

# **KEBIJAKAN LEGISLATIF DALAM HUKUM PELAKSANAAN PIDANA DI INDONESIA**

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## **Abstract**

*The regulation of execution law in Indonesia is not occurred integrally and still spread to many constitution regulations, and they are not classified into a law code. Whereas this law can't be carried out by it self; can only be carried out by people.*

*In the implementation of criminal law, is required some regulation has afford various rules can be occurred. Beside norm and sanction which are determined in material criminal law, and how is the implementation through law of criminal procedure, also need "the execution law". But how can it be implemented in Indonesia?*

**Keywords** : execution law, criminal law.

## **Abstrak**

*Pengaturan hukum pelaksanaan pidana di Indonesia belum dilakukan secara integral dan masih tersebar dalam berbagai regulasi, dan belum diklasifikasikan ke dalam kodifikasi hukum. Sedangkan hukum seperti ini tidak dapat dijalankan dengan sendirinya, karena hanya dapat dilakukan oleh manusianya.*

*Dalam pelaksanaan hukum pidana, diperlukan beberapa pengaturan yang dapat mengganti berbagai peraturan yang telah ada. Selain norma dan sanksi yang ditentukan dalam hukum pidana materil dan bagaimana pelaksanaan melalui hukum acara pidana, juga perlu "hukum eksekusi". Tapi bagaimana hal itu dapat diterapkan di Indonesia?*

**Kata Kunci** : hukum pelaksanaan pidana, hukum pidana.

**PERSEPSI PENERAPAN SANKSI PIDANA  
TERHADAP PELAKU TINDAK PIDANA NARKOTIKA  
(Studi pada Wilayah Hukum Pengadilan Negeri Kelas I A Tanjung Karang)**

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**Abstract**

*Criminal punishment to defendant by judge were such last combination from investigation process of criminal case. Criminal case of narcotic use until now still became problem which became attention from local, national and international levels. There were problem within this research were: 1) How society perception concerning narcotic criminal sanction application based on Article 85 verse (1), (2), (3) Act Number 35, 2009 about Narcotic and the explanation completely, 2). What became the application barrier factor of criminal sanction to narcotic criminal action subject based on Article 85 verse (1), (2), (3) Act Number 35, 2009 about Narcotic and the explanation completely.*

*Problem approximation carried out by normative and empirical judicial with resource data both directly from informant as both primary and secondary data which came from primary, secondary and tertiary law materials, and data analyzed qualitatively*

*Based on research result could conclude that criminal sanction or punishment perceived by society as retain such prison punishment or revenge give to person who carried out criminal action or crime. Therefore punishment which acknowledged within reality of social people should content revenge element not such rehabilitation sanction application such include within article..., barrier factor to rehabilitation sanction application cause of lack Rehabilitation Institution of narcotic user which give free service. Place or institution which accommodate narcotic user who suffered dependence to rehabilitate in mental hospital and Rehabilitation of Sinar Jati Beringin Gemilang Raya Beringin only, whereas that both rehabilitation didn't have proper facility and professional staff. Totally narcotic criminal action who punished by judge of especially Tanjung Karang Jurisdiction and Public Court within Lampung Court area were people who have no money to paid rehabilitation. There were no Narcotic Criminal Action defendant who stated guilty and get prison punishment by Judge based on definition Article 85 of Act narcotic materially proven as user.*

# MENCARI ALTERNATIF SISTEM PEMILUKADA YANG EFEKTIF, EFISIEN DAN DEMOKRATIS

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## ***Abstract***

*Since the prevailing of Act No. 32 of 2004 there has been a change in filling the position of head of region, which was originally made by Parliament to be a direct election by the people. In a direct local elections, there are several systems in use, the system of one round (first past the post system), system of two rounds (two round system), and mixed systems (preferential vote). Where each system has its advantages and disadvantages, because there is no one perfect system. However if desired the local elections are more effective and efficient, then the mixed system (preferential vote) is considered more appropriate, because with only one round is to ensure the legitimacy of the people, saving cost, implementation time is not long, post-election political climate quickly subsided, and the local people can quickly find out who the head region is, so that the immediate implementation of the government and the wheels of government running normally again.*

**Keywords** : effective, efisien, and democratic election system.