

The Use of Castration Punishment Toward Perpetrators of Sexual Violence in Indonesia

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Abstract—Castration punishment for perpetrators of sexual violence in Indonesia becomes a concern from many parties because it affects depression, post-traumatic stress disorder, anxiety for the victims. This study aims to find out the basic idea, the regulation, and the obstacles in castration punishment. This study is the library research or research literature that contains an in-depth collection of material on one or several subjects. The writers took the data from several trusted sources such as books, journals and some previous research. The findings of this study reveals that Law Number 17 Year of 2016 as the regulation on Child Protection contains castration punishment; and the obstacles in castration punishment are cost, executor, medical treatment, castration chemistry.

Keywords: castration punishment, sexual violence, perpetrators

I. INTRODUCTION

Sexual violence against children is a violence in which an older adult or teenager uses children for sexual stimulation. The sexual violence against children can be in the form of pressuring a child to engage in sexual activity, displaying pornography for children, engaging in sexual relations with children, physical contact with children's genitals, looking at a child's genitals without physical contact, or using children to produce pornography.

The effects of sexual violence against children include depression, post-traumatic stress disorder, anxiety, the tendency to become further victims in adulthood, or physical injury to children [1]. There are several reasons why children are the targets of sexual violence: a weak and powerless position of children, the low morality in a community especially for perpetrators of sexual violence, the low control and awareness of parents in expecting sexual violence against children [2].

According to records of ILO (International Labour Organization) and UNICEF (United Nations Children's Fund), the number of victims in sexual violence against children reached 70,000 children each year [3]. Children as the victims of sexual violence have increased in recent years. Huraerah in his book entitled "Kekerasan Terhadap Anak" explained that, in 2002, children in 6-12 years often get sexual (33%) and emotional (28,8%) violence, compared with physical violence (24, 1%) [4]. National Commission for Child Protection (KPAI) notes that during the 2018 period, the level of violence

against children increased 300 cases compared to the previous year. In 2018, KPAI recorded that there were 4,885 cases of violence against children. It increased 306 cases compared to 2017 of 4,579 cases [5]. The handling of perpetrators of sexual crimes requires the comprehensive treatment, such as giving a severe penalty to provide a deterrent effect and a preventive tool. Underlying this problem, on May 25, 2016 President Joko Widodo made a legal reform by signing *Government Regulation in lie of Law* (PERPPU) Number 1 of 2016 on Castration Penalty as an additional penalty [6].

The Government of Indonesia expressly approves and enacts PERPU Number 1 of 2016 on the second amendment to Law Number 23 of 2002 on Child Protection (State Gazette of the Republic of Indonesia Year 2016 Number 99) regulated in Jakarta May 25, 2016) in the first amendment to Law Number 35 of 2014 on Child Protection [7].

The enactment of Law Number 17 of 2016 originating from PERPU Number 1 of 2016 is motivated by the high number of sexual violence against children and is feared to endanger the lives and development of children and it also disturb public order and security.

Criminal sanctions imposed for perpetrators of sexual violence against children have not provided a deterrent effect and prevented sexual violence against children. It is important because although the Law on Child Protection and legal enforcement of perpetrators of sexual violence against children has been amended, it is not effective to reduce sexual violence. It proved that the average sentence against the perpetrators is light. So it failed to give a deterrent effect to the perpetrators and the same cases still exist [8].

Another consideration is that sexual violence against children is characterized as Extra-Ordinary Crime, moreover, it causes the victim to die. Sexuality crime is also seen as a crime against humanity because children should enjoy their absolute rights as a child as planned in Article 4 of Law, Number 35 of 2014 on the First Amendment to Law Number 23, 2002 on Child Protection. It stated "Every child may live, grow, develop, and take part properly, under human dignity, and get protection from violence and discrimination".

Various countries have used castration punishment for sexual criminals. Castration is done by injecting certain chemicals. There are two kinds of chemical drugs used. The first is cyproterone acetate. This drug is used for chemical

castration throughout Europe. The second is medroxyprogesterone acetate. This is generally used in America. By injecting antiandrogen drugs, such as medroxyprogesterone or cyproterone acetate, it can stop the function of the hormone testosterone; lower testosterone levels a male hormone that affects the onset of libido.

The characteristic of the chemical castration that contains the effects of torture is the object of debate because the process of chemical castration is done by injecting anti-androgens into the body so that the production of the hormone testosterone in the body will be reduced. By this the process of chemical castration, the body will be premature aging and bone density is reduced or it will cause the risk of bone loss or osteoporosis, reduce muscle mass so it is likely to increase fat in the body. Other effects of the injection of these chemicals are the occurrence of a heart attack and it can influence blood vessels [9].

Several studies have been conducted by researchers on the discussion of castration punishment. Warjiyati found on comparing castration as an additional punishment from the perspective of Islamic criminal law and positive law [10]. The similar study on castration conducted by [11-13]. Those studies revealed the castration sanction for sexual violence against children in broad perspective. In this study, the writers tried to give different information dealing with the issue of castration punishment. So this study can be additional information for legal studies of castration punishment and fill in the gap of the field.

The use of castration punishment in Indonesia is still not fully approved. The Commission of National Human Rights (Komnas HAM) asked for legal institutions to stop castration punishment. The use of chemical castration as a punishment violates human rights. The punishment by damaging physical conditions is prohibited [14]. Based on the previous description, the writers formulated the following problems:

- What is the basic idea of castration punishment?
- What is the regulation of castration punishment?
- What are the obstacles in the use of castration punishment?

II. METHOD

The writers used the literature method with a qualitative approach in this study. Literature is a record of events that have passed in the form of writing, pictures, or monuments from someone [15]. Qualitative approach is an approach used to examine the condition of natural objects where the researcher is a key instrument [15].

The writers aim to provide a complete view of the subject researched. Sukardi explained descriptive research to represent, interpret and describe or explain the objects, the event or events that are taking place at the time of research appropriate for what it is [16]. Meanwhile, according to Whitney [17], descriptive research is the fact-finding with proper interpretation in order to give descriptions, overview or painting systematically factual, accurate facts, characteristics and relationships between phenomena investigated.

The design uses the library research or research literature (*library research*). Library research is a literature search while utilizing library resources to obtain research data [18]. On the other side, Young defined a research library is a library that contains an in-depth collection of material on one or several subjects [19]. A research library will generally include primary sources as well as secondary sources.

So, library research is a series of activities in the form of library data collection by reading and recording and processing research material. Its activities are only on library collection materials without the need for field research.

In collecting data, writers took from several trusted sources such as books, journals and some previous research. From these sources, the author analyses with separating section, which supports the idea of this study. The writers used literature analysis or content analysis research. *Content analysis (content analysis)* is a deep discussion toward content of written information [20]. After the data have been collected, the writers analyse them by several steps such as data collection, reducing data, analysing data, and giving conclusions.

III. RESULTS AND DISCUSSION

A. The Basic Idea of Castration Punishment as a Criminal Charge

As a basic idea, it sees the idea or the basic idea of thing. For instance, legal vision or *rechtsidee*, it is a thought construction that directs the law to the goals or as Rudolf Stamler said the legal ideal is a *Leitstern* (a guiding star) for the achievement of the ideals of society. Therefore, the ideals of law will influence and function as general principles that guide (guiding principles), norms of criticism (evaluation principles) and motivating factors in the administration of law (formation, discovery, and application of law) and legal behaviour. The legal ideal will make it easier to translate into various sets of authority rules and rules of conduct and facilitate the maintenance of consistency in the administration of law [21].

Thus, a basic idea is always constitutive, meaning that it is the basic idea that determines the problem, method, and explanation that are considered relevant to be examined. Therefore, talking about the basic idea of using criminal sanctions in the criminal law system means talking about the basic idea of the sanction system as the basis of policy and the use of sanctions in criminal law. To find this out, it can be traced through developments in the criminal sanction system from classical to modern and neo-classical. The principle of classical flow adheres to a single sanction system in the form of criminal sanctions. In this regard, Sudarto stated that the classical school of crime is retributive and repressive towards criminal acts. This flow arose in the XVIII century which understood indeterminism about the freedom of the human will which emphasized the actions of the perpetrators of crimes so that the criminal law was wanted (*daad-strafrecht*). Therefore, the criminal system and criminal punishment classically emphasize the punishment of acts, not the perpetrators. The criminal system is determined with certainty (the definite sentence). This means that the stipulation of sanctions in the act

of law is used a system of mitigation or weighting related to the factors of age, mental state of the offender, the crimes committed earlier and the specific circumstances of the acts / crimes committed [22].

Modern flows look for causes of crime by using natural science methods and intend to directly approach or influence criminals positively as long as they can still be corrected. This contrasts with the classical ideology, modern streams view the freedom of human will be influenced by many characters and their environment so it cannot be blamed and convicted. The term criminal, according to modernism, must remain oriented to the perpetrators. Therefore, this flow starts from the view of determinism [23].

From both conceptions of the flow of criminal law, the idea of criminal individualization has several characteristics as follows: a) criminal liability is personal/individual (personal principle); b) the criminal is only given to perpetrators (the principle of culpability, "no criminal without error") c) crimes must be adjusted to the characteristics and conditions of the perpetrators, this means that there must be flexibility/flexibility for judges to choose criminal sanctions (type and severity of sanctions) and there must be the possibility of criminal modification (changes/adjustments) in their implementation [24].

Basically, the nature of sanctions is anticipative action, not a response based on the philosophy of determinism in a variety of forms of dynamic sanctions (open system). The specifications are non-suffering or deprivation of independence, to restore certain circumstances for perpetrators and victims both individuals, both publicly or publicly or civil.

The philosophy of sanctioning action does not introduce a body torture nor does it take away the fundamental rights of the perpetrators of criminal acts. The difference between criminal sanctions and sanctions can be seen from these sanctions. Criminal sanctions should respond to a criminal act, while sanctions are more anticipatory actions against the perpetrators of the crime. If the focus of sanctions only leads to one's mistakes and is focused so that the offender feels the pain of his actions. Then the focus of action sanctions is more directed at efforts to change the attitude of the perpetrators so they will not repeat the crime again. Thus, it can be concluded that criminal sanctions are more directed towards retaliation [25].

B. Castration Punishment

Government Regulation in lie of Law (PERPPU) No. 1 of 2016 is an amendment to Law No. 23 of 2002 on Child Protection, there are some good changes from Law No. 23 of 2002 and from Law No. 35 of 2014, such as increasing sanctions for perpetrators of sexual violence, namely the death penalty, life imprisonment, a maximum of 20 (twenty) years in prison, and a maximum of 10 (ten) years in prison. This PERPPU also regulates additional penalties and criminal actions comprising additional penalties, like the announcement of the identity of the perpetrators and criminal actions, namely chemical castration and installation of electronic detection devices. This PERPPU changed two articles from the previous law in Articles 81 and 82 and added one article 81A.

"The provisions of article 81 are amended to "Every person who violates as referred to in Article 76D (Everyone is prohibited from committing violence or threat of violence forcing the child to have intercourse with him or with others) is sentenced to a maximum imprisonment of 5 (five) years and the longest 15 (fifteen) years and a maximum fine of Rp. 5,000,000,000.00 (five billion rupiah)"; this provision also applies to anyone who deliberately tricks, a series of lies, or persuades a child to have intercourse with him or with another person."

If the perpetrators are parents, people who have family relationships, child caregivers, educators, educational staff, officers who handle child protection, or carried out by more than one person together, the criminal is added by 1/3 (one third) from criminal threats. Actors may be subject to actions in the form of chemical castration and chip installation, which are decided together with the main crime by including the time for implementing the action. Implementing chemical castration accompanied by rehabilitation is carried out during and/or after the convicts undergo basic crimes.

The provisions referred to in Law No. 17 of 2016, indicate that a perpetrator of a sexual violence against children can be sentenced to act as a chemical castration act only if there is intercourse. This is clearly seen in article 81 paragraph (1) of Law No. 17 Year 2016 which stated, "Everyone who violates the provisions referred to in article 76 D shall be sentenced to a maximum imprisonment of 5 (five) years and a maximum of 15 (five) twelve) years and a maximum fine of Rp. 5,000,000,000 (five billion rup 28)". It is clear that the Article refers back to Article 76 D of Law No. 35 of 2014 concernir 4 Amendment of Law Number 23 of 2002, "Everyone is prohibited from committing violence or threat of violence forcing children to have intercourse with him or with others".

C. Obstacles in the Use of Castration Punishment

Criminal sanctions have the intention that the perpetrators of a criminal offense feel the consequences of their actions. Sanctions are aimed at educating perpetrators of the crime. When viewed from the theory of punishment, the action sanctions are sanctions that are applied to retaliate the perpetrators. The elaboration of the difference in criminal sanctions and actions above castration understood as a chemical castration punishment as an action against perpetrators of criminal acts of sexual violence against children in the criminal system in Indonesia which are regulated in Law No. 17 of 2016. It is not sustainable with the purpose of the act itself. If the part that must be taken away from the perpetrators is their rights to have a family and get torture from chemical castration, the classification of chemical castration should not be a qualification for action sanctions. Because if the nature of the sanctions action on castration punishment is combined with criminal sanctions torturous in nature, then the problem is the aim of the punishment is no longer in line between restoring the condition of the offender or to provide a deterrent effect [25].

The concept of chemical castration in criminal law whose position becomes an action against the perpetrators of criminal

37 acts, the relevance of chemical castration with the aim of punishment is in line with the combined theory. In addition to providing a deterrent effect on the offender so that he does not repeat his crime again, treatment is also given, so that there is an effort to improve the offender in the community. Chemical castration applied to perpetrators of sexual violence against children, is not done permanently but by the method of injection of anti-androgen chemicals that function so that a person's libido levels are low. Thus, the perpetrators are expected to be able to regulate their lusts towards their sexual needs and after completing the chemical castration action they can become ordinary people who are free from sexual violence against children.

Different perspectives on chemical castration punishment from the purpose of punishment, it can be seen that imposing chemical castration punishment is merely a means for retaliation. Chemical castration punishment is under the absolute theory because a person is imposed with chemical castration solely because he has committed a crime. The nature of the castration penalty, which decreases the libido of the offender, raises the perspective that the punishment is not action. Deprivation of human rights from perpetrators by not being able to carry on their offspring and being treated cruelly is the biggest reason to classify chemical castration punishment as a cruel punishment [26].

However, although the castration chemical punishment seems to be a cruel or sadistic type of punishment, it is actually not commensurate 47 with what the victim must bear because of the perpetrators of sexual violence against children. The victims have been deprived of their future, and it is not impossible that victims could be infected with infectious diseases, disrupted or lost reproductive function, experiencing mental disorders, and victims died, so chemical castration is an appropriate punishment imposed on perpetrators of sexual violence against children. For the reasons above, it is only natural that the castration of chemical casts be carried out after a judge's verdict is carried out in a manner or method that is under the applicable provisions and still pay attention to the rights of each party including the perpetrators as accompanied by rehabilitation.

The application of castration chemical penalties set in Law No. 17 of 2016, has been running for almost 3 years with so many polemics between the pros and cons. Related to that, the things which are debated in its application become an obstacle for the castration of chemical castration in its journey 7 the present. There are several factors that become obstacles in the application of chemical castration punishment related to the perspective of living values in society, including religious values, then through the perspective of human rights, and finally the relationship with the executor of the chemical castration punishment itself.

41 Penalties by doing castration for the perpetrator of sexual violence against children through chemical injections, shows that the sentence is an attempt to revenge to which actually revenge punishment has long been abandoned. Punishment in this way is considered a punishment carried out by an ancient society and not under current civilization. In other countries, revenge sentences aimed at perpetrators of criminal acts are no

longer popular and are no longer relevant, even resulting in many protests from various walks of life and from human rights organizations in particular. From an academic point of view, this sentence also did not provide the effect of recovery and relief to victims both psychologically and physically. Jocelyn B. Lamm from Yale University, argues that criminalization does not impact perpetrators of child sexual crime, and therefore the need for a prosecution system that can provide a sense of protection and a sense of glorification given to victims of this crime [27]. According to Cauley implementing castration punishment has several obstacles, such as [28].

1) *Cost*: Costs become interesting things that need to be explored, because the castration costs will be incurred or budgeted by the government. Law No. 17 of 2016 has mandated judges, so that the verdict will be decided how long the castration sentence will be carried out. There are two possibilities, namely, as long as the main crime means that castration is carried out in prison or 2 years after the main criminal decision. This regulation requires the government to pay a large amount for the injection, which injection must be given routinely for 2 weeks. Therefore, if the convict is sentenced to a minimum crime as formulated in the provisions of Article 81, then there will be a minimum fee of 240 times the injection or with a rule of 2 years after the main crime, then there will be an additional around 48 injections. This fee does not include supervision fees by several ministries. dr. Arry Rodjani, a urology specialist, argues that "the costs required to carry out castration of chemicals range from Rp 700 thousand, which is for one use to one person. Once the injection process, only affects to reduce sexual arousal for one to three months, so that requires injection must be done repeatedly which must adjust how long the sentence ". It can be concluded that castration punishment through drug injection is very expensive and ineffective. The effect of the chemical injection is only temporary and not permanent. In fact, if the administration of anti-androgen chemicals is stopped, the libido will return to high again. So, it is not guaranteed if the perpetrators who have been given chemical injections will never repeat the crime again after the sentence is over.

2) *Executor*: The process of injecting or entering these chemicals is a medical domain, in this case handled by a doctor. Here, the Indonesian Doctors Association (IDI) Responding to the Governm 21's policy in issuing Law No.17 of 2016 which regulates chemical castration sanctions or penalties for perpetrators of sexual violence against children, is by issuing Fatwa 41 Assembly Number 1 of 2016 on Chemical Castration, the Indonesian Doctors Association (IDI) stated that in his execution he could not involve the doctor as t 5 executor of the sentence. If a doctor does that, he will break the doctor's oath and the Indonesian Medical Code of Ethics.

Giving anti-androgen chemicals through injection violates a doctor's oath and a doctor's code of ethics regarding the health priority of patients because the castration injection which aims

to suppress the testosterone hormone in men has a negative impact on people. The hormone testosterone is useful for maintaining the body's metabolism associated with bone problems. If the hormone is suppressed or eliminated, the effect is a fragility in the bones. Second, the quality decreases so that it can be affected by the risk of heart attack.

The duty of a doctor in the Medical Code of Ethics is to cure patients. Chemical castration measures are contrary to the Code of Medical Ethics. In addition, based on the 2012 Indonesian Medical Ethics Code, which states that:

"The doctor is in charge of healing the sick, reducing pain, and alleviating the suffering of patients. Doctors must not carry out arbitrary actions on their own bodies or other people."

In addition, the provision of additional punishment by chemical castration can be categorized as a violation of rights, namely violating the agreement of medical action and the right to protect the physical and mental integrity of a person. Law Number 29 of 2004 on Medical Practices states that: "Medical Practice is held based on an agreement between doctors or the dentist and a patient to maintain health, prevent disease, improve health, cure disease, and restore health." (Article 39)

UNICEF believes that there is not enough evidence to suggest that castration punishment is the right solution to eliminate sexual violence against children. In the Indonesian Context this policy is very incompatible with the following reasons [29]: A diagnosis from an experienced psychiatrist with a medical background and proper administration is very necessary. Even though Indonesia has several licensed psychiatrists, most of them are staying in Jakarta and Java. There isn't a single person who specializes in working with sexual offenders. Mental health interventions with sexual offenders require ongoing treatment and costs that must be prepared long-term by patients, psychiatrists and the psychiatric health system announced by the Government. When treatment for the offender stops, this method will not be effective.

- Medical treatment needed in chemical castration can only be used if the neutered actor is at a level of patient volunteerism in the proper medical treatment. Compliance with these patients is very difficult, even to monitor from public policies based on experience in managing antiretroviral (ARVs) for the treatment of Human Immunodeficiency Virus (HIV) too, this country has shown that this is difficult.
- Medical treatment for sex offenders is only beneficial for a small portion of the population. Most of the perpetrators are persons known by victims, and there is usually no prosecution for sexual crimes they have committed. They are immune because they are not reported, and the crimes of sexual violence still continue in Indonesia.
- Chemical castration treatment only affects the short term while sexual arousal will remain if treatment is stopped, the efficacy of this long-term treatment will depend on close supervision by professionals to control

these effects. Mental health service capacity in Indonesia is insufficient to meet this need.

- Castration Chemistry is actually only used for people affected by mental disorders, so it is not recommended for other needs (as intended in terms of family counselling or mediation) and for people who are addicted to sexual violence against children. Studies from Indonesia have shown that the main reason behind male sexual violence is not motivated by sexuality itself. These acts of sexual violence are associated with victims of sexual abuse in childhood and negative stigma about the dangers of masculinity and the role of women and girls in society. Castration through chemistry fails to overcome the cause and has not yet solved the problem. It is precisely the most urgent investment in the realm of prevention, including the need for support for child victims.
- [40](#) application of castration punishment in Judge's Decision Number 69/Pid.Sus /2019/PN.Mjk has not been able to be implemented because there is no technical guidance in the Law to execute the castration chemical punishment because The Indonesian Doctors Association (IDI) refused to implement.

IV. CONCLUSION

Criminal law must contain content that does not conflict with the position of humans as noble beings. Thus, sanctions must reflect respect for the values of Godhead. Precepts Humanity that is civilized based on a human rights perspective. This principle recognizes and states that humans were created by God as creatures that have equality, but one human being will be exaggerated from other human beings in relation to their respective piety and respect for human values .

[1](#) Law Number 17 Year of 2016 is Amendment to [4](#) w No. 35 of 2014 which has also provided some changes to Law No. 23 of 2002 on Child Protection. Several [30](#) changes are to strengthen sanctions for sex offenders, like the death penalty, life [24](#) risonment, a maximum of 20 (twenty) years in prison, and a maximum of 10 (ten) years in prison. The provisions also [1](#) regulate additional penalties and criminal actions comprising additional penalties, like the announcement [1](#) of the identity of the perpetrators and criminal actions, like chemical castration and installation of electronic detection devices.

The application of chemical castration punishment set out in Law Number 17 Year 2016, creates a polemic between pros and cons, related to the perspective of values that live in society, including religious values, the perspective of human rights, and the last has to do with the executor of the chemical castration penalty itself.

REFERENCES

- [46](#)
- [1] A.F. Al haq, "Kekerasan Seksual Pada Anak di Indonesia," *Jurnal FISIP-UNPAD* [10](#) 2, no. 1, pp. 16, 2015.
 - [2] D. Huraira, N. Rohmah, N. Rifanda, K. Novitasari, U. Diena, and F.L. Nuqul, "Kekerasan seksual pada anak: Telaah relasi pelaku korban dan kerentanan pada anak," *Psikoislamika*, vol. 12, no. 2, pp. 5-10, 2015.

- [3] <http://mappifhui.org/2016/03/01/menguji-euforia-kebiri-catatan-kritis-atas-rencana-kebijakan-kebiri-chemical-castration-bagi-pelaku-kekerasan-seksual-anak-di-indonesia> [Accessed on: 16 October 2019]
- [4] Juraerah, *Kekeerasan Terhadap Anak*. Bandung: Nuansa, 2012.
- [5] <https://jabar.tribunnews.com/2019/01/18/angka-kekeerasan-terhadap-anak-selama-2018-meningkat-ada-pertambahan-sekitar-300-kasus> [Accessed on: 14 January 2020]
- [6] A. Yuriswanto and A. Mahyani, "Hukuman Kebiri Sebagai Pidana Tambahan Dalam Tindak Pidana Kejahatan Seksual," *Jurnal Ilmu Hukum*, vol. 14, no. 27, pp. 12, 2018.
- [7] Tim Visi Yustitia, *Konsolidasi Undang-Undang Perlindungan Anak (UU RI NO. 23/2002 dan UU RI NO. 35/2014)*. Jakarta Selatan: PT Visimedia Pustaka, 2016.
- [8] L.S. Arliman, "Undang-Undang Nomor 17 Tahun 2016 tentang Penetapan Perppu 1 Tahun 2016 Sebagai Wujud Perlindungan Anak Ditinjau Dari Perspektif Hukum Tata Negara," *Jurnal Hukum POJUM*, vol. 1, no. 2, pp. 19, 2017.
- [9] K. Krismiarsi, "Kebijakan Sanksi Kebiri Kimia Bagi Pelaku Kekeerasan Seksual Terhadap Anak Kajian Politik Hukum Pidana," *Jurnal Seminar Nasional Hukum Universitas Negeri Semarang*, vol. 4, no. 1, 2018.
- [10] S. Warjiyati, "Comparative Studies Between Islamic Criminal Law and Positive Law about Castration as Additional Punishment for A Pedophile," *The Proceeding of ISCoGI 2017 in Advances in Social Science, Education and Humanities Research (ASSEHR)*, vol. 140, 2017.
- [11] N. Soekorini, "Chemical Castration as Punishment for Sexual Offender Against Children (A Dignified Justice Perspective)," *International Journal of Advanced Research (IJAR)*, vol. 6, no. 11, pp. 255-261, 2018.
- [12] K. Krismiarsi, "Study of Penal Policy on Chemical Castration Sanction on Child Sexual Crimes Cases in Indonesia," *Indonesian Journal of Criminal Law*, vol. 3, no. 2, pp. 121-132, 2018.
- [13] Y.A. Fajrin, "Reconstruction of Castration Sanction Formulation in The Perspective of Indonesian Criminal Law Renewal," *Jurnal Dinamika Hukum*, vol. 19, no. 2, 2019.
- [14] <https://nasional.tempo.co/read/1274483/komnas-ham-minta-hukuman-kebiri-dihentikan/full&view=ok> [Accessed on: 23 December 2019]
- [15] S. Sugiyono, *Memahami Penelitian Kualitatif*. Bandung : Alfabeta, 2005.
- [16] S. Sukardi, *Metodologi Penelitian Pendidikan*. Jakarta: Bumi Aksara, 2007.
- [17] M. Y. A. Arief, *Metode Penelitian*. Jakarta: Ghalia Indonesia, 1998.
- [18] M. Zeid, *Metode Penelitian Kepustakaan*. Jakarta: Yayasan Obor Indonesia, 2004.
- [19] H. Young, *ALA Glossary of Library and Information Science*. Chicago, IL: American Library Association, 1983.
- [20] K. Koentjaraningrat, *Metode-Metode Penelitian Masyarakat*. Jakarta: Gramedia Pustaka Utama, 1990.
- [21] M. Kusumaatmadja and A. Sidharta, *Pengantar Ilmu Hukum*, 1999.
- [22] M. Muladi and B.N. Arief, *Bunga Rampai Hukum Pidana*. Alumni Bandung, 1992.
- [23] R.G. Michhael and T. Hirchi, *Hukum dan Hukum Pidana*. Alumni Bandung, 1977.
- [24] B.N.W. Arief, *Bunga Rampai Kebijakan Hukum Pidana*. Bandung: PT. Citra Aditya Bakti, 1996.
- [25] M. Ali, *Dasar-dasar Hukum Pidana*. Jakarta: Sinar Grafika, 2011.
- [26] T.A. Tarigan, *Kajian Yuridis Hukuman Kebiri Kimia Bagi Pelaku Kekeerasan Seksual Terhadap Anak Dalam Sistem Pemidanaan Indonesia*, 2019.
- [27] R. Cauley, "Is Chemical Castration a Progressive or Primitive Punishment? Balls are in Your Court, Iowa Legislature Summer," *The Journal of Gender Race and Justice*, pp. 507, 2014.
- [28] R. Cauley, "Is Chemical Castration a Progressive or Primitive Punishment? Balls are in Your Court, Iowa Legislature Summer," *The Journal of Gender Race and Justice*, pp. 507, 2014.
- [29] UNICEF, *Effective Strategies to Combat Sexual Violence against Women and Children: A Background Analysis*

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