

Accountability Criminal Fines in the Perspective of Indonesian Criminal Law

*Sinar Indah Cahyaningsih**Tri Abriana Ma'ruf**Mohammad Arif*

Faculty of Law, Universitas Muslim Indonesia, Indonesia

Faculty of Law, Universitas Muslim Indonesia, Indonesia

Faculty of Law, Universitas Muslim Indonesia, Indonesia

This research aims to determine and analyze Criminal Liability for Fines in the perspective of Criminal Law. This research was conducted with a normative-empirical type that uses primary legal materials or is a study by going directly to the location, namely at the Makassar Police and journals or references related to the research. The results of this study indicate that (1) Criminal liability for fines in the perspective of Indonesian criminal law generally follows what actions are carried out by the perpetrators of the crime and how much loss from the proceeds of their crime. One example of a drug dealer case where the amount of the fine is up to billions because drug distribution is very detrimental to drug abusers. This means that it is subjective in terms of the actions of the perpetrators of the crime. (2) The achievement of the objectives of criminal punishment against criminal fines has probably not been achieved due to several factors, namely the absence of real evidence of a deterrent effect obtained by the perpetrators of the crime, the amount of the fine given to the perpetrators of the crime is still subjective, and the fine is only an additional punishment, not the main punishment. The recommendation of this research is that law enforcers in criminal liability for a criminal act should be given a heavy fine, even if possible exceeding the loss caused to the victim so that there is a deterrent effect not to commit a criminal act and the fine should be the main punishment so that it can increase the deterrent effect on the perpetrator of the crime, because the purpose of the main punishment, for example imprisonment, is so that the perpetrator of the crime will no longer commit acts that harm people. Therefore, the fine should be made the main punishment and the amount of the fine must exceed the loss caused by the perpetrator

INTRODUCTION

Indonesia is a country of law, which means that the law has binding power and must be obeyed by all its citizens without exception. As a country of law, the state must ensure full rights inhabitant his country even so on the contrary , obligations citizens against his country must implemented fully with bow down to rule of law . [1] State of law rely on faith that state power must run on base fair and good law . For that , if somebody do a related actions with problem order general so as a country of law there is the rules that apply in public That himself . Someone who does a action with harming others so that the disappearance balance , peace and order can it is said as A crime . Crime intended as a conflicting behavior with values and norms that have been authorized by law . So it's a crime can interpreted as a an act that violates law criminal or The laws that apply therein society . [2] As in the statement previously then the person who does crime need to be given sanctions like criminal imprisonment , jail and fines . Criminal fine as instrument criminalization For reach objective criminalization is one of type criminal main as set up in the Criminal Code article 10 the law states in the form of punishments the main thing , namely punishment death , punishment prison , punishment imprisonment and punishment fines ; and penalties addition in the form of revocation a number of rights certain , confiscation goods certain , and announcements judge's decision .In development criminalization in indonesia , criminal fine as alternative criminalization has accommodated by the state as political criminal . This is has reflected from the amount regulation legislation which also includes criminal fine as sanctions criminal , even in Draft Criminal Code (RKUHP) threats criminal fine almost there is a threat criminal on every the article

that regulates about crime .

Constitution Number 35 of 2009 concerning Narcotics set up about Precursor Narcotics that is substance or material beginner or material chemicals that can used in making narcotics . In addition that , in Constitution this is also regulated about weighting sanctions criminal , good in form sanctions special minimum sentence , sanctions criminal 20 years in prison , sanctions criminal prison lifelong live , and sanctions criminal dead , and sanctions criminal fine . Aggravation sanctions criminal the done with based on group , type , size and quantity narcotics . Regulation criminal fine in Constitution Number 35 of 2009 concerning narcotics done with accumulate threat criminal fine with threat robbery independence . With thus to perpetrator crimes that violate the article in it set up in a way cumulative criminal fines and confiscation independence then the judge must decide criminal fines and penalties prison in a way together . Criminal fine to abuse narcotics are very mandatory applied Because Lots harm in the environment around for example distribution packaged narcotics in form neat and hidden purchased by youth and children brought age , which is the norm they is candidate generation successor For progress of the Indonesian nation. One of reason the emergence abuse narcotics is Because availability narcotics , no only in matter health and interests knowledge knowledge , but narcotics used For interest circulation dark narcotics . [3]

As for one of them case about abuse narcotics that occurred in Makassar City to be precise on Dahlia Street with number decision 687/ Pid.Sus /2021/PN Mks . In the decision Erwin is 28 years old as suspect buy narcotics type crystal meth with method call His friend named Rusli who is in notes the police Rusli is a DPO (Wanted Persons List) as distributor narcotics . After police check Erwin as The suspect , Rusli, ran away from Location . Police ask to Erwin about method buy crystal meth , Erwin answered " buy " with method past phone ". It means in distribution narcotics Now very much easy and mandatory given sanctions No only in the form of criminal prison But must also be given sanctions criminal fine Because distribution narcotics access is very easy Good among teenager and child brought age . This proves the amount the loss that occurred if No applied criminal high fines for distributor and user . In the case of on then the judge decided that stating Erwin was proven guilty and sentenced sanctions criminal Law no. 35 of 2009 Concerning Narcotics with criminal prison for 4 (four) years , 6 (six) months and a fine an amount of Rp. 800,000,000.00 (eight hundred million rupiah), if fine the No paid so replaced with criminal prison for 4 (four) months . Based on from the judge's decision then can it is said fine the arguably tall For give effect deterred and afraid to Good perpetrator and people who have desire distribute and consume narcotics . As for in Islamic teachings about obligation pay fine as replacement error or sin exists in Surah Al-Maidah verse 89, As for in Islamic teachings about obligation pay fine as replacement error or sin exists in Surah Al-Maidah verse 89; [4] God does not punish You due to your unfulfilled vows intentional (for swear), but He punishes You due to the oaths you made on purpose . So, the disadvantage (fine consequence violate oath) is give Eat ten poor people from the food you (usually) eat give to your family , giving clothes to they , or to liberate a servant . Who would n't capable do it , then (kafaratnya) fasting three day . That's it expiation your oaths if You swear (and you violate it). Take care your vows ! Thus Allah explains to you His laws so that you be grateful (to Him).

METHOD

Researcher use type study law normative – empirical , namely study law that uses two types source material law . [5] Where the research law normative , researcher focus on study theories , rules , or norms that apply , whereas study law empirical , researcher collect real data from field , such as observation , interview , survey , or studies case For see How rule or the norm applied in practice real . Data collection techniques that researchers use use there are two types , namely literature obtained from related data with things that are researched , in the form of books and related literature with research , as well as data collection with method stage ask answer in a way direct to source person and Respondent with use guidelines interview .

DISCUSSION

Accountability Criminal Fines in the Perspective of Indonesian Criminal Law

Use fine in prosecution criminal law in Indonesia is still less than optimal. Fines have not been own function and role main , because authority enforcer law more tend use punishment prison and detention pretrial than fine . In choosing and wearing sanctions criminal , priority still given to criminal prison , with consider objective criminalization , in particular achievement effect deterrent for perpetrator act criminal and achievement prevention in a way general . This is also caused by the low amount the threatened fine . In fact , the development concepts new in law criminal worthy noted , especially development sanctions alternative from criminal prison become fine For violation minor and punishable offenses with criminal prison not enough from One year . In Indonesian law the provisions criminal fines also have changes , especially those related to with the Criminal Code (KUHP) and the provisions other before August 17, 1945 and changes in Article 1 Paragraph (1) of the Perpu Number 18 of 1960 which regulates that amount criminal the fines threatened , either in the Criminal Code and other laws that have been changed-change previously , can customized with current exchange rate moment that . Change This intended For create conformity between threat criminal fine with level inflation and change economy . With existence changes this , it is expected that threat criminal fine will more effective in give effect deterrent and appropriate with condition socio-economic at the time that . In addition , there are change important related with amount the fine mentioned in the Criminal Code (KUHP), especially in Article 403 which was originally set fine of Rp. 1,000. However after publication Regulation Government Replacement Constitution Number 18 of 1960, the number fine the experience adjustment For reflect mark currency in force at that time . Original fine only Rp 1,000 now to Rp. 150,000 (one hundred and fifty thousand) thousand rupiah), as effort For adapt with inflation and change the value of money that occurs along time . But change This No applicable For act criminal economy . Provision in Article 1 Paragraph (2) of the Perpu Number 18 of 1960 in particular explicit state that adjustment amount criminal fine This No applicable For act criminal economy . Action criminal economy often have more sanctions heavy or more specific set in regulation alone , which is not affected by adjustments common practice in changes . So, even though fine in Lots act criminal normal experience increase significant , but in act criminal economy still follow more provisions strict and separate .

According to Muladi and Barda Nawawi Arief, "In the current Criminal Code system applicable , criminal fine viewed as type criminal the lightest thing . First , the thing This can seen from position in order criminal main in Article 10 of the Criminal Code. And secondly , in general criminal fine prison or confinement . A little very act criminal offenses that only threatened with criminal fines . Third , the amount threat criminal fine in the Criminal Code in general it is relatively light . [6] In the realm of the fall criminal in court , the judge appeared more leaning towards criminal robbery independence , especially criminal prison and confinement . Preferences This sourced from various factors , including assumption that criminal fine in the Criminal Code at the moment This not enough satisfy the sense of justice society . It's only natural. public No Possible accept criminal fine amounting to Rp. 900,- or Rp. 4,500,- For act criminal light like theft or fraud . In addition , we No Can ignore fact that criminal prison has become a "global" norm, which indicates that public feel No can reach peace without form punishment this . As Barda Nawawi Arief said , the practice criminal prison as punishment for perpetrator act criminal new appear at the end 18th century , influenced by ideology individualism . With emergence ideology individualism and movement humanity , role criminal prison the more significant , so that change landscape act criminal . [7]

Criminal fines charged For all categorized violations as violation in Book III of the Criminal Code, [8] and For the crimes described in Book II. However , the fine This especially applicable For violation light crimes and crimes that are not intentional . Most of the fine functioning as alternative punishment prison . According to Muladi and Barda Nawawi, "very few action criminal

offenses that only charged fine : in Book II, only There is One violations covered by Article 403, whereas Book III only includes 40 articles discussing violation ." The Criminal Code does not set maximum limit general For fine criminal ; he determine individual maximum in its articles . On the contrary , he set a general minimum limit For fine for twenty five cents (Rp. 250,-) . After investigated , punishment highest For fine criminal in the Criminal Code is Rp. 150,000,- . as threatened in Articles 251 and 403, whereas For violation (book III) criminal the highest fine is Rp. 75,000 ,- available in Article 568 and 569. Article 30 of the Criminal Code states :

The amount fine at least 25 cents (Rp. 250,-)

If dropped punishment fines and penalties No paid , then replaced with confinement .

Length of sentence confinement replacement That at least One day and forever six month .

Length of imprisonment This set so only , that price half a rupiah or not enough replaced with One day , for more fines big than that , then for each and every half a rupiah replaced No more than One day and for the rest that is not Enough half a rupiah, the duration is also one day .

If there are weighting fine Because togetherness or repetition or Because provisions of Articles 52 and 52a, then confinement the longest possible replacement become eight month .

Based on the provisions above , criminal fine in the Criminal Code is in the form of money only and not can be natural or goods , only just if He fine the No paid by the convict Good Because inability or his unwillingness , then criminal fine That can converted into the form criminal the so - called confinement with punishment subsidiary confinement or substitute , not criminal subsidiary confinement or substitute , not criminal principal confinement . This is precisely where one of the factor No its effectiveness criminal fine in realize objective criminalization fine That alone . Besides the above factors , as talah put forward previous that factor amount the threatened fine in the Criminal Code is very light when compared to with loss consequence the crime committed especially those related to with act criminal law in the field of economy . Adjustment amount fine of course Once done through PERPU No. 18 of 1960 which of course just Already No adequate Again moment This . In the PERPU more said :

Article 1 paragraph (1): " Every amount punishment the threatened fine Good in the Criminal Code, as several times have added and changed and finally with Law no. 1 of 1960 (LN 1960 No.1), as well as in terms and conditions criminal others issued before August 17, 1945 as has changed before day the validity of this PERPU must read in rupiah currency and doubled to fifteen times .

Article 1 paragraph (2) " Provisions in Article (1) does not applicable to amount punishment fine in terms and conditions act crimes that have been entered in act criminal economy . So the highest fine in the Criminal Code after multiplied by fifteen is Rp.150,000 ,- . In law criminal , achievement objective criminal has become Topic debate . This is Because sharpen view from corner view philosophical , physiological , and legal , which ultimately become base implementation sanctions criminal , including fines . Developments thinking about philosophy criminalization , in addition to influenced by the thoughts of Western scholars , of course just also influenced by penal guidelines , namely a set principles and methods that become base countermeasures violation provision criminal . That's it. overall function law and apparatus enforcer law and can also be viewed as policy in a way overall . Determination amount big small criminal fine can seen with clear in the articles contained therein in the Criminal Code which threatens with criminal fine , as following ; [9]

Crime to state security , crime to dignity President and Vice President and about crime to do obligations and rights statehood , namely that which exists in articles 114, 117, 118, 124, 137, 142, 143, 144 and 149 of the Criminal Code.

Crime to order general , namely that which is contained in articles 154, 154a, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 174, 176, 177, 178, 180 and 181 of the Criminal Code.

About fight match , namely the one that exists in Article 183 of the Criminal Code.

About dangerous crime security general for people or goods , namely those contained in articles 188, 191 bis, 191 ter , 193, 195, 197, 199, 201, 203 and 205 of the Criminal Code.

About crime to ruler general , namely those contained in articles 207, 208, 209, 212, 216, 217, 218, 219, 221, 222, 227, 228, 229, 231, 232, 238, 239 and 241 of the Criminal Code.

Crime about forgery currency and paper money , namely those contained in articles 249, 250 and 251 of the Criminal Code.

Crime about forgery stamps and brands and also counterfeiting letters , namely those contained in articles 260, 261 and 275 of the Criminal Code.

About crime to morality , namely that which is contained in articles 281, 282, 283, 296, 299, 300, 302, 303 and 303 bis of the Criminal Code.

Crime about leave someone who needs helped and about humiliation , that is, there is in articles 304, 310, 315, 320 and 321 of the Criminal Code.

Crime about open secret , namely what is contained in Articles 322 and 323 of the Criminal Code.

About crime to independence a person , namely one who is there in Articles 334 and 335 of the Criminal Code.

Crime about persecution , namely that which exists in Articles 351 and 352 of the Criminal Code.

Crime about cause somebody dead or wounds Because negligence , that is, what exists in Article 360 of the Criminal Code.

Crime about theft and embezzlement , namely those contained in articles 362, 364, 372 and 373 of the Criminal Code.

Crime about action cheating (bedrog) , namely that which exists in articles 379, 380, 382 bis, 384 and 393 of the Criminal Code

Crime about action harm receivable (schuldeischer) or person who owns rights (rechthebbende) , namely those that exist in Article 403 of the Criminal Code.

Crime about destruction or destruction goods , namely those contained in articles 406, 407 and 409 of the Criminal Code.

About crime position , namely that which exists in articles 418, 426, 427 and 429 of the Criminal Code.

About crime shipping , namely that which is contained in articles 470, 473, 474, 475, 476 and 477 of the Criminal Code.

Crime about reception , regulation and printing , namely those contained in articles 480, 482, 483 and 484 of the Criminal Code.

About violation security general for people or goods and health general , namely those contained in articles 490, 491, 492, 493, 494, 495, 496, 497, 500, 501 and 502 of the Criminal Code.

About violation order general , namely that which is contained in articles 503, 507, 508, 509, 510, 511, 512a, 513, 514, 515, 516, 517, 518, 519 and 519 bis of the Criminal Code.

About violation to ruler general , namely that which is contained in articles 521, 522, 524, 525, 526 and 528 of the Criminal Code.

About violation about origin and marriage , namely those contained in articles 529 and 530 of the Criminal Code.

About violation to someone who needs help , namely that which is available in Article 531 of the Criminal Code.

About violation morality , namely that which is contained in articles 532, 533, 534, 535, 536, 539, 540, 541, 544, 545, 546 and 547 of the Criminal Code.

About violation about land , plants and yards , namely those contained in articles 548, 549, 550 and 551 of the Criminal Code.

About violation position , namely that which exists in articles 552, 554, 555, 556, 557a, 558, 558a and 559 of the Criminal Code.

About violation shipping , namely that which is contained in articles 560, 561, 562, 563, 564, 565, 568, and 569 of the Criminal Code.

As in the statement above explain that determination amount big small criminal fine can seen with clear in the articles contained therein in the Criminal Code which threatens with criminal fine . However in sanctions criminal the fines contained in the New Criminal Code which will valid in 2026 divide a number of category about change amount punishment fines and actions criminal light in the Criminal Code as as follows : [9] Article 29A

Criminal the biggest fine set based on categories , namely ;

Category I Rp. 10,000,000.00 (ten) million rupiah);

Category II Rp. 50,000,000.00 (fifty million rupiah) million rupiah);

Category III Rp. 100,000,000.00 (one hundred and twenty thousand rupiah). million rupiah);

Category IV Rp. 250,000,000.00 (two hundred and fifty million rupiah). million rupiah);

Category V Rp. 1,000,000,000.00 (one) billion rupiah);

Category VI Rp. 10,000,000,000.00 (ten billion rupiah).

There are also some changes that are set in Book II of the Criminal Code except articles 154a, 251, 296, 303 paragraph (1), 303bis paragraphs (1) and (2), 403, and 435, amended become as following :

Provision the criminal penalty that is threatened with criminal a maximum fine of Rp. 375.00 (three hundred and seventy five thousand rupiah) . twenty five rupiah) read as threatened with criminal the biggest fine Category I

Provision the criminal penalty that is threatened with criminal fine from Rp. 375.00 (three hundred and seventy five thousand rupiah) twenty five rupiah) or more However not enough from from Rp. 1800.00 (one thousand) eight hundred rupiah) read as threatened with criminal the biggest fine Category II;

Provision the criminal penalty that is threatened with criminal a fine of Rp. 1800.00 (one thousand rupiah) eight hundred rupiah) or more However not enough from from Rp. 4500.00 (four) thousand five hundred rupiah) read as threatened with criminal the most fines Category III;

Provision the criminal penalty that is threatened with criminal a fine of Rp. 4,500.00 (four thousand five hundred rupiah) or more However not enough from from Rp. 9000.00 (nine thousand rupiah) read as threatened with criminal the most fines Category IV.

Provision the criminal penalty that is threatened criminal fine more from Rp. 9000.00 (nine thousand rupiah) read as threatened with criminal the biggest fine Category V;

In the provisions criminal fine in Article 154a and Article 303bis paragraph (1) are amended become threatened with criminal fine Category II, and in Articles 291, 296, 403 and 435 were amended become threatened with criminal fine category V, as well as in provision criminal fine in Article 303 paragraph (1) is amended become threatened with criminal fine Category IV

Achievement of the Objectives of Punishment To Criminal Fines

Article 10 of the Criminal Code stipulates criminal fine inside group criminal main as order final or fourth , after criminal dead , criminal prison and criminal confinement . Inside draft Design National Criminal Code Law (RUUKUHP) 2008 , criminal fine get in group criminal main as order fourth . The composition the order according to Article 65 (RUUKUHP) paragraph (1) is as following : [10]

Criminal Main Point consists of from :

Criminal Prison

Criminal Cover

Criminal Supervision

Criminal Fines

Criminal Work Social

Furthermore in Article (2) states that order criminal as referred to in paragraph (1) determines lightness of the sentence.⁷ In imposing criminal , the role of the judge is very important . After know objective criminalization , the judge is obliged consider the circumstances that exist around the maker act criminal , what and how influence from action crimes committed , influence the sentence imposed for the maker future criminal acts , influence act criminal towards the victims and Lots Again other circumstances that require get attention and consideration of the Judge in to drop criminal . Everything This is guidelines criminalization .

Criminalization as has been explained in advance , is a process. Judge in apply criminal prison beside consider goals and guidelines criminalization , also pay attention to condition the circumstances that are likely can avoid the fall criminal robbery independence (criminal) prison), such as for example factor age the maker act criminal , act act criminal whether For first time, loss towards the victims, as well as Already is there any change loss , and so on . [11] Looking at the number of factors that become the attention and consideration of the Judge in the criminalization

process and application criminal robbery independence (criminal) prison), presumably existence criminal robbery freedom within Indonesian criminalization does not need doubtful and worried again . In practice in court , it turns out that criminal robbery independence , namely criminal prison and confinement Still is choice main than the judge. [12]

According to IPTU Rahmatia as Head of Sub-Unit Criminal Investigation Unit Makassar Police stated that here attitude choose criminal fine truly on Judge 's considerations careful , objective and practical than criminal robbery independence (criminal) prison) or Because take into account profit make a loss criminal fine compared to with criminal robbery independence . So in matter This criminal fine threatened , and often as alternative with criminal confinement to almost all the " violations " (overtradingen) listed in Book III of the Criminal Code. Against all crime light , criminal fine That threatened as alternative with criminal prison . According to Writer so Likewise with regard to part the biggest crimes that are not done with intentionally . Another alternative is with criminal imprisonment . Criminal fine That seldom very threatened to other crimes . IPTU Rahmatia add Again that in do size effectiveness criminal fine , must There is mark balance between criminal fine with criminal his replacement , in matter the convict No can pay the fine that has been determined . According to Writer that existing provisions in the current Criminal Code his replacement is criminal confinement . With principle balance This so in frame execution will become more easy that is if No can executed criminal fine , then charged criminal his replacement so that with thus so in its realization No will happen what 's been going on This known as " arrears " chronic " .

Reviewed from aspect its effectiveness so criminal fine become not enough effective if compared to with criminal prison , thing This especially if reviewed from aspect his trap to convict . This is due to Because criminal fine can paid by someone else. While in matter criminal prison No Possible represented by someone else. In addition That convict can just collect money from anywhere For pay off / pay off fine In the concept of The draft Criminal Code has formulated alternative replacement than criminal fines that are not can paid . Moreover Again when thought about that in the new Criminal Code Later as alternative criminal fine is criminal supervision or service community , payment fine more emphasized possibility its execution .

Criminal replacement fine This then applied , if convict The same very No have goods whatever For auctioned . [13] That is in the form of criminal supervision or Work social . Although thus Still need under review whether criminal supervision or criminal Work social as criminal replacement fine is effective as replacement criminal fine . Experience during This is what the executor (Prosecutor) complained about the difficulty billing fine to convict , need considered in the Judge's decision in the form of decision forfeit fine (decision outside the court) presence the accused), should Don't shaped criminal fine Again will but shaped criminal confinement . Referring to the meaning of " system criminalization " as has described in the sub- chapter previously , then essence from system criminal fine is covers overall provision legislation that regulates How criminal fine That enforced so As consequence logical from characteristics said , then Already goods of course policy strategy operationalization / functionalization / enforcement criminal fine different with type other crimes .

Implementation criminal individualized oriented fines criminal Andi Hamzah stated that There is development interesting thing that happened in Scandinavian countries (Finland and Sweden), then followed by Germany, Austria, France , and Portugal, namely introduction system determination amount criminal criminal fine the new one called fine daily (day fine) with the purpose of criminal fine That become fair , because calculation big fine based on to income offender per day . [14] So the balance how long should people convicted prison compared to with If replaced fine , then the magnitude fine imposed is How many big that person 's income per day . By detailed about guidelines criminalization according to Jescheck is overall the facts surrounding the crime that must be taken into account when consider type the crime that will be dropped , heavy lightness , and whether worthy dropped criminal conditional (and so on). [15] Included in it crime committed , value from material related laws , methods How rule violated , damage more Next . Next is also personality perpetrator , age , type gender and position in society . However , also the mentality

shown (for example character angry), as well as a possible sense of regret appear and then curriculum vitae and notes criminal record, recidivism .

CONCLUSION

Based on description the results and discussion above so can collected that : (1) Accountability criminal fine in perspective law Indonesian criminal law in general general follow the action what the perpetrators did act criminal and how magnitude loss from results his crimes . One of them example case distributor large amount of drugs criminal the fine until billions Because distribution there are so many drugs harm for the abusers drugs . It means nature subjective in The perpetrator's actions crime ; (2) Achievement of Criminal Goals To Criminal fines possible Not yet achieved Because existence a number of factor that is Not yet existence proof real effect the punishment received by the perpetrator crime , magnitude the fine imposed to perpetrator act criminal Still nature subjective , and criminal fine just criminal addition No as criminal principal . Government enforcer law in accountability criminal fine to a act criminal must to form team special about payment fine so that Can transparency at the time convict do payment fine . Then government and law enforcement law make attention special to criminal fine with objective burdensome punishment to convict to be convicted get effect abundant and those who want do act criminal will also think long for do act criminal .

References

1. J. Asshiddiqie, "Gagasan negara hukum indonesia," 2002.
2. C. Devi, E. S. Pratiwi, P. D. Anjani, and T. Supriyadi, "Psikologi sosial dalam kriminologi," *Indones. J. Bus. Innov. Technol. Humanit.*, vol. 1, no. 1, pp. 302-309, 2024.
3. B. P. Hariyanto, "Pencegahan Dan Pemberantasan Peredaran Narkoba Di Indonesia," *Penambahan Natrium Benzoat Dan Kalium Sorbat Dan Kecepatan Pengadukan Sebagai Upaya Penghambatan Reaksi Inversi Pada Nira Tebu*, vol. 1, no. 1, pp. 201-210, 2014.
4. I. Novia, "Tinjauan Hukum Ekonomi Syariah Terhadap Penetapan Denda (Al-Gharamah) Dalam Arisan Online Amanah Di Kota Bengkulu," p. 35, 2021, [Online]. Available: [http://repository.iainbengkulu.ac.id/5593/1/OPI COVER.pdf](http://repository.iainbengkulu.ac.id/5593/1/OPI%20COVER.pdf)
5. A. Rosidi, M. Zainuddin, and I. Arifiana, "Metode Dalam Penelitian Hukum Normatif Dan Sosiologis (Field Research)," *J. Law Gov.*, vol. 2, no. 1, pp. 46-58, 2024.
6. S. S. Rivanie, S. Muchtar, A. M. Muin, A. M. D. Prasetya, and A. Rizky, "Perkembangan Teori-teori Tujuan Pidana," *Halu Oleo Law Rev.*, vol. 6, no. 2, pp. 176-188, 2022, doi: 10.33561/holrev.v6i2.4.
7. P. S. Saraswati, "KEBIJAKAN FORMULASI PENGATURAN PIDANA PENJARA TERBATAS DALAM PERUNDANG-UNDANGAN INDONESIA PERSPEKTIF IUS CONSTITUENDUM," pp. 27-44.
8. N. I. Firdausi, "PEMBERLAKUAN SANKSI HUKUM TERHADAP PELAKU USAHA PANGAN AKIBAT MELAKUKAN PELANGGARAN TERHADAP UNDANG-UNDANG," *Kaos GL Derg.*, vol. 8, no. 75, pp. 147-154, 2020, [Online]. Available: <https://doi.org/10.1016/j.jnc.2020.125798><https://doi.org/10.1016/j.smr.2020.02.002><http://www.ncbi.nlm.nih.gov/pubmed/8100499><http://doi.wiley.com/10.1002/anie.197505391><http://www.sciencedirect.com/science/article/pii/B9780857090409500205>
9. F. Nggeboe, "Suatu Tinjauan Tentang Pidana Denda Dalam Hukum Pidana Positif Indonesia Dan Rancangan Kuhp," *Legalitas*, vol. II, no. 1, pp. 86-105, 2012, [Online]. Available: <http://legalitas.unbari.ac.id/index.php/Legalitas/article/view/106/93>
10. W. Haryadi, "Rancangan Undang-Undang Kitab Undang-Undang Hukum Pidana (Ruu Kuhp) Di Indonesia Perspektif Teori Pembaharuan Hukum," *Veritas*, vol. 6, no. 1, pp. 65-78, 2020, doi: 10.34005/veritas.v6i1.566.
11. S. Susim, "Pidana Denda Dalam Pidana Serta Prospek Perumusannya Dalam Rancangan Kuhp," *Lex Crim.*, vol. IV, no. 1, pp. 225-234, 2015.
12. I. Darmawan, "Perkembangan Dan Pergeseran Pidana," *Palar | Pakuan Law Rev.*, vol.

- 1, no. 2, 2015, doi: 10.33751/v1i2.930.
13. T. Pipit Mulyah, Dyah Aminatun, Sukma Septian Nasution, Tommy Hastomo, Setiana Sri Wahyuni Sitepu, Pidana Denda “Sanksi Alternatif antara Teori,” vol. 7, no. 2. 2020.
 14. E. Juarsa, “ANALISIS KEBIJAKAN PERUMUSAN SANKSI PIDANA DENDA DALAM KUHP Eka,” vol. X, pp. 1-23, 2019.
 15. T. K. Sandra, “sanksi pemenjaraan terhadap pelaku tindak pidana pembunuhan berencana,” vol. 105, no. 3, pp. 129-133, 1945, [Online]. Available: <https://webcache.googleusercontent.com/search?q=cache:BDsuQOHoCi4J:https://media.neliti.com/media/publications/9138-ID-perlindungan-hukum-terhadap-anak-dari-konten-berbahaya-dalam-media-cetak-dan-ele.pdf+%&cd=3&hl=id&ct=clnk&gl=id>