

Law Enforcement Through The Restorative Justice Approach Reviewed From The Perspective Of Human Rights

Henny Saida Flora¹
{hennysaida@yahoo.com¹}

Faculty of Law Catholic University of St. Thomas North Sumatra, Indonesia¹

Abstract. Law enforcement through restorative justice communities is given the opportunity to handle their own legal problems that are perceived to be fairer and the burden of the state in some cases is reduced. Implementation of restorative justice in the perspective of national legal system can be accepted if implemented based on Pancasila state philosophy, guarantee justice and legal protection against human rights. To ensure that there is a diversity in its implementation, a norm or norm to legitimize that all actions taken in the implementation of restorative justice are not considered illegal. Restorative justice offers the concept of an informal settlement that merely puts forward the formalistic legalistic side but can be done through mediation between perpetrators and victims, reparations, and victim awareness work conferences, in addition the existing criminal justice system is considered no longer able to provide protection against human rights and transparency of the increasingly undesirable public interest and the fact that many societies prefer to settle criminal cases that they experience outside the system through restorative justice.

Keywords: Law Enforcement, Restorative Justice, Human Right.

1 Introduction

Restorative justice is a form that centers on the needs of victims, perpetrators of crime, and society. In contrast to the decisive retributive law for perpetrators of crime, to restructure and restore victims, perpetrators, and society. This is caused by every crime, the victim is the first as a result of a crime. Hereafter referred to as the party responsible for the actions that have been given to be responsible for its actions. The psychologically responsible of his dignity as a person is restored. Society also must be restored, because they also destroy life in society.

Justice is recuperating to a certain understanding of evil. According to understanding is the act of destroying the order of the universe derived from divine law. This is called the law. The evil one must be penetrated by the act of purifying himself by the perpetrator of evil. This is called punishment. By contrasting such a crime, then explain to the contrary to the offender.

The focus of restorative justice rests on the recovery and reconciliation of victims, perpetrators, and communities. To achieve this goal, the reconciliation process pursued by restorative justice involves all parties, victims, victims' families, communities and perpetrators. In contrast to the judicial process involving only judicial officers such as judges, prosecutors and perpetrators of crimes and their defenders, restorative justice involves all

parties involved in crime: victims, perpetrators and the public. Restorative justice minimizes the role of government.

Restorative justice is not concerned with the actions that have been committed by evil, but compensation to be paid to restore the damage suffered by the victims and the community. In determining this level is also done by victims and the community. No punishment by the perpetrator of the crime will heal the victims' wounds and damage the community but the compensation negotiated together in the deliberations involving the perpetrators, victims and the community will restore and reconcile all parties.

The principles of restorative justice are based on the view that human life in society is relational. Any action relating to other acts beforehand then a crime perpetrated by a perpetrator is not solely the responsibility of the perpetrator himself. The crime is related to the social condition of the community and the condition of the victim. Suppose someone stole money. The act of stealing the money is not solely the responsibility of the perpetrator. The act of stealing may be driven by social injustice in society, so the thief is caught in poverty and then steals. It could also steal the action was driven by the wealth of the victim who abounded very stimulate the thief's desire to steal money. In other words the thief may be a victim of social situations in society. This view does not say that the offender is innocent. The perpetrator of the crime is guilty. But in accounting for such action he is not alone. Responding to wrong actions is not only to punish the perpetrator, but to be viewed from a wider perspective. So settle a crime must be done by involving three parties, namely victims, perpetrators of crime, and society. Therefore all that has to be done is restoring (restoration) not parties ie victims, perpetrators of crime, and society. The recovery of the three parties can occur in deliberations and dialogue involving the three parties.

2 Literature Review

2.1 General Principles of Restorative Justice

Some of the universally applicable principles inherent in restorative justice in law enforcement include the following:

- a. The principle of a fair settlement (Due Process) In any criminal justice system throughout the country, the suspect is always given the right to know in advance about certain procedural safeguards when faced with prosecution or punishment. The due process should be regarded as a form protection to provide a balance for state power to hold, prosecute, and carry out the punishment of a sentence. Among the internationally recognized identified protections and included as a due process idea are the right to presumption of innocence and the right to a fair trial as well as the right to legal advisory assistance. In the process of restorative settlement, formal boundaries are always granted to the suspect at any time, both during and after the restorative process so that the suspect's right gets a fair trial and remains awake. However, if the suspect is required to obtain his right and choose to participate in a restorative process then the suspect should be informed of the implications of his decision to choose restorative intervention, whereas in the case of a verdict of completion through restorative the offender can not fulfill the decision because it is considered to reduce the rights or burden the suspect too , then to the perpetrator given additional protection the suspect may be allowed to appeal any treaty reached in the restorative process on grounds of innocence. In the implementation

of the mechanism of the process of restorative approach requires the desire to continue to provide protection for suspects associated with due process. However, because in the process of restoration it requires guilty pleas first, it raises the question of the extent to which informed consent and the release of voluntary rights can be used as the beginning of a just settlement. The basic concept of settlement through a restorative approach that requires the recognition of guilt for the offender is a requirement for a way out of the continuation of the recovery process and simultaneously as a signal that the offender must be responsible for his actions because a guilty plea is another form of responsibility.

- b. **Equal Protection** In the process of settling criminal acts through restorative justice must arise from a process of mutual understanding of the meaning and purpose of justice regardless of race, sex, religion, national origin and other social status. There is doubt about the ability of the restorative approach system to solve a problem and provide a sense of justice among different participants because one party may have advantages, economic, intellectual, political or even physical strengths, so that there will be an inequality between the parties participate in a restorative process. This restorative approach has the potential to provide equal protection on an international scale because the concept of restorative justice provides a framework that provides conceptual consistency for international standards and norms in criminal justice. The social injustices that always exist in society affect the judicial system and give indications that inequality will remain in a restorative system. However Braithwaite believes that restorative justice has the potential to cope with these problems because the community is involved.
- c. **The Rights of the Victim** In solving a problem through a restorative approach, the rights of the victim need attention because the victim is an interested party who should have a (legal) position in the settlement process. In the criminal justice system it is generally assumed that the victim does not receive equal protection from the authority of the criminal justice system, so that the essential interests of the victims are often neglected and if only there is merely the fulfillment of the administrative system or the management of the criminal justice.
- d. **Proportionality** The idea of fairness in a restitutive system is based on a consensus of consent which provides an alternative choice in solving the problem. While the notion of proportionality is related to the scope of equality of sanctions of suffering that must be imposed on offenders. In criminal justice, in general, proportionality is considered to have been fulfilled when it has fulfilled a feeling of retributive justice (the balance of reciprocity between punish and reward). Whereas in a restorative approach may impose unequal sanctions against offenders who commit the same offense. Some victims may just want a simple apology while other victims may expect full restoration of the offender.
- e. **Presumption of Not Guilty** In criminal justice in general the state has a burden of proof to prove the suspect's fault. Since and until the burden of proof is done, the suspect should be considered innocent. Unlike the case in the restorative process that requires a guilty plea is a condition to be continued the cycle of settlement. In restorative proceedings, the suspect's right to presumption of innocence may be compromised in that the suspect has the right to terminate the restorative process and refuse to acknowledge that he or she is guilty and subsequently choose the formal process option where the error must be proved or the suspect may have the right to appeal to court and all agreements agreed in the restorative process are declared to have no binding power. Advocates or legal counsel

shall be provided at all times to inform the suspect of the implications of participation in the restorative process should not be a formal admission of guilt and that statements made in the process must be unacceptable in a formal court hearing.

- f. Right of Assistance Consultancy or Legal Advisor In the restorative process advocates or legal counsel have a very strategic role to build the ability of offenders in protecting their rights assistance of legal counsel. In all stages of the informal process a restorative suspect may be informed through the assistance of a legal advisor on his / her rights and obligations which may be used as consideration in making a decision. Nevertheless once a suspect chooses to participate in a restorative process he should act and speak on his own behalf. Their positions allowing lawyers to represent participants at all stages during the restorative process will destroy the many benefits expected of encounters such as direct communication and proactive collective feelings and decision making. Lawyers can also be very helpful in advising their clients about the most likely outcomes that are earned and should be expected.

2.2 Historical, Philosophical and Sociological Basis of Implementation of Restorative Justice in Settlement of Criminal Cases

One of the content material in the Criminal Code which is in the spotlight of various parties and the need for immediate renewal is the punishment system. The punishment system in the Criminal Code is still focused on the prosecution of the perpetrators of crimes, not paying attention to the recovery of the losses and the suffering of victims who are lost due to the crime. this is explicitly illustrated by the types of punishment provided for in Article 10 of the Criminal Code.

The system of indulgence contained in Article 10 of the Criminal Code is essentially still retain the retributive paradigm of giving appropriate retribution for crimes perpetrated by the perpetrator. Retributive paradigm with the aim to provide deterrent effect so that the perpetrator does not repeat the crime again and prevent or prevent the previty effect of the community from committing the crime. The use of retributive paradigm has not been able to recover the loss and suffering experienced by the victim. Although the perpetrator has been found guilty and sentenced but the condition of the victim can not return as before.

With these weaknesses came the idea of a punishment system oriented to the recovery of victims' losses and suffering, known as the restorative justice approach. Because the victim is the most disadvantaged party due to crime. Restorative justice accommodates the interests of the parties, including victims as victims are involved in the determination of sanctions for perpetrators. Restorative justice returns conflict to the most affected parties (victims, perpetrators and their communities) and gives priority to their interests. Restorative justice seeks to restore victim's security, personal respect, dignity and more importantly a sense of control. By embracing the restorative justice paradigm it is expected that the harm and suffering experienced by the victim and his family can be recovered and the burden of guilt of the criminals can be reduced because they have received forgiveness from the victim or his family.

In essence, law enforcement and law enforcement agencies are highly likely to be involved in the settlement of cases by using restorative justice approaches, especially if this process is already part of the formal criminal justice system.

The characteristics of customary law in each region generally support the application of restorative justice. relating to customary offenses or customary offenses, and their resolution mechanisms, customary law has its own views. The notion of adat violation is related to the

condition of imbalance of the cosmos in society. This includes acts that interfere with the peace of life or violation of propriety in society. Violations in the concept of customary law are:

- a. An action event from the parties in the community
- b. The action creates a balance disorder
- c. This balance disorder creates a reaction and
- d. The reactions that arise make the re-maintenance of disturbance of balance to the original state

According to Soerjono Soekanto, in the practice of everyday life it is difficult to separate the customary reactions and correction, which are often regarded as the stages that follow each other. Theoretically, the reaction is a behavior immediately to a certain behavior which is then followed by an attempt to improve the situation, ie a correction that may be a form of negative sanction. Customary reactions are a behavior for to give a certain classification to certain behaviors, while correction is an attempt to restore the balance between the birth and the occult world.

Sociologically the application of restorative justice in the punishment system also has a strong foundation, as many cases of crime are brought to court, but it is felt by the public is not in accordance with the values of community justice. This can be seen in the case of the theft of watermelons worth thirty thousand rupiah, the case of the theft of three cocoa beans worth thirty thousand dollars, and the case of cutting bamboo trees. The various cases are of concern to the public who generally assume that prosecution of these cases to the court is inappropriate and incompatible with the values of justice that live and thrive in society.

When looking at the case, the community considered the prosecution of the case considered to override the value of justice in the community, and is considered inversely proportional to the case of the corrupt who until now has not been completed, so there is the impression that there is discrimination in law enforcement process.

In addition, sociologically in some areas also still practice the values of restorative justice derived from customary law ever applied in Indonesia. For example the Kuntara Munawa Book which is often called the Book of Religion is still used as a reference in the application of customary law in Bali. The community also still maintains the deliberative institutions as a means of finding solutions to any problems that occur in each community group. This suggests that the implementation of restorative justice in Indonesia's penal system has a strong sociological foundation.

From a philosophical point of view, the necessity of applying the restorative justice approach in Indonesian punishment system can be seen from the philosophical values contained in the restorative justice paradigm itself. When viewed from the definition, conception and principle of restorative justice paradigm there are at least three philosophical values contained therein, namely the recovery of victims' losses and forgiveness of the perpetrators, rebuilding harmonious relationships between the victim and his community on the one hand with the perpetrators in the other side, so that there will be no resentment in the future and the settlement of disputes that benefit the parties, whether perpetrators, victims, or the community (win-win solution). These values are in essence in line with the values that growing and develop in people's lives in almost all areas of Indonesia.

According to Hazairin, as stated by Soerjono Soekanto, people's lives in almost all parts of Indonesia have communal characteristics, where mutual cooperation, please help, has a big role. With this characteristic, the people in Indonesia, trying to create harmony in social systems and community life. Therefore, efforts to resolve disputes that occur in social life are

always strived to maintain peace. This is in line with what was stated by Hazairin, that the cases in the field of law are solved primarily with the aim of maintaining peace. This shows that philosophically the application of the restorative justice paradigm in the punishment system is in accordance with the values that live and thrive in a society inherited from the ancestors of the Indonesian nation.

2.3 Relevance Restorative Justice With Human Rights, Religious Law and Community Culture Restorative justice approach has correlation and relevance to human rights.

Because restorative justice guarantees the freedom of parties to fight for their interests. In addition, the principles of restorative justice also ensure that the settlement process is done without any discrimination. This is clearly in line with the principles of human rights as set out in Article 1 of the Universal Declaration of Human Rights (UDHR). The basic conception of human rights is the recognition that all human beings are born free and equal in their respects and dignity. The provision expressly states that every human being has freedom and has the same rights and dignity without any discrimination.

Other human rights principles that are in line with the restorative justice paradigm include:

- a. Right to trial in a reasonable or reasonable time. This is stated in Article 9 paragraph (3) of ICCPR. Furthermore, in Article 14 paragraph (3) letter c of the ICCPR, it is stated that a person accused of a crime is entitled to a minimum guarantee, one of which is the right to be tried without undue delay. This right is in line with the principles of rapid, simple, light contest justice adopted in the Indonesian legal system as regulated in Article 2 paragraph (4) of Law Number 48 Year 2009 on Judicial Power and General Explanation Item 3 letter e of KUHP. The principle of fast, simple and lightweight justice is one of the efforts to provide protection to the dignity of human dignity and human dignity of Indonesia. When viewed from the various provisions of the restorative justice approach is in accordance with the principle of fast, simple and lightweight. Because using the restorative justice approach to settling criminal cases that occur in the community can be done quickly, simply, and the cost of light. This suggests that the approach of restorative justice is in line with human rights principles.
- b. The right to personal, family, honor, dignity, and property protection, and the right to private property which shall not be exploited arbitrarily by any person. The right to personal, family, honor, dignity and property protection is regulated in Article 28 G Paragraph (1) of the 1945 Constitution. Meanwhile, the right to private property which shall not be arbitrarily taken over by any person is provided for in Article 28 H paragraph 4) of the 1945 Constitution. Both rights are in line with the principles of restorative justice, because the principle of restorative justice seeks to recover victims' losses through the payment of indemnification from the perpetrator. This is a manifestation of the protection of property and private property. In addition, the restorative justice approach also emphasizes to the parties to maintain confidentiality when in the process there are matters relating to the dignity and dignity of the parties.
- c. The right to a sense of security and protection from the threat of fear to do or not to do which is a human right is contained in Article 28G Paragraph (1) of the 1945 Constitution. This is also in line with the principles of restorative justice. because one of the principles of restorative justice is a sense of security for the parties in the implementation of the

process of restorative justice. d. The right to special convenience and treatment to achieve equality and justice, and the right to be free from discrimination on any basis and the right to protection from discriminatory treatment. The right to special facilities and privileges to achieve equality and justice is provided in Article 28H Paragraph (2) of the 1945 Constitution. While the right to be free from discrimination on any basis and the right to protection from discriminatory treatment is provided in Article 28I Paragraph (2) of the Constitution 1945. These rights are also in line with the principles of restorative justice, one of which is the principle of non-discrimination. For in restorative justice approaches there is also a need to pay attention to parties with special conditions, such as women, elderly, children and disabled people given special treatment in order to have the same position with other parties in negotiating.

In line with the principles of human rights, the restorative justice approach is essentially also in line with religious law. According to Marwan Effendy, since Jesus or Jesus has spread the New Testament (Gospel) and the presence of Islam has introduced the principles of restorative justice, each of which is the principle of "Love" and *Diyat* (Pardon and Compensation) in *Qisas* law, The Gospel of Matthew 5:39 states: "Do not fight against anyone to do evil to you, but whoever slaps your right cheek, give him your left cheek too". Meanwhile, in the Qur'an Surat al-Baqarah verse 178 more firmly, namely the provision of capital punishment for the kill, but if the family forgives the punishment is replaced with the payment of fines. This is still true in countries that apply Islamic law to criminal acts. Furthermore, when viewed from the culture of society, the cultural essence of Indonesian society is still influenced by custom law values that want the realization of peace and harmony in public life.

One of the culture of society which is still to be implemented is the institution of deliberation in the process of dispute settlement. Indonesian society has long known the functionalization of deliberative institutions as part of the mechanism chosen to resolve the criminal case. Deliberation either organized by the perpetrators and the victims themselves or by involving the village apparatus or through customary institutions shows the mindset of the community in seeing an emerging problem. Problem solving including problems related to criminal offenses through deliberative institutions is a mindset summarized in restorative justice that provides an opportunity for the parties to deliver improvement efforts in order to create a harmonious relationship in the future.

In various principles and models of restorative justice approach the process of dialogue between the perpetrator and the victim is the basic moral and the most important part of the application of justice. The direct dialogue between the perpetrator and the victim makes the victim able to express what he feels, raising the hope for the fulfillment of the rights and wishes of a criminal settlement. through the process of dialogue the offender is also expected to inspire his heart to self-correct, realize his mistake and accept responsibility as a consequence of the crime he committed with full awareness. From this process of dialogue also the community can participate in participating in realizing the outcome of the agreement and monitor its implementation. This shows that the culture of Indonesian society also strongly supports the application of restorative justice.

2.4 Legal Aspect of Restorative Justice Implementation in the Settlement of Criminal Cases Outside the Court In Indonesia

There is no provision that explicitly stipulates the application of restorative justice in the criminal justice system, except in Law No. 11 of 2012 on the Criminal Justice System, but in

the practice of justice in Indonesia Indonesia, especially on the investigation level (police), restorative justice has been widely applied in cases of domestic violence, and other cases that are classified as minor crimes. In some rules of the legislation in it contained spirit of restorative justice, there are some provisions of the legislation that contains the spirit of restorative justice is as follows:

1. The Criminal Code (Penal Code). The provisions in the Criminal Code containing restorative justice spirit are contained in Article 82 of the Criminal Code. The provision of Article 82 of the Criminal Code is the basis for the abolition of the right of prosecution for the public prosecutor. The article states that the right to prosecute for a violation that is only punishable by a fine, is no longer valid if the maximum fine has been paid, and if the case has already been submitted to the prosecution then the payment shall be accompanied by the cost of the case.
2. Criminal Procedure Code (KUHAP). In the Criminal Procedure Code, provisions in which contain the spirit of restorative justice are contained in Article 98 of the Criminal Procedure Code (KUHAP) on compensation claims for criminal acts that harm the other party. The indemnification demands are based on the idea that if a criminal act is causing harm to another person, the person may file a claim for damages to the offender. the indemnification claim can be filed simultaneously with a criminal case hearing (criminal case), before the prosecutor read out his claim.
3. Law of the Republic of Indonesia Number 11 Year 2011 on Child Criminal Justice System. Law Number 11 Year 2012 is the single most obvious legislation in implementing the settlement of criminal cases through restorative justice approach. The a quo law regulates the mechanism for settling criminal cases of off-court children in the presence of provisions concerning the diversified legal institutions. According to Article 1 point 7 of Law Number 11 Year 2012, "Diversi is the transfer of the settlement of child cases from the criminal justice process to proceedings outside the criminal justice". Furthermore, in Article 5 paragraph (1) of Law Number 11 Year 2012 it is stated explicitly that the criminal justice system of children shall prioritize the settlement of criminal cases involving perpetrators, victims, families of perpetrators / victims, and other related parties to jointly seeking a fair settlement by emphasizing restoration back to its original state rather than retaliation.
4. Law Number 32 Year 2009 on Environmental Protection and Management. Law Number 32 Year 2009 is essentially an administrative legislation, but it also provides for criminal provisions. Within the a quo law there is also a dispute resolution mechanism using the restorative justice approach. Article 84 paragraph (3) stipulates that the mechanism of dispute resolution through the courts can only be pursued if the dispute resolution efforts outside the selected court are declared unlawful by one or the parties to the dispute. This suggests that the dispute resolution mechanism through the judiciary is a last resort (*ultimum remedium*).
5. Law of the Republic of Indonesia Number 21 Year 2007 concerning the Eradication of Crime of Trafficking in Persons. Law Number 21 Year 2007 regulates the rights of victims of trafficking in persons or human trafficking, one of which is the right to restitution and rehabilitation. According to Article 2 paragraph 13 and 14 of the Act a quo restitution is a compensation payment charged to the perpetrator based on a court decision with permanent legal force for material and / or immaterial damages suffered by

the victim or his heir. Meanwhile rehabilitation is the recovery of disturbances to the physical, psychological, and social conditions in order to carry out its roles properly both in the family and in the community.

6. Law of the Republic of Indonesia Number 13 Year 2006 concerning the Protection of Witnesses and Victims. Restorative justice values contained in Law Number 13 of 2006 are reflected in Article 7 of the a quo Law stating that victims through the sacred and victim protection institutions (LPSK) are entitled to bring to justice in the form of the right to compensation in cases of human rights violations severe human rights and the right to restitution or compensation that is the responsibility of the offender.
7. Law of the Republic of Indonesia Number 11 Year 2006 concerning Aceh Government. In Law Number 11 Year 2006, there is no provision that expressly contains restorative justice values. However, aquo legislation provides a strong foundation for the regulations below which contain restorative justice values especially in the presence of regulatory provisions on gampong customary courts or peace courts.
8. Law of the Republic of Indonesia Number 26 Year 2000 regarding Human Rights Court. Restorative justice values in Law Number 26 Year 2000 can be seen in Chapter VI on Compensation, Restitution and Rehabilitation. The chapter consists of one article, namely Article 35. Based on the provisions of Article 35 of Law Number 26 Year 2000 any serious victims of human rights violations and / or their heirs may receive compensation, restitution and rehabilitation. Such compensation, restitution and rehabilitation are included in the Decision of the Human Rights Court. Compensation, restitution and rehabilitation are further regulated by government regulations. In this case is the government regulation No. 44 of 2008.
9. Law of the Republic of Indonesia Number 31 Year 1999 regarding Corruption Eradication as amended by Law of the Republic of Indonesia Number 20 Year 2001 regarding Amendment to Law of the Republic of Indonesia Number 31 Year 1999. The spirit of restorative justice in Law Number 31 of 1999 as amended by Law Number 20 Year 2001 is contained in Article 18 paragraph (1) letter b which regulates the additional penalty for the payment of replacement money. The existence of the above provisions in essence indicates that lawmakers also want perpetrators of corruption to participate in recovering the financial losses suffered by the state.
10. Law of the Republic of Indonesia Number 8 Year 1999 regarding Consumer Protection. In Law No. 8 of 1999 the values of restorative justice are reflected in the provisions of Article 63 letter c which regulates the penalty for the payment of compensation (restitution). According to the provisions of the aforementioned section, the criminal payment of compensation is categorized as one of the additional types of criminal along with other additional types of criminal sanctions.

In the present society is paying serious attention to law enforcement especially the judicial process. Therefore, people especially crime victims always highlight the judicial system in their country, as also happened in Indonesia. The judiciary is not only related to trials, court decisions, justice and legal certainty, but more broadly including crime prevention efforts.

3 Conclusion

1. The focus of restorative justice concerns restoration and reconciliation of victims, perpetrators, and communities. To achieve this objective, the process of reconciliation by restorative justice is to involve all parties, ie victims, victims' families, communities and perpetrators of crime. in contrast to the judicial process involving only judicial officers such as judges and prosecutors as well as perpetrators of crimes and their defenders, restorative justice involves all parties involved in crime, victims, perpetrators and the public. Restorative justice minimizes the role of government
2. Restorative justice does not emphasize the punishment that the perpetrator must commit, but the compensation to recover from the victims and the community. In determining the magnitude of this compensation also conducted a joint discussion involving victims and the community. The punishment no matter how big the perpetrator does will heal the wounds of the victim and the destruction of society. But compensations are negotiated together in deliberations involving perpetrators, victims, communities or recovering and reconciling all parties.

References

- [1]. Bambang Waluyo, 2016, *Penegakan Hukum di Indonesia*, Sinar Grafika, Jakarta
- [2]. Eriyantouw Wahid, 2010, *Keadilan Restoratif dan Peradilan Konvensional Dalam Hukum Pidana*, Universitas Trisakti, Jakarta
- [3]. Jonlar Purba, 2017, *Penegakan Hukum Terhadap Tindak Pidana Bermotif Ringan Dengan Restoratif Justice*, Jala Permata Aksara, Jakarta
- [4]. Natangsa Surbakti, 2015, *Peradilan Restoratif Dalam Bingkai Empiri Teori Dan Kebijakan*, Genta Publishing, Yogyakarta.
- [5]. Rufinus Hotmaulana Hutaeruk, 2015, *Penanggulangan Kejahatan Korporasi Melalui Pendekatan Restoratif Suatu Terobosan Hukum*, Sinar Grafika, Jakarta.
- [6]. Yoachim Agus Tridiatmo, 2015, *Keadilan Restoratif*, Cahaya Atma Yogyakarta,