

# The Pros and Cons of the Death Penalty for the Drug Abuse in Indonesia

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## Abstract

The last few years of Indonesian society preoccupied with the debate the pros and cons of the death penalty for drug traffickers. The debate arises, after President Jokowi rejected clemency filed several death row inmates, including drug dealers. *In this study, the observed variables are:* the death penalty for drug abuse. *Here, researchers are more focused on drug eradication efforts that have been undertaken by the government, and, people's perception of the death penalty for drug abuse. I research. The results of this study revealed that the death penalty is the punishment implemented by depriving the soul of someone who violates the provisions of the law. In other words, Pros and cons application of the death penalty in Indonesia Criminal broadly conical into two major parts;* (1) That the death penalty does not violate human rights because human rights offender has violated the human rights of victims and society. (2) The death penalty violates human rights because of the revocation of the right to life someone who is actually right was very much appreciated and no one is allowed to pull it out.

**Keywords:** Death Penalty, Drug Abuse, Human Rights.

## Introduction

Indonesia is facing a crisis situation of drug abuse on a massive scale. Currently an alarming number of 4.5 million people in Indonesia are suffering from drug-related problems. A large portion of these people find their homes in rehabilitation centres, despite limited capacity, to try to restore their "normal lives". Among those, 1.2 million people cannot be cured. Every day there are 33 to 50 people who die from drug-related causes, amounting to around 18.000 people every year. Drug use is spreading at a shocking rate to all parts of the society including to children as young as primary school students. Indonesia is profoundly grieved by the severe consequences that result from this massive drug-abuse.

Faced with this harrowing situation, Indonesia is resolutely determined to continue to combat drug-trafficking, a crime punishable by death limited to drug producers, syndicates and drug dealers. In August 2014 there were 67,786 convicted drug-offenders in Indonesian custody who are not under the death penalty. Penalty is carried out only after all legal defenses provided by law are exhausted, and only after a verdict has a permanent legal force and clemency is denied. We do not deny that the death penalty is a harsh form of punishment, but the grave consequences of drug-related crimes are far reaching and harsher. The sad reality is that serious drug offences have called for an equally serious measure of penalty.

There are millions of Indonesians are against the death penalty. Opinion polls by Media Indonesia in 2006 show that, 78 per cent of Indonesians were in favour of the death penalty for drug traffickers and 22 per cent were against it. A poll by Kompasiana in December 2014 showed that 83 per cent in favour and 17 per cent are against. Polling by Forum in January 2015 resulted in 87 per cent in support and 13 per cent against. Although these opinion polls may not be entirely accurate in representing the views of the 250 million people of Indonesia, they nonetheless reflect the on-going debate in the country on the issue of the death penalty.

However, it needs to be considered in light of the on-going crisis. A crisis that Indonesians are experiencing and dealing with, a crisis with severe and long-term effects on our young generation and the future of the nation. Unfortunately the severity of this crisis is all too familiar and real. This because for the last few years of Indonesian society preoccupied with the debate the pros and cons of the death penalty for drug traffickers. The debate arises, after President Jokowi rejected clemency filed several death row inmates, including drug dealers. Because as known, actually spread of narcotics and drugs have been reached a very alarming level until now. Almost the entire population of the world can easily obtain narcotics and drugs, for example of city / dealers who sell at local schools, discos, and brothels. There are countless drug eradication efforts that have been undertaken by the government, but it is still difficult to avoid the narcotics and drugs among adolescents and adults.

As described that already many and countless government efforts to combat the use of narcotics and drugs, but cases lodged narcotics and drugs kept popping up. The answer is very simple: that the driving element or the main motivator of the perpetrators of crimes in the field of narcotics and drugs are a problem economical advantage. Business narcotics and illicit drugs business grew into one of the most favorite in the world, so it is not surprising that the sale of narcotics and drugs together with laundering money from narcotics and drugs. Now, after six people convicted of drug cases executed, debate the pros and cons of the death penalty in the

Indonesian legal system increasingly pushed.

## Literature Review

### 1. Narcotics

Sujono and Daniel, (2011: 2) argues that the word narcotic is basically derived from the Greek "Narkoun" meaning paralyzed or numb. Then, Taufik Makarao (2003: 16) argues that "Narcotics is the kind of substances that can cause certain effects for the defendant did not violate the legal interest to be protected by the legislators in spite of all the written part of the formulation of the offense are met.

Furthermore, Law No. 35 of 2009 (Sujono and Daniel, 2011: 63) explains that the Narcotics are substances or drugs derived from plant or not plant, either the synthesis or semi synthesis, which may cause deterioration or alteration of consciousness, loss of taste, reduce to eliminate pain, and can lead to dependence, which differentiated into factions as attached to this law. Merriam-Webster (Sujono, et al; 2011: 1) make the following definition:

A drug (as opium or morphine) that in moderate doses dulls the senses, relieves pain, and induces profound sleep but in excessive doses causes stupor, coma, or convulsions; A drug (as marijuana or LSD) subject to restriction similar to that of addictive narcotics whether physiologically addictive and narcotic or not; something that soothes, relives, or lulls.

More (Sasangka, 2003: 33-34) explains that: other definitions of the Bureau of Customs and Excise, the United States, among others, said that the definition of narcotics is opium, cannabis, cocaine, substances that are the raw material taken from objects The namely morphine, heroin, codeine, hashish, cocaine. Including narcotics and synthesis that produce substances, drugs belonging to the hallucinogen, depressant and stimulant. From both these definitions, M. Rtdha Ma'Ruf (Sasangka, 2003: 33-34) concludes:

- a. Narcotics that there are two kinds, namely narcotics natural and synthetic narcotics. Which includes natural narcotics are various types of opium, morphine, heroin, marijuana, hashish, codeine and cocaine. These natures of narcotics are included in the narrow sense. While narcotics synthesis included in the definition of narcotic widely. Narcotics synthesis which includes substances (drugs) is classified into three types of drugs, namely: hallucinogen, Depressant, and stimulants.
- b. That narcotics were working affects the central nervous system which can consequently lead to unconsciousness or anesthesia. Dangerous if misused.
- c. Narcotics in the sense that here are the cover drugs and dangerous drugs or narcotic and dangerous drugs.

Once the dangers that can arise in the abuse of narcotics so in Pasal 114 paragraph (1) of Law Number 35 Year 2009 on Narcotics stated that: Any person who without rights or against the law in the case of narcotics, namely offering for sale, selling, purchasing, receiving, be an intermediary in the sale and purchase, exchange, or submit Narcotics Group I, shall be punished with life imprisonment or a minimum imprisonment of five (5) years and a maximum of 20 (twenty) years and fined at least Rp.1.000.000.000,00 (one billion rupiah) and maximum Rp. 10.000.000.000,00 (ten billion rupiah). Prohibitions as mentioned in Article 114 paragraph (1) above show that the law determines all actions with no rights or against the law to offer for sale, sell, buy, receive, be an intermediary in the sale and purchase, exchange, or submit Narcotics Group I because it is very dangerous and affecting an increasing criminality. If the actions are carried out by a person or no rights, it can be categorized as an act of abuse of drugs or a specific criminal offense that may be subject to severe legal sanctions.

Based on the understanding noted above, it is known that drug abuse is the use of narcotics (drugs) are excessive and not for treatment, which can lead to physical, mental, attitudes and behavior in society.

### 2. Death penalty

The death penalty is part of the types of criminal applicable under Indonesian criminal positive law. This is a form of criminal punishment executed by seizing the soul of a person who violates the provisions of the law. The aim of the implementation of the death penalty is people notice that the government does not want any interruption to peace is greatly feared by the public (Djamali, 2005). Criminal punishment is also the oldest and most controversial of the various forms of other crimes. The Federal Judicial Center, in an April 2004 "Resource Guide for Managing Capital Cases," offered the following: "...the death penalty [is] a sentencing option for over sixty offenses. In addition, the Federal Death Penalty Act of 1994... established a procedure for conducting the sentencing phase of a capital trial and set forth the prerequisites for imposing the death penalty, including information on aggravating and mitigating factors and appointment of counsel.

Based on the history of the death penalty is not a form of punishment that is relatively new in Indonesia. This criminal has been known since the days of the kingdoms. Executions in Indonesia are not only pegged to the description above. For example, in Aceh the execution can be carried out with the javelin, in Bali can be implemented in a manner drowned in the sea, while the tribe of Batak conducted with the alternative system

where if the killer did not pay any of the execution can be carried out, and various types of executions other. With regard habit (custom) and the customary laws of Aceh to Irian shows us the death penalty was known by all the tribes in Indonesia. Until the authors draw the conclusion that it was not the Dutch who introduced the death penalty in this nation.

The application of criminal law by the Dutch government in Indonesia is imposed by the implementation of "Wet Boek van Strafrecht" which came into force on 1 January 1918. In this provision, the death penalty established as one of the main criminal stipulated in Article 10. Implementation of the executions carried out by hanging as provided for in Article 10 of the Criminal Code. Then, with the 1945 Statute No 123 issued by the Dutch government, the death penalty imposed by being shot dead. This is reinforced by Presidential Decree No. 2 of 1964 in 1964, the State Gazette 1964 No. 38 was then set by Law No. 5 of 1969 which stipulates that the death penalty is executed by means of shooting to death row inmates. In this case the execution should be attended by Attorney (Chief State Prosecutor) as executor and technically the implementation of executions carried out by police firing squad.

Keep in mind that the implementation of the execution of death row inmate to be executed after a court decision handed down her permanent legal force and the convict has been given the opportunity to apply for clemency to the President. Execution can be carried out by first through execute fiat (approval of the President).

So it is clear here that the death penalty is essentially and should be used as a means of penal latter and can only be used against those who can not be developed further and endanger the lives of the public at large felt even though state.

### **3. Execution of Death Penalty in Indonesia**

For the implementation of the death penalty in Indonesia was initially carried out in accordance with the provisions of article 11 of the Criminal Code which states that "the death penalty is executed by the executioner on the gallows by binding the prisoner's neck with a noose at the gallows and dropped the board out from under him."

Because it is less appropriate it is then mentioned in the above article was changed by the provisions in S. 1945: 123 and became effective on 25 August 1945. Article 1 of the regulation states that: "deviate from what about this matter specified in other laws, the death sentence imposed on the civilian (non-military), to the extent not otherwise provided by the governor general is done by means of shooting dead ".For detailed implementation provisions described in Law No. 2 (PNPS) 1964.

Based on the information above it can be concluded that the executions in Indonesia current conducted by gunning down not by hanging the convict to the gallows.

Some of the most important provisions in the implementation of the death penalty is as follows:

- 1) Three times 24 hours before the implementation of the death penalty, the high prosecutor or prosecutor concerned notify the convicted person and if there is the will of the convicted person to express something the message is received by the prosecutor;
- 2) If the convict is pregnant should be postponed until delivery;
- 3) The implementation of the death penalty is determined by the Minister of Justice in the area of law court law court concerned at level 1;
- 4) the relevant regional police chief in charge of the implementation;
- 5) The death penalty executed by a police firing squad under the command of a police officer;
- 6) Regional police chief concerned should attend the execution;
- 7) Implementation should not be in public;
- 8) Burial bodies handed over to families;
- 9) After the completion of the implementation of the death penalty attorney concerned shall make the minutes of the execution of the death penalty, then a copy of the decision letter must be included in a letter to the court ruling.

Indonesia is one of many countries that impose the death penalty. Based on the records of the International Institute of Human Rights, Indonesia is one country that still applies the death penalty in its criminal law system (retentionists Country). Retentionists juridical means de jure, de facto according to the facts set the death penalty for all crimes. Recorded 71 countries included in this group. One of the biggest countries in the world are included in retentionists this country is the United States. Of the 50 states, there are 38 states that still retain capital punishment. And as is known, the United States has one of the greatest repercussions in calling for the protection of human rights in the world. But in reality still impose a sentence of death, also in military law.

A result of a study on crime does not show a correlation between the death penalty with a reduction in the crime rate. Some studies show that people who have been convicted of murder (also planned) usually do not commit violence in prison. Similarly, out of the prison after they give up violence or the same crime. Instead some experts criticize, a legal perspective can not reach the legal hassle of cases of violent crime where the victim cooperated with the perpetrators of the crime, in which the individual is a victim or perpetrator, and where

people apparently were victims in fact are criminals

### Research Method

This research is legal empirics with research using grounded theory method (Ronny Hanitijo Soemitro, 1985), in conducting research do such methods to construct hypotheses on the basis of concepts, ideas and others to verify the hypothesis of comparing research, by looking at what happens next and how looking for a solution to this problem. At this empirical legal research, which studied at first is secondary data, to then proceed with research on primary data in the field or do measurement of the effectiveness of legislation (Soerjono Soekanto, 1981, and Abdulkadir Mohammed, 2004). Location research is in Jakarta with research informants determined based on field studies are practiced. Data analysis is using qualitative analysis with presentation of data reduction activity, the data display and data conclusion / verification.

### Result and Discussion

The death penalty is a form of punishment since hundreds of years ago have some pros and cons. Pros and cons are not only happen in Indonesia, but in nearly all countries that exist at the moment. Every legal expert, human rights activists and others always rely on the opinion of the pros and cons of capital punishment institutions with logical and rational reasons.

The tendency of experts who agree the death penalty is maintained existence, generally based on the grounds conventional need for the death penalty is needed to eliminate those that are considered harmful to the public interest or the state and is considered irreversible, whereas those who cons of capital punishment usually makes the reason the death penalty is contrary to human rights and is a form of crime that can not be corrected if after the execution was carried founded blame for verdict the judge. As some experts and leaders who support the existence of the death penalty is Jonkers, Lombroso, Garofalo, Hazewinkel Suringa, Van Hantum, Barda Namawi Arief, Oemar Senoadji, and TB Simatupang.

Jonkers support the death penalty by arguing that "criminal reasons can not be withdrawn, if already implemented" is not an acceptable reason to declare "the death penalty can not be accepted. Because the court verdict is usually based on the right reasons." (A. Hamzah & A. Sumangelipu, 1985)

Furthermore, Lombroso and Garofalo believe that the death penalty is a tool that absolutely must be there in the community to eliminate individuals that could not be repaired anymore. Individuals that certainly are people who commit serious crimes remarkable (extraordinary crime)

On another occasion, Suringa believes the death penalty is a form of punishment that is needed in a certain period, especially in the case of the transition of power switching in a short time. Author argue as it is based Suringa opinion stating that the death penalty is a radical cleaning tool that every revolutionary period we can quickly use it.

One expert on criminal law and criminal law reforms the national figures Barda Nawawi Arief (2005) explicitly in a book stating that the death penalty still need to be maintained in the context of the renewal of the National Criminal Code. It can be the author describes, through its opinion which states: "That although the death penalty is maintained primarily based as safeguard the public (to be more focused on the interests of the community), but in its application is expected to be selective, careful and well-oriented on the protection / interests of the individual (criminal)".

Furthermore, in-constitutional whether or not the death penalty has actually been missed in the Constitutional Court decision on the Application Testing materially Act No. 22 of 1997 on Narcotics of the Act of 1945 filed by four death row cases of narcotics through its legal counsel regarding the unconstitutionality of capital punishment contained in the Act No. 22 of 1997 on Narcotics. Based on the Constitutional Court decision, expressly stated that the sentence of death in Act No. 22 of 1997 on Narcotics is not contrary to the Constitution. By analogy can ditrik a conclusion that the death penalty is not an act inkonstituional.

To strengthen the argument above, then it is good to strengthen it with the author presents the sound of the conclusion of the Constitutional Court's decision on the petition, which states: The provisions of Article 80 paragraph (1) letter a, Paragraph (2) (a), paragraph (3) letter a; Article 81 Paragraph (3) (a); Article 82 Paragraph (1) a, Paragraph 2 (letters) a and paragraph (3) letter a in the Narcotics Act, as long as the sentence of death, not against with Article 28A and Article 28I paragraph (1) of the 1945 Constitution.

Based on these descriptions, it can actually clearly that capital punishment is not contrary to the Constitution of our country and is still worth keeping its position in positive criminal law. It's just based on the decision of the reform of criminal law relating to capital punishment should be for the next pay attention earnest as follows:

- a. the death penalty is no longer the main criminal, but as a crime that is specific and alternative;
- b. the death penalty can be imposed by probation for ten years if convicted commendable behavior can be changed with imprisonment for life or for 20-year-old;
- c. the death penalty can not be imposed on children who are minors;



- d. Executions against pregnant women and the mentally ill are deferred until the pregnant woman gave birth and death row inmate whose mental illness is cured.

So, based on the description above opinion can be affirmed that the proponents of the death penalty in modern times is solely to make the death penalty as an instrument to protect the community and the State in the form of preventive and repressive. Repressive here is not to make those who are vulnerable and weak ruled like authoritarian power that makes the death penalty as a tool to get rid of people who are opposite to the ruler. Moreover, in the formulation of the new National Criminal Code, in the case of capital punishment must pay attention to the sound of the aforementioned decision.

And vice versa, experts and personalities cons of the death penalty were not a little and rested his argument on a foundation of scientific thinking. A classical flow figures are very famous because his voice opposes the death penalty is an Italian named Beccaria. Beccaria reasons against the death penalty is the process that is run in a very bad against someone accused of killing his own son (some time after the execution can be proved that the decision is wrong).

In the Constitutional Court's decision in Application Testing materially Act No. 22 of 1997 on Narcotics of the Act of 1945 which states that the death penalty is not contrary to the constitution there are four different opinion (dissenting) of judges konstituisi. Judges are H. Harjono Constitutional Court, Constitutional Court Justice H. Achmad Roestandi, Constitutional Court Justice HM Laica Marzuki, Maruarar Siahaan and Constitutional Justice. In this case I bit convey reason Maruarar Siahaan Constitutional Court rejected the death penalty. : For the right to life, there are no clues that states restrictions on the rights that can be done by eliminating life itself, although it is recognized and has been part of the human rights of others must also be respected, the right to life may be limited because the law need justice to restore balance harmed by the offense in the form of restrictions on its movement by being placed in a special place and undergo coaching-specific coaching required. Clear opinion Maruarar Siahaan Constitutional Court focused on the concept of human rights. This is in accordance with the development of the rejection of the death penalty today (past rejection of the death penalty is emphasized on the ruthless execution and effectiveness of the death penalty).

Meanwhile, when associated with narcotics-related crimes, after six people convicted of drug cases executed, debate the pros and cons of the death penalty in the Indonesian legal system increasingly pushed. One of the main reasons that most raised in the debate, the death penalty in a human rights perspective (HAM). For the cons, the death penalty is contrary to human rights. The death penalty is contrary to the 1945 Constitution and the Human Rights Act. The right to life guaranteed under Article 28A of the Constitution of 1945, "Everyone has the right to live and to defend life and living." The legal basis which guarantees the right to life in Indonesia is also contained in Article 4 and Article 9 of Law No. 39 of 1999 on Human Rights. Article 4 of Law Human Rights states, the right to life; the right not to be tortured; right to personal freedom, freedom of thought and conscience; freedom of religion; the right not to be enslaved; the right to be recognized as a person and equality before the law; and not to be prosecuted based on retroactive laws.

Guarantees the right to life is also expressly set out in Article 9, which reads: (1) Everyone has the right to life, survival and improve the standard of life, (2) Everyone has the right to live in peace, secure, peaceful, happy, prosperous and unseen, (3) Everyone has the right environment to live a good and healthy. In the explanation of Article 9 of Law Human Rights says that everyone has the right to life, sustain life, and improve their lives. The right to life is even attached to the unborn child or the person on death row. In the case or extraordinary circumstances, that for the sake of her mother's life in cases of abortion or based on court decisions in death penalty cases. Abortion or the death penalty in terms or conditions may still be allowed. Only on these two things that the right to life which can be limited. Explanation of Article 9 of the Human Rights Act, it is known that under certain circumstances such as the death penalty, the right to life can be limited. The question is whether the death penalty for drug traffickers and fall under the restrictions justified extraordinary circumstances, as described Article 9 of the Human Rights Act?

Referring to the decision of the Constitutional Court (MK) regarding judicial review of Article 80 of Law Number 22 Year 1997 on Narcotics that contains criminal sanctions to death under the 1945 Constitution, the Constitutional Court in its decision on October 30, 2007 rejected the judicial capital punishment in the Narcotics Act and stated that the death penalty the Narcotics Act is not contrary to the right to life guaranteed by the 1945 Constitution, because the guarantee of human rights in the 1945 Constitution did not embrace the principle of totality. According to the Court, the fundamental rights in the constitution are used to appreciate and respect the rights of others, for the sake of the ongoing public order and social justice. Thus, based on the decision of the Court, human rights must be limited to instruments of the Act, namely the right to life may not be deducted, unless otherwise decided by the courts. Another reason the consideration of the Constitutional Court partly because Indonesia was bound by international conventions Narcotics and psychotropic substances which have been ratified into national law in the Law on Narcotics.

Thus, according to the decision of the Court, Indonesia is obliged to maintain the threat of illicit trafficking in narcotics network of international scale, one of them by implementing effective and maximum

penalties. Indonesia has recognized narcotics as outstanding serious crimes against humanity (extraordinary) so that enforcement needs special treatment, effectively and optimally. One of the special treatment, according to the Court, among other things by applying severe penalties the death penalty. By applying severe penalties through the death penalty for serious crimes such as narcotics, the Court argued, Indonesia does not violate any international agreements, including the International Convention on Civil and Political Rights (ICCPR), which advocated the abolition of the death penalty. In fact, the Court emphasized that Article 6 paragraph (2) of the ICCPR itself still allow the death penalty to the enactment of the participating countries, especially for the most serious crimes. In the view of the Court, the death penalty has been in line with the 1960 UN Convention on Narcotic Drugs and the 1988 UN Convention on the Eradication of Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Article 3 of the Universal Declaration of Human Rights, and the Human Rights Act.

The threat of capital punishment in the Narcotics Law has been formulated carefully and meticulously, not threatened at all Narcotics criminal offenses contained in the Act. Furthermore, looking at the Human Rights Act, the Court considers that the law also recognizes the limitation of basic rights by giving the recognition of the rights of others for the sake of public order. In this case, the Court considers the death penalty is a form of state aegis of the citizens, especially the rights of victims. Legally, the death penalty found the back support and the constitutional legal system in Indonesia. What more, after the Constitutional Court decided the death penalty does not conflict with the 1945 Constitution Sociologically, the death penalty against drug producers and traffickers can still be justified, considering the future of the nation.

The death penalty when seen from Act 39 of 1999, (seemingly) a violation of human rights, having been deprived of one's life. However, if viewed from the angle of national interest, a drug dealer has claimed millions of human rights, especially the younger generation successor generation of the nation. Slowly Drug producers and dealers have been doing 'Murder' or 'deprived of life' users in a systematic and planned. Do not depriving the lives of others who conducted Drug producers and dealers, instead of human rights violations? Or whether a planned and systematic murder by drug not worthy of serious crimes against humanity was sentenced to the maximum?

In our opinion, right to life must not be contrary to public order and law, so it is not necessarily right to life can be straddling the rights of others, especially in large-scale rights of society. Drug manufacturer or dealer acts according to the author, a systemic effect, contrary to the basic principles of social justice and lead to disruption of social order and constitutional order of the country. This is according to the author became the basic reason, the existence of the death penalty for a manufacturer or distributor of drugs, maintained despite reaping the opinion of the pros and cons of the implementation

So it is clear, the issue of the pros and cons of the death penalty is a problem that is not easy to generalized in the same mindset on everyone.

## Conclusion

Exposure of explanation and discussion chapter, it can be concluded that the death penalty is the punishment implemented by depriving the soul of someone who violates the provisions of the law. Criminal punishment is also the oldest and most controversial of the various forms of other crimes. The aim of the implementation of the death penalty is people notice that the government does not want any interruption to peace is greatly feared by the public.

Valid legal debate on whether or not the death penalty departing from the differences of opinion on the death penalty in the view of human rights, which on the one hand still recognize the death penalty and the other side, recognizes the right to life. For those who reject the death penalty, believes that the death penalty by law is unconstitutional, because it is contrary to the constitution. In the sort order in Indonesian laws, any regulations under must not conflict with that on it. Legislation that includes the death penalty is contrary to the constitution that recognizes the right to life. Because of the constitution in the Indonesian legal system is higher than the law, the death penalty in the law should be amended. Pros and cons application of the death penalty in Indonesia Criminal broadly conical into two major parts;

- (1) That the death penalty does not violate human rights because human rights offender has violated the human rights of victims and society. The severity of the allegation concerning the death penalty violates human rights is considered as a unilateral statement that did not see how it violated the human rights of victims of crime.
- (2) The death penalty violates human rights because of the revocation of the right to life someone who is actually right was very much appreciated and no one is allowed to pull it out. Therefore, the death penalty should be abolished in the existing legislation.

## Suggestions

1. For law enforcement officials, particularly for law-makers should pay more attention to products humanitarian aspects in terms of making a formulation that contains the death penalty, and also against

law enforcement officials should pay more attention to the next aspect of the application and the reasons for the death penalty.

2. For all the people should obey the law that aims to achieve justice dal order, because the orderliness of the law can create a comfortable conditions, as well as the provisions of international human rights in the application of the death penalty.

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