

## REFERENCES

### BOOKS

Bachtiar. *Metode Penelitian Hukum*. Edited by Oksidelfa Yanto. Tangerang Selatan: UNPAM PRESS, 2019.

Bisrmar Siregar, *Hukum Dan Hak-Hak Anak*. Edited by Mulyana W. Kusumah. Jakarta: Rajawali, 1986.

Cipriani, Don. *Children`s Rights and the Minimum Age of Criminal Responsibility: A Global Perpsective*. Routledge, 2016.

Daryio, Agoes. *Psikologi Perkembangan Remaja*. Surabaya: Ghalia Indonesia, 2004.

Düinkel, Frieder. "Juvenile Justice and Human Rights: European Perspectives." *In Women and Children as Victims and Offenders: Background, Prevention, Reintegration*, edited by Helmut Kury, Sławomir Redo, and Evelyn Shea, 2:681–719. Cham: Springer International Publishing, 2016. <https://doi.org/10.1007/978-3-319-28424-8>.

Friedman, Lawrence M. *The Legal System: A Social Science Perspective*. New York: Russel Sage Foundation, 1975.

Hadikusuma, Hilman, Chidir Ali, and Jujun S. Suriasumantri. *Hukum Waris Adat*. Citra Aditya Bakti, 1993.

Kartini, Kartono. *Psikologi Anak (Psikologi Perkembangan)*. Bandung: Mandar Maju, 2000.

- Koesnoen, R.A. *Susunan Pidana Dalam Negara Sosialis Indonesia*. Bandung: Sumur Bandung, 1964.
- Locke, John. *An Essay Concerning Human Understanding*. Edited by Roger Woolhouse. Indianapolis: Hackett Publishing Company, Inc., 1996.
- Rosenheim, Margaret K., Franklin E. Zimring, David S. Tanenhaus, and Dohrn Bernardine, eds. *A Century of Juvenile Justice*. Chicago & London: University of Chicago Press, 2002.
- Siregar, Bismar. *Telaah Tentang Perlindungan Hukum Terhadap Anak-Anak Dan Wanita*. Jakarta: Fakultas Hukum Universitas Indonesia, 1986.
- Soekanto, Soerjono. *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*. Jakarta: PT Raja Grafindo Persada, 2007.
- Soemitro, Irma Setyowati. *Aspek Hukum Perlindungan Anak*. First Edit. Jakarta: Bumi Aksara, 1990.
- Solikin, Nur. *Pengantar Metodologi Penelitian Hukum*. Edited by Tim Qiara Media. Pasuruan: CV. PENERBIT QUIARA MEDIA, 2021.
- Stokes, Elizabeth. “Abolishing the Presumption of Doli Incapax: Reflections on the Death of a Doctrine.” *In Youth Justice: Theory & Practice*, 1st Edition., 51–54. Routledge-Cavendish, 2012.
- Sudarsono. *Etika Islam Tentang Kenakalan Remaja*. Cetakan 1. Jakarta: Bina Aksara, 1989.

Prasetyo, Teguh. *Pembaharuan hukum: Perspektif Teori Keadilan Bermartabat.*

Malang: Setara Press, 2017.

Ulwan, Abdullah Nashih. *Pendidikan Anak Dalam Islam.* Bandung: PT.

Rosdakarya, 1992.

Winterdyk, John A., ed. *Juvenile Justice System: International Perspectives.* 2nd

Edition. Canadian Scholars' Press, 2002.

## **JOURNAL ARTICLES**

Arliman, Laurensius. "Perlindungan Anak Oleh Masyarakat Ditinjau Dari Mazhab

Sejarah Di Dalam Penerapan Prinsip the Best Interest of the Child Pada

Kehidupan Anak Di Indonesia." *ERA HUKUM* 2, no. 1 (2017): 123–49.

Cahyaningtyas, Irma. "Penal Mediation of Treatments for Children in the Juvenile

Justice System." *Diponegoro Law Review* 3, no. 2 (2018): 264-276.

<https://doi.org/10.14710/dilrev.3.2.2018.264-276>

Daud, Brian Septiadi, and Irma Cahyaningtyas. "Criminal Justice System Toward

Children With Legal Conflict Seen In Justice Restorative Presfective."

*Jurnal Hukum Prasada* 7, no. 1 (April 7, 2020): 14–26.

<https://doi.org/10.22225/jhp.7.1.1223.14-26>.

Davies, Sharyn Graham, and Jazz Robson. "Juvenile (In)Justice: Children in

Conflict with the Law in Indonesia." *Asia-Pacific Journal on Human Rights*

*and the Law* 17, no. 1 (June 15, 2016): 119–47.

<https://doi.org/10.1163/15718158-01701009>.

Farmer, Elly. "The Age of Criminal Responsibility: Developmental Science and Human Rights Perspectives." Edited by Rod Morgan. *Journal of Children's Services* 6, no. 2 (June 17, 2011): 86–95. <https://doi.org/10.1108/17466661111149385>.

Fernando, Yory. "Sejarah Sistem Peradilan Pidana Anak Di Indonesia." *Jurnal Ilmu Sosial dan Pendidikan* 4, no. 4 (2020): 28-36. <https://doi.org/10.58258/jisip.v4i4.1398>.

Hammarberg, Thomas. "A Juvenile Justice Approach Built on Human Rights Principles." *Youth Justice* 8, no. 3 (December 1, 2008): 193–96. <https://doi.org/10.1177/1473225408096459>.

Hollingsworth, Kathryn. "Responsibility and Rights: Children and Their Parents in the Youth Justice System." *International Journal of Law, Policy and the Family* 21, no. 2 (April 13, 2007): 190–219. <https://doi.org/10.1093/lawfam/ebm004>.

Kartika, Shanti Dwi. "Pembentukan Kebijakan Reformasi Hukum." *Info Singkat: Kajian Singkat Terhadap Isu Aktual Dan Strategis* 8, (2009): 1-4.

Nurhayati, Yati, Ifrani Ifrani, and M. Yasir Said. "Metodologi Normatif Dan Empiris Dalam Perspektif Hukum." *Jurnal Penegakan Hukum Indonesia* 2, no. 1 (January 17, 2021): 1–20. <https://doi.org/10.51749/jphi.v2i1.14>.

Oderkerk, Marieke. "The Need for a Methodological Framework for Comparative Legal Research – Sense and Nonsense of »Methodological Pluralism« in Comparative Law." *Rabels Zeitschrift Für Ausländisches Und*

*Internationales Privatrecht* 79, no. 3 (2015): 589–623.  
<https://doi.org/10.1628/003372515X14339403063927>.

Rendleman, Douglas R. “Parens Patriae: From Chancery to the Juvenile Court Douglas.” *South Carolina Law Review* 23, no. 2 (1971).

Rohmah, Nafiah Nur Shofia, Murfiah Dewi Wilandari, and Darsinah. “Teori Perkembangan Jean Piaget Dan Implikasinya Dalam Perkembangan Anak Sekolah Dasar.” *Jurnal Ilmiah Wahana Pendidikan* 8, no. 12 (2022): 230–39.

Sacco, Rodolfo. “Legal Formants: A Dynamic Approach to Comparative Law (Installment I of II).” *The American Journal of Comparative Law* 39, no. 1 (1991): 1–34. <https://doi.org/10.2307/840669>.

Santoso, PM. Agus. “Kajian Tentang Manfaat Penelitian Hukum Bagi Pembangunan Daerah.” *Yuriska : Jurnal Ilmiah Hukum* 3, no. 2 (October 19, 2017): 1–22. <https://doi.org/10.24903/yrs.v3i2.177>.

Tobin, John. “Understanding Children’s Rights: A Vision beyond Vulnerability.” *Nordic Journal of International Law* 84, no. 2 (June 1, 2015): 155–82. <https://doi.org/10.1163/15718107-08402002>.

## **THESIS**

Alexye, Soarimalala Freda. “La Justice Juvénile A Madagascar.” Master II Thesis, Université d’Antananarivo, 2016.

Pradhita, Annisa Fitra Yuris. "A Comparative Study: The Implementation of Diversion within The Juvenile Justice System under Indonesian Law and French Law." Undergraduate Thesis, Universitas Gadjah Mada, 2016.

Razoeliharimalala, Rindrasoa Andonirina Elihasina. "La Responsabilité Pénale Du Mineur." Master I Thesis, Université d'Antananarivo, 2018.

Savitri, Ravina. "Pemenuhan Hak Anak Untuk Tidak Dipublikasikan Identitasnya Dalam Proses Peradilan Pidana Anak (Studi Di Polrestabes Semarang)." Undergraduate Thesis, Universitas Katolik Soegijapranata, 2018.

Suhaema. "Perlindungan Hukum Terhadap Anak Sebagai Saksi Dalam Sistem Peradilan Pidana." Master Thesis, Universitas Hasanuddin Makassar, 2020.

## **LAW AND REGULATIONS**

African Charter on the Rights and Welfare of the Child

Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally of 1986

Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)

International Convention on the Rights of Persons with Disabilities (ICRPD)

International Covenant of Civil and Political Rights (ICCPR)

International Covenant of Economic, Social and Cultural Rights (ICESCR)

International Labour Organization (ILO) Convention No. 182 on the Worst Forms  
of Child Labour

Law No. 11 of 2012 concerning Juvenile Criminal Justice System (*Undang-Undang  
Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak*)

Law No. 2007-023 concerning the Rights and Protection of Children (*Loi No. 2007-  
023 relative aux Droits et Protection de l'Enfance*)

Law No. 2016-018 Concerning of Measures and Procedures Applicable to Juvenile  
offenders (*Loi No. 2016-018 Relative aux Mesures et à la Procédure  
Applicables aux Enfants en Conflit avec la Loi*)

Law No. 23 of 2002 concerning Protection of Child juncto Law No. 35 of 2014  
concerning Amendment to Law No. 23 of 2002 (*Undang-Undang Nomor  
23 Tahun 2002 tentang Perlindungan Anak juncto Undang-Undang Nomor  
35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun  
2002*)

Optional Protocol to the Convention on the Rights of the Child on the Sale of  
Children, Child Prostitution, and Child Pornography

United Nation Convention on the Rights of Child Adopted by General Assembly in  
Its Resolution 45/25 of November 20, 1989 (CRC)

United Nations Guidelines for the Prevention of Juvenile Delinquency Adopted by the United Nations General Assembly in Its Resolution 44/112 of December 14, 1990 (Riyadh Guidelines)

United Nations Rules for the Protection of Juveniles Deprived of Their Liberty Adopted by the United Nations General Assembly in Its Resolution 45/113 of December 14, 1990 (Havana Rules)

United Nations Standard Minimum Rules for Non-Custodial Measures Adopted by the United Nations General Assembly in Its Resolution 45/110 of 14 December, 1990 (Tokyo Rules)

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (SMRAJJ) Adopted by the United Nations General Assembly in Its Resolution 40/33 of November 29, 1985 (Beijing Rules)

Universal Declaration of Human Rights (UDHR)

## **INTERNET WEBSITE**

CRIN. “Minimum Ages of Criminal Responsibility in Africa.” Child Rights International Network. Accessed December 21, 2023. <https://archive.crin.org/en/home/ages/Africa.html>.

CRIN. “Minimum Ages of Criminal Responsibility in Asia.” Child Rights International Network. Accessed December 21, 2023. <https://archive.crin.org/en/home/ages/asia.html#:~:text=A%20child%20aged%2014%20or,criminally%20responsible%20for%20any%20offence>.

## **MISCELLANEOUS**

Saibaba, Anuradh. "Juvenile Justice: Critically Juxtaposing the Models in India and Singapore." 28. Singapore, 2012.

Black`s Law Dictionary