

BIBLIOGRAPHY

Book

Adji, Oemar Seno. *Perkembangan Hukum Pidana Dan Hukum Atjara Pidana Sekarang Dan Dimasa Jang Akan Datang*. Jakarta: Pantjuran Tudjuh, 1971.

Marzuki, Peter Mahfud. *Penelitian Hukum*. Jakarta: Kencana, 2010.

Mertokusumo, Sudikno. *Penemuan Hukum: Sebuah Pengantar, Liberty*. Yogyakarta, 2006.

Poernomo, Bambang. *Asas-Asas Hukum Pidana*. Jakarta: Ghalia Indonesia, 1981.

Prasetyo, Teguh. *Hukum Pidana*. Jakarta: RajaGrafindo Persada, 2011.

Post, Robert C. *The Social Foundation of Defamation Law : Reputation and the Constitution*

Soesilo, R. *KUHP Serta Komenta-Komenta Lengkap Pasal Demi Pasal*. Bogor: Politea, 1996.

Journals and Research

Arifin, Muhammad Ardiansyah, Owen Maskintama, and Nugroho Adhi Pratama. "Indonesia Abuse of Defamation Clause in Article 27 Section (3) of Electronic Information and Transaction Law." *South East Asia Journal of Contemporary Business, Economics and Law* 23, no. 1 (2020): 25–33.

Clooney, Amal, and Webb Philippa. "The Right to Insult in International Law." *SSRN Electronic Journal*, 2017, 55.

Descheemaeker, Eric. "Protecting Reputation: Defamation and Negligence." *Oxford Journal of Legal Studies* 29, no. 4 (2009): 603–41.

Eddy OS Hariej, <[http:// www.indekshukum.org/annotation/detail/c6db57ca-76e4-16e4-9fdd-313031313131.html](http://www.indekshukum.org/annotation/detail/c6db57ca-76e4-16e4-9fdd-313031313131.html)>. "Anotasi Putusan MA No. 822K/Pid.Sus/2010," n.d.

Eddyono, Supriyadi Widodo, Sriyana, and Wahyu Wagiman. "Analisis Terhadap Situasi Hukum Penghinaan Di Indonesia." *ICJR*, 2012.

Eliel, Richard H., and American Political Science Association. "Freedom of

Speech.” *The American Political Science Review* 18, no. 4 (1924): 712–36.
<https://www.jstor.org/stable/1943668>.

Gardbaum, Stephen. “A Reply to ‘The Right of Reply,.’” *76 GEO. WASH. L. REV.* 1065, 2008.

Glendon, Marry Ann. “The Rue of Law in the Universal Declaration of Human Rights.” *U.J. Int’l Hum. Rts* 2 Nw

Goldberg, David, Gavin Sutter, and Ian Walden. “Media Law and Practice.” *Oxford University Press*. Oxford, 2009.

Govindu, V. “Contradiction in Freedom of Speech and Expression.” *The Indian Journal of Political Science* 72, no. 3 (2011): 641–50.
<https://www.jstor.org/stable/41858840>.

Hannum, Hurst. “THE STATUS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS IN NATIONAL AND INTERNATIONAL LAW Hurst Hannum.” *Ga. J. Int’l & Comp. L.* 25 (1996): 287–398.

Hempel, Felix. “The Right of Reply under the European Convention on Human Rights: An Analysis of Eker v Turkey App No 24016/05 (ECtHR, 24 October 2017).” *Journal of Media Law* 10, no. 1 (2018): 17–36.

Hermawan, Budi. “Penerapan Unsur Pasal Pencemaran Nama Baik Dalam Undang-Undang Informasi Dan Transaksi Elektronik Terhadap Kasus Ervani Emy Handayani.” Universitas Gadjah Mada, 2019.

Ivanishcheva, Olga Nikolaevna, Elena Viktorovna Bolgova, Irina Mikhailovna Shadrina, Anna Vladimirovna Gushchina, and Sergey Borisovich Nikonov. “Insult as a Linguistic and Legal Phenomenon.” *International Journal of Engineering and Technology(UAE)* 7, no. 4 (2018): 216–19.

Jacobstein, J. Myron, Roy M. Mersky, and Donald J. Dunn. *Fundamentals of Legal Research*. 7th Editio. New York: Foundation Press, 1998.

Koltay, András. “The Right of Reply in a European Comparative Perspective.” *Acta Juridica Hungarica* 54, no. 1 (2013): 73–89.

Krivic, Matevz, and Simona Zatler. “Freedom of the Press and Personal Rights - Right of Correction and Right of Reply in Slovene Legislation,.” *Open Society Institute Slovenia Mediawatch* (2000).

Kyu, Ho Youm. “Right of Reply Under Korean Press Law: A Statutory and Judicial

Perspective,” 1993.

Kyu, Ho Youm. “The Right of Reply and Freedom of the Press: An International and Comparative Perspective.” *George Washington Law Review* 76, no. 4 (2008): 1017–64.

Mateo, José, and Francisco Yus. “Insults: A Relevance-Theoretic Taxonomical Approach to Their Translation.” *International Journal of Translation* 12, no. 1 (2000): 97–130.

MEMORANDUM ON THE GUATEMALAN DRAFT LAW ON ACCESS TO PUBLIC INFORMATION. “Article 19: The Global Campaign for Free Expression London, Introduction Guatemala’s International Obligations to Protect Freedom of Expression and Access to Information,”

Milojevic-Surculija, Jelena. “The Right of Reply: A Tool for an Individual to Access the Media.” *Godisnjak Fakulteta Politickih Nauka* 9, no. 13 (2015): 225–38.

Noorloos, Marloes Van. “Criminalising Defamation of Religion and Belief.” *European Journal of Crime, Criminal Law and Criminal Justice* 22, no. 4 (2014): 351–75.

Sari, Ratih Frayunita. “Menyoal Keablasan Berpendapat: Malfungsi Media Sosial Sebagai Panggung Produsage Konten Negatif.” *Jurnal Penelitian Pers Dan Komunikasi Pembangunan* Vol. 23 No (2019).

Staples, Clara. “Brawijaya Law Journal v.3 n.1 2016 Law and Human Right Issues.” *Rawijaya Law Journal v.3 n.1 2016 Law and Human Right Issues FREEDOM OF SPEECH IN INDONESIAN PRESS: INTERNATIONAL HUMAN RIGHTS PERSPECTIVE* Clara 3, no. FREEDOM OF SPEECH IN INDONESIAN PRESS: INTERNATIONAL HUMAN RIGHTS PERSPECTIVE Clara (2016): 41–59.

Valery, Eclund. “Penerapan Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik Dalam Perkara Pencemaran Nama Baik.” Universitas Gadjah Mada, 2016.

Vladimir V. Vodinelic, Vladimir Djeric, Sasa Gajin, Dusan Stojkovic, Milos Zivkovic. *Media Law with the Model Law of Public Information*. Belgrade Centre for Human Rights, 1998.

Wibowo, Ari. “Kebijakan Kriminalisasi Delik Pencemaran Nama Baik Di Indonesia.” *Pandecta: Research Law Journal* 7, no. 1 (2013).

Widyanuansa, Mutia Sarah. “Tinjauan Hukum Hak Asasi Manusia Internasional Terhadap Kebebasan Berekspresi Melalui Media Elektronik Di Indonesia

(Studi Kasus Penghinaan Dan Pencemaran Nama Baik.” *Journal of Chemical Information and Modeling*. Universitas Gadjah Mada, 2013.

Wisnubroto. “Kebijakan Hukum Pidana Dalam Penanggulangan Penyalahgunaan Komputer.” Universitas Atma Jaya, 1999.

Judicial Decisions

Number 12/Pid.Sus/2019/PN Kmn

Number 2/Pid.Sus/2020/PN Srg

Number 406/Pid.Sus/2020/PN Mtr

Number 376/Pid.Sus/2019/PT Mks

Number 158/Pid.Sus./2019/PN.Gin

Number 409/Pid.Sus/2018/PN Pal

Number 254/Pid.Sus/2019/PN Blt

Number 125/Pid.Sus/2018/PN Btl

Number 213/Pid.Sus/2019/PN.Mdn

Number 1269/Pid.B/2009/PN.TNG

Number 822 K/PID.SUS/2010

Number 225/PK/Pid.Sus/2011

Ediciones Tiempo SA v Spain (App No 13010/87) 12 July 1989; (1989) 62 Dr 247

Eker v Turkey App No 24016/05 (ECtHR, 24 October 2017),

European Court of Human Rights. “Ashby Donald and Others v. France, No. 36769/08, 10 January 2013.”

Case of Handyside v. the United Kingdom (Application No. 5493/72).

Melnichuk v Ukraine App No 28743/03 (ECtHR, 5 July 2005),

Constitutional Court of Indonesia. “Decision Number 50/PUU-VI/2008,” 2008.

Winer v UK (App No 10871/84) 10 July 1986; (1986) 48 Dr 154.

Laws, Statutory Regulation, Convention, and Treaties

The 1945 Indonesian Constitution

The Indonesian Civil Code

Law Number 1 Year 1946 regarding Criminal Code.

Law Number 39 of 1999 regarding Human Rights

Law Number 12 of 2005 regarding the Ratification of the International Covenant on Civil and Political Rights (ICCPR)

Law Number 11 Year 2008 regarding Electronic Information and Transaction

Law Number 19 Year 2016 regarding the Amendment of Electronic Information and Transaction

International Convention on the Elimination of Racial Discrimination

Convention on the Prevention and Punishment of the Crime of Genocide

European Convention of Human Rights

Universal Declaration of Human Rights

The Siracusa Principles on The Limitation and Derogation Provisions in The International Covenant on Civil and Political Rights

Miscellaneous

Act on Press Arbitration and Remedies, Etc., Act No. 7370, (2005) (S. Korea),

Council of Europe. “On the Right of Reply- Position of the Individual in Relation to the Press (Resolution (74)26),” 1974, 82–84.

Council of European Commission of Ministers. “Resolution (74) 26 on the Right of Reply—Position of the Individual in Relation to the Press, Art. 1, at 83,” 1974.

Garner, B.A. *Black’s Law Dictionary*. 7th editio. West Group. ST. Paul. MINN., 1999.

Guide on Article 10 of the European Convention on Human Rights Freedom of Expression,” no. April (2021).
https://echr.coe.int/Documents/Guide_Art_11_ENG.pdf.

MEMORANDUM ON THE GUATEMALAN DRAFT LAW ON ACCESS TO PUBLIC INFORMATION. “Article 19: The Global Campaign for Free Expression London , Introduction Guatemala ’ s International Obligations to Protect Freedom of Expression and Access to Information,

OHCHR. *Human Rights Handbook for Parliamentarians N° 26*, 2016.
<https://www.ohchr.org/Documents/Publications/HandbookParliamentarians.pdf>.

United Nation Human Rights Committee. “Concluding Observations on the Initial Report of Indonesia.” *UN. Doc. CCPR/C/IDN/CO/1*, n.d.

United Nation Treaty Collection. “Status of Convention on the International Right of Correction.”

United Nations Human Rights Office of the High Commissioner. “Declaration on Human Rights Defenders.” Accessed June 20, 2021.

Indonesian National Police Sircula Letter: SE/2/11/2021 Tentang Kesadaran Budaya Beretika, 2021.

Papua New Guinea Constitution Part. III, Div. 3, Subdiv. C, Article 46(3).,

Report of the United Nations High Commissioner for Human Rights on the Expert Workshops on the Prohibition of Incitement to National, Racial or Religious Hatred” 17852, no. 10 (2013): 1–17.

Safenet. “Daftar Kasus Netizen Yang Terjerat UU ITE.” Accessed June 11, 2021.
<https://id.safenet.or.id/daftarkasus/>.

Turkey Constitution Pt. 2, Ch. 2, § X, Article 28