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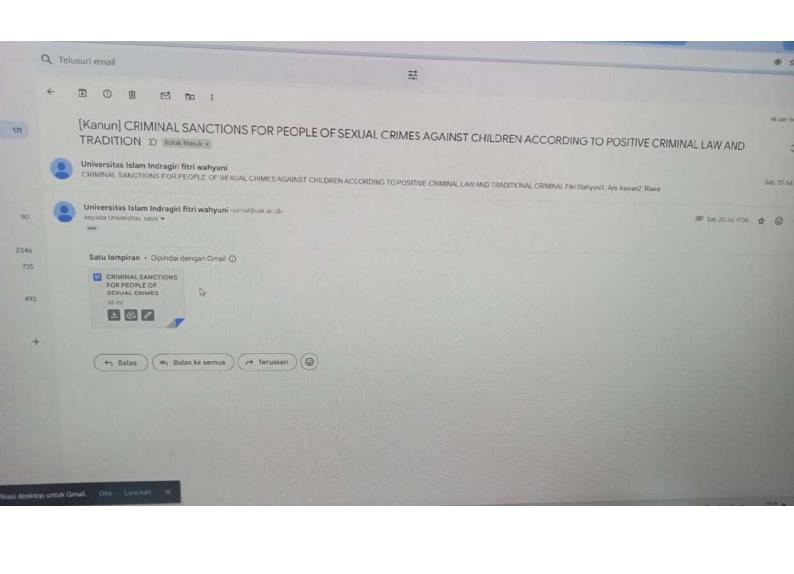
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Criminal Law In Indonesia

Jurnal : Kanun Ilmu Hukum, Vol. 26, No. 1, April 2024

Penulis : Fitri Wahyuni, dkk

No	Perihal	Tanggal
1	Proses Submit Artikel	27 April 2021
2	Revisi I artikel	14 Desember 2023
3	Revisi II Artikel	15 Desember 2023
4	Artikel Publish online	10 April 2024



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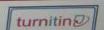
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Peer Review

Round 1

Review Version

20906-65205-1-RV.DOC 2021-04-27

Initiated Last modified 2023-12-12 2024-07-14

Uploaded file

Reviewer A 20906-122459-1-RV.DOC 2023-12-14 Reviewer B 20906-122460-1-RV DOC 2023-12-14

Editor Decision

Decision

Accept Submission 2024-08-04

Notify Editor Editor Version Editor/Author Email Record 2024-08-64

20906-139100-1-ED.DOCX 2024-08-04

Author Version

20905-122537-1-E0.DOCX 2023-12-15 20906-122537-2-ED-DOCK 2024-07-21 DELETE 20906-122537-3-ED/DOCK 2024-07-21 DELETE

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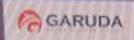
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PUNISHMENT FOR INDIVIDUALS COMMITTING SEXUAL CRIMES AGAINST CHILDREN: A COMPARATIVE ANALYSIS OF POSITIVE AND TRADITIONAL CRIMINAL LAW IN INDONESIA

Fitri Wahyuni, Aris Irawan, Riana Kesuma Ayu

Abstract

The current punishment for sexual crimes against children, limited to imprisonment, is deemed ineffective in deterring perpetrators. This article delves into this issue through the lens of positive and customary criminal law. Employing a doctrinal method and drawing from various legal sources, the article reveals that the existing punishment under the Indonesian Criminal Code and Child Protection Laws fails to significantly reduce the incidence of such crimes. As a potential solution, traditional law could serve as supplementary punishment, involving corporal punishment or fines payable to the state treasury. This suggests that customary law could complement judicial sanctions. However, the implementation of such additional measures warrants evaluation to address other environmental factors that may contribute to these crimes.

Keywords

Criminal Sanctions: Sexual Violence: Criminal Law: Customary Law

Full Text:

DOS

References

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