

Criminal Responsibility of Perpetrators of Criminal act of Assault Resulting in Death from a Human Rights Perspective (Case Study of Criminal Case Decision No. 218/Pid.B/2024/Pn Jkt Pst)

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Abstract. *The Republic of Indonesia was founded on law (Rechstaat), not just power (Machstaat), as clearly stated in Article 1 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution of the Republic of Indonesia). As a nation, we base our decisions and actions on legal requirements. The nature of the rule of law can also be proven if all components of the law follow and are limited by the norms mentioned above. According to the opening of the fourth paragraph of the 1945 Constitution, which mandates that all Indonesians are protected, Indonesia upholds the rule of law as the first step towards achieving Welfare. According to Soerjono Soekanto, research is a scientific activity related to analysis and construction carried out methodologically, systematically and consistently. Methodological means in accordance with a certain method or way, systematic is based on a system, while consistent means the absence of contradictory things in a certain framework. Criminal Liability of the Perpetrator of the Crime of Assault Resulting in Death, the panel of judges decided that the defendant was not legally and convincingly proven to have committed the crime of murder as per the primary charge of Article 338 of the Criminal Code, but was proven to have committed the crime of assault resulting in death as regulated in Article 351 paragraph (3) of the Criminal Code.*

Keywords: *Crime; Criminal; Liability; Perpetrator.*

1. Introduction

The Republic of Indonesia is a country of law. As stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Thus, any action that violates the law can be subject to sanctions in accordance with the laws in force

in society. One of the characteristics stated firmly by Julius Stahl is that a country of law must recognize the existence of recognition of human rights.¹ A country based on law that recognizes human rights will never achieve its goals without clear, firm and just laws and regulations that regulate the lives of its people.

The Republic of Indonesia was founded on law (*Rechstaat*), not just power (*Machstaat*), as clearly stated in Article 1 Paragraph (3) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution of the Republic of Indonesia). As a nation, we base our decisions and actions on legal requirements. The nature of the rule of law can also be proven if all components of the law follow and are limited by the norms mentioned above. According to the opening of the fourth paragraph of the 1945 Constitution, which mandates that all Indonesians are protected, Indonesia upholds the rule of law as the first step towards achieving Welfare. This protection extends to law enforcement.²

Crime always refers to something that is prohibited, detrimental, or disturbing, which then means that crime should not be allowed to happen. Thus, crime is regulated in such a way in various regulations, both written and unwritten to be one of the solutions to prevent the occurrence of crime itself. Because, humans with their human nature certainly do not justify crime as something common in society.³

The two things above are very important for the pluralistic Indonesian state, and consists of many nations with different customs and patterns, which in the end the law will be the glue. The existence of equality before the law and in government shows that the law applies to everyone, civil servants and ordinary citizens, regardless of ethnicity, religion, and profession, including the military, and if they commit violations. will be handled in accordance with the provisions of laws and regulations according to current legal procedures.

Law is always related to humans who live in a community group. Humans are social creatures who live interacting with each other. The interaction starts from the simplest level to a larger level that starts from the simplest level so that it will end at a larger and more complex level along with the developments that occur in society that cover all aspects of life.

Criminal law in Indonesia is one of the main guidelines in achieving justice. An act is considered a crime and is regulated by law if it is considered by the legislator

¹Dahlan Thaib, et al., *Constitutional Theory and Law*, Rajawali Press, Jakarta, 2010, p. 2

²JM van Bemmelen, *Criminal Law 1 (Material Criminal Law General Part)*, Translated by Hasnan, Bandung: Bina Cipta, 1987, p. 128.

³Hasdiwanti, Syamsuddin Radjab, *Legal Review of Criminal Acts of Assault Resulting in Death (Study of Decision Number 34/Pid.B/2019/PN SNJ)*, *Alauddin Law Development Journal (ALDEV)*, Volume 4 Number 3 November 2022, p. 15.

to be a violation of legitimate interests. With the stipulation of provisions prohibiting such practices and accompanied by sanctions/criminal threats against anyone who does so, it can be understood that the law has provided legal protection for these legal interests.

A criminal act is an act that is prohibited by a legal rule, the prohibition of which is accompanied by a threat (sanction) in the form of a certain punishment for anyone who violates the prohibition.⁴The impact of a crime/violation is criminal responsibility. The definition of criminal responsibility is something that is criminally responsible for someone who commits a criminal act or crime.⁵

Criminal punishment is suffering that is intentionally imposed on a person who commits an act that meets certain conditions. In modern criminal law, this also includes what is called disciplinary action.⁶Basically, a person or person who is proven to have committed a crime can only be punished after going through a court process and it is proven that the person concerned (the perpetrator) has actually committed a crime that fulfills the definition of a crime that is against the law and the person concerned is guilty according to the law, only then will the perpetrator be subject to sanctions in the form of a criminal penalty in accordance with the actions he has committed.⁷

One example of a case of assault that resulted in death occurred in Jakarta, that the initial purpose of the Defendant going up to the 4th floor was to defend witness BENHUR SIMAMORA who at that time was arguing with a boarding house guest when he wanted to tell the boarding house guest to go home which was late at night. Where the Defendant had told the boarding house guest not to play around or gang up on each other and then the Defendant hit one of the boarding house guests. Where after the Defendant hit one of the boarding house guests, the Defendant was then ganged up on by the boarding house guests and there was a beating on the 4th floor. That the Defendant beat the boarding house guest on the 4th floor indiscriminately without looking at the direction of the target of the blow. After the beating on the 4th floor and feeling ganged up on, the Defendant then went down to the 3rd floor followed by the victim MUHAMMAD RAIHAN ALI WILDAN. Then the Defendant pulled the victim's right arm and then pulled him until he fell to the floor and then stepped on the victim's chest once.

That after the Defendant saw the victim MUHAMMAD RAIHAN ALI WILDAN lying on the floor, the Defendant had time to ask for help from other boarding house

⁴Roeslan Saleh, *Criminal Acts and Responsibility*, Aksara Baru, 1981, p. 80

⁵Ronny Hanitijo Soemitro, *Legal Research Methods*, 1st edition Ghalian Indonesia, Jakarta, 1983, p. 75

⁶Sudarto, *Criminal Law I*, Sudarto Foundation, Diponegoro University, Semarang, 1990, p. 15

⁷Andri Winjaya Laksana, *Cybercrime Comparison Under Criminal Law In Some Countries*, *Jurnal Pembaharuan Hukum*, Vol V No.2 April – August 2018, p. 217

residents while saying "give me a drink, give me a drink", this indicates that the victim should get help. That witness ARA AMALIA RAHMA who lives on the third floor and works as a nurse advised the victim's friends to take the victim MUHAMAD RAIHAN ALI WILDAN to the hospital immediately, but based on the facts in the trial, it was revealed that the victim MUHAMAD RAIHAN ALI WILDAN was not taken directly to the hospital. but instead was taken to a coffee shop by his friends, after which he was taken to the Cempaka Putih Islamic Hospital at around 04.30 WIB. Until finally the victim MUHAMAD RAIHAN ALI WILDAN was declared dead by the doctor at the Cempaka Putih Islamic Hospital on Sunday, January 21, 2024 at around 21.50 WIB.

Based on the author's analysis of the decision, in the legal process carried out by law enforcement against the perpetrators of the crime of assault resulting in death, there was no apparent attempt at Restorative Justice. Despite the absence of Restorative Justice efforts against the perpetrators of the crime, the handling of the case did not seem unilaterally directed only for the interests of law enforcement. Law enforcement continued to try to handle the case fairly and with applicable moral values based on elements that fulfill the relevant articles.

2. Research Methods

According to Soerjono Soekanto, research is a scientific activity related to analysis and construction carried out methodologically, systematically and consistently. Methodological means in accordance with a certain method or way, systematic is based on a system, while consistent means the absence of contradictory things in a certain framework.⁸ According to Vibhute and Aynalem, 'Research', in simple terms, can be defined as 'systematic investigation towards increasing the sum of human knowledge' and as a 'process' of identifying and investigating a 'fact' or a 'problem' with a view to acquiring an insight into it or finding an appropriate solution therefor. An approach becomes systematic when a researcher follows certain scientific methods.⁹ Legal research is a process of finding legal rules and legal doctrines to answer the legal issues faced.¹⁰

3. Results and Discussion

3.1. Criminal Liability of Perpetrators of Criminal Acts of Assault Resulting in Death

Criminal liability is a person's responsibility for the crime he/she has committed, meaning that the person is responsible for the crime he/she has committed and

⁸Soerjono Soekanto, *Introduction to Legal Research*, Third Edition, Publisher of the University of Indonesia (UI Press), Jakarta, 2008, p. 42

⁹Khushal Vibhute and Filipos Aynalem, *Legal Research Methods*, Teaching Materials, Prepared Under The Sponsorship Of The Justice And Legal System Research Institute, 2009, p. 2

¹⁰Salim HS, *Application of Legal Theory in Thesis and Dissertation Research*, Jakarta: Rajawali Pers, 2014, p. 5

the consequences it causes. Thus, this criminal liability arises because a crime has previously been committed by a person.¹¹

Criminal responsibility arises because someone has committed an offense. Criminal responsibility can only be imposed on the person who committed the crime. The ability to bear responsibility is regulated in Paragraph 1 of Article 44 of the Criminal Code: "A person who commits an act for which he cannot be held responsible because his soul is disabled in the process of its development or disturbed due to mental disorders cannot be charged with committing a crime."

Soedarto in Teguh Prasetyo's book mediates it with a compromise and says that in terms of determinism, although humans do not have free will, it does not mean that people who commit crimes cannot be held accountable. He can still be held accountable, and receive a reaction for the actions he has done, but the reaction is in the form of actions for public order, and not criminal in the sense of "suffering as a mistake". Likewise, Sassen in Teguh Prasetyo's book argues that judges do not impose criminal penalties, but take actions that force him to submit to public order. According to him, criminal law is actually a "social defense law".¹²

That the Panel of Judges will then consider whether, based on the legal facts above, the Defendant can be declared to have committed the crime with which he was charged.

Considering, that based on the above considerations, the element of intentionally taking the life of another person is not fulfilled. that because the essential elements of Article 338 of the Criminal Code are not fulfilled, the defendant must be declared not legally and convincingly proven to have committed the crime as charged in the primary charge, therefore the defendant must be acquitted of the primary charge;

The failure to prove the element of intent in Article 338 of the Criminal Code indicates that the defendant's actions are more appropriately qualified as assault resulting in death. This is in line with the principle of criminal law which requires proof of subjective elements (intention or intent) in the crime of murder. If these elements are not met, then the murder charge cannot be maintained, and the defendant's actions must be qualified according to the facts and evidence available, in this case as assault resulting in death.

The theory of criminal responsibility is a concept in criminal law that explains when a person can be held accountable for a criminal act. To hold a person criminally responsible, it is not enough to have an unlawful act, but there must also be evidence of fault (either intentional or negligent), the ability to be

¹¹Andi Sofyan and Nur Aziz, *Criminal Law Textbook*, Pustaka Pena Press, Makassar, 2016, p. 124.

¹²Teguh Prasetyo, *Op.Cit*, p. 84

responsible (not in a state of mental disorder), and the absence of excuses or justifications such as forced defense or office orders. In other words, a person can only be punished if he can truly be held accountable for his actions according to the law.

Based on the Criminal Case Decision No. 218/Pid.B/2024/PN Jkt Pst, the panel of judges decided that the defendant was not legally and convincingly proven to have committed the crime of murder as per the primary charge of Article 338 of the Criminal Code, but was proven to have committed the crime of assault resulting in death as regulated in Article 351 paragraph (3) of the Criminal Code. This shows that the panel of judges applied the theory of criminal responsibility correctly by considering the elements of guilt and the defendant's ability to take responsibility. The element of intent to kill (which is the main requirement of Article 338 of the Criminal Code) was not proven, so that criminal responsibility is directed at the act of assault resulting in death, not at the intention to take life.

The application of Article 351 paragraph (3) reflects that the judge considers the defendant legally responsible for the fatal consequences of his actions, but within the limits of criminal responsibility that is proportional to the proven error. Based on the theory of criminal responsibility, the defendant is declared capable of being responsible (psychologically and legally), has an element of error in the form of intent in committing assault, but has not been proven to have the intention to kill. Thus, his criminal responsibility is still imposed, but in accordance with the form of error that occurred. This approach reflects the application of a combined theory, which considers the aspect of justice (error) as well as legal protection for the defendant from disproportionate criminal penalties.

3.2. Weaknesses of Criminal Liability for Perpetrators of Criminal Acts of Assault Resulting in Death

Criminal liability is the liability for crimes committed by a person. Criminal liability for a person who commits a crime. Criminal liability is basically a mechanism created by the Criminal Code to address violations of a "contrary agreement" for a particular act.¹³

Roeslan Saleh stated that "criminal responsibility is defined as the continuation of objective blame that exists in a criminal act and subjectively fulfills the requirements to be punished for that act."¹⁴The purpose of objective charges is that the act committed by a person is actually prohibited. The indicator is that the act violates the law both formally and substantively. What is meant by subjective accusations relates to the person who committed the prohibited act.

¹³Chairul Huda, Op. Cit., p. 70

¹⁴Roeslan Saleh in Hanafi Amrani and Mahrus Ali, Op. Cit., p. 21

Even though the prohibited act is committed by a person, he cannot be blamed for his mistake, but there is no criminal responsibility.

Abuse includes a series of violent acts committed against an individual that are manifested in various forms that cause physical harm, suffering, and even fatal consequences such as death. Based on the provisions contained in the Criminal Code (KUHP), abuse is generally interpreted as a criminal act committed against a person's physical body. In terms of linguistic analysis, the term "abuse" comes from the verb "to abuse."¹⁵

However, in fact, there are still many weaknesses in the implementation of criminal liability for perpetrators of criminal acts of assault that result in the loss of another person's life, namely:

1) Legal Substance

The practice of law enforcement in the field often results in a conflict between legal certainty and justice. This is because the concept of justice is an abstract formulation while legal certainty is a procedure that has been determined normatively. Therefore, an action or policy that is not entirely based on law is something that can be justified as long as the policy or action does not conflict with the law. In principle, every criminal act that has been determined in laws and regulations, especially criminal law itself, will be enforced for anyone who violates the criminal provisions that have been formulated in the laws and regulations. The criminalization and imposition of criminal sanctions that are currently used are expected to be able to maintain the effectiveness of criminal law itself.

Regulations that lack clarity and firmness can provide room for law enforcers to interpret the contents of the regulation according to their own perspective or logic. This can lead to misunderstandings that have the potential to disrupt the fair application of the law. Moreover, if a legal provision is not yet available, law enforcers will try to find another legal basis that is considered most appropriate to be applied to the case at hand.

The act of assault resulting in death is included in the category of murder, where this criminal act is classified as a crime against the physical integrity and life of a person. The essence of this crime lies in the perpetrator's intention, namely that the perpetrator did not intend to take the victim's life, but only wanted to hurt or injure him. Thus, the victim's death is not the main purpose of the act, but rather becomes a factor that aggravates the sentence in cases of assault. The victim's death occurred not intentionally, but as a consequence of the perpetrator's negligence or lack of caution.

¹⁵Gunsu Rapita Bambang, Implementation of Criminal Responsibility for Students as Perpetrators of Assault Resulting in Death, *Pakuan Law Review* Vol 7 Number 2, 2021, p. 165

The ambiguity in defining the elements of persecution has the potential to lead to erroneous interpretations, which can ultimately hinder the fair application of the law.¹⁶

2) Legal Structure

Legal structure refers to institutions formed by the legal system to carry out various functions to support the sustainability of the system. Through this component, it can be seen how the legal system provides services in managing legal elements regularly. In general, the legal structure is closely related to law enforcement officers. The law enforcement process itself is the implementation of legal ideas and ideals that contain moral values such as justice and truth in real form. To realize this, the existence of institutions such as the police, prosecutors, courts, and correctional institutions is needed as classic elements in the law enforcement system formed by the state. Thus, the essence of law enforcement is to uphold substantial values, especially justice.¹⁷

If the Public Prosecutor is not careful in formulating the form of the crime of abuse, then the criminal sanctions imposed may be inappropriate. The lack of clear boundaries between the articles on abuse in the Criminal Code has the potential to be exploited by law enforcement officers, especially prosecutors, in compiling charges against perpetrators of abuse. In addition, the new Criminal Code does not provide a clear definition of abuse. The interpretation of the act is entirely left to the judge, who must adjust to the development of social and cultural values that exist in society. This condition is a challenge for judges in making decisions on abuse cases. Therefore, judges are required to have broad insight so that the decisions taken truly reflect justice.

3) Legal Culture

Legal culture basically includes values that form the basis of applicable law. These values are abstract concepts about what is considered good and worthy of being obeyed, and what is considered bad and should be avoided. These cultural values are then manifested in rules and attitudes and behaviors that reflect a series of final values with the aim of creating social renewal (law as a tool of social engineering), while maintaining and preserving social control in order to create peace in community life.

The many cases of abuse that have emerged from various sources indicate that this problem is related to the uncontrolled behavior of society, which is often

¹⁶Aditya Krisdamara, Andri Winjaya Laksana, Analysis of Criminal Liability of Perpetrators of Abuse Resulting in the Loss of Life of Another Person Based on Justice (Case Study of Criminal Decision Number 988/Pid.B/2017/PN Smg), Unissula Law Journal, Semarang, 2024, p. 86

¹⁷M. Husein Maruapey, "Law Enforcement and State Protection", Journal of Political Science and Communication, Volume VII No. 1, June 2017.

caused by low levels of education and the influence of a poor social environment. Conflict, both between individuals and groups, can trigger acts of violence that lead to abuse. The definition of a criminal act (delict) has been discussed in the previous chapter. Basically, in Dutch criminal law, in addition to the term strafbaar feit, the word delict is sometimes also used, which comes from the Latin delictum. The use of the term strafbaar feit is generally agreed upon by criminal law experts. Prof. Simon defines strafbaar feit as an unlawful act, whether done intentionally or unintentionally, by people who can be held accountable for their actions.

In addition, the ambiguity in the definition of abuse in the new Criminal Code which leaves the interpretation to the judge also shows the flexibility of the legal system, but at the same time raises the risk of inconsistency in the application of the law. In the theory of the legal system, the interpretation and application of norms must be in line with social and cultural values so that the law can function as an effective tool of social control. However, if the judge does not have sufficient knowledge and insight, uncertainty in criminal responsibility can lead to unfair decisions and weaken public trust in the legal system. Therefore, the integration between legal norms, legal actors, and law enforcement mechanisms is the main key to realizing a well-functioning legal system.

3.2. Criminal Responsibility of Perpetrators of Criminal Acts of Abuse Resulting in Death from a Human Rights Perspective.

Every human being naturally has basic rights that are inherent to him/her without exception. These rights are very diverse, such as the right to life, the right to feel safe in a country, and so on. The state is obliged to guarantee the protection of human rights for all people, both native citizens and foreigners living in its territory, regardless of class differences. This guarantee is important because human rights are inherent, cannot be removed or revoked by anyone, even by the owner of the rights themselves. The term human rights refers to rights that stem from the dignity and nature of humanity itself.

Human Rights are fundamental rights that are naturally owned by every individual and cannot be violated by anyone. In the practice of national life, violations of these rights, including discriminatory actions, still often occur and even show an increase over time. Therefore, the state has a responsibility to guarantee the protection of these rights in order to realize justice and prosperity in social life. Human Rights are believed to be an essential part that cannot be separated from human existence itself.¹⁸

As explained in Law No. 39 of 1999 concerning Human Rights, Article 1 Paragraph (1) states that: "Human Rights are a set of rights that are inherent in the nature

¹⁸Majda El Muhtaj, Op. Cit., p. 6.

and existence of humans as creatures of God Almighty and are His gift which must be respected, upheld and protected by the state, law, government and every person for the sake of honor and protection of human dignity and honor."

The need for interpretation and interdisciplinary approaches in the field of law is increasing along with the increasing number of forms of crime in the era of globalization, such as cybercrime, white-collar crime, terrorism, and others. In handling modern legal cases like this, an approach that only relies on one discipline (monodisciplinary) is considered inadequate and less comprehensive, so that it often leaves problems that have not been completely resolved.¹⁹ Human Rights have taught the universal principles of equality and freedom to humans so that there should be no discrimination, exploitation, violence, or restrictions on the rights and restraints of other humans.²⁰

Based on the issue of criminal responsibility, there is an important principle related to the element of error, namely the principle of "geen straf zonder schuld". This principle is a basic principle in criminal law which emphasizes that a person cannot be sentenced if there is no error on his part. This means that even though a person has committed an act that meets the elements of a criminal act as formulated in the offense, it must still be proven whether the person can indeed be held accountable for his actions. In other words, it is necessary to determine whether the individual is truly guilty or not in his actions.²¹

Based on the perspective of Human Rights (HAM), the criminal responsibility of the perpetrator of the crime of assault resulting in death as stated in the Criminal Case Decision No. 218/Pid.B/2024/PN Jkt Pst must be seen as an effort to uphold justice without ignoring the rights of the accused as a legal subject. The right to fair and proportional treatment demands that the sentence be imposed according to the level of guilt and the evidence available, so that there is no excessive or unfounded criminal punishment. In the decision, the transfer of the charge from murder to assault resulting in death shows respect for the principle of legality and protection of the accused's rights to only be punished if the valid element of guilt is proven convincingly.

In addition, the human rights perspective also prioritizes the protection of the rights of victims and their families to obtain justice through a transparent and accountable legal process. The determination of appropriate criminal responsibility in this case reflects the balance between the defendant's right to receive fair treatment and the victim's right to substantive justice. Thus, this

¹⁹Khoiruddin Nasution, Protection of Children in Indonesian Islamic Family Law, *Al- Adalah Journal*, Vol. 13 No. 1, 2016, p. 9.

²⁰Yahya Ahmad Zein, The Concept of Human Rights in Islam (Revealing the Correlation Between Islam and Human Rights, *Journal of Legal Studies*, Vol. 1 No. 1, 2015, p. 93.

²¹Edi Setiadi and Dian Andriasari, Development of Criminal Law in Indonesia, Graha Ilmu, Yogyakarta, 2013, p. 61.

decision demonstrates the commitment of the Indonesian criminal justice system to respect human rights by enforcing the law fairly and proportionally, ensuring that every individual is treated in accordance with their rights and obligations in the legal system.

Human rights theory emphasizes the importance of the principle of proportionality in limiting basic rights, including when conducting searches. This means that searches must be carried out according to the needs of the case being handled and must not exceed reasonable limits. If a search exceeds the necessary limits, then it can be categorized as a violation of human rights.

Based on the Criminal Case Decision No. 218/Pid.B/2024/PN Jkt Pst, the criminal responsibility of the perpetrator of the crime of assault resulting in death shows the application of human rights principles that emphasize fair and proportional treatment of the accused. From a human rights perspective, everyone has the right to a fair and non-arbitrary trial process, including the right not to be punished unless their guilt and responsibility can be proven legally and convincingly. By deciding that the accused was not proven to have committed murder (Article 338 of the Criminal Code) but rather assault resulting in death (Article 351 paragraph 3), the judge respected the accused's right to receive legal treatment in accordance with the facts and evidence, so that the right to justice and legal protection is maintained.

Theoretically, the principle of human rights in criminal law prioritizes the protection of the rights to life, justice, and individual freedom, while rejecting disproportionate or unfounded punishment. Human rights theory demands that criminal responsibility must be based on strong evidence and correct proof of guilt, and guarantees the rights of the accused during the legal process. This decision reflects this theory, where the justice system provides space for the protection of the accused's rights while fulfilling the demands of justice for victims and society in a balanced manner, avoiding potential human rights violations in criminal law enforcement.

4. Conclusion

Criminal Liability of the Perpetrator of the Crime of Assault Resulting in Death, the panel of judges decided that the defendant was not legally and convincingly proven to have committed the crime of murder as per the primary charge of Article 338 of the Criminal Code, but was proven to have committed the crime of assault resulting in death as regulated in Article 351 paragraph (3) of the Criminal Code. This shows that the panel of judges applied the theory of criminal liability correctly by considering the elements of guilt and the defendant's ability to take responsibility. The element of intent to kill (which is the main requirement of Article 338 of the Criminal Code) was not proven, so that criminal liability is directed at the act of assault resulting in death, not at the intention to take life.

To law enforcement officers, especially judges who play a crucial role in making decisions, they should be more careful in assessing the evidence presented during the trial. Because if the judge is less careful in evaluating the evidence, it can harm one of the parties in the trial process and has the potential to cause public distrust of law enforcement agencies. The government and law enforcement officers need to take preventive measures in the future so that cases of criminal acts of persecution resulting in death, such as in this case, do not happen again. Because persecution often occurs in society due to social inequality or disputes, it is important for the government and officers to strengthen regulations, while the community is expected to act more maturely so that similar actions can be minimized.

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