

Juridical Analysis of Issuance of Sailing Approval Letters to Realize Seaworthiness: A Study at the Batam Special Authority and Harbormaster Office

*¹Artonny; ²Laily Washliati; ³Idham

¹⁻³ Faculty of Law
Universitas Batam, Indonesia

*¹Corresponding author

Abstract

Supervision of the ship's safety is carried out from the time the ship is designed and built until the ship is no longer used. In carrying out this supervisory function, it is carried out by the government. In this case, the government appoints an official who has the highest authority to carry out and supervise the fulfillment of the provisions of the legislation to ensure the safety and security of shipping, and the official is the harbormaster. The problem in this research is regarding the legal regulation of the issuance of a sailing approval letter to realize seaworthiness. A study at the Batam Special Port Authority and Harbormaster Office. The effectiveness of the embodiment in the issuance of a sailing approval letter to realize seaworthiness. The factors that become obstacles in issuing a sailing approval letter to realize seaworthiness and the solutions to be achieved. Therefore, this study aims to determine the legal arrangements for issuing a sailing approval letter to ensure seaworthiness—a study at the Batam Special Port Authority and Harbormaster Office. Then to find out the implementation of the results of the juridical analysis in the issuance of a sailing approval letter to realize seaworthiness. After that, to determine the factors that become obstacles or obstacles in law enforcement, the issuance of sailing approval letters to realize seaworthiness and the resulting solutions. This study uses a descriptive method by using a normative legal approach to obtain primary data through field research. The study results indicate that the legal regulation of issuing a sailing approval letter to realize seaworthiness, in essence, has been carried out well, although there are still many obstacles in the field, especially regarding human resources.

Keywords: Sailing Approval Letter, Seaworthiness

Introduction

Indonesia is an archipelagic country located between two continents, namely the Asian continent and the Australian continent, and between two oceans, namely the Pacific Ocean and the Indian Ocean. Indonesia is the largest archipelagic country globally, consisting of 13,466 islands, also known by the alternative name of Nusantara. Because Indonesia is an archipelagic country, ships are vital as a means of transportation for national shipping, especially in distributing goods and as passenger carriers between the Indonesian Territories or facilitating the flow of exports and imports of goods from and out of the country.

As one of the transportation modalities, Sea transportation is arranged in an integrated national transportation unit to realize the provision of transportation services that are following the needs and the availability of safe, comfortable, orderly, and efficient transportation services. To realize this, the government has a vital role in supporting smooth shipping, namely by carrying out law enforcement at sea. One of the efforts in law enforcement at sea is the supervision of ships sailing in Indonesian waters.

Ships are the primary means of transportation as a means of transporting goods between islands because, when compared to other means of transportation, the cost is much cheaper and the number of goods that can be transported is much higher than other means of transportation, and they can reach remote places that can not be reached by other means of transportation. Because at this time, the development of the National and

International Strategy environment requires shipping operators following science and technology, private participation and business competition, regional autonomy, and accountability of state administrators while still prioritizing shipping safety and security for the national interest.

Considering the ship's function as a mode of transportation (means of transport) for both goods and passengers. The condition of the ship in serving the sea transportation service must prioritize the elements of shipping safety and security in order to minimize the danger of accidents at sea that have an impact on the loss of human life, property objects, and pollution of the marine environment—considering that the ship's function is considerable for the transportation of goods and passengers. Notably, shipping in the archipelago and crossing shipping, such as ferries to facilitate the transportation of people and motorized vehicles to many coastal cities, making direct transit with relatively small costs. Pioneering ships that transport passengers and goods to isolated areas lacking business value, shipping entrepreneurs are reluctant to have their ships enter the isolated areas. Besides that, Indonesia also organizes people shipping. People's sailing is an inter-island voyage using motorboats, Pinisi ships (traditional ships/wooden ships), and motorized sailing ships with the Indonesian flag of a specific size and having family-friendly management. People's shipping is still an essential means of transportation for distributing goods to the archipelago because people's shipping ships can serve shipping to areas that can not be served by conventional ships. Public shipping is very suitable for transportation with small demand or for inland transportation to meet the needs of people in watersheds.

In addition to the transportation vessels mentioned above, there are also traditional building vessels used as fishing vessels, used by fishing communities in coastal areas throughout Indonesia, such as in the coastal area of Belawan, North Sumatera. Similar to other coastal fishing communities, traditional-built vessels are used as fishing vessels. These vessels are also supervised, as is done on the transport vessels mentioned above. The supervision is carried out by the Ministry of Transportation, Directorate General of Sea Transportation. In this case, the supervision was carried out by the Belawan harbormaster. In addition to serving national and international shipping, of course, many aspects must be considered for the ship's safety.

Ships that meet the seaworthy requirements can sail in the sea area of Indonesia. In article 1 number 33 of Law Number 17 of 2008 concerning Shipping, a Ship's Seaworthiness is the condition of a ship that meets the requirements for safety, prevention of water pollution from ships, manning, loading lines, loading, the welfare of ship crew and passengers' health, ship's legal status, management of safety and prevention of pollution from ships, and management of ship safety to sailing in certain waters.

The importance of the Sailing Approval Letter is regulated explicitly in Law Number 17 of 2008 concerning Shipping. Even though regulations regulate Sailing Approval Letters, it is not uncommon to find several sea transportation accidents caused by negligence in granting shipping permits. Safety and security issues and overall activities in shipping are the responsibility of the port. One of the biggest problems with ship accidents is the issue of a person's ability and expertise in carrying out the duties of the harbormaster in providing a ship's seaworthiness certificate, sailing permit, shipping safety, security, and all sea transportation shipping activities in Indonesian waters.

In-Law Number 17 of 2008, the aspects of a ship's seaworthiness, where the ship must meet safety requirements, prevention of water pollution from ships, manning, loading lines, pollution, the welfare of ship crew and passengers, the legal status of ships, safety management, and ship security management for sailing in particular waters. Supervision of the ship's safety is carried out from the time the ship is designed and built until the ship is no longer used. In carrying out this supervisory function, it is carried out by the government. In this case, the government appoints an official who has the highest authority to carry out and supervise the fulfillment of the provisions of the legislation to ensure the safety and security of shipping, and the official is the harbormaster.

The harbormaster carries out the function of shipping safety and security, which includes the implementation, supervision, and law enforcement in transportation in port waters and protection of the maritime environment at the port. This case is regulated in Article 207 paragraph (1) of Law Number 17 of 2008 concerning Shipping. In carrying out the supervision of shipping safety, it is carried out through Nautis, Technical and Radio inspections, and tests on all ship safety requirements in the context of issuing ship certificates. In order to fulfill the ship's seaworthiness aspect, where the ship's seaworthiness itself is the condition of the ship that meets the ship's safety requirements. Manning, loading lines, loading, the welfare of crew and passengers, the legal status of ships, and the management of ship safety to sailing in certain waters.

One aspect of the ship's seaworthiness is safety of the ship. Ship safety is the ship's condition that meets the material requirements, construction, building machinery and electricity, stability, arrangement, and equipment,

including auxiliary equipment and radio, ship electronics. A certificate proves it after inspection and testing by the surveyor. In this case, it was carried out by the Marine Inspector.

The harbormaster carries out subsequent supervision of the ship after fulfilling the aspects of the ship's seaworthiness. It is stated in the form of certificates stipulated by national rules and international rules. The conventions form that have been ratified by the government of the Republic of Indonesia. Another supervision is screen-worthy supervision, where the supervision is carried out by the harbormaster of ships that will sail, which, when leaving the port, ensures that the ship, crew, and cargo technically-administratively meet the requirements of shipping safety and security as well as protection of the maritime environment.

Before the issuance of the Sailing Approval Letter, an administrative check is carried out, namely: Letters and documents attached at the time of submission of the application letter and issuance of the Sailing Approval Letter (Port Clearance), Certificates and ship documents received by the harbormaster when the ship arrives at the port. Furthermore, a physical inspection is carried out on the ships' nautical and radio conditions and the loading and stability of the ship.

Based on article 1 number 34 of Law Number 17 of 2008 concerning shipping, a certificate after inspection and testing can prove the ship's safety. Safety certificates are given to all types of ships measuring more than 7 GT, except for warships and state ships. By Government Regulation Number 51 of 2002 concerning Shipping, ships that have obtained certificates are checked continuously until the ship is no longer used, which means that the ship's certificates are not valid when the certificate's validity period has expired. The ship's certificate can also be canceled if the information in the ship's document used for the issuance of the certificate does not match the current situation, if the ship does not meet the ship's safety requirements, or if the certificate was obtained illegally. Based on Law Number 17 of 2008 concerning Shipping, this certificate is in the form of a passenger ship safety certificate and a cargo ship safety certificate.

The harbormaster plays a vital role in the port system, both in shipping, law enforcement, and coordinating activities in the port. The porter's responsibility is critical because the security and safety of sailing have become the porter's duty. The actions taken by the harbormaster are in order to increase the supervision of security and safety matters related to shipping. The Issuance of a Sailing Approval Letter is a supervisory process carried out by the harbormaster on ships that will sail from the port to ensure that the ship, crew, and their cargo technically-administratively meet the requirements for shipping safety and security. Obtaining a Sailing Approval Letter automatically, the conditions that must be met to obtain the permit meet the requirements determined by the laws and regulations so that there is a relationship between the Sailing Approval Letter and sailing safety efforts. Based on this background, the following problems can be formulated.

- What are the Legal Arrangements for Issuing Sailing Approval Letters to realize seaworthiness?
- How is the implementation of the Sailing Approval Letter to realize seaworthiness?
- What are the inhibiting factors or obstacles and solutions to the issuance of Sailing Approval Letters to realize seaworthiness?

As a result, there are some study goals, amongst which are In order to ensure seaworthiness, it is necessary to understand the legal arrangements for issuing Sailing Approval Letters. Considering how to implement the issuing of a Sailing Approval Letter to achieve seaworthiness. Understanding the reasons or obstacles that prevent the issuance of Sailing Approval Letters and possible solutions is essential.

This research will contribute to academics and practitioners. It is also anticipated that it will provide positive benefits for other parties. Theoretically, the results of this study are expected to contribute to the development of legal science, especially regarding the issuance of Sailing Approval Letters to ensure seaworthiness. Practically, this research is expected to provide benefits for the Port Authority and the community. The Port Authority can carry out work efficiently because the results of this study explain the issuance of Sailing Approval Letters to realize seaworthiness. The public gets legal certainty because the results of this study provide explanations and guidelines regarding the laws and regulations applied to the issuance of Sailing Approval Letters to ensure seaworthiness. A study at the Batam Port Authority and Special Port Authority Office.

Literature Review

As a Grand Theory, the theory of utilitarianism, initiated by Jeremy Bentham, John Stuart Mill, and Rudolf von Jhering, is a reaction to the conception of natural law in the eighteenth and nineteenth centuries. Bentham criticized the conception of natural law because he considered that the laws of nature were neither vague nor fixed. Bentham explores the periodical movement from the abstract, idealistic, and a priori to the concrete, materialist, and fundamental. According to Bentham, the law's purpose is to provide as many citizens the most

significant benefit and happiness as possible. So, the concept puts benefit as the primary goal of the law. The measure is the greatest happiness for as many people as possible. The assessment of good or bad, fair or not, this law depends on whether the law can give humans happiness. The benefit is defined as happiness.

The basic principles of Bentham's teachings can be explained as follows. The purpose of the law is to guarantee happiness to individuals, then too many people. The greatest happiness of the most significant number and this principle must be applied qualitatively because the quality of pleasure is always the same. In order to realize individual and community happiness, legislation must achieve four objectives: (1) to provide subsistence (to provide a living); (2) to provide abundance (to provide a living with abundant food); (3) to provide security (to provide protection); and (4) to attain equity (to achieve equality).

Laws that bring happiness to the most significant part of society will be judged as good laws. Furthermore, Bentham argues that the existence of the state and law is merely a tool to achieve an essential benefit, namely the happiness of the majority of the people. Bentham's individualistic teachings still pay attention to the community's interests so that the interests of one individual and another do not collide, so it must be limited to avoid *homo homini lupus*. According to Bentham, each individual has an attitude of sympathy for other individuals so that individual happiness will be created and community happiness will be realized. As Bentham mentions, the law aims to bring the greatest happiness to the most significant number.

Bentham's idea undoubtedly has flaws. In order to begin, there is the abstract and doctrinal rationality that prevents Bentham from seeing people as a complex whole, as a synthesis of materialism and idealism, nobility and the lower classes, and the egoism that causes Bentham to overestimate legislators' powers and understate the importance of individualizing wisdom and flexibility in the application of the law. His naive faith in the universality and principles of scientific codification was so strong that he worked with the same enthusiasm and disregard for national and historical distinctions. Second, it is the consequence of Bentham's inability to articulate his notion of the balance between individual and societal interests. Bentham thought that the unbounded interests of many people inevitably impacted the interests of society, but he could not explain why.

However, what is conveyed by Bentham has an essential meaning in the history of legal philosophy. Bentham connected the philosophical rationale with the postulates of practical law, laid individualism on a new materialistic basis. Linked the rights of the self-aware individual with the happiness of a large number of individuals with the same demands living in society and laid the foundation for a new relativity trend in the science of law, which was later called sociological jurisprudence, emphasizing needs and developing a conscious way of law formation through codification through the courts or evolution through habit.

As an intermediate theory, Lawrence M. Friedman's Legal System Theory asserts that the efficiency and success of law enforcement are contingent upon three components of the legal system: the legal structure, the legal substance, and legal culture. The legal framework applies to law enforcement personnel. The legal substance consists of legislative instruments, while the legal culture consists of a society's living law. The legal system's structure is composed of the following elements: the number and size of courts, their jurisdiction, including the kinds of cases they are allowed to hear, and the process for resolving disputes between courts. Additionally, structure refers to how the legislative is structured, what the president can and can not do, and the processes followed by the police. Thus, the framework (legal structure), which is composed of existing legal institutions, is designed to carry out the provisions of existing legal instruments.

The authors use Talcott Parsons' Integrative Legal Theory, which argues that in order for the legal system to perform its integrative role successfully, four issues must be resolved first: legitimacy, which serves as the foundation for adhering to the rules; interpretation, which entails determining the subject's rights and obligations through the process of establishing specific rules; sanctions, which establishes what sanctions will apply in the event of compliance; and what sanctions will apply in the event of binding on the subject. Romli Atmasmita's ideas developed as a result of meditation on the Integrative Theory of Law. He desired to rebuild the concepts of Mochtar and Satjipto.

As defined by Mochtar, the law is a system of norms based on the perspectives of Development Law Theory and Progressive Legal Theory, and it is a behavioral system. Romli concludes that law may and should be understood as a value system. In connection to Integrative Legal Theory, Talcott Parsons asserts that for the legal system to perform its integrative role successfully, four issues must be addressed first: legitimacy, which serves as the foundation for rule compliance. Interpretation, which will include the determination of rights. Obligations imposed on the subject as a result of the establishment of specific regulations. Sanctions specify which sanctions will apply in the event of compliance and which penalties will apply in the event of rule enforcement, as well as who will apply the sanctions; jurisdiction, which establishes the lines of authority with the power to enforce legal standards.

In this research, jurisprudence is defined as an activity that identifies and breaks down the components of an issue for further examination and then connects them to the law, legal rules, and relevant legal standards as a solution to the problem. The juridical analysis aims to compile pertinent laws and other supporting documentation to develop findings as remedies or answers to issues.

The juridical analysis activity aims to develop a mindset for legislative problem solving, particularly when it comes to the problem of a conceptual framework, also known as a conceptual framework. A conceptual framework is a framework that describes the relationship between the specific concepts studied. The idea is one of the theory's concrete components. However, additional development of this idea is required in an operational definition applicable to legal science, such as legislation. The operational definition aims to limit the scope of the variable's meaning to concentrate on the data collected.

The harbormaster

The harbormaster is a technical implementing unit within the transportation ministry, which is under and responsible for the Director-General of Sea Transportation. A Head of Office leads the Harbormaster and Port Authority Offices. The Port Authority Office and Port Authority have the task of carrying out supervision and law enforcement in shipping safety and security, coordinating government activities at ports, and regulating, controlling and supervising port activities at commercially managed ports.

In carrying out the duties of the Harbormaster Office and the Batam Port Authority, it carries out the functions of carrying out supervision and fulfillment of ship worthiness, ship safety certification, prevention of pollution from ships, and determination of the legal status of ships. Implementation of ship safety management inspections. Implementation of shipping safety and security supervision related to loading and unloading dangerous goods, particular goods, hazardous and toxic waste, refueling, orderly embarkation and debarking of passengers, construction of port facilities, dredging, and reclamation, seaworthiness, and maritime affairs. In addition, orderly ship traffic in port waters and shipping lanes, ship scouting and delaying, and issuance of Sailing Approval Letter. They carried out inspections of ship accidents, prevention and extinguishing of fires in port waters, handling disasters at sea, and implementing marine environmental protection and law enforcement in shipping safety and security. Implementation of coordination of government activities at ports related to the implementation of supervision and law enforcement in shipping safety and security. Implementation of the preparation of the Port Master Plan, Work Environment Area, and Port Interest Environment Area, and supervision of their use, tariff proposals to be determined by the Minister. Implementation of the provision, regulation, and supervision of the use of land and harbor waters, maintenance of wave barriers, port pools, shipping lanes, road networks, and Shipping Navigation Assistance Facilities. Implementation of guarantee and maintenance of environmental sustainability at ports, security and order, and smooth flow of goods at ports. Implementation of ship traffic in and out of ports through ship scouting, provision and port services, and granting concessions or other forms to port business entities. Moreover, they prepare materials for determining and evaluating operational performance standards for port services and the implementation of financial, staffing, and general affairs, law, and public relations and reporting.

Sailing Approval Letter

The term "impact" may be defined as "effect." Each choice made by a superior has an effect, both positive and negative. Additionally, the impact may refer to a follow-up procedure after the installation of internal control. A trustworthy leader should be able to forecast the kind of effect that a decision will have. This instance refers to the legal influence over the port's issuing of the Sailing Approval Letter.

Seaworthiness

Shipworthiness is the condition of a ship that meets the requirements for safety, prevention of water pollution from ships, manning, loading lines, loading, the welfare of ship crews and health of passengers, the legal status of ships, safety management, and prevention of pollution from ships, and management of ship security to sail in certain waters. The Sailing Approval Letter is valid for twenty-four hours from the time of issuance and can only be used for one voyage. In issuing the Sailing Approval Letter, the portmasters may appoint an officer competent in the harboring field.

Research Methods

The term "method" refers to a scientific activity that involves a methodical approach to comprehending a topic or target of study to be ready with scientifically justified solutions and have validity. A Data specification is a method of determining the kind of research format to use while evaluating the subject of study in legal science.

According to the kind, nature, and aim of Soerjono Soekanto's specifications, legal research is classified into two types: normative legal research and sociological or empirical legal research. This kind of legal study is referred to as normative legal research or doctrinal legal research. Additionally, it is referred to as library research or document analysis. It is referred to as doctrinal legal study since it is performed or directed only at written rules or other legal documents. It is sometimes referred to as library research or document study since most of the research is conducted in libraries using secondary sources. The research drew on secondary data sources that they acquired or gathered from existing sources. Secondary data were gathered to provide a theoretical foundation via expert publications, statutory provisions, and existing official documents.

This study was conducted at Batam Port, with the population including sailors who intend to cruise. The authors use purposive sampling to conduct a non-probability sampling procedure. This case is because the research gathered samples only to accomplish specific goals. Typically, this method is selected because of its low time, effort, and cost requirements. The open interview is conducted by asking direct questions and receiving direct responses guided by a list of pre-made and prepared questions. All data acquired and collected is re-examined for completeness and clarity, and then a data management process is conducted by assembling and categorizing the data to facilitate data analysis.

Data analysis is also a step in identifying the causes of and solutions to research issues. There are two distinct approaches to data analysis: qualitative and quantitative. The data for this research was gathered via a literature review (legal research) and field investigations. Qualitative analysis was used to examine the data. Qualitative analysis is a scientific technique for collecting valid data to find, demonstrate, and create knowledge that can be utilized to understand, solve, and predict problems based on natural facts. This research's positive law study technique is a deductive (generic) to inductive (particular) strategy for decision-making based on the research findings. Complementing the normative framework that has been collected and structured via collecting and inventory activities is a technique.

Discussion and Conclusion

Arrangements for issuing a sailing approval letter to realize seaworthiness are contained in several laws and regulations. Law Number 17 of 2008; Law Number 1 of 1973; Law Number 5 of 1983; Law Number 6 of 1996. Government Regulation Number 69 of 2001; Government Regulation Number 36 of 2002; Government Regulation Number 37 of 2002; Government Regulation Number 81 of 2005; Presidential Regulation Number 81 of 2005; Government Regulation Number 51; Ministerial Regulation Number 82 of 2014; and Ministerial Regulation Number 146 of 2016.

While issuing sailing permission letters to ensure seaworthiness usually has been proceeding, there are still difficulties in the field. The following are the difficulties encountered in the field and the resolutions reached in issuing a sailing permission letter to achieve seaworthiness. First, we will discuss the external variables that influence the harbormaster officer at the Batam Port Office's issuing the Sailing Approval Letter for fishing boats, such as legal and coordination issues. Second, internal factors such as human resource availability and the applicant's degree of inaccuracy.

Additionally, the settlement of issues relating to the harbormaster's credentials and competence in issuing sailing permission letters for sailing safety, among others, aims to maximize communication and socializing. Human resources are enhanced further via training and education. The disposition must be compatible with the porter's credentials and competence—finally, an efficient and effective bureaucratic system.

The legal framework for issuing a sailing permission letter to achieve seaworthiness should be fully controlled by law to give legal clarity to all parties, particularly the ship's captain.

Moreover, to ensure shipping safety, a sailing permission letter was implemented to ensure seaworthiness and harmonious and integrated collaboration among different parties, both from agencies linked to harbor managers and ship captains. Constraints/obstacles and settling factors associated with sailing permission letters to achieve seaworthiness are anticipated to be socialized with the processes and mechanisms for issuing sailing approval letters.

References

- Abdulkadir, M. (1998). *Hukum Pengangkutan Niaga*. Citra Aditya Bakti, Bandung.
- Arief, B.N. (2015). *Masalah Penegakan Hukum dan Kebijakan Penanggulangan Kejahatan*. PT. Citra Aditya Bakti, Bandung.
- Asshiddiqie, J. (2019). *Konstitusi dan konstitusionalisme Indonesia*. Sinar Grafika.
- Atmasasmita, A. (2016). *Sistem Peradilan Pidana*. Binacipta, Bandung.

- Bayuputra, T. B. (2015). Tinjauan Yuridis Mengenai Peran Syahbandar Dalam Kegiatan Pelayaran Angkutan Laut Di Indonesia. *Lex et Societatis*, 3(3).
- Bungin, M. B. (2005). *Metode Penelitian Kualitatif*. Andi, Jakarta.
- Furqon, M. (1999). *Kerugian Akibat Lalu Lintas Tanggung Jawab Siapa*. Gramedia, Jakarta.
- Hadjon, P. M. (2016). *Pengantar Hukum Perizinan*. Yuridika, Surabaya.
- Handoko, W. (2004). *Kebijakan Pengawasan Sumber Daya Kelautan dan Perikanan, Jurnal Hukum Internasional*, Edisi Khusus.
- Hartanto (2008). *Pencemaran Lingkungan*. Rajawali Press, Jakarta.
- Ibrahim, J. (2006). Teori dan metodologi penelitian hukum normatif. *Malang: Bayumedia Publishing*.
- Idham (2014). *Konsolidasi tanah perkotaan dalam perspektif otonomi daerah Guna Meneguhkan Kedaulatan Rakyat dan Negara Berkesejahteraan*. PT. Alumni, Bandung.
- Ikhsan, M. (2009). *Makalah Seminar Lalu Lintas Dan Permasalahannya*. Yogyakarta.
- Kurniawan (2014). *Hukum Perusahaan (Karakteristik Badan Usaha Berbadan Hukum dan Tidak Berbadan Hukum di Indonesia)*. Genta Publishing, Jakarta.
- Kusumaatmadja, M. (2012). *Fungsi dan Perkembangan Hukum dalam Pembangunan Nasional*. Penerbit Bina Cipta, Bandung.
- Leden Marpaung, L. (1997). *Tindak Pidana Lingkungan Hidup dan Masalah Prevensinya*. Penerbit Sinar Grafika, Jakarta.
- Mahfud, M. D. (2001). *Politik Hukum di Indonesia*. LP3ES, Jakarta.
- Mariun (1979). *Otonomi Daerah dan Aplikasinya*. Penerbit. Rineka Citra, Jakarta.
- Marzuki, P. M. (2010). *Penelitian Hukum*. Kencana, Jakarta.
- Muchsin (2007). *Politik Hukum Dalam Pendidikan Nasional*. Pasca Sarjana Universitas Sunan Giri, Surabaya.
- Muh. Erwin, M. (2011). *Filsafat Hukum ; Refleksi Kritis Terhadap Hukum*. Rajawali Press, Jakarta.
- Muladi (2015). *Kapita Selekta Sistem Peradilan Pidana*. BP. UNDIP, Semarang.
- Nazir, M. (2011). *Metode Penelitian*. Penerbit Ghalia Indonesia. Bogor.
- Ni'matul Huda, N. (2005). *Otonomi Daerah: Sejarah Perkembangan dan Problematika*. Penerbit Pustaka Pelajar, Jakarta.
- Notohamidjoyo (2011). *Soal-Soal Pokok Filsafat Hukum*. GriyaMedia, Salatiga.
- Osse, A. (2007). *Memahami Pemolisian, Buku Pegangan bagi Para Pegiat Hak Asasi Manusia*, Amnesty International.
- Purbacaraka, P., & Soekanto, S. (1989). *Peraturan perundangundangan dan Yurisprudensi*. PT. Citra Aditya Bakti, Bandung.
- Raharjo, H. (2009). *Hukum Perjanjian di Indonesia*. Penerbit Pustaka Yustisia, Yogyakarta.
- Raharjo, S. (2002). *Sosiologi Hukum Perkembangan Metode Dan Pilihan Masalah*. Penerbit: Sinar Grafika, Yogyakarta.
- Rasyid, R. (2000). *Makna Pemerintahan*. PT. Mutiara Sumber Widya, Jakarta.
- Rasyidi, L., & Rasyidi, I. T. (2004). *Dasar-Dasar Filsafat dan Teori Hukum*. PT. Citra Aditya Bhakti, Bandung.
- Reksodiputro, M. (2016). *Hak Asasi Manusia dalam Sistem Peradilan Pidana*, Pusat Pelayanan Keadilan dan Pengabdian Hukum UI, Jakarta.
- Ruslan, R. (2016). *Metode Penelitian Public Relations dan Komunikasi*. Rajawali Pers, Jakarta.
- Rusli, Z., & Sari, J. P. (2014). *Pengawasan syahbandar dalam upaya mewujudkan keselamatan, keamanan, dan ketertiban penumpang di Pelabuhan Tembilahan* (Doctoral dissertation, Riau University).
- Salim, H. S., & Nurbani, E. S. (2013). *Penerapan Teori hukum pada penelitian tesis dan disertasi*. Raja Grafindo Persada, Jakarta.
- Santoso, D. (2015). *Pokok-pokok hukum perkapalan*. UII Press, Yogyakarta
- Sarsono, H. B. (2012). *Manajemen Pelabuhan dan Realisasi Ekspor Impor*, Andi, Yogyakarta.
- Sidharta, B. A., & Brugguink, J. J. H. (1999). *Refleksi tentang hukum*. Citra Aditya. Bandung.
- Soekanto, S. (2008). Faktor-faktor yang mempengaruhi penegakan hukum. *Raja Grafindo Perkasa*, Jakarta.
- Soekanto, S. (2017). *Pengantar Penelitian Hukum*, Cet. 3, Jakarta: Penerbit Universitas Indonesia.
- Sugiyono (2016). *Metode Penelitian Kuantitatif, Kualitatif, dan R&D*. Alfabeta, Bandung.
- Sunggono, B. (2016). *Hukum dan Kebijaksanaan Publik*. Sinar Grafika, Jakarta.
- Surayin (2015). *Kamus Umum Bahasa Indonesia*. Analisis Yrama Widya, Bandung
- Suryadi, H., & Suprianto, S. (2014). *Fungsi Pemerintah Dalam Pelayanan Publik (Kasus Pengujian Kendaraan Bermotor Pada Uptd Dinas Perhubungan Informasi Dan Komunikasidi Kabupaten Kampar)* (Doctoral dissertation, Riau University).
- Susantono, B. (2013). *Transportasi dan Investasi Tantangan dan Perspektif*. Multidimensi, Jakarta.
- Syafrudin, A. (2000). Menuju Penyelenggaraan Pemerintahan Negara yang Bersih dan Bertanggung Jawab. *Jurnal Pro Justisia Edisi IV, Universitas Parahyangan, Bandung*.
- Uli, S. (2012). *Pengangkutan, Suatu Tinjauan Multimoda Transport Angkutan Laut, Angkutan Darat dan Angkutan Udara*. USU Press, Medan.

Wijayanti, A. (2010). *Hukum Pelautan*. Rineka Citra, Bandung.
Buku Pedoman Penyusunan Proposal Dan Tesis Program Magister Ilmu Hukum Pascasarjana Uniba Batam
KUH Dagang
KUHPerdara
Peraturan Menteri Nomor 146 Tahun 2016 Tentang Penyelenggaraan Pelabuhan Laut
Peraturan Menteri Nomor 82 Tahun 2014 Tentang Penertiban Surat Persetujuan Berlayar
Peraturan Pemerintah Nomor 36 Tahun 2002 tentang Hak dan Kewajiban Kapal Asing Dalam Melaksanakan Lintas Damai Melalui Perairan Indonesia
Peraturan Pemerintah Nomor 37 Tahun 2002 tentang Hak Dan Kewajiban Kapal Dan Pesawat Udara Asing Dalam Melaksanakan Hak Lintas Alur Laut Kepulauan Melalui Alur Laut Kepulauan Yang Ditetapkan.
Peraturan Pemerintah Nomor 51 Tentang Perkapalan; Peraturan Pemerintah Nomor 81 Tahun 2005 tentang Badan Koordinasi Keamanan Laut;
Peraturan Pemerintah Nomor 69 Tahun 2001 Tentang Kepelabuhan
Peraturan Pemerintah Nomor 81 Tahun 2005 tentang Badan Koordinasi Keamanan Laut
Peraturan Presiden Nomor 81 Tahun 2005 tentang Badan Koordinasi Keamanan Laut.
Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
Undang-undang Nomor 1 Tahun 1973 tentang Landas Kontinen Indonesia
Undang-Undang Nomor 17 Tahun 2008 Tentang Pelayaran Lembaran Negara Republik Indonesia Tahun 2008 Nomor 17, Tambahan Lembaran Negara Nomor 3888.
Undang-undang Nomor 5 Tahun 1983 Tentang Zona Ekonomi Eksklusif Indonesia
Undang-undang Nomor 6 Tahun 1996 tentang Perairan Indonesia

