

APPLICATION OF THE PRINCIPLE OF EQUALITY BEFORE THE LAW IN THE CASE AMMAR ZONI'S NARCOTICS CRIME

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Abstract

This study aims to analyze the regulation and implementation of the principle of equality before the law within the Indonesian legal system, particularly in the enforcement of narcotics crime involving Ammar Zoni based on the Decision of the Central Jakarta District Court Number 632/Pid.Sus/2025/PN.Jkt.Pst. The principle of equality before the law is a fundamental concept in a rule of law state, which affirms that every individual has equal standing before the law without any form of discriminatory treatment. This research uses normative legal research methods with a statutory approach and a case approach. The data used in this study are secondary data consisting of primary, secondary, and tertiary legal materials obtained through library research. The data were analyzed qualitatively by interpreting and systematically examining relevant legal materials. The results of the study show that normatively the principle of equality before the law has been clearly regulated in the Indonesian legal system, particularly in Article 27 paragraph (1) and Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia as well as various statutory regulations governing the criminal justice system, including Law Number 35 of 2009 concerning Narcotics. In its application to the case involving Ammar Zoni, the legal process was carried out through the general criminal justice mechanism without any special treatment toward the defendant as a public figure. The panel of judges based their decision on valid evidence presented in court and the applicable legal provisions. Thus, procedurally, the principle of equality before the law in this case has been implemented through an objective judicial process based on the facts revealed during the trial.

Keywords: Equality before the law, Narcotics Crime, Court Decision, Judicial Consideration, Ammar Zoni

INTRODUCTION

The principle of equality before the law is one of the fundamental principles of a state governed by law. Indonesia, through Article 27 paragraph (1) of the 1945 Constitution, firmly states that "all citizens have equal standing before the law and government." This principle affirms that every individual, regardless of social, economic, position, or political status, should receive equal treatment before the legal process. However, in social reality and law enforcement, this principle often faces challenges in implementation. Discourse regarding differences in treatment in the legal process often arises in the public sphere, especially when the perpetrator of the crime is a public figure or an individual with a certain social influence. This perception develops due to the high media attention and public response to the case, thus giving rise to greater scrutiny of the ongoing legal process.

Indonesia faces a serious problem related to drug abuse and illicit trafficking. Data from the National Narcotics Agency (BNN) shows that drug abuse rates continue to fluctuate but remain at an alarming level. By 2023, the prevalence of drug abuse is estimated to reach 1.95% of the population, or approximately 3.6 million people. This indicates that drugs are not merely an individual problem but have become a social issue affecting all levels of society. In such a situation, consistent law enforcement is crucial, particularly in maintaining public trust in legal institutions.

However, with the proliferation of media coverage, certain cases have emerged that highlight inconsistencies in the application of the law. One such case that has garnered public attention is the narcotics case involving Ammar Zoni, a public figure who was also active in digital social media discussion forums. This case is intriguing because, in addition to involving drug abuse, it also touches on how the law is applied when the perpetrator possesses significant social influence. The public is questioning the extent to which the legal process is conducted objectively, without any privileges or special treatment. These questions point to the core issue: whether the principle of equality before the law is truly implemented in this case.

Historically, violations of the principle of equality before the law are not a new phenomenon. In the pre-reform era, legal processes were often associated with the interference of political power, where a person's position significantly influenced their legal fate (Mahfud MD, 2011). Although the reform era brought a spirit of change, various cases demonstrate that power bias can still occur. Comparisons between the past and the present demonstrate progress in some aspects, such as transparency in court processes and open media, but at the same time reveal structural problems that have not been fully resolved. In other words, although the principle of equality before the law has been normatively adopted, its implementation still faces challenges.

In the context of narcotics law enforcement, Law Number 35 of 2009 concerning Narcotics provides fairly comprehensive regulations. The law differentiates treatment between users, dealers, and producers of narcotics, and provides space for a rehabilitative approach for users proven to be addicted. However, this flexibility of the norm sometimes creates loopholes for inconsistent law enforcement. A user may be treated as an addict requiring rehabilitation, but in other cases, the user is positioned as a dealer and given a harsh sentence. In the public eye, this inconsistency often gives rise to a perception of injustice, especially when the perpetrator receiving less lenient treatment is a public figure.

The Ammar Zoni case is relevant to study because it demonstrates how public discourse on legal justice is shaped. The public response indicates a high sensitivity to justice issues, particularly in drug cases involving public figures. In the public's view, the application of the principle of equality before the law is often assessed through court decisions, particularly through the judge's legal reasoning in assessing the facts and applying statutory provisions. These processes are indicators of whether the law is applied objectively or

influenced by external factors. Therefore, it is important to critically examine how the legal process unfolded in this case.

Issues regarding the application of the principle of equality before the law impact not only public trust in law enforcement agencies but also the legitimacy of the state as a rule-of-law state. If the public perceives differential treatment based on social status, the law loses its authority. In this context, research into the application of the principle of equality before the law in the Ammar Zoni case is significant, not only as an academic study but also as a contribution to efforts to improve law enforcement governance in Indonesia.

Furthermore, the application of the principle of equality before the law in narcotics cases is closely related to the social construct of who is deemed "deserving of punishment" and who "can be helped." The media plays a significant role in shaping this public perception. When a perpetrator is a celebrity or public figure, news coverage often uses a more humanistic narrative, such as highlighting the psychological aspects, work pressures, or family circumstances. Conversely, for perpetrators from ordinary communities, news coverage tends to be stigmatizing, positioning the perpetrator as a social threat (Eriyanto, 2012). This imbalance in media narratives can impact public acceptance of the ongoing legal process, thereby affecting the legitimacy of the principle of equality before the law.

Another challenge in implementing this principle is the varying interpretations of law enforcement officials in determining the perpetrator's status. Differences in interpretation between investigators, prosecutors, and judges often result in inconsistent decisions in cases with similar characteristics; this is a natural part of law enforcement discretion. On the one hand, the law provides discretion so that the legal process can consider the broader context; but on the other hand, this discretion can create loopholes for injustice if not accompanied by clear and accountable normative standards. Thus, the key issue lies not only in the existence of legal regulations, but also in how those regulations are consistently applied in practice.

The Ammar Zoni case reflects how legal, social, media, and power issues intersect within a single discourse. Public reaction to this case demonstrates that Indonesians are increasingly critical of law enforcement, particularly in cases involving public figures. Public distrust can arise if the legal process is perceived as lacking transparency or tending to favor certain parties. Therefore, an assessment of the application of the principle of equality before the law in this case can be seen through the judge's legal considerations in the court's ruling.

Therefore, it is important to further examine how the principle of equality before the law is applied in court decisions regarding this case. This study is relevant to see the extent to which the principle of equality before the law is truly implemented in criminal justice practice, particularly in narcotics cases involving public figures. An analysis of the Central Jakarta District Court Decision Number 632/Pid.Sus/2025/PN.Jkt.Pst is expected to provide an overview of the judge's legal considerations in deciding this case, as well as assess whether the application of the law has reflected the principle of equality before the law as. Based on this background, the formulation of the problem in this study is structured as follows: 1) How is the regulation of protection orders for victims of violence and How is the regulation of the principle of equality before the law in the Indonesian legal system, especially in law enforcement of narcotics crimes? 2) How is the application of the principle of equality before the law in narcotics crime cases involving Ammar Zoni based on the Decision of the Central Jakarta District Court Number 632/Pid.Sus/2025/PN.Jkt.Pst?

RESEARCH METHODS

In this paper, the author uses the normative legal research method (Subagyo, 2004). Normative legal research, or library legal research, is legal research conducted by examining library materials or secondary data alone. Normative legal research or library legal research includes research on legal principles and research on the level of vertical and horizontal

synchronization (Soekanto, 2001). This means that existing problems are examined based on existing laws and regulations. Normative legal research uses normative case studies in the form of legal behavioral products, for example, reviewing laws. The main focus of the study is law conceptualized as norms or rules that apply in society and become a reference for each person's behavior. Therefore, normative legal research focuses on the inventory of positive law, legal principles and doctrines, legal discoveries in concrete cases, legal systematics, levels of synchronization, legal comparisons, and legal history (Muhammad, 2004).

RESULT AND DISCUSSION

A. Regulation of the principle of equality before the law in the Indonesian legal system, especially in law enforcement of narcotics crimes

The principle of equality before the law is a fundamental principle in a state governed by the rule of law, affirming that everyone has equal standing before the law without any discrimination. This principle is a crucial foundation for ensuring a just, transparent, and accountable legal system. In the context of a modern state governed by the rule of law, this principle is understood not only as a normative concept but also as an ethical standard that must serve as a guideline in all law enforcement practices.

In the Indonesian legal system, the principle of equality before the law has a strong constitutional basis. This provision is expressly regulated in Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that all citizens have equal status before the law and government and are obliged to uphold the law and government without exception. This constitutional provision emphasizes that no individual is above the law, be they state officials, community leaders, or ordinary citizens.

In addition, the principle of equality before the law is also emphasized in Article 28D paragraph (1) of the 1945 Constitution, which guarantees that everyone has the right to recognition, protection, and fair legal certainty, as well as equal treatment before the law. This provision broadens the scope of the principle of legal equality not only in a person's legal status, but also in the process of protecting legal rights, which must be granted fairly by the state. Thus, the Indonesian constitution clearly provides a normative basis that the legal system must be implemented without discrimination.

Regulations regarding the principle of equality before the law can also be found in various laws and regulations governing the criminal justice system in Indonesia. One relevant regulation is Law Number 48 of 2009 concerning Judicial Power. This law affirms that the judiciary is an independent authority to administer justice to uphold law and justice. The principle of judicial independence in this law is intended to ensure that the judicial process can proceed objectively without influence from any party.

Article 4 paragraph (1) of the Judicial Power Law emphasizes that trials are conducted to uphold law and justice. This formulation emphasizes that judges have an obligation to ensure that every party facing the law receives equal treatment without any intervention, political pressure, or social influence. Therefore, the principle of equality before the law is one of the main indicators in assessing the independence of judicial institutions.

Furthermore, the principle of equality under the law is also reflected in the Criminal Procedure Code (KUHAP). The KUHAP guarantees the protection of the rights of suspects and defendants throughout the legal process. For example, anyone suspected of committing a crime has the right to legal assistance, the right to provide a defense, and the right to be treated humanely during the investigation process. These provisions demonstrate that the Indonesian criminal justice system strives to ensure equal legal treatment for all.

In the context of law enforcement for narcotics crimes, the principle of equality before the law plays a crucial role. This is because narcotics crimes are a type of crime that has a broad impact on society. Therefore, law enforcement against narcotics crimes must be carried

out firmly and consistently to avoid unequal legal treatment. Regulations regarding narcotics crimes in Indonesia are regulated by Law Number 35 of 2009 concerning Narcotics. This law provides a comprehensive legal framework for the control, prevention, and eradication of narcotics abuse and illicit trafficking. The law also differentiates between perpetrators of narcotics crimes based on their level of involvement, such as users, couriers, and dealers.

The division of perpetrator categories aims to ensure that law enforcement is carried out proportionally according to the level of culpability of each individual. For example, drug users proven to be dependent can be directed to undergo medical and social rehabilitation. Conversely, perpetrators involved in drug trafficking networks can be subject to heavier criminal sanctions as part of efforts to eradicate drug crime.

Provisions regarding rehabilitation for drug users are regulated in Article 54 of Law Number 35 of 2009, which states that drug addicts and victims of drug abuse are required to undergo medical and social rehabilitation. This provision shows that the law is not only oriented towards punishment, but also provides space for a recovery approach for individuals experiencing drug dependence. However, in law enforcement practice, differences in treatment are often found for perpetrators of drug crimes who have relatively similar conditions. For example, there are cases where a drug user is sentenced to prison, while in other cases users with the same condition are directed to undergo rehabilitation. This difference in treatment often gives rise to debate regarding the consistency of the application of the principle of equality before the law.

These differences in treatment can be caused by various factors, such as differing interpretations by law enforcement officials, differences in evidence presented in court, and differences in judges' considerations in handing down verdicts. Therefore, it is crucial for law enforcement officials to have clear guidelines for determining the status of drug offenders to prevent unwarranted disparities in sentencing.

Furthermore, in criminal justice practice, the concepts of formal equality and substantive equality are also recognized. Formal equality emphasizes that everyone is treated equally under applicable legal rules. Meanwhile, substantive equality emphasizes that the application of the law must take into account the individual circumstances of the perpetrator so that justice can be achieved more proportionally.

In drug cases, the application of substantive equality is particularly relevant because the circumstances of offenders can vary. A drug addict, for example, has a dependency condition that affects their behavior and decision-making. Therefore, a rehabilitative approach can be a more appropriate alternative to repressive punishment. However, the application of a rehabilitative approach must also be consistent to avoid the perception of preferential treatment for certain groups. If rehabilitation policies are only granted to certain groups with access or social influence, this can lead to public distrust of the legal system.

In this context, the judge's role is crucial in maintaining a balance between legal certainty, justice, and expediency. Judges must ensure that every decision rendered is based on objective legal considerations and supported by the facts revealed during the trial. Thus, the resulting decision not only meets legal requirements but also reflects substantive values of justice.

Furthermore, strengthening the principle of equality before the law also requires support from various parties, including law enforcement agencies, policymakers, and the public. Law enforcement officers must uphold integrity and professionalism in carrying out their duties so that the legal process can proceed objectively and free from interference. Policymakers also play a crucial role in ensuring that existing regulations support a fair and transparent law enforcement system. Clear and open-ended regulations will assist law enforcement officers in carrying out their duties consistently.

On the other hand, the public also plays a role in overseeing the legal process through social control mechanisms. Public participation in overseeing law enforcement can help increase the accountability of law enforcement agencies and encourage a more transparent justice system. Therefore, the principle of equality before the law in the Indonesian legal system has a strong normative basis, both in the constitution and in various laws and regulations. However, the main challenge lies in how this principle is consistently applied in law enforcement practices, particularly in drug crime cases.

Therefore, efforts to strengthen the implementation of the principle of equality before the law must continue through increasing the professionalism of law enforcement officers, refining existing regulations, and strengthening oversight mechanisms for the judicial process. With these steps, it is hoped that the Indonesian legal system will become increasingly capable of realizing non-discriminatory justice for all citizens.

B. Application Of The Principle Of Equality Before The Law In The Case Of Narcotics Criminal Offences Involving Ammar Zoni Based On The Decision Of The Central Jakarta District Court Number 632/Pid.Sus/2025/PN.Jkt.Pst

The narcotics crime case involving Ammar Zoni was examined and decided by the Central Jakarta District Court with Decision Number 632/Pid.Sus/2025/PN.Jkt.Pst. Based on the public prosecutor's indictment, Ammar Zoni was charged along with several other defendants for alleged involvement in the distribution of methamphetamine in the Salemba Detention Center. The prosecutor stated that the defendant received methamphetamine from someone named Andre who then allegedly redistributed it within the detention center with the other defendants. This case was then processed through the criminal justice mechanism until it was examined in a trial at the Central Jakarta District Court.

This case is interesting to study because it involves a public figure with social influence. In some cases involving public figures, the public often perceives that law enforcement can be influenced by a person's social status or popularity. Therefore, an analysis of this case is relevant to determine the extent to which the principle of equality before the law is truly implemented in criminal justice practices in Indonesia.

From the perspective of the principle of equality before the law, the main focus is not only the facts of the case, but also how the law is applied to the accused without differentiating their social status or position in society. The principle of equality before the law emphasizes that everyone has the same position before the law and must be treated equally in the law enforcement process. This principle requires that law enforcement officers not give special treatment to certain parties, including public figures. Constitutionally, the principle of equality before the law has a strong legal basis in the Indonesian legal system. This principle is reflected in Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia which states that all citizens have equal status before the law and government and are obliged to uphold the law and government without exception. In addition, this principle is also strengthened in Article 28D paragraph (1) of the 1945 Constitution which guarantees that everyone has the right to recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law.

Thus, the principle of equality before the law is not only a moral principle within the legal system, but also a constitutional norm that must be implemented in law enforcement practices. Every individual who comes into conflict with the law must be treated fairly and without discrimination, regardless of their social status, power, or influence.

Based on the analysis of the decision of the Central Jakarta District Court Number 632/Pid.Sus/2025/PN.Jkt.Pst, the panel of judges assessed this case based on the evidence presented in the trial and the provisions of applicable laws and regulations. The judge assessed that the elements of a criminal act as regulated in Article 112 paragraph (2) in

conjunction with Article 132 paragraph (1) of Law Number 35 of 2009 concerning Narcotics were fulfilled. This assessment was carried out by assessing the elements of "every person", the element of "without rights or against the law", and the element of possession or control of narcotics in a certain amount. In criminal law, the element of "every person" refers to every individual who can be held criminally responsible for an unlawful act. In this case, Ammar Zoni is positioned as a legal subject who has the ability to be criminally responsible for his actions. Thus, from a criminal law perspective, the defendant's status as a public figure does not affect his position as a legal subject who must comply with applicable legal provisions.

Next, the judge assessed the element of "unlawfully or unlawfully possessing, storing, controlling, or providing Class I narcotics other than plants weighing more than five grams." In assessing this element, the judge considered the existence of the evidence found and its connection to the defendants. The evidence found in the defendant's room served as one of the grounds for the judge to determine whether the element of narcotics possession or control had been met.

In addition, the judge also considered the element of criminal conspiracy as regulated in Article 132 paragraph (1) of the Narcotics Law. Criminal conspiracy in criminal law is defined as an agreement between two or more people to commit a crime. In this case, communication between the defendants and the alleged distribution of narcotics between them were among the considerations for the judge in assessing the existence of an element of cooperation in the crime. In handing down the verdict, the panel of judges also considered the aggravating and mitigating circumstances of the defendant. This is a common practice in every criminal case, where the judge assesses various aspects related to the actions and personal condition of the defendant. The aggravating circumstances in this case include the fact that narcotics crimes have a very detrimental impact on society and have the potential to damage the nation's generation. In addition, the distribution of narcotics that occurs in detention centers is also considered a serious matter because detention centers should be a place of reform for prisoners.

Meanwhile, mitigating circumstances can include the defendant's cooperation during the trial, a confession to their actions, or remorse for their actions. Consideration of these mitigating and aggravating circumstances is part of the judge's discretion in determining the type and severity of the sentence imposed on the defendant.

When analyzed from the perspective of the principle of equality before the law, the examination process of this case shows that the defendant was processed through the same legal mechanisms as apply to other narcotics cases. Ammar Zoni as a public figure remains treated as a legal subject who must be accountable for his actions in accordance with applicable legal provisions. There are no special legal procedures given to the defendant simply because of his social status in society. From a procedural perspective, this case has gone through the usual stages in the criminal justice system, namely the investigation process by the police, prosecution by the public prosecutor, and examination in court by the panel of judges. All of these stages indicate that the legal process against the defendant was carried out in accordance with applicable legal provisions.

However, within the context of the principle of equality before the law, analysis goes beyond procedural aspects to encompass substantive aspects of decisions. In some drug crime cases, disparities in sentencing or differences in legal treatment between perpetrators with similar circumstances are often found. Therefore, it is important to assess whether the judge's considerations in these cases are based on objective legal grounds and are legally accountable.

Based on the considerations outlined in the verdict, the panel of judges determined that the evidence presented during the trial was sufficient to prove the defendants' involvement in narcotics crimes. The verdict demonstrates that the judges based their assessment on the trial facts and valid evidence under criminal procedure law.

In addition, the judge also considered the applicable legal provisions in Law Number 35 of 2009 concerning Narcotics. Thus, the basis of the judge's considerations in this case is juridical and not based on non-legal considerations such as the defendant's social status. If analyzed further, the application of the principle of equality before the law in this case can be seen from how the judge based his decision on the trial facts and applicable legal provisions, not on the defendant's social background. Ammar Zoni as a public figure is still processed through the same legal mechanism and does not receive special treatment in the trial process.

This case also demonstrates that public attention to cases involving public figures can lead to varying perceptions regarding the application of the law. However, in a judicial system that upholds the principle of judicial independence, court decisions must be based on legal facts and applicable statutory provisions. Therefore, transparency in decision deliberations is crucial so that the public can understand the legal basis used by judges in issuing their decisions.

Thus, based on an analysis of the Central Jakarta District Court Decision Number 632/Pid.Sus/2025/PN.Jkt.Pst, it can be concluded that the principle of equality before the law was procedurally implemented in this case. The legal process against the defendant was carried out in accordance with applicable law and based on the evidence presented at trial.

CONCLUSIONS

Based on the research results, it can be concluded that the principle of equality before the law in the Indonesian legal system has a strong constitutional basis, as regulated in Article 27 paragraph (1) and Article 28D paragraph (1) of the 1945 Constitution, and reinforced in Law Number 35 of 2009 concerning Narcotics. Normatively, everyone is treated equally before the law without distinction of social background or status. The application of this principle in the narcotics case involving Ammar Zoni shows that the judicial process has been carried out in accordance with applicable legal mechanisms. The court's decision was based on evidence and legal provisions, without considering the defendant's status as a public figure. Thus, the principle of equality before the law has been applied objectively and in accordance with the principles of justice in the criminal justice system.

Based on the research findings, it is recommended that law enforcement officers always uphold the principle of equality before the law in every law enforcement process, particularly in handling narcotics crimes. Law enforcement must be carried out consistently, objectively, and non-discriminatory, based on statutory provisions and facts revealed in court, without being influenced by a person's social status, position, or popularity.

Furthermore, increased consistency in the application of the law to cases with similar characteristics is needed to avoid disparities in sentencing that could give rise to perceptions of injustice. Transparency in judicial decision-making and strengthening the integrity of law enforcement officials are also crucial factors in realizing a fair justice system that upholds the principle of equality before the law.

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