



Bibliography

A. Books

Djamali, R. Abdoel, S.H. 1984. Pengantar Hukum Indonesia, revised edition. PT Raja Grafindo Persada. Jakarta

Griffin, Gabrielle, McConville, Mike, and Chui, Wing Hong. 2007. Research Methods for Law Edited by Mike McConville and Wing Hong Chui. Edinburgh University Press Ltd. Edinburgh.

Hiariej, Eddy O.S. 2016. Prinsip-Prinsip Hukum Pidana, revised ed. Cahaya Atma Pustaka. Yogyakarta.

Muhaimin. 2020. Metode Penelitian Hukum. Mataram University Press. Mataram.

Purwoleksono, Didik Endro. 2014. Hukum Pidana. Airlangga University Press. Surabaya.

B. Law and Regulation

The Act number 8 years 1981, regarding the Indonesia Criminal Code Procedure.

The Act number 35 years 2009, regarding Narcotics.

The Act number 48 years 2009, regarding Judicial Power.

The Indonesian Criminal Code.

The Indonesian Police Chief Regulations number 12 years 2010 regarding Procedures for Implementing Capital Punishment Sentenced by Courts in General and Military Courts.

The Universal Declaration of Human Rights.

C. Legal Journals

Ali, Mahrus. "Proporsionalitas dalam Kebijakan Formulasi Pidana." Jurnal Hukum

- IUS QUIA IUSTUM, Volume 25(1), 2018.
- Chao, Vincent. "Predicting Proportionality: The Case for Algorithmic Sentencing." *Criminal Justice Ethics*, Volume 37:2, 2018.
- Cheng, Kevin Kwok-yin. "Aggravating and Mitigating Factors in Context: Culture, Sentencing, and Plea Mitigation in Hong Kong." *New Criminal Law Review*, Volume 20, 2020.
- Christianto, Hwian. "Tata Cara Pelaksanaan Pidana Mati Bagi Terpidana Mati Dalam Hukum Pidana." *Jurnal Konstitusi*, Volume 6 number. 1, 2009.
- Dutton, Yvonne M. "Crimes and Punishment: Assessing Deterrence Theory In the Context of Somali Piracy." *The George Washington International Law Review*, Volume 46, 2014.
- Goh, Joel. "Proportionality - An Unattainable Ideal in the Criminal Justice System." *Manchester Student Law Review*, Volume 2:41, 2013.
- Kumalasari, Rosa. "Kebijakan Pidana Mati Dalam Perspektiv HAM." *Jurnal Untidar*, Volume 1-14. 2018.
- Living, Bens. "What do judges mean when they sentence to protect the safety of the community." *Current Issues in Criminal Justice*, Volume 33:2, 2021.
- Ludiana, Tia. "Eksistensi Pidana Mati Dalam Pembaharuan Hukum Pidana (Kajian Terhadap Pidana Mati Dalam RUU KUHP)." *Jurnal Litigasi*, Volume 21 (1), 2020.
- Maculan, Elena and Gil Gil, Alicia. "The Rationale and Purposes of Criminal Law and Punishment in Transitional Contexts." *Oxford Journal of Legal Studies*, Volume 40, number 1, 2020.
- Maier, Shana L., Mannes, Suzanne, and Foster, Elizabeth E. "Mock Jurors' Comprehension of Aggravating and Mitigating Factors: the Impact of Timing and Type of Sentencing Phase Instructions." *Applied Psychology in Criminal Justice*, Volume 16(1), 2021.
- Malila, Ikanyeng S. "Modulating and Limiting Punishment through the Application of the Proportionality Principle: A Perspective from Botswana." *Nordic Journal of Human Rights*, Volume 37:2, 2019.



- Martufi, Adriano. "The Paths of Offender Rehabilitation and the European Dimension of Punishment: New Challenges for an Old Ideal?" *Maastricht Journal of European and Comparative Law*, Volume 25(6), 2018.
- Percy, Sarah and Anja, Shorthand. "The Business of Piracy in Somalia." *Deutsches Institut für Wirtschaftsforschung discussion papers*, 2011.
- Pratama, Widhy Andrian. "Penegakan Hukum Mati Terhadap Pembunuhan Berencana." *SIGN Jurnal Hukum*, Volume 1 number. 1, 2019.
- Rofiq, Ahmad, Disemadi, Hari Sutra, and Jaya, Nyoman Serikat Putra. "Criminal Objectives Integrality in the Indonesian Criminal Justice System." *legal and social studies from*, Volume 19, 2019.
- Rusyadi, I. "Kekuatan Alat Bukti Dalam Persidangan Perkara Pidana." *Jurnal Hukum Prioris*, Volume 5 number 2, 2016.
- Ryberg, Jesper. "Retributivism and the (lack of) justification or proportionality." *Springer Nature B.V.* 2021.
- Tiarks, Elizabeth. "Restorative Justice, Consistency and proportionality: Examining the Trade-off." *Criminal Justice Ethics*, Volume 38 number 2, 2019.
- Tonry, Michael. "Fairness, Equality, Proportionality, and Parsimony: Towards a Comprehensive Jurisprudence of Just Punishments." *Legal Studies Research Paper Series*, number 17-04, 2017.
- Walgrave, Lode, Ward, Tony, and Zinsstag, Estelle. "When Restoratives Justice Meets The Good Lives Model: Contributing to a Criminology of Trust." *European Journal of Criminology*, 2019.
- Widayati, Lidya Suryani. "Pidana Mati Dalam RUU KUHP: Perlukah Diatur Sebagai Pidana Yang bersifat Khusus?" *Negara Hukum*, Volume 7 number 2, 2016.



D. Legal Cases

Court decision number 17/ PID.SUS /2018 /PT DKI

Court decision number 32/PID/2016/PT.DKI

Court decision number 69/PID.SUS/2020/PT.DKI

Court decision number 261/Pid.Sus/2020/PN Jkt.Tim

Court decision number 427/Pid.Sus/2019/PN Jkt.Pst

Court decision number 657/Pid.Sus/2019/PN Jkt.Pst

Court decision number 1387/Pid.Sus/2020/PN Jkt.Tim

Court decision number 1388/Pid.Sus/2020/PN Jkt.Tim

Court decision number 1476/Pid.Sus/2015/PN.JKT.PST

Court decision number 1669/Pid.Sus/2016/PN.JKT.PST

E. Thesis

Aswari, Yan. "Imposition of Capital Punishment Towards Convicts Of Corruption Cases Related To Human Rights". Legal Writing, Faculty of Law Study Program Airlangga University, Surabaya. 2011.

Hidayat, Rezky. "The Policy on the Formulation Concerning the Conditioned Capital Punishment in the Draft Laws Concerning the Criminal Laws". Legal Writing, Faculty of Law Study Program Gadjah Mada University, Yogyakarta. 2020.

Syahrin, Ahmad. "The Existence Of Capital Punishment In Law Enforcement In Indonesia In The View Of The Aspects Of Human Rights (HAM)". Legal Writing, Faculty Of Law Study Program National Islamic University Alauddin, Makassar. 2013.



F. Internet

Riana, Friski. “Jumlah Hukuman Mati Di Indonesia Meningkatkan Hampir Dua Kali

Lipat.” Available at: [https://nasional.tempo.co/read/1333986/jumlah-](https://nasional.tempo.co/read/1333986/jumlah-hukuman-mati-di-indonesia-meningkat-hampir-dua-kali-lipat#:~:text=“Pada%202018%20ada%2048%20kasus,vonis%20hukuman%20mati%20pada%202019.)

[hukuman-mati-di-indonesia-meningkat-hampir-dua-kali-](https://nasional.tempo.co/read/1333986/jumlah-hukuman-mati-di-indonesia-meningkat-hampir-dua-kali-lipat#:~:text=“Pada%202018%20ada%2048%20kasus,vonis%20hukuman%20mati%20pada%202019.)

[lipat#:~:text=“Pada%202018%20ada%2048%20kasus,vonis%20hukuman](https://nasional.tempo.co/read/1333986/jumlah-hukuman-mati-di-indonesia-meningkat-hampir-dua-kali-lipat#:~:text=“Pada%202018%20ada%2048%20kasus,vonis%20hukuman%20mati%20pada%202019.)

[%20mati%20pada%202019.](https://nasional.tempo.co/read/1333986/jumlah-hukuman-mati-di-indonesia-meningkat-hampir-dua-kali-lipat#:~:text=“Pada%202018%20ada%2048%20kasus,vonis%20hukuman%20mati%20pada%202019.) April 21, 2020.