

DAFTAR PUSTAKA

Buku

- Auda, Jasser. *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*. London: The International Institute of Islamic Thought, 2008.
- Auda, Jasser. *Memahami Maqasid Syariah*. Terj. Jakarta: IIIT Indonesia, 2015.
- Asshiddiqie, Jimly. *Konstitusi dan Konstitusionalisme Indonesia*. Jakarta: Konstitusi Press, 2005.
- Asshiddiqie, Jimly. *Pengantar Ilmu Hukum Tata Negara*. Jakarta: Rajawali Pers, 2016.
- Fried, Charles. "Privacy." *Yale Law Journal* 77, no. 3 (1968).
- Friedman, Lawrence M. *The Legal System: A Social Science Perspective*. New York: Russell Sage Foundation, 1975.
- Hadjon, Philipus M. *Perlindungan Hukum bagi Rakyat Indonesia*. Surabaya: Bina Ilmu, 1987.
- Kamali, Muhammad Hashim. *Freedom, Equality and Justice in Islam*. Cambridge: Islamic Texts Society, 2002.
- Kant, Immanuel. *The Metaphysics of Morals*. Trans. Mary Gregor. Cambridge: Cambridge University Press, 1996.
- Kuner, Christopher. *Transborder Data Flows and Data Privacy Law*. Oxford: Oxford University Press, 2013.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana, 2017.
- Nissenbaum, Helen. *Privacy in Context: Technology, Policy, and the Integrity of Social Life*. Stanford: Stanford University Press, 2010.
- Rosadi, Sinta Dewi. *Perlindungan Privasi dan Data Pribadi dalam Era Ekonomi Digital*. Bandung: Refika Aditama, 2020.
- Soekanto, Soerjono. *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: RajaGrafindo Persada, 2014.
- Soekanto, Soerjono. *Pokok-Pokok Sosiologi Hukum*. Jakarta: RajaGrafindo Persada, 2012.

Soekanto, Soerjono dan Sri Mamudji. *Penelitian Hukum Normatif*. Jakarta: RajaGrafindo Persada, 2015.

Solove, Daniel J. *Understanding Privacy*. Cambridge, MA: Harvard University Press, 2008.

Solove, Daniel J. dan Paul M. Schwartz. *Information Privacy Law*. 6th ed. New York: Wolters Kluwer, 2018.

Stahl, Friedrich Julius. *Die Philosophie des Rechts*. Heidelberg: J.C.B. Mohr, 1878.

Svantesson, Dan Jerker B. *Transborder Data Flow and Data Privacy Law*. Oxford: Oxford University Press, 2017.

Jurnal

Acquisti, Alessandro, Laura Brandimarte, dan George Loewenstein. "Privacy and Human Behavior in the Age of Information." *Science* 347, no. 6221 (2015): 509–514.

Bamberger, Kenneth A., dan Deirdre K. Mulligan. "Privacy on the Ground: Driving Corporate Behavior in the United States and Europe." *MIT Press* (2015).

Christakis, Theodore. "Executive Orders and the Fragility of US Privacy Commitments." *European Law Blog* (2023).

Citron, Danielle Keats, dan Daniel J. Solove. "Risk and Anxiety: A Theory of Data-Breach Harms." *Texas Law Review* 96, no. 4 (2018): 737–787.

Compagnucci, Maria Chiara. "The EU–US Data Privacy Framework: Is the Dragon Eating its Own Tail?" *Perspectives in Law, Business and Innovation* (2024): 17–39.

Daskal, Jennifer. "The Un-Territoriality of Data." *Yale Law Journal* 125, no. 2 (2015): 326–398.

Daskal, Jennifer. "Borders and Bits." *Vanderbilt Law Review* 71, no. 1 (2018): 179–235.

De Hert, Paul, dan Serge Gutwirth. "Privacy, Data Protection and Law Enforcement." *Annual Privacy Forum* 2 (2014): 61–74.

Djafar, Wahyudi, dan Ade Wahyudi. "Potensi Fragmentasi Regulasi Perlindungan Data Pribadi di Indonesia." *Jurnal Hukum & Pembangunan* 51, no. 3 (2021): 563–586.

- Gerke, Sara, dan Delaram Rezaeikhonakdar. "Privacy Shield 2.0: A New Trans-Atlantic Data Privacy Framework." *Cardozo Law Review* 45, no. 2 (2023).
- Greenleaf, Graham. "Data Privacy Laws and International Data Flows." *Privacy Laws & Business International Report* 165 (2020): 1–12.
- Greenleaf, Graham. "Global Data Privacy Laws 2023: New Laws and Developments." *Privacy Laws & Business International Report* (2023).
- Hakim, Guswan, Jabalnur, Oheo Kaimuddin Haris, Ruliah, Sukring, dan Muthaharry Mohammad. "Analisis Perbandingan Hukum Mengenai Regulasi Perlindungan Data Pribadi Antara Uni Eropa dan Indonesia." *Halu Oleo Legal Research* 5, no. 2 (2023): 443–453.
- Ilham, Muhammad Ramadhani, Muhammad Said Ridho, Yusuf Afrenoldi Todi, Rifqi Hidayat, dan Mahipal. "Komparasi Hukum Indonesia dan Hukum Islam terhadap Perlindungan Data Pribadi dalam Transaksi Ekonomi Syariah Digital." *Jurnal Media Akademik* 3, no. 4 (2025).
- Jannah, Syikma Riyadlil. "Hifz al-Khususiyah: A Contemporary Fiqh Analysis of Personal Data Theft." *Prosiding Seminar Nasional Fiqh Kontemporer* (2020).
- Kuner, Christopher. "Reality and Illusion in Transatlantic Data Transfer Law after Schrems II." *German Law Journal* 24, no. 5 (2023): 721–734.
- Kuner, Christopher. "Extraterritoriality and Regulation of International Data Transfers." *International Data Privacy Law* 5, no. 4 (2015): 235–245.
- Lesmana, Csa Teddy, dkk. "Urgensi Undang-Undang Perlindungan Data Pribadi dalam Menjamin Keamanan Data Pribadi." *Rechten: Jurnal Ilmiah Hukum* 1, no. 1 (2021).
- Murphy, M. H. "Assessing the Implications of Schrems II for EU–US Data Flow." *International & Comparative Law Quarterly* 71, no. 3 (2022): 706–740.
- Schwartz, Paul M., dan Daniel J. Solove. "The PII Problem." *New York University Law Review* 86 (2011): 1814–1894.
- Solove, Daniel J. "A Taxonomy of Privacy." *University of Pennsylvania Law Review* 154, no. 3 (2006): 477–564.
- Solove, Daniel J. "Privacy Self-Management and the Consent Dilemma." *Harvard Law Review* 126, no. 7 (2013): 1880–1903.

Taddeo, Mariarosaria, et al. “EU–US Data Transfers: An Enduring Challenge for Health Research.” *NPJ Digital Medicine* 7, no. 4 (2024): 1–8.

Warren, Samuel D., dan Louis D. Brandeis. “The Right to Privacy.” *Harvard Law Review* 4, no. 5 (1890): 193–220.

Peraturan Perundang-Undangan

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Undang-Undang Nomor 27 Tahun 2022 tentang Pelindungan Data Pribadi.

Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik sebagaimana diubah dengan Undang-Undang Nomor 1 Tahun 2024.

Peraturan Pemerintah Nomor 71 Tahun 2019 tentang Penyelenggaraan Sistem dan Transaksi Elektronik.

Putusan Mahkamah Konstitusi Republik Indonesia Nomor 151/PUU-XXII/2024.

European Union. *General Data Protection Regulation* (Regulation (EU) 2016/679).

Council of Europe. *Convention 108 on Data Protection*, 1981.

European Court of Justice. *Schrems II* (Case C-311/18), Judgment of 16 July 2020.

United States Congress. *Health Insurance Portability and Accountability Act* of 1996.

United States Congress. *Children’s Online Privacy Protection Act* of 1998.

United States Congress. *Foreign Intelligence Surveillance Act*, Section 702.

Internet

Congressional Research Service. *Data Protection Law: An Overview*. CRS Report R45631, 2019.

European Commission. *Commission Implementing Decision on the EU–US Data Privacy Framework*. 2023.

European Commission. *EU–US Data Privacy Framework*, 2023.

European Data Protection Board. *Opinion 05/2023 on the EU–US Data Privacy Framework*. 2023.

European Data Protection Board. *Recommendations 01/2020 on Measures that Supplement Transfer Tools*. 2020.

European Union Agency for Fundamental Rights. *Handbook on European Data Protection Law*. 2018.

HukumOnline. “Perbedaan Rezim Pelindungan Data Pribadi Amerika Serikat dan Indonesia.” 2025.

Kementerian Koordinator Bidang Perekonomian Republik Indonesia. “Kesepakatan Perdagangan Indonesia–Amerika Serikat Tandai Babak Baru Kerja Sama Ekonomi Komprehensif.” 2025.

Kementerian Perdagangan Republik Indonesia. “Press Briefing on Digital Trade Negotiation with United States.” 2025.

Office of the United States Trade Representative (USTR). “Ambassador Katherine Tai Remarks on Indo-Pacific Digital Trade Strategy.” 2025.

Privacy and Civil Liberties Oversight Board. *Report on the Surveillance Program Operated Pursuant to Section 702 FISA*. 2023.

The Economist. “The World’s Most Valuable Resource Is No Longer Oil, but Data.” 6 May 2017.

The White House. “Joint Statement on Framework for United States–Indonesia Agreement on Reciprocal Trade.” 22 Juli 2025.

UN Office of the High Commissioner for Human Rights. *Human Rights and Digital Technologies*. 2020.

United Nations Conference on Trade and Development (UNCTAD). *Data Protection and Privacy Legislation Worldwide*, 2022.