

Penulis : Suparman Marzuki
**Judul : Politik Hukum Penyelesaian Pelanggaran HAM Masa Lalu:
Melanggengkan *Impunity***

ABSTRACT: *This research is focused on human right law to solve the violence against human right in the past. This research also will see the enforcement of human right goes on, what kind of human right law should be made, and how to prevent the violence against human right by the authority. This research conducts a political, legal, historical, and sociological approach. The result of this research concludes that the politic of human right law enforcement in the reformation era failed to solve the problems related to human right violence. The government could not be able to give punishment to the criminals and give justice to the victims. The rules made by the government were just responsive in the process but not in the substance. The Ad hoc court of human resource was not a legal way to solve the problem, but a way to enforce impunity. .*

Key words : Legal polici, human right, impunity.

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Penulis : Kusnu Goesniadhie S.

Judul : Perspektif Moral Penegakan Hukum yang Baik

ABSTRACT: *This research discusses about some rules related with the law's establishment which is not only related with the body of law but also related with the nation's institution, such as the compiling process to make a law's constitution in Legislative institution and the protection for the public interest by the Executive institution. This research will excavate the good concept of law enforcement as the direct derivation of good governance concept. This research uses the concept of academic thinking and applies a good rule as has said in the frame of law's comprehensibility. This is a theoretical explorative research. It uses the combination of normative method as well as theoretical method as the analysis method. The conclusion of this research is that good law enforcement needs an organized application in its process in order to gain the aimed goal which covers the actualization of value system that becomes the basis of attitude preference in the law enforcement, which is also aimed to the law's intention.*

Key words : Legal moral, law enforcement, good governance.

Penulis : Bambang Sutiyoso
Judul : Mencari Format Ideal Keadilan Putusan dalam Peradilan

ABSTRACT: *The law enforcement procedures that has been running these days are still strongly hold on the form of procedural justice that urges the regulation aspect and the application of law in formal way only. As the impact, the trial to commit a fair law become less qualified or in the other word, it cannot solve the core of the problem. This research talks about a problem relating with the question about how to find an ideal format of justice on giving judgment in a court. This study uses normative juridical approach. Meanwhile, the data for this research are taken from the secondary data by using the analysis method of qualitative-descriptive. The result of the research shows that on handling a law's case, a judge should not only see from law's perspective only that is related with the procedural justice, but also he should see the substantive justice. As the consequence, it would be very advantageous if the procedural and the substantive justice can be combined and accommodated in the right proportion. But in a case where those two forms of justice cannot be compromised, then it is suggested to make the substantive justice as the first priority.*

Key words : Decision, substantial justice, procedural justice.

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Penulis : Yanto Sufriadi
**Judul : Penerapan Hukum Progresif dalam Penegakan
Hukum di tengah Krisis Demokrasi**

ABSTRACT: *This research is focused on the impact of globalization within the justice, welfare, and democracy, as well as to the question about what kind of law that is possible to create the justice and the welfare in the middle of democracy crisis is and also the question about how to apply that in Indonesia's court. This study uses socio-legal approach which is mainly committing a quantitative method, based on the literature data. By using socio-legal approach, this study will conduct two kind approaches, which are social and normative juridical. This research makes claim that the globalization has finally made an impact to the happen of economy discriminatory and the widen case of poverty. Poverty will lead a bad impact to the democracy. In a situation of elitist legislation product, the settlement of law that is based on the legal-positivism tradition, it will give impact to the spread of discrimination and poverty. Because of it, in the middle of elitism legislation product, the progressive application of law can be considered as the alternative way to bring out the justice and the welfare for the people. The practice of Indonesia's court has shown its development to the law's progressive movement, nevertheless, the legal-positivism mainstream is still laid on several judges.*

Key words : Globalization, democracy, justice, progressive law.

Penulis : Abintoro Prakoso
Judul : *Vage Normen* sebagai Sumber Hukum Diskresi yang Belum Diterapkan oleh Polisi Penyidik Anak

ABSTRACT: *The research is focused on the implementation of vage normen as a discretion law source done by children police penyidik and on the kind of crimes done by children that can be discrete. The method used is the normative legal research through literature that is a research for secondary data as law material. The result proves that the police discreet taken from vage normen is not implemented yet as there is no clear rules about it. the kind of children crimes that may be discreet are clash, stealing, money game, vandalism, dangerous burning for others' property, stealing, smuggling, crime trial, passing on stolen's goods, destruction, public means destruction, destroying things, rascals, breaking traffic regulation, dangerous fireworks, being truant, running away from home, psychotropic involve, traffic accident's suspect, hanging out over midnight, breaking personal rules and smoking.*

Key words : *Vage normen, discretion, investigation, non juridic, well-being of the juvenile.*

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Penulis : Tjip Ismail
**Judul : Peradilan Pajak dan Kepastian Hukum di tengah
Globalisasi Ekonomi**

ABSTRACT: *This research discusses the problem of legal certainty in economic globalization and tax court as legal enforcement instrument and tax dispute settlement through tax court. This research uses qualitative research method which secondary data is legal source. Using this method, this research found: First, tax court might be an important instrument in the effort of creating legal certainty; Second, tax court is a court under Supreme Court which exercise court (kehakiman) power in the matter of taxation; Third, tax dispute is a dispute in the matter of taxation between subject of tax (wajib pajak) and government official which has authority in taxation.*

Key words : Tax court, legal certainty, economic globalization.

Penulis : Mila Karmila Adi

**Judul : Masa Depan Arbitrase sebagai Mekanisme Penyelesaian
Perselisihan Hubungan Industrial di Indonesia**

ABSTRACT: *The unresolved clash between the employees and employers may result a fire or resignation. Generally, it makes the unexpected condition worse for both. In the case of a fire, the employees will face a bad future without job. The research is focused on the arbitrary possibility as a solution for their need to solve the clash between employees and employers. It is done through normative and comparative approach, and secondary data analysis. The result shows that an arbitrary has three characteristics; they are simple, fast and cheap, which is suitable to maintain a good working relationship in Indonesia. Yet, it has some weaknesses that mainly relate to expense and fee for the arbitrary team paid by those parties. Thus, this arbitrary mechanism is unlikely to be used in majority.*

Key words : Arbitrage, employment relationship, and dispute resolution.

Penulis : Syaiful Bakhri

Judul : Kebijakan Legislatif tentang Pidana Denda dan Penerapannya dalam Upaya Penanggulangan Tindak Korupsi

ABSTRACT: *This research focuses the issue of legislative policy of fine and its implementation in effort to overcome corruption. By using normative and qualitative legal method, this research revealed the following facts. First, implementation of fine in positive law of Indonesia not accordance with the punishment objectives as regulated in Criminal Act besides Indonesian Civil Code. In fact, fine seems like ineffective sanction. So, even though there are lots regulation about fine which mostly imposing high fine to defender, but it cannot creates preventive and deterrence effect. Second, effectiveness of fine implementation in court practice still questionable. In corruption case, sometime judges imposed high imprisonment to offender and supplemented with lower fine. In imposing fine, mount of fine is under the minimum standard which regulated in Corruption Act. Third, fine must be formulated with rational, exact and efficient ways. Related with the effort to overcome corruption, fine must be maximized to punish offender to achieve deterrence effect.*

Key words : Fine, corruptions, legislatife policy.