

# Implementation of death penalty on the perpetrators of narcotics crimes in Criminal Law Perspective

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**Abstract:** *Narcotics is a substance or drugs from plants or not, synthetic materials or semi-synthetic which can cause degradation consciousness, loss of taste, reduce to eliminate pain, and cause dependency on the drugs. Indonesia is not only as the place where the circulation of narcotics, but it has become a place to produce narcotics. The government of Indonesia copes the growth of narcotics circulation with issued Law Number. 35, the year 2009 about narcotics, to anticipate on every abuse of narcotics. Each aberration on drug abuse will be categorized as a crime. In general, the sacrifice of the narcotics crimes are adolescents who are productive for the development and the construction of human resources in Indonesia. Narcotics has damaged many young generations, and it is a form of seizure of human rights to get a normal life. Moreover, its impact on the perpetrators of narcotics, therefore it should be given a long punishment until the death penalty. Besides the cause, a deterrent effect also to prevent within repeat crime actions. The sanctions in abuse of narcotics is a policy in the formulation of criminal law provisions that were governing the sanction for the perpetrators of abuse narcotics, in the form of criminal sanction and sanctions action. The perpetrators in abuse of narcotics have a slightly different position with the other crimes. In Law Number 35 Year 2009, there is the punishment cause the polemics, namely is death penalty. The polemics on the death penalty is contrary with the Constitution. Overturning the death penalty on the subject of the criminal acts narcotics and deterrent effect generated from the sentence of death by the court on the perpetrators or potential to become perpetrators crime is done because the suffering and the losses suffered by the victims or user narcotics. The death penalty is the punishment inflicted by a court or without judgment as to the form of the most substantial punishment inflicted on a person. The death penalty has most of the crimes in many countries on the way the execution of various shapes from, for instance, beheaded, suspended and shot*

**Keywords:** *Death Penalty, Criminal Law, Deterrent Effect, Narcotics, Perpetrators*

## 1. INTRODUCTION:

The law aimed to adjust the different interests of personal, state and society can be guaranteed and realized without degrading the other [1]. Tasks from criminal law to allow the holding of life together between humans, when the problem is a clash of interest between the parties that violate the norms with the interests of general public. Therefore, the public character of criminal law thus surfaced, in fact, the nature of a deed in criminal cannot be lost and remains it. Even the action occurs with permission from or with the approval by people on whom the works intended. Moreover, also concerning that process of the prosecution is stand alone, regardless of the resolution of the parties who suffer loss as a result of this deed. It does not mean that is a simple criminal law on the parties interests.

The purpose of the criminal law is to prevent the emergence of crime and transgression. A Serious Crime and criminal died in the history of the criminal law are the two components of the problems that is closely related to each other. Therefore it is not surprising that the history of crimes in various parts of the world reveals the facts and data. That is not just about the issue of both the component. The existence of the disclosure of facts and data-based research socio criminologist, then there is a belief in the past with the various forms and the nature of the death penalty is cruel which is just a wish. The history of crimes in the past revealed the existence of the attitudes and opinions as though the death penalty is the best remedy for the crimes machine or other crimes.

The law aimed to adjust the different interests of personal, state and society guaranteed and realized without degrading the other [1]. Tasks from criminal law to allow the holding of life together between humans, when the problem is a clash of interest between the parties that violate the norms with the interests of general public. Therefore, the public of law surfaced in fact that the nature of a deed in criminal cannot be

lost and remains it. Even the action occurs with permission from or with the approval by people on whom the works intended. Moreover, also concerning that process of prosecution is stand alone. Despite the resolution of the parties who suffer loss as a result of this deed. It does not mean that is a simple criminal law for the parties interests.

What the fact is happening now in Indonesia. It is not only as the place where the circulation of narcotics but it has become a place to produce narcotics. The government issued a Law Number 35 the Year 2009 about narcotics aimed battle for every abuse narcotics in Indonesia. Each aberration in drug abuse categorized as crimes. Following the enactment of Law narcotics, criminal acts of abuse narcotics and drugs and the other the impact of distribution are suppressed a maximum. This condition is a responsibility for all parties to solve them.

In Law Number 35 the Year 2009 there is the punishment that causes polemics namely death penalty. The polemics state that the death penalty is contrary to the Constitution. Overturning the death penalty on the subject of the criminal acts narcotics, and deterrent effect generated from the sentence of death by the court on the perpetrators or potential become perpetrators of crimes made because of suffering and the losses suffered by the victims or user narcotics. The sacrifice of narcotics crimes are adolescents the productive human resources in Indonesia. Narcotics has damaged many young generations is a form of seizure human rights to get a healthy life. It is the impact the perpetrators of narcotics. Therefore it should be given a substantial punishment until the death penalty. In addition to the cause, a deterrent effect of the death penalty also prevents a repeat crimes actions. Based on the explanation above and held discussions in the form of the research entitled the implementation of the death penalty on the perpetrators of narcotics crimes in Criminal Law Perspective.

### **1.1 The formulation of the Problem**

Based on the background of the above, it needs to be formulated by some of the formulations of the problem namely :

1. How the implementation of the death penalty on the perpetrators of crimes narcotics?
2. How the mechanisms of the implementation of the death penalty on the perpetrators of crimes narcotics?
3. How obstacles in the implementation of the death penalty on the perpetrators of crimes narcotics?

### **1.2 The purpose of the research**

Based on the formulation of the problem above, became the aim of the research is :

1. To know the setting of the law on criminal acts of death.
2. To know the implementation of the law of criminal narcotics?
3. To know the obstacles to the death penalty for narcotics crimes.

## **2. LITERATURE REVIEW:**

### **2.1 Understanding implementation.**

The implementation of could mean wearing a way or a method or theory or system. Implementation is this, how to or the result of [2]. Implementation is the practice, pair [3]. Based on the understanding can be concluded that the implementation of an action that is carried out by individuals and groups with the intent to achieve the goal formulated.

### **2.2 Understanding the death penalty.**

The death penalty is a punishment or the sentence passed by the court or without judgment as to the form of the most substantial punishment inflicted on a person as a result of his deeds. The death penalty most loaded in the crimes in many countries with the way the execution of various shapes from beheaded, suspended, pricked to shot dead.

### **2.3 Understanding the perpetrators of crimes.**

Crime is the works that are done by a person with a crime or criminal violations which are detrimental to the interests of others or harm the interest of the general public. Crime is a human behavior threatened criminal by the rules of the law, so a behavior forbidden by criminal threats [4]. The criminal act is the act of a person or a group of people that lead to events or criminal acts in violation of criminal law and threatened with punishment [4]. Based on the scholar's opinion, the understanding of criminal can be known of the elements criminal acts that are must be something the behavior "gedraging." Behavior flow by the

description of an act "wettelijke omschrijving," behavior without rights, behavior can be focusing on perpetrators and their behavior threatened with punishment. The perpetrators are peoples who do the similar crimes in a sense. With a deliberate or do not deliberately as presupposed by law has caused a result that is not required by law, whether it is the elements of subjective and objective. Regardless of whether, the decision to do the crimes arising from himself or not, because of the move by the third party [5]. See the limitations and explanation, shows that the people who can be described as the perpetrators of crimes can be grouped into several kinds of among others:

- a. Those who do "dader plagen." The Act itself to realize all the meaning of a criminal act.
- b. Those who sent to do "doen plagen." In these crimes need to be at least two people who sent to do and sent to do so is not the primary players who do criminal acts, but with the help of others who are just the appliance only.
- c. Who do "mede plagen: To do this means is to do together. In this crimes perpetrators, there must be at least two people that do "dader plagen" and who do "mede plagen."
- d. The with the wages, agreement, the abuse of power or the dignity and the wearing of compulsion or people who deliberately persuade those who do works. Who is meant to be deliberately inciting others, is agitated wearing ways to give wages, agreement, the abuse of power or the dignity and others, etc.

#### **2.4 Understanding narcotics.**

According to Article 1 number 1 of Act No. 35 The year 2009 about narcotics states narcotics is a substance or drugs; it comes from plants or not crops, good synthetic materials or semisynthetic which can cause degradation or change in consciousness, loss of taste, reduce to eliminate pain and can cause dependence that is differentiated into the factions as shown below in this act. Narcotics is derived from the Greek from the word Narke, which means frozen, lame and stupid [6]. Narcotics are drugs that can eliminate the pain that comes from the region of Visceral and can cause the waxy effect and addiction [7]. Narcotics including a kind of substance, when used (inserted in the body) will bring the impact of the body of the user. The influence of calm stimulates and cause illusion (hallucinations) [8].

#### **2.5 Understanding Perspectives.**

The perspective comes from the Italian "Prospettiva" which means the picture, view or point of view. The perspective can shape the possibility for describing an object or objects in a real space above the flat or can form an image the geometry, so it looks described above, the bottom side the front and on the object [9].

#### **2.6 Understanding Crimes.**

The criminal law is a rule of law which contains the prohibition and the command or obligation which for disregarding threatened with criminal law sanctions for those who make it [10]. The criminal law is part of the public law that loading or contains about the terms of such [11]. Criminal law is the whole of rules that determine the works, what is forbidden and including into the criminal acts and determine, what punishment that can be inflicted on that do [12]. The criminal law is a part of the entire applicable law in a country that held the basics, or the rules [13].

### **3. RESEARCH METHOD:**

This research is qualitative research to search for the real truth. Therefore qualitative research tries to find the symptoms of the law that developed in a community. While the type of research used is a legal research empirical, it means to see something the reality of the law that occurred in the community with the view for the empirical. Data Collection techniques used the library research. Data obtained directly from the source either within an interview, observation, and the report documents the official did not then process again by the researchers. The data also obtained from the official documents, books related to the research object, the previous research results and legislation. The data analyzed by qualitative research based on the concept of the theory, legislation, doctrine, legal principle, expert opinion or view of the researchers themselves. Data analysis was to expose data processing mechanism so that it became a form of information.

### **4. DISCUSSION:**

**Setting the implementation of the death penalty on the perpetrators of narcotics crimes.**

The debate about the death penalty divided into two main thought: First are who want to defend still the applicable terms and the second is who want the whole deletion. The death penalty is one form of punishment that has been known for a long time with various cultures that are considered as the most severe form of punishment.

The death penalty inflicted as the effort to maintain and enforce the morality and justice. The criminal law is not to revenge the crimes that have been done by someone so that justice in the form of absolute balance remains is reached. The state and the authority do not have the authority to revoke the right to human life. This view explains that the deterrent effect and defensive efforts have not proved successful. The rejection of the death penalty also many caused by the fact that many of the death penalty was carried out on the people who have different political views by the ruler without a fundamental reason. Also, many forms of the death penalty will be carried out using a method of punishment that is cruel and tends to be a sadist and cause pain. In recognition of the human rights directly affect how the death penalty perspective. The development issue of the death penalty in the global scope was coloring the demands for a moratorium, and the elimination on the death penalty recorded that most of the countries eliminated the death penalty are the member of European Union. Now in ASEAN countries, only Philippines has eliminated the death penalty. Meanwhile, some countries still recognize and implement the death penalty but with a very selective, known as "retentionist." Catherine Ashton said that the history shows the implementation of the death penalty was never prevent increasing crime and provide justice for the victims of the criminal. At the same time, none of the law systems that are immune from error, then the death penalty has been implementing which is not possible for canceled or restore their life convicts who had died. Meanwhile, other experts considered that the death penalty could make them; and the perpetrators; and others not to do or do crimes in the same way, and also reduce the criminal acts/crimes in society and enforce the law in Indonesia [14]. The death penalty only promised to the crimes that resulted in the death of others who attacked and the works can cause significant danger to human life and country life. This view settled to death as an extraordinary effort that is used only as the last step [15]. Death Penalty is still needed for Indonesia today. There is a danger of disruption legal defense in extensive areas in Indonesia. Indonesia looks positively to the debate about abolition, or postponements and maintains the death penalty in Indonesia.

#### **4.1 The basis of the implementation of the Death Penalty in Indonesia.**

The death penalty as a tool for the defense of the community which is very dangerous and criminal, also die and it can be used as a tool [1].

The explanation book of the Criminal Law, it is said that the death penalty still needed for some reason, among others, because of the existence of particular circumstances namely the danger of law disruption, and order. Another reason is that our region-wide and its population consists of several kinds of natural conflict occurs; while the instruments of the police are weak, and so on. The book of Criminal Law limit the possibility of the cast down these dead of some crimes that weight only [1]:

- Crimes on the state
- Murder with plans to
- Theft and blackmailing did in situations that weigh on.
- Piracy in the sea at the beach in the coastal area and the river.

#### **4.2 Criminal acts that threatened with the death penalty.**

According to the book of the law, criminal law in Indonesia there are nine kinds of crimes that threatened criminal die, namely :

- The plots with the intent to kill the president and vice president
- Do the relationship with foreign countries so that war
- Betrayal told the enemy in times of war
- Inflammatory and ease of riot
- The murder plans on the head of state friends
- The murder plan
- Theft with violence in the allied cause severe injury or death

- Piracy in the sea resulting in the death of
- The crimes of the flight and the means of flight.

Besides, provisions that also set about the crimes that threatened with criminal acts died, among them are :

- Economic Crimes (Act No. 7/Drt/1955);
- Narcotics crimes (Act No. 35 2009);
- Corruption Crimes Act No. 31/1999 as has been changed and added with Act No. 20 2001);
- Criminal acts on Human Rights (Act No. 39 1999);
- Criminal acts of terrorism (Act No. 15 2003).

Philosophical punishment dies solidified in "TAP MPR No. XVII/MPR/1998." mentions that the views and attitudes of the people of Indonesia regarding human rights are derived from the teachings of the religion, universal moral values and noble values and people culture based on Pancasila. Sentence of death that occurred in Indonesia is set in the determination of the President Number 2 the Year 1964 about Death inflicted by the court within the general judiciary and military.

#### **4.3 The Death Penalty sanctions on perpetrators of crimes narcotics.**

Before the birth of Act No. 35, The year 2009 about narcotics countries to enforce Law Number 22 1997, but the law cannot be defended its existence again, due to the development of the quality of narcotics which has become a severe threat to the life of man. Also, Indonesia also tied ratified the new terms in the United Nations Convention on the Eradication of circulation of the dark narcotics and psychotropic drugs 1988, through Law Number 7 the Year 1997 about the approval of the United Nations Convention On Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. The criminal threats in Act No. 35 The year 2009 about narcotics vary according to the degree of criminal acts that do. Forms of Criminal acts still refer to the book of the Law of the Criminal the death penalty, lifetime, prison, and fines. No different from what is outlined in the Act No. 35 The year 2009 about narcotics in this section will also quote directly the articles which threaten the perpetrators of crimes with the death penalty. Narcotics crimes that threatened the death penalty based on Act No. 35 The year 2009 about narcotics found in chapter XV Criminal Provisions namely : Article 113 paragraph (2), Article 114 paragraph (2), Article 116 paragraph (2), Article 118 paragraph (2), Article 119 paragraph (2) Article 121 paragraph (2), Article 132 paragraph (3), Article 133 paragraph (1), Article 144 paragraph (2).

Based on some of the article above can be seen that the death penalty is still a criminal threat that can be the most satisfying the purpose of criminal acts. Speaking about the criminal sanction indeed cannot be separated with the purpose of criminal acts as vengeance inflicted countries as a strong reaction on the works that are forbidden or commanded by the criminal laws.

#### **4.4 Mechanism of the implementation of the death penalty on the perpetrators of narcotics crimes.**

The sanctions on the abuse narcotics are the policy in criminal law provisions governing the sanction to the perpetrators of the abuse of narcotics in the form of criminal sanction and sanctions action. The perpetrators of abuse narcotics have a slightly different position with the other crimes. On the one hand, the perpetrator of a crime which must be punished, but on the other side, the victims of criminal acts that they are themselves and needed to be doing activities with rehabilitation. The determination of sanctions on perpetrators of crimes narcotics, whether to apply the criminal sanction or rehabilitation actions wherein this determination is by the judges. Based on provisions of Law Narcotics, the judge was given the authority to determine and execute imprisonment or rehabilitation action on the perpetrators of narcotics crimes. Criminal Provisions on the abuse narcotics are in Act Number 35 The year 2009, about the minimum and maximum crimes. Applying the criminal provisions are also immediately followed by the obligation to pay attention to the provisions of Article 103 about the rehabilitation of narcotics addicts are contained concerning the verse (2). The boundaries of the possible protection on human rights of the people of Indonesia, on some principles contained in the Law on narcotics [21] is :

- Narcotics Act used to assert or enforce the fundamental social values of the behavior of the community.

- Narcotics Act is the only legal product walling for perpetrators of crimes narcotics effectively.
- In using other law product, must be sought with indeed that way as minimum as possible does not interfere with the rights and obligations of the individual without reducing the protection of the interests of communities democracy and modern.

The implementation of the criminal sanction begins with the letter of charges prosecutors. Usually, the article's charges relate the form an alternative then the legal facts that found will determine the position of accused whether into one of appropriate. The judges will execute the minimum punishment for the accused who proved on one of the Narcotics Act. The Panel of Judges accuses charged or punish with the most appropriate applied the actions accused given on the fact trial. The implementation of law sanction with rehabilitation for addicts, and users as the perpetrators of the abuse narcotics will reduce the excess capacity socialization can reduce the circulation of dark narcotics. The criminal narcotics law on the legal system in Indonesia is the court authority. This is very dependent on the panel of judges that the preliminary trial of the matter. The imposition sanctions for the law formal requirement by the applicable terms as regulated in Article 197 the Indonesian Criminal. Law Number 35 the Year 2009.

#### **4.5 The death penalty to convict narcotics.**

Indonesia one of the countries that still apply the death penalty. The death penalty in the book of the Criminal is a criminal subject as listed in Article 10. In addition to some of the criminal legislation in Indonesia, there is the death penalty as the threat of punishment is Law on narcotics. The case of drug abuse is one of the extraordinary crimes. Why is called as the extraordinary crime? Because the effect of the loss caused by from this act is very significant, which threatens to all the children of the young man and the parents can even damage one generation and the future of the country. This time in Indonesia there is three great crime that requires intensive attention, of whom is the abuse of narcotics, corruption, and terrorism. Abuse of narcotics indeed become something scary if not immediately handled, because of the impact that raised very terrible. Narcotics problems have done by using transnational modus operandi is high, advanced technology, supported by a broad organization network and already many cause sacrifice.

#### **4.6 The pro-contra of the death penalty for the criminal acts of narcotics.**

Controversial the death penalty for a long time. There is two the basis of thought is different or contradictory since the beginning. It is because there is no agreement about the means for implementation of criminal die [23]. Criminal die for extraordinary crimes are not for revenge. However, it based on the moral belief for the crimes they have done, morally is severe crimes, and wounding the feelings moral justice of society.

Until today death penalty is always a classic debate topic between pro-group (retention) or contra-group (abolitionist) on criminal die which bases their opinion on a persuasive argument.

Indeed there is no obligation to apply the criminal die in Indonesia. However, due to the death penalty related to the human right of individuals, then they will undoubtedly generate conflicts pro-contra between criminal law experts who arrived at this time that has not been finalized. Very reasonable the dispute appears, but the state, of course, has different considerations criminal applies to die in the crimes. The death penalty will always cause polemics in society. This polemics will always appear because in a heterogeneous society there will always be different views about the death penalty. The author agreed that the death penalty still needs to be preserved in this country.

### **5. CONCLUSION:**

Based on explanation previous chapters so the author can conclude as follows:

- Setting the implementation of the death penalty on the perpetrators of narcotics crimes regulated in Act No. 35 The year 2009 found in chapter XV Criminal Provisions namely Article 113 paragraph (2), Article 114 paragraph (2), Article 116 paragraph (2), Article 118 paragraph (2), Article 119 paragraph (2), Article 121 paragraph (2), Article 132 paragraph (3), Article 133 paragraph (1), Article 144 paragraph (1) and paragraph (2).
- Mechanism of the death penalty implementation on the perpetrators of the narcotics criminal acts on the legal system in Indonesia is the court authority, so when required between the sanction given by the existing sanctions in Act narcotics are the same will be highly dependent on the panel of judges

that the preliminary trial the matter. The imposition of sanctions that is seen from the law formal requirement is by the applicable terms as regulated in Article 197 the Indonesian Criminal.

- That there are still pros and cons on the implementation of the death penalty on the perpetrators of crimes narcotics namely overturning death penalty, violate human rights and pro and cons. There is a criminal defenders dead who said the death penalty is necessary to saturate and scary criminals and relatively does not cause pain if done correctly. Among other crimes on the said that the death penalty could cause injustice, ineffective as the prison because often crimes have done because of the heat the heart and emotions that beyond the control of man.

The end of the arrangement of this bachelor theses by the problems that happen then building blocks provide a few suggestions as follows :

- For the setting, the death penalty implementation on the perpetrators of crimes narcotics is more clarified again that perpetrators to perform narcotics crimes really over the works that they did.
- So that the mechanism of the death penalty implementation on the perpetrators of crimes narcotics can drive as desired, need to increase the efforts of criminal politics in the sense of a broad through both criminal acts and non-criminal acts.
- In order not to happened obstacles in the implementation of the death penalty on the perpetrators of crimes narcotics, expected to public cons to support the Government in implementing the death penalty for the criminal acts of narcotics are regulated in Act Number 35 2009 narcotics.

## 6. ACKNOWLEDGEMENTS

I gratefully acknowledge the financial support from Universitas Pembangunan Panca Budi, Indonesia.

## REFERENCES:

1. Hamzah, A. (1993). dan A. Sumangelipu, *Pidana Mati Di Indonesia Di Masa Lalu, Kini Dan Di Masa Depan*, Ghalia Indonesia, Jakarta.
2. J.S Badudu dan Sutan Mohammad Zain (1996), *Penerapan Pembelajaran*, Pustaka Prima, Bandung.
3. Lukman Ali (1995), *Kamus Besar Bahasa Indonesia Edisi Kedua*, Balai Pustaka, Jakarta.
4. Andrisman, T. (2009). *Hukum Pidana: asas-asas dan dasar aturan umum hukum pidana Indonesia*. Penerbit Universitas Lampung.
5. Barda Nawawi Arif (1994), *Sari Kuliah Hukum Pidana II*, Fakultas Hukum UNDIP, Semarang.
6. Nadack, W. (1993), *Korban Ganja dan Masalah Narkotika*, Indonesia Publishing House, Bandung.
7. A.W., Wijaya, (1995), *Masalah Kenakan Remaja dan Penyalahgunaan Narkotika*, Armico, Bandung
8. D., Soedjono. (1997), *Segi Hukum Tentang Narkotika Di Indonesia*, Karya Nusantara, Bandung.
9. Notepedia, *Pengertian Perspektif*, <http://www.notepedia.info/2013/10/pengertian-perspektif-dan-sejarah.html>, diakses tgl 13 Mei 2015, pkl 11.00 WIB.
10. Hamzah, A. (1991), *Asas-Asas Hukum Pidana*, Rineka Cipta, Jakarta.
11. Chazawi, A. (2002). *Pelajaran Hukum Pidana, Bagian 1; Stelsel Pidana, Teori-Teori Pemidanaan & Batas Berlakunya Hukum Pidana*. Jakarta: Penerbit RajaGrafindo Persada.
12. Wales, Jimmy, *Hukuman Mati*, [http://id.wikipedia.org/wiki/Hukuman\\_mati](http://id.wikipedia.org/wiki/Hukuman_mati), diakses tgl 13 Mei 2015, pkl 10.30 WIB.
13. Moeljatno, (1993), *Asas-Asas Hukum Pidana*, PT. Rineka Cipta, Jakarta.
14. Makaro, T. (2003), *Tindak Pidana Narkotika*, Ghalia Indonesia, Jakarta.
15. Hamzah, A., & Rahayu, S. (1993). *Suatu Tinjauan Ringkas tentang Sistem Pemidanaan di Indonesia*.
16. Sahetapy, J.E. (1992), *Suatu Studi Khusus Mengenai Ancaman Pidana Mati Terhadap Pembunuhan Berencana*, CV. Rajawali, Jakarta.
17. Arief, B. N. (1994), *Sari Kuliah Hukum Pidana II*, Fakultas Hukum UNDIP, Semarang.
18. Sofyan, A (2007), *Narkoba Mengincar Anak Anda Panduan Bagi Orang Tua, Guru dan Badan Narkotika Dalam Penanggulangan Bahaya Narkoba Di Kalangan Remaja*, Prestasi Pustaka Publisher, Jakarta
19. Kartono, K. (2006). *Patologi Sosial II: Kenakalan Remaja Ke-7*. PT Raja Grafindo Persada, Jakarta.
20. Hariyono, B. (2009). *Kebijakan Formulasi Sanksi Pidana Terhadap Pelaku Tindak Pidana Narkoba Di Indonesia* (Doctoral dissertation, program Pascasarjana Universitas Diponegoro).

21. Reksodiputra, M. (1995), *Pembaharuan Hukum Pidana, Pusat Pelayanan dan Pengendalian Hukum (d/h Lembaga Kriminologi)*, UI, Jakarta.
22. Waluyo, Made Pastika Mangku M. (2007), *Pecegahan Narkoba Sejak Usia Dini*, Badan Narkotika Nasional Republik Indonesia, Jakarta.
23. Ali, A. (2010). *Menguak realias hukum: rampai kolom & artikel pilihan dalam bidang hukum*. Kencana Prenada Media Group.
24. Pijiyono, (2007), *Kumpulan Tulisan Hukum Pidana*, Mandar Maju, Bandung.
25. Abidin, Z. (2007). Analisis eksistensial sebuah pendekatan alternatif untuk psikologi dan psikiatri. PT. RajaGrafindo Persada, Jakarta
26. Bagus, L. (2005). Kamus Filsafat Gramedia Pustaka Utama.
27. Hidayat, S. (2010). *Pidana mati di Indonesia*. Genta Press. Yogyakarta.
28. Darminto, P. (2002), *Kamus Besar Bahasa Indonesia*, Balai Pustaka, Jakarta.
29. -----, (2009), *Hukum Pidana*, Universitas Lampung, Lampung.
30. -----, (2000), *Masalah Pidana Mati dan Pidana Anak Dalam RUU KUHP*, Departemen Kehakiman dan HAM, Jakarta.
31. Hukum, Sumber, *Pengertian Hukuman Mati*, <http://www.hukumsumberrhukum.com/2014/05/hukuman-mati.html#>, diakses tgl 13 Mei 2015, pkl 10.00 WIB.
32. Online, Hukum, *Penerapan Hukuman Mati Dinilai Tidak Melanggar Konstitusi*, <http://www.hukumonline.com/berita/baca/lt548e9fcb51d1d/penerapan-hukuman-mati-dinilai-tidak-melanggar-konstitusi>, diakses tgl 13 Mei 2015, pkl 9.00 WIB.
33. Undang-Undang Republik Indonesia Nomor 35 Tahun 2009 tentang Narkotika.
34. -----, *Pengertian Hukum Pidana*, [http://id.wikipedia.org/wiki/Hukum\\_pidana](http://id.wikipedia.org/wiki/Hukum_pidana), diakses tgl 13 Mei 2015, pkl 11.30 WIB.
35. -----, (2002), *Bunga Rampai Kebijakan Hukum Pidana*, Cetakan Kedua, PT. Citra Aditya Bakti, Bandung.