

## Restoration of Victims' Rights in the Perspective of Law and Development

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### ABSTRACT

Crime as a classical problem has always accompanied human life. Crime gives rise to victims who suffer physical, mental, and/or economic losses as a result of criminal acts. The global shift in the criminal justice process – from a retributive to a restorative approach – indicates a significant development. Therefore, a study is needed to examine how the restoration of victims' rights can be viewed from the perspective of law and development. The purpose of this research is to address this issue. This study employs a normative juridical method using a library research approach. The findings reveal that crime continues to develop significantly, requiring criminal law to adapt and accommodate these changes by reforming existing mechanisms within the criminal justice system. The evolution of criminal justice processes that now recognize and guarantee victims' rights to recovery represents an absolute and mandatory obligation. Furthermore, the restoration of victims' rights should be implemented automatically, without requiring a formal request to the state to provide protection for every victim. This automatic recognition constitutes the novelty of this research.

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### INTRODUCTION

In a criminal act, there are two dualistic conditions originating from different sides but interconnected. The relationship between cause and effect can be analyzed through the principle of causality, which functions to determine the objective connection between human actions and the legally undesired consequences. Although the Indonesian Penal Code (KUHP) does not explicitly regulate how to determine such causal relationships, several articles indicate that in certain offenses, an effect must exist as the cause (*causa*) of a particular result or consequence (Nizar & Amiruddin, 2019). This principle explains that a criminal act will result in harm to both specific interests and the public interest. A criminal act, therefore, creates a dual condition – one concerning the offender and the other concerning the victim.

Initially, Indonesia's criminal justice system did not pay significant attention to the interests of crime victims. The entire process of criminal law enforcement focused primarily on holding the perpetrator accountable. This is reflected in the adage of Indonesian criminal procedure law, in *dubio pro reo*, meaning that when a judge is in doubt when deciding a case, such doubt must be

interpreted in favor of the defendant (Nugroho, 2021). As a result, many rights of crime victims remain unfulfilled, creating injustice for victims or their families who suffer physical, psychological, and material losses.

Victims, either individually or collectively, are those who have suffered harm—physical, mental, emotional, economic, or substantial impairment of their fundamental rights—through acts or omissions that violate the criminal law of a state, including the abuse of power (Hakim, 2020). Crime victims endure suffering that violates fundamental human rights. They suffer both physically and mentally due to the actions of others seeking personal or collective interests contrary to human rights (Bawole, 2021).

According to Stanciu, as cited by Teguh Prasetyo, victims in a broad sense are those who suffer as a result of injustice. Stanciu highlights two essential attributes of victims of crime—suffering and injustice. The emergence of victims cannot simply be viewed as a consequence of illegal acts; rather, the law itself may generate injustice, thus producing victims, including those affected by legal procedures (Saputra & Nugraha, 2022). Since the issue of crime victims concerns human beings, legal protection should encompass all rights granted to every legal subject under existing laws and regulations.

Legal protection for crime victims aims to ensure the fulfillment of victims' rights as part of the enforcement of human rights. One form of such protection is the provision of restitution. Article 1(11) of Law No. 31 of 2014, amending Law No. 13 of 2006 on the Protection of Witnesses and Victims, defines restitution as compensation given by the offender or a third party to the victim or their family. The purpose of this compensation is to restore or reduce the harm suffered by the victim as a result of the criminal act (Kaban et al., 2023).

The position of crime victims in the Indonesian Penal Code (KUHP) has not yet been explicitly formulated in terms of legal protection. The Code also lacks provisions specifying forms of restitution that could greatly benefit victims or their families. Restitution should be granted to accommodate the rights of crime victims whose freedom and independence—both physical and non-physical—have been violated, often resulting in economic loss.

The transformation of criminal law through the fulfillment of victims' rights represents an essential step in addressing public concerns that punishment alone does not necessarily deliver justice or benefit to victims. In essence, victims should be the ones to receive recovery for the rights taken from them by offenders. The implementation of restitution as a means of fulfilling victims' rights reflects the principle of equality before the law, as guaranteed in the 1945 Constitution of the Republic of Indonesia and other relevant legislation (Alwaton et al., 2022).

Law serves as an instrument to regulate and maintain order. As an instrument, it continuously evolves with the progress of civilization. As Roscoe Pound stated, law as a tool of social engineering means that law functions as an instrument of social change. Thus, law not only responds to societal evolution but also acts as a driving force for transformation, including in the process of criminal law enforcement.

The study of victims and the fulfillment of their rights, as pursued by the state, reflects the implementation of criminal law as public law closely linked to the restoration of crime victims. The state, as the holder of sovereignty, exercises its role through legal institutions. Therefore, efforts to protect the rights of crime victims must be implemented through mechanisms grounded in law and development.

Based on the above explanation, to measure the essence of protecting victims' rights from the perspective of law and development, it is necessary to conduct a study examining the Restoration of Victims' Rights in the Perspective of Law and Development. The purpose of this study is to answer the central issues discussed within this research.

## METHOD

This research employs a descriptive-analytical approach. The data in this study may take the form of legal subjects, legal conditions, legal issues, or other legal phenomena. The discussion presents several juridical data and factual cases that actually occurred, which are then analyzed using legal theories, legal principles, and applicable laws and regulations. This study adopts a normative-empirical (juridical-sociological) approach, viewing law not only as a set of normative rules but also as a social instrument that should bring benefits to society—and vice versa. The research combines normative and empirical juridical methods, meaning it relies on both primary and secondary legal materials while integrating documentary study with field research, including interviews with informants or resource persons (Deassy J. A. Hehanussa, 2023). Data collection techniques were carried out by collaborating library research—involving written documents—with field research, which included gathering primary data from research objects through interviews with respondents and informants (Muhaimin, 2020). The study is further supported by secondary legal materials, including books, scholarly articles, and legal journals.

## RESULTS AND DISCUSSION

### **Restoring the Rights of Crime Victims from a Legal and Development Perspective**

#### **Benjamin Mendelson's Theory of Victimology in Restoring the Rights of Crime Victims**

Victimology originates from two Ancient Greek words: *victima*, meaning “victim,” and *logos*, meaning “science” or “study.” Thus, victimology is the science that studies crime victims (Fisher, 2016). Victimology theory focuses on crime victims, including their characteristics, the process of victimization, and the role victims may play in the occurrence of crimes. Several key theories in victimology suggest, for instance, that victims may contribute to triggering crimes, and the lifestyle theory, which examines how a person’s way of life influences their risk of becoming a victim. Stephen Schafer categorized victims into seven types based on their level of responsibility: unrelated victims (those who have no connection to the offender), provocative victims (those who provoke the crime), participating victims (those who unconsciously encourage the crime), biologically weak victims (those who are vulnerable due to physical conditions, such as children or the elderly), socially weak victims (those marginalized due to social factors), self-victimizing victims (those who voluntarily place themselves in dangerous situations), and false victims (those who are actually the offenders) (Schafer, 1977). In addition, this theory explores the socioeconomic characteristics of victims, their psychological and social impacts, and the legal protections afforded to them within the criminal justice system. This theoretical framework is crucial for examining the position of victims in the national penal system and for advocating for victims’ rights and protection (Schafer, 1965). Victimology thus studies victims as a central component in understanding and addressing crime, employing various approaches that analyze victims in terms of responsibility, characteristics, and mechanisms of social and legal protection.

#### **The Theory of Law and Development by Mochtar Kusumaatmadja**

The Theory of Development Law proposed by Mochtar Kusumaatmadja emphasizes the role of law as an instrument of social reform and as a regulatory tool for development. In this theory, law does not merely serve a conservative function of maintaining social order but must also act as an instrument capable of guiding change and development in a structured and systematic manner. There are two core dimensions of this theory: first, that order and stability are essential prerequisites for development; and second, that law, as a set of rules, must function as a means to direct human activities in accordance with developmental goals.

Mochtar Kusumaatmadja further explained that law should be viewed as social engineering, meaning a tool to regulate and guide social change within society so that development can proceed smoothly and fairly. Therefore, development law must be accompanied by the establishment of a national legal system through legal reform that is neutral in terms of culture and religion, as well as through legal education that enhances the technical and professional competencies of legal practitioners and experts.

In the Indonesian context, the Theory of Development Law is highly relevant to a nation that adheres to a dominant positive law system and faces complex developmental dynamics. Mochtar also acknowledged the sociological dimension of law, in which judges and lawmakers must consider the social values that live within society as part of the legal development process. This theory perceives law as an active instrument in social and national development that must balance order and change while integrating technical and cultural aspects to contribute optimally to national progress.

Mochtar later reflected on the nature and function of law, arguing that law is one form of social norm, but not the only one governing human life in society (Aulia, 2019). Besides law, social life is also regulated by moral, religious, ethical, customary, and etiquette norms. However, there is a fundamental difference between law and other social norms – namely, that legal provisions have a coercive nature that can be systematically enforced. This coercion aims to ensure order and compliance with the law in accordance with established rules, both in form, procedure, and implementation. Therefore, law requires power as a means of enforcement. This is why Mochtar regarded power as an essential element in a legal society – one that is organized and governed on the basis of law.

### **Forms of Victims' Rights Restoration in the Perspective of Law and Development**

The restoration of victims' rights in the perspective of law and development reflects efforts to balance retributive justice and restorative justice within the criminal justice system. The restoration of victims' rights is not merely understood as compensation for losses suffered but also as a means to restore the victim's dignity, worth, and overall well-being. Within the legal framework, this restoration is realized through several mechanisms: restitution, compensation, and rehabilitation. Restitution is provided by the offender to the victim as reimbursement for losses resulting from a criminal act, while compensation is the state's responsibility when the offender is unable to fulfill the restitution obligation (Safari & Hakim, 2023). Rehabilitation, on the other hand, involves the recovery of the victim's physical, psychological, and social condition so that they can resume a decent and dignified life.

From the perspective of victimology, victim restoration is not merely a moral or charitable act but a legal right inherent to victims due to the imbalance of power between offender and victim in a crime (Mahendra, 2022). Victimology emphasizes that crime victims suffer the most – physically, psychologically, and socially – therefore, the state has an obligation to provide protection and recovery. Forms of restoration include restitution (compensation provided by the offender), compensation (payment by the state when the offender cannot pay), and rehabilitation (restoration of the victim's psychological, social, and legal condition).

Through this approach, victim recovery becomes part of a human-dignity-oriented legal development, where law upholds not only retributive justice but also restorative justice. By ensuring that victims receive proper recovery, the legal system contributes to the creation of a harmonious social order and strengthens the legitimacy of the rule of law. Thus, the application of victimological principles within the framework of legal development reflects an effort to shift the paradigm from offender-oriented justice to victim-centered justice, where the welfare and restoration of the victim become the central focus of legal objectives.

From the perspective of legal development, as proposed by Mochtar Kusumaatmadja, law functions as a means of social reform. This implies that the restoration of victims' rights is not only aimed at formal case resolution but is also part of the broader process of social development that upholds values of justice and humanity. Through this approach, law is viewed as an instrument for creating a balance among legal certainty, utility, and justice. The implementation of victims' rights restoration also represents the state's responsibility to establish a legal system that is responsive to societal needs—particularly to those who have suffered from crime. Therefore, institutions such as the Witness and Victim Protection Agency (LPSK) play a strategic role in ensuring the fulfillment of victims' rights through fair and transparent mechanisms of restitution and compensation, in line with the objectives of national legal development focused on human protection and empowerment (Judicial Power Element, 2024).

In the perspective of law and development, the restoration of victims' rights constitutes a crucial element in realizing social justice that is oriented toward human welfare. This principle aligns with the paradigm stated in the Preamble of the 1945 Constitution of the Republic of Indonesia, which affirms the state's obligation to protect the entire Indonesian nation and all of its people. This philosophical foundation of the Indonesian state illustrates that amid the progress of human civilization and the rapid pace of national development—shaped by global influences—the protection of fundamental civil rights must remain a priority. These include the right to life, the right to be free from oppression, the right to determine one's own well-being, the right to be free from acts that degrade human dignity, and other essential human rights.

Law, therefore, should not be confined to a positivistic function aimed solely at punishing offenders, but must also be humanistic, serving as an instrument to restore the rights of victims who have suffered harm. The philosophical basis for protecting the rights of crime victims lies in the effort to realize a sense of justice, which is the essence of the law itself. This protection also reflects Indonesia's commitment as a state governed by law and as a manifestation of the national goal to protect the entire nation and all Indonesian people (Taqiuddin, 2021). Hence, the state bears a constitutional responsibility to protect all its citizens, including victims of crime. In a civilized society, law enforcement must always be grounded in legal norms that uphold justice and are oriented toward national development under the rule of law.

According to Andi Hamzah, criminal law functions not only to punish but also to rehabilitate and reform offenders so that they can once again become useful members of society (Hamzah, 2019). Thus, criminal law exists to preserve peace and order in national life. Strengthening the provision of restitution for crime victims can be achieved through criminal law reform policies as part of national legal development efforts.

The essence of Indonesia's national development is to achieve the holistic development of the Indonesian people and society as a whole—aiming to create a just, prosperous, and equitable society in both material and spiritual aspects, based on Pancasila and the 1945 Constitution. One of the key components of national development is in the field of law, known as National Law Reform.

National Law Reform is an integral part of the overall national development agenda, encompassing criminal, civil, and administrative law. The realization of a just national legal system is a central aspiration. A just law must be built upon philosophical, sociological, and juridical foundations, rather than being driven by particular interests, so that it can be applied effectively and reflect the values embraced by society (Santoso, 2021).

This reform includes both substantive (material) and procedural (formal) aspects of the law. In constructing the framework of a national legal system, it is essential to ensure that all legal formation and legislation processes are grounded in the ethics, morals, and spirit embedded in Indonesia's national ideology—Pancasila—and the 1945 Constitution (Afifah Firdaus & Indra Yugha Koswara, 2024). Furthermore, national law reform must continuously adapt to the demands

of modernization and legal transformation, ensuring that Indonesia's legal system remains dynamic, relevant, and responsive to societal change.

Law has always lagged behind the advancement of human civilization, as expressed in the Dutch legal adage "Het recht hinkt achter de feiten aan," which roughly means that the law hobbles behind the facts, or that law runs breathlessly to catch up with the development of human civilization (society) (Aprita, 2021). Therefore, the presence of national legal reform must be able to accommodate the social changes occurring within society. Law can function both as a means of social control and as an instrument of social change, as stated by Roscoe Pound in his theory that law is a tool of social engineering (Tuhumury, 2023).

Law plays a strategic role in social life – not only as a set of rules regulating behavior but also as a tool of social engineering, a tool of social control, and a means of creating order and structuring social systems. Beyond these functions, law is also regarded as an instrument for realizing social justice, both materially and spiritually, and as a driving force in national development. From this perspective, law should not be static or rigid; rather, it must be dynamic, responsive to social and cultural conditions in the society where it operates. Law is expected to become integrated into the collective consciousness of the people, so that compliance with the law arises not merely from coercion but from an internalized sense of legal awareness among citizens.

According to Barda Nawawi Arief, criminal law reform cannot be focused solely on the aspect of written substance or legislation but must also accommodate the living values within society (Arief, 2005). He emphasizes that the essence of criminal law reform lies in the reorientation and reconstruction of criminal law to ensure harmony with the social, political, philosophical, and cultural values of Indonesian society. These values serve as the foundation for the country's social policy, criminal policy, and law enforcement policy.

Meanwhile, Satjipto Rahardjo explains that the process of law enforcement does not end at the stage of implementation but also includes the process of law formation or legislation (Rahardjo, 1980). The mindset and paradigm of lawmakers greatly influence the direction and character of future law enforcement. Thus, law should not be perceived merely as a normative product, but also as a dynamic social process that continuously evolves alongside societal development.

This line of thought aligns with Mochtar Kusumaatmadja's Theory of Development Law, which asserts that law must serve as an instrument of social reform, guiding society toward a more just and civilized order. Accordingly, the restoration of victims' rights becomes an integral part of legal development, emphasizing the balance between legal certainty, justice, and utility.

In the Indonesian context, the restoration of victims' rights within the framework of law and development encompasses several key aspects, including restitution, compensation, rehabilitation, and civil lawsuits based on unlawful acts (*perbuatan melawan hukum* or PMH) (Sari, 2020). The purpose of such restoration is to return the victim's condition to the greatest extent possible – both materially and non-materially.

Restitution refers to the reimbursement of losses suffered by the victim, such as loss of property, income, medical and psychological treatment costs, and funeral expenses in cases where the victim has died. Restitution can be filed through the Witness and Victim Protection Agency (LPSK) either before or after a court verdict becomes final (*inkracht*), and once granted, it carries executory legal power to enforce payment from the convicted offender.

In Indonesian criminal law, the restitution mechanism functions as a legal form of victim rights restoration, allowing victims or their families to receive compensation from the offender or a third party. Restitution may cover various losses, including property loss, medical expenses, psychological harm, rehabilitation costs, and other damages arising from the criminal act. This approach reinforces the concept that justice must not only punish offenders but also restore victims' dignity and well-being as part of a comprehensive, human-centered legal development strategy.

The restitution process is regulated under several legal instruments, including Law No. 31 of 2014 on the Protection of Witnesses and Victims, Articles 98–101 of the Criminal Procedure Code (KUHP), and Supreme Court Regulation No. 1 of 2022. Victims or their legal representatives may submit a written request for restitution to the court handling the criminal case. The application may also be submitted through the Witness and Victim Protection Agency (LPSK), investigators, or public prosecutors.

Once the request is filed, the judge examines and considers the evidence and the extent of the victim's losses during the trial. Restitution requests may be submitted before or after the court's decision has permanent legal force. If approved, restitution is granted as part of the court's ruling and can be legally enforced. However, if restitution is not fulfilled by the perpetrator, the victim still has the right to file a civil lawsuit as a means to restore their rights. This mechanism serves as a form of legal protection for victims within the criminal justice system and reflects the principle of restorative justice, aiming to restore the victim's condition as fully as possible after suffering losses due to a criminal act.

Restitution differs from compensation, which is provided by the state when the convicted person is unable to pay damages, serving as a form of guarantee for victim protection within the justice system (Mulyadi et al., 2024). Rehabilitation, on the other hand, aims to restore the psychological and social condition of victims so they can resume normal functioning within society.

A civil lawsuit based on Article 1365 of the Indonesian Civil Code (KUHPerdata) may be filed if the victim does not receive restitution or compensation in the criminal process, as an alternative means to obtain their rights through civil channels. This legal action serves as an alternative for victims to claim their rights under the principle that every unlawful act causing harm must be compensated by the party responsible for the damage. Thus, the civil lawsuit mechanism functions as an additional legal instrument within the justice system to ensure fairness and protection for crime victims (Kaban et al., 2023).

The restoration of victims' rights is also viewed from a developmental perspective as an essential part of creating a just judicial system and promoting social stability. Therefore, it is necessary to simplify legal procedures, strengthen the role of the LPSK, enhance legal education for the public, and foster synergy among judicial institutions to ensure that victims' rights are fulfilled effectively and comprehensively.

## CONCLUSION

The restoration of victims' rights represents a concrete manifestation of a legal paradigm oriented toward substantive justice, rather than merely the punishment of offenders. From the perspective of law and development, the effort to restore victims' rights is not solely the responsibility of law enforcement agencies but also an integral part of national legal development that upholds justice, utility, and legal certainty. Law functions as a social instrument (law as a tool of social engineering) that must be able to respond to victims' needs through policies of restitution, compensation, and rehabilitation. Such restoration aligns with the objectives of national development, which place human beings as the central subject, where citizens' welfare and sense of security serve as key indicators of successful legal development. However, the implementation of victims' rights restoration in Indonesia still faces several challenges, including weak derivative regulations, limited enforcement mechanisms for restitution, and inadequate coordination among institutions such as the courts, the prosecution, and the Witness and Victim Protection Agency (LPSK). Therefore, systemic legal reform is needed through the strengthening of legal norms, institutional capacity, and legal culture that prioritizes victims' interests. The restoration of victims' rights within the framework of law and development must be understood as a multidimensional process, encompassing not only legal aspects but also social, economic, and moral dimensions, in

order to achieve a humanistic, adaptive, and sustainable legal system. The government should improve legislation related to restitution and compensation to ensure effective executorial power and establish clear mechanisms for implementation. Greater coordination and synergy among institutions are also essential in handling victims' rights, including the provision of special recovery funds through the national budget. In addition, legal education and public awareness campaigns should emphasize the importance of victim protection so that society develops a strong and participatory legal consciousness in supporting the recovery process. Efforts to restore victims' rights should involve interdisciplinary approaches, including psychology, economics, and social sciences, to ensure that recovery is not merely formal or legalistic but also substantive and sustainable.

#### REFERENSI

- Afifah Firdaus, & Indra Yugha Koswara. (2024). Pembaharuan Hukum Pidana di Indonesia: Analisis Tentang Pidana Pengawasan dan Asas Keseimbangan. *Lex Renaissance*, 9(1), 1–22. <https://doi.org/10.20885/jlr.vol9.iss1.art1>
- Alwaton, I., Waliden, S., & Maulida, S. F. (2022). Tinjauan Asas Equality Before the Law terhadap Penegakan Hukum di Indonesia. *Verfassung: Jurnal Hukum Tata Negara*, 1(2), 123–142. <https://doi.org/10.30762/vjhtn.v1i2.186>
- Aprita, S. (2021). *Sosiologi Hukum*. Prenadarnedia Grup.
- Arief, B. N. (2005). *Pembaharuan Hukum Pidana (Dalam Perspektif Kajian Perbandingan)*. Citra Aditya.
- Aulia, M. Z. (2019). Hukum Pembangunan dari Mochtar Kusuma-atmadja: Mengarahkan Pembangunan atau Mengabdikan pada Pembangunan? *Undang: Jurnal Hukum*, 1(2), 363–392. <https://doi.org/10.22437/ujh.1.2.363-392>
- Bawole, H. (2021). Perlindungan Hukum Bagi Korban dalam Sistem Peradilan Pidana. *Lex Et Societatis*, 3(3), 16–24. <https://ejournal.unsrat.ac.id/index.php/lexetsocietatis/article/view/36433/33905>
- Deassy J.A. Hehanussa, M. G. et. a. (2023). Metode Penelitian Hukum. In E. Jaelani (Ed.), *Jurnal Widina Bhakti Persada* (Vol. 4, Issue 3). Widina Bhakti Persada Bandung. <https://medium.com/@arifwicaksanaa/pengertian-use-case-a7e576e1b6bf%0Ahttps://doi.org/10.1016/j.biteb.2021.100642>
- Fisher, B. (2016). *Introduction to victimology: contemporary theory, research, and practice*. Oxford University Press. <https://archive.org/details/introductiontovi0000fish>
- Hakim, L. (2020). Analisis Ketidak Efektifan Prosedur Penyelesaian Hak Restitusi Bagi Korban Tindak Pidana Perdagangan Manusia ( Trafficking ). *Jurnal Kajian Ilmiah (JKI)*, 20(1), 43–58. <https://ejournal.ubharajaya.ac.id/index.php/JKI/article/download/69/62/194>
- Hamzah, A. (2019). *Hukum Pidana Indonesia*. Sinar Grafika.
- Kaban, B., Mulyadi, M., & Mansar, A. (2023). Ganti Rugi Sebagai Upaya Perlindungan Hak Korban Kejahatan Perspektif Politik Hukum Pidana. *Jurnal Ilmiah Advokasi*, 11(1), 76–92. <https://doi.org/10.36987/jiad.v11i1.3698>
- Mahendra, Y. (2022). *Kriminologi dan Viktimologi dalam Hukum Pidana*. Slideshare. <https://www.slideshare.net/slideshow/4-kriminologi-dan-viktimologi/252490835>
- Muhaimin. (2020). *Metode Penelitian Hukum*. Mataram University Press.
- Mulyadi, M., Rosmalinda, & et.al. (2024). *Restitusi: Hak Mutlak Bagi Korban Tindak Pidana*. USU Press.
- Nizar, Muhammad; Amiruddin, et. al. (2019). AJARAN KAUSALITAS DALAM PENEGAKAN HUKUM PIDANA ( Studi Putusan Mahkamah Agung Nomor 498 K / PID / 2016 ). *Jurnal Education and Development Institut Pendidikan Tapanuli Selatan*, 7(1), 185–196.
- Nugroho, T. (2021). Penerapan Asas in Dubio Pro Reo Pada Putusan Mahkamah Agung Republik Indonesia Dalam Perkara Pidana. *Repertorium Jurnal Ilmiah Hukum Kenotariatan*, 10(1), 86–98.

<https://doi.org/10.28946/rpt.v10i1.1189>

Rahardjo, S. (1980). *Hukum dan Masyarakat dan Pembangunan*. Alumni.

Safari, B. A., & Hakim, F. (2023). Hak Restitusi Sebagai Perlindungan Terhadap Korban. *Jurnal Ilmu Hukum Prima*, 6(1), 120–129.

<https://jurnal.unprimdn.ac.id/index.php/IHP/article/download/3227/2425>

Santoso, B. (2021). *Legal Reform*. UNPAM Press.

Saputra, T., & Nugraha, Y. A. (2022). Pemenuhan Hak Restitusi : Upaya Pemulihan Korban Tindak Pidana. *Krtha Bhayangkara*, 16(1), 65–80. <https://ejurnal.ubharajaya.ac.id/index.php/KRTHA>

Sari, I. (2020). Perbuatan Melawan Hukum (Pmh) Dalam Hukum Pidana Dan Hukum Perdata. *Jurnal Ilmiah Hukum Dirgantara*, 11(1), 53–70. <https://doi.org/10.35968/jh.v11i1.651>

Schafer, S. (1965). Restitution to Victimes of Crime--An Old Correctional Aim Modernized. *Minnesota Law Review*. <https://scholarship.law.umn.edu/mlr>

Schafer, S. (1977). *Victimology: the Victims and his Criminal*. Reston, Va. : Reston Pub. Co.

Taqiuddin, H. U. (2021). Gagasan UUD 1945 Sebagai Konstitusi Politik, Konstitusi Ekonomi, dan Konstitusi Sosial. *Econetica*, Vol. 3 No.(November), 38–54. <https://unu-ntb.ejournal.id/econetica/article/view/163/109>

Tuhumury, C. (2023). Law as a Supreme System and Social Control Tool. *International Journal of Multicultural and Multireligious Understanding*, 10(6), 424. <https://doi.org/10.18415/ijmmu.v10i6.4797>

Unsur Kekuasaan Kehakiman. (2024). *Focus Group Discussion (FGD) DRTPM Tentang Pemberian Restitusi Pada Korban Tindak Pidana, Kamis 15 Agustus*.