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Law Enforcement for Prevention and Control of Vandalism Acts in Yogyakarta City

Baginda Khalid Hidayat Jati¹

ABSTRACT

Law enforcement is always became an option to prevent and control act of vandalism. This various forms of vandalism are causing destruction and suppression toward various facilities owned by both public and individuals. This vandalism acts includes environmental negligence that harms society. The research was conducted in Yogyakarta City, Indonesia. The research method is using normative juridical. The results of the study indicate that various law enforcement efforts have been carried out by the Yogyakarta local government to control vandalism as a violation of the criminal law as misdemeanor. The efforts to prevent and control vandalism in Yogyakarta are carried out through various methods especially through educational campaigns, involvement, organizational climate and restricted access.

Keywords: public and private facilities, prevention and control, law enforcement, vandalism.

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1. Introduction

Based on historical views, the act of vandalism is not something that has just occurred in this century. The actions and effects of vandalism acts have emerged since the beginning existence of human civilization. However, the use of 'vandalism' as a word was inspired by a historical moment in Europe within the 17th century (Merrills, 2019). The meaning of vandalism comes from the name of a German tribes called Vandal which brought Rome down in 455 AD after they establish a kingdom in North African Coast at the beginning of the 5th century. According to the historical research, it was revealed that the Vandal destroyed the beauty of many invaluable Roman heritage and created various chaos throughout Gaul, Spain and Italy (Montefiore, 2008). The incidence of this vandalism act is interesting to be reviewed again because until now it still often occurs throughout the world. After all its not just the Vandal that can cause damage to many cities, but various other community members also have the opportunity to do vandalism using various forms of action even just by some unstable

¹ University of Gadjah Mada, Indonesia. Email: khalidhidayat29@gmail.com

teenagers in Yogyakarta City (Jati, 2019). Various forms of vandalism in Yogyakarta tend to undermine the beauty, order and security of various public facilities such as cultural heritage, sport facilities, government offices, school walls, traffic signs, bridges, urban tree plants and other spot. Vandalism acts could also undermine the standardized development sustainability since some vital facilities are damaged by the perpetrators (Ikejamba2018). Many library facilities and historical sites are also the target of vandalism acts (Elnadi, 2018; Analysis, 2018). Thus, the act of vandalism is not just a mere scribbling action. Since the occurrence of vandalism often occurs in the midst of society, this issue eventually led to the emergence of anti-vandalism movement within the society by some people that cared about the order and beauty in Yogyakarta as one of cultural centers in Indonesia. That is why there is a design of an environment which built for people who need to express their feeling toward vandalism acts (such as mural and graffiti) in a particular location that being regulated by applicable law so it could able to prevent and control the adverse effects of vandalism within the society (Heron, et al., 2005).

In Yogyakarta vandalism considered as misdemeanor act with various kind of action. Vandalism is a crime against 'environment' since the targeted object is always focused on physical objects or properties (Perlgut, 1983). While the act of vandalism is closely related to the hedonic culture (Safitri, 2012). Vandalism is not an 'unreasonable' crime but has important reasons related to environmental design and management, which made the law enforcement to prevent and control those acts needs to be studied more deeply. That is why it's important to know that there is clarity in the laws that protect the public and various other private facilities which protecting them from the threat of vandalism acts especially in Yogyakarta.

2. Research method

This research is using normative juridical method. The normative juridical approach is used to examine various law enforcement that has been carried out by the Regional Government of Yogyakarta City especially within their Dinas Ketertiban as the office to maintain order, which basically they also prevent and control the occurrence of various forms of misdemeanor acts of vandalism in accordance with the local regulations. Data that being collected from this type of research are primary data (or basic data), while data obtained by the type of library research sourced from library materials are commonly referred to as secondary data.

Primary data is obtained directly from respondents and key informants, while the type of secondary data indirectly touch the scope of the research problem. This type of data comes from documentation sources of KUHP Book III Chapter I and Chapter II material, local regulations issued by the Regional Government of Yogyakarta City in an effort to prevent and control various forms of acts of vandalism as an incident violating criminal law. The research population is covering all units studied or can be expressed as the number of people who have the same characteristics to study. The scope of the study population consists of officials who deal directly with the problems of vandalism, namely from the Civil Service Police Unit (SATPOL PP) within Yogyakarta City area which is a task force belonging to the Dinas Ketertiban.

The sampling technique in this research activity was carried out using non random sampling, while the Interactive Analysis Model is carried out in a centered one cycle with the integration of activities on the following of four points, which are: data collection, data reduction, data presentation and conclusion drawing. To clarify the description of data interpretation, the results of qualitative data analysis may complemented by using a quantitative explanation of the case in the form of decomposition of supporting figures.

3. Results and discussion

Up until now there have been no rules regarding vandalism that are specifically formed through certain laws in Indonesia namely such in form of acts which directly regulate those actions. However, if it is returned to the initial definition of vandalism, we can find various forms of regulations that are tucked between the laws and regulations that are contained in the Indonesian Criminal Code (KUHP) or in various kinds of regional regulations and other forms of rules.

Vandalism as a form of crime could be distinguished in the category of violations of criminal law that are heavy, moderate and mild. This applies especially while clearly stated in the Criminal Code.

In detail some forms of criminal acts of severe vandalism that regulated in the Criminal Code Book II Chapter VII, in which there are various articles concerning vandalism which are categorized as crimes as an example of one of them in Article 192 "Whoever intentionally destroys, makes it unusable or damages buildings for general traffic, or obstructing land or water public roads, or thwarting efforts to secure buildings or roads", it is threatened with imprisonment, namely a maximum of nine years, if because of his actions it can pose a danger to traffic security. It also threatened with a maximum of fifteen years, if within this case later creates a danger to the safety of traffic which then results in another person being killed (died).

Minor criminal acts of vandalism can be found in the Criminal Code Book III Chapter I concerning Violations of Public Security for People or Goods and Health as well as in Chapter II concerning Violations of Public Order which are more likely to lead to violations. For example in Article 489 paragraph (1) it is explained that "Delinquency against people or goods that can cause harm, loss or distress, is threatened with a fine of at most two hundred twenty five rupiahs".

The term vandalism itself here is ambiguous, because for the wider community vandalism is still considered a form of mischief in a kind of play vandalism which is done based on mere prank, which made them became an act of misdemeanor. Therefore, the term is deemed inappropriate if there is an element of seriousness as stated in Article 192 of the Criminal Code.

While law enforcement is a tool for the creation of a happy society based on the noble values set out in the basic constitution. Some forms of efforts that can be taken to implement law enforcement can be broadly divided into two groups, namely in the form of preventive and repressive efforts. Likewise, in the case of various forms of vandalism, there are several law enforcement efforts to prevent and control the occurrence of those acts so it could minimize the negative effects.

According to Goldstein there are several efforts aimed at preventing various forms of misdemeanor acts of vandalism based on categories according to those described in the previous section. Some of the efforts referred to are listed in detail in Table 1.

Table 1.

Variety of Vandalism Prevention Measures

No.	Vandalism Prevention	Information
1.	Target Hardening	Use of tools or limiting material to prevent acts of vandalism, such as anti-broken glass or window trellis.
2.	Access Control	The strategy is to utilize architectural elements and electronic-mechanical devices to monitor rooms by: key control systems, closed-circuit television (CCTV), metal detectors, and motion detectors.
3.	Deflecting Offenders	Planned efforts to turn destructive actions into positive activities, such as providing boards for the expression of graffiti art, murals, and blackboards in the bathroom and special public spaces.
4.	Controlling Facillitators	Control through changes in the environment by reducing access to damage targets through signs / warnings, fire alarms to air conditioning.
5.	Surveillance	Goldstein (1990) distinguishes two surveillance method: traditionally through the placement of paid police / supervisors and naturally through personnel / guards in preventing and controlling acts of vandalism.
6.	Target Removal	Get rid of and reduce access to vandalism targets.
7.	Removing Inducements	Change or improve the target of vandalism.
8.	Rule Setting	Establish some legal rules related to prohibitions on certain actions.
9.	Counselling	Through publicity / information on public issues through advertising

anti-vandalism, news releases, interactive discussions through various other mass media.

Source: Processed from Goldstein

Goldstein also outlined several other potential efforts to prevent and control various forms of vandalism. The various efforts involved with the interaction of (prospective) actors, target and supervisors of public infrastructure. Some of these efforts are shown in Figure 1.

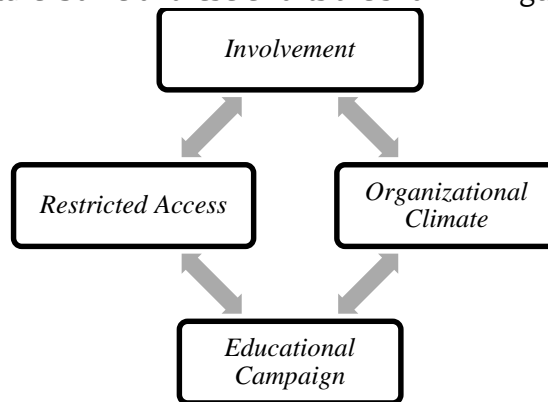


Figure 1. Some Vandalism Action Prevention Measures

If Goldstein provides preventive solutions that can be done to prevent acts of vandalism, then in Yogyakarta City Regulation Number 18 of 2002 concerning Order Management there has a rules that can be applied repressively to the perpetrators of various forms of vandalism. The rules are listed in Article 16 letter c which states that anyone is prohibited from polluting and or damaging trees, plants, buildings and public facilities, which based on the understanding of acts of vandalism is basically an action that can be categorized into this article. While inside Article 17 of the Regional Regulation in Yogyakarta City Number 18 of 2002, it also states that criminal provisions can be applied to anyone who violates Article 16 which threatened with imprisonment for a maximum of 3 (three) months or a maximum fine of Rp. 2,000,000. (two million rupiahs). This legal rule is a limitation that need to be applied in law enforcement efforts for every violator related to various forms of vandalism acts

Furthermore, it is stated in Article 18 that investigators of crimes mentioned in Article 17 in the details of the rules on Regional Regulations can be carried out other than by general investigators, they can also be carried out by Civil Servant Investigators (Penyidik Pegawai Negeri Sipil or PPNS within the local government Anonymous, 2002).

Based on the Government Regulation of the Republic of Indonesia Number 6 of 2010, it is known that the definition of the Civil Service Police Unit is a device of the Regional Government that carries out tasks and is responsible to the Regional Head. In this research activity the Regional Head in question is the Mayor of Yogyakarta City which have a cause to maintain public order and organize peace, including the enforcement of Regional Regulations, therefor the Regional Head decisions related to order in accordance with Article 4 contained in Government Regulation Number 6 In 2010 as the task of the Civil Service Police Unit. This unit accountability itself is not directed to the Regional Head but through the Regional Secretary (Anonim, 2010). In Article 5 the government regulation is explained in detail regarding the functions of the Civil Service Police Unit, which are detailed in Table 2. Table 2.

Functions of the Civil Service Police

No.	Functions
1	Preparation of programs and implementation of the enforcement in Regional Regulations for public order and peace and protection within the community;
2	Implementation of policies for enforcement on Regional Regulations and Regional Head Regulations;
3	Implementation of policies for the implementation of public order and peace for the people in the regions;
4	Implementation of community protection policies;

- 5 To coordinate the enforcement of Regional Regulations and Regional Head Regulations, to maintain public order and the peace for the people with the National Police of the Republic of Indonesia, Regional Civil Servant Investigators, and / or other apparatus;
 - 6 Supervision of the community, apparatus, or legal entities to comply with Regional Regulations and Regional Head Regulations and;
 - 7 Implementation of other tasks given by the Head of Region.
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Law enforcement is needed to create protection for the interests within community and individuals. There are various kinds of factors that are interconnected with each other in influencing the implementation of law enforcement, namely law itself, law enforcers, law enforcement facilities / facilities, communities that are within the scope of the law. and the last is the existence of cultural factors that are the result of people's habits and thoughts (Soekanto, 2012).

In the city of Yogyakarta itself, law enforcement against perpetrators of various forms of acts of vandalism by the local Order Service has been carried out quite well. However, in this case this statement apply only within the law enforcer themselves. Meanwhile, in terms of other factors that influence the law enforcement itself actually has not been implemented properly. For example in June 2014 there were 19 arrests of vandals by the Office of Order. The perpetrators were arrested at various different places around Yogyakarta City. The perpetrators themselves were caught by the Civil Service Police Unit who were carrying out their night duty until the early hours of the morning before dawn. The arrest of those vandals themselves is part of law enforcer duties which carried out by the Order Service of Yogyakarta City. This condition was known after the interviews with officers from the Civil Service Police Unit who explained that in a month there were more than dozens of vandals caught by officers and the incident continued almost every night, especially in Saturday night. The Pamong Praja Police Unit officer interviewed also explained that there were still many other cases of vandalism revealed by the authorities, especially in scribbling cases in various public facilities. But in this case the perpetrators often have not been caught because they fled to flee or had disappeared when the officers arrived at the scene.

The form of law enforcement carried out against cases of vandalism is aimed at repressive causes. In terms of repressive law enforcement, the handling of vandalism acts is being carried out by intelligence from the Civil Service Police Unit using plainclothes, or by patrolling every night. According to the information from the Civil Service Police Unit, the vandalism that using posters as their tool used to move on their own, while the perpetrators of the scribbling action usually involved in some groups or gang members in the range of 2 to 5 people. Most of these actions are carried out at midnight, especially on weekends. However, respondents said there were also several cases of vandalism that occurred during the day. The arrests with this perpetrators of vandalism are also often carried out based on reports or complaints from members of the community.

Based on the results of interviews with several officers of the Civil Service Police Unit it was revealed that most of the perpetrators were students from several junior and senior high schools. The perpetrators with the status of students are still classified as adolescents under the age of 17 years. Such conditions have resulted in the Civil Service Police Unit not being able to enforce the law against the perpetrators according to applicable regulations. The form of law enforcement carried out is that these perpetrators will receive punishment in the form of reprimand and disciplinary action in the form of an appeal to do physical exercise from the Civil Service Police Unit. In this process, the parents of the perpetrators and the teachers where they attended school were called to give information or letters of agreement on not to repeat the acts of vandalism in the future. The next continuation of the process of legal prosecution of adolescent perpetrators of vandalism to finally being asked to clean up the target object of vandalism that they carried out for example by repainting the vandalism targeted object at their own expense.

According to information from several officers of the Civil Service Police Unit, the perpetrators of vandalism over the age of 17 themselves will be brought to court to be processed, namely in a series of minor criminal acts. The perpetrators above the age of 17 years themselves are basically still able to be examined again in terms of the age limit that is usually used by the Civil Service Police Unit in determining the maturity of a person, since there is no definite provision on maturity in Indonesian Regulation, so there are many differences in it definition according to various laws in Indonesia. In Law

Number 11 of 2012 concerning the Juvenile Justice System, it is determined that the so-called children in conflict with the law are children aged 12 to 18 years, whereas in the Civil Code states in Article 330 that an adult / competent person is someone who is over 21 years of age or married. 17 years old can also be said to be mature because the provision is also regulated in Law Number 24 of 2013 concerning population administration and Law Number 42 of 2008 concerning General Elections.

The investigation process will usually be submitted by the Civil Service Police Unit to the Police. Although basically the Civil Service Police Unit as an institution under the supervision of the Local Government Order of Service could carry out its own investigation, since this state apparatus is the front guard in upholding regional regulations that have been established and enforced by the Regional Government of Yogyakarta City. The investigation within the Civil Service Police Unit will also be strengthened with coordination training by the Police and on this matter it was stated at the 2014 National Coordination Meeting of the Civil Service Police Unit held in Surabaya, this provision is also reinforced by the regulations in the Yogyakarta City Regional Regulation Number 18 Year 2002 concerning Hygiene which in article 18 states that investigations can be conducted other than by general investigators can also be carried out by Civil Servant Investigators (PPNS) in the relevant Regional Government, and of course these positions are also contained in the structure within the Yogyakarta City Government Office of Order.

Until now, in terms of other law enforcement factors, namely the law regulation, the Local Office of Order is still only using Yogyakarta City Regional Regulation No. 18 of 2002 concerning hygiene to deal with acts of vandalism. This provision is still very small in scope given the damage caused by these actions is enough to disturb the community, coupled with the growing motives and forms of acts of vandalism that occur based on the development of time that has passed. The Yogyakarta City Government itself has actually been quite serious in overcoming the acts of vandalism, as evidenced by the issuance of Instruction from Mayor of Yogyakarta Number: 02 / INSTR / 2008 to form Task Force (Task Force) for Handling Vandalism Actions which consist of several city government agencies, namely the Local Office of Order, The Education Office, Environmental Agency, Kimpraswil (Settlement and regional infrastructure) Office, Transportation Agency, Police and other relevant agencies.

From the results of in-depth interviews with officers of the Yogyakarta Civil Service Police Unit (Satpo IPP), they also revealed that the city government had carried out a series of preventive measures to prevent and control various forms of vandalism that had occurred so far. Some efforts to prevent and control the intended vandalism which listed in Table 3.

Table 3.

Variety of efforts to prevent and control vandalism

No.	Prevention and Control of Vandalism Measures
1	Anti-vandalism campaign through reporting or broadcasting at certain times in various mass media such as newspapers, local radio and television.
2	Collaboration with various schools to increase awareness of junior high school and senior high school students in the Yogyakarta City area against anti-vandalism. Educational campaign activities are held especially during <i>Ospekor</i> orientation activities at the beginning of education in every new school year both at the junior and senior high school level in the Yogyakarta City area.
3	Dissemination of material on Regional Regulation Number 18 of 2002 concerning Order to various community members in various discussion forums.
4	Coordination with the Yogyakarta City Education Office in an effort to develop anti-vandalism movements to be continued among students in various schools. This effort also included educational campaigns carried out through socialization activities against vandalism.
5	A persuasive approach to include the participation of junior and senior high school students in the movement of cleaning up objects of public facilities that targeted by vandalism. Some of the objects that were cleared through community service activities were traffic signs and directions especially in vulnerable locations such as Pojok BetengWetan, Pojok Beteng Kulon, around Mandala Krida, Rejowinangun, Jalan Tentara Pelajar, Jalan C Simanjuntak, Fly Over Lempuyangan and JalanKenari.

- 6 Cooperate with intel to supervise, prevent and controlling early chance with various possibilities of vandalism incidents that occur in certain areas in the city of Yogyakarta.
- 7 Every day the civil service police conduct mobile daily patrols to monitor, control and carry out preventive and control operations on the possibility of various forms of vandalism occurrences.
- 8 Providing space for art expression space for mural artists and street art in several strategic places.

In an effort to prevent and control various forms of vandalism, the Yogyakarta Department of Education and Education Office has also facilitated the Friendship Forum, a partnership that involves participation among those who have committed acts of vandalism but who have revived and become aware of their wrong doings. With the Office of Order (specifically the Police Unit), this Friendship Forum formed on the initiative of many parties who cared to the vulnerability of acts of vandalism in Yogyakarta. They also held an event which basically a Community Care Forum that their declares their rejection with various forms of vandalism, and this movement is also an important moment within the history of Yogyakarta City, because this event also could functions as a vehicle for consensus in meeting the efforts of the Society in Yogyakarta to reduce acts of vandalism. This moment occurred on May 18, 2014 at the Suropati Parking Park. The Declaration of the Yogyakarta Anti Vandalism Society was attended by hundreds of residents of Yogyakarta. Some local officials also provided support, including the Yogyakarta City Police Chief, Dandim, and the Mayor. The anti-vandalism movement was also supported by various forums of the Yogyakarta community, such as: Arkom (Community of Architect), Margomulyo Community, FKAP (North Alun-Alun Community), Yogyakarta Karang Taruna Community, Pare Anom Cultural Association, Yogya Green and other communities. Some private companies, also take their part by actively participating, and providing support for the development of the Friendship Forum especially with their concern for the anti-vandalism movement such as Mirota Kampus (company). The activities carried out by this Friendship Forum are more directed at the movement to re-cleanse various public facilities that are became the object of various forms of vandalism.

One of the law enforcement efforts for prevention and preventive control of various forms of vandalism that has been carried out by the Civil Service Police Unit, is a psychological educative approach through campaigns and outreach in schools especially middle and secondary levels. This effort is an effort to guide students to form a solid attitude so they became aware that they are not involved in vandalism acts as violations of the law. Law enforcement efforts for repressive prevention and control are carried out through coordination between the Civil Service Police Unit and the Yogyakarta Police Force (for offenders aged over 17 years). This law enforcement is done so that the perpetrators get a deterrent effect. Nevertheless, from the information from the interviews with several respondents it was found that various types of law enforcement carried out turned out to be still not really effective and able to reduce the intensity of the occurrence of various forms of acts of vandalism in the Yogyakarta City area. This is evident from the social facts expressed by the Civil Service Police that almost every day this type of violation is found, either in the form of scribbling or attaching or installing posters / banners / leaflets / stickers and others in public spaces or privately owned facilities. To be more effective in implementing law enforcement there are several efforts as important solutions raised by respondents. Some of the efforts referred to are shown in Table 4.

Table 4.

Variety of efforts expected by respondents

No.	Effort
1	Efforts are still needed to establish regulations that are directly related to Regional Regulations which are specifically aimed at the interests of regulating environmental order in the city of Yogyakarta in connection with the occurrence of various forms of vandalism acts. This is important to avoid confusion in the form of vandalism as a violation of law and other criminal acts. The certainty and clarity about the differentiation of various forms of vandalism certainly facilitates the focus and concentration of law enforcement officials, especially the Civil Service Police Unit, in order to carry out law enforcement duties against perpetrators of vandalism.

- 2 More serious integrated cooperation efforts are needed between the Civil Service Police Unit and various other parties especially the Police Force, the Education Agency, the Environmental Service, the Tourism Office and others parties in order to enforce the law on various forms of vandalism. Law enforcement efforts against acts of vandalism also need to get positive support from various components of Yogyakarta community members in a participatory manner.
- 3 The anti-vandalism campaign through various mass media continues to be carried out by collaborating with schools and various other Yogyakarta Community Forums. This effort is intended so that the declaration of the anti-vandalism community of Yogyakarta will not only be a slogan, but its function can be maintained as a heroic moment of the struggle of the Yogyakarta people against various forms of vandalism.
- 4 Optimizing and providing special space for the development of arts, especially for street artists in the form of graffiti, murals, and all other forms of street art, where the space can later be able to accommodate quite a lot of citizen artwork, especially teenagers.
- 5 The Regional Government of Yogyakarta City is more open to discussing and cooperating with street artists and various creative parties who explore street art through efforts that accommodate street arts activities. This effort has the potential to reduce vandalism by installing posters and meaningless graffiti from the perpetrators of vandalism.

4. Conclusions

Vandalism is a form of law violation that disturbs the community. Law enforcement is needed to prevent and control vandalism that damages and harms various parties. Every act of law enforcement for vandalism requires clear regulations on target.

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