

Regulation Reconstruction on Female Genital Cosmetic Surgery for Sexual Violence Victims in Indonesia Under Dignified Justice

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ABSTRACT: This research aims to reconstruct regulations concerning female genital cosmetic surgery for victims of sexual violence in Indonesia by employing a dignified justice approach that integrates the values of positive law and Islamic law. The increase in cases of sexual violence has significantly impacted victims, both physically, psychologically, and spiritually. Although Law No. 12 of 2022 on Sexual Violence Crimes has provided a legal framework for victim protection, regulations related to female genital cosmetic surgery remain inadequate and are not comprehensively regulated. This research recommends the formulation of holistic regulations based on dignified justice. Furthermore, support based on Islamic values, such as takaful and rahmatan lil-alamin, should be integrated into victim rehabilitation services to provide comprehensive protection. Public education is also a priority to reduce social stigma against victims of sexual violence, which often hinders their recovery process. By applying the principles of dignified justice and the values of Islamic law, the resulting regulations are expected to provide comprehensive protection, support the physical and psychological recovery of victims, and uphold their dignity as creations of Allah. This research is anticipated to make a significant contribution to the development of public policies that are more responsive to the needs of victims of sexual violence in Indonesia and to raise public awareness about the importance of protection for them.

Keywords: cosmetic; female; surgery; victims

INTRODUCTION

The opening of the 1945 Constitution of the Republic of Indonesia states the aspirations of the Indonesian nation, namely to protect the entire nation and the bloodshed of Indonesia, to advance the general welfare, to educate the nation's life, and to realise world order based on independence, peace, and social justice. To achieve these goals, sustainable development is carried out, including in the fields of health and law.

The Constitution provides a strong legal foundation regarding legal equality and health protection for all citizens. Article 27 paragraph (1) affirms that all citizens are equal before the law and have the right to equal protection. This is particularly relevant in the context of female genital cosmetic surgery, especially for victims of sexual violence. Many victims experience stigma and discrimination that obstruct their access to adequate health services. Data from the National Commission on Women indicates an increase in reports of sexual violence against women, highlighting the need for greater attention to their mental and physical health following trauma.

Article 28H paragraph (1) also guarantees the right of every individual to receive adequate health services, which is crucial for victims of sexual violence who require medical procedures such as female genital cosmetic surgery in their recovery process. This recovery is physical, emotional, and psychological. Therefore, it is essential for the government to provide fair and equal access to health services and to eliminate stigma against victims.

Current health policy analyses show deficiencies in providing services that are sensitive to the needs of victims of sexual violence. More inclusive and responsive policies are needed so that victims can optimally recover and obtain the justice they deserve. Concrete steps must be taken to ensure that the legal and health rights of victims of sexual violence are acknowledged and effectively fulfilled.

Based on complaint data to the National Commission on Women and service institutions in 2021, there were 16,162 reports of violence, divided into 4,814 cases (29.8%) of physical violence, 4,754 cases (29.4%) of psychological violence, 4,660 cases (28.8%) of sexual violence, 1,887 cases (11.7%) of economic violence, and 47 cases (0.3%) that were not identified. The data indicate that psychological violence is dominant in personal realms, while sexual violence occurs more frequently in public spaces. Sexual violence increased by 7% in 2021, partly due to an 83% surge in cases.

In this context, female genital cosmetic surgery is often perceived as a solution to restore the confidence and mental health of victims. However, regulations concerning this practice in Indonesia remain minimal, leading to various new issues. Without clear regulations, many victims do not receive accurate information or appropriate support when undergoing such procedures.

This situation raises questions regarding the legal protection for victims of sexual violence who choose to undergo cosmetic surgery. On the one hand, such actions can be seen as efforts to restore the dignity and confidence of victims. On the other hand, without clear regulations, there is a risk of exploitation and abuse by irresponsible medical practices. This creates an ethical dilemma for victims, who must weigh their desire for healing against potential risks they may encounter.

This research aims to reconstruct the regulations on female genital cosmetic surgery using a dignified justice approach. This approach is crucial to ensure that the rights of victims are respected and protected, and that they receive appropriate and safe care. The research will examine various aspects, including existing regulations, medical practices, and the social impact of sexual violence and cosmetic surgery.

The philosophical aspect of this research focuses on understanding human dignity and women's human rights. According to the Universal Declaration of Human Rights, every individual is entitled to dignity and legal protection. In this context, it is essential to ensure that every medical action, including cosmetic surgery, is performed with consideration of the rights and dignity of the victims. This research will also discuss legal aspects related to the legal protection of victims, as well as sociological aspects concerning the social stigma often faced by female victims of sexual violence.

Social stigma often serves as a barrier for victims to report their cases and can exacerbate their mental and emotional conditions. Research indicates that many women feel isolated and do not receive support from their surroundings after experiencing sexual violence. Therefore, it is vital to create a supportive environment for victims, where they feel safe to speak out and seek help.

Moreover, the provisions of the Indonesian Criminal Procedure Code (KUHAP) have not yet accommodated the rights of victims of sexual violence. Many rules in KUHAP focus more

on suspects than on victims, thus the position of victims within KUHAP remains suboptimal. In the context of protecting women and children, the presence of Law No. 35 of 2014 concerning Child Protection has become a new hope for child victims of sexual violence to receive legal protection.

Many victims do not receive adequate access to information about their rights after experiencing sexual violence. Without a clear understanding of these rights, they may feel they have no choice but to accept their circumstances. This research aims to provide a better understanding of these rights, as well as the steps that victims can take to protect themselves.

Every effort to improve public health must be based on non-discriminatory, participatory, and sustainable principles. This aims to develop Indonesian human resources and enhance national resilience and competitiveness for national development. Any health disruption in society can cause significant economic losses for the country, thus every effort to improve public health also means investing in national development. Therefore, development must pay attention to public health and be the responsibility of all parties, both government and society.

The role and responsibility of the government are crucial to realise the goals and aspirations of the Indonesian nation in comprehensive and integrated national health development. In accordance with Articles 14–20 of Law No. 36 of 2009 concerning Health, the government is responsible for:

- a. Planning, regulating, organising, fostering, and supervising health efforts that are equitable and accessible to the community.
- b. Providing an environment, order, and health facilities, both physical and social, for the community to achieve the highest degree of health.
- c. Providing resources in the health sector that are fair and equitable for all citizens.
- d. Providing access to information, education, and health service facilities to improve health standards.
- e. Empowering and encouraging the active role of the community in health efforts.
- f. Providing quality, safe, efficient, and affordable health services.
- g. Implementing public health insurance through a national social security system.

In the field of human resources, the government plays a central role. In accordance with Article 21 of Law No. 36 of 2009, the government regulates the planning, procurement, utilisation, fostering, and quality control of health personnel. Article 26, paragraph (1) states that the government regulates the placement of health personnel for equitable health services. Paragraph (2) mentions that local governments may procure and utilise health personnel according to regional needs. Paragraph (4) states that the placement of health personnel must consider the rights of health personnel and the rights of the community to receive equitable health services.

According to the explanation of Law No. 36 of 2009 concerning Health, Article 2 states that health development must consider various principles that provide direction, including:

- a. The principle of humanity, meaning that health development must be based on humanity without discrimination against religious and ethnic groups.
- b. The principle of balance, meaning that health development must be carried out between individual and community interests.
- c. The principle of benefit, meaning that health development must provide benefits for humanity.

- d. The principle of protection, meaning that health development must provide legal certainty to providers and recipients of health services.
- e. The principle of respect for rights and obligations, meaning that health development must respect the rights and obligations of society.
- f. The principle of justice, meaning that health service delivery must provide fair and equitable services.
- g. The principle of gender and non-discrimination, meaning that health development must not differentiate treatment between women and men.
- h. The principle of religious norms, meaning that health development must consider and respect the religions practised by society.

Law No. 44 of 2009 concerning Hospitals mandates that health services are the right of every individual guaranteed in the Constitution of the Republic of Indonesia, which must be realised through efforts to improve the degree of public health. Hospitals are health service institutions that must be able to enhance services with better quality and accessibility for the community.

The regulation of hospital administration aims to facilitate community access to health services, provide protection for patient safety, and improve service quality. The government and local governments are responsible for providing hospitals according to community needs and ensuring the financing of health services for underprivileged communities.

In Article 64 paragraph (1) of Law No. 36 of 2009, it is stated that the treatment of diseases can be carried out through organ transplants, implants, plastic surgery, and the use of stem cells. Article 69 states that plastic surgery can only be performed by health personnel with expertise. Plastic surgery must not contradict applicable norms and is not intended to change identity.

Article 193 mandates that any person who intentionally performs plastic surgery for the purpose of changing identity may be sentenced to imprisonment for a maximum of 10 years and a fine of up to IDR 1,000,000,000. According to Article 123 of Law No. 17 of 2023 concerning Health, reconstructive and aesthetic plastic surgery may be performed by qualified medical personnel and must not contradict societal norms.

Reconstructive plastic surgery can be performed for various reasons, including defects due to trauma, burns, and tumour removal. Aesthetic plastic surgery aims to improve body parts that are less harmonious according to the patient's wishes. Aesthetic surgical procedures include facelift operations, eyelid fold creation, and liposuction.

On 26 February 2020, the Indonesian Ulema Council issued Fatwa No. 11 of 2020 concerning Plastic Surgery, which includes general provisions and legal rulings. Reconstructive plastic surgery to repair abnormal anatomical functions and forms is permitted under certain conditions. However, aesthetic plastic surgery intended to alter creation is considered haram.

Recommendations from this fatwa urge the state to create regulations regarding plastic surgery practices to ensure public safety and health and to prevent abuse. Health personnel are expected to adhere to this fatwa and consider the interests of patients.

This research is expected to find more comprehensive regulatory solutions based on the principle of dignified justice. Consequently, victims of sexual violence will not only gain access to the medical care they require but also adequate legal protection. This research will involve various methods, including policy analysis, interviews with legal experts, and surveys of victims of sexual violence.

It is essential to involve various stakeholders in this research process, including the government, non-governmental organisations, and civil society. Collaboration among various

parties will be key to creating significant changes in legal protection for victims of sexual violence. By involving the voices of victims in decision-making, it is hoped that the resulting policies will be more responsive to their needs.

This research not only aims to provide policy recommendations but also to raise public awareness about the issue of sexual violence and its impact on victims. Public education regarding victims' rights and the importance of social support will help create a safer environment for them.

Sexual violence in Indonesia is a serious issue that requires greater attention from all parties. Through this research, it is hoped that better solutions for legal protection for victims will be found, as well as increased public awareness of the importance of this issue. With a comprehensive and collaborative approach, we can achieve the goal of creating a safer and fairer society for all individuals.

Based on the background above, the author is interested in addressing this issue in the form of dissertation research entitled "Reconstruction of Regulation on Female Genital Cosmetic Surgery for Victims of Sexual Violence in Indonesia Based on Dignified Justice," with the hope that this research will be beneficial and contribute to legal knowledge, particularly in the field of health law.

RESEARCH METHODOLOGY

The research paradigm employed in this study is constructivism, which posits that knowledge is constructed through social interaction and individual experiences. This research aims to understand how victims of sexual violence make sense of their experiences, particularly in relation to genital cosmetic surgery. According to E.G. Guba and Y.S. Lincoln, reality is understood based on specific social experiences. This study will involve interactions between the researcher and the subjects of the research to identify the needs and expectations of the victims in the context of the regulation of genital cosmetic surgery. This study will also propose a regulatory framework that not only safeguards the physical health of victims but also respects their dignity and rights. Dignified justice underscores the importance of recognising human values and individual rights in all legal and social processes. Thus, this research is expected to make a significant contribution to the development of more effective and responsive regulations to the needs of victims of sexual violence in Indonesia.

Research is a systematic activity for collecting, processing, and analysing data to solve problems or test hypotheses. This study will employ a qualitative approach using case study methods to analyse the regulation of female genital cosmetic surgery in Indonesia, particularly in the context of victims of sexual violence. This approach allows the researcher to understand the experiences and perspectives of victims as well as the professionals involved.

RESULT AND DISCUSSION

The Problematic Sexual Violence against Women in Indonesia

Sexual violence against women in Indonesia is a serious issue that requires greater attention. Data from the National Commission on Violence Against Women indicates that in 2020, over 300,000 cases of violence against women were reported, with sexual violence being the highest category. In this context, genital cosmetic surgery is often viewed as a means of recovery for victims. However, regulations regarding this procedure in Indonesia remain minimal and do not adequately protect the rights of victims.

The Minister of Health Regulation No. 30 of 2013 on Reproductive Health Services underscores the importance of ethical healthcare services that respect patient rights. However,

many victims of sexual violence do not have adequate access to these services, including genital cosmetic surgery. Social stigma and a lack of understanding of reproductive health rights among the public and medical personnel are major barriers.

Furthermore, many victims feel pressured to undergo genital cosmetic surgery as a way to "recover" from trauma. Without sufficient information regarding the risks and benefits, many victims become trapped in a cycle of stigma and injustice.

Existing regulations concerning genital cosmetic surgery for victims of sexual violence in Indonesia are very limited and often inconsistent. The current regulations do not specifically govern this procedure, leading to confusion among medical personnel. Many doctors feel hesitant to perform this procedure due to the lack of clear guidelines.

Law No. 12 of 2022 on Sexual Violence Crimes provides a legal framework for handling cases of sexual violence; however, it does not explicitly regulate genital cosmetic surgery as a form of recovery. This reveals a regulatory gap that needs to be addressed.

Challenges in the implementation of regulations regarding genital cosmetic surgery in hospitals, such as Bhayangkara Hospital, include a low understanding among medical personnel about this procedure, the social stigma surrounding victims, and limited accessibility to services. Many victims feel pressured to undergo this procedure, and the lack of clear information makes them reluctant to seek help.

Case studies on the implementation of victims' rights in Indonesia concerning three court rulings on sexual violence crimes:

1. On 28 December 2023, a defendant committed sexual violence against a victim witness at a friend's house in Balikpapan. The defendant initially felt unwell and rested at his friend's house, where he interacted with witness II. The victim witness was invited to the room to rest, and while she was asleep, the defendant committed sexual violence. When the victim witness woke up and resisted, she managed to escape and report the incident. Following the report, the defendant was arrested.

Medical examinations revealed that the victim witness sustained injuries to her genitals due to the violence. On 30 October 2024, the defendant was sentenced to 1 year and 6 months in prison and ordered to pay court costs amounting to Rp. 5,000.

2. The defendant YK alias AF (26 years old) was charged with committing sexual violence against SN (22 years old) in Makassar. The defendant and the victim met through a dating app, and the defendant exploited this relationship to commit sexual violence. This act occurred when the defendant took the victim to a boarding house under the pretext of seeking employment. The defendant forcibly engaged in sexual intercourse with psychological manipulation.

The victim reported the incident to the police, and the defendant was arrested. Medical examinations revealed injuries to the victim's genitals. On 18 September 2024, the defendant was sentenced to 5 years in prison and fined Rp. 100,000,000.

3. The defendant AS alias AA (59 years old) was charged with committing sexual violence against a victim in Pandeglang. He exploited the victim's vulnerability, including threatening her and committing sexual acts in various locations. Medical examinations revealed injuries to the victim's genitals.

On 24 April 2024, the defendant was sentenced to 7 years and 6 months in prison and fined Rp. 100,000,000.

In Indonesia, there remains a lack of regulation regarding genital cosmetic surgery for victims of sexual violence. Although laws exist that regulate victims' rights to rehabilitation, there are no specific provisions regarding access to genital cosmetic surgery. This leaves many

victims feeling neglected and inadequately cared for. Therefore, clear regulations are needed to ensure that victims have access to the necessary care.

Implementation of Regulations on Genital Cosmetic Surgery for Female Victims of Sexual Violence Abroad:

1. In New Zealand, sexual violence is a serious issue, with approximately 1 in 5 women experiencing sexual violence. Genital cosmetic surgery is often seen as an option to aid the recovery of victims. This procedure can provide a sense of control and enhance self-esteem. New Zealand has strict regulations regarding cosmetic surgery practices, including patient consent and professional competence. This is crucial to ensure that patients receive clear information about the risks and benefits of the procedure.
2. Sweden pays significant attention to the issue of sexual violence, with about 1 in 10 women experiencing sexual violence. Genital cosmetic surgery has become an important topic related to health policy. Access to quality healthcare services is recognised as a right for every individual. It is essential to understand that cosmetic surgery relates not only to physical aspects but also to mental recovery. Adequate psychological support is necessary to help victims cope with trauma.
3. In Canada, sexual violence is a serious issue, with approximately 1 in 3 women experiencing physical or sexual violence. Genital cosmetic surgery is considered important in the recovery process. Despite its benefits, this procedure faces challenges and controversies. Some critics argue that these procedures may reinforce stigma against women's bodies. It is important to provide psychological support before and after the procedure.

The implementation of genital cosmetic surgery for female victims of sexual violence in Canada reflects efforts to address complex issues. With support from statistical data and existing legal frameworks, it is essential to continue exploring how this procedure can be integrated into health systems and support for victims. Further research and ongoing dialogue will be key in ensuring that measures taken align with the needs and rights of victims.

Regulations concerning genital cosmetic surgery for women in Indonesia remain unclear, both in definition and scope. This is crucial for the protection of women's rights and reproductive health. Public awareness of genital cosmetic surgery is increasing, but clear standards regarding this procedure are still lacking. The Indonesian Ministry of Health states that although guidelines exist, there are no specific provisions for victims of sexual violence. This ambiguity confuses medical personnel and patients and risks leading to the abuse of practices.

A tangible example of this Issue I" reflected in the annual report on women's protection by the National Commission on Violence Against Women. Many victims of sexual violence seek medical assistance without a clear understanding of the procedures and their risks. They often do not receive sufficient information regarding the benefits and risks of cosmetic surgery, which can lead to inappropriate decisions. Some patients may believe that genital cosmetic surgery will improve their physical condition after trauma, without authorize the risks of infection and other complications. This highlights the need for clearer regulations to protect patient rights and provide adequate education.

Statistics from the Indonesian Association of Plastic Surgeons (2022) indicate that although the demand for genital cosmetic surgery is increasing, not all procedures are performed according to standards. Some procedures are carried out by unqualified medical personnel, which can impact to patient health. This lack of clarity also opens gaps for illegal practices that can endanger victims' health. There have been reports of unofficial clinics offering genital cosmetic surgery services at low prices but failing to meet safety standards.

The lack of a clear definition also affects oversight and law enforcement. Without a clear legal framework, it is difficult to take action against inappropriate practices. Data from the Witness and Victim Protection Agency (LPSK) shows that many victims do not report their cases due to fear of stigma and lack of legal protection. They feel judged if they disclose their experiences, exacerbating the situation. It is essential to build public awareness regarding women's rights and legal protection for victims of sexual violence. Without strong legal support, many victims will remain trapped in a cycle of violence without obtaining justice.

Therefore, it is important to revise regulations to include clear definitions and a comprehensive scope regarding genital cosmetic surgery for victims of sexual violence. This will provide better protection for victims and enhance accountability among medical personnel. With clear regulations, it is expected that medical personnel will be more responsible in providing accurate information to patients and ensuring that procedures meet medical standards. Good regulations can also prevent illegal practices and ensure that every patient receives safe and quality care.

Social stigma against victims of sexual violence in Indonesia is a complex issue that requires attention from the entire society. In a cultural context influenced by patriarchal norms, victims often become targets of blame, which hinders them from seeking help. The Indonesian Survey Institute (LSI) reported in 2022 that nearly 70% of the public still holds negative views towards victims of sexual violence. This creates an unsafe environment for victims, where they feel isolated and unsupported.

Many still perceive sexual violence as a result of individual behaviour rather than as a violation by the perpetrator. For example, victims wearing certain clothing are often subjected to criticism. However, there is no justification for acts of sexual violence. Every individual is entitled to protection and respect. Therefore, it is crucial to change this perspective so that society understands that victims are not the guilty parties.

In the context of healthcare services, social stigma has a significant impact, especially concerning genital cosmetic surgery. Research shows that many victims feel pressured not to proceed with cosmetic surgery due to concerns about negative societal judgment. This shame can act as a barrier in their recovery process. If victims feel unsupported, they are likely to withdraw and avoid seeking the help that should be their right.

A tangible example of the Impact of stigma is evident in the annual report on women's protection by the National Commission on Violence Against Women (2023). Many victims encounter difficulties in accessing healthcare services due to stigma. Some are even neglected by medical personnel who are supposed to provide assistance. This situation underscores the need for a more sensitive approach in delivering healthcare services to victims. Medical personnel must be trained to understand the social and psychological backgrounds of victims and provide appropriate support.

Social stigma also contributes to the lack of legal awareness within society. Many victims are unaware of their rights to obtain protection and adequate healthcare services. Without a good understanding, victims find it challenging to access the care they need. Therefore, public education regarding sexual violence and victims' rights is crucial to reducing stigma. Proper education can help society understand that sexual violence is a serious issue requiring attention and collective action.

Collective efforts from various parties, including the government and non-governmental organisations, are essential to address social stigma against victims of sexual violence. Education and public awareness campaigns must be conducted continuously to build a better

understanding of sexual violence and its impact on victims. Campaigns involving community leaders can reach a broader audience and change their perspectives.

Building a comprehensive support system is also important. This includes providing counselling services, legal support, and access to healthcare services that are sensitive to the needs of victims. By providing appropriate support, we can help victims feel more empowered and able to take steps towards their recovery. Society must also be taught to be good supporters for victims by listening, understanding, and not judging.

The lack of legal awareness in society is a complex issue, especially in the context of sexual violence in Indonesia. This situation reflects a lack of knowledge and creates an unsupportive environment for victims to seek justice. According to the Pulih Foundation (2022), only about 30% of the public understands their rights related to legal protection for victims of sexual violence. This indicates that many people remain unaware, hindering them from taking necessary action.

Many victims of sexual violence do not realise that they have the right to receive medical services, including genital cosmetic surgery. After experiencing violence, victims often feel confused and alienated, and their ignorance about their rights exacerbates the situation. For instance, a victim may not know that they are entitled to free medical care or psychological support. The lack of information regarding legal procedures also poses a significant barrier. Data from the Central Bureau of Statistics (BPS) in 2023 indicates that many victims choose not to report their cases due to a lack of understanding of the legal processes they must navigate.

Better legal education in society is crucial, especially for vulnerable groups such as women and children. Educational programmes focusing on victims' rights and legal processes can help them access justice. For example, legal outreach in schools or communities can provide a better understanding of individual rights. With clear and easily understandable information, it is hoped that victims will be more courageous in reporting.

The annual report on women's protection by the National Commission on Violence Against Women (2023) indicates that many victims do not report their cases because they feel it is futile or fear stigma. This shows that the lack of legal awareness is not the only problem; there is also a distrust of the legal system. This distrust often stems from previous negative experiences, both from other victims who did not receive justice and from insensitive behaviour by law enforcement officials.

Building public trust in the legal system is a significant challenge. One way to address this is by increasing transparency and accountability in handling cases of sexual violence. The government and legal institutions need to commit to providing sensitive and professional handling of victims. Training for law enforcement officials on how to interact with victims can create a safer environment for them to report.

Collaboration between the government, legal institutions, and civil society organisations is essential in enhancing legal awareness. Informative and inclusive programmes can help bridge information gaps. Media campaigns highlighting victims' rights and the legal procedures that should be followed can reach a wide audience and provide the necessary knowledge.

Developing online platforms that provide information about victims' rights and steps to take after experiencing sexual violence is also crucial. In the digital age, many people rely on the internet as a source of information. By providing easily accessible resources, it is hoped that victims can find answers to their questions and obtain the support they need.

However, achieving significant change in legal awareness within society requires ongoing efforts. This is not an issue that can be resolved quickly; it requires long-term commitment from all parties. Legal education should be an integral part of the educational curriculum in schools, and society should be encouraged to engage in discussions about their rights.

The limited access to healthcare services, particularly concerning genital cosmetic surgery for women, is a significant issue in Indonesia. Data from the Ministry of Health shows a substantial gap in healthcare service access between urban and rural areas. In major cities like Jakarta, many clinics offer cosmetic surgery procedures, whereas access is severely limited in remote areas. Many women must travel long distances, which consumes time and costs.

The lack of information regarding genital cosmetic surgery services is also a barrier. Many women are unaware of the availability of these procedures or do not understand the risks and benefits involved. A survey by the Indonesian Survey Institute revealed that approximately 60% of respondents felt they did not receive sufficient information. This highlights the need for a better approach to health education, particularly regarding cosmetic surgery, which is still considered taboo.

Economic factors further exacerbate the limitations of access. The costs for genital cosmetic surgery in private clinics are often prohibitively high and unaffordable for many women, especially those from lower economic backgrounds. BPS data indicates that around 25% of Indonesia's population lives below the poverty line, making it difficult for them to access the necessary medical care.

Social stigma surrounding genital cosmetic surgery also poses a barrier. Many women feel afraid to seek information or undergo these procedures due to concerns about negative judgment. Research from the University of Indonesia shows that 70% of women feel uncomfortable discussing this topic. Therefore, it is essential to educate the public and change negative perceptions regarding this procedure.

Creating policies that support access to healthcare services is vital. The government needs to develop programmes that facilitate access to genital cosmetic surgery, especially in underserved areas. These programmes could include health education, authorized procedure costs, and developing healthcare facilities in remote areas. These measures are expected to improve access to genital cosmetic surgery services for all segments of society.

The inconsistency between regulations and practices in the field of genital cosmetic surgery for women in Indonesia is a serious problem. Although regulations exist governing cosmetic surgery practices, their implementation often falls short of expectations. Many clinics operate without official permits, and the procedures performed do not adhere to established standards.

Examples of this inconsistency are evident in the numerous cosmetic surgery practices conducted by unlicensed medical personnel. Data from the Indonesian Association of Plastic Surgeons indicates that about 30% of cosmetic surgery clinics lack qualified medical staff. This poses high health risks for patients, including serious complications resulting from procedures not performed by competent medical personnel.

The lack of oversight from authorities further exacerbates this issue. Many clinics operate without adequate supervision, allowing them to engage in unethical and dangerous practices. Research from Gadjah Mada University indicates that 40% of patients undergoing genital cosmetic surgery experience complications due to a lack of clear operational standards at the clinics where they undergo procedures. This indicates that despite regulations, the necessary oversight remains insufficient.

This inconsistency impacts public perception of cosmetic surgery services. Many women feel hesitant to undergo these procedures due to concerns about unsafe practices. A survey by the Community Research Institute revealed that 65% of respondents expressed worry about their safety if they were to undergo cosmetic surgery at unregistered clinics. This indicates that the inconsistency between regulations and practices can erode public trust in healthcare services.

To address this issue, collaboration between the government, professional organisations, and society is needed. The government must tighten oversight and enforce laws against clinics that violate regulations. Additionally, education and training for medical personnel should be enhanced to ensure they provide safe and quality services. With these measures, it is hoped that the inconsistency between regulations and practices in the field of genital cosmetic surgery can be reduced.

The lack of consistent law enforcement regarding regulations on genital cosmetic surgery for women in Indonesia is a significant issue that needs to be resolved. Although regulations exist governing this practice, implementation is often inconsistent. This is due to several factors, including a lack of human resources for oversight and law enforcement.

Many cosmetic surgery clinics operate without official permits. Data from the Food and Drug Monitoring Agency indicates that approximately 25% of cosmetic surgery clinics in Indonesia lack valid licenses, and many continue to operate without strict legal action. This demonstrates that despite existing regulations, violations often go unpunished.

This lack of enforcement also negatively impacts service quality. Many clinics do not adhere to established standard operating procedures (SOP), which can impact to patient safety. Research from the Faculty of Medicine at Airlangga University reveals that 50% of patients undergoing genital cosmetic surgery experience complications due to non-compliance with SOP. This indicates that weak law enforcement can have serious implications for public health.

The minimal enforcement of laws also creates an unsafe environment for patients. Many women are reluctant to report violations at clinics due to fear of legal repercussions or social stigma. A survey by the Indonesian Consumer Foundation indicates that 70% of respondents do not dare to report clinics they perceive as violating regulations. This shows that inconsistency in law enforcement can diminish public trust in the legal system.

To address this issue, reforming the law enforcement system related to genital cosmetic surgery is necessary. The government needs to enhance oversight and law enforcement capacity and provide training for relevant officials. Additionally, it is important to increase public awareness regarding their rights as patients so that they feel more empowered to report violations. With these measures, it is hoped that law enforcement will become more consistent, effective, and capable of enhancing public trust in the existing legal system.

Policies regarding genital cosmetic surgery in Indonesia remain limited and poorly integrated within existing laws. Several laws, such as Law No. 36 of 2009 on Health and Law No. 23 of 2002 on Child Protection, do not specifically regulate genital cosmetic surgery for victims of sexual violence. This creates legal gaps that certain parties may exploit to engage in unethical practices.

According to the Jakarta Legal Aid Institute (LBH), many hospitals and clinics offer genital cosmetic surgery services without adequate oversight. Many practices are conducted without considering the essential medical and psychological aspects for victims of sexual violence. Victims often feel pressured to undergo procedures to meet unrealistic beauty standards, which can worsen their psychological condition.

The lack of education and information about the risks and benefits of genital cosmetic surgery is also problematic. Many victims do not receive adequate explanations regarding the procedures, making it difficult to make informed decisions. This highlights the need for clear regulations that not only govern the technical aspects of cosmetic surgery but also educate victims about their rights.

Current policies often overlook gender perspectives and human rights. Many policies focus more on medical and legal aspects without considering the impacts on victims' social and psychological lives. Therefore, a more in-depth analysis is needed to identify weaknesses in the regulations surrounding genital cosmetic surgery.

Reforming policies to be more inclusive and responsive to the needs of victims of sexual violence should be a priority. Good regulations will not only protect victims' rights but also provide them with the space to recover and lead better lives.

It is essential to involve various parties in the policy-making process, including non-governmental organisations, medical personnel, and victims themselves. Constructive dialogue among all stakeholders will result in more comprehensive and recovery-oriented policies. Furthermore, the government needs to enhance oversight of genital cosmetic surgery practices to ensure that every procedure is conducted according to high ethical standards and safeguards the psychological well-being of patients.

Public education regarding individual rights and the risks associated with genital cosmetic surgery is also crucial. Outreach programmes involving the wider community can help reduce stigma and increase awareness of this issue. With a more holistic approach, it is hoped that victims of sexual violence will not only receive legal protection but also the emotional support they need for their recovery.

In conclusion, the development of more effective, evidence-based policies grounded in the real experiences of victims is an important step towards protecting human rights and enhancing the overall welfare of society. Good regulations will not only govern the practice of genital cosmetic surgery but also create a safer and more supportive environment for all individuals, especially those who have experienced trauma.

The principle of dignified justice serves as the fundamental basis for formulating regulations related to genital cosmetic surgery for victims of sexual violence. This concept authorized respect for individual dignity and the protection of human rights. Regulations designed must ensure that every victim is treated fairly and equally, without discrimination.

One key element of dignified justice is the recognition of the experiences and trauma faced by victims. Each individual has unique backgrounds and experiences, so the approach in regulation must consider this diversity. In the decision-making process regarding genital cosmetic surgery, victims need to be actively involved. Providing space for victims to express their views and preferences not only gives them a voice but also enhances their sense of control and respect for their own bodies.

Regulations must also ensure that access to healthcare services is equitably available to all victims. This means that there should be no differential treatment based on social, economic, or cultural backgrounds. The government must ensure the availability of adequate resources so that every victim has equal access to quality medical services. Inclusive services that are responsive to victims' needs will build their trust, encouraging them to seek help.

The principle of dignified justice also state the protection of victims' sexual and reproductive rights. Every woman has the right to determine what happens to her body, including the decision to undergo genital cosmetic surgery. Regulations must ensure that each decision is based on clear information and a deep understanding of the risks and benefits of

the procedure. Comprehensive education for victims about available options and the consequences of each choice is crucial.

By applying the principle of dignified justice, regulations are expected to create a safe and supportive environment for victims of sexual violence. This not only assists them in the recovery process but also reinforces their dignity and self-worth as individuals. The implementation of dignified justice in these regulations can serve as a model for other public policies, encouraging the creation of a more just society that respects human values. Therefore, dignified justice is not merely a theoretical principle but a real commitment to ensuring that every individual, especially those who are vulnerable, is treated with respect and has their rights fully upheld.

The dignified justice approach in regulating genital cosmetic surgery for victims of sexual violence requires several key elements:

- a. **Respect for Victims' Rights:** Every victim has the right to complete, transparent, and easily understandable information regarding genital cosmetic surgery procedures, including their risks and benefits. Adequate information enables victims to make informed decisions that align with their needs.
- b. **Attention to Psychological Aspects:** Genital cosmetic surgery not only impacts the physical but also affects the mental condition of victims. Therefore, regulations need to encompass comprehensive psychological support, such as counselling and therapy, to help victims cope with trauma.
- c. **Active Participation of Victims:** Victims need to be directly involved in every stage of the process, from planning to the implementation of regulations. By involving victims, the resulting regulations will be more relevant to their needs and expectations.
- d. **Prevention of Sexual Violence:** Regulations should be proactive in preventing sexual violence. This can be achieved through educational programmes and awareness campaigns to change societal perceptions of sexual violence and reinforce understanding of women's rights.
- e. **Collaboration Among Various Parties:** The success of this approach requires collaboration between the government, non-governmental organisations, and society. This synergy will produce comprehensive and sustainable regulations to support victims of sexual violence.

By integrating all these elements, the dignified justice approach in regulating genital cosmetic surgery can provide adequate protection for victims while fostering a more caring and just society. If implemented effectively, this approach can also serve as an inspiring model for other countries in protecting and empowering victims of sexual violence.

To protect the rights of victims of sexual violence concerning women's genital cosmetic surgery, it is essential to authorize that current regulations still have various shortcomings. Therefore, specific regulations are needed to provide optimal protection for victims. These regulations should encompass various aspects of victims' recovery and ensure adequate protection. In the context of Islamic law, this idea aligns with the principles of sharia that prioritise individual protection and the restoration of dignity.

The drafting of a specific Bill (RUU) becomes crucial. This Bill should include operational guidelines and detailed medical protocols. For instance, every genital cosmetic surgery procedure should regulate guidelines related to the consultation process, the qualifications of those authorized to perform actions, and the post-operative care procedures. Additionally, involving medical personnel with authorize expertise in trauma management is necessary to ensure that every process is conducted safely.

Another primary focus is to ensure access to these services for victims. The government must ensure that victims of sexual violence have access to genital cosmetic surgery services without facing financial or social barriers. Government subsidies or support from relevant institutions can be solutions to ensure that all victims receive the care they need.

Furthermore, integration with the Law on Sexual Violence Crimes (UU TPKS) is a key aspect. Harmonisation between regulations will ensure that the physical and psychological recovery of victims becomes part of rehabilitation. This approach aligns with the concept of restorative justice, where the focus is not only on punishing the perpetrator but also on the recovery of the victim.

The reconstruction of regulations on genital cosmetic surgery for victims of sexual violence is deeply connected with the Indonesian National Police (Polri) and Bhayangkara Hospital. Polri, as the law enforcement agency, plays a vital role in receiving reports, investigating cases, and providing legal protection to victims. In the context of regulations on women's genital cosmetic surgery, Polri must ensure that medical actions do not interfere with legal processes but rather strengthen forensic evidence and support victims' recovery.

Bhayangkara Hospital serves as the primary referral medical facility for handling victims of sexual violence. This hospital must provide authorized services, including women's genital cosmetic surgery, as part of efforts to assist victims' recovery. Standard operating procedures (SOP) related to the implementation of women's genital cosmetic surgery must be formulated in accordance with the new regulations based on the principle of dignified justice.

Collaboration between Polri and Bhayangkara Hospital is a key element in providing integrated services for victims of sexual violence. Polri is responsible for providing legal protection and supporting the investigation process, while Bhayangkara Hospital provides medical recovery services. Therefore, efficient referral mechanisms between these two institutions need to be created.

In the context of Scientific Crime Investigation (SCI), the application of reconstructed regulations on women's genital cosmetic surgery is designed to strengthen the handling of sexual violence cases, support victims' recovery, and maintain the integrity of legal evidence. Initial steps include gathering and analysing forensic evidence before surgical actions are taken.

The documentation of digital evidence is crucial to ensure that medical reconstruction does not erase significant forensic traces. In this context, three-dimensional (3D) reconstruction technology plays an important role. Visualising the condition of victims before and after the procedure can serve as a supporting tool in court.

The aspect of patient rights protection also requires serious attention. Considering that victims of sexual violence often face social stigma, it is essential for the government to implement effective patient data protection mechanisms. The personal information of victims must be kept confidential and only accessible to authorized parties.

Overall, there are significant differences between the practice of genital cosmetic surgery abroad and in Indonesia. Internationally, these practices are more medically and socially accepted, with strict oversight from medical authorities and regulations ensuring that procedures are performed according to patients' needs.

Table 1 Countries with Regulations on Cosmetic Genital Surgery

No	Country	Involved Physicians	Applicable Regulations	Supporting Reasons for Procedures
1	United States	Plastic surgeons, gynaecologists	American Society of Plastic Surgeons (ASPS) and Food and	Aesthetic, trauma from sexual violence, improvement

			Drug Administration (FDA)	of genital organ function, or psychological needs.
2	United Kingdom	Plastic surgeons, gynaecologists	General Medical Council and National Health Service (NHS) guidelines	Aesthetic, post-injury reconstruction, improvement of sexual dysfunction, or physical and psychological trauma.
3	Germany	Plastic surgeons, gynaecologists	German Society of Plastic, Reconstructive and Aesthetic Surgeons (DGPRÄC)	Reconstruction due to trauma, medical reasons, or aesthetic considerations based on strict medical evaluation.
4	Japan	Plastic surgeons, gynaecologists	Ministry of Health, Labour and Welfare	Post-trauma reconstruction, functional reasons, and aesthetic needs with a strict approach to patient consent.
5	Australia	Plastic surgeons, gynaecologists	Australian Health Practitioner Regulation Agency (AHPRA)	Reconstruction due to sexual trauma, aesthetic reasons, or congenital abnormalities.
6	Canada	Plastic surgeons, gynaecologists	Royal College of Physicians and Surgeons of Canada	Physical or psychological trauma, improvement of organ function, or reconstruction needs.
7	South Korea	Plastic surgeons, gynaecologists	Ministry of Health and Welfare	Aesthetic, cultural needs, or trauma from sexual violence.
8	France	Plastic surgeons, gynaecologists	Ordre des Médecins and Haute Autorité de Santé	Aesthetic reasons, trauma from violence, or other post-operative reconstructions.
9	South Africa	Plastic surgeons, gynaecologists	Health Professions Council of South Africa (HPCSA)	Reconstruction due to sexual violence, congenital abnormalities, or cultural and aesthetic reasons.
10	Sweden	Plastic surgeons, gynaecologists	Swedish National Board of Health and Welfare	Reconstruction for survivors of violence, medical reasons, or enhancement of patient quality of life.

Cosmetic genital surgery abroad has progressed significantly, characterised by clear regulations and a higher level of social acceptance. In Indonesia, however, this practice remains heavily influenced by cultural and religious factors, rendering it controversial and infrequently performed. To enhance understanding of cosmetic genital surgery, particularly for victims of sexual violence, there is a pressing need for wider dissemination of information and education regarding sexual health and reconstruction following trauma, accompanied by clear regulations and appropriate oversight.

Furthermore, it is essential to provide legal and medical assistance as part of the protection for victims. Survivors must have access to adequate medical and psychological support to facilitate their recovery process. The Indonesian Medical Association (IDI) should take an active role in formulating ethical guidelines for healthcare professionals handling

severe trauma cases. Such guidelines would ensure that services are delivered in a professional and empathetic manner, thereby fostering a sense of comfort for victims during their recovery.

The enhancement of medical professionals' competencies must also be prioritised. Specialised training for doctors, particularly those in the fields of reconstructive plastic surgery and obstetrics-gynaecology, is crucial for them to fully comprehend the trauma needs of victims. This training should encompass safe surgical techniques and empathetic communication, ensuring that services are more comprehensive. With such training, the risk of medical errors can be minimised, and patients can receive care that is appropriate to their conditions.

Legal foundations, such as the Fatwa issued by the Indonesian Ulema Council (MUI) Number 11 of 2020 regarding plastic surgery, should also serve as a reference point. This Fatwa asserts that medical interventions must consider the welfare of individuals and must not contravene the principles of Sharia. By adhering to this guidance, cosmetic genital surgery can be conducted safely, both from a medical standpoint and in alignment with religious values, thereby providing reassurance to patients.

Government support and collaboration with the Health Social Security Agency (BPJS Kesehatan) are vital for improving access to services for victims. With adequate subsidies, the cost of treatment will not hinder victims from obtaining cosmetic surgical services. Public education is also necessary to reduce social stigma surrounding these procedures. Society must understand that cosmetic genital surgery is a crucial aspect of the recovery process for victims.

Through integrated efforts involving various stakeholders, from government bodies to community organisations, we can create more inclusive and effective regulations. This approach will not only have a positive impact on victims on an individual basis but will also contribute to the creation of a more caring society that supports the recovery of survivors of sexual violence.

CONCLUSION

The regulations governing female genital cosmetic surgery in Indonesia are far from ideal. Ambiguity in procedures is a major issue. For example, there are no clear guidelines regarding who is authorised to perform these procedures and under what conditions they may be conducted. This opens the door for individuals without medical backgrounds to engage in practices that should only be performed by trained healthcare professionals. In some areas, there have been cases where cosmetic surgery is performed by incompetent individuals, potentially endangering the health of patients. The protection for victims of sexual violence indicates that existing regulations do not consider the fundamental needs of individuals who have experienced trauma. This lack of clarity and weak protection can add to the suffering of victims, rather than assisting them in the recovery process. Many victims feel neglected by the healthcare system that should serve as a refuge for them. Therefore, a more comprehensive approach is needed to ensure that regulations focus not only on medical aspects but also on the psychological and social challenges faced by victims. The government needs to undertake a comprehensive revision of regulations, taking into account the principles of dignified justice. These regulations should impose stringent requirements on healthcare professionals performing procedures, including appropriate training and certification. Standard procedures must be established to ensure that all steps in the genital cosmetic surgery process meet high medical standards. Clear oversight mechanisms also need to be developed to ensure that all practices are conducted in accordance with established new regulations or amendment.

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