

HUMANITY IN THE ENFORCEMENT OF ANTI-CORRUPTION LAWS

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ABSTRACT

The justice of the law in the context of the law always subjected to refraction meaning. The justice of law can't be interpreted as specific but can be shown through deeds. The justice of the law which is considered better by most people not necessarily also have the same feeling with the justice of the law. There are various dimensions to distinguish it. In the context of the state, the leader is the main pedestal of enforcing the law on the laws and regulations in there. When the leader of a country is it where it as full support to the state institutions that overcome the problems of corruption, namely the Corruption Eradication Commission and the whole thing can run optimally. Advice taken, namely by forming laws and regulations based on humanity with other humans, namely the variation of the judgment. The judgment referred to is social work, exile to the island of the smallest, lethal injection and impoverishment through from the first of assets appropriately. Thus, humanity in enforcing anti-corruption laws can be run better by paying attention to the humanity of the injured party.

1. INTRODUCTION

A few years of this, the study of the science of law has experienced rapid development. The law that is not part of humanities make itself as a science which has it's own distinctive features. The science of law is the of law itself is therefore the science of the law of free will for the sake of honoring the law. Glorify the law in the context of this article, namely the enforcement of the law that ultimately created the justice of the law. In this case, the justice of the law is the thing especially. Justice law that seeks justice for all parties is the justice of the law which is essential.

The one looking for legal justice, namely to reconcile the will of the state. Referring to the thought of Jacques Maritain that the justice of the law derived from the law of nature will become apparent when the state doesn't have the power in international justice, the country

has a dispute sttlement state without going through war, aggression or the procession of the other savage. Be legal problems when the law enforcement carried out by state without the existence of a state. The country became very passive if not do law enforcement is repressive. But in the development of the time law enforcement becomes progressive, the element of humanity is preferable to the creation of the law itself.

Refer to Article 1 Number 1 and Number 2 of the Law of the Republic of Indonesia Number 28 Year 1999 on State Organizer Who is Clean and Free From Corruption, Collusion and Nepotism stated that the organizers of the country is state officials who run the functions of the executive, legislative, or judicial, and other officials whose functions and duties relating to the operation of the state in accordance with the provisions of the legislation applicable.

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While the organizers state that the net is the organizer of the state obey the general principles of state administration and free from corruption, collusion, and nepotism, and other misconduct. The essence of the organizers of the state has a relationship with law enforcement. Special in this article focus on the enforcement of anti-corruption laws because Indonesia has ratified the United Nations Convention Against Corruption through Law of the Republic of Indonesia Number 7 Year 2006 concerning Ratification of the United Nations Convention Against Corruption, 2003 (United Nations Convention against Corruption, 2003).

2. RESULT AND DISCUSSION

Humanity According to the law

Humanity According to the Law Humanity if we refer to the definition of international Human Rights 1948 is defined as all people are born free and equal in dignity and rights-the same rights. They are endowed with reason and conscience and should act towards one another in brotherhood. If humanity was declared independent since birth really satisfy humanity. Expressly, Augustine argues that human nature is social, in fact he confirms that in species sociality in such a natural like a human. Social nature of humans beings originated from Adam who was created of God in goodness. Therefore, in such a nature sociality of humans then humans living in groups requires rules and order.

When knowing that the man in addition to be born free, and he is also a social creature. Man that is doing the alienation to the third parties often do not know their right and obligations. The third party in this case is the state, the human doing the alienation of the state that the goodness that appears. When the state is obliged to maintain human existence.

Human existence is the sustainability of life in the state, namely, among others, the protection of human rights, fair law enforcement, as well as the best in living. The alienation that became the basis for

the led must be to create circumstances that are good. The state represented by the government must be role models for the community in it.

The country should have a legislation where the law is enforced. The contents of the legislation should remain rooted in a sense of humanity. Humanity should still pay attention to the development of society the modern state. Philosophy of Hegel theory of right argued that the *philosophy of the spirit* is a continuation of the philosophy of nature because the spirit is a process that goes beyond the process of the natural world. After "wandering" in a world full of contradictions, the spirit of absolute return to interiority, on his own consciousness as a spirit until it returns again on her own. After analyzed to nature, the spirit back on itself starting from the principles that bound and limited, namely to the subject individual. Here, instead of the first spirit appeared in the things that limited but rather how the limited looks in the spirit. The evolution of the spirit subjective walk through the spirits present on the individuality, the consciousness to understand all forms of manifestation universal and activity that favors more spiritual. With the freedom, the spirit out of subjectivity and into the world of concrete from manifestation on object that works the activity of the free, rational as a social institution and the juridical. Thus, the spirit of the objective is the stage of realization of freedom understood as the will of the rational. The thought will include the nature of the spirit can be seen in every stage of laws and regulations "By the Grace of God Almighty". When there is inclusion of the elements of the deity in the legislation then the humanity is the thing especially. Law enforcement can be seen to include criminal sanctions or administrative sanctions.

Law Enforcement Humanize Human

Indonesia is a country of law as in Article 1 paragraph (3) in the constitution of the Republic Indonesia. The consequence not only of state administration that should

have the basis and in accordance with the rule of law, but also means the actions of the citizens of the state should not violate the rules of the applicable law. Against violations of the law will be given the legal action that resulted in the imposition of sanctions. The law enforcement in state law will determine whether the state law is a symbol or factual. When the law enforcement is only concerned with one of the parties and negated the other party then there will be a split.

Cover

Humanity in enforcing anti - corruption laws always related how the leaders of a country to implement them. The word “implement” is interpreted as full support to the state institutions that overcome the problems of corruption, namely the Corruption Eradication Commission, although the existence of the commission in the system of constitutional law has a special characteristic that distinguishes with other state agencies.

Advice taken, namely by forming laws and regulations based on humanity with other humans, namely the variation of the judgment. The judgment referred is social work, exile to the island of the smallest, lethal injection and impoverishment through the first of assets appropriately. Thus, humanity in enforcing anti-corruption laws can be run better by paying attention to the humanity of the injured party.

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