

APPLICATION THE PRINCIPLES CLARITY OF CONTENT IN LOCAL GOVERNMENT REGULATION OF SOLOK CITY NUMBER 8 OF 2016 CONCERNING PREVENTION AND ERADICATION OF SOCIETY DISEASES

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Abstract: *The contents of Local Government Regulation are prohibited from deviating from the principles of the Unitary State of the Republic of Indonesia. Preparation of regional regulations is prohibited to contain matters of government affairs which are the authority of the central government. Making Local Government Regulations must refer to Law Number 12 of 2011 concerning Formation of Regulations. Article 5 of Law Number 12 of 2011 concerning Formation of Regulations, regulates the principle of establishing good legislation, among others, the principle of clarity of content, which must be followed by the Local Government in forming a Local Government Regulation. The existence of Solok City Regulation Number 8 of 2016 concerning Prevention and Eradication of Society Diseases is still difficult in its implementation, because there are several phrases contained in this Local Government Regulation that are difficult to interpret scientifically and have a meaningful bias because they have not fully applied the principle of clarity of the content. The implication of the implementation of Solok City Local Government Regulation Number 8 of 2016 which is not in accordance with the principle of clarity of the content makes it difficult for the Civil Service Police Unit to carry out its main tasks and functions in enforcing the Local Government Regulation. Substantially, the provisions of the Solok City Local Government Regulation Number 8 of 2016 concerning Prevention and Eradication of Society Diseases are in conflict with the higher laws and regulations. As a result, these Regional Regulations are ineffective and difficult to implement and do not achieve the targets as desired by the local government legislators.*

Key Words: *Local Government Regulation, Local Government, Principle Clarity of Content.*

1. INTRODUCTION:

Local Government Regulation is one type of legislation made by the Local House of Representatives with the joint agreement of regional heads in the form of Provincial Regulations and Regency/City Regulations. The authority to form a Local Government Regulation is one form of regional independence in regulating local government affairs.[1] The contents of regional regulations are prohibited from regulating things that deviate from the principles of the Unitary State of the Republic of Indonesia. The making of local government regulation is part of the activities in regulating local society consisting of a combination of human individuals with all its dimensions.[2] Article 5 of Law Number 12 of 2011 concerning Formation of Regulations regulates the principle of establishing good legislation, namely the principle of clarity of purpose, the principle of institution or the right forming official, the principle of conformity between types, hierarchy, and material content, principle can be implemented, the principle of usefulness and efficacy, the principle of clarity of the content, and the principle of openness, which must be followed by the Local Government in forming a Local Government Regulation.

Solok City Government in 2016 has made Local Government Regulation Number 8 of 2016 concerning Prevention and Eradication of Society Diseases. This local government regulation aims to further enhance social control in the midst of the society and law enforcement towards the development of society diseases in the City of Solok. Society's illness can arise because it is influenced by various factors, both internal factors originating from within such as very strong motivation and interest to try and external factors that come from the environment such as invitations and influences of others and the influence of lifestyle of residence. The two factors that cause the emergence of the society's disease specifically are four things that trigger it, namely the economic crisis, association and lifestyle, environmental influences, and fad. The existence of Local Government Regulation on Prevention and Eradication of Society Diseases is still difficult in its application, because there are several phrases contained in this local government regulation that are difficult to interpret scientifically and have a biased meaning, including Article 2 Paragraph (2) letter a, which states, "Public Diseases carried out by the perpetrator himself directly or indirectly as referred to in Paragraph (1) letter a includes the following: female prostitute/gigolo/homo sex/lesbian/sodomy/male johns and pimps: " The above article explains the subject/perpetrator while sodomy is an act. The phrase "masher man" is very difficult to define even though

it has been explained in Article 1 point 30 of this Local Government Regulation (Chapter I on General Provisions), which is the understanding of masher men as men who like to hook and play with women. This understanding is very biased and very difficult in determining the indicators. The phrase "hook and play" is difficult to interpret. This is not in accordance with Article 5 Letter f of the Law concerning the Formation of Regulations that forming regulations must be carried out based on the principles of good legislation including the principle of clarity of the content. The principle of clarity of the content implies that each statutory regulation must meet the technical requirements for the drafting of regulations, systematic, choice of words or terms, and legal language that is clear and easy to understand so as not to cause various interpretations in its implementation. Compliance with this principle is a prerequisite for the establishment of good regulations (*beginselen van behoorlijke wetgeving*). One of the principles of good regulation is clear terminology and systematics (*het beginsel van duidelijke terminologie en duidelijke systematiek*).[3] Technically, the making of local government regulations must be carried out based on the technical making of regulations which are guided by Attachment II of the Law concerning the Formation of Regulations, including regulating the local government regulation framework, techniques for preparing section by section (from title to closing and explanations and attachments), use of language, and forms. If a local government regulation is made without regard or in other terms it does not function the principles of the formation of good legislation, the potential does not last long because it must be repeatedly revised or even revoked.[4] The ideal local government regulation is one that can become law not only for the time being (*ius constitutum*) but also for the future (*ius constituendum*) in the long run.

2. CONCEPTUAL FRAMEWORK:

2.1. The Principle Clarity Of The Content:

The principle of clarity of the content referred to in the explanation of Article 5 letter c of the Law Formation of Regulations is that each statutory regulation must meet the technical requirements for the preparation regulations, systematic, choice of words or terms, and clear and easy legal language. understood so as not to cause various interpretations in its implementation.

2.2. Local Government Regulation:

Article 7 Paragraph (1) of the Law concerning the Formation of Regulations, there are two types of Local Government Regulation, namely Provincial Local Government Regulations and Regency/City Local Government Regulations. Regency / City Local Government Regulation is a statutory regulation established by the Regency/City Local House of Representatives with the mutual agreement of the Regent/Mayor.[5]

2.3. Society Disease:

Society's illness is any form of behavior that is deemed inappropriate, violates general norms, customs, formal law or cannot be integrated in general behavior patterns.[6]

3. THEORITICAL FRAMEWORK:

3.1. Legislation Theory:

The formation of statutory regulations in essence is the formation of legal norms that are valid and general in a broad sense. Legislation is a written decision of the State or government which contains instructions or patterns of behavior that are general and binding.[7] Are and are generally applicable, the intention is not to identify a particular individual, so that it applies to every legal subject that meets the elements contained in the provisions regarding the pattern of behavior.

3.2. Legal System Theory:

Friedman stated "To begin with, the legal system has the structure of a legal system consist element of this kind the number and size of courts; their jurisdiction, structure also means how the legislature is organized, what procedures the pilice department follow, and so on. Structure, in way is kind of cross section of the legal system... a kind of still photograph, with freezes the action".[8]

3.3. Legal Certainty Theory:

According to Utrecht, legal certainty contains two meanings, namely first, the existence of general rules that make individuals know what actions may or may not be done, and secondly, in the form of legal security for individuals from the arbitrariness of the government because with the existence of general rules that individuals can know what the State may charge or do to individuals.[9]

3.4. Legal Effectiveness Theory:

Factors that influence the effectiveness of law according to Soerjono Soekanto are legal factors, law enforcement factors, legal facilities, society factors, cultural factors.[10]

4. LITERATURE REVIEW:

According to A. Hamid S. Attamimi, in the context of the formation of regulations in Indonesia, the principles of the formation of good laws can be arranged based on; Indonesian legal ideals, the principle of the state based on law, the principle of government based on the constitutional system; and other principles.[11] The principle of formation of

regulations serves to provide guidance and guidance in pouring the contents of the regulation into the appropriate form and composition so that the proper use of its formation methods and in accordance with the established processes and procedures.[12] According to V.C.R.A.C.Crabbe the principle of the formation of regulations ensures that these regulations are accepted and well understood by the majority of people intended.[13]

Irawan Soedjito argues, in general it can be stated that what must be contained in Local Government Regulation are as follows:[14]

- Regulations that reduce the burden on the society or exaggerate the burden on the population, such as local taxes and charges.
- Regulations that reduce the freedom of the society, for example those that carry out restrictions, or obligations, are usually accompanied by criminal sanctions.
- Regulations that limit the rights of the society, such as the determination of border lines and so on.
- Regulations governing other matters, which according to the provisions of the law or government regulations must be regulated by Local Government Regulation.

Forming a Regional Regulation must contain at least three foundations, namely:[15]

- Philosophical Foundation
- The philosophical foundation is a consideration or reason that illustrates that the regulations that are formed take into account the outlook on life, awareness, and legal ideals which include the atmosphere of mysticism and the philosophy of the Indonesian nation which originates from the Pancasila and the Opening of the 1945 Constitution of the Republic of Indonesia.
- Sociological foundation
- The sociological foundation concerns the empirical reality that lives in society.
- Juridical Foundation
- Juridical basis involves legal issues related to the substance or material that is regulated so that new regulations need to be formed. The legal issues include regulations that are outdated, overlapping regulations, types of regulations that are lower than the Law so that the force is weak, the rules are already there but inadequate, or the regulations do not yet exist.

The function of local government regulations is as follows:[16]

- Organizing arrangements that are not contrary to the public interest
- Organizing arrangements that are not contrary to higher regulations
- Organizing arrangements that are not contrary to higher local government regulations.
- Organizing arrangements that are not yet regulated by higher regulations.
- Organize matters that are not yet regulated by higher level local government regulations.
- Organizing arrangements that do not regulate the subordinate local government regulations. This provision is intended for Level I local government regulations, in this case Level I local government regulations may not regulate actual problems which are the authority of Level II local.
- Policy instruments to carry out regional autonomy and co-administration tasks.
- Implementing regulations of the higher Statutory Regulations.
- Accommodating the specificity and diversity of the region and channeling the aspirations of the people in the local, but in its regulation it remains within the corridor of the Unitary Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia.
- Development tools in improving local welfare.

Society's illness is any form of behavior that is deemed inappropriate, violates general norms, customs, formal law or cannot be integrated in general behavior patterns. According to Kartini Kartono, social ills are also referred to as social disorganization because the symptoms develop into social excesses that interfere with the integrity and functioning of social organizations.[17] Society's illness are things or actions that occur in the midst of the society that do not please the society or disturb the society that is not in accordance with religious and customary rules and courtesy while the legal consequences for the perpetrators are not yet covered by the existing legal provisions.

5. METODE:

The approach method that will be used is Normative Juridical approach. This research is based on a positive law inventory and the discovery of legal principles. There are three main activities in the law inventory activity:[18]

- Determination of identification criteria to conduct selection of norms which must be included as positive law and which norms should be considered social norms that are not legal norms;

- Collecting norms that have been identified as legal norms
- Organize identified norms into a comprehensive system

6. DISCUSSION:

Classification of society diseases in the Solok City Local Government Regulation Number 8 of 2016 concerning Prevention and Eradication of Society Diseases, with the editorial "society diseases carried out by the actors themselves either directly or indirectly which include:

- Prostitute / gigolo / homo sex / lesbian / sodomy / johns and pimps
- Drink or sell alcoholic drinks and / or traditional alcoholic drinks
- Open food and beverage stalls during the day openly or covertly during the month of Ramadan
- Pitting chickens and other such things
- Installing or pasting inappropriate images in public
- Women or men who display genitalia in public
- Gambling and *toto gelap* (TOGEL)
- Juvenile delinquency
- Glued and other addictive substances
- Beggar
- Street children
- Tramp
- Mental disorders
- Single or similar band or organ
- Mischief or wild race on public roads
- A dog and pig shelter.

If a one-point violation occurs, it will be subject to sanctions in the form of a sentence of imprisonment for a maximum of 3 (three) months or a maximum fine of Rp 50,000,000 (fifty million rupiah), whereas the provisions of Article 2 are a classification of society diseases and do not state expressly that it is a prohibited act, if the Article is a norm of prohibition, it must use the phrase "Everyone is prohibited to ..." Acts which include prostitute / gigolo / homo sex / lesbian / sodomy / masher men and pimps women in the Regional Regulation on Prevention and Eradication of Society Diseases, have been regulated in the Criminal Law Act in Article 506, which states that the goods who as a pimp (*souteneur*) takes advantage of female prostitution, threatened with a maximum imprisonment of one year.

Gambling and *Togel* Local Government Regulation on the Prevention and Eradication of Society Diseases, had previously been regulated in Law Number 7 of 1974 concerning Control of Gambling. Article 1 of Law Number 7 of 1974 concerning the Control of Gambling states that gambling is a crime. The provision of Article 2 of Law Number 7 of 1974 concerning the Control of Gambling states that: "Changing the threat of punishment in Article 303 Paragraph (1) of the Criminal Law Code, from a sentence of imprisonment of two years and eight months or a maximum fine of nine tens of thousands of rupiah into prison sentences for up to ten years or a maximum fine of twenty-five million rupiah. "

The provisions of Article 303 Paragraph 1 of the Criminal Code as referred to in Article 2 of the Law on the Control of Gambling reads: "With a prison sentence of ten years or a fine of Rp. 25,000,000, anyone who is not entitled to be punished: 1e. Demanding livelihood by deliberately organizing or giving opportunities to play gambling, or deliberately interfering in gambling companies. 2e. Deliberately organizing or giving an opportunity to play gambling to the public, or intentionally interfering in the company, whether or not there is an agreement or what method also to use that opportunity. " That means, related to gambling has been specifically regulated in Law Number 7 of 1974 concerning Control of Gambling and the Criminal Code. The content of norms contained in the Local Government Regulation on Prevention and Eradication of Society Diseases, there is a choice of words or terms that are unclear and inconsistent, among others can be seen in the following table:

TABLE 1: unclear and inconsistent terms

1	Article 1 number 16	The term liquor has a less clear meaning compared to the term alcoholic drink. The inconsistency of the use of the definition of liquor in this local government regulation, because in addition to the phrase "liquor" there is also the phrase "alcoholic drinks" in norms.
2	Article 1 number 13 and number 14	Commercial Sex Workers, hereinafter abbreviated as CSWs and Prostitutes in this local government regulation are distinguished, both terms should have the same meaning

3	Article 1 number 29	Homosexuals and lesbians are behaviors, and gigolos are jobs while sodomies are deeds, so they cannot be united in one definition
4	Article 1 number 30	The definition of male "johns" is not clear which indicators are vague and ambiguous meaning that can lead to misinterpretation of a norm
5	Article 2 Paragraph (2) letter F and Article 4 letter F	The phrase "aurat" is not defined in Article 1 general provisions, so the phrase "aurat" means vague and not objective
6	Article 2 letter a and Article 4 letter a number 1	The phrase "prostitute woman" The term inconsistency should use the phrase "commercial sex worker"
7	Article 12 paragraph (1) and Article 12 paragraph (2)	To state the maximum meaning and drink in determining the criminal threat or the time limit used is the phrase "most", the phrase "as high as possible" should be replaced with the phrase "most"

7. ANALYSIS:

7.1. Law Enforcement Local Government Regulation on Prevention and Eradication of Society Diseases That Are Not Conforming to the Principle of Clarity of Content

Enforcement of regional regulations is the authority of the Civil Service Police Unit. Not only as an enforcer of the local government regulation of the Civil Service Police Unit, it is also directed at its ability as a coach, instructor and motivator for the society to be able to consciously participate, be responsible voluntarily to always obey the implementation of local government regulation as a whole in accordance with applicable regulations. The civil service police unit in carrying out its main duties and functions in enforcing local government regulation that have been established and enacted by the local government should apply the principle of clarity of the content, so that its implementation is easy to implement. Local Government Regulation on Prevention and Eradication of Communities that do not apply the principle of clarity of content are very difficult to implement because the content of norms is not clear.

Every prohibition should have a sanction, but in this regional regulation the content of norms of criminal sanctions is not a norm of reference. In addition, the content of norms in this local government regulation has also been regulated in higher regulations, such as prohibitions on gambling, adultery, alcoholic drinks and pornography. Unclear norms of prohibition and imposition of criminal sanctions, the civil service police unit had difficulty carrying out the functions and duties of investigation against violations of local government regulation. As a result, these local government regulation become ineffective because the law (regulation) does not provide clarity, causing law enforcement factors, namely the parties who form or implement the law have difficulty in enforcing these rules. Not only in enforcement, the application of a law that is also not good it can also lead to consequences of society misunderstanding the existence of a rule and it is very influential on the course of a rule. Stated by Lawrence M. Friedman about legal culture or legal culture; "The third component of legal system, of legal culture. By this we means people's attitudes toward law and legal system their belief.. in other word, is the criminale of sosial thought and social force which determines how law is used, avoide, or abused."

7.2. Application of Local Government Regulation on Prevention and Eradication of Society Diseases that are Not Conforming to the Principle of Clarity Content with Other Regulations

Implications of Local Government Regulation on the Prevention and Eradication of Diseases Society who have problems in applying the principle of clarity of the content, namely in the technical aspects of the preparation of legislation, in the enactment of this local government regulation there is no influence because the local government regulation is validly determined by the authorized official namely the mayor and has been enacted in local sheets, meaning that these local government regulation still have binding legal force. Although technically there are problems from the technical aspects of the content of laws regarding the formation regulations. Substantially, the provisions in the local government regulation may conflict with the higher regulations. As a result, if the Local Government Regulation on the Prevention and Eradication of Society Diseases is still enforced, it will create legal uncertainty in the society. Harlien Budiono stated that legal certainty is a characteristic that cannot be separated from the law, especially for written legal norms. Law without certainty will lose its meaning because it cannot be used as a guide for behavior for all people. Law concerning the Formation of Regulations, there is no Article or Paragraph which states that if a Regulations of the Regulations are contradictory in the technique of drafting the Regulations declared null, invalid, or declared invalid. The law does not contain the provisions of sanctions against statutory regulations that are contrary to the technique of drafting regulations. However, local government regulation that contradict the Law on Formation of Regulations remain a problem because in substance these local government regulation are in conflict with the rules or provisions that should be followed in the formation of local government regulation as regulated in the Law on Formation of Regulations. The consequence is that if the substance contradicts a higher statutory regulation, then it can be

disregarded and tested materially in the Supreme Court as regulated in Article 9 Paragraph (2) of the Law concerning the Formation of Regulations which reads: "In a Legislation invitation under the Act is allegedly contrary to the Law, the trial is conducted by the Supreme Court. "

Torically that a statutory regulation if its substance contradicts a higher statutory regulation, then the lower regulation can be ruled out, because the lower statutory regulation is a translation or follow-up of a higher statutory regulation and must not conflict with the higher regulations. The legal force of a statutory regulation is in accordance with the hierarchy of the statutory regulation itself as stipulated in Article 7 Paragraph (2) of the Law concerning the Formation Regulations. Elucidation of Article 7 Paragraph (2) of the Law concerning the Formation of Regulations affirmed that what is meant by "hierarchy" is a gap of each type of Regulations based on the principle that lower Regulations may not conflict with higher regulations. The principle of legal interpretation is the principle of *lex superior derogat legi inferior* which states that the high law (*lex superior*) overrides the low law (*lex inferior*). Regional Regulations that are materially problematic, the material content that includes the principles or norms in this local government regulation if it is contrary to the higher statutory regulations can be defeated/ruled out, because the legal force under the higher statutory regulations. However, formally, if it contradicts the higher regulations, the validity of this local government regulation remains valid because it is determined by the competent Institution in this case the local head is stipulated and has been promulgated in the local gazette.

8. CONCLUSIONS:

From the discussion as explained earlier, several conclusions can be drawn, including:

8.1. The formation of Solok City Local Government Regulation Number 8 of 2016 concerning prevention and eradication of society diseases has not yet fully applied the principle of clarity of the content, the principle of clarity of the content which has not been fulfilled can be seen as follows:

- The technique of drafting regulation does not meet the basis for the formation of regulation, the technique of drafting criminal provisions, the technique of drafting transitional provisions and the technique of drafting closing provisions.
- Systematic regulations, content in preparing the opening, torso, criminal provisions and closing provisions are not appropriate as regulated in attachment II of the Law concerning the Formation of Regulations.
- Application of word choices or terminology, there are still many choices of words or terms that are unclear and inconsistent.

8.2. Local Government Regulation on The Prevention and Eradication of Society Diseases that are not in accordance with the principle of clarity of the content make it difficult for the civil service police unit to carry out its main duties and functions. Unclear content in a legal rule, resulting in the rule is difficult to understand by the society and difficult to enforce by law enforcement officials, which makes the rule ineffective to be implemented because of the unclear content of norms of prohibitions and referral norms of criminal sanctions. Local Government Regulation on The Prevention and Eradication of Society Diseases, although not in accordance with the principle of clarity of the content, these local government regulation can still be applied because legally the regional regulations remain valid because they are formed, established by the authorized institutions and have been enacted in the regional gazette, but in substance the provisions are the provisions contradict the higher Regulations are null and void. As a result, these local government regulation are ineffective and difficult to implement and do not achieve the targets as desired by the local regulators.

9. SUGGESTIONS:

The suggestions given by researchers are as follows:

- The need for further study/analysis of Local Government Regulation on the Prevention and Eradication of Society Diseases, both in terms of juridical, sociological, philosophical, and preparation techniques and the substance of the contents of local regulations, so that they become effective local government regulation, do not cause conflicts and problems both from aspects Preparation techniques, formal and material as well as meeting the needs and sense of society justice, because the purpose of the formation of local government regulation is not only for legal certainty/rechtmatigheid but also so that the public knows and must be implemented with the aim of benefiting the society.
- Academic drafting of the local government regulation draft should collaborate and involve academics, researchers and observers of legal and legal issues from the Local Office of the Ministry of Law and Human Rights, as well as in the process of discussing the local government regulation draft in the Local People's Legislative Assembly bringing experts from academia related to legislation -invitation. The drafting of local government regulations should also involve the participation of the society, because the society has the right to provide input verbally and/or in writing in the content of regulation, as stipulated in the provisions of Article 96 of Law Number 12 of 2011 concerning the Formation of Regulations.

REFERENCES:

1. Muhammad Suharjono, "Pembentukan Peraturan Daerah Yang Responsif Dalam Mendukung Otonomi Daerah", DIH, Jurnal Ilmu Hukum, February 2014, Vol 10, No. 19, page 21 [1].
2. Lukman Santoso, "Pembentukan Peraturan Daerah Yang Demokratis Di Era Otonomi Daerah", Jurnal Hukum, May 2013, Vol 10, page 100 [2].
3. Yuliandri, *Asas-asas Pembentukan Peraturan Perundang-undangan yang Baik, Gagasan Pembentukan Undang-Undang Berkelanjutan*, PT. RajaGrafindo Persada, Jakarta, 2009, page 114 [3], page 168 [4], page 25 [7], page 115 [11].
4. Rachmat Trijono, *Dasar-Dasar Ilmu Pengetahuan Perundang-Undangan*. Papar Sinar Sinanti. Jakarta, 2013, page 71 [5].
5. Kartini Kartono, *Patologi Sosial 2 Kenakalan Remaja*. Rajawali Pers. Jakarta, 1992, page 4 [6], [17].
6. Lawrence M. Friedman, *Sistem Hukum ; Perspektif Ilmu Sosial (The Legal System ; A Social Science Perspective)*, Nusa Media, Bandung, 2009, page 4-5 [8].
7. Riduan Syahrani, *Rangkuman Intisari Ilmu Hukum*, Penerbit Citra Aditya Bakti, Bandung, 1999, page 23 [9].
8. Soerjono Soekanto, *Pokok-pokok Sosiologi Hukum*, Raja Grafindo Persada, Jakarta, 2007, page 110 [10].
9. Sapto Budoyo, "Konsep Langkah Sistemik Harmonisasi Hukum Dalam Pembentukan Peraturan Perundang-Undangan", (2002) IV : 2, *Jurnal Ilmiah CIVIS*, page 617 [12].
10. Victor Immanuel W. Nalle, *Ilmu Perundang-Undangan*. Yogyakarta: Suluh Media. 2017, page 68 [13].
11. Nomensen Sinamo, *Hukum Pemerintahan Daerah di Indonesia*. Pustaka Mandiri, Jakarta, 2010, page 101-104 [14].
12. Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia, Direktorat Jenderal Peraturan Perundang-undangan, Direktorat Fasilitasi Perancangan Peraturan Daerah, *Panduan Praktis Memahami Perancangan Peraturan Daerah*, Direktorat Jenderal Peraturan Perundang-undangan, Jakarta, 2011, page 15 [15].
13. Maria Farida S. Indrati, *Ilmu Perundang-Undangan, Jenis, Fungsi dan Materi Muatan*, Kanisius. Jakarta, 2013, page 121-122 [16].
14. Amirudin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum*, PT. RajaGrafindo Persada, Jakarta: 2003, page 121 [18].