

Implementation Of The Death Penalty Execution After A Final Verdict In Indonesia

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ABSTRACT: In the realm of public knowledge, capital punishment is recognized as a severe and, at times, inhumane form of criminal punishment. This implies that individuals tend to be hesitant when faced with the impending reality of their own death, understanding that the ultimate decision lies in the hands of a higher authority. Consequently, individuals should be conditioned to become accustomed to the idea of witnessing and possibly experiencing the brutality, cruelty, and injustice associated with capital punishment. While these elements may instill fear, it is important to recognize that the death penalty holds an equal standing with other punitive laws. Its purpose lies in achieving national peace, security, and societal well-being.

Keywords: Criminal Law, Death Penalty, Fixed Verdict



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INTRODUCTION

Changes, the passage of time, societal traditions, and advancements in science and technology have led to the complex and multifaceted development of human life in society. When examining human behavior through the lens of the law, it can be categorized as either conforming to existing norms (laws) or deviating from them. Behaviors that align with norms are not problematic, but those that deviate from norms (laws) can be detrimental and pose challenges for both the legal system and society itself. Such deviant behavior can be seen as a violation of established rules, disrupting the harmony of community life, the legal system, and even the state. Deviations are recognized by society as offenses (Wetsdelict) and crimes (Rechtsdelict), referring to actions that have transgressed the boundaries of agreed-upon rules by both society and the state, whether those rules are formally or informally established.

Indonesian law accommodates the death penalty for exceptional crimes such as premeditated murder, as regulated in the Penal Code, for both planners and operatives involved in acts of terrorism that result in the destruction of public facilities and loss of life, as stipulated in Law Number 15 of 2003 on Terrorism Criminal Acts. The use of explosives, weapons, and similar items illegally is governed by terrorism laws as well as Emergency Law Number 35 of 2009 on the illegal drug trade.

Capital punishment is widely recognized by society as a form of criminal sanction that is dreadful and even inhumane. It implies that people are reluctant when death is imminent and before their very eyes, as ultimately, death is a decision made by a higher authority, namely God. Therefore,

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society should be conditioned to become accustomed to hearing, seeing, and perhaps experiencing the brutality, ferocity, and injustice that all evoke fear. However, fundamentally, the death penalty shares the same nature and foundation as other forms of criminal law. It serves the purpose of achieving national objectives, such as peace, security, and societal well-being.

In other words, the death penalty can be considered an alternative punishment, a last resort aimed at protecting society. Many criminals also underestimate the severity of the punishment for their actions. In its history, on December 11, 1977, in the Stockholm Declaration, Amnesty International called for the abolition of the death penalty worldwide. However, in 1979 and onwards, many countries, including Indonesia, still retained the death penalty, while other countries gradually abolished it. In fact, in Indonesia, the death penalty continues to be applied, involving not only local criminals but also foreign nationals (WNA) who receive death sentences.

Most foreign nationals (WNA) who receive death sentences, and some have even been executed, are found guilty of engaging in illegal drug trafficking and consumption. In practice, the execution order must come from the Attorney General, followed by coordination with the police, and ultimately, it still awaits the absolute decision of the President regarding the execution. In theory, there are three theories of punishment, including absolute and relative punishment theories, as well as a combination theory. Proponents of the absolute theory argue that every crime must be met with punishment without exception or negotiation.

Therefore, there must be efforts to put a stop to it by imposing the harshest legal sanctions according to the gravity of the crimes committed, including the death penalty.

METHOD

To explore the existing issue, this research will employ a normative and empirical analysis approach. The normative approach will involve an examination of relevant legal regulations. This will include a study of legal texts, court decisions, and other relevant legal documents.

The empirical approach will involve field research and data collection from various sources. Primary data will be obtained through in-depth interviews with experts, relevant stakeholders, or individuals involved in the implementation of the death penalty. Secondary data will be gathered from literature studies, reports, and other relevant documents.

Data collection will utilize appropriate data collection techniques, such as in-depth interviews, observations, and document analysis. The research location and timeframe will be determined based on data availability and accessibility to relevant informants.

The selection of the research location will be based on important considerations related to the implementation of the death penalty, such as countries or regions that still apply capital punishment or have relevant historical experiences.

Data analysis techniques will involve content analysis to understand the content of legal regulations and other related documents. Comparative and event analyses may be used to compare experiences across different countries or regions. Additionally, historical analysis can help understand the development and changes in the implementation of the death penalty.

RESULT AND DISCUSSION

Considering the exposition and arguments within the issue, after selecting what needs to be researched and what does not, it is important to examine the implementation of the death penalty execution after a final verdict (Analysis of the Supreme Court's Decision No. 2 K/Pid. Sus/2007).

1. Brief History of the Death Penalty

In Indonesia, the death penalty, or more commonly known as capital punishment, is recognized and legalized. This is explained in the Indonesian Criminal Code (KUHPidana), Chapter II, which pertains to criminal sanctions. Article 10 of the KUHPidana outlines various forms of punishment, categorized as principal penalties and additional penalties. The death penalty is considered a principal penalty and holds the most severe position among them.

In addition to what has been mentioned, there are also criminal sanctions in Indonesian laws that include the death penalty. For example, Law No. 7/State of Emergency 1955 on Economic Crimes, Law No. 22 of 1997 on Narcotics and Psychotropic Substances, Law No. 31 of 1999 and its amendments Law No. 20 of 2001 on Corruption Crimes, Law No. 26 of 2000 on Crimes Against Humanity, and the Counterterrorism Law (Perpu) that has been enacted. In reality, there is still ongoing debate and differing opinions regarding the relevance of these penalties. Whether such punishments are still appropriate when applied in Indonesia is a matter of contention. Those who are against the implementation of the death penalty often focus on the issue of Human Rights. They argue that the right to life is being violated, as stated in Article 28A of the 1945 Constitution, which asserts that "every person has the right to life and the right to defend their life and existence."

In the view of those who hold this opinion, life is considered a fundamental right, as advocated by those who adhere to a human rights perspective based on naturalism. In other words, taking someone's life would be a violation of this fundamental principle. We find this principle reflected in various human rights documents worldwide, such as the International Covenant on Civil and Political Rights (ICCPR), which addresses the right to life. Article 6, paragraph 1 of the ICCPR states that every human being has the inherent right to life and shall be protected by law, and no one shall be arbitrarily deprived of their right to life.

2. The death penalty according to positive law

The term "criminal punishment" refers to the process of charging someone with a crime, which is carried out through authorized institutions and imposed upon an individual as an unpleasant experience and a departure from their daily routine. The transfer of punishment is not without reason and is closely related to the circumstances and conditions that deem the individual as an offender, indicating that they have engaged in wrongdoing or behaved inadequately. Consequently, the application of punishment or sanctions is inherent in the concept of criminal justice.

Indeed, the death penalty can be understood as a form of capital punishment, which is a severe criminal sanction imposed for violating the law. It means that a convicted individual receives the penalty as a consequence of their actions that are considered inhumane and result in the loss of another person's life.

The death penalty is a weighty punishment and represents the apex of all penalties, making the convicted person aware of their grave wrongdoing. As a result, the convicted individual must face the inevitable punishment that has been decided by a judge, namely death.

The death penalty in the concept of the Draft Criminal Code.

Muladi, during his appointment as a Professor in Semarang around 1990, expressed that the death penalty should not be based solely on the actions of individuals (daadstrafrecht). He argued that using this justification could lead to inhumane punishment, with a stronger inclination towards vengeance.

Please note that while I can provide general information, I cannot confirm specific statements made by individuals unless they are well-documented and widely known. If there are any published sources or additional context regarding Muladi's statement, referring to those sources would provide more accurate and reliable information.

The criminal law is focused on fulfilling the elements of criminal acts as defined by the law. Furthermore, criminal law is not appropriate if it solely considers the perpetrator (daadstrafrecht). As a result, the application of criminal law may appear to be indulging criminals and neglecting the public interest, including the interests of the State, society, and the victims of the criminal act (Victimology).

Therefore, the adopted criminal law should be daad-daderstrafrecht in order to fully protect the aforementioned interests.

The concept of the Draft Criminal Code introduces a significant change regarding the imposition of the death penalty. For many years, Indonesia has been categorized as a retentionist country with regard to the death penalty. The challenge lies in maintaining a delicate balance between the retentions and abolitionist perspectives within the large population of Indonesia. In light of these facts, as well as the increasing quality and modus operandi of criminal acts, the concept of the Draft Criminal Code removes the death penalty from the core criminal system and designates it as an exceptional penalty. Some provisions related to this concept have been incorporated into the draft version of the Criminal Code, which was developed between 1991 and 1992.

3. The categorization of crimes that are punishable by the death penalty in positive law:

[1] Plotting to assassinate the Head of State, Article 104. [2] Inciting a foreign country to attack Indonesia, Article 111 paragraph (2). [3] Providing assistance to the enemy during wartime, Article 124 paragraph (3). [4] Assassinating a friendly Head of State, Article 140 paragraph (1). [5] Premeditated murder, as stipulated in Article 140 paragraph (3) and Article 340. [6] Armed robbery committed by two or more individuals, during the nighttime or by means of breaking and entering, resulting in serious injury or death of the victim, Article 365 paragraph (4). [7] Piracy at sea, on the coast, on the beach, or in a river resulting in someone's death, Article 444. [8] Instigating riots, rebellions, and the like among workers in defense-related industries during wartime, Article 124. [9] Deceiving and misleading in delivering military-related information during wartime, as specified in Article 127 and Article 129.

4. The Purpose of Punishment

The issue of criminal punishment is closely related to communal living, especially when it comes to the most important legal interests of communal life, namely life and liberty or freedom. Currently, the majority of people agree that the state or government, with the assistance of its legal apparatus, is responsible for imposing criminal sanctions. However, governments in administering criminal law are always faced with the reality described by Hazewinkel-Suringa as follows: the state government must guarantee individual freedoms, ensure that individuals are not violated, and maintain their respect. Nevertheless, there are times when the state government decides to impose punishment, such as imprisonment, on individuals.

On one hand, the state government defends and protects individuals from attacks, but on the other hand, it also attacks individuals who should be protected. Several theories in criminal law discuss the purposes of punishment. Some of these theories include the absolute theory, or the theory of retribution, and the relative theory, or the theory of prevention. The absolute theory, or the theory of retribution, states that the crime itself contains elements that warrant punishment and allow for the imposition of penalties. The subjective approach assesses the culpability of the offender as blameworthy, while the objective approach assesses only the actions of the individual in question.

5. Definition of the Death Penalty

The author provides definitions of the terms before delving further into the execution of the death penalty. According to the Kamus Besar Bahasa Indonesia (Indonesian Dictionary) by the Department of Education and Culture, "eksekusi" means the implementation of a punishment decided by a judge or a judicial body. However, "hukuman" can be understood as a decision made by a judge or a form of punishment or torture inflicted on individuals who have violated the law or other regulations.

The death penalty is a punishment given to an individual who has committed certain crimes in accordance with established regulations and legal procedures enforced by the authorized party overseeing the criminal incident. According to the Kamus Besar Bahasa Indonesia (Indonesian Dictionary), it states that the death penalty is a punishment carried out by killing, shooting, or hanging the guilty person.

Therefore, the death penalty is the most severe punishment given to criminals. Since the death penalty involves human life, once the punishment is carried out, the history of the convicted individual comes to an end. Therefore, the concept of the execution of the death penalty refers to the implementation of a verdict or the carrying out of the death penalty as a criminal sanction imposed by a judge's decision or a court body against an individual who has been sentenced to death for committing a crime that resulted in the loss of someone's life.

6. The Death Penalty and Its Justification

The death penalty is considered a state crime when murder is planned, carried out, and legalized by the state, or when it is meticulously planned and executed. Historical research on the death penalty has shown that its application has been a recurring issue in many countries worldwide. Some countries continue to implement the death penalty within their criminal justice systems. One such fact is that Indonesia is a country that consistently applies the death penalty within its criminal justice system.

On January 1, 1918, the death penalty came into effect in Indonesia as stated in the Wetboek Van strafrecht (Criminal Code) created by the Dutch colonial government based on K.B.v.

October 15, 1915, Number 33. S. 15-732 jis. 17-497, 645, which was applicable in the Dutch East Indies.

7. There are perceived benefits to the implementation of the death penalty

The death penalty carries elements of education and instruction. It is believed that the death penalty can deter the escalation of crimes and promote human safety and security. By preventing the spread of criminal behavior, individuals who have committed crimes and faced the death penalty will no longer have the opportunity to repeat the same crimes once their history comes to an end.

On the contrary, the threat of punishment instills fear in individuals or society contemplating criminal actions. Consequently, it deters them from committing crimes. Additionally, the death penalty serves as a message to individuals, particularly those involved in criminal activities, that any actions that cause harm to others will be met with commensurate retribution. Furthermore, the death penalty provides an opportunity for public education to enhance legal awareness within society. Criminals receive the death penalty because their offenses have crossed the boundaries. The implementation of the death penalty is considered a realization of divine law, and thus carries a sense of religious significance. With the presence and execution of the death penalty, criminals have the opportunity to seek redemption for their past sins.

8. Execution of the Death Penalty in the Perspective of Positive Law

According to positive law, there are definitions of the execution of the death penalty mentioned in the Criminal Code (KUHP), both within and outside the Criminal Code. According to the Criminal Code, the death penalty is defined as follows:

Crimes against the State: Crimes against the State refer to criminal acts that aim to disrupt the position of the State as an independent entity within the international community, which consists of various sovereign and independent nations.

If a rebellion occurs in a country, the government must confront them by following the following provisions: [1] Their actions are contrary to a just government that requires its people to obey it; [2] A group of individuals possesses the capability to carry out their actions; [3] They act against the government because they disagree with its political policies, leading them to separate from the government; [4] They engage in rebellious actions under the guidance of a leader who provides them with the moral strength to carry out their actions.

Premeditated Murder: Any act by a person that results in someone's death is referred to as murder. Conversely, premeditated murder is an intentional act of harming someone with the intention to kill them. Article 340 of the Criminal Code explains the type of premeditated murder offense that can be punishable by death, namely:

Whoever intentionally and premeditatedly takes another person's life is liable to punishment, as premeditated murder (*moord*), by death or for a specified period, up to a maximum of twenty years. The elements of the crime of premeditated murder are as follows: [1] *Dolus Premeditatus*, which refers to the intention that requires prior planning, must be present; [2] Regardless of how long it takes to commit the murder, the perpetrator decides to commit the murder when they are calm; [3] There is a period of calmness of mind between the emergence of the thought to commit the murder and its execution.

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Robbery and extortion committed under aggravating circumstances: Robbery with violence resulting in grievous bodily harm or death is regulated in Article 365 paragraph 4 of the Criminal Code as follows: "It is punishable by death or imprisonment for life or for a specified period of up to 20 years if the act is committed by two or more persons in collaboration and is accompanied by one of the circumstances mentioned in numbers 1 and 3."

Number 1, as mentioned in Article 365 above, means: if the act is committed during the nighttime inside a dwelling or its enclosed yard, in a public place, on a train, or while in motion.

Number 3, as mentioned in Article 365 above, means: if entry into the crime scene is made by damaging, climbing, or using false keys, false orders, or false official attire.

Piracy at sea, coast, shoreline, and rivers: Article 444 of the Criminal Code regulates piracy that can result in death at sea, coast, shoreline, and rivers. The captain or leader of the ship, as well as those who participate in acts of violence mentioned in Articles 438-441, shall be liable to the death penalty, life imprisonment, or imprisonment for a specified period of not less than twenty years if the acts of violence result in the death of a person on the attacked ship or the person being attacked.

9. Implementation of the death penalty according to positive law

There is no specific law governing the implementation of the death penalty in Indonesia. Instead, the Indonesian criminal law regulates it in Article 11. The executioner carries out the death penalty by hanging the convicted person's neck with a rope tied to the gallows, then dropping the platform on which the convicted person stands. The implementation of the death penalty by hanging in this manner has been in place since the era of Dutch colonial rule and continued into the post-independence era until it changed in 1964.

With the issuance of Presidential Decree Number 2 of 1964, which was promulgated in State Gazette Number 38 of 1964, and subsequently enacted as Law Number 5 of 1969, the implementation of the death penalty in Indonesia changed. It no longer involved hanging, but instead, it was carried out by shooting, as stated in Article 1 of Regulation of the Chief of Police (PnPs) Number 2 of 1964. This article states that the death penalty imposed by the court in general or military courts is executed by shooting until death, without prejudice to the provisions of the Criminal Procedure Law.

Therefore, Article 1 of Regulation of the Chief of Police (PnPs) Number 2 of 1964 establishes specific regulations for the procedure of executing the death penalty in Indonesia. The place of execution is determined by the Minister of Justice or carried out in a location within the jurisdiction of the courts that issued the first-instance verdict. In cases where the death penalty is imposed on multiple individuals in one decision, the execution is carried out simultaneously at the same time and place, unless specific circumstances prevent simultaneous execution.

10. The conditions for carrying out the death penalty and who is authorized to do so are as follows

Generally, once a court decision has obtained legal force, the death penalty can be executed promptly. However, in cases of adultery, the execution of the death penalty is postponed until the woman involved gives birth and the child has been weaned and starts consuming other foods, such as bread. When the heirs of the victim have decided to choose qishas (retribution)

and do not pardon the murderer, it constitutes a murder crime. However, execution can be carried out for the offense of rebellion if:

- a. The Head of State initially sends a trusted individual to inquire about the reasons behind their rebellion.
- b. If their intention is due to government oppression, then the government must cease such oppression. And if it is due to misunderstandings, then the government should clarify the true situation and engage in negotiations with them. Since the death penalty is carried out for the benefit of society, it is the responsibility of the Head of State or their representative — an official authorized by them. Therefore, it should be entrusted to the Head of State, who serves as the representative of the society.

11. Execution Site for the Death Penalty

There are various methods of carrying out the death penalty, such as beheading, hanging, crucifixion, and others. However, ultimately, they all lead to the same outcome, which is death. Essentially, the death penalty should be carried out in an open and public place.

This is done because the death penalty serves as a deterrent and aims to impart a lesson to the broader society, discouraging them from committing similar crimes. It also serves as a preventive measure to deter the repetition of such crimes. The requirement for the execution to be conducted in an open setting is often upheld by positive law. One example is the Arab Union, which mandates that the execution be conducted publicly. When the punishment is administered in a public place, it instills fear in individuals.

12. Execution of the Death Penalty after the Final Verdict (Analysis of Supreme Court Decision No. 2K/Pid. Sus/2007)

According to the author's analysis of Supreme Court Decision No. 2K/Pid. Sus/2007, it is deemed fair for a drug dealer. The defendant had previously been convicted in a similar case, indicating that the defendant had not learned from the previous punishment and did not take the consequences of their actions seriously when caught again. Additionally, the defendant's actions could cause significant losses to the nation and state, as it would impact the younger generation who might fall into drug use.

At the time of arrest, the defendant was found in possession of a substantial and significant amount of ecstasy pills, approximately 100,000 pills. Such a quantity, if consumed by individuals or drug users, could lead to a high and significant number of deaths.

Furthermore, the government has made substantial efforts and allocated significant funds to combat drug trafficking. Despite these efforts, there are still numerous victims falling prey to drug dealers who seem indifferent to these occurrences. The widespread circulation of drugs poses a social and economic decline for the nation, ultimately posing a threat to the country's existence.

Granting the cassation petition from the petitioner/defendant, Ong Atjun alias Kwan Fuk Sing alias Herman Chu alias Mr. Ong, and nullifying the decision of the Jakarta High Court No. 116/PID/2007/PT. DKI dated May 14, 2007, which upheld the verdict of the South Jakarta District Court No. 2061/Pid.B/2006/PN.Jak-Sel dated March 2, 2007. With the annulment of the high court's decision, the Supreme Court:

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[1] Declare that the defendant, Ong Atjun, also known as Kwan Fuk Sing, and Herman Chu, also known as Mr. Ong, is lawfully and convincingly guilty of organized criminal activities involving the distribution of Class I psychotropic substances and placing proceeds derived from criminal activities into financial service providers, either in his own name or on behalf of others.

[2] Sentences the defendant to the penalty of "death."

[3] Orders the confiscation of the following pieces of evidence: 8 (eight) mobile phones, consisting of 5 (five) Nokia brand phones of the 6100 series, 1 (one) Nokia brand phone of the 6585 series, 1 (one) Nokia brand phone of the 2100 series, and 1 (one) Motorola brand phone of the C. 139 series, to be seized for the state.

[a]. The remaining 675 ecstasy pills from the laboratory, as stated in the Decree of the North Jakarta District Court Number: 168/Pen.Pid/2006/PN.Jkt.Ut. dated February 20, 2006, regarding the approval of the seizure of 22,000 ecstasy pills belonging to Pony Tjandra, have been set aside and destroyed.

[b]. The remaining 750 ecstasy pills from the laboratory, as stated in the Decree of the North Jakarta District Court Number: 306/Pen.Pid/2006/PN.Jkt.Ut. dated February 20, 2006, regarding the approval of the seizure of 15,000 ecstasy pills belonging to Liem Marita alias Aling, have been set aside and destroyed.

[c]. The remaining 990 ecstasy pills from the laboratory, as stated in the Decree of the North Jakarta District Court Number: 307/Pen.Pid/2006/PN.Jkt.Ut. dated February 20, 2006, regarding the approval of the seizure of 20,000 ecstasy pills belonging to Hary alias Joy Kusuma, have been set aside and destroyed.

[d]. The Decree of the South Jakarta District Court Number: 135/Pen.Pid.Sit/2006/PN.Jkt.Sel. dated January 19, 2006, regarding the approval of the seizure of 1.5 kg of shabu-shabu belonging to Sulaiman Gunawan alias Ongky, remains attached to the case file.

The petitioner in cassation/defendant is ordered to pay the court costs at the cassation level in the amount of Rp. 2,500 (two thousand five hundred rupiah).

Thus decided in the plenary meeting of the Supreme Court on Friday, September 14, 2007, by German Hoendarto, S.H., Supreme Court Judge appointed by the Chief Justice as the Chairperson of the Panel, Timur P. Manurung, S.H., and M. Imron Anwari, S.H., Sp.N.M.H., Supreme Court Judges as members, and pronounced in an open session for the public on the same day by the Chairperson of the Panel together with Timur P. Manurung, S.H., and M. Imron Anwari, S.H., Sp.N.M.H., the aforementioned judges, assisted by Achmad Dimiyati RS, S.H., acting Clerk of Court, and not attended by the Petitioner in Cassation: the defendant and the prosecutor.

CONCLUSION

Based on the analysis of the Supreme Court Decision Number 2 K/Pid. Sus/2007, the author draws the following conclusions:

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The death penalty is a punishment imposed on specific offenders according to established regulations and legal procedures by authorized authorities in response to a criminal act. In the Indonesian dictionary, it is defined as the punishment carried out by killing, shooting, or hanging the guilty party.

Therefore, the death penalty is the most severe punishment among the various penalties imposed on offenders. It involves the life of a human being. When this punishment is carried out, the fate of the convicted individual comes to an end. Thus, the execution of the death penalty refers to the implementation of the verdict or the execution of the death penalty as a criminal sanction imposed by a judge or a court against a person who has been sentenced to death for committing a crime that results in the loss of someone's life.

REFERENCE

- Al- Zuhaili, Wahbah, *Al-Fiqh Al Iskami wa Adillatub*, (Beirut: Dār al-Fikr, 1994)
- Bassar, M. Sudrajat, *Tindak-tindakan pidana Tertentu di dalam Kitab Undang-Undang Hukum Pidana*, (Bandung: Remaja Karya, 1986)
- Hamzah, Andi & Sumangepilu, A. *Pidana Mati Di Masa Lalu Kini dan Masa Depan*, 2nd Edition, (Jakarta: Gahalia Indonesia, 1985)
- Hamzah, Andi, *Azaz-Azaz Hukum Pidana*, (Jakarta: PT. Rineka Cipta 1994).
- <https://badilag.mahkamahagung.go.id/artikel/publikasi/artikel/mekanisme-hukuman-mati-di-indonesia>
- <https://www.hukumonline.com/berita/a/jalan-tengah-hukuman-pidana-mati-ala-profesor-muladi-1t5f8cdd3c7c243/>
- Prodjodikoro, Wirjono. *Azaz-azaz Hukum Pidana Di Indonesia*, 3rd Edition (Bandung, PT Eresco, 1981)
- Handri Raharjo, Corporate Law, Yustisia Library, Yogyakarta, 2009.
- Helaludin, Hengki Wijaya, Qualitative Data Analysis: A Review of Theory & Practice, Jaffray Theologia High School, 2019.
- Inanna, The Role of Education in Building a Moral Nation's Character, D Journal of Economics and Education Volume 1 Number 1 January 2018.
- Julia, Aesthetic Orientation of Mother's Pirigan Kacapi Style in Cianjuran Sundanese Song Art in West Java, UPI Sumedang Press, West Java:, 2018.
- Made Pasek Diantha, Normative Legal Research Methodology in Justifying Prenada Media Group's Legal Theory, Jakarta, 2017.
- Matlani, Aan Yusuf Khunaifi, Critical Analysis of National Education System Law Number 20 of 2003, Madura State Islamic Institute, Faqih Asy'ari College of Sharia Studies, Kediri. Scientific Journal of Iqra FTIK IAIN Manado Volume 13 No 2 2009.
- Mestika zed, library research methods, Rajawali press, 2010.
- Mohammad Mustari and M. Taufiq Rahman, Introduction to Research Methods, Laksbang Pressindo, 2018, Yogyakarta.
- Muh Fitrah and Luthfiyah, Research Methods; Qualitative research, class action & case studies, CV Jejak, West Java, 2017.

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- Mukti Fajar, Yulianto, *Dualism of Normative and Empirical Legal Research*, Student Library, Yogyakarta, 2010.
- Waluyo, Bambang. *Pidana dan Pemidanaan*, (Jakarta: Sinar Grafika, 2004).
- Emergency Legislation Number 12 of 1951 concerning Amendments to the Ordinance on Temporary Special Criminal Provisions and previous Indonesian Laws Number 8 of 1948, Article 1, paragraph (1).
- Government Regulation. Number 1 of 2002, Article 14, which is now Law Number 15 of 2003 concerning Terrorism.
- Law Number 31 of 1999 concerning Corruption Crimes and Law Number 20 of 2001 concerning Corruption Crimes.
- Law Number 35 of 2009 concerning Narcotics. Law Number 4 of 1976 concerning Aviation Crimes and Crimes against Aviation Facilities or Infrastructure.
- M. Sudrajat Basaar, *Specific Criminal Acts in the Criminal Code*, (Bandung: Remaja Karya, 1986).
- Tulus Wahjuono, *Prospects for the Establishment of Educational Legal Entities (Bhp) and Their Influence on the Achievement of National Education Goals*, *Scientific Journal of the Faculty of Teaching and Education Sciences* Volume. 15, Number 1.
- Law No. 28 of 2004 amending Law No. 16 of 2001 on
- Zakiah, *Al Kamal Basic Education*, December 21, 2022 at the al Kamal Foundation office.
- Aan Yusuf Khunaifi, Matlani Matlani, *Critical Analysis of the National Education System Law Number 20 of 2003*, *Scientific Journal of Iqra Faculty of Tarbiyah and Teacher Training IAIN Manado* Vol 13, No 2 2019.
- Amin Songgirin, *The Urgency Of Cadre Education System At Darunnajah Cipining Islamic Boarding School, Al-Banjari*, Vol. 19, No.2, July-December 2020
- Depri Liber Sonata, *Normative and Empirical Legal Research Methods: Distinctive characteristics of legal research methods*, *fiat justisia journal of law science* volume 8 number 1, January-March 2014.
- Habib Adjie, *Establishment of the Foundation after the Mkri Decision, Organizers of Formal Education by the Private Return to the Foundation*, *Journal of Law Syiar Hukum*, Vol. XII. No. 2. July 2010.
- Listya Aswaratika and Dian Purnama Anugerah, *The Position of the Foundation That Has Not Been Adjusted to the Foundation Law After the Expiry Period*, *Journal of Notaire: Vol. 1 No. 1*, June 2018.
- Megafury Apriandhini, *Legal Awareness and Compliance with the Implementation of Health Protocols during the Covid-19 Pandemic at Upbjj Ut Samarinda*, *Journal of Law, Humanities, Society and Culture* Vol.1 No.1 2021.
- R.R Iswachyu Dhaniarti DS, *Characteristics of Legal Relationships Between Higher Education Organizing Bodies and Private Lecturers*, *e-Jurnal the spirit of low* Vol. 1 No.1 March 2015.