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International Journal of Scientific and Research Publications, Volume 10, Issue 8, August 2020 17 ISSN 2250-3153 This publication is licensed under Creative Commons Attribution CC BY. <http://dx.doi.org/10.29322/IJSRP.10.08.2020.p10405> www.ijsrp.org Death Penalty from The Perspective of Human Rights in Indonesia Joko Sriwidodo Email address : jokosriwidodo@ymail.com Senior Lecturer in Law at Jayabaya University, Jakarta Kristiawanto Email address: kristiawanto2019@gamilcom. Lecturer in Law at Jayabaya University, Jakarta DOI: 10.29322/IJSRP.10.08.2020.p10405 <http://dx.doi.org/10.29322/IJSRP.10.08.2020.p10405> Abstract- Pros and Cons regarding death penalty from the perspective of human right in Indonesia are still going on. Some argued the death penalty does not violate human rights because the perpetrators have violated the human rights of victims and human rights of the community, while others convinced that the death penalty violates human rights since it revokes the right to life of a person.

This paper aims to review the death penalty from the perspective of Human Rights in Indonesia by applying normative law theory vis a vis current practice. The sources of data were collected from library research, web search and other primary, secondary and tertiary legal materials. The study confirms that death penalty must be seen from the perspective of the Universal Declaration of Human Rights (UDHR), in that there are several articles that do not allow the death penalty. The constitution of the Republic of Indonesia also highlights that every person has the right to live and has the right to defend his life. Thus, capital punishment does not contradict the Indonesian Constitution. Keywords: death penalty; human rights; the Indonesian Constitution; normative law theory. 1. INTRODUCTION Human Rights locally called Hak Azasi Manusia ((HAM) becomes two sexy words that were claimed to be important in the democratic nat