

Legal Protection Efforts for Rape Victims Are Linked to Article 285 of the Indonesian Criminal Code

Zul Akli^{1*} Zainal Abidin^{2*}

1. Law Faculty, University of Malikussaleh Indonesia

* E-mail of the corresponding author: zulakli@unimal.ac.id, zainalabidin@unimal.ac.id

Abstract

Article 285 of the Criminal Code which regulates the crime of rape, both in terms of regulation and criminal sanctions imposed on perpetrators of rape has caused its own problems. Among legal experts, there is no agreement on whether the provisions of Article 285 of the Criminal Code have paid attention to and provided legal protection to victims of rape, further whether the provisions of Article 285 of the Criminal Code are still relevant or not to be applied, especially if it is associated with the reform era, one of which is the era of the formation of the National Criminal Code which is animated by Pancasila and the 1945 Constitution. This research uses prescriptive normative legal research methods, data collection techniques are through literature, and browse various literature that has relevance to the problem presented. Research departs and thinks that the provisions governing rape are still a legacy of the product of Dutch colonial legislation which is imbued with the spirit of individualism as outlined in Article 285 of the Criminal Code, and as a consequence the interests or rights of rape victims are not protected at all in Indonesian criminal law. The establishment and reform of laws based on values based on Pancasila and the 1945 Constitution is urgent to be carried out immediately, this is driven by the need for laws that can provide protection to the entire Indonesian nation, especially to rape victims. In addition, the participation of the community in providing services to rape victims is needed to help restore the victim's condition to normal conditions, both physical and mental conditions.

Keywords: Rape, Article 285 of the Criminal Code, Criminal, Dutch Colonial Legislation

DOI: 10.7176/JLPG/135-04

Publication date: August 31st 2023

1. Introduction

Crime is a social phenomenon that occurs at any time and place. Its presence on earth is considered as old as human age. Evil, especially violence against the human soul was first introduced by Adam's son Qabil when he committed an act against his own brother Habil as described in the Qur'an Sura Al Baqarah (2): 178. Furthermore, violence after violence in various forms has threatened human lives perpetrated by and against human children themselves and continues to this day.

The impact of crime causes casualties and losses. The losses incurred can be suffered by the victims themselves directly, as well as by others indirectly.¹ The latter can depend on relatives or other people who depend on their lives directly.

One form of crime that is considered to degrade women and damage their dignity and dignity is the crime of rape. Though woman is the mother of mankind, because from the womb of woman is born the son of man. The crime of rape has clearly damaged the image of women both in dignity and dignity of women. In the Indonesian Criminal Code, the crime in the form of rape is regulated in Article 285 of the Criminal Code. This article is regulated in Book II Chapter XIV on crimes against decency. Article 285 of the Criminal Code states as follows: "Whoever by force or threat of violence forces a woman who is not his wife to have intercourse with him, shall be punished for rape with imprisonment for not more than 12 (twelve years)."²

Article 285 of the Criminal Code on rape, both in terms of regulation and criminal sanctions imposed on rape perpetrators, has caused its own problems. Among legal experts, there is no agreement on whether the provisions of Article 285 of the Criminal Code have paid attention to and provided legal protection to victims of rape, and whether the provisions of Article 285 of the Criminal Code are still relevant or not to be applied, especially if they are related to the spirit of human rights protection in the era of the formation of the National Criminal Code which is animated by Pancasila and the 1945 Constitution.

The nature of the crime should be seen as something that harms the victim, therefore the crime imposed on the offender must also pay attention to the interests of the victim in the form of recovering the losses suffered. The losses that must be recovered are not only physical losses, but also non-physical losses.

Recovery of physical losses aims to provide material satisfaction to victims, while recovery of non-physical losses aims to eliminate psychological trauma that may grip victims so that their confidence can also recover as before.

¹ J.E. Sahetapy, *Victimology of a potpourri*, Cet.I, Sinar Harapan Library, Jakarta, 1987, page 36

² R. Soesilo, *The Criminal Code and Complete Commentary Article by Article*, Politea, Bogor, page 210

To pay attention to the interests of the victim in criminal conviction, not only to fulfill the rights of the victim, nor just a reasonable consideration because logic says so, but further than that it is also for the benefit of the perpetrator of the crime.

Legal protection efforts for rape victims involve criminal law policies or politics that want to be applied, namely how to work or make and formulate a good criminal law.¹ In the end, efforts to protect and overcome victims from crime can be achieved. Understanding criminal law policy can be seen from legal politics and criminal politics.² According to Sudarto. Legal politics are:

- a) Efforts to establish good regulations in accordance with the circumstances and situations at that time.³
- b) The policies of the state through authorized bodies are expected to be used to express what is contained in society and to achieve what is aspired to.⁴

Efforts to establish good regulations and that can express what is contained in society in order to achieve a legal protection for rape victims cannot be separated from the material legal factors.

Legal material greatly influences efforts to form a national legal system. The establishment and reform of laws based on values based on Pancasila and the 1945 Constitution is urgent to be implemented, driven by the need for laws that can keep up with the development of national development, the reform of the law covers all fields of law, both public and private law. In terms of public law, criminal law is included, criminal law reform is more precisely Criminal Code reform is absolutely necessary.

The reality that exists in the midst of the community rape crime is high, based on the thoughts mentioned above, the problem in writing this thesis is about efforts to protect the law for rape victims associated with Article 285 of the Criminal Code.

2. Problem Statement

Based on the description above, the problem is, what is the formulation of legal protection for rape victims in the Indonesian Criminal Law?

3. Research Methods

This research uses a prescriptive normative legal research method where a legal research is a process of finding and determining principles, rules, legal principles and legal doctrines in order to answer the legal situation faced using a statutory approach (state approach) and a conceptual approach (concept approach) and data analysis is carried out in a qualitative way meaning the data collected from the results of literature research (legal materials secondary and primary) are arranged systematically which are then analyzed using theories and applicable laws and regulations.

4. Discussion

a. Formulation of Legal Protection for Rape Victims

The regulation of rape is regulated in Article 285 of the Criminal Code which reads:

"Whoever by force or threat of violence compels a woman who is not his wife to have intercourse with him, shall be punished for rape with imprisonment for not more than twelve years".⁵

In Article 8 of Law No. 13 of 2006 concerning the Protection of Witnesses and Victims, it has been stated that, "the protection and rights of Witnesses and Victims are provided from the beginning of the investigation stage and ending in accordance with the provisions as stipulated in this law."

Furthermore, regarding the criminal threat contained in Article 38 of Law No. 13 of 2006 concerning the Protection of Witnesses and Victims, it is stated, "any person who obstructs in any way, so that witnesses and/or victims do not receive protection or assistance, as referred to in Article 5 paragraph (1) letter a and letter d, Article 6, or Article 7 paragraph (1), sentenced to imprisonment for a minimum of 2 (two) years and a maximum of 7 (seven) years and a fine of at least IDR 80,000,000 (eighty million rupiah) and a maximum of IDR 500,000,000 (five hundred million rupiah)."

Based on the Draft Law of the Criminal Code in Article 389 which reads as follows:⁶

- (1) Sentenced to imprisonment for not more than twelve years and for a minimum of three years for rape:
 1. A man has intercourse with a woman against the will of the woman;
 2. A man has intercourse with a woman, without her consent;

¹ Barda Nawawi, Potpourri of Criminal Law Policy, Cet. First, Citra Aditya Bakti, Bandung 1996. page 28

² Ibid, page 27

³ Soedarto, Law and Criminal Law, Alumni, Bandung, 1981, page 159

⁴ Soedarto, Criminal Law and Community Development, Sinar Baru, Bandung 1983 page 83

⁵ R. Soesilo, Op. Cit, page 210

⁶ Leden Marpaung, Crimes Against Decency and Its Prevention Problems, Sinar Grafika, Jakarta 1996, page. 49

3. A man has intercourse with a woman, with the woman's consent but that consent is reached through threats to be killed/harmed;
 4. A man has intercourse with a woman, with her consent because she believes he is her legitimate husband or he is the one she should;
 5. A man has intercourse with a woman under the age of 14, with her consent.
- (2) It is also considered to have committed the crime of rape with a maximum penalty of twelve years and a minimum of three years if in the circumstances referred to in paragraphs (1) 1 to 5 above:
1. A man inserts his genitals into a woman's anus or mouth;
 2. Whoever inserts an object that is not part of his body into the vagina or anus of a woman.

Of the two articles above, it only regulates threats and sanctions for the perpetrator of rape, where the perpetrator of rape is threatened with the threat of imprisonment for a maximum of twelve years. As for the rape victim, it is not mentioned in the two articles, so the rape victim does not get legal protection.

Due to the absence of legal protection for rape victims in the provisions of the Law, both Article 285 of the Criminal Code and in Article 389 of the Criminal Code Bill, the suffering of victims is felt from the occurrence of the rape incident to after the judicial process, both physical, economic and social suffering. The worse consequences of rape victims are trauma and a prolonged fear of sex and men. Where the crime of rape is a loss for the rape victim, therefore the crime imposed on the perpetrator of rape must also pay attention to the interests of the rape victim in the form of recovery of losses suffered. The losses that must be recovered are not only physical losses but also non-physical losses. Recovery of losses aims to provide material satisfaction to the victim, while recovery of non-physical losses aims to eliminate psychological trauma that may grip rape victims so that their confidence can also recover as before.

Loss of mental balance, loss of zest for life and self-confidence due to anxiety and fear from the shadow of the perpetrator of rape that always looms haunting. Psychological trauma as mentioned above, also needs attention to other real losses. suffered by the rape victim. Physical harm may be quantified and assessed with redemptive material as well as in the form of compensation may be overcome either by the perpetrator of rape or through other sources, but decision and solitude are approaching death. Therefore, in the case of rape that occurs in a woman, there needs to be legal protection, so that the woman can be confident and social with others. In accordance with the 1999 Human Rights Law contained in Article 3 which reads as follows:

- 1) Everyone is born free with equal human dignity and dignity, and is endowed with reason and conscience to live in society, nation, and state in the spirit of brotherhood.
- 2) Everyone has the right to recognition, guarantee, protection and fair legal treatment as well as legal certainty and equal treatment before the law.
- 3) Everyone has the right to the protection of human rights and fundamental human freedoms, without discrimination.

Lack of attention to rape victims as well as human beings of equal standing and equal dignity in criminal cases. This is among others felt in the trial of perpetrators of rape crimes. The accused perpetrator of the crime of rape and the victim do not face each other directly, but the victim is represented by the prosecutor as a representative of the legal order in the public interest, the victim only as a grim or only as a witness.

There is still a prevailing view that rape victims want to get or demand compensation, so they must take a path that is not easy, namely through the process of civil law and cannot be resolved in the same criminal legal process. For rape victims who are unable and do not need compensation for the continuation of their lives, then with all the provisions it is certainly a very disadvantaged party.

Another issue related to the issue of rape victims in criminal law is the role and duties of rape victims and rights. The role of the victim will affect the assessment and selection of rights and obligations for the victim, and also in the problem of solving it the victim has a functional role and responsibility in his actions as a victim. The thing that is taken into consideration in determining the rights and obligations of the victim is the level of involvement and responsibility of the victim that caused the crime of rape against her. Therefore, for the sake of justice and legal certainty, the formulation of the rights and obligations of crime victims (including rape victims) in a regulation or law must be understandable by many people and can be accounted for juridically scientifically.

The rights and obligations of victims of crime are as follows:¹

a. Victims' rights:

- (1) Victims are entitled to compensation or restitution for their suffering in accordance with the ability of the compensator (victim maker) and the level of involvement / participation of the victim in the commission of the crime.
- (2) Refusing restitution or compensation for the benefit of the offender (not wanting to be given restitution of compensation because they do not need it).
- (3) Get restitution or compensation for his heirs if the victim dies as a result of the act.

¹ Arif Gosita, *The Problem of Rape Victims* (Kumpulan Karangan), Akademika Presindo, Jakarta, 1993, page. 53

- (4) Get coaching and rehabilitation.
 - (5) Get his property rights back.
 - (6) Get protection from the threat of the perpetrator when reporting and becoming a witness.
 - (7) Get legal assistance and advice.
 - (8) Get legal assistance and advice.
- b. The obligations of the victim of crime are as follows:
- (1) Not victimizing by retaliating against yourself (vigilantism).
 - (2) Participate with middle society making more victims.
 - (3) Prevent the destruction of the perpetrator both by oneself and by others.
 - (4) Be willing to be built or build yourself up to not be a victim again.
 - (5) Do not demand reconstitution that is not in accordance with the ability of the perpetrator.
 - (6) Provide opportunities for perpetrators to provide restitution to the victim according to his ability (installments/stages/providing services).
 - (7) Be a witness when not endangering yourself and when there is a guarantee of safety.

Such are the rights and obligations of victims of crime (especially rape victims) that need attention to be considered for their benefits to be regulated in laws and regulations for the sake of justice, legal order and public welfare.

As a result of the lack of comprehensive rights of rape victims both in Article 285 of the Criminal Code and Article 389 of the Criminal Code Bill, the suffering of victims is felt from the time of the rape incident until after the completion of the judicial process, both physical, economic and social suffering. Even worse for rape victims is trauma and a lingering fear of sex and men.¹

The series of judicial proceedings of rape cases is a special suffering for victims. Basically, the process seeks fair treatment for victims and to develop their welfare. But sometimes the opposite happens, which is to cause prolonged suffering.

At the time of investigation and investigation by the police, the victim must narrate the events that have caused trauma. The victim had to recall the bitter incident many times for the sake of a smooth examination, even if the officer saw the need for reconstruction, the victim's suffering was further increased by having to meet the rapist, the person she hated the most.

Then during the court hearing, the victim was again in agony. In giving testimony, the victim must recount the incident of rape she experienced. She was confronted many times with the defendant who had raped her. This is a special suffering for the victim.

In addition, it is not uncommon for victims to face terror questions from the defendant's legal counsel who seek to acquit the defendant of all charges. The victim must also pay for attending the hearing and medical expenses in order to always be present at the trial.

After the completion of the trial, the victim sometimes still suffers, for example the perpetrator is released or gets a sentence that is too light and not proportional to the consequences caused, the victim does not get restitution, the victim still has to maintain his health, both physical and mental at his own expense, etc. In addition, there is also the possibility that the victim is not accepted by his family and environment as before, because his honor has been flawed.²

When compared to the perpetrator of rape, the victim suffers more. Perpetrators after being arrested get legal protection. The alleged perpetrator must be kept away from his mistreatment, unfair treatment in examination and punishment. If the perpetrator is sick or injured, treatment is sought at state expense, during the punishment, physical, mental and correctional efforts are attempted.

Perpetrators and rape victims alike as *justitia belen* (justice seekers), but in reality there are differences in service. Perpetrators as people who commit evil have received protection and legal services, while victims as aggrieved parties lack protection and services from the law.

In law enforcement it is often questioned who should be protected and who should he protect? This question can be answered easily, that what must be protected is society (victims) from crime (criminals). Is the law in force in Indonesia true, especially article 285 of the Criminal Code which regulates rape? The criminal law that applies in Indonesia to date basically only stipulates what acts in society can be punished and what punishments must be carried out against those acts. Even the criminal procedural law that is in force to date (Law Number 8 of 1981 concerning the Code of Criminal Procedure) has not touched the interests of crime victims. On the contrary, many provisions contain signs that actually protect suspected perpetrators of crime.³ If this is the case with the provisions of the criminal law in force in Indonesia, what is the legal protection for the next fate of the rape victim? Regardless of whether or not the views of criminal law experts are clear, they state that legal protection for victims of crime lies fully (with the expectation of responsibility, tenacity and honesty) in the

¹ M. Kholid, "Legal Protection for Rape Victims", Kompas, August 25, 1995, page. 8

² Arif Gosita, *Loc. Cit.*

³ Romli Atmasasmita, "Legal Protection Against Victims of Crime" People's Mind, May 1, 1997. page VIII

hands of the police, prosecutors and courts, even in correctional duties. The pinnacle of legal protection against crimes, including rape victims, contains that Indonesia's criminal justice system rests with the court judges who decide cases.¹

In relation to the statement above, it is clear to imagine how painful the feeling of justice of rape victims is if the handling is not done carefully, less tenaciously and irresponsibly, or even collusion or fabrication that actually greatly harms the interests of rape victims. It seems that this latter handling is caused by provisions in the Criminal Code that enter the sense of justice of rape victims and the wider community, such as provisions regarding suspension of detention (Article 31 of Law No. 8 of 1981 concerning the Code of Criminal Procedure) with bail of a sum of money or bail of people.²

The development of legal protection for victims of crime (including rape victims) in developed countries is already at the stage of providing compensation provided by perpetrators of crimes (restitution) or by the state (compensation) or by both in the form of services (assistance), namely the provision of treatment facilities and placement in rehabilitation institutions accompanied by financial assistance.³

The issue of legal protection of victims of crime (including rape victims) as well as victims of abuse of power has been brought to the attention of the United Nations. It has also been set forth in a Declaration of Basic Principles For Victims of and Abuse of Power and a decision of the United Nations congress on the prevention of evil and the treatment of lawlessness, held in Milan in 1983.

If we look at the underlying legal basis, there must be legal protection for victims of crime. Actually, Indonesia since the beginning of its independence has mandated that there must be legal protection for all Indonesian people., this is contained in the preamble to the fourth paragraph of the 1945 Constitution, namely: "Protect the entire Indonesian Nation and all Indonesian Bloodshed and to promote general welfare, educate the life of the Indonesian nation and participate in implementing world order based on lasting peace, independence and social justice".

Rape victims as part of the Indonesian nation deserve legal protection that fulfills the sense of justice as a civilized nation. as mandated by the founding fathers of this country as stated in the Preamble to the 1945 Constitution.

But if we look at the reality that occurs in the life of society, nation and state, it turns out that there are still many parts of this nation that have not received legal protection, one of which is that rape victims are a form of injustice received by victims. Abandoning rape victims is an act of dehumanization that does not develop human rights and human obligations.

Sentencing perpetrators of rape is not the only ultimate goal of a legal prevention process, but there is still one main and very important goal. that is, by returning the living conditions of rape victims to their original positions, among others, fostering confidence in themselves, avoiding and overcoming reproach from family and society towards rape victims.⁴

The handling of rape cases starting and the investigation stage to the stage of sentencing the perpetrators, proved to be very far from the intended purpose. Because the most important thing for law enforcement officials in dealing with rape cases and other crime cases is the normative side or legalistic side alone, not the side of morality and the actions of the perpetrators, one side of harmonization of the victim's life with his environment.

From the description above, it is clear that in criminal law more specifically in the criminal justice process has not been placed as a subject of law. Rape victims are only the object of examination without getting legal protection as the perpetrator of rape has obtained. Therefore, clear arrangements on legal protection of rape victims are needed.

In the implementation of punishment against perpetrators of rape usually or mostly not in accordance with the act. Of the rape cases as previously described, many must be taken into consideration by the Panel of Judges in deciding a rape criminal case considering that the crime is very disturbing to the community. Based on the demands of the Public Prosecutor who basically argues that the defendants have been proven guilty legally and convincingly of committing rape as regulated and threatened with punishment in Article 285 of the Criminal Code, namely committing acts with violence or threats of violence forcing women who are not his wives to have intercourse with him.

After obtaining legal facts based on the testimony of saks or and victims, as well as to the place of the defendants and evidence submitted to the trial, in terms of the relationship and correspondence between one another. then the actions of the defendants have fulfilled the elements of the criminal act of Article 285 of the Criminal Code, namely the element of "whose goods" which in the Indonesian criminal law system it is said that those who can be accounted for as perpetrators of criminal acts are only humans, which in this case are the defendants.

¹ *Ibid*

² Romli Atmasasmita, "Human Rights and Law Enforcement", Bina Cipta, Bandung, 1997, Page. 159

³ *Ibid*

⁴ Romli Atmasasmita, "Legal Responsibility of Rape Perpetrators", People's Mind, October 25, 1997, page 7

Then the element of "by force and threat of violence" has been satisfied by the actions of the defendants, namely in all cases of rape as described earlier. All defendants, prior to having intercourse with the victim were preceded by violence or threats of violence. Then the element of "forcing a woman who is not his wife to have intercourse with him" is fulfilled by the actions of the defendants, because all the victims are not wives of the defendants.

Based on the descriptions above, the actions of the defendants have been legally and convincingly proven to violate Article 285 of the Criminal Code. Therefore, defendants must be held accountable for their actions and must be punished accordingly.

When compared to the criminal sanctions imposed by the Panel of Judges with the demands of the Public Prosecutor against the defendants, there is a striking difference. The crime imposed by the panel of judges is far from the demands of the Public Prosecutor. with the decision of the Panel of Judges implied excessive protection for the perpetrators of rape, because the crime imposed was not proportional to the suffering that must be borne by the victim. Is it possible that in a relatively short time the victim can eliminate the trauma he experienced and other consequences suffered. It would be unfair if the perpetrator of rape made amends for the actions he committed in just a relatively short time. According to some sociologists and psychologists who state that the crime against perpetrators of rape in Indonesia is still quite low.¹ This will be felt more by rape victims who have to endure all the suffering as a result of the incident.

In addition, when viewed from the point of interest of many people, the act or criminal act of rape is the most immoral act and can even be said to be barbaric. This act caused unrest for the general public, especially women. If this matter is really considered and considered, then the prison sentence imposed on the defendant in the above cases cannot be said to be fair (seen from the victim's side). To eliminate the image of ordinary people about the punishment in Indonesia of perpetrators of rape crimes that are felt to be too light and have not paid attention to the interests of victims at all, it is natural that only voices argue that the crime against perpetrators of rape is aggravated and given the right to victims to claim compensation for the losses they suffer, both physical losses and psychological damage.

When related to current conditions, a number of changes must be made to align the Criminal Code with various existing developments. And if it is necessary to emulate what applies abroad, of course by adjusting it to the values and norms of Indonesian society.²

There are several main things related to the criminal sanctions imposed by the judge on the perpetrators of rape crimes that are perceived by rape victims as an injustice, because the criminal sanctions are too light and do not pay attention to the interests of rape victims at all. These are as follows:

- a. If the Public Prosecutor in his prosecution rarely prosecutes with the maximum criminal threat as stated in Article 285 of the Criminal Code, which is 12 (twelve) years imprisonment.
- b. The panel of judges in sentencing the accused perpetrators of rape, the sentence imposed is often lighter than the criminal sanctions demanded by the Public Prosecutor.
- c. The difference with the maximum penalty against the perpetrator of rape in Article 285 of the Criminal Code with the demands of the Public Prosecutor and with the sentence handed down by the Panel of Judges against the perpetrator of rape is very far.
- d. Article 285 of the Criminal Code only only pays attention to the punishment of rape perpetrators, has not paid attention to the interests of rape victims at all.
- e. The imprisonment by the judge of the perpetrator of rape is the culmination of service by the state to rape victims.
- f. In the judicial process against the perpetrators of rape crimes, the victim is very depressed, because in every examination the victim has just described the rape incident that happened to her, and this has started from the level of investigation in the police in court.

5. Conclusion

1. The formulation of the Crime of Rape as stipulated in Article 285 of the Criminal Code only regulates two things, namely about criminal witnesses who must be imposed against the perpetrator of rape and about the elements of non-criminal rape that determine the presence or absence of rape crime, without the slightest provision on what services must be provided to rape victims in an effort to alleviate the suffering of victims, suffering in the short-term and long-term sense of material and immaterial loss. In other words, Article 285 of the Criminal Code does not pay attention to the rights of the suffering of rape victims, the judge's sentence to the perpetrator of rape in the form of imprisonment, is the final or peak process of service to rape victims without any effort to pay

¹ Justice Forum Magazine, "Rape", July 1990, No. 21, page 13

² Muhammad Amin Juma, (at all), "Islamic Crime in Indonesia (opportunities, prospects and challenges)", Pustaka Firdaus, 2001 pages. 12.

attention to fulfilling the rights of rape victims, furthermore Article 285 of the Criminal Code does not provide sanctions on what must be done to restore the condition of rape victims to their original condition or normal condition.

6. Sugesstion

The government should provide temporary shelter for rape victims who are also equipped with skills so that victims do not experience prolonged psychological trauma.

REFERENCES

- Arif Gosita, *The Problem of Rape Victims (Kumpulan Karangan)*, Akademika Presindo, Jakarta, 1993.
Barda Nawawi, *Potpourri of Criminal Law Policy, Cet. First*, Citra Aditya Bakti, Bandung 1996.
J.E. Sahetapy, *Victimology of a potpourri, Cet.I*, Sinar Harapan Library, Jakarta, 1987.
Leden Marpaung, *Crimes Against Decency and Its Prevention Problems*, Sinar Grafika, Jakarta 1996.
M. Kholid, "Legal Protection for Rape Victims", *Kompas*, August 25, 1995.
Justice Forum Magazine, "Rape", July 1990, No. 21.
Muhammad Amin Juma, (at all), "Islamic Crime in Indonesia (opportunities, prospects and challenges)", *Pustaka Firdaus*, 2001
R. Soesilo, *The Criminal Code and Complete Commentary Article by Article*, Politea, Bogor.
Romli Atmasasmita, *Human Rights and Law Enforcement*, Bina Cipta, Bandung, 1997.
Romli Atmasasmita, *Legal Responsibility of Rape Perpetrators*, *People's Mind*, October 25, 1997.
Romli Atmasasmita, "Legal Protection Against Victims of Crime" *People's Mind*, May 1, 1997.
Soedarto, *Law and Criminal Law, Alumni*, Bandung, 1981.
Soedarto, *Criminal Law and Community Development*, Sinar Baru, Bandung 1983

Legislation

- Law No. 1 of 1946 concerning the Criminal Code
Law No. 39 of 1999 concerning Human Rights