

## **Electronic Traffic Law Enforcement: Is it Able to Reduce Traffic Violations?**

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## Electronic Traffic Law Enforcement: Is it Able to Reduce Traffic Violations?

Aryanindita Bagasatwika

**ABSTRACT.** The practice of law enforcement on traffic violations committed by law enforcement officers is currently considered to be insufficient to satisfy community expectations. Problems often occur in current law enforcement practices, including vulnerability to corruption and complicated bureaucracy in the face of the law enforcement process, especially in traffic violations. The practice of law enforcement itself cannot be confined to the current legal rigidity, in this condition a legal breakthrough or legal progression is needed, so that our law can adjust to the times and demands of society. The E-TLE (Electronic Traffic Law Enforcement) system made by the Semarang Police Traffic Police is a legal breakthrough in law enforcement practices that are applied to traffic violations in the city of Semarang to present a fast, precise, clean and transparent law enforcement system. In this context, progressive legal theory is used to create a breakthrough in progressive law enforcement in E-TLE Satlantas Polrestabes Semarang system against traffic violations in the city of Semarang.

**KEYWORDS.** Law Enforcement; Traffic Violation; Electronic Traffic Law Enforcement; E-TLE; Polrestabes Semarang

# Electronic Traffic Law Enforcement: Is it Able to Reduce Traffic Violations?

Aryanindita Bagasatwika\*

## Introduction

The city of Semarang is one of the few cities in the country of Indonesia which has the most population, with a population of 1,765,396 people.<sup>2</sup> The density of population in the city of Semarang has an impact on traffic activities that have a high level of intensity. Traffic activities that are very congested in the city of Semarang require special attention from local stakeholders so that traffic can be carried out safely, smoothly, orderly, safe and comfortable. One form of efforts to create an orderly and comfortable traffic is law enforcement to traffic violators on the highway, in addition to preemptive and preventive efforts that need to be done beforehand. The front guard of law enforcement against traffic violations is carried out by the Indonesian National Police who is in charge of the Traffic function.

The form of law enforcement of traffic violations by the Traffic Police that is by giving a ticket to traffic violators who then subsequently the violators attend a hearing at the local District Court. The model of law

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<sup>2</sup> Department of Population and Civil Registration of Semarang City (2015), <http://dispendukcapil.semarangkota.go.id/statistik/total-penduduk-kota-semarang/2015-03-02> which was accessed on January 30, 2019.

enforcement, where Traffic Police officers must deal directly with violators of course there are vulnerabilities that arise, namely one of them is the practice of extortion or negotiations to conduct collusion. In this situation, a breakthrough in the current law enforcement model is needed to minimize the vulnerability of extortion practices on the streets both from the officers and bribes from the public.<sup>3</sup>

According to Satjipto Rahardjo, laws that are temporarily trapped in preoccupation with internal affairs, such as certainty, systems, regulatory logic, etc. cannot respond well to these new social problems. The method of law must be changed so that the law continues to function properly in society.<sup>4</sup> Satjipto's thoughts are very relevant to the demands of the current

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<sup>3</sup> The occurrence of traffic violations is one form of problems that often cause problems on the highway. This can be seen from the indication of the number of accidents that continue to occur, and even tends to increase every year. One of the causes of the high number of traffic accidents is the lack of public awareness in driving, for example not paying attention and obeying existing traffic rules, not having mental readiness when driving or driving in a state of exhaustion. The condition of the driver's unpreparedness in driving allows accidents that can endanger the safety of other road users, in addition to the causes of traffic accidents described above, the occurrence of traffic accidents on the highway is also influenced by the age factor of the driver himself. The fact that is often encountered everyday is that there are still many drivers who are not ready mentally. The driver takes precedence with one another regardless of safety for himself or others. Traffic accidents that occur basically can be avoided if road users are able to behave in a disciplined, polite, and respectful manner when driving. See also Yusak O. Susilo, Tri Basuki Joewono, and Upali Vandebona, Reasons underlying behaviour of motorcyclists disregarding traffic regulations in urban areas of Indonesia. *Accident Analysis & Prevention* 75(1), 2015, pp. 272-284; Sri Endah Wahyuningsih, and Muchamad Iksan, The Benefits of the E-Traffic Ticketing (E-Tilang) System in the Settlement of Traffic Violation in Indonesia, *Proceedings 2nd International Conference on Indonesian Legal Studies (ICILS 2019)*. Atlantis Press, 2019; Tri Basuki Joewono, Upali Vandebona, and Yusak O. Susilo, Behavioural causes and categories of traffic violations by motorcyclists in Indonesian urban roads, *Journal of Transportation Safety & Security* 7(2), 2015, pp. 174-197; Harriot Beazley, Voices from the margins: Street children's subcultures in Indonesia, *Children's Geographies* 1(2), 2003, pp.181-200.

<sup>4</sup> Satjipto Rahardjo, *Penegakkan Hukum Progresif*, Jakarta, Kompas, 2010, pp. 57-60. The concept of progressive law Satjipto Rahardjo began with his anxiety that after 60 years of age the rule of law, proved not to realize a better legal life, with his concern he said: "I feel anxiousness already contemplating over sixty years of age of the Republic of Indonesia State Law. Various national plans have been made to develop the law in this country, but it also does not produce satisfactory results, even the graph shows a declining trend. People do not talk about the shining legal life, but on the contrary, the increasingly bleak legal life". See Romli Atmasasmita, *Teori Hukum Integratif*, Genta Publishing, Yogyakarta, 2012, p. 86. Furthermore, it is also emphasized that Progressivism was contrary to the view of humanity which states that humans are basically good, possessing qualities of compassion and caring for others. However, the basis of Progressive Law is guided by the basic nature of "law is for humans". The law does not exist for itself as initiated by positive law, but for humans in order to achieve human well-being and happiness. Progressivism teaches that law is not a king, but a tool to describe the basis of humanity that serves to give mercy to the world and humans. Progressivism does not want to make law as a technology that has no conscience, but rather an institution that is morally humanitarian. See also Satjipto Rahardjo, *Hukum Progresif: Sebuah Sintesa Hukum Indonesia*, Yogyakarta, Genta Publishing, 2009; Satjipto Rahardjo, *Membedah Hukum Progresif*, Jakarta,

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millennial era, that our resources are required to be able to think more advanced in being able to understand the current situation of society. The current legal problems, according to Mujahidin, are caused by 2 (two) factors, namely corrupt professional law enforcement behaviour and the mindset of law enforcers who are still confined in legalistic-positivistic thinking.<sup>5</sup>

With the phenomenon of this legal problem, it needs a way out to be able to respond to the demands of society. Satjipto introduced the idea of progressive law as an answer to respond to current legal problems. Progressive law becomes an attractive choice in law enforcement, because law enforcement is given a broad space to be creative, take initiative and interpret the law in accordance with the objectives of law and society. Law enforcers will experience liberation from the legal way of thinking which has

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Kompas, 2006; Satjipto Rahardjo, Hukum Progresif: Hukum yang Membebaskan, *Jurnal Hukum Progresif* 1(1), 2005, pp. 1-24; Hwian Christianto, Penafsiran Hukum Progresif dalam Perkara Pidana, *Mimbar Hukum* 23(3), 2011, pp. 479-500; A Sukris Sarmadi, Membebaskan Positivisme Hukum ke Ranah Hukum Progresif (Studi Pembacaan Teks Hukum Bagi Penegak Hukum), *Jurnal Dinamika Hukum* 12(2), 2012, pp. 331-343; M. Syamsudin, *Konstruksi Baru Budaya Hukum Hakim Berbasis Hukum Progresif*, Jakarta, Kencana, 2011; I. Nyoman Nurjaya, Pembangunan Hukum Negara dalam Masyarakat Multikultural: Perspektif Hukum Progresif, *Jurnal Hukum Progresif* 3(2), 2011, p. 16; Rizal Mustansyir, Landasan Filosofis Mazhab Hukum Progresif: Tinjauan Filsafat Ilmu, *Jurnal Filsafat* 18(1), 2008, pp. 15-25; Yanto Sufriadi, Penerapan Hukum Progresif dalam Penegakan Hukum di tengah Krisis Demokrasi, *Jurnal Hukum Ius Quia Iustum* 17(2), 2010, pp. 233-248.

<sup>5</sup> A.M. Mujahidin, Hukum Progresif: Jalan Keluar dari Keterpurukan Hukum di Indonesia, *Varia Peradilan*, XXII(257), April 2007, p.52. Law enforcement is a series of processes to describe values, ideas, ideas that are abstract enough to be the goal of the above law into society. When the law is made and must be implemented, law enforcement then becomes an inseparable part. Law exists between a world of abstract values or ideas and a world of reality. As a result, tension often occurs when the law is applied. When the law is loaded with values or ideas to be realized, then the law is very closely related to various factors that influence the environment such as political, social, economic, and cultural communities in which the law is enforced. Based on the legal building framework, the inseparable part of the observation is the aspect of law enforcement (law enforcement), how law enforcement is at least in the sense of law enforcement in the broadest sense, which includes the implementation and application of law against any violations or deviations of law committed by the subject legal, and in the narrow sense is an action against any violation or deviation from the legislation. See Sabian Utsman, *Menuju Penegakan Hukum Responsif*, Pustaka Pelajar, Yogyakarta, 2008, p. 30; Endang Sutrisno, Tracing the Performance of Law in Indonesia (A Perspective of Thomas Kuhn's Normal Science), *Journal of Law, Policy, and Globalization* 37(1), 2015, p. 126; Sri Hartanto, Indah Sri Utari, and Ridwan Arifin, Implementation of Penal Mediation in the Perspective of Progressive Law (Study at the Semarang City Police Department), *IJCLS (Indonesian Journal of Criminal Law Studies)* 4(2), 2019, pp.161-188; Dey Ravena, Wacana Konsep Hukum Progresif dalam Penegakan Hukum di Indonesia, *Jurnal Wawasan Yuridika* 23(2), 2014, pp. 155-166; Irwan Safaruddin Harahap, Nuhamidah Gajah, and Nur Oloan Harahap, The Proposed Progressive Law Enforcement Model: A Case Study of the Indonesian Law System Development, *International Humanities Studies* 6(2), 2019, pp. 27-37.

been shackling in achieving legal goals.<sup>6</sup> This progressive legal thinking places itself as a law for humans, not vice versa.

In the model of law enforcement of traffic violations by the Traffic Police officers there needs to be progressive legal thinking to be able to minimize the deviant practices that can be done by both officers and the community itself such as extortion and bribery. At the end of 2018, the Satlantas Polrestabes Semarang launched the E-TLE (Electronic Traffic Law Enforcement) program, a breakthrough on a model of law enforcement or enforcement of traffic violators.<sup>7</sup> This E - TLE uses CCTV technology found at each of the crossroads to record road riders who commit traffic violations so that here Traffic Police officers do not directly confront the violators. The E-TLE system is a form of positive response by the Republic of Indonesia National Police, in this case the Satlantas Polrestabes Semarang in facing the demands of the community today to provide a sense of security, comfort, order and safety in using the highway in the city of Semarang. The law

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<sup>6</sup> Esmi Warassih, *Pemikiran Hukum Spiritual Pluralistik Antologi Memperingati 40 Tahun Pengabdian di Universitas Diponegoro dan 65 Tahun Usia Prof. Esmi Warassih Pujirahayu, S.H.,M.S.*, Yogyakarta, Thafa Media, 2017, p.62

<sup>7</sup> In some previous studies, it has been shown that the process of law enforcement for traffic violations experiences several obstacles, ranging from human resources, community awareness, citizen obedience, to the practice of bribery that still occurs. However, E-ticketing is one of the breakthroughs in traffic law enforcement. Nevertheless, based on several research results also showed that e-ticketing still has some weaknesses, one of which is the data that is out of sync and up to date, resulting in confusion in vehicle ownership. See also Setiyanto, Gunarto Gunarto, and Sri Endah Wahyuningsih, Efektivitas Penerapan Sanksi Denda E-Tilang Bagi Pelanggar Lalu Lintas Berdasarkan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas Dan Angkutan Jalan (Studi Di Polres Rembang), *Jurnal Hukum Khaira Ummah* 12(4), 2017, pp. 742-766; Fairuz Salsabila, Inovasi Program Elektronik Tilang (E-Tilang) dalam Meningkatkan Pelayanan Publik di Kepolisian Resort (Polres) Kediri, *Publika* 6(2), 1-7, 2018; Reza Hilmy Widi Putra, Peran E-Tilang dalam Penindakan Pelanggaran Lalu Lintas Guna Mewujudkan Kamseltibcar Lantas di Wilayah Hukum Polres Banyumas, *Police Studies Review* 4(1), 2020, pp. 373-416; Anakletus Mardi Wayne, Efektivitas Penerapan E-Tilang dalam Penindakan Pelanggaran Lalu Lintas di Wilayah Hukum Polres Banyumas, *Police Studies Review* 4(1), 2020, pp. 57-120; Ellistika Intan Wulandari, Optimalisasi Aplikasi E-Tilang dalam Penindakan Pelanggaran Lalu Lintas di Polres Banyumas, *Advances in Police Science Research Journal* 4(1), 2020, pp. 281-328; I. Gusti Ayu Komang Noviani, and Pudji Astuti, Pelaksanaan Pengawasan Penindakan Pelanggaran Lalu Lintas Melalui Proses E-Tilang di Polresta Sidoarjo, *Jurnal Novum* 4(4), 2017, 167-174; Wahyu Pratama Aji, "Pelaksanaan Tilang Elektronik CCTV (E-Tilang CCTV) oleh Satlantas Polrestabes Semarang Terhadap Pengguna Sepeda Motor di Wilayah Kota Semarang", *Dissertation*, Kudus, Universitas Muria Kudus, 2018; Thalia Dewi Adrianit, and Niken Subekti Budi Utami, "Implementasi Elektronik Tilang Melalui Media CCTV berdasarkan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan", *Dissertation*, Yogyakarta, Universitas Gadjah Mada, 2018; Ambar Suci Wulandari, Inovasi Penerapan Sistem E-Tilang di Indonesia, *Al-Mabsut: Jurnal Studi Islam dan Sosial* 14(1), 2020, pp.1-10; Sri Endah Wahyuningsih, and Muchamad Iksan, The Benefits of the E-Traffic Ticketing (E-Tilang) System in the Settlement of Traffic Violation in Indonesia, *Proceedings 2nd International Conference on Indonesian Legal Studies (ICILS 2019)*. Atlantis Press, 2019.

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enforcement model with the E-TLE system is a form of progressive law enforcement created by the Satlantas Polrestabes to achieve the legal objectives desired by today's society.

### Method

The data analysis technique used in this study is qualitative analysis. Qualitative research analysis is research that does not use calculations.<sup>8</sup> Qualitative research focuses on general principles that underlie the manifestation of symptom units in human life, or patterns that are analyzed by socio-cultural phenomena using the culture of the community concerned to obtain a picture of the prevailing patterns.<sup>9</sup> Qualitative data is information data in the form of verbal claims, not a symbol of numbers or numbers. Qualitative data is obtained through a process using deep analysis techniques and cannot be obtained directly. Qualitative data is in-depth and detailed, so qualitative data is lengthy. As a result, qualitative data analysis is specific, especially to summarize the data and put it together in a flow of analysis that is easily understood by others.<sup>10</sup>

The problem approach used in this research is to use socio-legal research. Socio-legal research is a combination of dogmatic legal research methods and empirical research methods. In the socio-legal research approach there are two aspects of research. First, the legal research aspect, namely the object of research remains in the form of law in the sense of "norms" of legislation, and secondly, socio research, namely the use of methods and theories of social science about law to assist researchers in conducting analysis.<sup>11</sup> So in this study the writer will use an approach regarding legislation and social sciences. Data collection techniques used in research that is through literature study/documents from published data in the form of legislation and the scientific works of scholars relating to this research and direct interviews with officers and actors involved in this research.

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<sup>8</sup> Soerjono Soekanto and Abdurahman, *Metode Penelitian: Suatu Pemikiran dan Penerapan*, Jakarta, PT Rineka Cipta, 2005, p. 26

<sup>9</sup> Burhan Assofa, *Metode Penelitian Hukum*, Jakarta, PT Rineka Cipta, 1996, pp. 20 – 22.

<sup>10</sup> Suteki and Galang Taufani, *Metode Penelitian Hukum (Filsafat, Teori, dan Praktek)*, Jakarta, Rajawali Pers, 2018, p. 226

<sup>11</sup> Suteki and Galang Taufani, *Op. Cit*, p. 157

## **Model of Law Enforcement on Traffic Violations in Indonesia**

Law Number 22 of 2009 concerning Road Traffic and Transport (hereinafter as Traffic Act) in Chapter 19 concerning the investigation and enforcement of traffic violations and public road transport in article 259, explained that the investigation of traffic and road crime is carried out by the Indonesian National Police Investigators and certain Civil Servant Investigators which is given special authority according to this Law. The provisions of the authority of the Republic of Indonesia National Police Investigator are explained in Article 260 of the Traffic Act, namely in the case of violations and criminal investigations, Republic of Indonesia National Police Investigators other than those stipulated in the Criminal Procedure Code and the Law on Republican National Police Indonesia, in the field of Traffic and Road Transportation has the authority:

1. Terminate, prohibit, or suspend operations and temporarily confiscate Motorized Vehicles that are suspected of violating traffic regulations or constitute tools and / or proceeds of crime;
2. Conduct examination of the correctness of information relating to the investigation of criminal offenses in the field of Traffic and Road Transportation;
3. Request information from Drivers, Owners of Motorized Vehicles, and / or Public Transportation Companies;
4. Confiscating Driving License, Motorized Vehicle, Load, Motorized Vehicle Registration Certificate, Motorized Vehicle License Certificate, and / or passing test marks as evidence;
5. Take action against criminal violations or traffic crimes according to the provisions of the legislation;
6. Make and sign the minutes of inspection;
7. Stop the investigation if there is not enough evidence;
8. Conduct detention related to a crime of Traffic crime; and / or
9. Perform other actions according to law responsibly.

Regarding the Enforcement of Traffic and Road Traffic Violations Motorized Vehicle Inspection on the Roads is regulated in Article 265 of the Traffic Act, namely the inspection of motorized vehicles on the road including checking:



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1. Driving Permit, Motorized Vehicle Number, Motorized Vehicle Number, Motorized Vehicle Number, or Motorized Vehicle Trial;
2. Proof of passing the test for mandatory vehicle testing;
3. Physical Motor Vehicles;
4. Transport capacity and / or method of transportation of goods; and / or
5. Transportation operation permit.

Provisions regarding the procedure for enforcement of traffic violations and road transport are regulated in Article 267 of the Traffic Act includes:

1. Every violation in the field of Traffic and Road Transportation that is examined according to a quick inspection can be subject to a criminal fine based on a court decision.
2. A quick inspection can be carried out without the presence of a violator.
3. Violators who are unable to attend can leave a fine to the bank appointed by the Government.
4. The amount of the fine deposited with the bank is the maximum penalty imposed for each violation of Traffic and Road Transportation.
5. Proof of deposit of fines must be attached to the evidence file of violation.

From the explanation contained in Law No. 22 of 2009 concerning Traffic and Road Transportation regarding law enforcement mechanisms for traffic violations above, it can be understood that this model of law enforcement requires the presence of Traffic Police officers to find violations committed by the community. Officers in this case the Police identify a traffic violation by checking the completeness of letters, vehicles, or visible violations so that it requires a direct contact from the officer to the public in carrying out the law enforcement process. The occurrence of direct contact between officers and the public in the process of law enforcement can cause a vulnerability of collusion or corruption.

The Willingness and Opportunity to Corrupt Theory explains that corruption occurs when there are opportunities (system weaknesses, lack of supervision, etc.) and intentions/desires (driven by need & greed).<sup>12</sup> In the model of law enforcement against traffic violations in Indonesia, there is one

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<sup>12</sup> Tim SPRORA, *Kapita Selekta dan Beban Biaya Sosial Korupsi*, Jakarta, Direktorat Pendidikan dan Pelayanan Masyarakat Kedeputan Bidang Pencegahan Komisi Pemberantasan Korupsi, 2015, p. 7. <https://aclc.kpk.go.id/wp-content/uploads/2018/05/buku-kapita-selekta.pdf>

aspect of the Willingness and Opportunity to Corrupt theory described above, namely an opportunity with direct contact between officers and violating communities, resulting in a vulnerability to corruption both in the form of bribery or illegal levies. Facing the law enforcement conditions like this, in order to minimize the vulnerability of acts of corruption there needs to be a breakthrough to create a just law enforcement according to the expectations of the community.

## **The Concept of Progressive Law in Law Enforcement in Indonesia**

The thought of progressive legal theory was first conceived by Prof. Satjipto Rahardjo, this progressive interpretation is not necessarily present in Satjipto's thought. Thirty years of intellectual journey that was well described in his speech ending his term as Professor, he sincerely and honestly said;<sup>13</sup>

As part of the prevailing legal education system, I also assure students that law is a logically structured regulatory system, that law creates order and legal certainty. Nevertheless, it turns out that I cannot betray what is in the heart, that is, who is always looking and wants to see something more natural than artificial, or more meaningful than stopping on the positive.<sup>14</sup>

What was stated above explained that Satjipto was never tired of studying law as a true science. Contemplation of the law led him to the interpretation room, looking for the essence of something he faced was an intellectual attitude which he always held tight.<sup>15</sup>

A progressive interpretation of law can be expressed in two basic respects, namely; philosophy of progressive subjects (the interpreter), and methods of interpreting progressive law. Progressive legal interpretation holds the legal paradigm for humans, not the other way around. Humans here

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<sup>13</sup> Esmi Warassih, *Op.Cit.*, p.75

<sup>14</sup> Satjipto Rahardjo, "Mengajarkan Keteraturan Menemukan Ketidakteraturan Tiga Puluh Tahun Perjalanan Intelektual dari Bojong ke Pleburan", *Speech*, Faculty of Law Universitas Diponegoro, Semarang, 15 December 2000.

<sup>15</sup> Esmi Warrasih, *Op.Cit.* pp. 75-77.

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are a symbol for the reality and dynamics of life. The law guides and serves the community.<sup>16</sup> Interpreting the law for Satjipto is not exactly what Cartesian Subjects want. Subject in the sense of a dogmatic - positivist interpreter feels himself filled with a sense of ego through formal rationality. The arrogant subject feels the text is the only way that can guarantee certainty. Such subjects are subjected to the certainty of the logic of the text. The text is not important to be suspected let alone deconstructed. The subject's task as an interpreter is narrowed down to the matter of applying the law. If it is necessary to interpret it remains in the corridor of the authority of the text. Since then, it is not a law to serve humans, instead humans as symbols of reality were forced into the scheme of laws.<sup>17</sup>

Progressive interpretations of the law do not want the subject as an interpreter to have an autonomous character. It is time for the progressive interpreter to manage his imagination and desires facing the vast context. Habermas's deliberative ideas<sup>18</sup> should be taken into account in offering laws

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<sup>16</sup> Satjipto Rahardjo, *Hukum dalam Jagat Ketertiban*, Jakarta, UKI Press, 2006, p. 176.

<sup>17</sup> Esmi Warassih, *Op. Cit.* ppp. 76-77

<sup>18</sup> "Representation of interests including part of the interests themselves"

- Jurgen Habermas -

As Habermas has redefined it, Critical Theory is not a 'scientific' theory as it is widely known in the academic public in our society. Habermas describes the Critical Theory as a methodology that stands within the dialectical tension between philosophy and science (sociology). It is in this tension that Critical Theory does not stop at objective facts as posited by positivist theories. Critical theory wants to penetrate reality as a sociological fact, to find transcendental conditions that go beyond empirical data. By the poles of science, it is intended that Critical Theory is also historical in nature and does not leave data provided by contextual experience. Thus, Critical Theory does not want to fall on hovering metaphysics. Critical theory is the dialectic between transcendental and empirical knowledge. Because of the dialectical nature of the Critical Theory it is possible to make two kinds of criticism. On the one hand doing transcendental criticism by finding the conditions that allow knowledge in the subjects themselves. On the other hand, immanent criticism by finding socio-historical conditions in certain contexts that affect human knowledge. In other words, Critical Theory is a Critical Ideology (Critic-Ideology), which is a self-reflection to free human knowledge when the knowledge falls and freezes at one pole, whether transcendental or empirical.

Meanwhile, deliberative itself, according to Habermas, that the word "*deliberasi*" comes from the Latin *deliberatio* which later in English became deliberation. This term has the meaning "*consultation*", "*weighing in*", or in political terms is "*deliberation*". The use of the term democracy gives its own meaning to the concept of democracy. The term deliberative democracy has an implied meaning of practical discourse, formation of political opinions and aspirations, and popular sovereignty as a procedure. The theory of deliberative democracy does not focus its views on certain rules governing citizens, but a procedure that produces those rules. This theory helps for how political decisions are made and under what conditions the rules are made in such a way that citizens comply with these regulations. In other words, deliberative democracy is interested in the validity of collective decisions. Indirectly, public opinions here can claim decisions that make citizens obey them. In deliberative democracy, popular sovereignty can control the decisions of the majority. We as citizens can criticize the decisions made by those who hold the mandate. If we dare to criticize the policies issued by the government, then indirectly we have become a rational society, no longer an irrational society. Public opinion or

to humans. As F. Budi Hardiman read Habermas, the deliberative model emphasizes the importance of communication actions to achieve legal legitimacy in a process of dynamic exchange between political systems and culturally mobilized public spaces. Habermas's deliberative model tries to link his legal thesis, the thesis on the function of law as a medium of social integration through its basic concepts such as the concept of communicative action.<sup>19</sup>

Progressive Law Theory is part of a never-ending process of searching for the truth. Satjipto Rahardjo as the initiator of progressive law said that rule breaking is very important in the law enforcement system. In enforcing the law, judges and other law enforcers must have the courage to free themselves from the use of standardized patterns, and such methods have actually happened a lot, including in the United States. This new method was called rule breaking.<sup>20</sup>

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aspiration has a function to control formal politics or political policies. If we dare to criticize the legal policies, we are indirectly subject to the system. See Jürgen Habermas, *Autonomy and Solidarity: Interviews with Jürgen Habermas*, London, Verso, 1992, pp. 115-119; Jürgen Habermas, Habermas: Questions and Counterquestions, *Praxis International* 4(3), 1984, pp. 229-249; Michael Kelly, Michel Foucault, and Jürgen Habermas, eds. *Critique and Power: Recasting the Foucault/Habermas Debate*, Cambridge, MA, MIT Press, 1994, pp. 245-248; Kelly, Jürgen Habermas: Morality, Society and Ethics: An interview with Torben Hviid Nielsen, *Acta Sociologica* 33(2), 1990, pp. 93-114; William Outhwaite, *Habermas: A Critical Introduction*. Cambridge UK, Polity, 2009, pp. 55-60; Denise Vitale, Between Deliberative and Participatory Democracy: A Contribution on Habermas, *Philosophy & Social Criticism* 32(6), 2006, pp. 739-766; Konrad Ott, Variants of De-growth and Deliberative Democracy: A Habermasian Proposal, *Futures* 44(6), 2012, pp. 571-581; Angel R. Oquendo, Deliberative Democracy in Habermas and Nino, *Oxford Journal of Legal Studies* 22(2), 2002, pp. 189-226; Maeve Cooke, Five arguments for Deliberative Democracy, *Political Studies* 48(5), 2000, pp. 947-969; Mohammad Asy'ari Muthhar, Membaca Demokrasi Deliberatif Jürgen Habermas Dalam Dinamika Politik Indonesia, *Ushuluna: Jurnal Ilmu Ushuluddin* 2(2), 2016, pp. 49-72; Timo Duile, and Jonas Bens, Indonesia and the "Conflictual Consensus": A Discursive Perspective on Indonesian Democracy, *Critical Asian Studies* 49(2), 2017, pp. 139-162; Melda Fadiyah Hidayat, Learning in Deliberative Democracy, *JISIPOL: Jurnal Ilmu Sosial dan Ilmu Politik* 3(3), 2019, pp. 61-68.

<sup>19</sup> F. Budi Harman. *Demokrasi Deliberatif, Menimbang Negara Hukum dan Ruang Publik dalam Teori Diskursus Jürgen Habermas*, Yogyakarta, Kanisius, 2009, p. 126.

<sup>20</sup> Suteki, *Masa Depan Hukum Progresif*, Yogyakarta, Thafa Media, 2015, p. 38. Prof. Suteki further said that it was not easy to answer progressive law by definition because it is a law that continues to grow. Prof. Tjip said that quality law is a science that always experiences formation, *legal science is always in the making*. Progressive law is a liberation movement because it is fluid and always restless in searching from one truth to the next. Progressive law has indeed developed in such a way since Satjipto Rahardjo conceived it. The idea was first based on concern about the low contribution of law in Indonesia to enlighten the nation out of the crisis, including the crisis in the field of law. See also Dwimas Suryanata Nugraha, and Suteki, Politik Hukum Penanganan Konflik Perkebunan oleh Pemerintah yang Berkeadilan Sosial, *Kanun: Jurnal Ilmu Hukum* 20(1), 2018, pp. 103-122; Ridwan, Telaah Pemikiran Hukum Progresif Umar Bin Khatab Perspektif Indonesia, *Jurnal Hukum Samudra Keadilan* 13(1), 2018, pp. 32-43; Sutrisno, Kebijakan Sistem Penegakan Hukum Menuju Hukum Berkeadilan, *Pagaruyuang*

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On various occasions Satjipto often delivered the concept of rule breaking. Not infrequently also, he interpreted with a variety of meanings namely; break down the law, break the law, leap or break. Satjipto with reflective-critical thinking is able to state his attitude if the law is not always true; it does not monopolize the truth, the law can be wrong. The law must listen and accept if there is an attempt to correct something that is not true. There is a continuous relationship between making law (rule making) and breaking it (rule breaking).<sup>21</sup>

Rule Breaking will be a neglected concept if it is interpreted as threatening the rule of law. Is not the sovereign law, first of all proven the extent to which law enforcement is able to believe that the legal foundation is in the realm of moral-ethics and sensitivity to a sense of justice. It is precisely the presence of the concept of rule breaking does not want to turn against that goal. Emilio Betti, an Italian hermeneutist who adheres to the teachings of Aristotle, called on law enforcers not to rest their beliefs completely on sentences in laws or conceptual formulations, but rather that they develop a moral feeling, a sensitivity and understanding of a future-oriented legal ethos.<sup>22</sup>

Realizing the concept of rule breaking lies not in intensity but rather in the critical aspects. When and when he should be present, then for what purpose. All of that is certainly difficult to answer with needs that have no foundation. Law for humans and all the virtues of the Godhead, conscience, and justice, become the directors and foundation of the concept of rule breaking.<sup>23</sup>

According to Satjipto Rahardjo (2005), there are three ways to do rule breaking, first by using spiritual intelligence to wake up from the deterioration of the law and not allow yourself to be restrained by the old way; second, searching for deeper meanings should explore new measures in

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*Law Journal* 3(2), 2020, pp. 183-196; Suteki, Hukum Progresif: Hukum Berdimensi Transendental dalam Konteks Keindonesiaan, *Prosiding Seminar Nasional & Call for Papers Hukum Transendental*, 2018, pp. 3-22; Mertha Hapsari, and Suteki, Rekonstruksi Program Perlindungan Dasar Melalui Program Pertanggungjawaban Wajib Kecelakaan Penumpang dan Lalu Lintas, *Jurnal Pembangunan Hukum Indonesia* 1(1), 2019, pp. 64-77; Marilang. Menimbang Paradigma Keadilan Hukum Progresif, *Jurnal Konstitusi* 14(2), 2017, pp. 315-331; Rodiyah, Ideologi Kiblat Pembaharuan Hukum Indonesia. *Seminar Nasional Hukum Universitas Negeri Semarang* 2(1), 2016, pp. 65-78.

<sup>21</sup> Satjipto Rahardjo, *Biarkan Hukum Mengalir, Catatan Kritis tentang Pergulatan Manusia dan Hukum*, Jakarta, Kompas, 2007, p. 9.

<sup>22</sup> Georgy Leyh, *Hermeneutika Hukum, Sejarah Teori dan Praktek*, Yogyakarta, Nusa Media, 2008, p. 36.

<sup>23</sup> Esmi Warrasih, *Op. Cit.* p. 79.

carrying out the law and state of law; and third, the law should be carried out not according to logical principles alone, but with feelings, concerns, and involvement (compassion) to weak groups.<sup>24</sup>

The agenda to break free from the status quo is the beginning and the concept of rule breaking. The idea of self-liberation is closely related to psychological factors or the spirit that exists in legal actors (courage).<sup>25</sup> The method of punishing the status quo is centric, commonly coupled with a positivistic-analytical mind. Here people read the law as spelling the law, rather than reading it meaningfully.<sup>26</sup> Rule Breaking is the basis for interpretation with full jumps. Interpretation is also a creative, innovative and progressive work, sometimes even a leap. Leap means that interpretation is no longer rule-bounded, but it is out of the logic of the rule.<sup>27</sup>

Progressive law becomes an attractive choice in law enforcement, because law enforcement is given a broad space to be creative, take initiative and interpret the law in accordance with the objectives of law and society. Law enforcers will experience liberation from the legal way of thinking which has been shackling in achieving legal goals.<sup>28</sup> In the perspective of progressive law, although law cannot escape from its normative character as rules, but law is also a behaviour (attitude), meaning that the correct operation of the law must be framed by the laws and regulations that are assembled in a system, yet human law enforcement who will move the rules. Because after all the rules are only words and formulations on paper that are almost completely helpless, so that they are often referred to as black letter law, law on paper and law in the books. Law can only become a reality and come true if there is interference from law enforcement to move it.<sup>29</sup>

In a progressive legal perspective, law enforcement must not be bound by the absolute reins of the rule. That is why when there are limited regulations that are left behind from the values developed in society, law enforcers must not only let themselves be bound by the reins of rules that are already irrelevant, but must look out (ward), see the social context that is the change is in making legal decisions.<sup>30</sup>

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<sup>24</sup> Suteki, *Masa Depan Hukum Progresif*, *Op. Cit.* p. 38.

<sup>25</sup> Satjipto Rahardjo, *Arsenal Hukum Progresif*, *Jurnal Hukum Progresif*, 3(1), 2007, pp. 1-26. <https://doi.org/10.14710/hp.3.1.1>

<sup>26</sup> *Ibid.*

<sup>27</sup> Satjipto Rahardjo, *Op. Cit.*, p. 168.

<sup>28</sup> Esmi Warrasih, *Op. Cit.*, p. 62.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

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On the other hand in a progressive legal perspective that relies on human law enforcement, the creativity of law enforcement in overcoming legal disadvantage, overcoming legal inequality, and to make legal breakthroughs in handling a case. With a legal breakthrough in handling this case, it is hoped that it can realize the goal of humanity through the operation of the law, which is termed a law that makes people happy. The creativity of law enforcers in interpreting the law to handle a case will not stop at "*spelling the law*" of laws and regulations, but use it consciously to achieve humanitarian goals through handling a case.<sup>31</sup>

### **Model of Progressive Law Enforcement in the E-TLE Satlantas Polrestabes Semarang System**

E-TLE or what is called Electronic Traffic Law Enforcement is a system created by the Semarang Police Traffic Police in collaboration with relevant Semarang City government agencies as a model of law enforcement against technology-based traffic violations. In this Millennial era, our resources are demanded to always keep up with the times by always thinking ahead and to be creative in facing various problems faced by society today. The emergence of the E-TLE Satlantas Polrestabes Semarang system is an answer to the demands of the community today who want a law enforcement system that is clean, transparent, and certainly just.

Based on the results of interviews with Kasat Lantas Polrestabes Semarang AKBP Yuswanto Ardhi explained that there was some urgency in making the E - TLE system, including:

1. The low level of compliance of road users with traffic regulations
2. The level of effectiveness of law enforcement has not been maximized
3. Carry out the mandate stated in RI Law No. 22 of 2009 concerning Road Traffic and Transportation

The legal bases that form the basis of the E-TLE system are:

1. Law No.8 of 1981 concerning the Criminal Procedure Code (KUHAP) in Article 184 that the legal evidence is:
  - a. witness description;
  - b. expert statement;

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<sup>31</sup> *Ibid.*

- c. letter;
  - d. Hints;
  - e. defendant's statement.
2. Law No.11 of 2008 concerning Information and Electronic Transactions
    - (1) Electronic Information and / or Electronic Documentation and / or printouts are valid legal evidence.
    - (2) Electronic Information and / or Electronic Documentation and / or print out as referred to in paragraph (1) is an extension of valid evidence in accordance with the applicable Procedure Law in Indonesia
  3. Law No. 22 of 2009 concerning Traffic and Road Transportation in article 272, namely
    - (1) In order to support violation measures in the field of traffic and road transportation, electronic equipment can be used.
    - (2) The results of using electronic equipment as referred to in paragraph (1) can be used as evidence in court.

The purpose of the E TLE System is based on interviews with Kasat Lantas Polrestabes Semarang AKBP Yuswanto Ardhi is as follows:

1. Improve the quality of public services
2. Raising awareness of the owner of the Ranmor for identity adjustment (article 71 paragraph (1) letter c of RI Law No. 22/2009)
3. The concern of the owner of public transportation to supervise the driver
4. Efficiency of performing personnel not in the field
5. Minimizing the abuse of the authority of officers in the field
6. Minimizing problems in conventional measures

The flow of law enforcement can be explained by using the E-TLE system, namely:

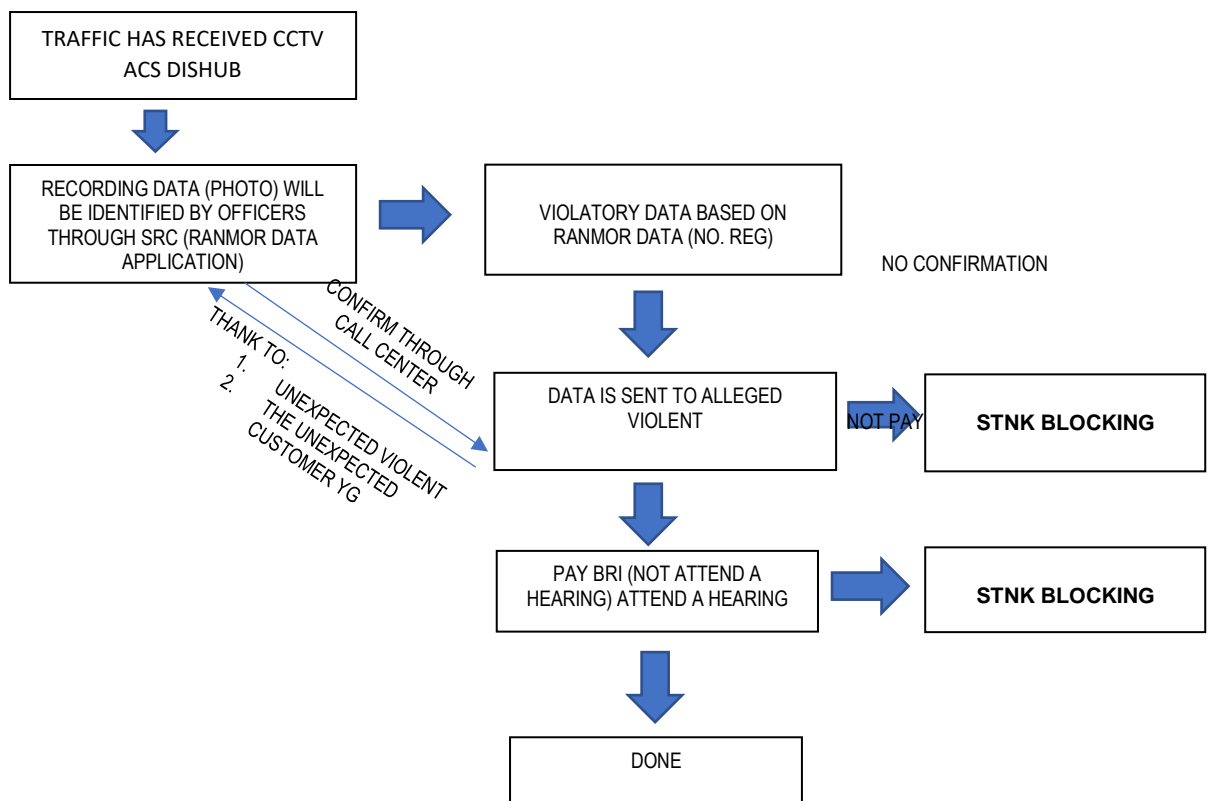
1. Traffic violations recorded by CCTV by the Transportation Agency in Captured are then sent to the Semarang Police Traffic Police Operator.
2. Photo Record Data was identified by the Semarang Police Traffic Police Officers using the Regident Ranmor application.
3. After the vehicle was identified by the Semarang Police Traffic Unit Officers was identified, then the data and evidence of violations recorded by CCTV were sent to the address of the offender.



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4. After the data and evidence of violation have been sent at the address indicated in the data used, the violator can confirm through the Satlantas Polrestabes Semarang call center.
5. When confirming the confirmation, it is possible that in the data of the Ranmor owner's identity obtained by the Satlantas officers could be someone else using it, the data will be sent again to the new offender because there has been confirmation from the Ranmor owner.
6. Upon receipt of the violation evidence along with the data of the violator, the violator can immediately pay a ticket fine at the Bank and does not need to attend a hearing but if the violator does not confirm or not pay the fine at the Bank then the STNK ranmor recorded by the violation will be Blocked.

The mechanism of law enforcement with E - TLE can be seen in the picture below:



**Fig. 1 E-TLE mechanism process**

Source: Semarang Police Traffic Unit

Data obtained from the Semarang Traffic Police Traffic Unit regarding the results of the implementation of the E-TLE system during the period from

December 3, 2018 to January 29, 2019 there were 180 Traffic Violations with the following details:

**Table 1. Data on Actions for Violation of E - TLE Satlantas Polrestabes Semarang December 3 to January 29, 2019**

No	Information	Total
1	Confirmed	103
2	Not to Confirmation	77
3	Successful Violation Enforcement	95
4	Blocked Vehicles	35

Source: Semarang Police Traffic Unit

Based on the explanation of the above data regarding the implementation of the E-TLE Satlantas Polrestabes Semarang system as a new breakthrough in the way / model of law enforcement against traffic violations it can be understood that this E-TLE system is a progressive model of law enforcement. The Progressive Law Theory initiated by Satjipto Rahardjo explains that progressive law is part of a never-ending process of searching for the truth. That rule breaking is very important in the law enforcement system. In enforcing the law, judges and other law enforcers must have the courage to free themselves from the use of standardized patterns, and such methods have actually happened a lot, including in the United States. This new method was called rule breaking.<sup>32</sup>

The law enforcement system using E - TLE is an embodiment of the Rule Breaking initiated by Satjipto Rahardjo. The new law enforcement system, E -TLE has freed itself from the use of conventional law enforcement models where officers must deal directly with traffic violators. There are many benefits and benefits that can be felt by the community with the E-TLE law enforcement system, namely:

1. The public will be more careful in driving so as not to violate traffic because it is monitored by CCTV.
2. The public will avoid corrupt practices that could possibly occur in conventional law enforcement processes.
3. Communities who violate traffic in the process of arranging the settlement of legal processes for traffic violations are more practical because they directly pay fines through the Bank.

<sup>32</sup> Suteki, *Masa Depan Hukum Progresif*, Op.Cit., p. 38.

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However, there are several inhibiting factors in the application of the E-TLE system for Semarang Police Traffic Police officers from interviews with Bripka Henry Bagus, SH, namely:

1. HR from Polri personnel that not all of them can operate the technology used in the E-TLE system properly.
2. Limited supporting facilities for the implementation of the E-TLE system so that the operating mechanism is not yet optimal.
3. Not yet supported by the routine budget of the service because it has not been submitted in the previous year.
4. CCTV points that can be used for E-TLE systems are still limited.

### **Conclusion**

Based on the results of the discussion and research above, the writer can conclude that the E-TLE (Electronic Traffic Law Enforcement) made by the Satlantas Polrestabes Semarang as a technology-based law enforcement model is a form of legal progressiveness to respond to the demands of society in facing current legal problems. The Semarang Police Traffic Unit has emerged from the existing legal rigidity to create a Rule Breaking which is a manifestation of progressive law initiated by Satjipto Rahardjo. Creating a new system and trying to leave the old ways without leaving the elements of legal certainty and making it easier for the community, is a progressive law enforcement effort that is presented in the E-TLE Satlantas Polrestabes Semarang system. In the E-TLE law enforcement system the community does not need to make direct contact with officers in the field so that vulnerability to corrupt practices can be avoided. In addition, the handling of the legal process related to traffic violations is easier by paying fines directly at the Bank so that people do not need to attend a hearing at the local District Court. However, because it is a new system of implementing law enforcement with the E-TLE system, it needs to be continuously trained to law enforcement officers in the field in cracking down on traffic violations so that in the future conventional methods that are already irrelevant can be abandoned. In addition, the handling of the legal process related to traffic violations is easier by paying fines directly at the Bank so that people do not need to attend a hearing at the local District Court. However, because it is a new system of implementing law enforcement with the E-TLE system, it needs to be continuously trained to law enforcement officers in the field in

cracking down on traffic violations so that in the future conventional methods that are already irrelevant can be abandoned. In addition, the handling of the legal process related to traffic violations is easier by paying fines directly at the Bank so that people do not need to attend a hearing at the local District Court. However, because it is a new system of implementing law enforcement with the E-TLE system, it needs to be continuously trained to law enforcement officers in the field in cracking down on traffic violations so that in the future conventional methods that are already irrelevant can be abandoned.

## References

- Adrianit, T. D., & Utami, N. S. B. (2018). Implementasi Elektronik Tilang Melalui Media CCTV berdasarkan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu Lintas dan Angkutan Jalan. *Dissertation* Yogyakarta: Universitas Gadjah Mada.
- Aji, W. P. (2018). Pelaksanaan Tilang Elektronik CCTV (E-Tilang CCTV) oleh Satlantas Polrestabes Semarang Terhadap Pengguna Sepeda Motor di Wilayah Kota Semarang. *Dissertation*. Kudus: Universitas Muria Kudus.
- Assofa, A. (1996). *Metode Penelitian Hukum*. Jakarta: PT Rineka Cipta.
- Atmasasmita, R. (2012). *Teori Hukum Integratif*. Yogyakarta: Genta Publishing.
- Beazley, H. (2003). Voices from the margins: Street children's subcultures in Indonesia, *Children's Geographies* 1(2), 181-200.
- Christianto, H. (2011). Penafsiran Hukum Progresif dalam Perkara Pidana. *Mimbar Hukum* 23(3), 479-500.
- Cooke, M. (2000). Five arguments for Deliberative Democracy. *Political Studies* 48(5), 947-969.
- Department of Population and Civil Registration of Semarang City. (2015). *Statistik Kota Semarang*, <http://dispendukcapil.semarangkota.go.id/statistik/total-penduduk-kota-semarang/2015-03-02>, accessed on January 30, 2019.
- Duile, T., & Bens, J. (2017). Indonesia and the "Conflictual Consensus": A Discursive Perspective on Indonesian Democracy. *Critical Asian Studies* 49(2), 139-162.
- Habermas, J. (1992). *Autonomy and Solidarity: Interviews with Jürgen Habermas*. London: Verso.
- Habermas, J. (1984). Habermas: Questions and Counterquestions. *Praxis International* 4(3), 229-249.

## ELECTRONIC TRAFFIC LAW ENFORCEMENT

- Hapsari, M., & Suteki, S. (2019). Rekonstruksi Program Perlindungan Dasar Melalui Program Pertanggungjawaban Kecelakaan Penumpang dan Lalu Lintas. *Jurnal Pembangunan Hukum Indonesia* 1(1), 64-77.
- Harahap, I. S., Gajah, N., & Harahap, N. O. (2019). The Proposed Progressive Law Enforcement Model: A Case Study of the Indonesian Law System Development. *International Humanities Studies* 6(2), 27-37.
- Harman, F. B. (2009). *Demokrasi Deliberatif, Menimbang Negara Hukum dan Ruang Publik dalam Teori Diskursus Jurgen Hebermas*. Yogyakarta: Kanisius.
- Hartanto, S., Utari, I. S., & Arifin, R. (2019). Implementation of Penal Mediation in the Perspective of Progressive Law (Study at the Semarang City Police Department). *IJCLS (Indonesian Journal of Criminal Law Studies)* 4(2), 161-188.
- Hidayat, M. F. (2019). Learning in Deliberative Democracy. *JISIPOL: Jurnal Ilmu Sosial dan Ilmu Politik* 3(3), 61-68.
- Joewono, T. B., Vandebona, U., & Susilo, Y. O. (2015). Behavioural causes and categories of traffic violations by motorcyclists in Indonesian urban roads. *Journal of Transportation Safety & Security* 7(2), 174-197.
- Kelly, M., Foucault, M., & Habermas, J., eds. (1994). *Critique and Power: Recasting the Foucault/Habermas Debate*. Cambridge, MA: MIT Press.
- Kelly, M. (1990). Jürgen Habermas: Morality, Society and Ethics: An interview with Torben Hviid Nielsen. *Acta Sociologica* 33(2), 93-114.
- Leyh, G. (2008). *Hermeneutika Hukum, Sejarah Teori dan Praktek*. Yogyakarta: Nusa Media.
- Marilang, M. (2017). Menimbang Paradigma Keadilan Hukum Progresif. *Jurnal Konstitusi* 14(2), 315-331.
- Mujahidin, A. M. (2007). Hukum Progresif: Jalan Keluar dari Keterpurukan Hukum di Indonesia, *Varia Peradilan*, XXII(257).
- Mustansyir, R. (2008). Landasan Filosofis Mazhab Hukum Progresif: Tinjauan Filsafat Ilmu. *Jurnal Filsafat* 18(1), 15-25.
- Muthhar, M. A. (2016). Membaca Demokrasi Deliberatif Jurgen Habermas dalam Dinamika Politik Indonesia. *Ushuluna: Jurnal Ilmu Ushuluddin* 2(2), 49-72.
- Noviani, I. G. A. K., & Astuti, P. (2017). Pelaksanaan Pengawasan Penindakan Pelanggaran Lalu Lintas Melalui Proses E-Tilang di Polresta Sidoarjo. *Jurnal Novum* 4(4), 167-174.
- Nugraha, D. S., & Suteki, S. (2018). Politik Hukum Penanganan Konflik Perkebunan oleh Pemerintah yang Berkeadilan Sosial. *Kanun: Jurnal Ilmu Hukum* 20(1), 103-122.

- Nurjaya, I. N. (2011). Pembangunan Hukum Negara dalam Masyarakat Multikultural: Perspektif Hukum Progresif. *Jurnal Hukum Progresif* 3(2), 1-28. <https://doi.org/10.14710/hp.3.2.16>.
- Ott, K. (2012). Variants of De-growth and Deliberative Democracy: A Habermasian Proposal. *Futures* 44(6), 571-581.
- Outhwaite, W. (2009). *Habermas: A Critical Introduction*. Cambridge UK: Polity.
- Oquendo, A. R. (2002). Deliberative Democracy in Habermas and Nino. *Oxford Journal of Legal Studies* 22(2), 189-226.
- Putra, R. H. W. (2020). Peran E-Tilang dalam Penindakan Pelanggaran Lalu Lintas Guna Mewujudkan Kamseltibcar Lantas di Wilayah Hukum Polres Banyumas. *Police Studies Review* 4(1), 373-416.
- Rahardjo, S. (2007). *Biarkan Hukum Mengalir, Catatan Kritis tentang Pergulatan Manusia dan Hukum*. Jakarta: Kompas.
- Rahardjo, S. (2007). Arsenal Hukum Progresif. *Jurnal Hukum Progresif*, 3(1), 1-26. <https://doi.org/10.14710/hp.3.1.1>.
- Rahardjo, S. (2000). "Mengajarkan Keteraturan Menemukan Ketidakteraturan Tiga Puluh Tahun Perjalanan Intelektual dari Bojong ke Pleburan", *Speech*. Semarang: Faculty of Law Universitas Diponegoro, 15 December 2000.
- Rahardjo, S. (2006). *Hukum dalam Jagat Ketertiban*. Jakarta: UKI Press.
- Rahardjo, S. (2010). *Penegakkan Hukum Progresif*. Jakarta: Kompas.
- Rahardjo, S. (2009). *Hukum Progresif: Sebuah Sintesa Hukum Indonesia*. Yogyakarta: Genta Publishing.
- Rahardjo, S. (2006). *Membedah Hukum Progresif*. Jakarta: Kompas.
- Rahardjo, S. (2005). Hukum Progresif: Hukum yang Membebaskan. *Jurnal Hukum Progresif* 1(1), 1-24.
- Ravena, D. (2014). Wacana Konsep Hukum Progresif dalam Penegakan Hukum di Indonesia. *Jurnal Wawasan Yuridika* 23(2), 155-166.
- Ridwan, R. (2018). Telaah Pemikiran Hukum Progresif Umar Bin Khatab Perspektif Indonesia. *Jurnal Hukum Samudra Keadilan* 13(1), 32-43.
- Rodiyah, R. (2016). Ideologi Kiblat Pembaharuan Hukum Indonesia. *Seminar Nasional Hukum Universitas Negeri Semarang* 2(1), 65-78.
- Salsabila, F. (2018). Inovasi Program Elektronik Tilang (E-Tilang) dalam Meningkatkan Pelayanan Publik di Kepolisian Resort (Polres) Kediri. *Publika* 6(2), 1-7.
- Sarmadi, A. S. (2012). Membebaskan Positivisme Hukum ke Ranah Hukum Progresif (Studi Pembacaan Teks Hukum Bagi Penegak Hukum). *Jurnal Dinamika Hukum* 12(2), 331-343.
- Setiyanto, S., Gunarto, G., Wahyuningsih, S. E. (2017). Efektivitas Penerapan Sanksi Denda E-Tilang Bagi Pelanggar Lalu Lintas Berdasarkan Undang-Undang Nomor 22 Tahun 2009 Tentang Lalu

## ELECTRONIC TRAFFIC LAW ENFORCEMENT

- Lintas dan Angkutan Jalan (Studi di Polres Rembang). *Jurnal Hukum Khaira Ummah* 12(4), 742-766.
- Sufriadi, Y. (2010). Penerapan Hukum Progresif dalam Penegakan Hukum di tengah Krisis Demokrasi. *Jurnal Hukum Ius Quia Iustum* 17(2), 233-248.
- Suteki, S. (2018). Hukum Progresif: Hukum Berdimensi Transendental dalam Konteks Keindonesiaan. *Prosiding Seminar Nasional & Call for Papers Hukum Transendental*.
- Suteki, S. (2015). *Masa Depan Hukum Progresif*. Yogyakarta: Thafa Media.
- Suteki, S., & Taufani, G. (2018). *Metode Penelitian Hukum (Filsafat, Teori, dan Praktek)*. Jakarta: Rajawali Pers.
- Sutrisno, E. (2015). Tracing the Performance of Law in Indonesia (A Perspective of Thomas Kuhn's Normal Science). *Journal of Law, Policy, and Globalization* 37(1), 126-136.
- Susilo, Y. O., Joewono, T. B., & Vandebona, U. (2015). Reasons underlying behaviour of motorcyclists disregarding traffic regulations in urban areas of Indonesia. *Accident Analysis & Prevention* 75(1), 272-284.
- Soekanto, S., & Abdurahman, A. (2005). *Metode Penelitian: Suatu Pemikiran dan Penerapan*. Jakarta: PT Rineka Cipta.
- Sutrisno, S. (2020). Kebijakan Sistem Penegakan Hukum Menuju Hukum Berkeadilan. *Pagaruyuang Law Journal* 3(2), 183-196.
- Syamsudin, M. (2011). *Konstruksi Baru Budaya Hukum Hakim Berbasis Hukum Progressif*. Jakarta: Kencana.
- Tim SPRORA. (2015). *Kapita Selektta dan Beban Biaya Sosial Korupsi*. Jakarta: Direktorat Pendidikan dan Pelayanan Masyarakat Kedeputian Bidang Pencegahan Komisi Pemberantasan Korupsi. <https://aclc.kpk.go.id/wp-content/uploads/2018/05/buku-kapita-selekta.pdf>.
- Utsman, S. (2008). *Menuju Penegakan Hukm Responsif*. Yogyakarta: Pustaka Pelajar.
- Vitale, D. (2006). Between Deliberative and Participatory Democracy: A Contribution on Habermas. *Philosophy & Social Criticism* 32(6), 739-766.
- Wahyuningsih, S. E., & Iksan, M. (2019). The Benefits of the E-Traffic Ticketing (E-Tilang) System in the Settlement of Traffic Violation in Indonesia, *Proceedings 2nd International Conference on Indonesian Legal Studies (ICILS 2019)*. Atlantis Press.
- Warassih, E. (2017). *Pemikiran Hukum Spiritual Pluralistik Antologi Memperingati 40 Tahun Pengabdian di Universitas Diponegoro dan 65 Tahun Usia Prof. Esmi Warassih Pujirahayu, S.H.,M.S.* Yogyakarta: Thafa Media.

- Wayne, A. M. (2020). Efektivitas Penerapan E-Tilang dalam Penindakan Pelanggaran Lalu Lintas di Wilayah Hukum Polres Banyumas. *Police Studies Review* 4(1), 57-120.
- Wulandari, E. I. (2020). Optimalisasi Aplikasi E-Tilang dalam Penindakan Pelanggaran Lalu Lintas di Polres Banyumas. *Advances in Police Science Research Journal* 4(1), 281-328.
- Wulandari, A. S. (2020). Inovasi Penerapan Sistem E-Tilang di Indonesia. *Al-Mabsut: Jurnal Studi Islam dan Sosial* 14(1), 1-10.