



**JLPH:**  
**Journal of Law, Politic  
and Humanities**

E-ISSN: 2962-2816  
P-ISSN: 2747-1985

<https://dinastires.org/JLPH>    [dinasti.info@gmail.com](mailto:dinasti.info@gmail.com)    +62 811 7404 455

DOI: <https://doi.org/10.38035/jlph.v6i3>  
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## Implementation of Administrative Sanctions for Violations of the Prohibition on Giving Money and Goods to Vagrants and Beggars in the Special Region of Yogyakarta

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**Abstract:** This study aims to analyze the application of administrative sanctions in law enforcement against violations of the prohibition on giving money and goods to homeless people and beggars in the Special Region of Yogyakarta from the perspective of state administrative law. This study uses a normative legal research method (juridical normative) with a statutory approach and a conceptual approach. The results of the study indicate that the application of administrative sanctions against violations of the prohibition on giving money and goods is an instrument of social control that falls under the authority of the regional government as a form of government coercion (bestuursdwang). The applied administrative sanctions, such as verbal warnings, written warnings, and other administrative actions, aim to foster public legal compliance and support the effectiveness of social development and rehabilitation programs. However, the effectiveness of the implementation of these sanctions still faces various obstacles, including low public legal awareness, strong social empathy values that encourage violations, limited apparatus resources, and weak coordination between related agencies. In addition, the validity of administrative actions is highly dependent on the apparatus' compliance with the General Principles of Good Governance (AUPB), especially the principles of legal certainty, proportionality, and accuracy.

**Keyword:** State Administrative Law, Administrative Sanctions, Sanctions for Vagrants and Beggars, Public Order.

### INTRODUCTION

The problem of vagrants and beggars is a multidimensional social issue that continues to emerge as part of the dynamics of modern societal development. In various urban areas, this phenomenon not only reflects poverty but also indicates unequal access to economic resources, employment opportunities, and adequate social services. The presence of vagrants and beggars

represents an ongoing structural problem, in which certain individuals are compelled to survive in public spaces due to limited economic and social options available to them<sup>1</sup>.

The Special Region of Yogyakarta, as an area with high attractiveness in education, culture, and tourism, experiences relatively high population mobility. The influx of people from various regions into Yogyakarta brings unavoidable social consequences, one of which is the increasing number of individuals living in vulnerable conditions. This situation leads to the emergence of vagrants and beggars who use public spaces as a means of survival, thereby creating issues related to public order, environmental comfort, and urban spatial management.

Within the framework of regional governance, local governments have a constitutional obligation to maintain public order and ensure social welfare. This obligation is realized through the formulation of regional policies and regulations aimed at organizing social life in an orderly and equitable manner. One such policy is the regulation prohibiting the giving of money and goods to vagrants and beggars in public places as part of efforts to control persistent social problems. The prohibition is based on the consideration that direct assistance in public spaces tends to prolong dependency patterns and does not address the root causes of social issues. Such practices may even encourage begging as a livelihood and create opportunities for exploitation of vulnerable groups<sup>2</sup>. Therefore, this prohibition policy is intended to redirect public compassion into more targeted, systematic, and rehabilitation-oriented assistance mechanisms.

To ensure the implementation of this policy, local governments utilize administrative law instruments through the imposition of administrative sanctions for violations. Administrative sanctions are considered effective because they have preventive and corrective characteristics and are relatively more flexible than criminal sanctions. Through these sanctions, local governments are expected to encourage public compliance with legal norms without causing excessive social impact.

However, the implementation of administrative sanctions for violations of the prohibition on giving money and goods to vagrants and beggars has not yet operated optimally. One factor influencing this condition is the low level of public understanding regarding the substance and purpose of the prohibition<sup>3</sup>. Many individuals still interpret giving money to beggars as an act of empathy and moral obligation, without considering the legal implications or long-term impact on the persistence of the social problem. In addition to public legal awareness, the effectiveness of administrative sanctions is also strongly influenced by the capacity of local regulation enforcement officers. Administrative law enforcement requires consistent supervision, clear enforcement procedures, and the ability of officers to act professionally and proportionally<sup>4</sup>. Limitations in human resources, the complexity of field conditions, and the wide scope of supervisory areas often become obstacles to the comprehensive and sustainable application of administrative sanctions.

The implementation of administrative sanctions in this context also creates tension between legal certainty and a sense of social justice. On the one hand, local governments seek to enforce regulations firmly to uphold the authority of the law and public order. On the other

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<sup>1</sup> Putri Amelia, "Guidance of Beggars in Bandung City Based on Regional Regulation Number 9 of 2019 Reviewed from the *Siyasah Dusturiyah*", *Guidance of Beggars in Bandung City Based on Regional Regulation Number 9 of 2019 Reviewed from the *Siyasah Dusturiyah**, Vol. 15, No. 1 (2025), pp. 13–14.

<sup>2</sup> Ni Putu Dewi and Gede M. AP, *Control of Vagrants and Beggars by the Civil Service Police Unit in Bengkulu City, Bengkulu Province* (Doctoral Dissertation, Institute of Domestic Governance, 2025).

<sup>3</sup> Amelia, *Guidance for Beggars in Bandung City Based on Regional Regulation Number 9 of 2019 Reviewed from the *Siyasah Dusturiyah**, *Journal of Guidance for Beggars in Bandung City Based on Regional Regulation Number 9 of 2019 Reviewed from the *Siyasah Dusturiyah**, Vol. 15, No. 1 (2025): 1–14

<sup>4</sup> Fadli Bongso and Ahmad M. Ibrahim, "Criminal Law in the Perspective of Public Administration: A Study of Law Enforcement against Licensing Violations," *Journal of Administration, Human Resource Management and Social Sciences (JAEIS)*, Vol. 2, No. 3 (2023): 161–174.

hand, some members of society consider sanctions against acts of giving assistance to be contrary to humanitarian values, social solidarity, and religious teachings that emphasize caring for others. From an administrative law perspective, administrative sanctions do not merely function as punitive tools but also as instruments to restore conditions disrupted by violations of norms<sup>5</sup>. Thus, the primary objective of imposing administrative sanctions is to encourage behavioral change so that it aligns with applicable legal provisions. The effectiveness of such sanctions should therefore be measured by their ability to create legal compliance and sustainably reduce violations.

The issue of vagrants and beggars is also closely related to the fulfillment of human rights, particularly the right to a decent standard of living and social protection. The state cannot rely solely on a law-enforcement approach without balancing it with inclusive and equitable social policies. Therefore, the application of administrative sanctions must be placed within a broader policy framework that includes social rehabilitation, economic empowerment, and the provision of social services for vulnerable groups<sup>6</sup>. The socio-cultural conditions of the Special Region of Yogyakarta, which are religious and uphold strong communal values, also influence responses to the prohibition policy. Values of mutual cooperation and social concern that are deeply rooted in society often intersect with binding positive legal norms. This imbalance between legal values and social values has the potential to generate public resistance to the implementation of administrative sanctions.

The tourism sector, as one of the main pillars of the economy of the Special Region of Yogyakarta, also affects the dynamics surrounding the presence of vagrants and beggars. Interactions between tourists and beggars in public spaces often trigger the practice of giving money that does not comply with local regulations. Tourists' lack of understanding of local rules presents its own challenge in consistently applying administrative sanctions. The presence of vagrants and beggars in public spaces also impacts the social function and aesthetic quality of urban environments. Ideally, public spaces should be managed as orderly, safe, and comfortable areas for all members of society. When begging activities occur uncontrollably, the function of public space can be disrupted and may create negative perceptions regarding urban governance. In this context, administrative sanctions function as regulatory tools to maintain order in the use of public spaces.

Based on the foregoing description, the implementation of administrative sanctions in enforcing the prohibition on giving money and goods to vagrants and beggars in the Special Region of Yogyakarta constitutes a highly complex issue. This matter is not only related to the normative aspects of administrative law but also involves social, cultural, institutional, and human rights dimensions, thus requiring comprehensive understanding within legal and public policy frameworks.

## Research Problems

Based on the background described above, the research problems in this study are as follows:

1. How is administrative law regulating the prohibition on giving money and goods to vagrants and beggars in the Special Region of Yogyakarta?
2. How are administrative sanctions implemented in law enforcement against violations of the prohibition on giving money and goods to vagrants and beggars in the Special Region of Yogyakarta?

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<sup>5</sup> Sigit Wahyu Yudhayana and Abdul S. Aziz, "The Importance of Legal Awareness in Social Dynamics in Society," *LEGALITAS: Scientific Journal of Legal Science*, Vol. 9, No. 1 (2024): 79–96.

<sup>6</sup> Siti Rahma Rachman, "Protection Issues for Child Beggars and Government Responses: A Case Study of South Tangerang City," *Journal of Politic and Government Studies*, Vol. 14, No. 1 (2024): 809–819.

3. What obstacles are faced by local governments in implementing administrative sanctions for violations of the prohibition?

### Research Objectives

Based on the formulation of the problems above, this study aims to:

1. Analyze administrative law regulations concerning the prohibition on giving money and goods to vagrants and beggars in the Special Region of Yogyakarta.
2. Analyze the implementation of administrative sanctions in enforcing the prohibition on giving money and goods to vagrants and beggars in the Special Region of Yogyakarta.
3. Analyze the obstacles faced by local governments in implementing administrative sanctions for violations of the prohibition.

### METHOD

The type of research used is normative legal research (juridical normative). This research focuses on the study of norms in applicable positive law. Therefore, in this study the author analyzes the rules of state administrative law doctrinally to examine the application of administrative sanctions for violations of advertising without a permit. Research Approach To dissect the legal problem, the author uses two main approaches, namely the statute approach and the conceptual approach. The statutory approach is carried out by examining related regulations. Meanwhile, the conceptual approach is used to understand the doctrines and expert views regarding administrative sanctions and government discretion in regulating permits. Data Collection and Analysis Techniques The collection of legal materials was carried out through library research by inventorying, reading, and classifying legal documents relevant to advertising regulation in the Special Region of Yogyakarta. After the materials were collected, the author conducted a descriptive qualitative data analysis. This analysis method describes the data obtained in detail, then analyzes it using deductive logic, namely drawing conclusions from the major premise (positive legal regulations in DIY) to the minor premise (the fact of violation of advertising without a permit) to produce a prescription regarding how administrative law should be applied in this case.

### RESULTS AND DISCUSSION

#### Administrative Law Regulation Concerning the Prohibition on Giving Money and Goods to Vagrants and Beggars in the Special Region of Yogyakarta

Administrative law regulation concerning the prohibition on giving money and goods to vagrants and beggars constitutes one of the state's important strategies in organizing social order and creating a safe, orderly, and well-regulated public environment. The phenomenon of vagrants and beggars is not merely an individual issue but a complex social problem related to structural poverty, rapid urbanization, economic inequality, and limited access to employment, education, and social services. The practice of directly giving money or goods by the public, although motivated by empathy, can reinforce dependency among these groups, prolong their presence on the streets, and hinder government programs of guidance, rehabilitation, and social empowerment<sup>7</sup>. Therefore, this prohibition is positioned within administrative law as a preventive and corrective instrument of social control aimed at encouraging systematic solutions to social problems.

Normatively, the prohibition on giving money and goods has been regulated in various statutory regulations at both national and regional levels. Law Number 11 of 2009 concerning Social Welfare emphasizes that addressing social problems is the responsibility of the state,

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<sup>7</sup> Thamrin, H. Ridho, and I. D. Saragih, *The Role of Social Workers in Handling Homeless and Beggars in Medan and Penang* (Yogyakarta: CV Eureka Media Aksara, 2025).

carried out in a planned, integrated, and sustainable manner<sup>8</sup>. This provision is further elaborated through government and ministerial regulations governing mechanisms of rehabilitation, empowerment, and social protection for vulnerable groups, including vagrants and beggars. In the context of administrative law, the prohibition is positioned as an administrative policy supporting the effectiveness of government administration in the fields of public order and social welfare, thus providing a clear legal foundation for the implementation of social programs.

At the regional government level, such prohibitions are usually regulated in regional regulations concerning public order and community peace. Local governments have the authority to manage social affairs and public order in accordance with the principle of regional autonomy. This prohibition is intended to regulate the use of public space so that it does not become a medium for begging activities, while also encouraging the public to channel social concern through official government mechanisms or authorized social institutions. This regulation affirms the function of administrative law as an instrument of regulation (*regeling*) and governance (*bestuur*), integrating social policy with principles of public order to create a balance between individual interests and the interests of society at large<sup>9</sup>.

Administrative law regulation concerning this prohibition also includes mechanisms for administrative sanctions as enforcement tools. Various regional regulations stipulate sanctions for violators in the form of verbal warnings, written warnings, administrative fines, or other educational administrative measures. Administrative sanctions are chosen because they are flexible, preventive, and aimed at changing public behavior without imposing burdensome criminal penalties. In addition, implementation of the prohibition must align with general principles of good governance, including legal certainty, proportionality, transparency, and fairness, so that policies can be applied effectively without arbitrariness while still considering social and humanitarian interests<sup>10</sup>.

Administrative law regulation on the prohibition of giving money and goods to vagrants and beggars is part of a strategic public policy to organize social space, uphold order, and improve community welfare in a structured manner. The success of this regulation depends greatly on regulatory consistency, the quality of administrative law enforcement, and comprehensive social policy support, such as job provision, skills training, social rehabilitation services, and community empowerment programs. With a balanced approach between rule enforcement and social protection, administrative law can function as an effective instrument in addressing the issue of vagrants and beggars in a fair, humane, and sustainable manner.

### **Implementation of Administrative Sanctions in Law Enforcement Against Violations of the Prohibition on Giving Money and Goods to Vagrants and Beggars in the Special Region of Yogyakarta**

The application of administrative sanctions in enforcing the prohibition on giving money or goods to vagrants and beggars in the Special Region of Yogyakarta represents a strategic effort by the regional government to regulate social order and ensure protection for society at large. The regional government has established Regional Regulation Number 1 of 2014 concerning the Handling of Vagrants and Beggars as a clear legal basis for addressing

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<sup>8</sup> Rusydi, "Silver Man and the Policy Prohibiting 'Street Beggars': Anomalies in the Implementation of DIY Regional Regulation Number 1 of 2014 in Bantul, Yogyakarta," *IN RIGHT: Journal of Religion and Human Rights*, Vol. 12, No. 1 (2023): 59–79.

<sup>9</sup> Guanti and W. Armanijah, "Regulation of the Content of the Prohibition on Kite Flying in the Public Order Bylaw in Sambas Regency," *Al-Sulthaniyah*, Vol. 10, No. 1 (2021): 28–38.

<sup>10</sup> Tumangger, L. Amir, and R. Dewi, "Legal Certainty regarding Sanctions in Mayoral Regulations Reviewed from the Law on the Formation of Legislation," *Mendapo: Journal of Administrative Law*, Vol. 4, No. 1 (2023): 75–90.

this social phenomenon in an integrated manner<sup>11</sup>. The regulation emphasizes the prohibition for any individual or institution from directly providing assistance in the form of money or goods to vagrants and beggars in public spaces. The main objective of this prohibition is to break the cycle of dependency on alms and encourage problem resolution through structured social welfare mechanisms, while supporting public order and the effectiveness of social programs in the Yogyakarta region.

From an administrative law perspective, administrative sanctions are the primary instrument used to enforce this prohibition. These sanctions are designed not merely to punish but to create a deterrent effect while educating the public to comply with regulations. Enforcement practices in Yogyakarta are generally carried out gradually, beginning with verbal warnings, followed by written warnings, and then stricter administrative measures if violations persist<sup>12</sup>. This tiered approach aligns with administrative law principles emphasizing effectiveness, proportionality, and fairness, allowing the public an opportunity to understand the rules and adjust their behavior before facing harsher sanctions.

Furthermore, the implementation of administrative sanctions is also part of a preventive approach adopted by the regional government. Before sanctions are imposed, authorities such as the Social Affairs Office and municipal enforcement units conduct public outreach about the content of the regulation, targeting both local residents and tourists who frequently occupy public spaces. This outreach aims to ensure that the public understands the legal consequences and substantive reasons behind the prohibition, namely to direct social concern through official mechanisms and prevent the negative effects of direct giving<sup>13</sup>. Thus, administrative sanctions function not only as punishment but also as tools of legal education and social control to shape public behavior in accordance with public policy objectives.

However, implementation in practice faces various challenges. Several studies indicate that despite the existence of Regional Regulation Number 1 of 2014, people still often give money or goods to vagrants and beggars due to humanitarian impulses or social habits. This phenomenon demonstrates a gap between legal norms and social practices, indicating that administrative sanctions alone are insufficiently effective without educational and social empowerment approaches. Therefore, sanction enforcement must be accompanied by efforts to build legal awareness, strengthen social values, and apply guidance-based approaches so that violations can be minimized sustainably.

The effectiveness of administrative sanctions is also strongly influenced by the capacity of enforcement officials. Law enforcement requires good coordination among the Social Affairs Office, municipal enforcement units, and other related parties to conduct supervision, enforcement, and guidance for violators. Factors such as limited human resources, officers' competence, and humanitarian approaches in handling cases determine implementation success. Thus, the objective of administrative sanctions is not only formal enforcement but also behavioral change and increased participation of all stakeholders in sustainably resolving the issue of vagrants and beggars in the Special Region of Yogyakarta.

### **Obstacles Faced by Local Governments in Implementing Administrative Sanctions for Violations of the Prohibition**

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<sup>11</sup> B. A. Rusydi, "Silver Man and the Policy Prohibiting 'Street Beggars': Anomalies in the Implementation of DIY Regional Regulation Number 1 of 2014 in Bantul, Yogyakarta," *IN RIGHT: Journal of Religion and Human Rights*, Vol. 12, No. 1 (2023): 59–79.

<sup>12</sup> Maarif, "Optimizing the Implementation of Administrative Sanctions through a Participatory and Collaborative Approach," *Journal of Interdisciplinary Legal Perspectives*, Vol. 1, No. 1 (2024): 59–69.

<sup>13</sup> Tasmawati, "Analysis of the Enforcement of Regional Regulation Number 8 of 2020 concerning Amendments to Regional Regulation Number 8 of 2014 Concerning Beggars and Sanctions for Givers in Purworejo Regency," *Suara Edukasi Hukum*, Vol. 1, No. 1 (2025).

Local governments face various complex obstacles in implementing administrative sanctions against violations of the prohibition on giving money and goods to vagrants and beggars. The first obstacle stems from socio-cultural aspects of society. In many regions, including major cities such as Yogyakarta, people still maintain traditions and habits of directly helping individuals perceived as needy. These empathetic and moral impulses often lead people to ignore formal regulations prohibiting direct assistance. This situation creates a dilemma between legal compliance and humanitarian values, limiting the effectiveness of administrative sanctions because residents often underestimate warnings or light penalties.

The second obstacle relates to limitations in local government apparatus resources in enforcing regulations. The application of administrative sanctions requires active supervision by officials such as municipal enforcement units and social services to monitor violations, issue warnings, and follow up with violators<sup>14</sup>. However, limitations in personnel numbers, time constraints, and other workloads result in suboptimal supervision. In practice, officers face difficulties reaching all public points prone to violations, especially in high-mobility or tourist areas. Consequently, administrative sanction enforcement is often inconsistent, allowing violations to persist without adequate action.

The third obstacle arises from the public's lack of legal understanding and limited outreach. Some citizens do not fully understand regional regulations, possible sanctions, or the purpose of prohibiting direct giving. Although outreach has been conducted, it has not yet reached all segments of society or remains partial in nature. As a result, individuals who do not understand the rules tend to violate them unknowingly, reducing the effectiveness of administrative sanctions. This condition highlights the importance of more effective, continuous, and creative outreach strategies so that the public can understand the purpose and benefits of the prohibition.

Additional challenges stem from public resistance and perceptions toward administrative sanctions themselves. Some citizens consider such sanctions rigid or less humane, particularly when they view helping the poor as a moral and social obligation. These negative perceptions may lead to rejection, resistance, or attempts to avoid officers, thereby increasing enforcement complexity. This resistance underscores the challenge for local governments in balancing the enforcement of order with respect for prevailing social and humanitarian values<sup>15</sup>.

Structural and institutional constraints also affect the effectiveness of administrative sanction implementation. Coordination among agencies handling vagrants and beggars—such as social services, municipal enforcement units, police, and non-governmental organizations—has not yet operated optimally. Weak coordination results in slow and incomplete enforcement processes. In addition, the absence of an integrated monitoring and evaluation system makes it difficult for governments to assess policy effectiveness and detect violations promptly. Therefore, obstacles in implementing administrative sanctions are not only individual or social but also systemic, requiring improvements in management, interagency coordination, capacity building for officials, and public education strategies so that policy implementation can proceed effectively and sustainably.

## CONCLUSION

Based on the discussion and analysis that has been conducted, it can be concluded that the implementation of administrative sanctions, as well as the obstacles faced by the local government, can be concluded that the prohibition of giving money and goods to homeless and

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<sup>14</sup> Mokat, H. S. Muaja, dan F. Pongkorung, "Tinjauan Yuridis tentang Satuan Polisi Pamong Praja Kota Manado," *Lex Privatum*, Vol. 15, No. 5 (2025).

<sup>15</sup> Retnani, K. Muna, P. K. Wardhani, and Martitah, "Reform of the National Legal System in the Execution of Tax Crime Perpetrators: A Philosophical Review," *Law and Politics in Various Perspectives*, Vol. 3 (2024).

beggars in the Special Region of Yogyakarta is a strategic public policy instrument in maintaining social order and encouraging the resolution of social welfare problems in a structured manner. This regulation has a strong normative basis, both in national legislation and DIY Regional Regulation Number 1 of 2014, which positions administrative law as a tool of social control that is preventive, educational, and corrective. The implementation of administrative sanctions was chosen as a proportional and flexible approach to shape public compliance without prioritizing criminal repression, with the main goal of changing behavior and directing social concern through official government mechanisms. However, the effectiveness of this policy still faces various obstacles, ranging from strong socio-cultural factors in society, limited apparatus resources, lack of understanding and awareness of the law, to weak institutional coordination. Therefore, the success of enforcing the ban is not only determined by the firmness of regulations and administrative sanctions, but also by the synergy of social policies, strengthening the capacity of officers, increasing legal socialization, and a balanced approach between enforcing regulations and humanitarian values so that the goals of social order and welfare can be achieved sustainably.

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