

Efforts to Stop Prosecutions Based on the Regulation of the Prosecutors of the Republic of Indonesia Number 15 of 2020 Perspective of the Theory of Dignity Justice

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Abstract

The regulation of termination of prosecution based on efforts to stop prosecution based on Perja Number 15 of 2020 is an embodiment of the concept of restorative justice as an effort to peacefully settle criminal cases outside the trial. Termination of prosecution with the condition that compensation to victims is included as a form of restorative justice because the restoration of conditions resulting from criminal acts that occurred is the main focus of case settlement and the result of the second study is an effort to stop prosecution based on Perja Number 15 of 2020 in terms of the perspective of the Dignified Justice Theory that in justice what Pancasila wants is dignified justice. As initiated by Teguh Prasetyo, justice refers to divine values and places humans as creatures of God who have basic rights and obligations that must be upheld. One of them that puts forward a dignified theory of justice is restorative justice in the termination of prosecution as stated in Perja Number 15 of 2020. In the author's opinion, the termination of prosecution with the concept of restorative justice needs to be prioritized considering that a case must also be seen from the side of justice and in this case the Prosecutor's Office can give an example that the prosecution is not carried out unilaterally, but sees it from the other side, namely by using one's conscience.

Keywords

termination of prosecutions;
prosecutor; dignified justice



I. Introduction

The Prosecutor's Office released the Republic of Indonesia Prosecutor's Regulation (Perja) Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice. According to this regulation, the Public Prosecutor (JPU) has the right to stop the process of prosecuting the accused for certain cases, if there is an amicable agreement between the victim and the defendant. The release of the Perja is expected to be encouraging news for people who think that minor criminal cases that are not worthy of proceeding to court. It is said to be inappropriate, because the cost of the case incurred is not proportional to the value of the loss from the crime, especially if there is a desire from the victim to make peace. If it continues, it has the potential to injure the justice of the community. Moreover, this Perja is also expected to overcome the dilemma of over capacity in court cases and overcrowded inmates in correctional institutions.

In addition, related to restorative justice, it has been stated in the Circular Letter of the Chief of Police Number: SE/7/VII/2018 concerning Termination of Investigation, Circular Letter of the Chief of Police Number: SE/8/VII/2018 which regulates the Application of

Restorative Justice in the Settlement of Criminal Cases, Regulations The Head of the State Police of the Republic of Indonesia Number 6 of 2019 concerning Criminal Investigations, Regulation of the State Police of the Republic of Indonesia Number 8 of 2021 concerning the Handling of Crimes Based on Restorative Justice, and in the Application of Restorative Justice in the General Courts Environment contained in the Decree of the Director General of the Judicial Body General Number 1691/DJU/SK/PS.00/12/2020 concerning Guidelines for the Implementation of Restorative Justice in General Courts.

With the Perja No. 15 of 2020 which gives the Prosecutor's authority to stop prosecutions based on restorative justice is a breakthrough in the settlement of criminal acts. Restorative justice (restorative justice) is an approach in resolving criminal acts that are currently being voiced again in various countries. Through a restorative justice approach, victims and perpetrators of criminal acts are expected to achieve peace by prioritizing a win-win solution , and emphasizing that the victim's loss is replaced and the victim forgives the perpetrator of the crime.

II. Review of Literature

In this study, the author will examine the termination of prosecution based on restorative justice using a dignified justice theory analysis knife. In Aristotle's opinion, legal justice is identical with general justice. Justice must be understood in terms of equality. However, Aristotle makes an important distinction between numerical equality and proportional equality. Numerical equality gave birth to the principle that all people are equal before the law. Meanwhile, proportional equality gives birth to the principle of giving each person what is his or her right (Iskandar, 2011).

Related to the theory of dignified justice or can be abbreviated as Dignified Justice Theory (Prasetyo, 2015) which was coined by Teguh Prasetyo describes and especially explains how the existence of law and justice in the Pancasila legal system is. Dignified Justice as a new legal theory serves to explain and justify an applicable legal system, which is different from the western theories that have been referred to so far. The Theory of Dignified Justice explains and justifies a legal system by, among other things, a postulate (Wignjosoebroto, 2013) that the law exists and grows with the soul of the nation or the *Volksgeist* . The theory of Dignified Justice is not anti-theories that have existed and are referred to in explaining the laws that apply in Indonesia. However, Justice with Dignity seeks to set an example for law enforcement, including seeking, and building or constructing or reconstructing laws and explanations of laws from philosophy or philosophy excavated from within Indonesia itself, not having to rely on theories, concepts, or principles. concepts developed in other legal systems (Prasetyo, 2016).

Based on the above background and several cases of termination of prosecution by applying restorative justice, the author is interested in in-depth analysis to see efforts to stop prosecution based on the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 concerning Termination of Prosecution based on Restorative Justice, and see whether it is in accordance with the principles of dignified justice. namely humanizing humans.

The problem is how to arrange the termination of prosecution based on the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 ? And how is the effort to stop prosecution based on the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 in terms of the perspective of the Theory of Dignified Justice?

III. Research Methods

The method used is normative juridical law research, namely research that provides an understanding of the normative problems experienced by dogmatic legal science in its activities of describing legal norms, formulating legal norms (forming statutory regulations), and enforcing legal norms (judicial practice). (Diantha, 2016) In this study, the author will describe or describe in detail, systematically, thoroughly and in depth about the termination of prosecution based on Prosecutor's Regulation Number 15 of 2020 in terms of the perspective of the theory of dignified justice. In analyzing legal issues in this study, the author uses secondary data types with primary, secondary, and tertiary legal materials. The data collection technique used is library research. In this study, the author uses a statute approach. And in the data analysis method, the author uses the nature of qualitative analysis

III. Discussion

4.1 Arrangements for Efforts to Stop Prosecution in Indonesian Positive Law

Discontinuation of Prosecution The public prosecutor in deciding to terminate the prosecution of a case he is handling must be sure that the case should indeed be terminated and must be accompanied by proper reasons. The termination of the case occurs at the pre-prosecution stage, which is the stage between the investigation and pre-prosecution stages (Harahap, 2016).

These stages are an interrelated process between one stage and the next stage carried out by the subject of the implementation of the Criminal Procedure Code. As regulated in Article 13, Article 14 letter h, Article 140 paragraph (2) letter a of the KHUAP which essentially states that "the public prosecutor is the prosecutor who has the authority to carry out prosecutions and close the case for the sake of law or close the case because the incident was not crime by including it in a decree". Article 13 of the Criminal Procedure Code: "A public prosecutor is a prosecutor who is authorized by this law to make a judge's determination". Article 14 letter h of the Criminal Procedure Code: "The public prosecutor has the authority: "to close cases in the interest of law". Article 140 paragraph (2) letter a of the Criminal Procedure Code: "In the event that the public prosecutor decides to stop the prosecution because there is not enough evidence or the incident does not turn out to be a criminal act or the case is closed for the sake of law, include this in a decree".

Based on the Criminal Code, the termination of prosecution can be carried out because the complaint in a criminal offense is dismissed, then if the suspect cannot be prosecuted/tried a second time based on the *ne bis in idem* principle under Article 76 of the Criminal Code. Or if the suspect has died based on article 77 of the Criminal Code or the right to sue has fallen due to expiration (past time / *verjaring* / *lose by limitation*) based on article 78 of the Criminal Code. So the case was discontinued and not continued.

Then in Article 35 letter c of Law Number 16 of 2004 concerning the Prosecutor's Office, it stipulates that one of the duties and authorities of the attorney general is to set aside cases/not carry out prosecutions in the public interest or what is often referred to as the principle of opportunity.

The KUHAP has begun to be drafted as stated in the Draft Criminal Procedure Code (RUU KUHAP) as part of the development of national law.

In Article 1 point 2 of the Draft Criminal Procedure Code, "Prosecution is the action of the Public Prosecutor to determine whether a criminal case can be prosecuted or not, make an indictment, and delegate the criminal case to the competent court with a request that it be examined and decided by a judge in a court session." It is emphasized by Article 42 paragraph (2) of the Draft Criminal Procedure Code which contains, "The public prosecutor

is also authorized for the public interest and/or for certain reasons to stop the prosecution either with conditions or without conditions".

If the provisions of Article 1 number 2 jo. Article 42 of the Draft Criminal Procedure Code is passed, the prosecution system in Indonesia will shift towards opportunity, where prosecution is the right of the public prosecutor, has the right to determine whether a case can be prosecuted or not. This right has been an obligation for the public prosecutor. The provisions in Article 42 of the Draft Criminal Procedure Code also implicitly put forward the principle of *Restorative Justice* (restorative justice). Restorative justice is the settlement of cases out of court with peace between the victim and the suspect, usually with compensation for the victim (Hamzah, 2008).

The provisions in Article 42 of the Draft Criminal Procedure Code concerning the termination of prosecution under certain conditions, one of which is when the loss has been replaced. This is an embodiment of the concept of restorative justice as an effort to peacefully settle criminal cases outside the court. Termination of prosecution with the condition that compensation for victims is included as a form of restorative justice because recovering the circumstances resulting from the crime that occurred is the main focus of resolving cases.

Regarding restorative justice, it was first applied in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System in Article 1 point 6 which states that restorative justice is the settlement of criminal cases involving the perpetrator, victim, family of the perpetrator/victim, and other parties. Related parties to jointly seek a just settlement by emphasizing restoration to its original state, and not retaliation. This is in accordance with Article 5 paragraph (1) of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System which states that the Juvenile Criminal Justice System must prioritize a Restorative Justice approach.

In the SPPA Law, diversion is also applied, which is the transfer of the settlement of children's cases from the criminal justice process to a process outside of criminal justice, which aims to:

1. Achieving peace between victims and children;
2. Resolving child cases outside the judicial process;
3. Preventing children from deprivation of liberty;
4. Encouraging communities to participate; and
5. Instill a sense of responsibility in children.

However, related to the existence of Law Number 11 of 2012 concerning the Juvenile Justice System, it can only be carried out in cases of children. Therefore, with the birth of Perja Number 15 of 2020, it is intended to meet the needs of the community regarding the balance of protection and the interests of victims from criminal acts that have not been achieved when using the conventional justice system because they think the state is too interfering in representing victims. This is considered because so far the perpetrators have not had the opportunity to improve their relationship with the victim, this can be seen as a weakness of the current justice system (Claudia, 2015). This also gives the view that so far it is only a formality of the state's right to punish (*ius puniendi*) and views crime as a problem between the state and the perpetrators of the crime, not between victims and perpetrators.

4.2 Efforts to Discontinue Prosecution in the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice

With the ratification of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice, all cases that meet the requirements must be sought to be terminated based on Restorative Justice. According to Article 1 number 1 Perja 15 of 2020, what is meant by Restorative

Justice is: "The settlement of criminal cases by involving the perpetrators, victims, families of perpetrators/victims, and other related parties to jointly seek a fair solution by emphasizing restoration of restitution, and not retaliation."

So, in fact, the most important condition that must be fulfilled is the condition that the suspect is not a recidivist, because there are exceptions to the second and third conditions, of course with the consideration of the public prosecutor and the approval of the head of the branch of the district attorney's office/head of the district attorney's office.

If the peace effort is accepted, the Public Prosecutor makes a report on the peace effort received to the Head of the District Attorney's Office (Kajari) or the Branch of the Head of the District Attorney's Office to be forwarded to the Head of the High Prosecutor's Office (Kajati). If the peace effort is rejected by the Victim and/or the Suspect, the Public Prosecutor: writes down the non-achievement of the peace effort in the official report; make a memorandum of opinion that the case is transferred to the court by stating the reasons; and submit case files to court.

Then furthermore, the peace process and fulfillment of obligations are carried out within a maximum of 14 (fourteen) days from stage two to reach a written peace agreement before the Public Prosecutor which is also signed by 2 witnesses. And the Public Prosecutor makes minutes of the peace agreement and a memorandum of opinion. If the peace process is not achieved, then the process is the same as the 3 processes if the peace effort failed earlier.

Then furthermore, the minutes of the peace agreement and the memorandum of opinion were reported to the Head of the Branch/Kajari. Then asked for approval from the local Kajati.

In a maximum of 3 days Kajati decides to agree/reject, and if he agrees, a maximum of 2 days to make a Decision Letter on Termination of Prosecution (SKP2). If rejected, the Public Prosecutor will transfer the case file to the court.

After the SKP2 is issued, the Public Prosecutor immediately releases the suspect from detention and a report is made on his release.

Related to this research, the author conducted an interview with Mr. I Gde Eka Haryana as the Head of the Terrorism and Transnational Section under Aspidum at the DKI Jakarta High Prosecutor's Office on November 8, 2021. From the results of the interview it can be concluded that from the restored cases, it can be seen that -Factors that make or actually prevent restorative action. The factor for the occurrence of peace is usually the *first*, the relationship/closeness of the perpetrator and the victim. Usually family relationships such as uncles and nephews, or work relationships such as superiors and employees

Second, it is also often due to the 100% impurity of the perpetrator, that sometimes the victim also has a hand in the beginning of the crime. For example, the case at the Tangerang City District Attorney's Office stopped the prosecution of the case of a child who was abused, but the boy was abused for playing with fire, causing disturbing smoke to reach the suspect's house.

Third, because the losses/consequences caused by the crime are not too large, usually in the form of food/money or minor injuries.

The obstacle factors and obstacles for the Prosecutor in implementing restorative justice are *first*, that the Prosecutor cannot enforce peace, this is because Perja and the Prosecutor are only a door, but the agreement of the victim and the perpetrator is the key to the door. The Prosecutor cannot open the door himself, because the Prosecutor can only mediate regarding the case being handled.

Second, it is still difficult to equate the perception of restorative justice with the common people/victims. This is because there is still a strong culture of revenge in Indonesia. Even though the losses are small, people want the perpetrators to be imprisoned. So the Prosecutor cannot force it even though the Prosecutor feels very

restorative and there are also concerns about the public's misperception that with the existence of this Perja, the public will "make it easy" for criminal acts, feeling relaxed that if they commit a crime they will be "free" easily with this Perja. However, of course it's not like that.

Third, only a few things can be included in the terms of the Perja. Many prosecutors want to restore it, but the conditions are not in accordance with Perja Number 15 of 2020. Moreover, it is related to the condition for losses below Rp. 2,500,000,000.00- (two million five hundred thousand rupiah). Moreover, in Jakarta which incidentally is a big city, the average material loss will be difficult to be below Rp. 2,500,000,000.00- (two million five hundred thousand rupiah). For example, cell phone theft and car damage. Unlike in the interior, the losses may be more on agricultural/plantation products, which are more likely to be below Rp. 2,500,000,000.00- (two million five hundred thousand rupiah) (Interview with Mr. I Gede).

4.3 Efforts to Discontinue Prosecution based on Prosecutor's Regulation Number 15 of 2020 in terms of the Perspective of the Theory of Dignified Justice

The theory of dignified justice was put forward by Teguh Prasetyo. The theory of dignified justice is called dignified because the theory in question is a form of adequate (scientific) understanding and explanation regarding the coherence of legal concepts in the applicable legal rules and principles as well as doctrines which are actually the face, structure or composition of the law. and the content and spirit (*the spirit*) of the society and nation in the legal system based on Pancasila, which is explained by the theory of dignified justice itself.

Dignified justice, is not a type of understanding of justice, but a legal theory that provides guidance on the goals of every legal institution (Karo, 2021). The theory of Dignified Justice departs from the postulate that Pancasila as the *Volksgeist*, or state fundamental norm (*staatsfundamentalnorm*) and legal ideals (*rechtsidee*) are the guiding stars in the formation, application and implementation of law in Indonesia.^[17] Dignified justice is justice that humanizes humans (*nguwongke uwong*) and which becomes ethical (axiological) or the purpose of law in general (Prasetyo, 2021).

Therefore, the formation and enforcement of law in Indonesia must be based on the values contained in the precepts of Pancasila. One of these values is justice as contained in the second precept, namely Just and Civilized Humanity.

This second precept contains several human values, including:

1. Acknowledgment of human dignity and rights with all their rights and obligations;
2. Fair treatment of fellow human beings, oneself, the environment and to God;
3. Humans as civilized and cultured creatures have creativity, taste, intention and belief.^[19]

Thus, the practice of just and civilized humanity includes increasing the dignity of the rights and obligations of citizens, eliminating colonialism, misery and injustice from the face of the earth. In order to fulfill the nature of justice, Bung Hatta, as quoted by Yudi Latif, reminded "what must be perfected in Pancasila is the position of humans as servants of God, who must feel like brothers to each other".

Therefore, the principle of just and civilized humanity is directly under the first precept. This construction emphasizes that the justice desired by Pancasila is justice with dignity, namely justice that refers to divine values and places humans as creatures of God who have basic rights and obligations that must be upheld.

The theory of dignified justice, is the result of the struggle of philosophical thought that is carried out continuously. A search of the sources where this theory was initiated, it is found that the theory of dignified justice is a legal theory that is built on the understanding that exploring the thoughts of legal theories and paradigms put forward by the experts must be

traced and researched from the political background and social conditions of the community where the thinkers are life. So that it can be determined that the paradigm proposed by the thinker is still relevant or not in understanding the law at this time with conditions and social structures that are very different from the social background where the paradigm was proposed by the expert.

Dignified justice is also a legal theory or what is known in English literature with the concept of *legal theory, jurisprudence or philosophy of law* and knowledge of the substantive law of a legal system. The scope of the theory of dignified justice is not only the disclosure of the abstract dimensions of the applicable legal rules and principles. Furthermore, the dignified justice theory also reveals all the legal rules and principles that apply in the legal system, in this case the legal system in question, namely the Indonesian positive legal system; or legal system, based on Pancasila. That is why, Dignified Justice, is referred to as a legal theory based on Pancasila.

When talking about restorative justice as in this study, restorative justice is not equivalent to dignified justice. But restorative justice is one system to realize dignified justice.

Therefore, in order to realize dignified justice, Perja Number 15 of 2020 was formed regarding the termination of prosecution. According to the Attorney General ST Burhanuddin delivering a scientific oration entitled "*Law Based on Conscience, A Law Enforcement Policy Based on Restorative Justice*", stating that every human being has and is able to use his conscience as a gift and a reflection of the nature of God, the Most Compassionate and Merciful. Read More continued, Attorney General ST Burhanuddin said that he did not want prosecutors to carry out arbitrary prosecutions without seeing the sense of justice in society. Justice is not in the *text book*, but is in conscience. Law based on conscience will be able to achieve and realize justice, benefit, and justice. and legal certainty simultaneously without any negation (Burhanuddin, 2021).

Furthermore, law enforcement policies based on restorative justice essentially present legal objectives that provide certainty, justice, and benefit in society. To realize the purpose of the law requires a conscience. Therefore, law enforcement that prioritizes the aspect of conscience, actually has a value of philosophical strength for the academic community to always produce ideas, ideas, and works by always considering human values.

In Perja 15/2020, there are several principles, namely the principle of justice, public interest, criminal as a last resort, fast, simple and low cost. Then, prioritizing legal interests, avoiding retaliation, negative stigma, decency and order. These principles of restorative justice can all achieve the 3 goals of law with conscience without negating one another.

So according to the author, the termination of prosecution using the concept of restorative justice needs to be prioritized considering that a case must also be seen from the side of justice and in this case the Prosecutor's Office can provide an example that the prosecution is not carried out unilaterally, but sees the other side, namely by using the heart. Conscience, this is the principle of dignified justice that must humanize humans in accordance with the principles in the theory of dignified justice put forward by Teguh Prasetyo that in this case to take advantage of the opportunity that God has given him to help others through thinking activities; humanize humans or *nge wong to wong*.

IV. Conclusion

Based on the description of the discussion above, the conclusions are:

1. Termination of Prosecution based on the Regulation of the Prosecutor's Office of the Republic of Indonesia Number 15 of 2020 is the settlement of criminal cases by involving the perpetrator, victim, family of the perpetrator/victim, and other related parties to jointly seek a fair solution by emphasizing restoration back to its original state, and not retaliation. The limitation of a criminal act can be cessation of prosecution for the sake of law and resolved out of court with a restorative justice approach consisting of regarding the person or perpetrator who is the first suspect to commit a crime. Then, there are two conditions regarding the crime. First, the crime committed is only punishable by a fine or punishable by imprisonment of not more than five years. Second, the crime is committed with the value of the evidence or the value of the loss caused by the crime of not more than 2.5 million rupiah. That is, in principle, criminal cases can be closed for the sake of law and the prosecution terminated based on Restorative Justice is limited only to perpetrators who have recently committed and are not recidivist, and only to certain types of minor crimes with exceptions based on Article 5 paragraph (8) Perja No. 15 of 2020. The peace process is carried out by the parties through deliberation to reach consensus without intimidation, without coercion, without pressure, and voluntarily. During the peace process, the role of the Public Prosecutor is as a facilitator, meaning that he has no interest/related to the suspect, the victim, or the case, either personally, professionally, directly or indirectly. The reconciliation process and fulfillment of obligations are carried out within a maximum of 14 (fourteen) days from the handing over of responsibility for the suspect and evidence (phase two) which, if successful and approved, will be issued a Decision Letter on Termination of Prosecution by the Head of the District Prosecutor's Office or the Head of the District Attorney's Office.
2. Efforts to stop prosecutions based on the Republic of Indonesia Prosecutor's Regulation Number 15 of 2020 are reviewed from the perspective of the Theory of Dignified Justice that in justice what Pancasila wants is dignified justice. Dignified Justice is a legal grand theory that works with a system to humanize humans, one of which is restorative justice. As initiated by Teguh Prasetyo, justice refers to divine values and places humans as creatures of God who have basic rights and obligations that must be upheld. One of them that puts forward the theory of dignified justice is restorative justice in the termination of prosecution contained in Perja Number 15 of 2020. In the author's view, termination of prosecution using the concept of restorative justice needs to be prioritized considering that a case must also be seen from the side of justice and in this case The Prosecutor's Office can give an example that the prosecution is not carried out unilaterally, but sees the other side, namely by using conscience.

References

- Angelina, Maria. "The application of Restorative Justice in Traffic Accident Crime Cases is linked to the Attorney General's Regulation No. 15 of 2020 concerning Termination of Prosecution Based on Restorative Justice". *Journal of Legal Studies Proceedings*, February 2021.
- Archipelago Tourism Portal, "Tabalong District Attorney Stops Prosecuting Fraud Cases Based on Restorative Justice," <https://ppa.go.id/kejaksaan-negeri-tabalong-hentikan-penuntutan-case-penipuan-berdasarkan-keadilan-restoratif/> , accessed on September 11, 2021.

- Attorney General ST Burhanuddin, in a Scientific Oration at the Open Senate Session of Inauguration of Non-Permanent Professors in Criminal Law at Jenderal Sudirman University, Friday, September 10, 2021.
- Circular Letter of the Chief of Police Number: SE/8/VII/2018 concerning the Application of Restorative Justice in the Settlement of Criminal Cases.
- Claudia, Nefa. "Restorative Justice Approach : An Effort To Involve Victims And Perpetrators Directly In The Settlement Of Criminal Cases ". *Ventas et Justicia*, Vol. 1 Number 1 of 2015.
- Decree of the Director General of the General Judiciary Agency Number 1691/DJU/SK/PS.00/12/2020 concerning Guidelines for the Implementation of Restorative Justice in the General Courts.
- Detik, "Case of Child Persecuted for Playing with Fire in Tangerang is Stopped", <https://news.detik.com/berita/d-5561950/case-bocah-dipersecuted-gara-gara-main-api-di-tangerang- discontinued> , accessed on September 11, 2021.
- Diantha, I Made Pasek. *Normative Legal Research Methodology in Justifying Legal Theory*. Jakarta: Prenada Media Group, 2016.
- Hamza, Andi. "Development of Indonesian Criminal Law ". (Paper presented in the Seminar on the Effect of Globalization on Criminal Law and Criminology in the face of Transnational Crime) . Hosted: By ASPEHUPIKI at Hotel Savoy Homann, Bandung 17 March 2008.
- Hamzah, A. *Indonesian Criminal Procedure Law*. Jakarta: Sinar Graphic, 2015.
- Interview with Mr. I Gde Eka Haryana as the Head of the Terrorism and Transnational Section under Aspikum at the DKI Jakarta High Prosecutor's Office on November 8, 2021.
- Karo karo, Rizky PP, Vanessa Ciayadi Kwang, Abraham Ethan, Brandon Hartanto. "Efforts to Prevent Discrimination of Workers Post-Covid-19 Treatment From the Perspective of Dignified Justice Theory". *Journal of the Study of the National Resilience Institute of the Republic of Indonesia* . Volume 8 Number 3, 2021.
- Kusumaatmadja, Mochtar. "Consolidating the ideals of law and the principles of national law in the present and in the future", in the *National Law Magazine*, Number 1 . Jakarta: National Legal Development Agency, Ministry of Justice, 1995. Strategic Plan (Restra) for 2019-2023.
- Pangaribuan, Luhut. *MP Criminal Procedure Law Advocate's Official Letter at the Pretrial Court, Exception, Pledoi, Duplication, Memory of Appeal, Cassation and Review*. Jakarta: Papas Sinar Sinanti, 2004.
- Please, M. Yahya. *Discussion and Problems and Implementation of the Criminal Procedure Code (Investigation and Prosecution)*. Jakarta: Sinar Graphic, 2016.
- Prasetyo, Dessy Iskandar and Bernard L. Tanya. *Ethics & Power Law*. Yogyakarta: Genta Publishing, 2011.
- Prasetyo, Teguh and Abdul Halim Barkatullah. *Philosophy, Theory and Law, Thoughts towards a Just and Dignified Society*. Jakarta: Rajagrafindo Persada, 2012.
- Prasetyo, Teguh and Rizky Pratama Putra Karo-Karo. *Criminal Procedure Law Reorientation of Thought Theory of Dignified Justice*. Yogyakarta: K-Media, 2021.
- Prasetyo, Teguh. "Mining Crimes in the Perspective of Dignified Justice". *Perspective*, Volume XXI Number 1 January 2016 Edition.
- Prasetyo, Teguh. *Dignified Justice Perspective of Legal Theory*, First Printing. Bandung: Nusa Media, 2015.
- Regulation of the Head of the State Police of the Republic of Indonesia Number 6 of 2019, (Regarding Criminal Investigation. State Gazette of the Republic of Indonesia). Year 2019 Number 1134.

Regulation of the State Police of the Republic of Indonesia Number 8 of 2021, (Regarding the Handling of Crimes Based on Restorative Justice). State Gazette of the Republic of Indonesia of 2021 Number 947.

Wignjosebroto, Soetandyo. Paradigm Shift in Social and Legal Studies , Revised Edition, First Printing. Malang: Equivalent Press, 2013.