

Legal Review of The Criminal Act of Ordering to Damage Cultural Heritage: A Study of Decision Number 174/PID.SUS/2022/PN SKH

Rizal Ardiansyah

Law Science, Faculty of Law and Politic Science, Universitas Muhammadiyah Surakarta
C100200364@student.ums.ac.id

Syaifuddin Zuhdi

Law Science, Faculty of Law and Politic Science, Universitas Muhammadiyah Surakarta
sz123@ums.ac.id

Abstract

This study aims to analyze the legal considerations used by the judge in Decision Number 174/Pid. Sus/2022/PN Skh relating to a criminal act involving an order to destroy the Kartasura Baluwarti Fort Cultural Heritage, and to examine this case from an Islamic legal perspective. The method applied in this study is normative juridical, with a statutory approach and a case approach. The results of the study indicate that the panel of judges has applied Article 105 in conjunction with Article 115 paragraph (1) letter a of Law Number 11 of 2010 concerning Cultural Heritage, as well as Article 55 paragraph (1) point 1 of the Criminal Code correctly. All elements of the crime, including the element of intent and the role as the ordering party (*doen pleger*), has been legally proven based on the evidence presented at trial. The judge sentenced him to one year in prison plus an additional sanction in the form of an obligation to restore the fort's structure. From an Islamic legal perspective, the defendant's actions fulfill the requirements of *jarimah* (*sharia, madi, and adabi*) and are categorized as *jarimah ta'zir* because it damages property that has public interest (*hifz al-mal*). This action is also classified as *fasad*. This is strictly prohibited by Islamic law, as it damages non-renewable public assets and historical heritage. Both positive and Islamic law emphasize criminal liability and the importance of protecting cultural heritage as a national identity and historical legacy.

Keywords: cultural heritage, Islamic law, judge's considerations, court decisions, criminal acts of vandalism, *doen pleger*.

1. INTRODUCTION

Indonesia has a very valuable historical and cultural heritage in the form of cultural heritage. Cultural heritage includes places, objects, or buildings that have important value for national identity, history, science, education, religion, and culture. As a cultural resource that is vulnerable, rare, limited, and non-renewable, cultural heritage has a strategic role that needs to be preserved to be passed on to future generations. (1) Therefore, in accordance with the mandate

of Law Number 11 of 2010 concerning Cultural Heritage, the state is fully responsible for providing legal protection to reduce the risk of damage and loss of these valuable assets. This law clearly states that every individual is prohibited from damaging cultural heritage, either directly or by asking others to do so, in order to ensure the sustainability of the nation's historical heritage. (2)

The government's enactment of the Cultural Heritage Law in 2010 was one step toward preserving cultural heritage. Law No. 11 of 2010 concerning Cultural Heritage replaced Law No. 5 of 1992 concerning Cultural Heritage Objects, which was deemed no longer relevant. The issuance of this law is expected to provide a more comprehensive regulation than the previous one.

In Law Number 11 of 2010 concerning Cultural Heritage, which is regulated in Article 105, it is stated that "any individual who intentionally damages cultural heritage can be subject to imprisonment for a minimum period of 1 year and a maximum of 15 years, as well as a fine of a minimum of IDR 500,000,000 (five hundred million rupiah) and a maximum of IDR 5,000,000,000 (five billion rupiah). " In addition, Article 115 paragraph (1) of the same Law states that, in addition to the penalties mentioned in this law, any person who violates the provisions in Article 101 to Article 114 will be subject to additional sanctions in the form of an obligation to return the materials, shape, layout, and/or workmanship techniques to their original condition at their own expense; and/or confiscation of profits obtained from the crime.

Currently, damage to cultural heritage objects is becoming more frequent. Furthermore, pressing economic needs are forcing many to sell these objects. On the other hand, the rapid increase in population requires the provision of housing or means of earning a living. Lack of knowledge and low levels of education are leading to the destruction and even destruction of various cultural heritage sites.(3)

Over the past few years, there has been widespread vandalism of cultural heritage sites in Indonesia. Examples include the destruction of ten *waruga* (ancient stone tombs) at the Kaima cultural heritage site in Kauditan District, Minahasa Regency, North Sulawesi, in June 2019. It is suspected that the vandalism was carried out with the intention of seeking the wealth they might contain. Furthermore, in June 2020, tiles protected as cultural heritage were damaged and stolen in Siak Regency. Cultural Heritage Buildings Controller, a Dutch heritage building, was

destroyed and some of its items stolen. The perpetrators damaged the ceramic floor tiles in the 100-year-old Dutch office. This action demonstrates the importance of preserving cultural heritage objects. Furthermore, in March 2021, the Kalisosok Prison cultural heritage building in Surabaya, East Java, was vandalized by irresponsible parties, who destroyed the walls.

One of the cases of destruction of cultural heritage that has attracted media attention in the city of Kartasura is the breaching of the western side of the Baluwarti Fort, a legacy of the Islamic Mataram Kingdom. The Baluwarti Fortress of the Kartasura Palace plays a crucial role in the history of the Islamic Mataram Kingdom in Indonesia. As a site officially designated as a cultural heritage site by decree of the local government, the fort is protected by strict laws. The damage to this site represents a significant loss to the nation's historical identity, as every lost original material holds irreplaceable historical information. The significance of this case is reflected in the extent of the damage. The use of heavy equipment in the destruction resulted in the collapse of approximately six meters of the fort's walls, significantly altering the structure's original appearance. Experts from the Cultural Heritage Conservation Center explained that this action resulted in: permanent damage to the building structure, the loss of original materials of high authenticity, and a reduction in the building's overall historical value and authenticity.

The defendant in the case of breaking into the Baluwarti Fortress on the west side of the legacy of the Islamic Mataram Kingdom, namely Muhamad Khozin Burhanudin Bin H. Najmus Sakib, was found guilty of committing the act. The defendant has been sentenced to a criminal sentence for committing an act of destroying Cultural Heritage, as stated in the single indictment by the public prosecutor. The sentence imposed is imprisonment for 1 (one) year, as well as an additional sentence requiring the defendant to restore the structure of the Baluwarti Fortress on the west side, to be returned to its original condition, including the materials, shape, layout, and construction techniques, with costs borne by the defendant and under the supervision of the Sukoharjo Regency Government. The defendant Muhamad Khozin Burhanudin Bin H. Najmus Sakib is a local resident. The trial was held at the Sukoharjo District Court on Wednesday, December 21, 2022, where the defendant was charged with Article 105 of Law Number 11 of 2010 concerning Cultural Heritage, in accordance with the indictment from the public prosecutor. The judge's decision stated a sentence of 1 year in prison, which was six months lighter than the prosecutor's demand that the defendant be sentenced to 1 year and 6 months in prison.

From an Islamic legal perspective, the importance of protecting the Baluwarti Fortress is closely linked to the principle of *Hifz al-Mal* (Protection of Assets). Cultural heritage is considered an asset because it has utility, social, and historical value for the welfare of the community. This act of destruction is seen as a form of *fasād* or damage to the face of the earth which is expressly prohibited in the Qur'an (QS. Al-Baqarah: 205 and Al-A'raf: 56), because it damages public assets that should be protected for the common good. (4)

In the criminal justice system, judges have the authority to render decisions based on the legal facts revealed in court. Therefore, it is important to examine the judge's legal considerations in this decision to assess the extent to which the application of the law has been in accordance with the principles of justice, legal certainty, and expediency. This study will use a normative juridical approach to analyze the legal basis applied by the judge in making a decision regarding this case and its implications for the protection of cultural heritage in Indonesia. (5)

Thus, this study aims to evaluate the legal considerations used in Decision Number 174/Pid.Sus/2022/PN Skh and provide recommendations for cultural heritage protection policies to be more effective in suppressing the practice of destroying the nation's historical heritage.

The author is particularly interested in this case for research purposes, as he wants to determine the legal validity of the Panel of Judges' legal considerations. Furthermore, he wants to understand the basis of the Panel of Judges' considerations in decision No. 174/Pid.Sus/2022/Pn Skh from an Islamic legal perspective.

2. METHOD

This research adopts a normative legal research method with a statutory regulatory approach and a case approach. (5) The primary legal materials used include Law Number 11 of 2010 concerning Cultural Heritage, the Criminal Code, and the Decision of the Sukoharjo District Court Number 174/Pid. Sus/2022/PN Skh. Secondary legal sources were obtained through a literature review that included law books, scientific journals, and official documents related to crimes against cultural heritage. Data were collected through a literature review and analyzed qualitatively with a deductive approach to draw comprehensive legal conclusions related to the judge's considerations and the perspective of Islamic law. (6)

3. RESULTS AND DISCUSSION

Judge's Considerations in Decision Number 174/Pid.Sus/2022/PN Skh

Before further elaborating on the contents of Decision Number 174/Pid.Sus/2022/PN Skh, it is important to understand the legal elements that form the basis of the judge's considerations in assessing the defendant's actions. These elements help illustrate how the judge assesses the facts at trial, aligns them with the provisions of the law, and determines whether the defendant's actions meet the definition of the crime charged.

The judge considered that the defendant met the requirements as a legal subject who could be held criminally responsible and was proven to have played an active role in ordering the destruction of protected objects in accordance with Law of the Republic of Indonesia Number 11 of 2010 concerning Cultural Heritage. The formal and material elements of the crime, including the intention and act of ordering the destruction as regulated in the Criminal Code, were declared valid based on evidence, witness statements, and expert opinions that showed the existence of real damage to the cultural heritage. In his considerations, the judge also considered the impact of the damage as an aggravating factor and the defendant's cooperative attitude and legal history as mitigating factors, so it was concluded that the defendant had been legally and convincingly proven to have committed a crime and was sentenced in accordance with applicable legal provisions.

In the case of the destruction of the Baluwarti Fortress Cultural Heritage of the Kartasura Palace, the panel of judges assessed that all elements of the crime had been legally and convincingly fulfilled. These elements include the legal subject "every person", the element of intent, the existence of a destructive act, the status of the object as a protected Cultural Heritage, and the form of involvement as the party ordering the act. (7)

The element of "every person" is interpreted as a legal subject who has the capacity and can be subject to criminal responsibility. (8) The defendant, Muhamad Khozin Burhanudin Bin H. Najmus Sakib, has undergone an identity check at the trial and confirmed that he is the person accused. During the course of the trial, the defendant was able to provide clear answers, understand the events that occurred, and acknowledge witness statements and evidence. No physical or mental disorders were found that could take away his ability to be responsible. Thus, the element of legal subject is considered fulfilled because the defendant is an individual who can legally be held criminally responsible.

The element of "intentionally" was also deemed proven. In criminal law, intentionality reflects the will and awareness of causing a particular consequence. The trial evidence showed that the defendant rented an excavator and directly ordered the operator to dismantle the fortress wall with the aim of opening access to the entrance. Despite being informed that the wall was part of a historic building and that the demolition had previously been stopped by the relevant authorities, the defendant continued with the order. This demonstrates the awareness and intention to carry out the demolition, thus fulfilling the element of intention.

The element of the act of "damaging Cultural Heritage" is proven through the actual physical changes to the structure of the fort. The demolition was carried out using an excavator and caused the collapse of a section of the wall approximately six meters long, with a certain thickness and height that changed the original shape of the structure. Expert testimony from the Cultural Heritage Preservation Center confirmed that the act resulted in permanent damage, the loss of some original materials, and a reduction in the historical value and authenticity of the building. The damaged object has been officially designated as Cultural Heritage through a regional government decree, thus obtaining legal protection under Law Number 11 of 2010 concerning Cultural Heritage. Thus, the elements of the legal object and the consequences of the damage are clearly proven.

In terms of involvement, the judge qualified the defendant as the party who was "ordered to do it" as regulated in Article 55 paragraph (1) 1 of the Criminal Code. Although the defendant did not operate the heavy equipment directly, the damage occurred on his orders. The excavator operator's statement is in line with the defendant's confession, so that there is a proven causal relationship between the instructions given and the occurrence of the damage. In criminal law construction, the party who ordered the act is equated with the main perpetrator because he has control over the occurrence of the crime. Therefore, criminal responsibility remains attached to the defendant.

The evidence in this case was based on valid evidence according to criminal procedure law, namely witness testimony, expert testimony, letters, and the defendant's statement. Witnesses who directly witnessed the demolition provided consistent testimony. Expert opinions confirmed that the action caused significant damage to the protected structure. Official documents, including inspection and seizure reports, further clarified the sequence of events. The defendant's confession further strengthened the judge's belief that the elements of the crime had

been met.

In its considerations, the panel of judges examined the legal, formal, material, and moral aspects. From a legal perspective, the application of Article 105 in conjunction with Article 115 paragraph (1) letter a of Law Number 11 of 2010 concerning Cultural Heritage and Article 55 paragraph (1) point 1 of the Criminal Code was deemed appropriate because all elements of the crime had been proven. Formally, the investigation, prosecution, and trial processes had proceeded in accordance with the provisions of the Criminal Procedure Code, including the preparation of a clear indictment and the granting of the defendant the right to defense. From a material perspective, it was proven that there was a causal relationship between the defendant's orders and the damage to the fort structure. From a moral perspective, the judge considered that the action demonstrated a lack of awareness of the importance of preserving cultural heritage, even though the defendant was cooperative and regretted his actions.

The aggravating factor is that the defendant's actions were inconsistent with the goal of preserving the nation's historical heritage and could harm the interests of society as a whole. Meanwhile, mitigating factors include the defendant's confession and remorse, his cooperative attitude during the trial, his lack of intent for personal gain, and his willingness to repair the damage caused.

Based on these considerations, the panel of judges declared that the defendant had been legally and convincingly proven to have committed the crime of ordering the destruction of Cultural Heritage. The defendant was sentenced to one year in prison and an additional penalty in the form of an obligation to restore the structure of the west side of Baluwarti Fort to its original condition, both in terms of materials, shape, layout, and construction techniques, under the supervision of the local government. This decision reflects an effort to balance legal certainty, justice, and benefit, while also providing an educational message about the importance of maintaining and preserving Cultural Heritage as part of the nation's identity and historical heritage.

A Review of the Criminal Act of Ordering to Destroy Cultural Heritage from an Islamic Law Perspective

Islamic criminal law, which in Islamic jurisprudence literature is known as criminal jurisprudence, is understood as a set of rules that regulate human actions that are classified as crimes, whether directed against fellow individuals or against the property of others. In Islamic

law, criminal responsibility refers to the imposition of punishment on a person for a crime or crime that he or she commits consciously and of his or her own free will, and understands the purpose and impact of his or her actions. Therefore, criminal responsibility is based on three elements: the existence of a prohibited act, carried out consciously and voluntarily, and the perpetrator knowing the consequences of his or her actions.

If these three elements are fulfilled, then criminal responsibility can be imposed. Conversely, if one of the elements is not present, then criminal responsibility will also not apply. (9) Therefore, an insane person, a minor, and someone who commits a crime due to coercion cannot be burdened with criminal responsibility. Individuals who can be held responsible for criminal acts committed are those who have common sense, are mukallaf, and act without coercion. The level of lightness or severity of the punishment imposed is determined by the magnitude of the legal consequences arising from the act.

In Islamic law, there are two forms of involvement in committing a crime, each of which carries different responsibilities. First, direct involvement in the crime and second, indirect involvement in the crime.

Participating in the commission of a crime directly (*isytirak al-mubasyir*) refers to the involvement of individuals who commit the crime themselves, either independently or together with others. The direct commission of a crime can be divided into two types: first, the crime occurs as a result of actions that happen to be carried out simultaneously by the perpetrators (*tawafuq*), and second, the crime was committed based on an agreement between the perpetrators (*child*). In the situation *tawafuq*, each perpetrator is only responsible for his or her own actions (Q. S. Al-An'am: 164). Meanwhile, in the case of *tamalu*, all perpetrators are considered involved in the crime and are equally responsible for the consequences that arise (Q. S. An-Nisa: 58). Thus, the punishment for perpetrators involved in crimes committed through agreement (*child*) must be applied fairly to all parties, because the action is the result of mutual agreement.

Committing a crime indirectly refers to the participation of a person who enters into an agreement with another party to carry out an action that is punishable or prohibited by sharia, instructs another person to do so, or provides support in such activities, where there is an element of intent in the agreement, orders, and assistance provided.(10)

Based on the discussion above, it can be concluded that, under Islamic law, criminal

liability for a *doen pleger* is subject to *ta'zir* punishment. As is well known, *ta'zir* is educational and corrective in nature; therefore, the offender is not subject to *hudud* punishment. Threat of punishment *ta'zir* determined by the authorities, or in this context usually by a judge, with the aim of teaching the perpetrator a lesson. The form of punishment *ta'zir* can be in the form of imprisonment, suspension or dismissal, compensation, beatings, verbal warnings, or other types of punishment given according to the violation committed by the perpetrator.

The main objectives of Shariah are as follows:

- a) *Hifz al-Din* (Protection of Religion) aims to safeguard the religion and beliefs of every individual. This includes the right to freedom of religion and protection from all forms of insult to religion.
- b) *Hifz al-Nafs* (Life Protection): Protecting human life from danger or threats, including the application of criminal law to protect individuals.
- c) *Hifz al-Aql* (Protection of the Mind): Maintaining the health of one's mind and rational thinking ability, which includes prohibitions against alcohol and drugs.
- d) *Hifz al-Nasl* (Protection of Lineage): Guarantees protection for family and lineage, including through family law and marriage regulations.
- e) *Hifz al-Mal* (Protection of Property): Protecting individual ownership and property, covering aspects of economic and financial law in Islam.

Based on the principle of *maqāṣid al-sharī'ah*, the act in Article 174/Pid.Sus/2022/PN Skh is clearly a violation of *Hifz al-Mal* (protection of property and objects). The damage caused not only physically impacts historic buildings, but also undermines their utility, social, and historical values, which must be preserved for the benefit of the community. These actions constitute a form of facade that contradicts the objectives of sharia to safeguard public assets and preserve heritage.

In Islamic criminal law, criminal acts (*crime*) have elements. These elements are as follows: (10)

- 1) *Al-rukṇ al-Syar'i*

It is the basis of legality according to sharia, which affirms that an act is a crime if there is a text prohibiting it or a sharia principle that expressly rejects it. Thus, the formal element has a strong

relationship with the principle of legality in criminal law. This means that a person can only be punished if there is a statutory regulation that first regulates the act. In the context of sharia, provisions regarding prohibitions and threats of punishment are clearly stated in the sources of Islamic law, namely the Qur'an. The prohibition on causing harm is emphasized in several verses, including:

- a) QS. Al-Baqarah: (205) "And when they leave you, they strive throughout the land to spread mischief in it and destroy crops and cattle. Allah does not like mischief." This verse shows that all forms of actions that cause physical damage are included in the category of reprehensible actions according to sharia.
- b) QS. Al-A'raf: (56) "Do not spread corruption in the land after it has been set in order." Damage to historical sites and objects that have public benefit value is categorized as a form of fasād, which is strictly prohibited by sharia.

Given the general prohibition on the destruction of property and the environment, as well as sharia principles that support the protection of public assets, the act of ordering the destruction of cultural heritage in this case clearly violates sharia provisions. The pillars of sharia are fulfilled because there is a strong normative basis that the act constitutes a crime.

2) *Al-rukṇ al-madi*

Material elements (*al-rukṇ al-madi*) is an absolute requirement in imposing a criminal sentence. A person can be punished only if it is clearly proven that he has committed a criminal act (*crime*). In this context, the material element includes three aspects: the action, the object that is damaged, and the cause-effect relationship.

- a) Physical acts: The defendant gave direct instructions to heavy equipment operators to excavate and level the land at the Baluwarti Fort site. These actions caused significant damage to the cultural heritage structure. Under Islamic law, such physical acts fall under the category of *itfal al-mal*, namely an action that removes or damages something that has property value.
- b) The damaged object was a fort with cultural heritage status. In Islamic law, something is categorized as a cultural heritage if it has utility value. The utility value of cultural heritage is not only material, but also historical and social, so it falls within the scope of a cultural

heritage that must be preserved.

- c) Causal relationship: The defendant's instructions are the primary cause of the damage. In Islamic jurisprudence, this includes *tasabbub*, which is accountability for consequences caused through an intermediary. The person who causes the damage through an order remains legally considered the perpetrator.

3) *Al-rukn al-adabi*

The principles of *adabi* assess the perpetrator's culpability based on morality, intent, and knowledge, as well as the extent of their subjective responsibility. This means the perpetrator must not be insane, a minor, or under threat or coercion.

In this matter, the principles of etiquette can be analyzed as follows:(11)

- a) Intentional (*qasd*), intentionality does not have to be a specific intention to damage cultural heritage. It is sufficient that the defendant knowingly ordered an act that could reasonably cause damage. In this case, the defendant gave explicit instructions to the excavator operator without ensuring the safety or condition of the building. Under Islamic law, a person who orders an act that results in damage is still considered a perpetrator (*amir*) and has moral responsibility.
- b) Negligence: The defendant failed to verify the building's status, despite having a duty of care as the party issuing the order. This negligence still carries legal liability under Islamic law because it constitutes neglect of public property.
- c) There is no excuse. There is no evidence that the defendant acted under duress, under emergency circumstances, or did not understand the building's status as a cultural heritage site. This reinforces the moral culpability and maintains full responsibility.

Based on the analysis of the pillars of sharia, pillars of maddi, and pillars of *adabi* in case 174/Pid.Sus/2022/PN Skh, it can be concluded that all elements of a crime according to Islamic criminal law have been fulfilled so that the defendant's actions can be qualified as crime of destroying money or criminal acts of damaging property.

The pillars of sharia are fulfilled because there is a sharia basis that explicitly prohibits all forms of destruction of property and public facilities, as reflected in the principle of *hifz al-mal* and the prohibition of facades in the Quran. The pillars of maddi are also fulfilled because there

is a concrete action in the form of an excavation instruction that directly causes physical damage to the Baluwarti Fort Cultural Heritage, which has historical value and public benefit. Furthermore, rules of etiquette have been fulfilled because the defendant acted consciously, without due care, and ignored the moral obligation to ensure the status and safety of the damaged object, so that subjective fault is attached to him.

By fulfilling these three pillars, the defendant bears full responsibility both as the party who ordered (*amir*), as the perpetrator of *jarimah itlaf al-mal*, or as a party obliged to bear sanctions *ta'zir* and the obligation to compensate (*dhaman*) for the damage caused. All of this shows that, from an Islamic criminal law perspective, the defendant's actions not only violate positive rules but also contradict the moral values and principles of public welfare upheld by sharia.

4. CLOSING

CONCLUSION

Based on an analysis of Decision Number 174/Pid.Sus/2022/PN Skh, this study yields the following conclusions:

1. Analysis of the Judge's Considerations: The panel of judges has correctly applied Article 105 in conjunction with Article 115 paragraph (1) letter a of Law No. 11 of 2010 and Article 55 paragraph (1) point 1 of the Criminal Code, where all elements of the crime, including the defendant's status as the party who ordered the act to be committed (*doen pleger*), legally proven through existing evidence.
2. Islamic Law Review: The defendant's actions are categorized as *jarimah ta'zir* for damaging property that has value for the public interest (*hifz al-mal*). Criminal responsibility remains attached to the defendant as the party who instructed the destruction based on the principle of *tasabbub*.

SUGGESTION

Regional governments need to consistently increase supervision of cultural heritage sites, while the public must be educated to increase collective awareness in preserving cultural heritage as the nation's historical identity.

BIBLIOGRAPHY

1. R.Soekmono. Pengantar Sejarah Kebudayaan Indonesia. jakarta: Kanisius; 1990. 42 p.
2. Prasetyo B. EFEKTIFITAS PELESTARIAN CAGAR BUDAYA DALAM UNDANG-UNDANG NOMOR 11 TAHUN 2010 TENTANG CAGAR BUDAYA. J Legis Indones. 2018;15:71.
3. Misno. Fiqh Cagar Budaya: Rekonstruksi Fiqh Islam dalam Bingkai Peradaban Nusantara. J Muamalah dan Ekon Syariah,. 2020;2:1.
4. Hasan M. Hukum Pidana Islam (Fiqh Jinayah). 2013. 588 p.
5. Marzuki PM. Penelitian Hukum. jakarta: Kencana Prenadamedia Group; 2017.
6. Harahap ZAA, Sirait AS, Sabaruddin, Dasopang O, Nasution N. HUKUM PIDANA ISLAM DALAM SIMPUL PENERAPANNYA DI INDONESIA. 2024. 20 p.
7. Moeljatno. Asas- asas Hukum Pidana. cet. IX. jakarta: Rineka Cipta; 2015. 5 p.
8. Remmelink J. Hukum Pidana Komentari Atas Pasal-Pasal Terpenting Dalam Kitab UndangUndang Hukum Pidana Belanda Dan Padanannya Dalam Kitab Undang-Unang Hukum Pidana Indonesia. jakarta: Gramedia Pustaka Utama; 2003. 328 p.
9. Marpaung L. Asas-Teori-Praktik Hukum Pidana. jakarta: Sinar Grafika; 2005. 44 p.
10. Hamzani, Achmad Irwan, Aravik H. HUKUM PIDANA ISLAM TINJAUAN TEORITIS. 2022. 1 p.
11. Harefa S. PENEGAKAN HUKUM TERHADAP TINDAK PIDANA DI INDONESIA MELAU HUKUM PIDANA POSITIF DAN HUKUM PIDANA ISLAM. UBELAJ. 2019;4:16.