Personalization Principles in the Context of Transnational Terrorism Crimes: A Legal (Analysis Analisis Yuridis Prinsip Personalitas Dalam Konteks Delik Terorisme Lintas Negara)

Fransisca Dewi Zion, Faisal Santiago
franzzisca@gmail.com
Universitas Borobudur Indonesia

ABSTRACT

Terrorism is categorized as an extreme circumstance that is worrying the world today, as a crime against humanity, and as a significant challenge to any country's sovereignty, because terrorism has become an international case that threatens global security and peace. Terrorism is one of the types of international instances that causes widespread anxiety among the public. The author employs the normative method, which is a research approach that focuses on the study of texts through qualitative normative analysis. Because this work is founded on rules that act as positive legal standards, normative analysis is used, whereas qualitative analysis is an attempt made to focus information in order to get descriptive data. Terrorism is a word with a delicate connotation since it is capable of creating catastrophes and the sorrow of innocent people. Terrorism is a source of significant concern among residents and the whole global community, particularly the people of Indonesia. Terrorism is one type of international instance that causes fear, worry, and bloodshed. Law No. 5 of 2018 changes Law No. 15 of 2003, Making Government Regulations, and replaces Law No. 1 of 2002, Eradication of Terrorism Delicts. Paragraph 1 of Article 1 (2) In accordance with Regulation No. 5 of 2018, This approach does not allow judges to choose the optimum sort of punishment for the accused. In theory, state terrorism might be considered as a severe case under International Criminal Court (ICC) doctrine. A country that assaults its own inhabitants on a big scale and in a systematic manner is committing a crime against humanity. And, while the legislation considers the interests and fairness of society, its application is bolder and more progressive, particularly by law enforcement officers.

Keywords : Principles, Transnational, Terrorism, Crimes.

ABSTRAK

Terorisme terklasifikasi ke dalam perkara luar biasa yang meresahkan dunia saat ini dan digolongkan sebagai perkara yang menyerang kemanusiaan (crime against humanity), dan termasuk juga dalam ancaman serius bagi kedaulatan negara manapun, sebab terorisme sudah menjadi perkara internasional yang mengancam keamanan dan perdamaian dunia.Delik terorisme tergolong ke dalam salah satu wujud perkara yang dengan dimensi internasional yang menimbulkan ketakutan besar di kalangan masyarakat. penulis menggunakan metode normatif yang merupakan penelitian yang difokuskan pada studi dokumen dengan analisis normatif kualitatif. Menggunakan analisis normatif sebab penulisan ini dilandaskan pada regulasi perregulasian yang berjalan sebagai norma hukum positif, sementara kualitatif merupakan upaya yang dilaksanakan guna memusatkan informasi guna memperoleh data yang deskriptif.Terorisme merupakan sebuah konsep dan memiliki makna yang sangat peka sebab terorisme mampu menyebabkan pembantaian dan kesengsaraan terhadap orang-orang yang tidak bersalah. Terorisme merupakan perkara yang menimbulkan ketakutan besar di kalangan warga negara dan seluruh masyarakat dunia, termasuk masyarakat Indonesia. terorisme merupakan salah satu wujud perkara internasional yang menimbulkan ketakutan, kecemasan dan kekerasan. UU No 5 Tahun 2018 mengubah UU No 15 Tahun 2003 tentang Pembuatan Regulasi Pemerintah menggantikan UU No 1 Tahun 2002 tentang Pemberantasan Delik Terorisme. Pasal 1 ayat (2) Dalam ketetapan Regulasi Nomor 5 Tahun 2018, Sistem ini tidak memungkinkan hakim untuk menentukan jenis hukuman apa yang terbaik bagi terdakwa. Pada prinsipnya, terorisme negara mampu digolongkan sebagai perkara serius dalam pengertian yurisprudensi International Criminal Court (ICC). Negara yang menyerang warga negaranya sendiri secara besar-besaran dan sistematis merupakan perkara terhadap kemanusiaan. Dan hukum memperhatikan kepentingan dan ketidakberpihakan masyarakat, di sisi lain lebih berani dan progresif pelaksanaannya, terutama oleh aparat penegak hukum.

Kata Kunci : Prinsip-prinsip, Transnasional

A. Introduction

Terrorism is classified as an extraordinary case that is troubling the world today and is classified as a crime against humanity, as well as a serious threat to the sovereignty of any country, because terrorism has become an international case that threatens world security and peace and destroys common welfare must be carried out through planned and sustainable destruction so that the basic human rights of the people at large are protected and respected.

Terrorism, being an extreme crime, must, of course, be met with extreme solutions. Muladi stated in this regard that if any attempt to defeat terrorism, even if it is domestic in nature due to its characteristics, contains elements of "ethnosocial or religious identity," its handling must, of course, take extraordinary standards into account due to modern advances in communication, information technology, and transportation.

Terrorism is a type of criminal offense involving an international dimension that instills considerable fear in the public. Terrorism occurs in many nations, and terrorist assaults mercilessly murder civilians. Terrorism is defined in circumstances that are regarded significant for the globe since the events or cases are of this sort and have significance for the international community.

B. Problem Identification

How important is the concept of legal personality in the prosecution of transnational terrorist offenses?

C. Research Methods

The writer employs the normative approach in this work, which is research centered on the study of texts with qualitative normative analysis. Because this work is founded on rules that act as positive legal standards, normative analysis is used, whereas qualitative analysis is an attempt made to focus information in order to get descriptive data.

D. Pembahasan

1. Criminal Law (Strafrecht)

According to Notohamidjojo, law is all written and unwritten norms that constrain human conduct inside countries (and beyond countries) and relate to adjudicating processes in order to achieve peace with humanitarian aims[1]. Furthermore, W.L.G Lemaire defined Strafrecht as a set of norms and values that include responsibilities and prohibitions that have been tied to penalties or punishments, namely severe punishments. Thus, Strafrecht may also be characterized as a set of rules that serve as a guideline for conduct and acts that must and may not be carried out, as well as under circumstances that can be imposed on the actions in issue.[2].

In another meaning, a strafrecht is a legal or regulatory provision that specifies forbidden or limited behaviors, as well as penalties or punishments for breaking these limitations. Scholars are capable if criminal justice is given a distinct and distinct role in the legal framework. Because Strafrecht does not establish its own standards, but rather improves legal standards by creating provisions for the prospect of consequences for transgressions of legal standards and values in other sectors[3]. Departing from the above definition in line with the principles of Strafrecht Article 1 paragraph 1 of the Criminal Code, which states that Strafrecht is founded on written regulations (regulations in the fullest sense), commonly known as the principle of legality[4]. Adopting the premise of legality safeguards Strafrecht from the government's exercise of infinite authority.

Fundamentally, Strafrecht is concerned with two things: actions that carry a requirement and punishment[5]. Strafrecht also establishes punishments for deliberate infractions of the law, which is a major distinction between

[1] O. Notohamidjojo, 2011, *Legal Philosophy's Fundamental Issues*, Salatiga: Griya Media, Page 77

[2] P.A.F. Lamintang,1984, *Basics of Strafrecht Indonesian Criminal Law*, Bandung: Sinar Baru, Page 89

[3] M. Ali Zaidan, 2015, *Renewal of Strafrecht*, Jakarta: Sinar Grafika, Page 22

[4] The concept of legality states that before a person acts, every phenomena in the form of a delict or delict must be created in advance by regulatory norms or, at the very least, by a legal requirement that already exists or is in operation.

[5] Sudarto, *Strafrecht I*, Semarang : Yayasan Sudarto d/a Faculty of Law Undip Semarang, 1986

Strafrecht and other laws[6]. According to Moeljatno, the present formulation of Strafrecht rules may be described as follows: Strafrecht will develop the basis and provisions, among which are[7]:

1) Determine the sorts of collective activity that are forbidden and add threats or particular offense punishments against anybody who violates the restriction.
2) Determine the timing and nature of the violation so that it can be punished in accordance with what was defined.
3) Develop a plan for imposing a penalty in such a way that it can be carried out if the person accused of being the criminal is capable of doing so.

The purpose of Strafrecht is to preserve individual interests, as well as human and societal rights. To that end, the purpose of Strafrecht Indonesia must be in conformity with the principles established in Pancasila as the guidance for the existence of the Indonesian country, namely the ability to offer equitable benefits to all people. Thus, the purpose of Strafrecht Indonesia is to safeguard all Indonesians. Strafrecht's accomplishment targets are separated into two (two), namely[8]:

1) The objective of Strafrecht as a penalty legislation. This objective is intellectual or philosophical in character, and it is understood to give a foundation for punishment. Forms and criminal punishments, as well as case investigation criteria. This objective is not commonly found in Strafrecht articles, but it can be found in any Strafrecht provisions or general explanations.
2) The goal of imposing criminal penalties on strafrecht offenders. This aim is pragmatic in character, with clear and real procedures relating to criminal offenses and difficulties that arise as a result of criminal violations. This target is a representation of the first target.

Furthermore, Sudarto proposes the following Strafrecht functions, each

[6] M. Van Bemmelen, *General Section of Strafrecht I Material Law*, Bandung : Binacipta, 1987

[7] Moeljatno, *Strafrecht Concepts*, Jakarta: Rineka Cipta, 1993, Page 54

[8] Teguh Prasetyo, *Strafrecht*, Jakarta: Rajawali Press, 2010

of which is described below[9]: (1) General function, which asserts that since Strafrecht is part of the law, then Strafrecht's tasks, namely regulating people's lives or defending government in society, are likewise general legal duties. (2) A special role that declares if Strafrecht carries out the protection of the interests of law for activities that seek to compel it (*rechtsguterschutz*) with a criminal penalty that is harsher than the punishment that is competent in other branches of law. When discussing criminal sanctions, there can be something tragic or sad, such as when Strafrecht is described as "cutting one's own flesh" or a "double-edged sword," which is interpreted when Strafrecht is aimed at protecting legal interests (for example, life and property), but when violations and violated regulations actually cause damage to the violator's interests. Strafrecht is believed to have measures for dealing with infractions. It should also be noted that the purpose of Strafrecht as a measure of social control is secondary; that is, Strafrecht should be implemented (applied) only when other means fail.

2. The Strafrecht Principle

a. Principle of legality

The notion of legality is a very strong and essential element in Strafrecht. As a result, the legality principle is critical in assessing whether or not a Strafrecht provision is applied to a case that has been implemented. So, if a situation arises, we will investigate if there is regulation in place and whether the current regulation may be applied to the matter at hand. In a nutshell, the notion of legality is concerned with the duration of Strafrecht[10]. The goal of Wirjono Projodikoro's legality concept is that if criminal consequences may only be imposed through criminal rules and provisions, they cannot be applied retrospectively[11].

According to Moeljatno, the notion of legality has three interpretations. To begin with, no conduct is forbidden or penalized unless mandated by law.

[9] Sudarto, *Strafrecht I*, Semarang: Yayasan Sudarto, 1990

[10] A. Fuad Usfa and Tongat, *Introduction to Strafrecht, Second Edition*, UMM Press, Malang, 2004, Page 9

[11] Wirjono Prodjodikoro, *Strafrecht Concepts in Indonesia*, Refika Aditama, Bandung, 2003, Page 42

Second, this parallel cannot be used to prove the presence of a crime. Third, Strafrecht's ruling is not reversed[12]. Komariah Emong Sapardjaja underlined the relevance of the legality principle, citing Groenhuijsen's perspective that this concept has four interpretations. The first two are for lawmakers, while the other two are for judges. First, regulators may not impose Strafrecht requirements retroactively. Second, all banned conduct must be described as clearly as possible in the form of the violation. Third, the judge may not determine whether the defendant is acting in accordance with unwritten or general law. Fourth, parallels with Strafrecht rulings are prohibited[13].

b. The Active Nationality Principle

The concept of active nationality, commonly known as the personality principle, states that if Indonesian criminal laws apply to any Indonesian citizen who commits an offense outside of Indonesian territory. This concept is stated in Article 5 of the Criminal Code:

1) Criminal provisions under Indonesian legislation apply to citizens living outside of Indonesia who carry them out
    a) One of the cases listed in Second Book Chapters I and II, as well as Articles 160, 161, 240, 279, 450, and 451.;
    b) An act that, according to a criminal clause in Indonesian rules, is considered a case, but is punished under the laws of the nation where the conduct was committed.
2) Prosecution of the second case can also be carried out if the offender becomes a citizen after doing the offense

The actor's citizenship is the beginning point for implementing the notion of active citizenship. If Strafrecht Indonesia follows Indonesian nationals, the concept included in Article 5 of the Criminal Code comprises systematics (points of view)[14]. This notion is based on the assumption that the laws of a sovereign state always follow its inhabitants. The notion of state sovereignty, which teaches that every sovereign country may expect every person to obey the

[12] Moeljatno, Op Cit, Page 27-28

[13] Komariah Emong Supardjaja, *Teachings on the Nature of Against Material Law in Indonesian Strafrecht (Case Study on Its Application and Development in Jurisprudence)*, Alumni, Bandung, 2002 , Page 5-6

[14] Zainal Abidin Farid, *Strafrecht I,* Sinar Grafika, Jakarta, 2007, Page 155.

laws of the country regardless of where they are.

c. Territorial Concept

Article 2 of the Criminal Code regulates the territorial concept, which states that criminal rules in Indonesian law apply to anybody who commits an offense in Indonesia. The essence of this concept is the location or region in which the case happens. As a result, this concept concentrates on the occurrence of acts within national territory while not excluding those who do them. Everyone means everyone, both Indonesians and foreigners, according to the word form. As a result of this territorial concept, anybody, Indonesian or foreign, who commits an infraction on Indonesian territory or area under Indonesian authority must subject to Strafrecht Indonesia[15].

What is meant by the area or territory of Indonesia that will be included; (1) all islands and countries of the former Dutch East Indies; (2) all Indonesian territorial waters and waters in the Exclusive Economic Zone as a result of the International Maritime Convention, namely H. Indonesian territorial waters plus 200 meters from the original territorial waters limit; and (3) all trips abroad under Section 3 of the Criminal Code[16]

d. Universal Concept

The character of (criminal) activities is the major topic explored in the universal principle, according to which every state is required to follow Strafrecht, regardless of who carried out the case, where the criminal committed it, or for whose advantage the criminal committed it. he. This principle deviates from the egocentric Strafrecht.

The universal concept is enshrined in Articles 4 sub 2 and 4 sub 4 of the Criminal Code, which state: Point 2, Cases involving cash or paper money issued by the government or banks, or stamps and trademarks issued by the Indonesian government. Point 4: One of these examples is Article 438, 444-446, which deals with piracy, and Article 447, which deals with the surrender of ships to piracy.

[15] Tongat, *Fundamentals of Indonesian Strafrecht in the Light of Renewal*,UMM Perss,Malang, 2008, Page 78

[16] M. Abdul Kholiq, *Strafrecht College Handbook*, Faculty of Law Universitas Islam Indonesia, Yogyakarta, 2002, Page 19c

The international component of the universal principle expresses itself in two phases, according to the rules of the preceding article. First, under the requirements of Article 4(2) of the Criminal Code, offenses connected to money issued by certain nations or banks, in the sense that it is not intended by the state, namely Indonesia, are prohibited. As a result, anybody caught committing money violations outside of Indonesia's sovereign territory may face prosecution by Strafrecht Indonesia if apprehended by Indonesian law enforcement officers. Second, the majority of the offenses governed in Article 4 (4) are international offenses, which every government, including Indonesia, has the authority to prosecute. Cases governed by the provisions of this article are those that are harmful to the interests of the international community, although the authority to arrest, jail, and trial the perpetrators are completely reserved to state actors with a stake in national borders. The government owns land. Article 4 sub 4 of the Criminal Code divides the offenses into two categories: product piracy and piracy, both of which are designated as international cases. So, if someone commits piracy, whether an Indonesian citizen or a foreigner, that individual can be tried under Strafrecht Indonesia[17].

3. Personality or Individualization Concept

Criminal aims and guidelines, essentially the application of the concept of criminal individualization, cannot be discussed separately from criminal individualization. At the moment, these sentencing targets and criteria are unknown (not mentioned) in Strafrecht. Criminal individualization necessitates that the sentencing be proportionate to the nature and circumstances of the perpetrator. Individualizing criminals actually evolved as a result of a reform in the prison system in 1964, when prisoner development was directed toward rehabilitation, and this was further reinforced by the introduction of Regulation Number 12 of 1995 about Corrections, particularly in Article 12[18].

In recognizing this instance, Soedjono Dridjosisworo stated, "Modern tendencies toward individualization of criminal punishments frequently

[17] Tongat, Op Cit, Page 88-89

[18] Suwarto, 2007, *Individualization of Criminals Concept Development in the Development of Women Prisoners (Study of Development of Women Prisoners in Class II A Women's Correctional Institutions Tanjung in Medan)*, Dissertation, Page 163.

necessitate study that is more strictly geared towards the accused's personal and societal circumstances."[19] Based on what the author have detailed above, RKUHP talks before to 2010 genuinely contemplated the individualization of this instance, such that when read in the phrase structure of Articles 54 and 55, where the two articles establish goals. Penalties and considerations that the court must examine before imposing a sentence, in addition to mitigating circumstances for the offender, as well as flexibility in sentencing. The notion of criminal individualization in the form of impunity is established in various articles that effectively provide courts the ability to select and determine suitable punishments (cases or actions) for persons or culprits. However, the judge's discretion is within the bounds of legal freedom.

"If punishment is individual in nature, then not only the amount of punishment must be adjusted to personal/individual circumstances, but also the sentence given and is final permanent (en kracht van gewijsde) or adjusted along with the development or improvement of the decision, taking into account the objectives of the sentence," Ahmad Bahiej continued.

Adjustments demands are governed by Article 57 of the Strafrecht Draft, with the caveat that revisions or adjustments to the sentence in the Strafrecht Draft cannot be heavier than the original judgment, and can be applied in:

a. Set aside or cancel an existing decision or case, or
b. Modifications to the nature of cases or other activity.

If a court rejects a request for rectification, it cannot be re-submitted for one year, unless there are exceptional circumstances suggesting that a re-application is required.

4. Terrorism on a Global Scale

Terrorism is a linguistic phrase that is closely connected to the terms terror and terrorist. Systematic terror is defined as arbitrary acts that disrupt society, brutality, and intimidation.[20]. Meanwhile, the United States Federal

[19] Soedjono Dirdjosisworo, 1984, *Philosophy of Criminal Justice and Comparative Law*, Armico, Bandung, Page 15-16

[20] Abdurrahman Pribadi & Abu Hayyan, 2007, *Exposing Terrorist Networks*,Jakarta:Abdika Press, Page 9.

Bureau of Investigation (FBI) defines terrorism as an act of violence or unlawful crimes against persons, or acts of intimidation or coercion against governments, citizens, and other sectors of society with the intent of attaining certain aims[21]. Terrorism is never justifiable since its primary traits are:

a. The crime involves the use of violence and threats to instill fear in the public.
b. Intended for the state, society, or specific persons or groups of people.
c. Terrorizing its members and employing force to acquire their allegiance in a methodical and coordinated manner[22]

Terrorism is a global crime that is both an extreme crime and a crime against humanity. Terrorist attacks are "random, indiscriminate, and indiscriminate," which indicates that they can target innocent people, are always violent, can be linked to organized operations, and entail the use of advanced technology such as chemical, biological, and even nuclear weapons[23]. Current authorities are active regional and national jurisdictions, according to the Rome Statute. Territorial jurisdiction refers to the ICC's ability to consider terrorist cases that occur in nations that have accepted the Rome Statute outside of that country's borders.

Terrorism is a metaphor with a particularly sensitive connotation since it is capable of creating massacres and the sorrow of innocent people. Terrorism is a topic that frightens residents and the whole international community, especially the people of Indonesia. Another argument is that terrorism is a type of worldwide action that instills fear, anxiety, and violence. Law No. 5 of 2018 changes Law No. 15 of 2003, Making Government Regulations, and replaces Law No. 1 of 2002, Eradication of Terrorism Delicts. "Terrorism is any act that involves the use of violence or threats of violence, creates an atmosphere of terror or fear in general, and leads to mass destruction and/or destruction or destruction of important strategic objects, the environment, public or

[21] A.M. Fatwa, 2006, *Presenting Moderation Against Terrorism*, Jakarta: PT Mizan Publika, Page 60

[22] Abdul Wahid, others, 2004, *Cases of Terrorism from the Perspective of Religion, Human Rights, and Law*, Bandung: PT. Rafika Aditama, Page 31-32

[23] Anantaya, W., Palguna, I. D. G., & Ariana, I. G. P. (2015). *State Responsibility for Terrorism Cases that Cross National Borders of Countries*. J. Kerthanegara, Page 1-5.

international websites with ideological, political, or security motives," states Article 1 paragraph (2).

The terms of Regulation No. 5 of 2018 stipulate that if:

The formula system established by Government Regulation No. 5 of 2018 (particularly the single formula system) is inflexible, absolute, and binding. This approach does not allow judges to choose the optimum sort of punishment for the accused. This system's architecture does not allow judges to personalize sentencing, particularly when choosing the sort of punishment. Sentence flexibility is required to individualize the amount of sentence while remaining within the regulatory boundaries of freedom. Terrorism began with the terrorist phenomenon that destroyed the World Trade Center and the Pentagon on September 11, 2001, making the worldwide group Al-Qaeda lead by Osama Bin Laden the major suspect targeted by the US, and the war against terrorism began. This war on terror cost the lives of many Afghan civilians during the US invasion. This is because the United States suspected Afghanistan of sheltering Osama Bin Laden. Not only that, but the US also launched an invasion of Iraq, which took many lives owing to the creation of weapons of mass destruction accused of supporting anti-terrorist facilities and resources. Another manifestation of terrorism is Israeli aggression against Palestine. The phrase state terrorism was coined later in response to the activities of the United States and Israel. State terrorism poses the same significant threat as terrorism carried out by people or groups. Individual or group terrorism is carried out in secret, but state terrorism is carried out openly[24].

In theory, state terrorism might be considered as a severe case under International Criminal Court (ICC) doctrine. A state that assaults its own inhabitants on a big scale and in a systematic manner is committing a crime against humanity, whereas a state that attempts to provoke disorder among other individuals is doing an act of aggression. According to Kai Nielsen, state terrorism will progressively fade away as states that carry out terror lose support; but, if state terrorism does not exist, individual or group terrorism will decline since there will be fewer person or group terrorists. Describing terrorism

[24] Juhaya S.Praja, *Globalizing Muslims and Counter-Terrorism*: Muslims in the Post-9/11 Era, Bandung, Kaki Langit, 2003, Page 36.

One issue with state terrorism, on the other side, is that the state is not held accountable, individual criminal culpability under international law is unaffected, and the state is not recognized under Strafrecht. Considering the existential reality of state terrorism, the idea of criminal culpability should be expanded to encompass not just people and society in the form of companies or private groups, but also the state[25].

E. Conclusion

Responsive law must be questioned at the executive level in order to ensure that it does not contradict the ideals of social justice and fundamental human rights. As a result, progressive legislation is required, particularly in its execution. As a result, there is a strong link between reactionary and progressive legislation. On the one hand, the law considers society's interests and impartiality; on the other hand, its application is bolder and more progressive, particularly by law enforcement officers. Because the objective of the law is to ensure the pleasure and well-being of the people.

Moving on from the classification of terrorism as a crime against humanity (crime against humanity), this means that if terrorism is a case involving fundamental human rights, the criminal justice system will focus on the protection of human principle rights and constitute a criminal system oriented toward the concept of criminalization. Criminal individualization necessitates that the sentencing be proportionate to the nature and circumstances of the criminal. Terrorism is an exceptional situation that will result in anarchy, arbitrary action, cruelty, and intimidation. As a result, terrorism has the potential to violate a person's right to life. Because of this, the most significant legal protection for terrorist acts is the preservation of fundamental human rights, including the right to life.

[25] Ari Wibowo, *Strafrecht Terrorism: Strafrecht Formulative Policies in Countering Terrorism Delicts in Indonesia*, Edition I, First Edition, Yogyakarta, Graha Ilmu, 2012, Page 71.

F. Suggestion

Terrorist cases are not expressly referred to as unusual cases, but because of the requirements involved, they cannot be prosecuted if designated as extraordinary cases. It is intended that by embedding the term "Extraordinary Crime" in this terrorist case, it would be able to decrease and eliminate incidences or acts of terrorism that frequently occur, as well as give a psychological impact on anybody who want to impose the sovereignty of the unitary state. So that it has a direct impact on the welfare of the Indonesian state and people.

References / Bibliography :

Afifi Fauzi Abbas, Metodologi Penelitian, Jakarta: Adelina Bersaudara, 2010.

O. Notohamidjojo, Soal-Soal Pokok Filsafat Hukum, Salatiga: Griya Media, 2011

P.A.F. Lamintang, Basics of Strafrecht Indonesian Criminal Law, Bandung: Sinar Baru, 1984

M. Ali Zaidan, Towards Criminal Law Reform, Jakarta: Sinar Grafika, 2015

Sudarto, Criminal Law I, Semarang : Yayasan Sudarto d/a Fakultas Hukum Undip Semarang, 1986

M. Van Bemmelen, Criminal Law I : Material Law General Section, Bandung : Binacipta, 1987

Moeljatno, Criminal Law Concepts, Jakarta: Rineka Cipta, 1993.

Teguh Prasetyo, Criminal Law, Jakarta: Rajawali Press, 2010.

A. Fuad Usfa dan Tongat, Introduction to Criminal Law, Second Edition, UMM Press, Malang, 2004.

Wirjono Prodjodikoro, Criminal Law Concepts in Indonesia, Refika Aditama,

Bandung, 2003.

Komariah Emong Supardjaja, Teachings on the Nature of Against Material Law in Indonesian Strafrecht (Case Study on Its Application and Development in Jurisprudence), Alumni, Bandung, 2002.

Zainal Abidin Farid, Criminal Law I, Sinar Grafika, Jakarta, 2007.

Tongat, Fundamentals of Indonesian Strafrecht in the Light of Renewal,UMM Perss,Malang, 2008.

M. Abdul Kholiq, Strafrecht College Handbook, Faculty of Law Universitas Islam Indonesia, Yogyakarta, 2002.

Suwarto, 2007, Individualization of Criminals Concept Development in the Development of Women Prisoners (Study of Development of Women Prisoners in Class II A Women's Correctional Institutions Tanjung in Medan), Dissertation.

Soedjono Dirdjosisworo, 1984, Philosophy of Criminal Justice and Comparative Law, Armico, Bandung.

Abdurrahman Pribadi & Abu Hayyan, 2007, Exposing Terrorist Networks,Jakarta:Abdika Press.

A.M. Fatwa, 2006, Presenting Moderation Against Terrorism, Jakarta: PT Mizan Publika.

Abdul Wahid, dkk, 2004, Cases of Terrorism from the Perspective of Religion, Human Rights, and Law, Bandung: PT. Rafika Aditama.

Juhaya S.Praja, Globalizing Muslims and Counter-Terrorism: Muslims in the Post-9/11 Era, Bandung, Kaki Langit, 20