Journal of Innovative and Creativity
Journal Homepage: https://joecy.org/index.php/joecy
e-mail: journaljoecy@gmail.com

Faculty of Education
University of Pahlawan Tuanku Tambusai
ISSN 2775-771X (Online)
ISSN 2962-570X **(Printed)**
6 (2) 2026, Page 30240-30250

A Juridical Review of Restorative Justice in Assault Criminal Cases at the Investigation Stage: A Case Study of Case No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI

I Wayan Sudartana[1], Kadek Dedy Suryana[2], I Dewa ayu Dwi Yanti[3]
[1,2,3] Faculty of Law, Mahendradatta University, Bali, Indonesia
e-mail: wayansudartana@email.com

ABSTRAK

Penegakan hukum pidana di Indonesia telah lama didominasi oleh pendekatan retributif yang menekankan hukuman, seringkali mengabaikan pemulihan hak-hak korban. Keadilan restoratif muncul sebagai pendekatan alternatif yang berfokus pada penyelesaian konflik melalui musyawarah antara pelaku, korban, dan masyarakat untuk mencapai bentuk keadilan yang lebih humanis. Penelitian ini mengkaji kerangka hukum keadilan restoratif dalam kasus penyerangan di bawah hukum Indonesia dan menganalisis isu-isu normatif yang muncul dari implementasinya pada tahap investigasi, berdasarkan Studi Kasus No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI di Polsek Kuta Utara. Studi ini menggunakan metode penelitian hukum normatif dengan pendekatan hukum dan konseptual. Temuan menunjukkan bahwa keadilan restoratif telah diakomodasi secara formal melalui Peraturan Kepolisian Nasional Indonesia Nomor 8 Tahun 2021, yang memungkinkan penyidik untuk mengakhiri kasus berdasarkan kesepakatan damai. Namun, ketentuan ini menimbulkan ketidakselarasan dengan KUHP (Kitab Hukum Acara Pidana), yang hanya mengakui tiga dasar hukum untuk penghentian kasus, tidak termasuk rekonsiliasi. Lebih jauh lagi, Pasal 351 KUHP Indonesia mengkategorikan penyerangan sebagai tindak pidana umum, artinya proses hukum harus dilanjutkan terlepas dari apakah korban menarik pengaduannya atau tidak. Oleh karena itu, penerapan keadilan restoratif dalam kasus-kasus seperti ini menimbulkan masalah hukum karena potensi penyidik untuk bertindak di luar kewenangannya, menciptakan ambiguitas hukum, dan dapat menyebabkan penyalahgunaan wewenang. Penelitian ini menyimpulkan bahwa reformasi hukum diperlukan untuk menyelaraskan keadilan restoratif dengan prinsip-prinsip legalitas dan sistem hukum pidana nasional, terutama dengan menetapkan dasar hukum yang jelas untuk memastikan penerapannya menjunjung tinggi kepastian hukum dan prinsip kesetaraan di hadapan hukum.

Kata kunci: keadilan restoratif, penyerangan, ketidakselarasan normative

ABSTRACT

Criminal law enforcement in Indonesia has long been dominated by a retributive approach that emphasizes punishment, often overlooking the restoration of victims' rights. Restorative justice emerges as an alternative approach that focuses on resolving conflict through deliberation between the offender, the victim, and the community to achieve a more humanistic form of justice. This research examines the legal framework of restorative justice in assault cases under Indonesian law and analyzes the normative issues arising from its implementation at the investigation stage, based on Case Study No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI at the North Kuta Sector Police. This study uses normative legal research methods with statutory and conceptual approaches. The findings indicate that restorative justice has been formally accommodated through the Indonesian National Police Regulation Number 8 of 2021, which allows investigators to terminate cases based on peace agreements. However, this provision creates disharmony with the Criminal Procedure Code (KUHAP), which only recognizes three legal grounds for case termination, excluding reconciliation. Moreover, Article 351 of the Indonesian Criminal Code (KUHP) categorizes assault as a general offense (delik biasa), meaning the legal process should proceed regardless of whether the victim withdraws their complaint. Therefore, applying restorative justice in such cases raises legal issues due to the potential for investigators to act ultra vires, creates legal ambiguity, and may lead to abuse of authority. This research concludes that legal reform is necessary to harmonize restorative justice with the principles of legality and the national criminal law system, especially by establishing a clear statutory basis to ensure its application upholds legal certainty and the principle of equality before the law.

Keywords: restorative justice, assault, normative disharmony

© The Author(s). 2026 Open Access This article is licensed under a Creative Commons Attribution 4.0 International License, which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a

link to the Creative Commons licence, and indicate if changes were made. The images or other third party material in this article are included in the article's Creative Commons licence, unless indicated otherwise in a credit line to the material. To view a copy of this licence, visit http://creativecommons.org/licenses/by/4.0

INTRODUCTION

Criminal law enforcement in Indonesia is still heavily dominated by a retributive justice paradigm, which primarily focuses on punishing the offender (Adam, 2024; Dermawan & Oli, 2015). This conventional mechanism is frequently criticized for ignoring the recovery of the victim's rights and failing to restore social harmony within the community (Flora, 2018; Setyowati, 2020). As a response to these structural limitations, the concept of restorative justice has emerged as a progressive legal alternative (Arief & Ambarsari, 2018; Maulana & Agusta, 2021). Philosophically rooted in communitarianism and corrective justice principles, restorative justice shifts the focus of the criminal justice system from being purely state-centered to victim-centered, prioritizing open dialogue, mutual accountability, and reconciliation among offenders, victims, and the public (Rahmat, 2024; Sari et al., 2024). In Indonesia, this humanistic approach aligns closely with the constitutional identity of Negara Hukum Pancasila (a state based on the rule of law and Pancasila principles), which seeks to balance formal legal procedures with traditional values of consensus and social welfare (Atqiya et al., 2025; Sugita, 2024). Despite its ideal goals, the implementation of restorative justice within the Indonesian national criminal legal system encounters profound normative dilemmas, particularly during the pre-trial investigation phase managed by the police (Baihaky & Isnawati, 2024; Sihombing & Nuraeni, 2023). Formally, the Indonesian National Police has issued Police Regulation (Peraturan Kepolisian Negara Republik Indonesia) Number 8 of 2021 concerning the Handling of Criminal Offenses Based on Restorative Justice (Prawoko et al., 2024). This operational framework grants investigators the administrative authority to issue a Case Termination Order (Surat Perintah Penghentian Penyidikan or SP3) on the grounds of a peaceful settlement reached between the parties involved (Ulfah et al., 2017). However, this institutional discretion creates a substantial conflict of norms (disharmonisasi norma) with higher-ranking statutory mandates (Nashir et al., 2024; Utami et al., 2024). Article 109 Paragraph (2) of the Indonesian Criminal Procedure Code (Kitab Undang-Undang Hukum Acara Pidana or KUHAP) rigidly restricts the legal grounds for case termination to only three circumstances: insufficient evidence, the event not constituting a criminal offense, or termination by law (Adam, 2024; Prawoko et al., 2024). Because the statutory framework of the KUHAP does not explicitly recognize reconciliation or peace agreements as valid grounds to halt an ongoing investigation, police actions using Perpol No. 8 of 2021 are vulnerable to being legally challenged as ultra vires, meaning acting beyond authorized legal powers (Ulfah et al., 2017). This normative friction becomes even more complicated when applied to ordinary offenses (delik biasa), such as assault criminal cases regulated under Article 351 of the Indonesian Criminal Code (Kitab Undang-Undang Hukum

Pidana or KUHP) (Tanjung & Widjajanti, 2024; Tompodung, 2021). Unlike complaints-based offenses (delik aduan), an ordinary offense legally dictates that criminal proceedings must continue irrespective of whether the victim forgives the perpetrator or withdraws the police report (Tompodung, 2021). A clear example of this problematic implementation occurred at the North Kuta Sector Police (Polsek Kuta Utara), Badung Regency, in Case No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI (Sudartana, 2025). In this specific case, the police investigator facilitated a peaceful settlement and subsequently terminated the assault investigation (Sudartana, 2025). From a legal standpoint, utilizing restorative justice for an ordinary offense without an explicit statutory mandate diminishes the foundational role of the prosecutor as the sole controller of prosecution, known as dominus litis, thereby disrupting the integrated criminal justice system (Sudiadi, 2024). Furthermore, a lack of strict judicial oversight and standardized procedures in sub-statutory restorative mechanisms raises serious risks of abuse of power, transactional settlements, and structural discrimination, which directly threatens the constitutional principle of equality before the law (Monang et al., 2024; Zaini, 2020). To systematically evaluate this problem, this study applies Gustav Radbruch's Theory of Three Fundamental Values of Law, which posits that an ideal legal system must achieve an optimal balance between justice (gerechtigkeit), legal certainty (rechtssicherheit), and social utility (zweckmässigkeit) (Moeliono & Sebastian, 2015; W. Friedman, 1994). According to Radbruch's framework as discussed by Sidharta (2010), while a peace agreement might satisfy substantive justice and social utility for the immediate parties, executing case termination without a clear statutory basis fundamentally violates the principle of legality, thereby destroying legal certainty (Sidharta, 2010). Based on this background, this study adopts a normative juridical research method using a statutory approach and a conceptual approach (Diantha, 2017; Marzuki, 2011) to address two main research questions: 1) What is the current legal framework governing the application of restorative justice in assault criminal cases under prevailing Indonesian laws and regulations? 2) What are the forms and analytical dimensions of the normative issues arising from the application of restorative justice in assault cases, specifically within the investigation stage of Case Study No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI? By addressing these questions, this paper aims to provide critical legal arguments regarding norm conflicts, evaluate the institutional boundaries of police investigators, and formulate legislative recommendations to integrate restorative principles directly into statutory frameworks like the KUHAP, ensuring that the pursuit of humanistic justice does not compromise the certainty of law (Nashir et al., 2024; Wahid, 2022).

RESEARCH METHOD

Through the use of a normative juridical research approach, the author of this study was able to critically evaluate, analyze, and provide a comprehensive legal argument regarding the normative

disharmony and conflicts of norms surrounding the implementation of restorative justice within the Indonesian criminal legal system (Diantha, 2017; Marzuki, 2011). In order to obtain this objective, a qualitative library research method was accepted (Ibrahim, 2012; Soekanto & Mamudji, 2006). The data collection relied heavily on a documentary study technique, which involved searching, studying, and systematically organizing relevant literature into structural categories to address the legal problems (Ibrahim, 2012; Marzuki, 2011). The sample of legal materials used in this research was strictly evaluated according to legal hierarchies and divided into three primary criteria (Diantha, 2017; Soekanto & Mamudji, 2006). The first criteria consisted of primary legal materials, which are authoritative and legally binding documents, including the 1945 Constitution of the Republic of Indonesia, the Indonesian Criminal Code (KUHP), the Indonesian Criminal Procedure Code (KUHAP), Law No. 2 of 2002 concerning the National Police, and the Indonesian National Police Regulation (Perpol) Number 8 of 2021 (Prawoko et al., 2024; Utami et al., 2024). The second criteria included secondary legal materials such as law textbooks, indexed scientific journals, legal opinions from prominent scholars, and specific case portfolios (Diantha, 2017; Marzuki, 2011). The third criteria involved tertiary legal materials like legal dictionaries and academic bulletins which provided directional explanations for the primary and secondary sources (Kansil et al., 2009).

The research applied both statutory and conceptual approaches as its analytical frameworks (Diantha, 2017; Ibrahim, 2012). The statutory approach was utilized to dissect the horizontal and vertical consistency of the regulations, while the conceptual approach moved from legal doctrines and the fundamental values of law to analyze the boundaries of police investigator authority (Marzuki, 2011; Sidharta, 2010). Legal materials were processed using a cyclical process involving data reduction, selection, and systematization to evaluate consistency between norms (Ibrahim, 2012; Soekanto & Mamudji, 2006). Finally, data were analyzed qualitatively by applying descriptive, evaluative, and argumentative reasoning techniques combined with deductive and inductive legal logic, with the primary goal of assessing the juridical validity and institutional boundaries of case termination based on a peace agreement within Case Study No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI (Diantha, 2017; Sudartana, 2025).

RESULT AND DISCUSSION

The investigation and analytical findings of this study unveil that the current legal framework governing the application of restorative justice in assault criminal cases under prevailing Indonesian laws and regulations remains highly fragmented and lacks statutory cohesion (Nashir et al., 2024; Wahid, 2022). Formally, the national criminal justice system has provided an administrative avenue for restorative resolution through the Indonesian National Police Regulation (*Peraturan Kepolisian Negara Republik*

Indonesia) Number 8 of 2021 concerning the Handling of Criminal Offenses Based on Restorative Justice (Prawoko et al., 2024). Under Article 5, Article 12, and Article 13 of this regulation, police investigators are granted the operational mandate to facilitate penal mediation and issue a Case Termination Order (*Surat Perintah Penghentian Penyidikan* or SP3) provided that specific technical parameters are satisfied, such as the offense carrying a penal prescription of less than five years, the perpetrator not being a repeat offender or *residivis*, and a valid written peace agreement being voluntarily executed between the offender and the victim (Baihaky & Isnawati, 2024; Prawoko et al., 2024).

Since an ordinary assault case under Article 351 Paragraph (1) of the Indonesian Criminal Code (*Kitab Undang-Undang Hukum Pidana* or KUHP) carries a maximum imprisonment of two years and eight months, it technically falls within the scope of offenses that can be resolved restoratively under this institutional framework (Tanjung & Widjajanti, 2024; Tompodung, 2021). However, this sub-statutory mechanism creates a severe horizontal conflict of norms (*disharmonisasi norma*) with the primary codification of criminal procedure law in Indonesia (Nashir et al., 2024; Utami et al., 2024). Article 109 Paragraph (2) of the Indonesian Criminal Procedure Code (*Kitab Undang-Undang Hukum Acara Pidana* or KUHAP) rigidly codifies a limitative and exhaustive list of legal grounds upon which an investigation may be lawfully terminated, which is restricted exclusively to insufficient evidence, the event not constituting a criminal offense, or termination by law (*demi hukum*) (Adam, 2024; Ulfah et al., 2017). Because the statutory architecture of the KUHAP does not explicitly recognize reconciliation, victim *pemaafan*, or financial compensation as a valid legal basis to halt public prosecution, any administrative attempt by police investigators to abort an active investigation solely based on an institutional regulation introduces a profound state of legal uncertainty (*rechtsverwarring*) and directly undermines the principle of legality (*nullum crimen nulla poena sine lege*) which stands as the structural bedrock of a constitutional state (*Rechtsstaat*) (Rahman & Fahmanadie, 2021; Zaini, 2020).

The juridical analysis of the empirical reality in Case Study No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI at the North Kuta Sector Police (*Polsek Kuta Utara*), Badung Regency, further validates these deep-seated normative and structural flaws within the implementation of restorative justice (Sudartana, 2025). In this specific matter, the police investigator facilitated a mutual peace agreement between the foreign national suspect, Jose Luis Garcia Castrillo, and the victim, Luna, and subsequently terminated the assault investigation under the umbrella of Perpol No. 8 of 2021 (Sudartana, 2025). From a strict legal standpoint, this law enforcement action triggers severe constitutional and procedural complications because assault under Article 351 of the KUHP is categorically classified as an ordinary offense (*delik biasa*), meaning that the state retains the absolute right and obligation to pursue public prosecution regardless of whether the victim has forgiven the perpetrator or formally withdrawn the initial police report (Tompodung, 2021). By dynamically

terminating the pre-trial process before the case dossier is formally transferred to the public prosecutor, the police investigators have structurally marginalized the primordial role of the prosecutor as the sole controller of criminal prosecution (*dominus litis*) (Sudiadi, 2024). This isolationist institutional practice disrupts the integrated criminal justice system and leads to an unconstitutional concentration of final judicial decision-making power within a single investigative body, thereby violating the democratic principle of checks and balances and due process of law (Monang et al., 2024; Zaini, 2020). Furthermore, because Perpol No. 8 of 2021 contains an unindexed *grey area* that lacks strict, transparent standards for forensic medical assessments, independent judicial review, or third-party mediation oversight, the pre-trial application of restorative justice for ordinary offenses becomes highly subjective and inherently vulnerable to structural abuse of authority or *ultra vires* (Santi et al., 2024; Ulfah et al., 2017).

When evaluated through the lens of Gustav Radbruch's Triad of Fundamental Values of Law, which demands an equitable equilibrium between justice (*gerechtigkeit*), legal certainty (*rechtssicherheit*), and social utility (*zweckmässigkeit*), the resolution of Case No. LP/185/XII/2024 fails to achieve an ideal legal synthesis (Moeliono & Sebastian, 2015; W. Friedman, 1994). Although the achievement of a peace agreement at the North Kuta Sector Police satisfies the element of social utility by lowering the institutional burden of case overcapacity and restoring immediate peace between the individual disputants, it completely obliterates the element of legal certainty by bypassing the formal statutory mandates of the KUHAP (Sidharta, 2010; Sudartana, 2025). Radbruch's framework establishes that while justice is the moral benchmark of positive law, a total disregard for statutory procedures under the guise of discretion strips the legal process of its moral legitimacy and predictable character (Sidharta, 2006; Sidharta, 2010).

More critically, this unstandardized, sub-statutory restorative approach directly threatens the constitutional guarantee of equality before the law as enshrined in the Indonesian constitution (Tanggahma & Muhammad, 2024; Zaini, 2020). If affluent or socially influential perpetrators can seamlessly avoid formal penal accountability by offering rapid material compensation or leveraging institutional relationships during closed police mediation, while socio-economically marginalized offenders are subjected to the full weight of a rigid, retributive trial process for identical offenses, the justice system inadvertently institutionalizes structural discrimination (Monang et al., 2024; Reykasari & Nurwachidiansyah, 2025). True restorative justice must never be reduced to a transactional legal bypass that facilitates impunity for ordinary offenses (Adinda et al., 2024; Baihaky & Isnawati, 2024). Therefore, this analysis concludes that to protect the integrity of the rule of law and ensure humanistic outcomes without destroying legal certainty, the national legislature must urgently execute a comprehensive legislative reform to directly codify the explicit parameters, institutional checks, and prosecutorial

boundaries of restorative justice into higher-ranking statutory laws, specifically through the impending revisions of the KUHAP (Nashir et al., 2024; Sihombing, 2024).

CONCLUSION

Based on the comprehensive juridical findings of this study, it can be concluded that the legal framework governing the application of restorative justice in assault criminal cases in Indonesia still faces critical normative and structural challenges. Although sub-statutory regulations like the Indonesian National Police Regulation Number 8 of 2021 provide an administrative mechanism for police investigators to resolve minor criminal offenses through peace agreements, this framework remains subordinate to higher-ranking statutes and creates a severe horizontal conflict of norms with the primary codification of criminal procedure. The Indonesian Criminal Procedure Code (KUHAP) rigidly codifies a limitative list of valid grounds for terminating an active investigation, which excludes peaceful settlements, reconciliation, or victim pemaafan. Consequently, when applied to ordinary offenses (delik biasa) such as the assault case examined in Case Study No. LP/185/XII/2024/SPKT/SK.KUTA/RES BADUNG/POLDA BALI at the North Kuta Sector Police, the issuance of a Case Termination Order (SP3) solely based on a mutual peace agreement creates a profound state of legal uncertainty and risks being categorized as an ultra vires action that exceeds the legal authority granted to investigators by formal law. Furthermore, by dynamically terminating the pre-trial process without proper integration with the public prosecutor, this isolated law enforcement practice severely marginalizes the prosecutor's primordial role as the sole controller of criminal prosecution (dominus litis). In the long run, an unstandardized and unmonitored sub-statutory restorative mechanism directly threatens the constitutional guarantee of equality before the law, transforming restorative justice into a transactional tool that fosters a culture of impunity for ordinary offenses, compromises the principle of legality, and erodes public trust in the integrity of the national criminal justice system.

To rectify these systemic legal flaws, several structural recommendations must be immediately enacted by the relevant stakeholders. First, the Indonesian Government together with the House of Representatives (DPR) must urgently prioritize comprehensive legislative reform by directly integrating the explicit parameters, procedural frameworks, and institutional boundaries of restorative justice into the formal statutory architecture of the KUHAP and KUHP. This legislative formalization must clearly define the specific types of ordinary offenses that qualify for restorative resolution, establish formal requirements for transparent penal mediation, and institute independent judicial oversight to ensure that restorative justice holds binding statutory legitimacy that does not compromise legal certainty. Second, the Indonesian National Police must significantly enhance the transparency, accountability, and professionalism of its investigative bodies when implementing restorative mechanisms for ordinary offenses. Investigators must ensure that all peace processes are executed strictly on a voluntary basis, free

from social or economic pressures, and backed by objective forensic and psychological assessments. Finally, every restorative settlement executed at the police level must be documented through transparent case disclosures (gelar perkara) and integrated with the public prosecution service to maintain institutional checks and balances, thereby ensuring that the pursuit of humanistic justice ultimately protects the substantive rights of victims and upholds the foundational principles of a constitutional state.

DAFTAR PUSTAKA

Adam, I. (2024). Hukum Acara Pidana: Dari Penyelidikan hingga Eksekusi Putusan. Jakarta: PT. RajaGrafindo Persada - Rajawali Pers.

Adinda, D., Sari, M., Miftahurrahmah, M., Simeulu, A., & Julian, F. (2024). Konsep Restorative Justice Dalam Penyelesaian Kasus Pidana. Jimmi: Jurnal Ilmiah Mahasiswa Multidisiplin, 1(3), 225-239. https://doi.org/10.71153/jimmi.v1i3.136.

Arief, H., & Ambarsari, N. (2018). Penerapan prinsip restorative justice dalam sistem peradilan pidana di Indonesia. Al-Adl: Jurnal Hukum, 10(2), 173-190. http://dx.doi.org/10.31602/al-adl.v10i2.1362

Atqiya, A. N., Nasoha, A. M. M., Tabarok, N., & Rahman, H. W. (2025). Hak-hak Kewarganegaraan dalam Kerangka Negara Hukum: Kajian Teoretis dan Praktis di Indonesia. CENDEKIA: Jurnal Ilmu Sosial, Bahasa dan Pendidikan, 5(1), 45-54.

Baihaky, M. R. A., & Isnawati, M. (2024). Restorative Justice: Pemaknaan, Problematika, dan Penerapan yang Seyogianya. Unes Journal of Swara Justisia, 8(2), 276-289. https://doi.org/10.31933/4mqgaj17

Dermawan, M. K., & Oli, M. I. (2015). Sosiologi Peradilan Pidana. Jakarta: Yayasan Pustaka Obor Indonesia.

Diantha, I. M. P. (2017). Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum (2nd ed.). Jakarta: Prenada Media Group.

Flora, H. S. (2018). Keadilan restoratif sebagai alternatif dalam penyelesaian tindak pidana dan pengaruhnya dalam sistem peradilan pidana di Indonesia. University Of Bengkulu Law Journal, 3(2), 142-158. DOI:10.33369/ubelaj.v3i2.6899

Ibrahim, J. (2012). Teori dan Metodologi Penelitian Hukum Normatif. Malang: Banyumedia.

Kansil, C. S. T., dkk. (2009). Kamus Istilah Hukum. Jakarta: Jala Permata Aksara.

Marzuki, P. M. (2011). Penelitian Hukum. Jakarta: Kencana Prenada Media.

Maulana, I., & Agusta, M. (2021). Konsep Dan Implementasi Restorative Justice Di Indonesia. Datin Law Jurnal, 2(11), 46-70. http://dx.doi.org/10.36355/dlj.v1i1

Moeliono, T. P., & Sebastian, T. (2015). Tendensi Reduksionis dan Utilitarianis dalam Ilmu Hukum Indonesia: Membaca Ulang Filsafat Hukum Gustav Radbruch. Paper presented at Konferensi ke-5 Asosiasi Filsafat Hukum Indonesia.

Monang, I., Panjaitan, P. I., & Sudijarto, T. (2024). Perlindungan Hukum Terhadap Hak-Hak Tersangka Dalam Proses Penyidikan Tindak Pidana Ditinjau Dari Aspek Hak Asasi Manusia. Jurnal Hukum To-ra: Hukum Untuk Mengatur dan Melindungi Masyarakat, 10(Special Issue), 13-30. http://repository.uki.ac.id/17808/

Nashir, M. A., Maharani, N., & Zafira, A. (2024). Urgensi Pembentukan Undang-Undang Restorative Justice Dalam Rangka Reformasi Keadilan Dan Kepastian Hukum Di Indonesia. Sapientia Et Virtus, 9(1), 344-357. https://doi.org/10.37477/sev.v9i1.501

Prawoko, A., Susilowati, N., Musyaffa, M. I., & Nisa, F. A. H. (2024). Proses Penyelidikan, Penyidikan dan Wewenangya Dalam Hukum Acara Pidana. Synergy: Jurnal Ilmiah Multidisiplin, 1(04), 206-216. https://e-journal.naureendigition.com/index.php/sjim/article/view/961/365

Rahman, A., & Fahmanadie, D. (2021). Upaya Paksa Dikaitkan dengan Penetapan Tersangka sebagai Objek Praperadilan dalam Perspektif Kepastian Hukum. Banua Law Review, 3(1), 51-66. https://digilib.ulm.ac.id/archive/digital

Rahmat, I. (2024). Integrasi Etika Moralitas dalam Prinsip Keadilan Restoratif: Integrasi Etika Moralitas dalam Prinsip Keadilan Restoratif. SUA JOURNAL OF LAW, 2(2), 7-18. https://jurnal.uniki.ac.id/index.php/sjl/article/view/479

Reykasari, Y., & Nurwachidiansyah, M. D. (2025). Aspek Keterlibatan Masyarakat pada Sistem Peradilan Pidana Dalam Alternatif Penyelesaian Sengketa. National Multidisciplinary Sciences, 4(3), 77-87. https://doi.org/10.32528/nms.v4i3.749

Santi, F., Nopalina, F., Mahendra, D. A., & Alfian, D. (2024). Peran dokter forensik dalam penegakan hukum: Kontribusi terhadap proses penyidikan and pembuktian pidana. Innovative: Journal Of Social Science Research, 4(1), 11645-11660. https://doi.org/10.31004/innovative.v4i1.9012

Sari, G. N. A., Pramudita, W. S. D., Muhklasin, R. M., Sulistianingsih, D., & Martitah, M. (2024). Tinjauan filosofis keadilan restoratif dalam lensa teori keadilan. Hukum dan Politik dalam Berbagai Perspektif, 3.

Setyowati, D. (2020). Memahami Concept Restorative Justice sebagai Upaya Sistem Peradilan Pidana Menggapai Keadilan. Pandecta Research Law Journal, 15(1), 121-141. https://doi.org/10.15294/pandecta.v15i1.23351.

Sidharta. (2006). Moralitas Profesi Hukum Suatu Tawaran Kerangka Berpikir. Bandung: PT. Refika Aditama.

Sidharta. (2010). Reformasi Peradilan dan Tanggung Jawab Negara. In Bunga Rampai Komisi Yudisial, Putusan Hakim: Antara Keadilan, Kepastian Hukum, dan Kemanfaatan. Jakarta: Komisi Yudisial Republik Indonesia.

Sihombing, L. A. (2024). Restorative Justice, Kejahatan, Hukuman, dan Peradilan Pidana: Sebuah Analisis Kesejarahan, Peluang dan Tantangan. UNES Law Review, 6(3), 8902-8911. https://doi.org/10.31933/unesrev.v6i3.1408.

Sihombing, L. A., & Nuraeni, Y. (2023). Efektifkah Restoratif Justice? Suatu Kajian Upaya Optimalisasi Sistem Peradilan Pidana di Indonesia. Jurnal Hukum Mimbar Justitia, 9(2), 273-304. https://doi.org/10.35194/jhmj.v9i2.3686.

Soekanto, S., & Mamudji, S. (2006). Penelitian Hukum Normatif, Suatu Tinjauan Singkat. Jakarta: Raja Grafindo Persada.

Sudiadi, M. H. (2024). Implementasi Asas Dominus Litis dalam Sistem Peradilan Pidana Modern di Indonesia. Journal of Interdisciplinary Legal Perspectives, 1(1), 1-15. DOI:10.70837/9re7s725

Sugita, I. M. (2024). Tinjauan Yuridis Konsep Negara Hukum dalam Pembentukan Peraturan Perundang-Undangan di Indonesia. Jurnal Hukum Agama Hindu Widya Kerta, 7(2), 105-127. https://doi.org/10.59620/widyakerta.v7i2.158.

Tanggahma, B., & Muhammad, R. N. (2024). Menguak Esensi: Negara Hukum dalam Konstitusi: Sebuah Analisis Mendalam terhadap Perlindungan Hak-hak Warga Negara. UNES Law Review, 6(3), 9456-9468. https://doi.org/10.31933/unesrev.v6i3.1462.

Tanjung, R. A. S., & Widjajanti, E. (2024). Tinjauan Yuridis Terhadap Putusan Kasus Tindak Pidana Penganiayaan (Studi Kasus Putusan Pidana Nomor: 96/Pid. B/PN. CJR). Jurnal Hukum Lex Generalis, 5(2). DOI: 10.25105/amicus.v1i1.19606

Tompodung, H. R. (2021). Kajian Yuridis Tindak Pidana Penganiayaan Yang Mengakibatkan Kematian. Lex Crimen, 10(4). https://ejournal.unsrat.ac.id/v3/index.php/lexcrimen/article/view/34138.

Ulfah, M., Safrina, A., & Susilowati, W. H. (2017). Penghentian Penyidikan: Tinjauan Hukum Administrasi Dan Hukum Acara Pidana. Jurnal Mimbar Hukum, 29(1), 16-30. https://doi.org/10.22146/jmh.16667.

Utami, T. K., Lananda, A., Simbolon, C. C., Rahmah, M. A., Baidhowi, N. R., & Januwati, P. (2024). Pengaruh Teori Perundang-Undangan Terhadap Dinamika Norma Hukum Dalam Sistem Hukum Indonesia. Jurnal Hukum Ius Publicum, 5(2), 264-293. https://doi.org/10.55551/jip.v5i2.102.

W. Friedman. (1994). Legal Theory (M. Arifin, Trans.). Jakarta: Raja Grafindo Persada.

Wahid, A. (2022). Keadilan Restoratif: Upaya Menemukan Keadilan Substantif. Jurnal Ius Constituendum, 7(2), 307-321. https://doi.org/10.26623/jic.v7i2.5641.

Zaini, A. (2020). Negara hukum, democracy, dan ham. Al Qisthas Jurnal Hukum Dan Politik, 11(1), 13-48. https://doi.org/10.37035/alqisthas.v11i1.3312.

Zaini, A. (2020). Negara hukum, democracy, dan ham. Al Qisthas Jurnal Hukum Dan Politik, 11(1), 13-48. https://doi.org/10.37035/alqisthas.v11i1.3312Journal: Jurnal Ilmiah Bidang Sosial, Ekonomi, Budaya dan Pendidikan, 2(1), 97-108.