

Criminal Accountability for Perpetrators of Continuous Embezzlement Based on Legal Certainty

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Abstract. *The purpose of the study is to examine and analyze Criminal Liability for Perpetrators of Criminal Acts of Continuous Embezzlement Based on Legal Certainty. The research method used is the statute approach, which is a study that prioritizes legal materials in the form of laws and regulations as basic reference materials in conducting research. The results of the study are that Criminal Liability for Perpetrators of Criminal Acts of Continuous Embezzlement Based on Legal Certainty has proven all the elements that were legally and convincingly charged with committing the crime of embezzlement in Article 372 of the Criminal Code, Jo. Article 64 Paragraph (1) of the Criminal Code. The defendant during the examination at the trial was not found to have any justification or excuse for the actions he committed.*

Keywords: *Criminal; Embezzlement; Liability.*

1. Introduction

Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that Indonesia is a state based on law.¹All of society's life has been regulated by law so that society's behavior can be controlled as the purpose of the law itself. While criminal law in the division of conventional law is included in the field of public law. Where criminal law regulates the relationship between citizens and the State and emphasizes the public interest or public interest. However, criminal law is a law that has special characteristics in terms of its

¹Muhammad Baharuddin and Akhmad Khisni, Effectiveness of Pleidooi by The Supreme Of Criminal Murder, Law Development Journal Volume 2 No 2, June, 2020, p.10

sanctions.²What distinguishes it from other laws is that the form of the sanction is a punishment that is deliberately imposed on someone who has committed a violation of the law or a criminal act.³

There are 3 (three) basic principles that must be respected, obeyed and upheld by every citizen, namely the supremacy of law, equality before the law, and law enforcement must be carried out in a manner that does not conflict with legal norms.⁴Then the sanctions system broadly covers 3 (three) main issues, namely the type of punishment (strafsoort), the length of the criminal threat (strafmaat), and the implementation of the punishment (strafmodus).⁵Criminal (straf) is a sanction that is only imposed in criminal law. In criminal law, the type of criminal can be seen from the provisions of Article 10 of the Criminal Code which consists of the types of criminal penalties that can be imposed on someone who commits a crime. One of them is the main penalty and additional penalties, the main penalties consist of: the death penalty, imprisonment, imprisonment, fines and closure penalties. While additional penalties consist of the revocation of certain rights, confiscation of certain goods, and the announcement of the judge's decision.⁶

One of the criminal acts regulated in the Criminal Code (KUHP) is the crime of embezzlement. The crime of embezzlement has been regulated in CHAPTER XXIV (Book II) of the Criminal Code, contained in Articles 372-377 in the main form as follows: *“Anyone who intentionally and unlawfully owns goods which are wholly or partly owned by another person and are in his control not because of a crime, shall be punished for embezzlement, with a maximum imprisonment of four years or a maximum fine of nine hundred rupiah.”*⁷

Lamintang's opinion has an opinion about the meaning of embezzlement which is basically the same as the description of Article 372 of the Criminal Code. According to Lamintang, the crime of embezzlement is the abuse of rights or abuse of trust by a person whose trust was obtained without any unlawful

² Rendy Surya Aditama, Umar Ma'ruf, Munsharif Abdul Chalim. Criminal Law Policy Against Children as Perpetrators of Psychotropic Crimes at the Magelang Police Resort. *Daulat Hukum Journal* Vol. 1. No. 1 March (2018), Url:<http://jurnal.unissula.ac.id/index.php/RH> accessed January 16, 2024.

³ Teguh Prasetyo, 2016, Criminal Law revised edition, Raja Grafindo Persada, Jakarta, p.2

⁴ Abdul Salam Siku, 2012, Protection of Human Rights, Sanctions and Victims in Criminal Justice, Rabbani Press, Jakarta, p.1

⁵ Revelation Sudrajad, Umar Ma'ruf. Econstruction As An Effort Revealing Premeditated Murder (Case Study of the Jurisdiction of the Banyumanik Police, Semarang). *Khaira Ummah Law Journal* Vol. 12.No. September 3 (2017). Url:<http://jurnal.unissula.ac.id/index.php/RH/article/view/21279/6993> accessed January 16, 2024

⁶ Barda Nawawi Arief, 2003, Selected Chapters on Criminal Law, Citra Aditya Bakti, Bandung, p. 136

⁷ Jonaedi Effendi, 2015, Quick & Easy Understanding of Criminal Law, First Edition, Kencana, Jakarta, p.139.

elements. According to Lamintang, by mentioning abuse of rights or abuse of trust, it will make it easier for everyone to know what actions are actually prohibited and subject to criminal penalties in these provisions.⁸

Embezzlement is included in the type of crime against property. Because the crime of embezzlement is one type of crime that occurs in society with various forms that develop and lead to increasing a person's intellect from an act of embezzlement.⁹ Meanwhile, a person who commits a crime will be held responsible for the act with a criminal penalty if he is at fault. A person is at fault if at the time of committing the act, seen from the perspective of society, it shows a normative view regarding the commission of a crime.¹⁰

Criminal sentencing or punishment is not a pleasant thing for someone who is convicted. In addition to spending relatively large costs, for example the process of court costs, prison, parole, consultation centers must be attended and the collection of fines.¹¹ Just as criminal liability includes retrospective (retributive) and prospective (preventive) aspects, criminal punishment cannot be separated from retributive and preventive aspects. The retributive and preventive ideas about criminal punishment cannot be separated from the principle of proportionality.¹²

Responsibility in the sense of responsibility according to the big Indonesian dictionary can mean "obliged to bear everything", if something happens can be blamed, sued, and threatened with criminal penalties by law enforcement in court, accepting the burden of the consequences of one's own actions or those of others.¹³ Meanwhile, the last responsibility in the sense of Liability means bearing all losses that occur as a result of one's actions or the actions of other people acting for and on behalf of.¹⁴ Talking about the emergence of embezzlement, it cannot be separated from the causes of the crime itself.

⁸PAF Lamintang, 2003, Basics of Indonesian Criminal Law, Sinar Baru, Bandung, p.172

⁹ Ahmad Ghifar Al Ahfaqsyi and Siti Rodhiyah Dwi Istinah, Manifestation Of Criminal Sanctions In The Judicial Process On Criminal Actor Of Negligence (Culpa), *Law Development Journal Volume 2 No 2, June, 2020* p.10

¹⁰Barda Nawawi Arief, 2003, Problems of Law Enforcement and Crime Prevention Policy, Citra Aditya Bakti, Bandung, p. 23

¹¹ Doni Cakra Gumilar, Sri Endah Wahyuningsih and Jawade Hafidz. The Formulation of a Special Minimum Criminal Threat System Formulation in the Corruption Law. *Law Development Journal*. Volume 5 No. 1, March 2023, (54-70), Url: <https://jurnal.unissula.ac.id/index.php/ldj/article/view/30035/8108> accessed January 16, 2024

¹²Muhammad Ainul Syamsu, 2016, Criminal Sentencing and Two Basic Principles of Criminal Law, Kencana, Jakarta, p.148

¹³Department of National Education, 2012, Big Indonesian Dictionary, Language Center, Fourth Edition, PT. Gramedia Pustaka Utama, Jakarta, p.995

¹⁴ Oscar Stefanus Setjo, and Umar Ma'ruf. Investigation of Children Who Conflict With Law in Narcotics Criminal Acts In Law Area of the Semarang City Police Jurisdiction. *Journal of Legal Sovereignty* Volume 3 Issue 2, June (2020), Url: <http://jurnal.unissula.ac.id/index.php/RH> accessed January 16, 2024.

Embezzlement as described earlier is part of the crimes regulated in the Criminal Code. The factors causing the emergence of criminal acts of embezzlement cannot be separated from the desire to own or control other people's property. Based on several cases that have been tried at the Purworejo District Court in Decision No. 92/Pid.B/2023/PN Pwr.

2. Research Methods

The approach method using a statute approach is a research that prioritizes legal materials in the form of statutory regulations as basic reference material in conducting research.¹⁵In addition, it also uses a case approach (Case Approach) the approach is carried out by conducting a case study related to the legal issues faced. The specifications used are descriptive analytical, providing a systematic, logical presentation, analyzing it in order to study the literature, legislation, applicable legal norms and analyzed to draw conclusions.¹⁶The data sources used are secondary data consisting of primary legal materials in the form of legislation related to the legal research being conducted.

Data collection methods with the main activities carried out are literature studies, reviewing, examining and processing literature, laws and regulations, judges' decisions and articles or writings related to the problems to be studied. The data analysis method is carried out qualitatively with the data analysis method by grouping and selecting data obtained from the Literature Study. Regarding Criminal Responsibility for Perpetrators of Continuous Embezzlement Based on Legal Certainty (Decision Study Number: 92/Pid.B/2023/Pn Pwr).

3. Results and Discussion

Every perpetrator of a crime who has met the objective and subjective requirements will be held accountable for his actions. In being held accountable for his actions, the perpetrator will only face law enforcement officers.¹⁷Legal reality is not always as expected. One of the criminal penalties or punishments is not a pleasant thing for someone who is convicted. Criminal penalties also cost relatively a lot, for example in the process of court costs, prison, parole.¹⁸

As for the background to justify the existence of criminalization, the existence of violations of the law, then violations of the law and criminalization have a close correlation. So that criminalization as one part of the implementation of criminal law. Therefore, the function of criminal law with criminal sanctions is very

¹⁵Amirudin and Zainal Asikin, 2004, Introduction to Legal Research Methods, Raja Grafindo Persada, Jakarta, p.118

¹⁶Sri Endah Wahyuningsih, Model for Developing Criminal Law Principles in the Criminal Code Based on the Values of Belief in the Almighty God, Journal of Legal Sovereignty *Vol 2, No 2, 2018*, Url:<https://jurnal.unissula.ac.id/index.php/ldj/article/view/30035/8108> accessed January 16, 2024.

¹⁷Ali Imron, "Transformation of Islamic Law into Indonesian National Law", Journal of Islamic Legal Thought al-Ahkam Vol.5 No.2 April 2012, IAIN Walisongo Semarang, p.128

¹⁸Mahrus Ali, 2015, Basics of Criminal Law, Sinar Grafika, Jakarta, p.206

necessary. While criminal sanctions are a tool or means to deal with great and immediate dangers, and to deal with threats from danger.¹⁹

Criminal liability is basically directed at understanding the punishment of the perpetrator of a crime. As stated above, a crime is an act that can be punished, where the act refers to both the perpetrator and the consequences of the act.²⁰

The function of punishment is designed to strengthen collective values, protection for society through the removal of the physical capacity of the convicted offender to carry out subsequent actions (physical incapacitation of the convicted offenders), rehabilitation of the offender, prevention of the offender from repeating his actions known as specific deterrence and serves as an example to prevent other people from committing the evil acts committed by the perpetrator or general deterrence.²¹

Similar to criminal liability which includes retrospective (retributive) and prospective (preventive) aspects, the imposition of criminal penalties cannot be separated from the retributive and preventive aspects. The retributive and preventive ideas about the imposition of criminal penalties cannot be separated from the principle of proportionality. This principle, as the imposition of criminal penalties must consider the criminal act and the error so that the punishment is commensurate with both. However, retributive and preventive have different perspectives in viewing the principle of proportionality.²²

According to Leden Marpaung, the elements of a criminal act consist of 2 (two) main elements, namely: Subjective main elements: (1) Intentional (*dolus*), (2) Negligence (*culpa*). Objective main elements: (1) Human actions, (2) Consequences (results) of human actions, (3) Conditions, (4) Punishable nature and unlawful nature. While the crime of embezzlement is regulated in the statute book. law criminal (KUHP), Article 372 of the Criminal Code to Article 377 in the main form. Because embezzlement is a crime that is almost the same as theft. The difference is if theft is committed when the stolen object is not yet there in the hands of the perpetrator, while embezzlement is carried out when the stolen object already exists in the hands of the perpetrator. According to

¹⁹ Ira Alia Maerani, Siti Rodhiyah Dwi Istinah, The Formulation of the Idea of Forgiveness in Indonesian Criminal Law Policy (A Study Based on Restorative Justice & Pancasila Values). *Journal of Legal Sovereignty* Volume 5 Issue 4, December 2022, Url : <https://jurnal.unissula.ac.id/index.php/RH/article/view/24290/7688> accessed January 24, 2024.

²⁰ Ira Alia Maerani, Siti Rodhiyah Dwi Istinah, The Formulation of the Idea of Forgiveness in Indonesian Criminal Law Policy (A Study Based on Restorative Justice & Pancasila Values). *Journal of Legal Sovereignty* Volume 5 Issue 4, December 2022, Url : <https://jurnal.unissula.ac.id/index.php/RH/article/view/24290/7688> accessed January 24, 2024.

²¹ Alumni of Simbolon and Desy Indriani Grace Sinaga, The Legality of Cryptocurrency Transactions in Indonesia, *Journal of Legal Sovereignty* Volume 5 Issue 3, September 2022. Url: <https://jurnal.unissula.ac.id/index.php/RH/article/view/26722/7395> accessed January 24, 2024.

²² Muhammad Ainul Syamsu, 2016, Criminal Sentencing and Two Basic Principles of Criminal Law Kencana, Jakarta, p.148

opinion Lamintang means embezzlement which is basically the same as the description of Article 372 of the Criminal Code. According to Lamintang, the crime of embezzlement is the abuse of rights or abuse of trust by a person where the trust is obtained without any unlawful elements.²³

In reality, there are still many cases of embezzlement, one of which occurred in the Purworejo District Court decision:

The defendant's actions were carried out from the introduction of Saski EWA often communicating with the victim witness, where the victim witness knew that the defendant had a car repair shop business. That from the closeness the defendant offered the victim witness a joint business in the form of buying and selling cars, namely by buying damaged cars to be repaired by the defendant and after being finished it would be resold by the defendant. The cooperation, the victim witness was in the position of financier while the defendant was looking for, repairing and selling cars with the defendant's promise to the victim witness, the profits obtained would be divided into two, on the defendant's offer, the victim witness agreed, and then the defendant offered the victim to buy a Kia VISTO type car and the defendant asked the victim witness for money amounting to Rp. 16,500,000, - (sixteen million rupiah), where the car was in a damaged condition which was then taken to the repair shop to be repaired and resold by the defendant, but after the car was repaired and resold, the defendant did not provide a share of the profits to the victim witness where the defendant argued that the money from the sale of the car would be used to buy another car.

The incident continued to repeat itself where every time the defendant would buy a car, he asked for money as capital from the victim witness, but after it was repaired and resold, the defendant did not return the capital and also did not share the profits to the victim witness for the same reason. The way the victim witness handed over the money to the defendant was that some were handed over directly to the defendant, some were deposited through Witness EWA (the defendant's wife) in cash and transfer, and some were handed over through the defendant's workshop employee, Witness HY.

The incident occurred during the period between February 7, 2020 to February 27, 2022, the victim witness had given the defendant a total of Rp. 331,500,000 (three hundred thirty-one million five hundred thousand rupiah), but the defendant never returned the capital or provided the profit sharing that the defendant had previously promised.

The facts revealed in the trial based on witness statements, written evidence and the defendant's statement in the incident above. Revealed in the trial as the Public Prosecutor has charged. Proof of the elements of the crime charged to the defendant, which the Public Prosecutor's Indictment has compiled in the form of an alternative indictment, namely First: Article 378 of the Criminal Code, Jo.

²³ Leden Marpaung, 2008, Principles-Theory-Practice of Criminal Law, Sinar Grafika, Jakarta, p. 14.

Article 64 Paragraph (1) of the Criminal Code or Second: Article 372 of the Criminal Code, Jo. Article 64 Paragraph (1) of the Criminal Code.

Having proven all the elements above, the defendant has been proven legally and convincingly to have committed the crime of embezzlement as regulated and threatened with punishment in Article 372 of the Criminal Code, Jo. Article 64 Paragraph (1) of the Criminal Code. A person can be said to be a perpetrator if his actions have fulfilled all the elements of the crime charged. The defendant during the examination at the trial was not found to have any justification or excuse for the actions he committed.²⁴In such cases, the thing that must be proven does not recognize and is not subject to assumptions, but must be proven to at least meet the minimum requirements of proof. The law of proof is made to guarantee legal certainty and justice for everyone, to avoid the arbitrariness of judges in issuing a decision or verdict on a case they are handling.²⁵

In order for a person to be held accountable, there still needs to be a condition that the person who committed this act was at fault or guilty. (*subjective wrestling*). In other words, the person must be able to responsible for his actions or if seen from an angle his actions, his actions must be accountable to people In order to be punished, a person must be held accountable answer according to the Criminal Code (KUHP). To determine whether there is a legal subject's fault in the above case, several elements must be fulfilled, including:

- a. There is the ability to be responsible for the maker
- b. The spiritual relationship between the perpetrator and his actions, which is intentional (*dolus*) or negligence (*culpa*).
- c. There is no reason to erase mistakes or there is no reason to forgive.²⁶

The existence of criminal responsibility is a necessary condition, namely the maker must be able to be responsible, in other words, there must be the ability to be responsible from the maker. MAccording to Titik Triwulan, liability must have a basis, namely something that gives rise to a legal right for someone to sue another person and at the same time something that gives rise to a legal obligation for another person to provide accountability.²⁷

²⁴English: Sri Endah Wahyuningsih, Model for Developing Criminal Law Principles in the Criminal Code Based on the Values of Belief in the Almighty God, Journal of Legal Sovereignty *Vol 2, No 2, 2018*, [Url: https://jurnal.unissula.ac.id/index.php/RH/article/view/26722/7395](https://jurnal.unissula.ac.id/index.php/RH/article/view/26722/7395) accessed January 24, 2024.

²⁵Andi Ahmad Suhar Mansyur, 2013, Normative Legal Analysis of Forgery of Authentic Deeds Carried Out by Notaries, Journal of the Faculty of Law, Brawijaya University, p. 2

²⁶Widya Hari Sutanto and Umar Ma'ruf, The Role of State Attorney Prosecutors to Restore State Financial Losses in Criminal Actions of Corruption to Make Justice, Law Development Journal Volume 3 Issue 1, March, 2021. [Url:http://jurnal.unissula.ac.id/index.php/RH/article/view/13882/5379](http://jurnal.unissula.ac.id/index.php/RH/article/view/13882/5379) accessed January 24, 2024.

²⁷Titik Triwulan and Shinta Febrian, 2010, Legal Protection for Patients, Prestasi Pustaka,

Based on the description above, it can be concluded that criminal responsibility is an obligation to pay compensation that the perpetrator will receive from someone who has been harmed, the responsibility carried out does not only concern legal issues alone but also concerns issues of moral values or decency that exist in a society. For there to be criminal responsibility, it is necessary that the perpetrator must have made a mistake. It is impossible for someone to be held responsible if he has no mistake.²⁸ The legal facts revealed in court, it turns out that the capital and profits that should have been obtained by the victim, the defendant has used for daily needs, especially to pay debts at the bank and pay leasing bills and replace money for the loss of the Xenia car belonging to the defendant's friend so that the defendant replaced it using the victim's witness' money.

The above facts, it is true that there has been a causal relationship, or cause and effect, where as a result of the Defendant's actions, he has suffered a loss of Rp. 331,500,000,- (three hundred thirty one million five hundred thousand rupiah) and has not received any profit from the sale and purchase of cars carried out by the defendant. therefore, the element of error is declared fulfilled, and it turns out that it was done by using capital and profit for the defendant's personal needs with the intention of benefiting himself or others has also been fulfilled according to the law in the defendant's actions.

4. Conclusion

Criminal liability for perpetrators of the Criminal Act of Continuous Embezzlement Based on Legal Certainty has proven all the elements that were legally and convincingly charged to have committed the criminal act of embezzlement in Article 372 of the Criminal Code, Jo. Article 64 Paragraph (1) of the Criminal Code. The defendant during the examination at the trial was not found to have any justification or excuse for the actions he committed. So that criminal liability is an obligation to pay compensation that the perpetrator will receive from someone who has been harmed, The judge also did not can make a decision before the event or fact is proven that really happened, that is, its truth has been proven, so that it appears to exist legal relationship between the parties. The defendant was sentenced to 2 (two) years in prison, based on the judge's independence. For this reason, criminal responsibility requires the condition that the maker must be at fault.

Jakarta, p.48

²⁸Sekar Tresna Raras Tywi, Ira Alia Maerani, Arpangi. Law Enforcement against Entrepreneurs who Conduct Criminal Acts to Pay Wages Below the Minimum Wage. Journal of Legal Sovereignty Volume 4 Issue 1, March (2021).
Url:<http://jurnal.unissula.ac.id/index.php/RH/article/view/13882/5379> accessed January 24, 2024.

5. References

Journals:

- Ahmad Ghifar Al Ahfaqsyi and Siti Rodhiyah Dwi Istinah, Manifestation Of Criminal Sanctions In The Judicial Process On Criminal Actor Of Negligence (Culpa), *Law Development Journal Volume 2 No 2, June, 2020*.
- Ali Imron, "Transformation of Islamic Law into Indonesian National Law", *Journal of Islamic Legal Thought al-Ahkam Vol.5 No.2 April 2012, IAIN Walisongo Semarang*.
- Alumni of Simbolon and Desy Indriani Grace Sinaga, The Legality of Cryptocurrency Transactions in Indonesia, *Journal of Legal Sovereignty Volume 5 Issue 3, September 2022*.
Url: <https://jurnal.unissula.ac.id/index.php/RH/article/view/26722/7395>
- Doni Cakra Gumilar, Sri Endah Wahyuningsih and Jawade Hafidz. The Formulation of a Special Minimum Criminal Threat System Formulation in the Corruption Law. *Law Development Journal. Volume 5 No. 1, March 2023, (54-70)*,
Url: <https://jurnal.unissula.ac.id/index.php/ldj/article/view/30035/8108>.
- Ira Alia Maerani, Siti Rodhiyah Dwi Istinah, The Formulation of the Idea of Forgiveness in Indonesian Criminal Law Policy (A Study Based on Restorative Justice & Pancasila Values). *Journal of Legal Sovereignty Volume 5 Issue 4, December 2022*, Url
: <https://jurnal.unissula.ac.id/index.php/RH/article/view/24290/7688>.
- Muhammad Baharuddin and Akhmad Khisni, Effectiveness of Pleidooi by The Supreme Of Criminal Murder, *Law Development Journal Volume 2 No 2, June, 2020*.
- Rendy Surya Aditama, Umar Ma'ruf, Munsharif Abdul Chalim. Criminal Law Policy Against Children as Perpetrators of Psychotropic Crimes at the Magelang Police Resort. *Daulat Hukum Journal Vol. 1. No. 1 March (2018)*,
Url: <http://jurnal.unissula.ac.id/index.php/RH>
- Sekar Tresna Raras Tywi, Ira Alia Maerani, Arpangi. Law Enforcement against Entrepreneurs who Conduct Criminal Acts to Pay Wages Below the Minimum Wage. *Journal of Legal Sovereignty Volume 4 Issue 1, March (2021)*.
Url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/13882/5379>
- Sri Endah Wahyuningsih, Model for Developing Criminal Law Principles in the Criminal Code Based on the Values of Belief in the Almighty God, *Journal of Legal Sovereignty Vol 2, No 2, 2018*, Url: <https://jurnal.unissula.ac.id/index.php/ldj/article/view/30035/8108>.

Oscar Stefanus Setjo, and Umar Ma'ruf. Investigation of Children Who Conflict With Law in Narcotics Criminal Acts In Law Area of the Semarang City Police Jurisdiction. *Journal of Legal Sovereignty* Volume 3 Issue 2, June (2020), Url: <http://jurnal.unissula.ac.id/index.php/RH>.

Revelation Sudrajad, Umar Ma'ruf. Econstruction As An Effort Revealing Premeditated Murder (Case Study of the Jurisdiction of the Banyumanik Police, Semarang). *Khaira Ummah Law Journal* Vol. 12.No. September 3 (2017). Url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/21279/6993>

Widya Hari Sutanto and Umar Ma'ruf, The Role of State Attorney Prosecutors to Restore State Financial Losses in Criminal Actions of Corruption to Make Justice, *Law Development Journal* Volume 3 Issue 1, March, 2021. Url: <http://jurnal.unissula.ac.id/index.php/RH/article/view/13882/5379>

Books:

Abdul Salam Siku, 2012, Protection of Human Rights, Sanctions and Victims in Criminal Justice, Rabbani Press, Jakarta.

Amirudin and Zainal Asikin, 2004, Introduction to Legal Research Methods, Raja Grafindo Persada, Jakarta.

Andi Ahmad Suhar Mansyur, 2013, Normative Legal Analysis of Forgery of Authentic Deeds Carried Out by Notaries, Journal of the Faculty of Law, Brawijaya University.

Barda Nawawi Arief, 2003, Selected Chapters on Criminal Law, Citra Aditya Bakti, Bandung.

Barda Nawawi Arief, 2003, Problems of Law Enforcement and Crime Prevention Policies, Citra Aditya Bakti, Bandung.

Department of National Education, 2012, Great Dictionary of Indonesian, Language Center, Fourth Edition, PT. Gramedia Pustaka Utama, Jakarta.

Jonaedi Effendi, 2015, Quick & Easy Understanding of Criminal Law, First Edition, Kencana, Jakarta.

Leden Marpaung, 2008, Principles-Theory-Practice of Criminal Law, Sinar Grafika, Jakarta.

Muhammad Ainul Syamsu, 2016, Criminal Sentencing and Two Basic Principles of Criminal Law, Kencana, Jakarta.

Mahrus Ali, 2015, Basics of Criminal Law, Sinar Grafika, Jakarta.

PAF Lamintang, 2003, Basics of Indonesian Criminal Law, Sinar Baru, Bandung.

Teguh Prasetyo, 2016, Criminal Law revised edition, Raja Grafindo Persada, Jakarta.

Titik Triwulan and Shinta Febrian, 2010, Legal Protection for Patients, Prestasi Pustaka, Jakarta.