

The Legal Politics Against Artificial Intelligence Crimes in Criminal Law Reform

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Abstract. *Technological sophistication in adulthood has had a significant impact on social life. Artificial Intelligence acts and behaves like humans in the same aspects of speed and accuracy. The interpretation of AI when a criminal act is present can only be seen as a legal object. The purpose of this research is to find out and analyze the rules of Artificial Intelligence crimes in Indonesian positive law and to find out and analyze Artificial Intelligence policies in several other countries. This research uses a normative legal research method, namely an approach carried out by examining literature studies, international news, and the approach of the Law. The legislation used is Law No. 1 of 2024, the second amendment to Law No. 11 of 2008 concerning Information and Electronic Transactions. The results of the research show that the rules of AI Crime are still regulated in the Law on Information and Electronic Transactions concerning electronic systems and electronic agents. There is no specific policy in response to the problem of Artificial Intelligence. Foreign countries such as China, America, Europe have special regulations regarding the concept of AI. The state's obligation to protect and follow the dynamics of technology needs to be supported by legal certainty. Special regulations need to be presented as a form of the government's seriousness in carrying out legal reform.*

Keywords: *Artificial; Criminal; Intelligence; Technology.*

1. Introduction

State law as a catalyst for national development requires a national legal system, with the main sources being Pancasila and the 1945 Constitution. The education system and national legal personnel provide support in upholding law and justice in an integrated manner that is fair, honest and humane. The national legal system contains three elements, namely substance, structure and culture to be implemented in Indonesia.¹ Law is a site of ideological

¹ Benny Riyanto, "Pembangunan Hukum Nasional di Era 4.0", *Jurnal Rechtsvinding Media Pembinaan Hukum Nasional*, Vol 9 No 2, (2020), 163

struggle, what becomes dominant will eventually enter the law so that the law itself will further strengthen the dominant ideology.²

Criminal law is defined as the legal rules of a sovereign state, which contain prohibitions on actions that must be obeyed and contain criminal sanctions. The implementation of criminal threats for people who betray will be enforced by the state. The basis for criminal policy is contained in Law No. 1 of 2023 (KUHP) which contains Pancasila and the Constitution/1945.³ Criminal law has undergone comprehensive reform in the substantive, formal and implementation (penitentiary) aspects. The three aspects of reform are subject to in-depth study with the aim of overcoming crime. Efforts to reform criminal law are based on the politics of criminal law and criminal politics as a reflection of national aspirations for the needs of society in the future. This realization was carried out to balance the law, in order to achieve world progress.

The approach in implementing criminal law reform is policy orientation (policy-oriented approach) and value orientation (value oriented approach). Legal politics or updating the law is an effort to reorient and reform the law, based on the socio-philosophical and socio-cultural values of Indonesian society. This foundation is an effort to enforce social and legal policies. Efforts or policies to prevent and overcome crime include aspects of criminal policy.

Social policy, social welfare policy and social defense policy are integral parts of legal politics to achieve certain goals. The essence of criminal law reform with criminal law policy efforts, law enforcement policies, criminal policies, and social policies. Rational efforts as a principle of substantive reform of criminal law for the effectiveness of law enforcement, crime prevention, realizing community protection and overcoming social problems. Legal politics in legal reform has national goals, in the form of social protection and social welfare.

An integral approach is part of preventing and overcoming through penal and non-penal measures, as a basis for balance. Prevention is carried out using a penal policy through several stages as follows:

1. Formulation stages (legislative policy)
2. Application stage (judicial/judicial policy)
3. Execution stages (executive/administrative policies)

The initial stage is in the form of formulating it into evidence, efforts to prevent and deal with crime are not the task of the Law Enforcement Officials (APH) but the Law Making Officials (Legislature). Errors caused by legislative policies are strategic errors, thereby hampering prevention and mitigation efforts at the application and execution stages.⁴

² Oetrus C.K.L. Bello, *Ideologi Hukum: Refleksi Filsafat atas ideology di balik hukum*, Bogor, Insan Merdeka, (2013), 33

³ Arista Candra Irwatu, "Politik Hukum dalam Pembaharuan Hukum Pidana (RUU KUHP Asas Legalitas)", *Adil Indonesia Jurnal*, Vol 2 No 1, (2019), 3

⁴ Barda Nawawi Arief, *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*, Jakarta, Kencana Prenadamedia Group, (2007), p.77-79

Efforts to enforce law, guarantee and protect human rights are realized with the aim of providing legal certainty for all Indonesian citizens. Granting rights and obligations to judicial bodies that carry out law enforcement, realizing the benefits of law for society. The final result of law enforcement provides benefits to the life of the nation and state.⁵ The act or determination of control over actions by a community or group as a criminal act constitutes criminalization.⁶

Criminal acts in the field of information technology are qualified into 2 (two) groups, as follow:⁷

1. Crimes use information technology as a tool, ordinary equipment then increases in the modus and operandi of using information technology. The results of this crime result in large financial or other losses.

2. Crime after the existence of the internet made the computer system an intermediary, internet users as a form of technological crime development.

The form of technological progress in the Industrial Revolution 4.0 era by utilizing artificial intelligence (AI) technology, the consequences are in the form of positive and negative impacts. Its use lies in controlling data using sophisticated machines.⁸ Criminal cases involving artificial intelligence (Artificial Intelligence) can be a threat that can deceive the power of the wider community.⁹

The aim of this research is to find out and analyze the rules of Artificial Intelligence in positive law and to find out and analyze Artificial Intelligence policies in several other countries.

2. Research Methods

This legal research uses a normative legal research method, namely a research approach carried out by examining secondary legal materials or library materials. This study will also examine additional sources, such as international news. In addition, this study will use a statutory regulatory approach, namely an approach based on an analysis of legal problems that arise in the study of applicable laws and regulations. Artificial Intelligence Crime analyzes positive law, namely Law No. 1 of 2024, the second amendment to Law No. 11 of 2008 concerning Information and Electronic Transactions, to determine the criminal threats that will

⁵ Sehat Maruli Tua Situmeang, "Politik hukum pidana terhadap kebijakan kriminalisasi dan dekriminalisasi dalam sistem hukum Indonesia", *Res Nullius Law Journal*, Vol 4 No 2, (2022), 206

⁶ Dewi Bunga, "Politik Hukum Pidana Terhadap Penanggulangan Cybercrime", *Jurnal Legislasi Indonesia*, Vol 16 No 1, (2019), 4

⁷ Abdul Rauf, "Penegakan Hukum Terhadap Kejahatan di Bidang Teknologi Informasi", *Prosiding Seminar Ilmiah Sistem Informasi dan Teknologi Informasi*, Vol XII No 1, (2023), 29.

⁸ Fatmawati dan Raihana, "Analisis Yuridis Terhadap Artificial Intelligence pada Tindak Pidana Penyebaran Malware Di Indonesia", *Jurnal of Social Science Research: INNOVATIVE*, Vol 3 No 2, (2023), 3

⁹ Eva Istia Utawi dan Neni Ruhaeni, "Penegakan Hukum Terhadap Tindak Pidana Pornografi Menurut Peraturan Perundang-undangan Tentang Pornografi Melalui Media Sosial", *Bandung Conference Series: Law Studies*, (2023), 368

be imposed. Then a study of several countries was conducted to determine the rules of Artificial Intelligence crime, through literature studies.

3. Research and Discussion

3.1. The Politics of Criminal Law Against Artificial Intelligence Crimes in a Positive Legal Perspective

Technology today dominates life, in order to make people's activities easier. Technological developments come in the form of artificial intelligence, aimed at providing efficiency and accuracy. Artificial Intelligence (artificial intelligence) linguistically can be interpreted as Artificial (not real) and Intelligence (an intelligence). The creation of artificial intelligence to support human activities and work is the main goal. The actions carried out are in the form of imitating humans with the same frame of mind, so that they receive data which is processed into decisions for completing tasks. The simple meaning is as a device to assist human work, with the same concept as the human frame of mind that bases human orders. Aspects of speed and accuracy in artificial intelligence that are valued at par with humans can be seen in the program execution process.¹⁰

Changes in human lifestyle due to the growth of a country's technology, as an impact of Artificial Intelligence in helping humans carry out daily activities. The legal sector, especially, has become a part of the conflict due to the development of Artificial Intelligence. Artificial intelligence technology in carrying out human activities has reached all sectors, resulting in complexity.

The actions and behavior of Artificial Intelligence are like humans, if they violate the law, they should be held accountable. There are currently no regulations that specifically regulate Artificial Intelligence, the legal source that regulates technology is in Law No. 19/2016 concerning Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions.

In an effort to resolve Indonesia's technology and information system problems in order to realize legal certainty and benefits, the ITE Law was introduced. This form of interpretation of AI problems still occurs, due to the regulations not being clearly stated in the ITE Law. Indonesian positive law has included artificial intelligence as an electronic system and electronic agent. This regulation is contained in Article 1 number 5 as follows:

"Electronic Systems are a series of electronic devices and procedures that function to prepare, collect, process, analyze, store, display, announce, transmit and/or disseminate electronic information"

¹⁰ Sulistyowati Irianto, *Memperkenalkan Kajian Sosio-Legal dan Implikasi Metodologisnya*, dalam *Kajian Sosio Legal*, Pustaka Lasaran, Denpasar, 2012, p. 6

Muhammad Tan Abdul Rahman Haris dan Tantimin, "Analisis Pertanggungjawaban Hukum Pidana Terhadap Pemanfaatan Artificial Intelligence Di Indonesia", *Jurnal Komunikasi Hukum*, Vol 8 No 1, (2022), 311-312

Artificial Intelligence is defined as an Electronic System connected to the meaning of Electronic Agent, which is regulated in Article 1 number 8 of the ITE Law.

"Electronic Agent is a device from an Electronic System which is created to carry out an action on certain Electronic Information automatically which is organized by a Person"

The meaning of the ITE Law means that AI crimes are seen as legal objects. The operation of technology carried out by humans then results in crimes, so they are fully responsible as subjects of criminal law. Replacing humans with a form of artificial intelligence (AI) is not yet a legal subject. This is due to the form of criminal responsibility, paying attention to the existence of mens rea and actus reus. Artificial intelligence is tasked with replacing the role of humans in carrying out tasks, but as a whole cannot be like humans. Artificial intelligence does not have human-like characteristics, but equal legal status can be expressed as a legal subject.¹¹

An idealistic perspective is needed to achieve better law, so that discussion of the law as a rule approach does not become a limitation but understands law as a societal culture. The result will be an in-depth understanding of inductive legal subject research or a reflection of findings in the perspective of a broad legal phenomenon.¹² The impact that occurs due to the absence of comprehensively regulating laws will increase the potential for violations.¹³

Indonesian law which is developing in a positive direction is proof that positive law moves dynamically. This proof can be seen in the presence of a draft criminal law (RKUHP) which on January 2 2023 was passed Law No. 1 of 2023 concerning criminal law (National or Archipelago Criminal Code). The dynamics of Indonesian law require harmonization between Indonesian culture and local wisdom as the soul (foundation) of Indonesian law.¹⁴

Positive criminal law does not yet regulate artificial intelligence (AI), the regulations are found outside through special laws. The Dutch inheritance law known as WvS (old Criminal Code) is considered incomplete and unable to accommodate problems and dimensions of renewal in the development of criminal acts. The old Criminal Code still regulates some, because several offenses were revoked. So it presents a special offense or special law outside of it. Specific legal rules are still under the same roof as general rules (KUHP WvS).

Special laws are divided based on whether regulations are criminal (internal) or non-criminal (external). The number of internal criminal laws is smaller than external laws. The difference between the two lies in their nature, internal criminal law (primum rimedium) means law enforcement is the main means, while external criminal law (ultimum rimedium) means

¹¹ Itok Dwi Kurniawan, "Analisis terhadap Artificial Intelligence sebagai Subjek Hukum Pidana", *Jurnal Ilmu Multidisiplin Indonesia*, Vol 1 No 1, (2023), 40

¹² Ratno Lukito, "Compeate but not to compare": Kajian Perbandingan Hukum di Indonesia", *Undang:Jurnal Hukum*, Vol 5 No 2, (2022), 264

¹³ Fanny Priscyllia, "Perlindungan privasi data pribadi perspektif perbandingan hukum", *Jurnal Jatiswara*, Vol 34 No 3, (2019), 41

¹⁴ I Wayan Wahyu Wira Udytama, Anak Agung Putu Wiwik Sugiantari, dan I Gusti Ngurah Anom, "Harmonisasi Kearifan Lokal dalam Penyelesaian Perkara Pidana dalam Perspektif RUU KUHP" *Yusthima: Yusthika Mahasaraswati*, Vol 1 No 1, (2021), 38

criminal law enforcement is the final means. Internal criminal law provides cumulative sanctions (criminals or/and fines) while external criminal law in the form of administrative sanctions provides criminal sanctions. If the administrative grant has been implemented, then *una vina* applies (closing the opportunity to resolve the case using other legal means).¹⁵

The development of criminal law is necessary, as an effort to build national law that is in accordance with the cultural values (characteristics) of the Indonesian nation. Colonial (Dutch) culture was based on an individualistic and liberalistic point of view so that it was in contrast to the culture and spirit of the Indonesian nation. Criminal law is used as a negative sanction for prohibited acts in a country's society. This is related to social philosophy (view of life), morals, religion and the interests of the nation concerned.¹⁶

Punishment based on Utrecht's opinion, aims to protect society from challenges (threats) that harm society in terms of common interests. Another aim is that the feeling of fear presented in committing a crime, which is public in nature, creates a sense of fear in the community and in the long term is the maintenance of good attitudes in the community.¹⁷

Efforts to review and assess the rationale for sociological, philosophical, political and cultural values as the basis for criminal policy and law enforcement. Meaning in updating criminal law, formulating a value approach orientation. So criminal law should be in accordance with the ideas of Pancasila (national foundations according to ideals). Balance of values related to religion, humanism, nationalism, democracy, social justice. The realization of these values is included in 3 (three) criminal law issues related to criminal acts, responsibility (guilt) and punishment. A form of implementation of the idea of balance in one of the criminal law issues, such as the source of law (the basis of legality) as a statement that a prohibited behavior or act (criminal act) is based on formal and material legality. Formal legality refers to rules that are explicitly contained in a country's law (positive law), while material legality places living or unwritten laws that exist in society.¹⁸

Regulations regarding artificial intelligence (AI), in the new (archipelagic) Criminal Code, legal products produced by the Indonesian state, do not yet regulate this explicitly. Positive law in Indonesia discusses artificial intelligence (AI), only found in the ITE Law (a special law outside the Criminal Code). Therefore, Indonesian regulations should provide guaranteed protection for the community through legal certainty. Rules regarding AI that are not contained in the Criminal Code must have special regulations but still maintain general principles (chapter 1 relates to general rules in the Criminal Code).

3.2. Politics of Criminal Law Against Artificial Intelligence Crimes in Other Countries

¹⁵ Edward Omar Sharif Hiarij, "Asas Lex Specialis Systematis dan Hukum Pidana", *Jurnal Penelitian Hukum De Jure*, Vol 21 No 1, (2021), 4

¹⁶ Any Ismayawati, "Pendekatan dan Politik Hukum dalam Pembangunan Hukum Pidana di Indonesia", *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam*, Vol 12 No 1, (2021), 110

¹⁷ Rasina Padeni Nasution, Alvi Syahrin, Mahmud Mulyadi, dan Faisal Akbar Nasution, "Penjatuhan Pidana Tambahan berupa Pencabutan Hak Politik terhadap Tindak Pidana Korupsi (Analisis Putusan MA Nomor 1261/K/PID.SUS/2015)", *USU Law Journal*, Vol 7 No 1, (2019), 72

¹⁸ Novandi Dwi Putra, Ilmi Firdaus Aliyah, dan Dadang Syafiudin Yusuf, "Pembaharuan Hukum Pidana Positive Criminal Law Reform" *Innovative: Journal of Social Science Research*, Vol 3 No 3, (2023), 5-6

The politics of criminal law is part of penal reform, due to the urgency of criminal reform. The development of community behavior requires means of dealing with crime. Sudarto's opinion on the politics of criminal law forms the choice to produce criminal regulations so that justice and efficiency are met.¹⁹ The realization of criminal regulations according to conditions and situations based on time and the future is part of the political implementation of criminal law.²⁰

Improving the quality of legal regulations and preventing legal vacuums is part of regulatory reform. The dynamism of society but the absence of regulations that regulate it in a complex manner, is due to the conclusion that it cannot regulate all aspects of life. The incompleteness of a country's regulations so that they do not guarantee legal certainty, thus allows for a legal vacuum (*rechtsvacuum*).²¹

Efforts to look at the criminal law politics of other countries, to support the successful process of regulatory reform. A policy resulting from a response from society can be reviewed through a comparison of state laws. The legal system, through reviewing other countries' regulations, shows efforts to comprehensively understand the legal system that exists globally and has the following benefits:

- a. Efforts to review the legal systems of other countries, so that we can understand the picture of Indonesian legal culture and adopt positive aspects of other countries' legal systems. This effort realizes the development of national law.
- b. Efforts to understand the legal system individually, in groups and in countries are the right step in carrying out legal relations with other countries whose legal systems are inversely proportional.
- c. Realizing legal harmonization in forming supranationals.²²

Improving national law by reviewing the laws of other countries, then directing the concentration of unification activities on comparative legalization. This aspect does not lead to uniformization, because regulatory reform is modified according to traditional conditions or special considerations to ensure integration into the legal system.²³

Special regulations from other countries regarding Artificial Intelligence, to guarantee the implementation of regulations regarding aspects of certainty. The presence of this regulation is to encourage innovation and creativity according to current developments. This effort is carried out in foreign countries, for the sake of legal compliance and legal implementation.

¹⁹ M Nanda Setiawan, "Mengkritisi Undang-Undang ITE Pasal 27 Ayat (3) dilihat dari Sosio-Politik Hukum Pidana Indonesia", *Datin Law Jurnal*, Vol 2 No 1, (2021), 6

²⁰ Barda Nawawi Arief, *Kebijakan Hukum Pidana Perkembangan Penyusunan KUHP Baru*, Jakarta, Kencana, (2011), 26

²¹ Hario Mahar Mitendra, "Fenomena dalam kekosongan Hukum", *Jurnal Rechtsvinding Media pembinaan Hukum Nasional*, (2018), 1

²² Andi Safriani, "Hakikat Hukum dalam Perspektif Perbandingan Hukum", *Jurisprudentie*, Vol 5 No 2 (2018), 19

²³ Werner Menski, *Perbandingan Hukum dalam Konteks Global sistem Eropa, Asia, dan Afrika*, Bandung, Nusa Media, (2008), 58-59

American regulators as creators of rules in matters of transparency and Artificial Intelligence innovation. The resulting regulations regarding copyrighted works must be communicated to the public. System interaction for the public to appeal against decisions (AI). Presenting a supervisory agency (AI), to ensure state security.²⁴

European Union regulators are taking major steps to create company rules for implementation (AI). Environmental impacts due to the use of (AI), ensuring health, safety, fundamental rights, democracy and the rule of law. Implementation of regulations for legal subjects (anyone) who develop and implement systems (AI). The expansion of regulations looks at the level of risk present, by providing restrictions and prohibitions on content. Creation of facial identification systems in public spaces, surveillance tools, and social assessment systems. A transparent system (AI) distinguishes fake content and takes action against illegal content.²⁵

The system (AI) needs to be trained and has a copyright, with a spam filter to prevent the risk of misuse. The regulatory criminal system requires European countries to pay a fine of 7% of the owner's annual income (AI). European regulations require the country of origin to create a box of regulations before they are implemented.

Responsibility for content created by service providers is regulated by China. Taking a stance on illegal content, including stopping content creation, removing content, and optimizing the model. Reporting to regulators is an effort due to irregularities. Generate data and models based on legal sources, respect for intellectual property, and official information. The quality and legality of data must be an important aspect of the regulations. The existing regulations emphasize the right to protect users' personal data in order to prevent the spread of false information.²⁶

Regulation (AI) embodies the same desire, in order to encourage innovation and creativity in society. This effort is carried out as a guarantee of legal certainty. The content created does not contain aspects of damage to sovereignty, division of the social system, destruction of national unity.

4. Conclusion

The results of the research discussion show that the development of Artificial Intelligence regulations in positive law is included in the Electronic Information and Transactions Law as an effort to respond to technological developments. Artificial Intelligence (AI) in positive law is equated with Electronic Systems as stated in Article 1 number 5 and Electronic Agents Article 1

²⁴ Reuters. 2023. U.S Congress to Consider Two New Bills on Artificial Intelligence. (diakses pada tanggal 24 September 2023). <https://www.reuters.com/technology/us-congress-consider-two-new-bills-artificial-intelligence-2023-06-08/>

²⁵ Lavinda. 2023. Uni Eropa Terbitkan Aturan Penggunaan AI, Ini Daftar Poin Pentingnya. (diakses pada tanggal 24 September 2023). <https://katadata.co.id/lavinda/digital/64a320ba4c2b2/uni-eropa-terbitkan-aturan-penggunaan-ai-ini-daftar-poin-pentingnya>

²⁶ Savvanah Fortis. 2023. Chinas's new AI Regulations begin to take effect. (diakses pada tanggal 24 September 2023). <https://cointelegraph.com/news/china-s-new-ai-regulations-begin-to-take-effect>.

number 8 of the Electronic Information and Transactions Law. The development of technology in AI is still an object of law, if a crime occurs, the responsibility is delegated to the legal subject, namely the organizer of the electronic system. The application of AI (Artificial Intelligence) is a challenge for the government and legislative apparatus. Currently, AI crimes do not have specific regulations, even though the dynamics of technology must be balanced with the law. American regulators as rule makers in terms of transparency and innovation of Artificial Intelligence. Presenting ensuring the supervisory body (AI), for state security. European Union regulators are taking major steps to create corporate rules for the implementation of (AI). The regulatory criminal system requires European countries to pay a fine of 7% of the owner's annual income (AI). Regulation (AI) by China. Taking a stance against illegal content, including stopping content creation, deleting content, and optimizing models.

5. References

Journals

- Bunga, Dewi. Politik Hukum Pidana Terhadap Penanggulangan Cybercrime. *Jurnal Legislasi Indonesia*, Vol 16 No 1 (2019): 4
- Fatmawati dan Raihana. (2023). Analisis Yuridis Terhadap Artificial Inteligence pada Tindak Pidana Penyebaran Malware Di Indonesia. *Jurnal of Social Science Research: INNOVATIVE*, Vol 3 No 2, 3
- Haris, Muhammad Tan Abdul Rahman dan Tantimin. (2022). Analisis Pertanggungjawaban Hukum Pidana Terhadap Pemanfaatan Artificial Intelligence Di Indonesia. *Jurnal Komunikasi Hukum*, Vol 8 No 1, 311-312
- Hiariej, Edward Omar Sharif H. (2021), "Asas Lex Specialis Systematis dan Hukum Pidana", *Jurnal Penelitian Hukum De Jure*, Vol 21 No 1, 4
- Irwatu, Arista Candra. (2019), Politik Hukum dalam Pembaharuan Hukum Pidana (RUU KUHP Asas Legalitas). *Adil Indonesia Jurnal*, Vol 2 No 1, 3
- Ismayawati, Any. (2021), "Pendekatan dan Politik Hukum dalam Pembangunan Hukum Pidana di Indonesia", *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam*, Vol 12 No 1, 110
- Kurniawan, Itok Dwi. (2023), Analisis terhadap Artificial Intelligence sebagai Subjek Hukum Pidana. *Jurnal Ilmu Multidisiplin Indonesia*, Vol 1 No 1, 40
- Lukito, Ratno. (2022), "Compate but not to compare": Kajian Perbandingan Hukum di Indonesia. *Undang: Jurnal Hukum*, Vol 5 No 2 264-2
- Mitendra, Hario Mahar. (2018), Fenomena dalam kekosongan Hukum. *Jurnal Rechtsvinding Media pembinaan Hukum Nasional*. 1.
- Nasution, Rasina Padeni, Alvi Syahrin, Mahmud Mulyadi, dan Faisal Akbar Nasution, (2019), "Penjatuhan Pidana Tambahan berupa Pencabutan Hak Politik terhadap Tindak Pidana Korupsi (Analisis Putusan MA Nomor 1261/K/PID.SUS/2015), *USU Law Journal*, Vol 7 No 1, 72
- Priscyllia, Fanny. (2019), Perlindungan privasi data pribadi perspektif perbandingan hukum. *Jurnal Jatiswara*, Vol 34 No 3, 41



- Putra, Novandi Dwi, Ilmi Firdaus Aliyah, dan Dadang Syafiudin Yusuf. (2023), "Pembaharuan Hukum Pidana Positive Criminal Law Reform" *Innovative: Journal of Social Science Research*, Vol 3 No 3, 5-6
- Rauf, Abdul. (2023), Penegakan Hukum Terhadap Kejahatan di Bidang Teknologi Informasi. *Prosiding Seminar Ilmiah Sistem Informasi dan Teknologi Informasi*, XII(1), 29.
- Riyanto, Benny. Pembangunan Hukum Nasional di Era 4.0. *Jurnal Rechtsvinding Media Pembinaan Hukum Nasional*, Vol 9 No 2 (2020): 163
- Safriani, Andi. (2018), Hakikat Hukum dalam Perspektif Perbandingan Hukum. *Kurisprudentie*, Vol 5 No 2, 19.
- Setiawan, M Nanda. (2021), Mengkritisi Undang-Undang ITE Pasal 27 Ayat (3) dilihat dari Sosio-Politik Hukum Pidana Indonesia. *Datin Law Jurnal*, Vol 2 No 1, 6
- Situmeang, Sehat Maruli Tua. (2022), Politik hukum pidana terhadap kebijakan kriminalisasi dan dekriminialisasi dalam sistem hukum Indonesia. *Res Nullius Law Journal*, Vol 4, No 2, 206
- Utawi, Eva Istia dan Neni Ruhaeni. (2023), Penegakan Hukum Terhadap Tindak Pidana Pornografi Menurut Peraturan Perundang-undangan Tentang Pornografi Melalui Media Sosial. *Bandung Conference Series: Law Studies*, 368
- Udytama, I Wayan Wahyu Wira, Anak Agung Putu Wiwik Sugiantari, dan I Gusti Ngurah Anom, (2021), "Harmonisasi Kearifan Lokal dalam Penyelesaian Perkara Pidana dalam Perspektif RUU KUHP" *Yusthima: Yusthika Mahasaraswati*, Vol 1 No 1, 38

Books

- Arief, Barda Nawawi. (2007). *Masalah Penegakan Hukum dan Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan*. Jakarta: Kencana Prenadamedia Group.
- Arief, Barda Nawawi. (2011). *Kebijakan Hukum Pidana Perkembangan Penyusunan KUHP Baru*. Jakarta: Kencana.
- Oetrus C.K.L. Bello. (2013). *Ideologi Hukum: Refleksi Filsafat atas ideology di balik hukum*. Bogor: Insan Merdeka.
- Sunggono, Bambang. (2012) *Metodologi Penelitian Hukum*. Jakarta: Raja Grafindo Persada.
- Supranto. (2003). *Metode Penelitian hukum dan statistik*. Jakarta: Rineka Cipta.
- Werner Menski. (2008). *Perbandingan Hukum dalam Konteks Global sistem Eropa, Asia, dan Afrika*. Bandung: Nusa Media.

Regulation

- Law No. 1 of 2024 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions.

News or Magazine Articles

- Reuters. (2023, September 24). U.S Congress to Consider Two New Bills on Artificial Intelligence. <https://www.reuters.com/technology/us-congress-consider-two-new-bills-artificial-intelligence-2023-06-08/>



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Savvanah Fortis. (2023 September 24). Chinas's new AI Regulations begin to take effect.
<https://cointelegraph.com/news/china-s-new-ai-regulations-begin-to-take-effect>.

Lavinda. (2023, September 24). Uni Eropa Terbitkan Aturan Penggunaan AI, Ini Daftar Poin Pentingnya. <https://katadata.co.id/lavinda/digital/64a320ba4c2b2/uni-eropa-terbitkan-aturan-penggunaan-ai-ini-daftar-poin-pentingnya>