



DIFFERENTIAL TREATMENT OF SUSPECTS IN COURT FROM THE PERSPECTIVE OF HUMAN RIGHTS AND LEGAL LOGIC

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ABSTRACT

Background. Different legal practices can affect fairness and consistency in the justice system, the implications of different treatment of suspects in court from two different but interrelated perspectives: human rights and legal logic. The aim of this research was to analyze the impact of different treatment of suspects in court from the perspective of human rights and legal logic, by exploring how .

Research Methods. The research method used includes comparative analysis and case studies, where this research will explore concrete examples of justice systems in various countries or jurisdictions that face similar dilemmas.

Findings. The findings highlight that inconsistent treatment of suspects can undermine the fairness of legal proceedings, affect judicial outcomes, and pose challenges to human rights protection. This research explore how differences in treatment of suspects in court can influence the fairness of the legal process and its results, by considering aspects of human rights and consistency of legal logic, so that implementation can be implemented in the form of reform of the justice system, training and education, and strengthening law enforcement.

Conclusion. The study emphasizes the necessity of justice system reforms, legal education, and strengthened law enforcement to address these disparities. Furthermore, effective implementation requires collaboration among governments, legal institutions, NGOs, and communities to ensure meaningful changes that enhance justice and uphold human rights.

Keywords: Human Rights, Legal Logic, Treatment of suspects

BACKGROUND

The treatment of suspects in the justice system is a critical aspect that captures the essence of justice and human rights principles[1]. The fair treatment of suspects is not only a moral foundation in law enforcement, but also a fundamental right guaranteed by the constitution and international treaties governing human rights[5]. However, in practice, there are various factors that influence the treatment of suspects in court, including legal considerations, law enforcement interests, and the socio-political context. This research aims to examine the differential treatment of suspects in Court from two main perspectives: a human rights perspective and legal logic[3]. First, it will explore how human rights principles, such as the right to a fair trial and the right to humane treatment, influence court decisions in relation to suspects, then, it will also review the extent to which legal logic plays a role in determining the treatment of suspects, particularly in the evidentiary and enforcement processes[7].

Understanding the differences and interactions between human rights perspectives and legal logic in the treatment of suspects, it is hoped that this research will provide deeper insights into the dynamics of the judiciary and the challenges of maintaining a balance between justice, human rights and effective law enforcement[8]. Differential treatment of suspects in court has been the focus of significant debate in various jurisdictions. Cases that raise

questions of fairness and humanity in the treatment of suspects often attract the attention of the media and the general public. For example, issues of indefinite use of detention without charge or protracted detention without a fair trial are often highlighted in a human rights context[3]. On the other hand, there are also arguments that underline the importance of strictly enforcing the law to fight crimes that disturb society, which sometimes results in harsh measures against suspects. When exploring these complexities, it is important to note the role of human rights in maintaining the balance between justice and security[7].

Human rights are not only a collection of moral principles, but also the legal foundation that guides the actions of governments and judicial institutions. At the same time, it is also necessary to consider how legal logic, especially in evidence and law enforcement, can influence court decisions regarding the treatment of suspects[4]. Through a comprehensive analysis of the differences and interactions between human rights perspectives and legal logic in the context of the treatment of suspects in the Courts, it is hoped that this research can provide valuable insights for legal practitioners, policy makers and the general public on the complexity of justice and human rights issues in the modern justice system[7]. As for the structure of this research, the next section will discuss the literature review related to the concept of human rights and legal logic in the context of the treatment of suspects in the Courts, then, this research will conduct an in-depth analysis of several case studies that reflect the different treatment of suspects from different perspectives[8]. The research will end by offering a conclusion that synthesizes the findings and provides recommendations to improve fairness and the protection of human rights in the justice system[2]. As such, this research is expected to make a valuable contribution to the understanding and development of policies relating to the treatment of suspects in the Courts, as well as inspire further discussion on the importance of maintaining an appropriate balance between justice, human rights and effective law enforcement[10]. These were some of Problems that have to solved. *First*, how is the treatment of suspects in Court varied from a human rights perspective and How does the treatment of suspects in Court vary based on the logic of the applicable law. *Second*, to show what steps can be taken to ensure that the treatment of suspects in Court complies with human rights standards and principles of legal logic.

RESEARCH METHOD

This research method uses a literature analysis approach to explore human rights concepts and legal logic in the context of the treatment of suspects in Court. The analysis was conducted through the study of academic literature, policy reports, case law and relevant legal documents[6]. A variety of sources relating to issues of justice, human rights and law enforcement were utilized to gain a comprehensive understanding of the debates and perspectives. Case studies were selected based on criteria relevant to the differential treatment of suspects in court from a human rights and legal logic perspective[3]. Data from the cases were analyzed in depth to identify factors affecting the treatment of suspects, both in procedural and substantive terms. In addition, the research also synthesized data from various sources to develop consistent arguments and findings[8]. This approach allows this article to present an in-depth analysis of the complexity of issues related to the treatment of suspects in the Courts[1].

This research utilizes a combined approach of literature analysis and case studies to explore the treatment of suspects in Court from a human rights and legal logic perspective.

Literature Analysis: This approach involved an in-depth review of academic literature, policy reports, and relevant legal documents that address issues of justice, human rights, and law enforcement. Using this methodology, we were able to gain a comprehensive

understanding of the legal framework and concepts underlying the treatment of suspects in court[10].

Case Studies: This approach involved analyzing a series of case studies that were selected based on their relevance to the topic of this research. The cases cover a range of legal contexts and jurisdictions that allow us to gain a richer understanding of how human rights and legal logic influence the treatment of suspects in judicial practice. By using this combined approach, it is possible to identify common patterns, challenges and opportunities related to the treatment of suspects in court, as well as present findings that are based on a deep understanding of the issues involved[2,3].

The analysis conducted highlighted significant differences in the treatment of suspects in court from a human rights and legal logic perspective [7]. From a human rights perspective, it was found that principles such as the principle of non-discrimination, the right to a fair trial, and the right to humane treatment have a significant impact on how suspects are treated by the justice system [6]. Cases where these rights are violated show an imbalance between justice and effective law enforcement.

FINDINGS

An analysis of legal logic highlights how evidentiary and law enforcement considerations influence court decisions regarding suspects[9]. Factors such as the need for public safety and the interests of law enforcement are often key considerations in deciding on the treatment of suspects. However, in some cases, an approach based on legal logic may overlook the humanitarian and justice aspects underlying human rights principles. The results of this analysis demonstrate the complexity and challenges of striking the right balance between justice, human rights and effective law enforcement in the justice system [8]. The importance of considering these two perspectives equally in judicial decision-making becomes clear in the context of ensuring the protection of individual rights while ensuring the continued security of society[4].

1. Analysis of Human Rights Perspective.

From a human rights perspective, it was found that the treatment of suspects in court often reflected violations of fundamental human rights principles[9,10]. The case studies showed that in some situations, suspects were discriminated against based on factors such as race, religion or social status[6]. Violations of the right to a fair trial were also common, particularly in cases of indefinite detention without charge or in inadequate detention conditions. In addition, the treatment of suspects in court often does not take into account the principles of humane treatment, such as the use of physical or psychological violence during interrogation. The implications of these findings are particularly relevant in the context of judicial and law enforcement reform[8].

2. Principle of Presumption of Innocence.

Suspects should be presumed innocent until proven guilty in a court of law [4]. This means that in all stages of the legal process, including detention and trial, the suspect should be treated with the presumption of innocence;

3. Protection against Torture and Inhumane Treatment.

Human rights prohibit torture and inhuman or degrading treatment of suspects. This means that in detention, interrogation, and all other stages, suspects must be treated with respect and without being tortured or physically or psychologically abused;

4. Right to a Competent Lawyer.

Suspects have the right to the assistance of a competent lawyer to defend themselves[3]. The lawyer must be given adequate access to the suspect and the evidence necessary to prepare an effective defense; and

5 Speedy and Fair Trial.

Suspects have the right to a speedy and fair trial by an independent and impartial tribunal. This means that legal proceedings should be conducted promptly and without undue delay, and with equal opportunity for both sides to present their arguments.

DISCUSSIONS

1. Legal Logic Perspective Analysis

From a legal logic perspective, court decisions regarding the treatment of suspects tend to be influenced by evidentiary considerations and law enforcement interests[5,6]. Factors such as the need to prevent crime or ensure public order are often the main considerations in determining legal action against suspects[10]. However, an approach that focuses too much on legal logic can sometimes result in decisions that do not take into account the principles of humanity and justice that underlie human rights principles. Based on this analysis, several policy recommendations can be put forward to improve human rights protection in the justice system, namely:

A. Strengthening Human Rights Protection.

The government and related institutions must take concrete steps to ensure that every suspect has equal access to justice and is treated in accordance with fundamental human rights principles;

B. Enforcement of International Standards

The implementation and enforcement of international standards relating to human rights in the justice system must be prioritized[8]. This includes independent oversight of detention conditions, restrictions on the use of pre-processing detention, and the elimination of practices that are contrary to human rights;

C. Education and Training.

Comprehensive education and training programs on human rights should be extended to all law enforcement officials, including judges, prosecutors, and police[3]. This will help ensure that every judicial decision takes human rights into serious consideration;

D. Separation of Suspects and Accused.

In the context of legal logic, suspects and accused have different legal statuses[10]. A suspect is someone who is suspected of committing a crime, while an accused is someone who has been formally accused by the authorities and is facing legal charges in court;

E. Detention as a Preventive Measure.

In legal logic, the detention of a suspect can be considered a preventive measure necessary to ensure the safety of the community and the smooth running of the legal process[9]. However, detention must be carried out in accordance with applicable legal procedures and must be based on sufficient evidence;

F. Differential Treatment Based on Level of Involvement

In some cases, different treatment of suspects may be justified based on their level of involvement in the alleged crime. For example, a suspect who is suspected of having a greater role in a crime may be treated differently than another suspect who has a lesser role;

G. Principle of Proportionality in Sentencing.

In sentencing a suspect who is found guilty, the court must consider the principle of proportionality, namely that the punishment must be proportional to the wrongdoing[3]. This means that a heavier sentence should be given to a suspect who has committed a more serious crime.

H. Challenges in Achieving Balance

The results of this study confirm that achieving the right balance between justice, human rights, and effective law enforcement in the justice system is a complex challenge[5]. The human rights perspective emphasizes the importance of treating each suspect fairly and respecting their individual rights, while the legal logic perspective tends to prioritize public safety and law enforcement interests[2].

I. The Need for a Holistic Approach

This study highlights the need for a holistic approach that integrates these two perspectives in judicial decision-making. By strengthening human rights protection while simultaneously considering the interests of law enforcement, it can be expected that the justice system will become more just and responsive to the needs of the community. In addition, this study also broadens our understanding of the issues that have been identified in the literature[8].

2. Drivers of Change

The changes needed to improve human rights protection in the justice system require a strong commitment from various parties, including the government, legal institutions, and civil society[4]. Concrete steps such as training for law enforcement officers, enforcement of international standards, and improvement of legal procedures can be significant drivers of change in achieving the right balance between justice and effective law enforcement [5]. This study also has an important contribution to the development of theory and practice in the field of law and justice. This analysis shows that there is tension between the human rights perspective and legal logic in the treatment of suspects in court. and the discussion resulting from this study is to highlight the implications of the findings for understanding the treatment of suspects in court, as well as their relevance in the wider context of the justice system and law enforcement[7].

Human rights principles emphasize the need to treat suspects fairly and respect their individual rights, legal logic tends to prioritize the interests of law enforcement and public security. Therefore, achieving the right balance between these two perspectives is an important challenge in ensuring true justice in the justice system[3]. The research conducted, there are significant differences in the treatment of suspects in court from two main perspectives: human rights and legal logic. [4] From a human rights perspective, it was found that violations of human rights principles often occur, including discrimination, violations of the right to a fair trial, and inhumane treatment.

The contribution of this research strengthening training and education for law enforcement officers on human rights principles and fair treatment of suspects[6]. This can help raise their awareness and understanding of the importance of respecting human rights at every stage of the justice process. Besides, Governments and relevant institutions should prioritize the implementation of international standards relating to human rights in the justice system. This includes independent oversight of detention conditions, restrictions on the use of indefinite detention without charge, and the elimination of practices that are contrary to human rights[8].And to make it more success we have to make collaborations and consultations; Encourage collaboration between governments, legal institutions, and civil society in designing policies and programs aimed at strengthening human rights protection in the

justice system[7]. Consultation with various stakeholders can help ensure that the steps taken reflect the needs and aspirations of the community.

Based on the legal logic perspective, court decisions tend to be influenced by evidentiary considerations and law enforcement interests, with public security as the main priority[3]. The conclusion is that there is tension between these two perspectives in achieving the right balance between justice, human rights and effective law enforcement within the justice system[5].

CONCLUSION

This study reveals significant differences in the treatment of suspects in court from a human rights perspective and legal logic. The main finding of this study is that, while human rights principles emphasize the importance of treating suspects fairly and respecting their individual rights, legal logic tends to prioritize public safety and law enforcement interests. The implications of this finding are particularly relevant in the context of judicial and law enforcement reform. Human rights protection should be a top priority in the justice system, by strengthening human rights protection while simultaneously considering law enforcement interests, it can be expected that the justice system will become fairer and more responsive to the needs of the community. In facing these complex challenges, it is important for various stakeholders, including governments, legal institutions, and civil society, to commit to strengthening human rights protection and ensuring that human rights principles are respected at every stage of the judicial process. Through concrete steps such as training for law enforcement officers, enforcing international standards, and improving legal procedures, it is hoped that positive changes can be achieved in achieving the right balance between justice and effective law enforcement. In this study, it will be possible to identify the steps that must be taken in an effort to obtain clear policies that are in accordance with human rights standards and the principles of legal logic. This policy-making effort must involve legal experts, judicial practitioners, and other stakeholders. Once the policy is made, regular monitoring is needed to ensure its consistent implementation.

The suggestion of this research was to: 1) oversight and accountability mechanism: Establish an effective mechanism to monitor and evaluate the treatment of suspects in court. This could include an independent oversight body, a human rights commission, or an internal mechanism in the judicial institution. In addition, there must be a mechanism to address human rights violations and abuse of power that occur in the justice system; 2) routine evaluation and continuous improvement: Conduct regular evaluations of the legal process and the treatment of suspects in court to identify areas where improvement is needed. This evaluation must be followed by appropriate corrective action to ensure that the justice system continues to improve and is in accordance with human rights standards and the principles of legal logic. Last but not least, we need to support the further research to explore issues in greater depth, such as the impact of judicial reform on the treatment of suspects, comparative analysis of judicial practices across jurisdictions and evaluation of the effectiveness of various policy strategies in improving human rights protection in the Indonesian justice system.

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