Enhance Administration Of Legal Assistance Program For Community Is Disable To Seeking Justice Based On Law Number 16 Year 2011 About Legal Assistance

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Abstract.
The implementation of the Legal Aid Post (Posbakum) by the District Court includes 3(three) scopes of legal services by the provisions contained in Perma No. 1 of 2014. The three scopes are fee waiver services, and holding hearings outside the court building, and providing Court Posbakum. In connection with the implementation of this Posbakum, the District Court only provides room facilities to Posbakum for three accredited legal aid institutions or advocate organizations. The handling of legal aid funds for each case will be submitted by the Court through the Local Office of the Ministry of Law and Human Rights. However, this does not mean that the function of the facilitator can be ignored, considering that this Posbakum is located in the Constitutional Court, it is necessary to pay attention to the special mandate from the State Administrators to the Constitutional Court to ensure the success of free legal services for the poor. . Therefore, it is also hoped that the presence of Posbakum in the Constitutional Court can erode the negative and frightening stigma of the Court for the wider community. Learn more about this source text required source text for additional translation information Law enforcement on the one hand and justice in society on the other hand requires harmony, especially in the right to obtain legal assistance for the community without discriminating against race, religion, and group. As for the formulation of the problem, Research methods which is used by researchers as using an empirical juridical approach.

Keywords: *Legal Aid, Local Government Policy, Community.*

I. INTRODUCTION.

Continuous development carried out to realize national goals as intended in the preamble to the 1945 Constitution has an impact, on the one hand, the occurrence of changes in the people's lives, on the other hand, increasingly prioritize the role of law.Legal interference that is increasingly widespread in all areas of life society results in a close relationship between law and society social problems. The increasingly active role of law in matters concerning social change raises problems that lead to the conscious and active use of law as a means to contribute to the formation of the new order of life. This can be seen in terms of regulation by law, both in terms of legitimacy and effectiveness of its application. The Indonesian people already have an awareness of the concept of the rule of law as an ideal choice for the state of Indonesia which was proclaimed one day earlier, namely on August 17, 1945. This is evident from the explanation The 1945 Constitution (UUD) states that "Indonesia is a country based on law" (rechtsstaat). The country of Indonesia is based onlaw, not based on mere power (machsstaat). Amendments to the 1945 Constitution are the starting point for change, considering that during the New Order regime changes to the 1945 Constitution were considered as something taboo. Amendments to the 1945 Constitution have been made four times, namely: Min 1999 (first amendment), in 2000 (second amendment), in 2001 (third amendment), and 2002 (fourth amendment).The concept or idea that Indonesia is a state of the law is being strengthened through the third amendment that occurred in 2001.

Before the amendment occurs, the concept of a legal state is only mentioned in the explanation, but after The third amendment in Article 1 paragraph (3) of the 1945 Constitution expressly explains: that “the state of Indonesia is a state of law”. The State of Indonesia as a state of the law has the consequence that all problems or problems must be processed and resolved based based on applicable laws and regulations, Therefore, all Indonesian citizens must submit and obey the law which aims to provide justice to citizens,

maintain and create security and order amid life public. As a State of Law (Rule of Law) then all citizens are equal before the law (Equality Before The Law), by everyone has the right to get legal assistance in a judicial fair and impartial (Fair And Impartial Court) This right is a basic right every human.Inauguration of Indonesia as a state of the law in Article 1 paragraph (3) of the Constitution 1945, gave a message of a strong desire for the state to guarantee the implementation of equality of position in law, among others, is marked by: regulates the right of everyone to get the same treatment in front of law, as well as guarantees for everyone to get justice (justice for all and access to justice). These rights are basic rights everyone is universal. This concept is important to understand because so far the State has always been faced with the reality of the existence of a group of poor people or unable to fulfill their rights to obtainthe justice that should be fulfilled based on the concept of the rule of law. To realize the idea of the rule of law, then the state must guarantee everyone's right to justice. In other words,The state must ensure the implementation of legal aid for the poor or people who can't afford it so that no one escapes access to justice as a constitutional mandate. Movements with an emancipatory character such as legal aid and legal counseling can be seen as a direct effort.Thus, the placement of the law specifically on the path of equitable distribution of justice is a reflection of great care or appears as a "Politic Will" from the authorities on issues related to equitable distribution of justice which of course will affect the success of achieving the target of equitable distribution of development results.Studying legal aid issues becomes relevant for discussion In the context of Indonesia, at least four things are motivated.

First, the concept of legal aid itself is not a already dead means that until now we must continuously study it, because after all the shifts and or developments concerning the dimensions of time, approach, social, political, and economic structure as well as local conditions certainly havetheir own influence. Second, the more diverse the problems that arise in society, which is accompanied by an increase in the legal needs of society, demands for obtain justice through legal channels, broaden the spectrum of functions and legal profession or the efforts of the authorities to increase showing the image of a more constitutional government that is all This in turn will also color the pattern and character of legal aid. Third, the close relationship between law and human rights human rights, even in the broad context of human rights issues not only closely related to the law but also closely related with other areas of life. Fourth, legally, the identity of the State of Indonesia is a State of law.Talks about legal aid, human rights, and the State the law in the context of Indonesia as a state of the law becomes important when we remember that in a state of law there are inherent characteristics that fundamentals are:

1. Recognition and protection of human rights that contains similarities in the fields of politics, law, social, cultural and education.
2. Judiciary that is free and impartial, not influenced by anything any other powers.
3. Legality in the sense of law in all its forms.

A country certainly cannot be said to be a legal state if: The country concerned does not provide awards, guarantees protection of human rights issues, and providing legal assistance for all Indonesian people, especially small people who cannot afford and relatively illiterate.Inauguration of Indonesia as a state of the law in article 1 paragraph (3) The 1945 Constitution, gives a message of a strong desire for the state to guarantee the implementation of equality of position in law, among others marked by the regulation of the right of every person to get the same treatment equal before the law, as well as guarantees for everyone to get justice (justice for all and access to justice). These rights are real It is a basic human right that is universal. This concept becomes important to understand because so far the State has always been faced with the reality of the existence of a group of people who are poor or incapable so that th//eir right to get justice cannot be fulfilled must be fulfilled based on the concept of the rule of law.To realize the idea of a rule of law, the State has an obligation to guarantee the right of everyone to obtain Justice. In other words, the State must guarantee the implementation of assistance law for the poor or incapable people so that no one escape from access to justice as a constitutional mandate.The need for legal aid can be regarded as a form of prevent people from becoming victims of crime, as well as victims of injustice and resolve cases of crimes that occur so that the community is satisfied that justice has been served. Given the importance of legal aid in create justice, and make the obligation to provide legal aidis important to be implemented effectively.That

the state guarantees the constitutional right of everyone to get recognition, guarantee, protection, and fair legal certainty as well as equal treatment before the law as a means of protecting rights human rights and the state is also responsible for providing assistance law for the poor as a manifestation of access to justice.

II. LITERATURE REVIEW.

In discussing research problems, it is based on the framework of theoretical basis which is the theoretical basis, and this foundation is an attempt to identify general/special legal theory, legal concepts, principles law and others that will be used as a basis for discussing research problem.As a scientific activity, in research, it is a necessary theory in the form of assumptions, concepts, definitions, and propositions to explain something social phenomena systematically by formulating the relationship between draft. Starting from the research problem as described above Previously, several theories were used which were used as knives analysis in dissecting the research problem of this thesis. As for the theories can be found as follows:

2.1. Grand Theory: Theory of Justice

The grand theory used in compiling this thesis is theory justice, namely Aristotle's theory of justice and John Rawls's theory of justice. Justice itself is one of the most discussed themes and focuses in philosophy. The theory of natural law prioritizes the search for justice. From the philosopher Socrates to Francois Geny, everyone has always maintained justice as the crown of the application of law.Based on the definitions above, it can be simply understood that justice is essentially the act of a person or other party according to their rights. A right that a person has is a right that recognized and treated according to their dignity and worth.There are various theories about justice and society which fair. These theories concern rights and freedoms, opportunities for power, and income and prosperity. One of these theories is:proposed by Aristotle.

Justice according to Aristotle's view can be found in the work of Nicomachean ethics, politics, and rhetoric. More specifically, in the book Nicomachean ethics, this book is devoted entirely to justice that according to Aristotle's general philosophy, must be considered as the core of philosophy law, because the law can only be applied about justice. Aristotle makes an important distinction between numerical similarities equates every human being as a unit, that all citizens are equal before the law and proportional equality gives everyone what become their rights according to their abilities, achievements, and so on. Then differentiate justice into distributive and corrective justice.Distributive justice according to Aristotle focuses on distribution, honors, wealth, and other similar items that can be obtained in public. Leaving aside the mathematical “proof”, it is clear that what is in the mind of Aristotle that the distribution of wealth and other valuables based on values prevailing among citizens. Fair distribution is possible is a distribution that corresponds to the value of goodness, namely the value for community.

2. 2 John Raws' Theory of Justice

John Rawis explains in the book A Theory of Justice, that justice social as the difference principle and the principle of fair equality of opportunities. The essence of the difference principle, that social and economic differences should be arranged to provide the greatest benefit to those most less fortunate.The term socio-economic difference in the principle of difference leads to inequalities in one's prospects for obtaining the subject matter welfare, income, and authority. Meanwhile, the principle of fair equality of opportunity shows those who are the least have the opportunity to achieve the prospect of welfare, income, and authority. It is they who must be given special protection.Rawis argues that in a society governed by the principles of utilitarianism, people will lose self-respect, moreover that service for common development will disappear.N Thus social justice must be fought for two things:First, make corrections and improvements to the existing inequality conditions experienced by the weak by presenting social, economic, and empowering politics. Second, every rule must position itself as a guide for developing policies to correct injustice experienced by the weak.

2.3 Gustaf Radbruch .'s Theory of Justice

The theory of justice is by the opinion of Gustaf Radbruch, that there are three basic values in law, namely justice, legal certainty, and benefit. These three theories are the antithesis of the certainty principle law that characterizes criminal law around the world. Justice is the final goal in the legal process that must be

concreted by the judge court.That the concept of justice is not singular, but continuously develops over time. For Ulpianus, justice is a permanent and continuous will to give to people what should be13. The development of the concept of justice shows that interesting dynamics in both legal studies and other social studies that pay attention to the human dimension.

III. METHODS

The rights and position of the suspect and or the defendant in Legal Aid Process

Actually, at a glance here and there, it has often been read about the position of the suspect and the defendant in the Procedural Law Criminal Code (KUHAP). The suspect and the defendant took the place discussed specifically in one chapter, namely chapter VI which consists of articles 50 to with article 68 of the Criminal Procedure Code. To remember the meaning of the suspect and the accused, it is necessary to pay attention return to the meaning formulated in article 1 points 14 and 15, which explain:

1. A suspect is a person who because of his actions or circumstances,
Based on sufficient preliminary evidence, it is reasonable to suspect that he is the perpetrator criminal act.
2. The defendant is a suspect who is prosecuted, examined, and tried in court. From the explanation above, both the suspect and the defendant are people who suspected of committing a crime by the evidence and real conditions or fact, therefore the person:
1. Must be investigated, investigated, and examined by investigators.
2. Must be prosecuted and examined before the court, and confiscation of objects as determined by law.
3. If necessary, action can be taken against the suspect and the accused coercive measures in the form of arrest, detention, search, and confiscation of objects by the provisions of the law.

However, whether a suspect or defendant is considered a priori as a bad person, and can be treated as an object of blackmail., persecution and revenge. Is in the position as suspect or defendant, a person must be dislodged and human rights and human dignity, as we have seen in the past in a legal system that takes an inquisitive approach that sees suspect or defendant is nothing more than an object of examination that can be treated at will by law enforcement officials. Human rights and dignity their dignity is thrown and become a suspect or defendant is none other than on a lump of disgusting filth and the scum of society that can treated arbitrarily.What about KUHAP, what is the approach system for suspects? or the defendant is still an inquisitor, that is no longer the case. KUHAP has laid the foundation for legality principles and an audit approach at all level with the acquisitor system, placing suspects and defendants in every level of examination as a human being who has rights and dignity, and self-worth.

Results Of The Implementation Of The Administration Of Legal Assistance Program For The Community Without Capability In The Frameworkseeking Justice Under The Law Number 16 The Year 2011 Concerning Legal Assistance

Fulfillment of the right to legal aid in principle has 2 (two) main functions are:

1. Provide protection and fulfillment of equality for everyone before the law, including realizing a fair trial;
2. Advancing and contributing to the social welfare agenda government and state development programs, such as improving the welfare of workers, labor, entrepreneurship and ownership.

A vision of fulfilling the right to legal aid for the poor and unable to do anything but provide support to the welfare agenda and social justice carried out by the state and government. As for what becomes There are 2 (two) main objectives of the scheme and legal aid system, namely:

1. Improve and expand access to justice for the poor, therefore the scheme and legal aid system that will be drawn up will not hinder or even limit the initiative to provide legal aid
to the poor who are already running or existing 2. Ensuring legal aid is realized with the main principles namely: accessible to the poor, availability of funds, sustainable and credible.

As for legal aid carried out in the country Indonesia is as follows:

1. Guarantee and fulfill the rights and interests of each recipient legal aid or any person who is economically unable to gain access to justice;

2. Realizing the constitutional rights of citizens by the principles of equality before the law and equal treatment before the law;
3. Guarantee and ensure the implementation and provision of assistance The law is implemented widely and evenly in each region or region which is the homeland of Indonesia;
4. Ensure the implementation of the provision of legal aid in Indonesia implemented and run within the framework of policies and regulations that integrated;
5. Realizing and ensuring the implementation and provision of assistance the law is implemented by the principle of providing legal aid; and
6. Realizing access to justice that is effective, efficient, and accessible accountable; Legal aid in the context of access to justice is not only providing legal aid before the court, but also outside the court.

Not only for the suspects and defendants but also for the victims and groups of poor people who file lawsuits. Legal assistance to includes education for justice seekers and the blind.Legal aid in its broadest sense can be defined as: efforts to help disadvantaged groups in the legal field. According to Buyung Nasution, this effort has three interrelated aspects: related, namely the aspect of the formulation of legal rules, namely the aspect of supervisionto the mechanism to keep the rules adhered to; and aspects public education so that the rules.The definition of legal aid whose scope of activities is quite broad too established by the 1978 National Legal Aid Workshop which states that legal aid is a legal service activity that given to the poor (poor) individually as well as to poor community groups collectively.

The scope of its activities includes such as defense, representation both outside and outside in court, education, research, and dissemination of ideas. Temporary that, previously in 1976 the Symposium of the Legal Profession Contact Body also formulate the meaning of legal aid as the provision of legal aid to an incapacitated seeker of justice who is facing difficulties in the field of law outside or before the court without compensation for services.

Definition of legal aid in Law Number 16 of 2011 regarding Legal Aid, Article 1 point 1 reads "Legal Aid is a service" legal aid provided by the Legal Aid Provider free of charge to Legal Aid Recipients".

This rather broad understanding of legal aid has also

submitted by the Head of the Indonesian National Police (Kapolri), namely as follows:

Clinical education is not only limited to criminal majors and civil law to finally appear before the court, but also for other majors such as the department of constitutional law, government administrative law, international law, etc., which allows the provision of assistance law outside the court, for example, in housing matters at the Office of Housing (KUP), assistance at Immigration or the Department of Justice, assistance law to a person concerned with international affairs in the Department

Overseas, even providing guidance and counseling in the field of law including the target of legal aid and so on. Whereas in the meantime, the definition of legal aid whose scope is somewhat narrowly stated by the Attorney General of the Republic of Indonesia, who states that legal aid is a defense obtained by someone defendant from a legal adviser when the case is examined in examination in preliminary examination or the process of examinatio the case before the court. When examined further, basically The popularization of the term "legal aid" is a translation of the term "legal aid", "legal assistance" and "legal service" which in practice both have slightly different orientations from each other. Definition of help Law has characteristics in different terms, namely:

1. Legal aid is legal aid, a national system that is regulated locally where legal aid is shown for those who are less financially and cannot afford private legal counsel. From this understanding legal aid can help those who do not able to hire the services of legal counsel. So legal aid means giving services in the field of law to someone involved in a case or cases where in this case the provision of legal aid services done for free, legal assistance in legal aid is more specifically for the poor in the poor.Thus the main motivation in the concept of legal aid is enforce the law with different interests and human rights small people who do not have and are blind to the law.

2. Legal assistance, the definition of legal assistance explains the meaning of and The purpose of legal aid is broader than legal aid. More legal assistance describes the profession of a legal advisor as a legal

expert, so that in that sense, as a legal expert, legal assistance can provide legal aid services to anyone without exception.

That is, the expertise of a legal expert in providing legal assistance not only limited to the poor, but also for those who able to pay for performance. For some people, the word legal aid is always must be associated with poor people who can't afford to pay advocate, but for some people, the word legal aid is interpreted the same as legal assistance which usually has the connotation of legal service or legal services from the advocate community to the wealthy and unable. The general interpretation adopted lately is legal aid as legal aid to the poor.

3. Legal Service, Clarence J. Diaz also introduced the term “legal” services". In general, most tend to give understanding broader to the concept and meaning of legal service than with the concept and purpose of legal aid or legal assistance. When freely translated, the meaning of legal service is service law, so that in terms of legal service, legal aid referred to as a symptom of the form of service provision by professionals law to the public in society with the intention of ensure that no one in society is deprived their right to obtain the legal advice they need simply because of the lack of adequate financial resources enough. The term legal service refers to the steps taken to ensure that the operation of the legal system, in reality, will not be discriminatory as there are differences in income levels, wealth and other resources controlled by individuals in society.The Draft Legal Aid Law itself later be the initiation of the Government. In his later course, he drafted the Plan a Legal Aid Law was also adopted as the initiation of the CouncilPeople's Representative. On December 1, 2009, the House of Representatives together the government has formally introduced a Draft Aid Law into Prolegnas 2009-2014 and became one of the fifty-five Draft Priority Laws of Prolegnas 2010 as Drafts Legislative initiative of the House of Representatives. Despite the design Legal Aid Act was adopted but in the trunk The Bill has undergone many changes.This is what drives the Indonesian Legal Aid Foundation to motivate other civilian elements to form advocacy coalitions Draft Legal Aid Law (KUBAH) in 2009. The network has several times held activities starting from the Workshop, Focus Group Discussion (FGD), etc. to produce a paper position and draft of the Draft Legal Aid Law community version civil.

In general, it can be said that legal aid has a purpose focused on various social categories in society. Draft Legal assistance is related to a person's rights to exercise their rights Therefore, legal aid is carried out by legal experts and experienced people to carry out their profession. Legal aid is run by legal aid providers who are oriented towards noble values, namely the human aspect to fight for rights people to live in peace and justice.The provision of legal aid can be given to everyone regardless of one's social status. It is as exists in a state of law (rechtsstaat) where the state recognizes and protects the human rights of every individual. State recognition of this individual right implied equality before the law for all.The obligation to defend and provide legal assistance to individuals or groups poor by the advocate profession in line with the principles of justice for all and equality before the law and the right to be accompanied by an advocate without exception. Every citizen has the same position before the law without exception which includes the right to be defended (access to legal counsel), treated equally before the law (equality before the law), justice for all (justice for all). The provision of legal aid itself is regulated in Law Number 16 of 2011 concerning Legal Aid.

IV. CONCLUSION.

As for the history and legal arrangements regarding the provision of legal aid for underprivileged communities to seek justice, legal aid has been around since Roman times, in every age the meaning of and purpose of providing legal aid is closely related to moral values, political views, and applicable legal philosophy. On Initially, legal aid activities were aimed at gaining influence from society. Then turn into generosity for help the poor. This attitude goes hand in hand with the growth of the value of nobility and chivalry which is highly respected by people. Help law, especially for small people who can't afford and are blind to the law seems to be something we can say is relatively new in developing countries, as well as in Indonesia. Legal assistance as a legal institution (legal institution) originally unknown in the system traditional law has only been known in Indonesia since the entry or implementation of the western legal system in Indonesia. Legal assistance as free service activities for the poor and blind the law in the last

decade seems to show progress which is very fast in Indonesia, especially since the government's third Pelita launched a legal aid program as a pathway to equalize the road to equal justice in the field of law

REFERENCES

[1] Abdul Hakim Garuda Nusantara, 1981, Bantuan Hukum dan Kemiskinan Struktural, Prisma, Jakarta.
[2] Abdurrahman, 1983, Aspek-Aspek Bantuan Hukum di Indonesia, Cendana Press, Jakarta. Andi Hamza, 1985, Sistem Pidana dan Pemidanaan Indonesia dari retribusi ke reformasi. Pradnya Paramita
[3] Alfons Maria, 2010, Implementasi Perlindungan Indikasi Geografis Atas Produk-Produk Masyarakat Lokal Dalam Prespektif Hak Kekayaan Intelektual, Ringkasan Disertasi Doktor Universitas Brawijaya, Malang.
[4] Bredemeier Hary, 1993, Law as an Integrative Mechanisme, dalam Vilhelm, sociology of law, Penguin books.
[5] Djoko Prakoso, 1988, Hukum Penitensier di Indonesia, Liberty, Yogyakarta. Geme Maria
[6] Theresia, 2012, Perlindungan Hukum Terhadap Masyarakat Hukum Adat Dalam Pengelolaan
[7] Cagar Alam Watu Ata Kabupaten
[8] Ngada Provinsi Nusa Tenggara Timur, Disertasi Program Doktor Ilmu Hukum Fakultas Hukum Universitas Brawijaya Malang.
[9] Hadjon Philipus M., 1987,Perlindungan Hukum Bagi Rakyat Indonesia, PT. Bina Ilmu, Surabaya.
[10] Hartono Sunaryati, 1991, Politik Hukum Menuju Satu Sistem Hukum Nasional, Alumni, Bandung.
[11] Harahap M. Yahya Harahap, 2000, Pembahasan Permasalahan dan Penerapan KUHAP. Sinar Grafika, Jakarta.
[12] Hendra Frans Winarta, 2010, Bantuan Hukum Di Indonesia, PT. Elex Media Komputindo, Jakarta.
[13] Hessel Nogi Tangkilisan, 2005, Manajemen Publik, Jakarta, Grasindo
[14] Lawrence M. Friedman, 1975, The Legal System: A Social SciencePerpective, Russel Sage Foundation, New York, diterjemahkan 121oleh M. Khozim, Sistem Hukum: Perspektif Ilmu Sosial, Bandung:Nusa Media.
[15] Lili Rasjidi dan I.B Wysa Putra, 1993, Hukum Sebagai Suatu Sistem, Remaja Rusdakarya, Bandung.
[16] Lubis Todung Mulya, 1986, Bantuan Hukum dan Kemiskinan Struktural,LP3ES, Jakarta.
[17] Moh Kusnadi dan Bintan Saragih, 1983, Susunan Pembagian Kekuasaan Menurut Sistem Undang-Undang Dasar 1945, PT. Gramedia,Jakarta.
[18] Kusumah Mulyana, 1982, Hukum dan Hak Asasi Manusia, Alumni, Bandung.
[19] Nasution A. Buyung, 1988, Bantuan Hukum di Indonesia, LP3ES, Jakarta.1976, Legal Services In Developing Countries: AnIndonesia Case, dalam bukunya, Bantuan Hukum Indonesia dan 5 Tahun Lembaga Bantuan Hukum Indonesia, Jakarta.
[20] Palma Alvon Kurnia, 2013, Bantuan Hukum Bukan Hak Yang diberi,YLBHI, Jakarta, 2013.
[21] Petra M. Zen dkk, 2010, Koalisi Masyarakat Sipil Untuk Undang-Undang
[22] Bantuan Hukum, Bantuan Hukum dan Pembentukan UndangUndang Bantuan Hukum, Serpico.
[23] Rahadjo,Satjipto, 2000, Ilmu Hukum, PT. Citra Aditya Bakti, Bandung.1983, Permasalahan Hukum di Indonesia, Alumni,Bandung.
[24] Sidharta B. Arief, 2000, Hukum dan Logika, Alumni, Bandung.
[25] Salim HS dan Erlies Septiana Nurbani, 20013, Penerapan Teori HukumPada Penelitian Tesis Dan Disertasi, PT. RajaGrafindo Persada,Jakarta
[26] Satjipto Rahardjo, Hukum Progresif, 2009, Sebuah Sistem Hukum Indonesia,Penerbid Gentha Publishing, Yogyakarta.
[27] Satochid Kartanegara, 2009, Hukum Pidana Bagian Satu, Balai Lektur Mahasiswa, Jakarta
[28] Soerjono Soekanto, 2009, Pokok-pokok Sosiologi Hukum, Jakarta, PT Raja Grafindo Persada. 122
[29] Sudijono Sastro Atmmojo, dalam Mahrus Ali, 2017, Sistem Peradilan Pidana Progresif: Alternatif dalam Penegakkan Hukum Pidana, ***Jurnal Hukum***, Vol. 14 Nomor 2, Edisi April 2007, Universitas Islam Indonesia, Yogyakarta.
[30] Sunggono Bambang, 1992, Rekayasa Kualitas Sumber Daya Manusia Melalui HUkum, Seminar Intern Lembaga Pengkajian Sosial dan Pembangunan (LPSP), Jember.1992, Pengaruh Kebijaksanaan Massa Mengambang Terhadap Pembangunan Poltik, Tesis Program Pasca Sarjana
[31] Universitas Airlangga, Surabaya.
[32] Sunggono Bambang dan Aries Harianto, 2009, Bantuan Hukum Dan Hak Asasi Manusia, CV. Mandar Maju, Jember.
[33] Susuilo Suharto, 2006, Kekuasaan Presiden Republik Indonesia dalam berlakunya UUD 1945, Jakarta, Graha Ilmu.
[34] Sutherland & Cressey, disadur oleh Sudjono D, 1974, The Control Of Crime

[35] Hukuman Dalam Perkembangan Hukum Pidana, Tarsito, Bandung
[36] Theo Huijbers, 1995, Filsafat Hukum dalam Lintasan Sejarah, cet. Viii Yogyakarta, Kanisius
[37] Wirjono Prodjodikoro, 2008, Asas-Asas Hukum Pidana di Indonesia, PT.Refika Aditama, Bandung.
[38] YLBHI, 2014, Pedoman Anda Memahami dan Menyelesaikan Masalah Hukum, YLBHI, Jakarta