhadap pencegahan kejahatan, serta sejauh mana hal tersebut dapat mendukung implementasi kebijakan penegakan hukum pidana. Tinjauan tulisan ini terdiri dari beberapa poin utama yaitu kebijakan penegakan hukum, aspek peraturan perundang-undangan, aspek penegakan hukum, dan aspek budaya hukum masyarakat. Penelitian ini menyimpulkan bahwa kebijakan penegakan hukum pidana dapat dimulai dengan membuat produk hukum yang sesuai dengan kondisi sosial masyarakat.

Kata Kunci: Hukum Pidana, Kebijakan Hukum, Pencegahan Kejahatan

Introduction

The establishment of the Indonesian state by the founders of the nation has nothing but a noble goal, namely to promote and create public welfare under the umbrella of the Unitary State of the Republic of Indonesia based on Pancasila. These goals or ideals are reflected in the Preamble of the 1945 Constitution of the Republic of Indonesia (UUD 1945), namely "to establish an Indonesian State Government that protects the entire Indonesian

nation and all of Indonesia's spilled blood and to advance the general welfare, educate the nation's life, and participate in implementing world order based on independence, eternal peace and social justice" (Hifni & Ahsan, 2022). According to M. Solly Lubis, "protecting the entire nation and the entire spilled blood" means protecting with the existing legal instruments and instruments of power, so that in this country there is a rule system that guarantees order in society to realise welfare both morally and materially, physically and mentally, through the applicable legal system, both written and unwritten (M. S. Lubis, 2021).

In addition, the 1945 Constitution through Article 1 paragraph (3) also stipulates that Indonesia is a state of law. From this Article, it can be understood that the Indonesian state is based on law (*rechtstaat*), and not based on mere power. The Indonesian state is a democratic state of law based on a constitution that has been accepted by the entire Indonesian nation. Therefore, law enforcement officials must always uphold human rights, and guarantee all citizens equal status in law and government and must uphold the law and government with no exceptions. The rules of law define what citizens should do as an obligation, what they are allowed to do as an option and what they are not allowed to do as a prohibition. The legal system has certain goals and objectives. The goals and objectives of the law can be in the form of people who actually act against the law, also in the form of legal acts themselves, and even in the form of tools or state apparatus as law enforcers.

The legal system has certain mechanisms that ensure the implementation of rules in a fair, certain and firm manner, and has the benefit of realising order and peace in society. The system of operation of the law is a form of law enforcement. Law enforcement is a necessity carried out by the state in protecting its citizens, because criminal offences are urgent community problems to be overcome in order to achieve a harmonious, orderly and serene life as a form of a peaceful society (A. E. N. Lubis & Fahmi, 2021). Various records on criminal law enforcement are widely reported by both print and electronic mass media. This illustrates the increase and intensity of news coverage of criminal offence cases, which means that the public feels the need for security, order and justice.

Methods Research

The method used in writing this article is through a conceptual approach, and legislation and literature review that focuses on the question: How is the criminal law enforcement policy in crime prevention and what factors can support the implementation of criminal law enforcement policies against crime prevention.

Results and Discussion

Criminal Law Enforcement Policy

Criminal law in general contains at least two types of norms, namely norms that must always be fulfilled so that an action can be called a criminal offence, and norms relating to criminal threats that must be imposed on the perpetrators of a criminal offence. In detail, the criminal law has regulated (Prasetyo, 2011): 1) when a punishment can be imposed on an offender, 2) what type of punishment can be imposed on the offender, 3) for how long the punishment can be imposed or how much fine can be imposed, and 4) in what manner the punishment must be carried out. It is commonly known that a criminal offence is a violation of the state's interest as a representation of public interest. This then becomes the basis of authority for the state to determine, make regulations, prosecute, and punish a person who violates the regulations/criminal law. This is reinforced by the classification of legal science in which criminal law is part of public law that does not allow individual intervention (Savira et al., 2023).

Criminal law enforcement is one form of crime prevention efforts. The use of criminal law as a tool for crime prevention is part of criminal policy. Efforts to overcome crime with criminal law are carried out in order to achieve the ultimate goal of criminal policy itself, namely to provide community protection in order to create order and prosperity (Zulfa, 2006). Efforts to prevent and overcome crime by using the means of criminal law are also known as penal policy. Criminal law policy is not only limited to making laws and regulations that regulate certain matters. But more than that, criminal law policy requires a comprehensive approach that involves various legal disciplines other than criminal law and the reality in society so that the criminal law policy used does not get out of the broader concept of social policy and national development plans in order to realise public welfare (Ashworth & Horder, 2013).

Sudarto explained, as quoted by Barda Nawawi Arief, that penal policy has two meanings, namely a narrow meaning that has the scope of all principles and methods that are the basis of reactions to violations of the law in the form of punishment; and a broad meaning that includes the overall function of law enforcement officials including the workings of the courts and police (Barda Nawawi Arief, 2016). The issue of criminal law policy is not merely the work of legislating. In terms of making criminal legislation, this can not only be done in a normative juridical and systematic-dogmatic manner, but also requires a factual juridical approach which can be in the form of sociological, historical and comparative approaches, even requiring a comprehensive approach from various other social disciplines and an integral approach to social policy and national development in general. Marc Ancel stated, as quoted by Barda Nawawi Arief, that modern criminal science consists of 3 (three) components, namely criminology, criminal law, and penal policy. In terms of penal policy, Ancel stated that it is a science as well as an art that ultimately has a practical purpose to enable positive legal regulations to be formulated better and to provide guidelines not only to lawmakers, but also to the courts that apply the law, and also to the organisers or executors of court decisions (Irmawanti & Arief, 2021).

Furthermore, Marc Ancel, in Barda Nawawi Arief, states that every organised society has a criminal law system consisting of (Irmawanti & Arief, 2021): 1) criminal law regulations and sanctions, 2) a criminal law procedure, and 3) a criminal enforcement mechanism. The making of a policy to make good criminal law regulations essentially cannot be separated from the purpose of crime prevention, so that criminal law policy is also part of criminal politics. In other words, from the point of view of criminal politics, criminal law policy is identical to the notion of "crime prevention policy with criminal law". Policies in crime prevention efforts with criminal law are essentially also part of law enforcement efforts (especially criminal law enforcement). Criminal law enforcement cannot be separated from the policies made by the state in order to enforce the rules for the realisation of common good, thus, criminal law policy is often also said to be part of law enforcement policy. In addition, crime prevention efforts through the making of criminal law are essentially an integral part of efforts to protect society (social defence), and efforts to achieve social welfare, so it is only natural that criminal law policy is also an integral part of social policy. Social policy itself can be interpreted as all rational efforts to achieve community welfare and at the same time includes community protection. Thus, social policy includes social welfare policy and social defence policy.

Many people consider that the Indonesian people generally do not object and do not feel burdened by the existence of crime prevention policies through the means of criminal law, although the nature of criminal law emphasises repressive aspects rather than preventive. The attitude of the Indonesian people in accepting this policy can be seen from the practice of formulation and stipulation of legislation by representatives of the people so far, which shows

that the use of criminal law is part of the policy or legal politics adopted in Indonesia. The use of criminal law is considered as a natural and normal thing, as if its existence is no longer questioned. However, what becomes a problem is the policy lines or approaches that should be taken in using the criminal law.

Sudarto, as quoted by Muladi and Arief, stated that if criminal law is to be used, it should first be seen in relation to the overall politics of criminal law or social defence planning which is an integral part of the national development plan (Muladi et al., 2021). Criminal law policy is a rational arrangement or arrangement of crime control efforts by the community. The ultimate goal of criminal law policy is the "protection of society" to achieve the main objectives of "happiness of the citizens", "a wholesome and cultural living", "social welfare", and to achieve "equality". Criminal law policy is only a part of national legal policy, which has different parts. Nevertheless, the implementation of criminal law policy can occur together from all parts in an integrated manner. The parts of the national legal policy include criminalisation policy, punishment policy, criminal justice policy, law enforcement policy, and administrative policy (Nurdin & Turdiev, 2021).

Based on the parts of national legal policy in the field of criminal law mentioned above, then seen in a broad sense, criminal law policy can cover the scope of policies in the field of material criminal law, in the field of formal criminal law, and in the field of criminal enforcement law (Irmawanti & Arief, 2021). Therefore, criminal law policy does not include crime prevention policies outside the legal framework. In addition, criminal law policy/politics is also an effort to determine the direction of Indonesian criminal law enforcement in the future by looking at its current enforcement.

In relation to criminal law enforcement, it is necessary to first explain its definition. Law enforcement which in English is called law enforcement or Dutch handhaving is a process to realise legal desires into reality. The wishes of the law here are none other than the thoughts of the legislature formulated in legal regulations. The essence of law enforcement is the harmony of the relationship between the values outlined in the rules that are stable and tangible with behaviour as a series of final stage value elaboration to create, maintain, and maintain peaceful living relationships (Miswardi et al., 2021).

In relation to law enforcement, Barda Nawawi Arief argues that law enforcement is upholding the values of truth and justice (Alviolita & Arief, 2019). This means that law enforcers are trusted by the community to uphold the values of truth and justice contained in the law. Furthermore, according to Barda Nawawi Arief, crime prevention efforts with criminal law are essentially part of criminal law enforcement efforts, so it is often said that legal politics or criminal law policy is part of law enforcement policy (Alviolita & Arief, 2019). Barda Nawawi Arief also argues that criminal law enforcement consists of two stages. First, criminal law enforcement in abstracto and second criminal law enforcement in concreto.

Criminal law enforcement in abstracto is the stage of making/formulating laws by the legislative body, which can be called the legislation stage. Criminal law enforcement in concreto consists of the application and implementation of laws by law enforcement officials, which can be called the judicial stage and the execution stage. Criminal law enforcement aims to create peace in the society. Conceptually, law enforcement according to Soerjono Soekanto is an activity of harmonising the relationship of values that are spelled out in stable and manifest rules and attitudes of action as a series of final stage value elaboration, to create, maintain and maintain peaceful living relationships (Soekanto, 2011).

Supporting Factors for Criminal Law Enforcement in Crime Prevention Legislation Factor

The determination of an act as a criminal offence must be made by law, or referred to as criminalisation. Criminalisation means establishing an act that was not originally a criminal act into a criminal act. According to Soerjono Soekanto, criminalisation is the action or determination of the authorities regarding certain acts that the community or groups of people consider to be punishable acts into criminal acts or make an act into a criminal act and therefore can be punished by the government by working on its behalf (DM et al., 2022). So, in essence, criminalisation is part of criminal policy by using the means of criminal law (penal), and therefore is part of penal policy (Silaen & Siregar, 2020). In order to tackle crime, various means are needed as a reaction that can be given to criminals in the form of criminal and non-criminal sanctions that can be integrated with one another. If criminal means are considered relevant to tackle crime, it means that the conception of criminal law politics/policy is needed, namely making elections to achieve the results of criminal legislation that are in accordance with the circumstances and situations at a time and for the future (Kaban, 2023). The justification for criminalising an act as a criminal offence lies more outside the field of criminal law, which includes value factors, scientific factors, and policy factors. Social values or rules that are the source of the formation of criminal law rules include religious values and rules, as well as cultural norms that live in public awareness (Barlian & Herista, 2021). However, in terms of determining an act that is prohibited in a legislation, penal policy is used. Crime or criminal offence is not only a humanitarian problem but also a social problem. Facing this problem, many efforts have been made to overcome it. Efforts to overcome crime are included in the framework of criminal policy.

Advances in science and technology have undeniably become a major factor in efforts to reform criminal law. This is because acts categorised as crimes can be related to these technological developments, for example criminal offences related to information technology, the internet, and other forms of electronic transactions. This is why regulations on criminal offences related to information technology need to be made and stipulated as part of crime prevention policies, for example the enactment of Law Number 11 of 2008 in conjunction with Law Number 19 of 2016 concerning Electronic Information and Transactions, in order to realise justice, public order, and legal certainty in accordance with the development of society along with the development of science and technology. Barda Nawawi Arief said that one part of penal policy is criminalisation. In this regard, he said that the addition (increase) of criminal sanctions to existing criminal acts also includes criminalisation. So the criminalisation process can occur in acts that were not previously threatened with criminal sanctions at all, but can also occur in acts that have previously been threatened with criminal sanctions by increasing the threat of sanctions. The criminalisation process ends with the formation of laws that contain criminal sanctions. Therefore, criminalisation is part of the penal policy.

Criminal law is still considered relevant for tackling crime, even though there are other approaches besides criminal law in tackling crime. Criminal law as a means of controlling crime requires a political conception. The political conception of criminal law to tackle crime is through the creation of legal products in the form of criminal law legislation, and this cannot be separated from efforts towards community welfare through social policy. This means that state policy to tackle crime using criminal sanctions (penal means) must also be combined with other non-penal efforts, namely in the form of social policies, especially matters relating to preventive efforts.

Teguh Prasetyo stated that criminalization using penal means involves 2 (two) main ideas, namely the problem of determining (Prasetyo, 2014): 1) what actions should be made

into criminal acts; and 2) what sanctions should be imposed on the violators. Analysis of the two central problems above cannot be separated from the integral conception between criminal policy and social policy. This means that solving the problems above must also be directed at achieving certain goals of the social and political policies that have been determined.

Who should be seen as the perpetrator of a criminal act has been explained by experts in criminal law, for example Van Hamel, who defines the perpetrator of a criminal act as follows (Van Hamel, 1911): "*The perpetrator of a criminal act is only one whose actions or omissions fulfill all the elements of the offense as contained in the formulation of the offense in question, whether it has been expressly stated or not expressly stated, so the perpetrator is the person who, with one person, has committed the criminal act in question.*"

The science of criminal law provides terminology for people who commit criminal acts, namely pleger. Plegers are perpetrators of criminal acts who carry out their own actions, whether using tools or not using tools. In other words, plegers are those who fulfill all the elements contained in a formulation of the characteristics of a criminal offense in each article. In this connection, criminal law explains about inclusion in criminal law (deelneming) which is regulated by Articles 55 and 56 of the Criminal Code, consisting of: 1) doenplegen (i.e. ordering to do); 2) medeplegen (i.e. participate in doing); 3) uitlokking (i.e. persuading or moving other people to do); and 4) medeplichtigheid (helping to do) (Pratiwi, 2022).

Law Enforcement Factors

Law enforcement is an activity process or activity, one of which is carried out by law enforcers (police, prosecutors and judges) (Hasibuan & SH, 2021). To produce good law enforcement, the process of each stage in law enforcement must be carried out well and correctly. The state apparatus works in accordance with applicable regulations in the context of law enforcement, which is essentially a process for realizing legal objectives and legal ideas into reality. As explained above, law is a sub-system in a broader social system. If Indonesia wants to have one legal system, the first step that must be taken is to first unify the existing social structure. In this case there must be good cross-sectoral coordination between the police, prosecutors and court institutions under the auspices of the Supreme Court.

Judges are assumed to know all the laws or *jus curia novit*. This causes judges as law enforcers to have a central position in the application of the law. Judges are not only required to be able to act fairly, but they must also be able to actually interpret the law in accordance with the needs and developments that occur in the lives of people seeking justice while still considering aspects of justice, legal certainty and the value of its benefits. Through his decisions, a judge not only applies the law contained in the text of the law, but in fact he also carries out legal reforms when faced with problems submitted to him that have not been regulated in the law or have existing regulations but are deemed irrelevant. with existing circumstances and conditions. For this reason, judges in examining and deciding cases face the reality that written law (legislation) cannot always resolve the problems they face. In fact, judges often have to discover the law themselves (*rechtsvinding*), and create law (*rechtsschepping*) to complement existing law, in deciding a case.

Based on this, it can be understood that the judge's decision in a narcotics abuse trial can vary, because only the judge knows the conditions of the facts in the trial. The situation where the judges' decisions differ is termed a decision disparity. Disparity in decisions may also influence the way society views and evaluates the judiciary. It can be seen as a form of injustice felt by some in society. However, Andrew Ashworth said that disparity in decisions cannot be separated from the judge's discretion in imposing sentences in a criminal case (Ashworth & Horder, 2013). In Indonesia, disparities in punishment are closely related to the

independence of judges. In handing down a decision, the judge may not be intervened by any party. Law Number 48 of 2009 concerning Judicial Power states that judges are obliged to explore, follow and understand the legal values and sense of justice that exist in society (Indonesia, 2009). Apart from that, the punishment model regulated in legislation (formulation of maximum criminal sanctions) also plays a role. The judge is also obliged to consider the good and bad characteristics of the defendant. There are many factors that cause disparity in decisions. But in the end it is the judge who really determines the occurrence of disparities.

The independence of judges in imposing criminal sanctions is not without limits. Eva Achjani Zulfa said that there is the principle of *nulla poena sine lege* which limits the judge's ability to decide on criminal sanctions based on measures that have been determined in statutory regulations (Zulfa, 2006). Even though there is a measure, the problem of disparity will still occur because the gap between the minimum and maximum criminal sanctions in that measure is too large. Completely eliminating differences in judges' decisions for similar cases is impossible. So far, efforts have been made to minimize disparities by, among other things, creating sentencing guidelines. The judge's discretion is very likely to be abused, so that sentencing guidelines are considered the best way to limit the judge's freedom. Sentencing guidelines, according to Andrew Asworth, must be 'a strong and restrictive guideline'. Likewise, Eva Achjani Zulfa said that the idea of proportional criminal sentences developed into the idea of creating a sentencing guideline that was able to reduce the subjectivity of judges in deciding cases. The judge is the party who most determines the sense of justice for society.

Community Legal Culture Factors

In the concept of modern societal security, the security system is no longer the sole responsibility of law enforcers, but is the shared responsibility of all elements of society (Muhammad B, 2022). In view of this concept, society is not only an object but also a subject. As subjects, society is the perpetrator of an activity or action, both individually and collectively. As objects, people are made targets and victims of crime for all criminal activities. Legal awareness is an important thing in the application and implementation of the law (Drozdova et al., 2019). The higher the legal awareness of the population of a country, the more orderly life in society and the state will be. This legal awareness factor has an important role in legal development, where the stronger the legal awareness, the stronger the legal compliance factor. Public legal awareness, which in turn will create an atmosphere of good law enforcement, provides a sense of justice and can create legal certainty in society and provide benefits for community members.

Basically, Indonesian people know and understand the law, but consciously they still commit acts that violate the law. Indonesian society's legal awareness is still weak, which is synonymous with disobedience to the law. Conditions like this must continue to be pursued so that Indonesian people can obey the law and other regulations. Legal outreach efforts to the community continue to be carried out to increase public legal awareness. Legal socialization plays an important role in efforts to increase positive legal awareness, both from members of society as a whole, as well as from law enforcement circles. Socialization is an important aspect in the social control process, because it is done to influence people to behave in accordance with applicable legal rules (Nugmanovna, 2022). In practice, it sometimes happens that legal rules are not effectively implemented in society so that the objectives of the law cannot be achieved optimally.

Conclusion

The crime prevention policy that is the choice for state administrators (legislature, judiciary, executive) in Indonesia is an effort to overcome crime and create order and social welfare. Criminal law enforcement policies towards crime prevention in the context of reforming criminal law in Indonesia can begin with the formation of legal products that are appropriate and in line with the development of society and the development of science and technology, for example criminal law regulations related to the development of information technology, which gave birth to the Law. Personal Data Protection. The obstacles faced in implementing criminal law enforcement policies towards crime prevention in the context of reforming criminal law in Indonesia and how efforts to overcome them can originate from laws and regulations that do not adapt to current developments.

Crimes committed by some members of society are not only increasing, but are also becoming more sophisticated and the effects can be very large. This problem is not only a problem in the field of law enforcement, but also concerns threats to state security. Thus, obstacles in dealing with criminal acts not only come from laws and regulations that overlap and conflict with each other and do not adapt to developments in society, but also because law enforcement resources are still very limited and lack of updates on technological developments, as well as due to lack of coordination between law enforcement agencies. Apart from that, external influence factors in criminal law enforcement efforts to tackle criminal acts also come from legal culture factors and community factors.

References

- Alviolita, F. P., & Arief, B. N. (2019). Kebijakan Formulasi Tentang Perumusan Tindak Pidana Pencemaran Nama Baik Dalam Pembaharuan Hukum Pidana Di Indonesia. *Law Reform*, 15(1), 130-148.
- Ashworth, A., & Horder, J. (2013). *Principles of criminal law*. Oxford University Press, USA.
- Barda Nawawi Arief, S. H. (2016). *Bunga rampai kebijakan hukum pidana*. Prenada Media.
- Barlian, A. E. A., & Herista, A. D. P. (2021). Pembangunan sistem hukum indonesia berdasarkan nilai-nilai Pancasila sebagai ideologi politik bangsa. *Jurnal Lemhannas RI*, 9(1), 88-98.
- DM, M. Y., Jagat, S. S., Perdana, R., & Saragih, G. M. (2022). Analisis Yuridis terhadap Penegak Hukum yang Memiliki Peran Penting dalam Hukum Acara Pidana. *Jurnal Pendidikan Dan Konseling (JPDK)*, 4(6), 7250-7258.
- Drozдова, A. M., Balakireva, L. M., Vorotilina, T. V., Makarova, E. V., & Meleshkin, V. V. (2019). Legal awareness and legal culture as elements and means for the implementation of a mechanism for ensuring the legal impact. *Opción: Revista de Ciencias Humanas y Sociales*, 89, 245.
- Hasibuan, E. S., & SH, M. H. (2021). *Hukum kepolisian dan criminal policy dalam penegakan hukum*. PT. RajaGrafindo Persada-Rajawali Pers.
- Hifni, M., & Ahsan, A. N. (2022). Kesiapan Bangsa Indonesia Menghadapi Perkembangan Era Industri 4.0 Dilihat Dari Sudut Pandang Tujuan Dan Cita-Cita Bangsa Indonesia. *Jurnal Mahatvavirya*, 9(2), 46-58.
- Indonesia, R. (2009). Undang-Undang Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman. *Tambahan Lembaran Negara Republik Indonesia Nomor*, 5076.
- Irmawanti, N. D., & Arief, B. N. (2021). Urgensi tujuan dan pedoman pembedaan dalam rangka pembaharuan sistem pembedaan hukum pidana. *Jurnal Pembangunan Hukum Indonesia*, 3(2), 217-227.
- Kaban, G. G. S. (2023). PENGGUNAAN CITA HUKUM (RECHTSIDEE) PANCASILA SEBAGAI MERCUSUAR BAGI POLITIK HUKUM PIDANA DI INDONESIA.

Soedirman Law Review, 5(2).

Lubis, A. E. N., & Fahmi, F. D. (2021). Pengenalan dan Definisi Hukum Secara Umum (Literature Review Etika). *Jurnal Ilmu Manajemen Terapan*, 2(6), 768–789.

Lubis, M. S. (2021). *Ilmu Pengetahuan Perundang-undangan*.

Miswardi, M., Nasfi, N., & Antoni, A. (2021). Etika, moralitas dan penegak hukum. *Menara Ilmu: Jurnal Penelitian Dan Kajian Ilmiah*, 15(2).

Muhammad B, F. (2022). *PENEGAKAN HUKUM DI BIDANG METROLOGI LEGAL MELALUI PELAKSANAAN TERA DAN TERA ULANG DI WILAYAH KOTA MAKASSAR*. Universitas Hasanuddin.

Muladi, S. H., Diah Sulistyani, R. S., & SH, C. N. (2021). *Kompleksitas Perkembangan Tindak Pidana dan Kebijakan Kriminal*. Penerbit Alumni.

Nugmanovna, M. A. (2022). The place and significance of social and legal control in the legal socialization of the individual in civil society. *Asian Journal of Research in Social Sciences and Humanities*, 12(2), 21–33.

Nurdin, B., & Turdiev, K. (2021). Paradigm of Justice in Law Enforcement in the Philosophical Dimensions of Legal Positivism and Legal Realism. *Lex Publica*, 8(2), 65–74. <https://doi.org/10.58829/lp.8.2.2021.65-74>

Prasetyo, T. (2011). *Hukum pidana*.

Prasetyo, T. (2014). Membangun Hukum Nasional Berdasarkan Pancasila. *Jurnal Hukum Dan Peradilan*, 3(3), 213–222.

Pratiwi, S. (2022). Delik Penyertaan Dalam Kitab Undang-Undang Hukum Pidana (KUHP). *Binamulia Hukum*, 11(1), 69–80.

Savira, Y., Putri, T. E. D., Muchlis, M. A., Saputra, M. Y., & Ramadhan, S. (2023). Kebijakan Penegakan Hukum Dalam Sistem Peradilan Pidana Indonesia. *Consensus Jurnal Ilmu Hukum*, 1(4).

Silaen, F., & Siregar, S. A. (2020). Hubungan Kebijakan Kriminal Dengan Kebijakan Hukum Pidana. *Jurnal Darma Agung*, 28(1), 8–16.

Soekanto, S. (2011). *Faktor-faktor yang mempengaruhi penegakan hukum*.

Van Hamel, J. A. (1911). International Union of Criminal Law. *J. Am. Inst. Crim. L. & Criminology*, 2, 22.

Zulfa, E. A. (2006). Pergeseran paradigma pemidanaan di Indonesia. *Jurnal Hukum Dan Pembangunan*, 36(3).