

The Existence of Criminal Law Products in Dynamics Law Enforcement to Counter the Gambling Crime

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Abstract.

The purpose of this study is to examine and analyze the form of existence of criminal law products that are applicable in law enforcement of gambling crimes. This research used a normative juridical method with research specifications in the form of descriptive analysis. Based on the discussion, it is concluded that the application of criminal sanctions against perpetrators of gambling crimes is related to the problem of applying the types of crimes and the length of punishment imposed on the perpetrators of the crime. In practice, the application of minimum criminal sanctions that have been imposed and the judge's decision (convict) still applies to the Criminal Code as the main system. Although Act No. 7 of 1974 concerning Gambling Control has been issued, it does not mean that the provisions in the Criminal Code will be set aside. This is because the laws and regulations do not make regulations or provisions that are specific or deviate from the Criminal Code. Although laws and regulations may make rules that deviate or are special from the main system (KUHP), it is still possible as long as the formulation policy includes guidelines for punishment. This provision is very necessary for the operationalization of the legislation. The Criminal Code (WvS) stipulates a fixed general minimum of one day and this is only contained in the explanation of the Article which contains it separately in accordance with the criminal threat.

Keywords: Existence; Gambling; Legal; Products.

1. Introduction

Law is generally defined as the whole rule or rule in living together. Overall the rules of behavior that apply in common life that can be enforced in the form of sanctions, from this understanding the law is seen as a means to regulate society which is a reflection of the goals to be achieved. This gives direction about the purpose of the law.¹

According to Gustav Radbruch, the objectives of law are: Provide certainty; Achieve justice; and Benefit.²

The three objectives of the law are not independent goals, each of which is an inseparable unit that synergizes with one another and runs and is realized in a harmonious and balanced manner. One of the law enforcement instruments to achieve the legal goals of certainty, justice and expediency is a clean and

¹Esmi Warasih. (2005). *Pranata Hukum sebuah telaah Sosiologis*, Semarang, PT.Suryandaru Utama, p. 23-25.

²Wina Febriana. (2010). *Tinjauan Yuridis Mengenai Upaya Hukum Peninjauan Kembali (PK)/Herziening Yang Diajukan Oleh Jaksa (Analisa Terhadap Putusan MA RI No. 55 PK/Pid/1996, Putusan MA RI No. 109 PK/Pid/2007 dan Putusan MA RI No. 07 PK/Pidsus/2009)*, p.1

authoritative criminal justice system.³ A judicial institution is called good not only if the process is honest, clean and impartial, but besides that, there are other criteria that must be met, namely the principles of being open, corrective and recording. In this case, one aspect that deserves attention from judicial management is the existence of a good legal remedy system as part of the principles of fairness and trial independence which are universally recognized principles.⁴

Indonesia is a legal state, the statement is contained in the Elucidation of the 1945 Constitution of the Republic of Indonesia stating that "*the Indonesian state is based on law (rechtstaat) not based on mere power (machtstaat)*"⁵. As a state of law, Indonesia has a series of regulations or laws so that the interests of the community can be protected.⁶

The fourth paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia, which is the constitutional basis of this country, states that one of the goals of the state is to create general welfare. So all efforts and developments carried out by this country must lead to this goal so as to create people's welfare.⁷

The enforcement of criminal law for the prevention of gambling is experiencing quite interesting dynamics⁸. Because gambling is often considered a natural and legal thing. But on the other hand, these activities have a very negative impact and threaten the social order of the community. This can be seen from the policy through Act No. 22 of 1954 concerning lotteries, so that the lottery with prizes does not cause various national harm, the government legalized *Porkas*, namely donations of funds for sports. At the end of 1987, *Porkas* changed to KSOB (Sports Contribution Coupon with Prizes). In the middle of 1988, KSOB or SOB (Sports Contribution with Prizes) was dissolved because it had a negative impact, namely the absorption of small public funds and affecting the local area. Finally, in mid-July 1988, Minister of Social Affairs Haryati Subadio in a working meeting with Commission VIII of the DPR stopped the KSOB. After the disbandment of KSOB, a new face of disguised gambling was born on January 1, 1989 under the name SDSB (Social Generous Donations with Prizes). SDSB donated in good faith. However, it is suspected that donations contain elements of gambling and fraud against the

³Tafta Aji Prihandono and Sri Kusriyah. (2018). *Awareness on Constitutional Rights of Citizens and Form of Protection of Constitutional Rights of Citizens in Indonesia*, Jurnal Daulat Hukum, 1(4), url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/4145/2895>

⁴Parman Soeparman. (2007). *Pengaturan Hak Mengajukan Upaya Hukum Peninjauan Kembali dalam Perkara Pidana bagi Korban Kejahatan*. Bandung, PT.Refika Aditama, p.2

⁵Anton Susanto, Ira Alia Maerani, and Maryanto, (2020). *Legal Enforcement by the Police against Child of Criminal Doer of a Traffic Accident Who Caused Death (Case Study in Traffic Accident of Police Traffic Unit of Cirebon City Police Jurisdiction)*. Jurnal Daulat Hukum, 3(1), <http://jurnal.unissula.ac.id/index.php/RH/article/view/8402/3928>

⁶Asep Sunarsa. (2018). *Attorney Role in Fighting Crimes of Motorcycle Gang in Cirebon*, Jurnal Daulat Hukum, 1(2), url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/3291/2424>

⁷Sri Praptini, Sri Kusriyah, and Aryani Witasari, (2019). *Constitution and Constitutionalism of Indonesia*. Jurnal Daulat Hukum. 2(1), url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/4149/2897>

⁸McMullan and Rege (2010), Online crime and internet gambling, *Journal of Gambling Issues: Issue 24*, July 2010, cited from https://www.245researchgate.net/publication/228385400_Online_crime_and_Internet_gambling

public. On November 25, 1993, the government revoked and canceled the license for the 1994 SDSB.

Judging from the reality, gambling is a societal disease that essentially everything must be handled by the community⁹, including the press, not only the Police who are responsible. Gambling problems have actually been regulated in articles in the Criminal Code, namely Article 303 and Article 303. The law changes Article 452 to Article 303 which changes the legal sanction from 2 years to 10 years. The gamblers in question are those who offer or provide opportunities for gambling games to the general public and also those who participate in gambling games. They do it for a living, as well as those who deliberately take part in gambling companies.

From the things described above, the purpose of writing is to examine and analyze the form of existence of criminal law products that are applicable in law enforcement of gambling crimes.

2. Research Methods

To conduct an assessment in this writing, the author uses a normative juridical method, with an emphasis on literature study. The specifications of the research carried out using a descriptive analytical approach. The data used for this writing is secondary data. To obtain the data in this paper, secondary data collection methods were used which were obtained from literature books, laws and regulations, as well as the opinions of legal experts. The data that has been obtained is then analyzed by qualitative analysis.

3. Research and Discussion

Pompe defines that a *strafbaar feit* is an act which according to a statutory formulation has been declared a punishable act.¹⁰ A criminal event is an act or a series of human actions, which are contrary to the law or other statutory regulations, against which a punitive action is held.

According to Simons, there are two elements of a crime, namely an objective element and a subjective element. Objective elements include the actions of people, the visible consequences of those actions, there may be certain circumstances that accompany the actions. While the subjective element: people who are able to take responsibility, there is an error. The act must be done with a mistake, the error can be related to the consequences of the act or to the circumstances under which the act was carried out¹¹.

⁹ Masogo, M. P., (2018) An Analysis On Illegal Online Gambling Activities: The Comparative Study Within The Gauteng, North West And Limpopo Provinces, *International Journal Of Social Sciences And Humanity Studies*. Vol 10, No 1, 2018 ISSN: 1309-8063 (Online) cited from https://www.researchgate.net/publication/322308841_An_Analysis_On_Illegal_Online_Gambling_Activities_The_Comparative_Study_Within_The_Gauteng_North_West_And_Limpopo_Province

¹⁰ Adam Chazawi. (2007). *Pelajaran Hukum Pidana 1*. Jakarta, PT. Raja Grafindo, p.72

¹¹ Djanggih, 2018, The Effectiveness of Law Enforcement on Child Protection for Cybercrime Victims in Indonesia, *Journal of Physics: Conf. Series* 1028 (2018) 012192, cited from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwi0wj3cXIAh>

Gambling is nothing but a potential loss of something valuable or anything that involves risk. However, the act of taking risks in gambling behavior needs to be distinguished from other actions that also contain risks¹².

This means that behavior that involves the risk of losing something valuable and involves social interaction and the element of freedom to choose whether to take the risk of losing it or not. In the interpretation of the Criminal Code, gambling is defined as: Gambling means it must be interpreted in a broad sense including all bets regarding the loss or win of a horse race or other matches, or all bets, in competitions held between two parties.

When referring to the Criminal Code, what is meant by gambling based on Article 303 paragraph (3) of the Criminal Code is *"any game where in general the possibility of profit depends on mere luck because the game is more trained or more proficient, that includes all bets on the decisions of competitions or games."*

Talking about criminal law enforcement in Indonesia, of course talking about 2 (two) milestones, namely material criminal law and formal criminal law. Material criminal law in Indonesia is generally regulated in the Criminal Code (KUHP), and in particular many are regulated in laws and regulations that include criminal provisions. Likewise, formal criminal law in Indonesia is regulated in general in the Criminal Procedure Code (KUHAP), and in particular there is regulated in a law that includes criminal provisions.¹³

Based on the two positive legal rules above, criminal law enforcement in Indonesia adheres to 2 (two) systems that are applied simultaneously, namely the functional differentiation system of criminal law enforcement and the integrated criminal justice system. Why is that, because in its structure, the enforcement of Indonesian criminal law from upstream to downstream is handled by institutions that stand alone separately and have their respective duties and authorities. For example, investigations and investigations are carried out by the Police, prosecution by the Prosecutor's Office, and trial examinations and decisions are the responsibility of judges under the auspices of the Supreme Court. This is the reason why Indonesia is said to adopt a system of Functional Differentiation. However, when viewed from the work process, it turns out that all these institutions work in a sustainable and sustainable manner. Between the Police and the Prosecutor's Office, for example, when conducting an investigation, the Police will compile a Minutes of Examination which will later become the basis for the Prosecutor's Office to prepare an indictment. Meanwhile, there is also a process known as pre-prosecution, namely when the file from the Police is deemed

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¹² Saragih, 2018, Analisis Yuridis Pembuktian Tindak Pidana Judi Online Menurut Undang-Undang no. 11 tahun 2008 Tentang Informasi Dan Transaksi Elektronik, *USU Law Journal*, Vol. 6. No. 2 (April 2018) cited from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwiriLL8hb7IAhWl7XMBHTnYBx0QFjAAegQIAhAC&url=https%3A%2F%2Fjurnal.usu.ac.id%2Findex.php%2Flaw%2Farticle%2Fdownload%2F20352%2F8690&usg=AOvVaw1UslvLfp1rtKPb0s4d9>

¹³ Aziz Syamsuddin. (2011). *Proses & Teknik Penyusunan Undang-Undang*. Jakarta, Sinar Grafika, p.97

incomplete for compiling an indictment by the Prosecutor's Office, the file is returned to the Police to be completed accompanied by instructions from the prosecutor concerned.¹⁴

On the other hand, in the mechanism of checks and balances between the Police and the Prosecutor's Office, there is an Order for Termination of Investigation (SP3) and a Letter of Determination on the Termination of Prosecution (SKP2), each of which can file objections against the 2 (two) decisions. The two processes show that apart from adopting the Functional Differentiation system, Indonesia also adheres to the Integrated Criminal Justice System in its criminal law enforcement process.

In tackling the problem of criminal acts, if criminal law is chosen as a means to achieve the goal, then criminal law policy cannot be separated from the broader policy objective, namely criminal politics. It can be said that criminal law policy is a sub-system of criminal politics, so it is natural that the purpose of criminal law policy should not be separated from the goals of criminal politics, while criminal politics itself is a sub-system of a broader policy, namely law enforcement efforts or known as law enforcement policies.¹⁵

In the context of reviewing the formulation policy as an effort to overcome the crime of gambling as regulated in Act No. 7 of 1974 Gambling Control as a regulation or provision that perfects the Criminal Code. The enactment of Act No. 7 of 1974 concerning Gambling Control is a statutory provision or regulation that stipulates and changes several provisions in the Criminal Code. The formulation and stipulation of provisions for criminal sanctions by legislators is regulated in Articles 303, both of which are crimes.

To criminalize an act is usually carried out through a process that begins with the determination of an act committed by a person or equated with a person, which by law is declared a prohibited act and is threatened with sanctions. This process ends with the formation of a law in which the act is threatened with a criminal sanction.

The formulation of the crime of Article 303 of the Criminal Code mentioned above, there are five types of crimes regarding gambling (*hazardspel*), contained in paragraph (1) while paragraph (2) contains the basis for criminal aggravation, and paragraph (3) explains the meaning of gambling games intended by paragraph (1). The five types of crimes related to gambling above contain elements without permission. Without this unlicensed element inherent in the unlawful nature of all the actions in the five crimes concerning gambling. This means that there is no element without permission, or if there is permission from an official or agency that has the right to give permission, all acts in the formulation are no longer unlawful in nature, therefore, they are not punished.

Article 303 paragraph (3) of the Criminal Code defines gambling as any game that is based on the hope of winning, generally depending on luck, and also if that expectation increases due to intelligence and playing habits. Also included in gambling is betting on the decisions of competitions or other games, which are not

¹⁴Barda Nawawi Arief. (2011). *Kebijakan Hukum Pidana*, Semarang, Bungai Rampai, p.37

¹⁵Martitah. (2016). *Mahkamah Konstitusi: Dari Negative Legislature ke Positive Legislature?* Print. 2, Konstitusi Press (Konpress), p.53

held by those who participate in the competition or play, as well as all other games. Furthermore, Article 303 paragraph (3) above is explained in detail in the explanation of Article 1 of the Republic of Indonesia Government Regulation Number 9 of 1981 concerning the Implementation of Act No. 7 of 1974 concerning Gambling Control. These include roulette, poker (playing cards), hwa-hwe, nalo, cockfighting, cow fighting, buffalo fighting, goat fighting, horse racing and cow racing.¹⁶

In certain events such as cockfighting, cow running and so on, it does not include gambling if it is related to religious ceremonies/customs, and as long as the custom does not constitute gambling. In general, Indonesian people gamble using playing cards, dominoes, roulette, dice, cockfighting, lottery, and many others. At the time of the world cup, both in the village, office and cafe, both young and old, they were busy betting on their respective favorite teams. So it's true what people say... *"if people have a gambling brain, anything can be used as a means of gambling"*.

In realizing social order, the state establishes and ratify laws and regulations to regulate society. These regulations have legal sanctions that are coercive. This means that if the rules are violated, the violators can be subject to sanctions (punishments). The type of punishment that will be imposed on the violator will depend on the type of regulation being violated. In principle, every regulation contains a coercive nature, meaning that people who violate these provisions will be subject to sanctions for those violations.¹⁷

The stage of implementing criminal law is one of the links in the overall crime prevention mechanism, therefore there are other links that cannot be separated from the stages of concrete criminal application. The other link in the chain is the criminal formulation stage and the criminal implementation stage, while what ties the three stages of punishment into a single unit is the purpose of punishment itself, namely the protection of the community.¹⁸

The purpose of sentencing is an important thing in every penal application, but in practice, most judges impose a sentence that is still tied to a systematic juridical view, meaning that judges always reduce incidents that only pay attention to relevant juridical factors and pay less attention to factors related to the defendant.

In a criminal justice system, the initial process is to carry out an investigation by several Polri investigators to make a case file which then when the case file is complete it is transferred to the prosecutor's office. For prosecution. Furthermore, it is delegated to the court in the trial by the judge so that it comes to the provision of a sentence in a concrete sense by the judge.¹⁹

¹⁶Jajang Wiwoko, and Eko Soponyono. (2019). *Application Of Criminal Sanctions Against Gambling Business Crime In The Kudus State Court Criminal Law And Policy In The Bill Book Of Laws Based On The Value Of Criminal Justice*. Jurnal Daulat Hukum, 2(1), url:<http://jurnal.unissula.ac.id/index.php/RH/article/view/4219/2925>

¹⁷Ilhami Bisri. (2012). *Sistem Hukum Indonesia: Prinsip-Prinsip & Implementasi Hukum di Indonesia*. Jakarta, Rajawali Pers, p.80

¹⁸Sudarto. (1990). *Hukum Pidana 1*. Semarang: Yayasan Soedarto d/a Fakultas Hukum Universitas Diponegoro, p.93

¹⁹Parman Soeparman. Op.cit, p.39

The discussion of applicable policies or the application of criminal law in efforts to combat gambling includes, how to apply the provisions of sanctions which include the application of the types and amounts or duration of the principal criminal and the application of criminal liability.²⁰

The system of sanctions contained in the Criminal Code is a single system where for a crime or violation only one principal penalty is imposed. Cumulation can also be applied but generally between the main and additional penalties. The law distinguishes 2 types of punishment (criminals) namely the principal and additional penalties, for one crime or violation only one principal crime may be imposed, which means the accumulation of more than one principal crime is not permitted in some cases, the accumulation between the main and additional crimes.

4. Conclusion

The application of criminal sanctions against perpetrators of gambling crimes is related to the problem of applying the types of crimes and the length of punishment imposed on the perpetrators of these crimes. In practice, the application of minimum criminal sanctions that have been imposed and the judge's decision (convict) still applies to the Criminal Code as the main system. Although Act No. 7 of 1974 concerning Gambling Control has been issued, it does not mean that the provisions in the Criminal Code will be set aside. This is because the laws and regulations do not make regulations or provisions that are specific or deviate from the Criminal Code. Although laws and regulations may make rules that deviate or are special from the main system (KUHP), it is still possible as long as the formulation policy includes guidelines for punishment. This provision is very necessary for the operationalization of the legislation. The Criminal Code (WvS) stipulates a fixed general minimum of one day and this is only contained in the explanation of the Article which contains it separately in accordance with the criminal threat. The criminalization of gambling crimes as a form of decency offense must also pay attention to the development of the paradigm or concept of action. The development of understanding and meaning of actions in the formulation of a policy must always start from the paradigm of actions that are physical (material) and actions that are non-physical (non-material).

5. References

Journals:

- [1] Anton Susanto, Ira Alia Maerani, and Maryanto, (2020). *Legal Enforcement by the Police against Child of Criminal Doer of a Traffic Accident Who Caused Death (Case Study in Traffic Accident of Police Traffic Unit of Cirebon City Police Jurisdiction)*. Jurnal Daulat Hukum, 3(1), <http://jurnal.unissula.ac.id/index.php/RH/article/view/8402/3928>
- [2] Asep Sunarsa. (2018). *Attorney Role in Fighting Crimes of Motorcycle Gang in Cirebon*, Jurnal Daulat Hukum, 1(2), [url: http://jurnal.unissula.ac.id/index.php/RH/article/view/3291/2424](http://jurnal.unissula.ac.id/index.php/RH/article/view/3291/2424)

²⁰I Ismu Gunadi and Jonaedi Efendi. (2014). *Hukum Pidana*. Jakarta, Kencana

- [3] Djanggih, 2018, The Effectiveness of Law Enforcement on Child Protection for Cybercrime Victims in Indonesia, *Journal of Physics: Conf. Series* 1028 (2018) 012192, cited from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwi0wj3cXlAhXMPo8KHR7GCJgQFjAAegQIBRAB&url=https%3A%2F%2Fiopscience.iop.org%2Farticle%2F10.1088%2F1742-6596%2F1028%2F1%2F012192&usg=AOvVaw2q-4FkyXp8WyXWejG-ORi>, accessed on 26 October 2019, at 09,00 Wib
- [4] Jajang Wiwoko, and Eko Soponyono. (2019). *Application Of Criminal Sanctions Against Gambling Business Crime In The Kudus State Court Criminal Law And Policy In The Bill Book Of Laws Based On The Value Of Criminal Justice*. Jurnal Daulat Hukum, 2(1), url:<http://jurnal.unissula.ac.id/index.php/RH/article/view/4219/2925>
- [5] Masogo, M. P., (2018) An Analysis On Illegal Online Gambling Activities: The Comparative Study Within The Gauteng, North West And Limpopo Provinces, *International Journal Of Social Sciences And Humanity Studies*. Vol 10, No 1, 2018 ISSN: 1309-8063 (Online) cited from https://www.researchgate.net/publication/322308841_An_Analysis_On_Illegal_Online_Gambling_Activities_The_Comparative_Study_Within_The_Gauteng_North_West_And_Limpopo_Province
- [6] McMullan and Rege (2010), Online crime and internet gambling, *Journal of Gambling Issues: Issue 24*, July 2010, cited from https://www.researchgate.net/publication/228385400_Online_crime_and_Internet_gambling
- [7] Saragih, 2018, Analisis Yuridis Pembuktian Tindak Pidana Judi Online Menurut Undang-Undang no. 11 tahun 2008 Tentang Informasi Dan Transaksi Elektronik, *USU Law Journal*, Vol. 6. No. 2 (April 2018) cited from <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwiriLL8hb7lAhWl7XMBHTnYBx0QFjAAegQIAhAC&url=https%3A%2F%2Fjurnal.usu.ac.id%2Findex.php%2Flaw%2Farticle%2Fdownload%2F20352%2F8690&usg=AOvVaw1UslvaLfp1rtKPb0s4d9>
- [8] Sri Praptini, Sri Kusriyah, and Aryani Witasari, (2019). *Constitution and Constitutionalism of Indonesia*. Jurnal Daulat Hukum. 2(1), url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/4149/2897>
- [9] Tafta Aji Prihandono and Sri Kusriyah. (2018). *Awareness on Constitutional Rights of Citizens and Form of Protection of Constitutional Rights of Citizens in Indonesia*, Jurnal Daulat Hukum, 1(4), url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/4145/2895>

Books:

- [1] Adam Chazawi. (2007). *Pelajaran Hukum Pidana 1*. Jakarta, PT. Raja Grafindo
- [2] Aziz Syamsuddin. (2011). *Proses & Teknik Penyusunan Undang-Undang*. Jakarta, Sinar Grafika
- [3] Barda Nawawi Arief. (2011). *Kebijakan Hukum Pidana*, Semarang, Bungai Rampai,

- [4] Esmi Warasih. (2005). *Pranata Hukum sebuah telaah Sosiologis*, Semarang, PT.Suryandaru Utama
- [5] Ilhami Bisri. (2012). *Sistem Hukum Indonesia: Prinsip-Prinsip & Implementasi Hukum di Indonesia*. Jakarta, Rajawali Pers
- [6] I Ismu Gunadi and Jonaedi Efendi. (2014). *Hukum Pidana*. Jakarta, Kencana
- [7] Martitah. (2016). *Mahkamah Konstitusi: Dari Negative Legislature ke Positive Legislature?* Print. 2, Konstitusi Press (Konpress)
- [8] Parman Soeparman. (2007). *Pengaturan Hak Mengajukan Upaya Hukum Peninjauan Kembali dalam Perkara Pidana bagi Korban Kejahatan*. Bandung, PT.Refika Aditama
- [9] Sudarto. (1990). *Hukum Pidana 1*. Semarang: Yayasan Soedarto d/a Fakultas Hukum Universitas Diponegoro
- [10] Wina Febriana. (2010). *Tinjauan Yuridis Mengenai Upaya Hukum Peninjauan Kembali (PK)/Herziening Yang Diajukan Oleh Jaksa (Analisa Terhadap Putusan MA RI No. 55 PK/Pid/1996, Putusan MA RI No. 109 PK/Pid/2007 dan Putusan MA RI No. 07 PK/Pidsus/2009)*