

Legal Analysis of the Acquittal Verdict in the Amsal Sitepu Case: Implications for Legal Remedies within the Criminal Justice System

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ABSTRACT

This study examines the status of the finality of acquittals (*vrijspraak*) after the enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code, with a case study of the case of Defendant Amsal Christy Sitepu. Using normative legal research methods, the results of the study indicate that this new regulation absolutely closes the space for filing an appeal against the acquittal through Article 299 paragraph (2) letter a. Regarding the ambiguity of the appeal legal remedy, a systematic interpretation of Article 244 in conjunction with Article 299 confirms that the acquittal is designed to be effective and final immediately after it is pronounced. The decision in the *a quo* case confirms the essence of the court as a bastion of human rights protection, guarantees legal certainty, and prevents the practice of over-criminalization from prosecutions with weak evidence. In conclusion, the transition to the 2025 Criminal Procedure Code represents a paradigm shift in the national criminal justice system towards a model centered on the protection of rights (due process-oriented).

INTRODUCTION

An acquittal (*vrijspraak*) occupies a fundamental position in criminal justice. Legally, this verdict constitutes a declaration that the public prosecutor's charges have not been legally and convincingly proven in court (M. I. Arief, 2021). Within the broader spectrum of the rule of law, *vrijspraak* is not merely the final outcome of the adjudication process, but rather a concrete manifestation of the principles of due process of law, the protection of human rights, and the pillar of upholding the presumption of innocence (Rasiwan, 2025). Therefore, an acquittal serves as a corrective instrument against potential malpractice in law enforcement. This constellation has become even more essential following the enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code. The transition of the criminal procedure law regime through the 2025 Criminal Procedure Code (KUHAP) has significant implications for the construction of legal remedies, specifically regarding acquittals and dismissals from all charges (*ontslag van alle rechtsvervolging*) (Hasbi, 2025). A fundamental change is evident in the wording of Article 299 paragraph (2) letter a of the 2025 Criminal Procedure Code, which explicitly closes the opportunity for cassation against acquittals. This dynamic has become a sharp debate among legal practitioners and academics regarding the finality of acquittals: whether the decision is immediately final and binding upon its pronouncement, or whether it still leaves room for appeal (Pudjoharsoyo, 2026). This debate not only examines procedural aspects but also reflects a paradigm shift in the national criminal justice system in balancing multi-layered judicial control and absolute protection for the accused.

This tension between legal certainty and legal remedies finds relevance in the alleged corruption case involving defendant Amsal Christy Sitepu. On April 1, 2026, the Medan District Court acquitted the defendant, who had previously been charged with embezzling funds in a village profile video project in Karo Regency (Urif Syarifudin, 2026). Although the public prosecutor demanded a two-year prison sentence along with a fine and restitution, the evidence presented at trial failed to meet the elements of *mens rea* and *actus reus* for the crime. In addition to its implications for restoring the defendant's dignity, this case presents a crucial sociological dimension: preventing the indiscriminate criminalization of the professional creative services sector, where differences in economic value cannot always be automatically constructed as state financial losses or corruption.

The *a quo* case reinforces the controversy surrounding the limits of legal remedies against acquittals. Historically, the doctrine of "impure acquittals" in the previous Criminal Procedure Code (KUHAP) era was often circumvented through cassation mechanisms (Ngurah Suradatta Dharmaputra, 2026). The introduction of new norms in the 2025 Criminal Procedure Code (KUHAP) has diminished the relevance of this doctrine. Some experts argue that the prohibition on cassation must be systematically interpreted as also closing the door to appeals to ensure the principle of legal certainty (Halilah & Arif, 2021). On the other hand, opposing interpretations believe that the absence of an

explicit prohibition on appeals in the 2025 Criminal Procedure Code means that the corrective instrument at the high court level remains open (Urif Syarifudin, 2026). This difference in interpretation has the potential to place acquitted defendants in a prolonged legal status quo, delaying the restoration of their human rights, and distorting the function of acquittals as a limit on the state's coercive power. A rational approach requires that Article 244 and Article 299 of the 2025 Criminal Procedure Code be read as *lex specialis*, guaranteeing the finality of an acquittal.

According to Pudjoharsoyo, lawmakers formulated two different formulas for the two types of decisions. In Article 244, paragraph 5 of the acquittal decision, acquittal occurs if the public prosecutor "does not file an appeal"; the presence of this phrase indicates that an appeal is indeed possible against an acquittal decision. Conversely, in Article 244, paragraph 4 of the acquittal decision, this phrase is not found at all. From a legal perspective, the mention of a sentence in one provision and its absence in another is not coincidental, but rather reflects the normative intent of the lawmakers (Pudjoharsoyo, 2026).

Based on the arguments and legal realities outlined, this study has academic urgency to comprehensively analyze the legal standing of the acquittal decision in the Amsal Christy Sitepu case, as well as its implications for the architecture of criminal law in Indonesia. This study aims to examine the construction of the 2025 Criminal Procedure Code (KUHAP) in redefining the finality of acquittals, resolving conflicts between general and specific norms, and assessing its contribution to optimizing the protection of the defendant's human rights. By using the *a quo* case as an analytical instrument, this research is expected to provide both theoretical and practical contributions to the dynamics of the implementation of the new criminal procedure law in Indonesia.

LITERATURE REVIEW

The Amsal Christy Sitepu case provides empirical evidence that the transition to the 2025 Criminal Procedure Code has not fully resolved the interpretive controversy regarding the limitations of legal remedies against acquittals (*vrijspraak*). Textually, Article 299 paragraph (2) letter a is predominantly interpreted as an absolute barrier that closes the door to cassation against acquittals. The legal rationale of this interpretation confirms the postulate that an acquittal is a form of direct and immediate protection for the accused, which aligns with the principle of *in dubio pro reo* (if there is doubt, the judge must decide in the manner most favorable to the accused). As emphasized by criminal procedure law expert Andi Hamzah, the essence of an acquittal is to restore the accused's dignity to its original position (Hamzah, 1993). Logically, if the cassation mechanism has been reduced from the system, opening up space for appeals would actually distort the consistency and rationality of the hierarchy of legal remedies and undermine this principle by placing the accused back in a disadvantageous position. Nevertheless, the debate continues, as alternative interpretations based on general provisions regarding the authority of the High

Court persist. This interpretation assumes that the absence of an explicit prohibition on appeals in the 2025 Criminal Procedure Code means that this corrective instrument can still be implemented. This ambiguity indicates that the formulation of norms in the new regulation still leaves room for multiple interpretations, or what H.L.A. Hart, in legal philosophy, calls the theory of the open texture of law. Dogmatically, the inability of lawmakers to provide precise and closed formulations of norms has the potential to undermine the principle of legal certainty (Hart, 1963). This situation contradicts the argument frequently put forward by Sudikno Mertokusumo, who argued that legal certainty provides justifiable protection against arbitrary actions; a sacrifice of which would actually remove the spirit of reforming criminal procedural law itself (Mertokusumo, 2007). Viewed from the perspective of human rights and the principle of fair trial, the most ideal legal construction is to position the acquittal as an automatically binding and final decision. A defendant who has been declared without evidence of a criminal offense should not be held hostage by a protracted legal process (undue delay). This is a manifestation of the principle of a fast, simple, and low-cost trial (speedy trial). This construction is very relevant to the thinking of Herbert L. Packer through the Due Process Model, where the criminal justice system must absolutely prioritize the protection of individual rights and limit the arbitrariness of state officials, rather than solely oriented towards punishment (Crime Control Model) (Packer, 1964). In the precedent of the Amsal Sitepu case, the *judex facti* has rigidly stated that the elements of a criminal offense were not met, so the defendant was absolutely acquitted. In this context, expanding the space for legal remedies excessively is tantamount to negating the essence of human rights protection and injuring the dignity of the acquittal itself.

Furthermore, the *a quo* case highlights the urgency of a structural evaluation of the upstream phase of law enforcement, namely the investigation and prosecution processes. Trials reveal that criminal proceedings are often forced to proceed despite the fragile nature of the offense and failure to prove its validity. This fact urges law enforcement officials to be more careful, professional, and comprehensive in constructing evidence, particularly in cases of alleged crimes related to the creative economy and professional services ecosystem. This phenomenon vindicates the critical warning from Indonesian criminal law expert Barda Nawawi Arief regarding the dangers of erroneous penal policies, where criminal law is reduced to a mere "panacea" (a cure-all) to resolve civil or administrative cases (B. N. Arief,

2002). Thus, the significance of the Amsal Sitepu case goes beyond mere procedural debate, but rather serves as a stern warning for law enforcement officials to reaffirm the principle of *ultimum remedium* (criminal law as a last resort), in order to prevent potential over-criminalization that is not supported by a legal foundation of material evidence.

METHODOLOGY

This research is normative legal research (doctrinal legal research) that applies three main approaches to comprehensively analyze legal issues (Soekanto & Mamudji, 2001). First, a statute approach was operationalized to analyze the taxonomy of the regulation of acquittals and the hierarchy of legal remedies in Law Number 20 of 2025 concerning the Criminal Procedure Code, specifically through a critical examination of Articles 244 and 299. This approach was then supported by a conceptual approach to explore the doctrinal essence of acquittals, the finality of decisions, and the protection of the defendant's rights. A case approach was applied as an analytical tool to the Medan District Court Decision dated April 1, 2026, which acquitted the defendant Amsal Christy Sitepu.

In the data collection process, this research relied on library research that holistically compiled three clusters of legal materials: primary legal materials (regulations and decisions), secondary (journals, literature, and doctrine), and tertiary (encyclopedias and legal dictionaries). All collected legal instruments were then processed and analyzed qualitatively using prescriptive-analytical methods. This methodological approach is aimed at formulating precise legal arguments while providing prescriptions regarding the ideal position of an acquittal decision and its implications for the architecture of legal efforts in the national criminal justice system (Mahmud Marzuki, 2005).

RESEARCH RESULT

This research confirms that the existence of an acquittal (*vrijspraak*) in the Amsal Christy Sitepu case represents an absolute manifestation of legal protection for the defendant, especially when the elements of the offense cannot be legally and convincingly proven in court. Through the Medan District Court's decision dated April 1, 2026, the Panel of Judges acquitted Amsal Christy Sitepu of all charges of alleged corruption in a village profile video project, while restoring his rights, status, dignity, and honor.

From a juridical-normative perspective, this precedent must be analyzed within the framework of the applicability of Law Number 20 of 2025 concerning the Criminal Procedure Code (KUHAP 2025). This new regulation brings a fundamental transformation to the construction of legal remedies, particularly regarding the disparity in treatment between an acquittal and a dismissal from all charges (*ontslag van alle rechtsvervolging*). Based on the evolving doctrinal discourse, Article 244 of the 2025 Criminal Procedure Code rigidly demarcates the three forms of final decisions. An acquittal is issued if the evidence fails to meet the standard of material truth, while an acquittal is issued if the act is proven but there are grounds for expungement. Furthermore, Article 244 paragraph (4) mandates the immediate release of detained defendants immediately after an acquittal is pronounced.

Another central finding in this study is the closure of the door to cassation against absolute acquittals under Article 299 paragraph (2) letter a of the 2025 Criminal Procedure Code. A logical consequence of this norm is the lack of room

for the public prosecutor to file an extraordinary legal remedy in the form of a cassation appeal in the Amsal Sitepu case. Regarding appeals, these legal remedies continue to spark interpretative friction in the early transition phase of the 2025 Criminal Procedure Code. One pole believes that the absence of a specific prohibition on appeals implies that the instrument remains open. However, a more systematic interpretation of Article 244 in conjunction with Article 299 concludes that the intention of the legislators is actually to ensure that the acquittal decision results in absolute finality from the moment it is pronounced.

DISCUSSION

1. The Legal Status of an Acquittal in the Criminal Justice System

In the criminal justice system, an acquittal (*vrijspraak*) has the legal significance that the judge in fact has not reached a conviction—based on minimal valid evidence—regarding the defendant's involvement in the crime charged. Therefore, *vrijspraak* is not merely an administrative court decision that ends the adjudication process, but rather a concrete manifestation of the presumption of innocence and the negative evidentiary system under the law (*negatief wettelijk stelsel*). When the burden of proof does not exceed the threshold of "valid and convincing" (beyond reasonable doubt), the principle of *in dubio pro reo* imperatively applies, whereby any doubts raised by the judge in the evidence must be interpreted in favor of the defendant.

From the perspective of criminal law principles, this is firmly rooted in the fundamental postulate of *geen straf zonder schuld*, or no punishment without guilt. As constructed by Indonesian criminal law expert Moeljatno, there is a clear distinction between criminal acts and criminal responsibility (Moeljatno, 2002). Based on this view, the absence of evidence capable of convincing a judge of a defendant's guilt automatically invalidates the element of criminal responsibility.

At this point, the state immediately loses its coercive and moral legitimacy to inflict suffering (criminal punishment) or deprive the defendant of his liberty.

The Amsal Sitepu case illustrates the empirical application of these theoretical principles. Although the initial construction of the case was based on the assumption of project mark-ups and potential state losses, the court still positioned the evidentiary process as the epicenter of the examination. The nullification of the criminal act element in court underscores the fundamental function of the court: not merely a "rubber stamp" ratifying the prosecutor's assumptions, but rather as a bastion of justice (the last resort of justice) that objectively tests the validity of the charges.

This is highly relevant to the theory of punishment proposed by Herbert L. Packer through the Due Process Model, which positions the criminal justice process as a rigorous obstacle course to minimize the potential for miscarriage of justice (Packer, 1964). In line with this, Oemar Seno Adji also emphasized that the judicial power must be the primary protector of human rights from the hegemony of state power (Adji, 2007). Therefore, the acquittal in this case demonstrates that the judicial apparatus has carried out its function precisely in

limiting the state's punitive power (*ius puniendi*) to prevent it from slipping into arbitrariness.

2. Finality of Acquittals and Limitations on Legal Remedies

The central issue in this discourse boils down to the legitimacy of filing legal remedies against acquittals following the enactment of the 2025 Criminal Procedure Code. The most crucial norm is contained in a limiting manner in Article 299 paragraph (2) letter a, which absolutely closes the cassation instrument for acquittals.

This normative determination confirms the postulate of finality of the verdict, while also deconstructing past judicial practices that often exploited loopholes in cassation through the precedent doctrine of "impure acquittals."

Philosophically and dogmatically, this closure of the cassation space is a manifestation of the principle of *litis finiri oportet*, which requires that every legal case must have an end point for the sake of certainty. This new norm conveys a very clear philosophical message: the state is not permitted to abuse judicial instruments to prolong the threat of criminal punishment against individuals who have been proven innocent, as this has the potential to violate the spirit of protection against the danger of double jeopardy (dual prosecution or protracted trial).

The intersection of these norms becomes even more complex when confronted with the institution of appeal. Although the 2025 Criminal Procedure Code does not explicitly prohibit appeals for acquittals, a systematic and teleological interpretation of Article 244 reveals the true intention of the lawmakers (*ratio legis*). There is a very clear difference in legal treatment: defendants who are acquitted are mandated to be immediately and unconditionally released, whereas in cases of acquittal (*ontslag van alle rechtsvervolging*), the order for acquittal is worded with a phrase that anticipates the potential for an appeal by the public prosecutor.

This wording disparity logically confirms that acquittals are designed to be effective, immediate, and final; while acquittals still allow for further judicial oversight. Affirming Gustav Radbruch's postulate that legal certainty (*rechtssicherheit*) is a *conditio sine qua non* in law (Radbruch, 1932), freely opening the door to appeal against an acquittal would destroy the defendant's legal certainty and betray the spirit of human rights protection, which is the spirit of the 2025 Criminal Procedure Code reform.

3. Implications for the Principle of Legal Certainty

The existence of an acquittal in the *a quo* precedent has fundamental implications for the affirmation of the principle of legal certainty. Referring to Gustav Radbruch's postulate of the triune purpose of law, legal certainty (*rechtssicherheit*) is a *conditio sine qua non* (absolute requirement) for legal instruments to maintain their protective function against arbitrariness (Radbruch, 1932). Doctrinally, a legal subject who has been declared free from the clutches of evidence should not be left shackled in legal limbo due to the

threat of unlimited further legal remedies. The finality of an acquittal guarantees an absolute termination of the criminal cycle, necessitating the immediate fulfillment of the principle of *restitutio in integrum* (the restoration of dignity, honor, and status to their original state).

This aligns with the view of criminal procedural law expert M. Yahya Harahap, who positions criminal procedural law as a form of human rights protection, a "Magna Carta" for suspects and defendants (Harahap,

2002). This limitation of legal remedies is crucial to preventing criminal procedural law from transforming into an instrument of systematic repression.

Institutionally, this guarantee of legal certainty also produces a multiplier effect that transforms the culture of law enforcement officials to be more compliant with the principle of due process of law. The absolute finality of acquittals forces the police and prosecutors to escalate due diligence standards from the pre-trial stage. Given the absence of a safety valve in the form of multiple corrections after the first-instance verdict, the burden of proof (*bewijslast*) constructed by the state plays a crucial role.

This confirms the warning from criminal law expert Barda Nawawi Arief regarding the importance of implementing rational and non-excessive penal policy (B. N. Arief, 2002). Law enforcement officers are required to be more professional in compiling complete files and validating evidence, and are required to internalize the principle of *ultimum remedium* (criminal law as a last resort). This demand for structural precision will, in turn, reduce and eliminate the practice of over-criminalization or premature criminalization imposed without a solid evidentiary basis.

4. Implications for the Protection of the Defendant's Human Rights

From a human rights perspective, the finality of an acquittal is a logical derivation of the principle of fair trial and a manifestation of the principle of *ne bis in idem* (the prohibition on trying/sentencing someone more than once for the same incident). Retrying someone who has been found not guilty, without a precise normative basis, constitutes a form of procedural victimization that violates justice. This aligns with the view of criminal law expert Muladi, who asserts that a modern criminal justice system must be oriented toward human rights to prevent state arbitrariness (Muladi, 1995).

The transition to the 2025 Criminal Procedure Code represents a paradigm shift in national criminal procedural law, as constructed by Herbert L. Packer: from an overly crime-control-oriented judicial model (focused solely on efficient punishment) to a due process-oriented model (focused on limiting state power and strictly protecting the rights of suspects/defendants) (Packer, 1964).

Furthermore, the *Amsal Sitepu* case also reveals the sociological dimension that protecting these rights is crucial for the ecosystem of creative economy actors and professional services. Unilateral executions that label professional activities or economic value disputes as corruption offenses without solid supporting evidence can stifle innovation and business certainty. In the context of criminal doctrine, this practice of coercion of criminal instruments

blatantly violates the principle of subsidiarity or the principle of *ultimum remedium*, which states that criminal law should only be used as a last resort when other legal instruments are no longer adequate.

This confirms the warning from Sudarto, an Indonesian criminal law expert, who emphasized that criminalization policies must take into account a social cost analysis; criminal law intervention should not create even more destructive social suffering or harm (Sudarto, 1986). Therefore, the acquittal verdict *a quo* holds a noble position as a judicial correction to prevent the blind expansion of criminal law (over-criminalization) into the civil or state administrative realm.

5. Implications for National Criminal Procedure Law Reform

On a macro scale, the Amsal Sitepu case represents a crucial milestone in assessing the direction of criminal procedure law following the enactment of Law No. 20 of 2025. This precedent demonstrates that regulatory reform does not merely modernize formal law but also radically overhauls the philosophical foundations of legal remedies. According to criminal law expert Romli Atmasasmita, criminal justice reform must shift the system's orientation from being merely a tool of state power to a balancing instrument centered on protecting human rights (Atmasasmita, 2012). The focus of the criminal justice system is now transforming from an obsession with finding loopholes to correct acquittals to satisfy *jus puniendi* (the state's right to punish), toward

absolute respect for the defendant's liberty. This is a concrete manifestation of the principle of *res judicata pro veritate habetur* – namely, the principle that a judge's decision (especially one that acquits a defendant) must be considered correct and respected as legal truth, rather than being subjected to constant suspicion and re-challenging by the state.

Nevertheless, the residual debate over the right of appeal indicates the urgency of establishing authoritative interpretative guidelines. Synchronizing interpretations through the creation of permanent jurisprudence or the issuance of Supreme Court Regulations (PERMA) is essential to prevent disparities in practice between courts. As legal expert Paul Scholten warned regarding legal discovery (*rechtsvinding*), the vacuum or ambiguity of norms must not be allowed to become a loophole for arbitrary authority by officials (Scholten & Sidharta, 2003). Without a unified understanding based on the principle of legal certainty (*rechtssicherheit*), the ideals of the 2025 Criminal Procedure Code risk being diminished in practice. This lack of uniformity in interpretation also has the potential to violate the principle of equality before the law, where defendants in different jurisdictions may risk facing different law enforcement treatment for the same acquittal.

As a synthesis of the comprehensive analysis above, this study confirms that the Amsal Christy Sitepu case represents a strengthening of the position of acquittal as the ultimate instrument for protecting human rights and guaranteeing legal certainty. Normatively, Article 299 paragraph (2) letter a of the 2025 Criminal Procedure Code has absolutely closed the door to cassation,

which substantively reflects the spirit of protection and the expansion of the principle of *ne bis in idem*—namely, preventing legal subjects from being repeatedly examined, held hostage, and tried due to the state's inability to prove their charges during a judicial review.

Meanwhile, regarding appeals, the systematic and teleological interpretation of Article 244 in conjunction with Article 299 confirms the strong tendency that acquittals are essentially constructed as immediately final. Therefore, this case is not merely a single case discourse, but rather a historical momentum for establishing a new paradigm for Indonesia's criminal justice system. This paradigm, in line with the thinking of Barda Nawawi Arief, is oriented toward a criminal law policy that rationally limits absolute criminalization, guarantees the upholding of due process of law, and realizes legal certainty with a humanistic dimension (Barda Nawawi Arief, 2018).

CONCLUSION AND RECOMMENDATION

The acquittal (*vrijspraak*) handed down by the Medan District Court on April 1, 2026, in the alleged corruption case of Amsal Christy Sitepu reaffirmed the court's role as a bulwark protecting the defendant's human rights. When the public prosecutor's charges failed to be legally and convincingly proven, the ruling affirmed the court's imperative obligation to prioritize the restoration of the defendant's rights over the prosecution's assumptions.

The significance of this protection was further amplified by the enactment of Law Number 20 of 2025 concerning the Criminal Procedure Code (KUHAP). Normatively, this new regulation reconstructed the legal framework to create a transparent and accountable system, one of which was by guaranteeing the finality of the acquittal through Article 299 paragraph (2) letter a, which absolutely closed the door to cassation.

The fundamental implications of the precedent in the *a quo* case lead to strengthening the principle of legal certainty, preventing over-criminalization based on weak evidence, and essential pressure to improve the professionalism of law enforcement officers from the pre-trial phase. Although the initial transition to the 2025 Criminal Procedure Code sparked discussion about loopholes in appeals, a systematic and rational interpretation confirms that acquittals are designed to be effective and final immediately upon pronouncement—in stark contrast to the treatment of acquittals. Thus, the Amsal Sitepu case is an important milestone representing a paradigm shift in national criminal procedure law toward a justice system that is far more protective of citizens proven innocent.

Recommendations

As a result of the dynamic transition to the 2025 Criminal Procedure Code, lawmakers and the government are urged to immediately formulate implementing regulations or authentic explanations that definitively resolve the interpretive ambiguity regarding the limitations on legal remedies (appeals and cassation) against acquittals. The Supreme Court must accelerate this normative

harmonization effort through technical guidelines and permanent jurisprudence to ensure unification of legal application and prevent disparities in interpretation at various levels of the judiciary. In parallel, the police and prosecutors are required to calibrate their professional standards by increasing the accuracy in validating evidence and constructing indictments, so that cases with a weak evidentiary basis are no longer forced to trial, ultimately resulting in acquittals. At the dogmatic level, this empirical reality simultaneously stimulates academics to expand further research that specifically dissects the conceptual dichotomy between acquittal (*vrijspraak*) and acquittal (*ontslag van alle rechtsvervolging*), as well as assessing its philosophical implications for strengthening the principle of legal certainty and protecting the human rights of the accused in the criminal justice ecosystem.

REFERENCES

- Adji, O. S. (2007). *Peradilan bebas dan contempt of court*. Diadit Media.
- Arief, B. N. (2002). *Bunga Rampai Kebijakan Hukum Pidana*. Citra Aditya Bakti.
- Arief, M. I. (2021). *Pertimbangan yuridis putusan bebas dan upaya hukum kasasi perkara pidana*. MCL Publisher.
- Atmasasmita, R. (2012). *Teori Hukum Integratif: Rekonstruksi Terhadap teori Hukum Pembangunan dan Teori Hukum Progresif*. Genta Publishing.
- Barda Nawawi Arief. (2018). *Masalah penegakan hukum dan kebijakan hukum pidana dalam penanggulangan kejahatan*. Prenada Media.
- Halilah, S., & Arif, M. F. (2021). Asas kepastian hukum menurut para ahli. *Siyasah: Jurnal Hukum Tata Negara*, 4(II).
- Hamzah, A. (1993). *Sistem Pidana dan Pemidanaan Indonesia*. Pradnya Paramita.
- Harahap, M. Y. (2002). *Pembahasan permasalahan dan penerapan KUHP penyidikan dan penuntutan*. Sinar Grafika.
- Hart, H. L. A. (1963). *Law, liberty, and morality*. Stanford University Press.
- Hasbi, M. (2025). *HUKUM PIDANA INDONESIA: Teori, Kritik, Dan Rekonstruksi*. Feniks Muda Sejahtera.
- Mahmud Marzuki, P. (2005). *Penelitian hukum*. Kencana Prenada Media.
- Mertokusumo, S. (2007). *Penemuan hukum: Sebuah pengantar*. Cahaya Atma Pustaka.
- Moeljatno. (2002). *Asas-asas Hukum Pidana*. Rineka Cipta.

- Muladi. (1995). *Kapita selekta sistem peradilan pidana*. Universitas Diponegoro.
- Ngurah Suradatta Dharmaputra. (2026). *Berwenangkah PT Memeriksa Perkara dengan Putusan Bebas? Analisis KUHP 2025*. Dandapala Contributor. https://dandapala.com/article/detail/berwenangkah-pt-memeriksa-perkara-dengan-putusan-bebas-analisis-kuhp-2025?utm_source=chatgpt.com
- Packer, H. L. (1964). Two models of the criminal process. *U. Pa. L. Rev.*, 113, 1.
- Pudjoharsoyo, A. S. (2026). *Analisis Kritis dan Komprehensif Atas Upaya Hukum Terhadap Putusan Bebas dalam Sistem Hukum Acara Pidana Nasional (UU No. 20 Tahun 2025 Tentang KUHP)*.
- Radbruch, G. (1932). *Legal philosophy*.
- Rasiwan, I. (2025). *Penegakan Hukum Pidana di Indonesia*. AMU Press, 1-267.
- Scholten, M. P., & Sidharta, B. A. (2003). *Struktur Ilmu Hukum*. Alumni.
- Soekanto, S., & Mamudji, S. (2001). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. In *PT Raja Grafindo Persada*. PT Raja Grafindo Persada. Sudarto. (1986). *Hukum dan Hukum Pidana*. Alumni.
- Urif Syarifudin, W. E. (2026). *Ini Pertimbangan Hakim Vonis Bebas Videografer Amsal Sitepu*. Dandala Contributor. <https://dandapala.com/article/detail/ini-pertimbangan-hakim-vonis-bebas-videografer-amsal-sitepu>