

THE RELEVANCE OF THE POSITION OF *VISUM ET REPERTUM* IN PROVING THE CRIME OF MURDER UNDER ARTICLE 184 OF THE INDONESIAN CRIMINAL PROCEDURE CODE AND ISLAMIC CRIMINAL LAW

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Abstract: This study aims to analyze the relevance of the legal position of *Visum et Repertum* in proving the crime of murder under Article 184 of the Indonesian Criminal Procedure Code and from the perspective of Islamic criminal law. This study employs a normative juridical method using statutory, conceptual, and comparative approaches. Data were obtained through library research involving primary, secondary, and tertiary legal materials and were analyzed using a descriptive-analytical method. The findings indicate that *Visum et Repertum* occupies a strategic position as documentary evidence containing scientific medical findings concerning injuries, cause of death, and the mechanism of death. Although it has significant evidentiary value, *Visum et Repertum* is not conclusive and cannot independently establish the guilt of the accused. From the perspective of Islamic criminal law, *Visum et Repertum* may be positioned as a contemporary form of *al-bayyinah* consistent with the principles of *ijtihad*, *ahl al-khibrah*, and *maslahah*. Therefore, *Visum et Repertum* functions as a supporting scientific instrument that strengthens the pursuit of truth and justice in proving the crime of murder.

Keywords: *Visum et Repertum*, Criminal Evidence, Islamic Criminal Law

Abstrak: Penelitian ini bertujuan menganalisis relevansi kedudukan *Visum et Repertum* dalam pembuktian tindak pidana pembunuhan berdasarkan Pasal 184 Kitab Undang-Undang Hukum Acara Pidana (KUHP) serta perspektif hukum pidana Islam. Penelitian menggunakan metode yuridis normatif dengan pendekatan perundang-undangan, konseptual, dan komparatif. Data diperoleh melalui studi kepustakaan terhadap bahan hukum primer, sekunder, dan tersier, kemudian dianalisis secara deskriptif-analitis. Hasil penelitian menunjukkan bahwa *Visum et Repertum* memiliki kedudukan strategis sebagai alat bukti surat yang memuat temuan medis ilmiah mengenai luka, sebab kematian, dan mekanisme kematian korban. Meskipun memiliki nilai pembuktian yang kuat, *Visum et Repertum* tidak bersifat mutlak dan tidak dapat berdiri sendiri untuk membuktikan kesalahan terdakwa. Dalam perspektif hukum pidana Islam, *Visum et Repertum* dapat ditempatkan sebagai bentuk *al-bayyinah* kontemporer yang relevan dengan prinsip *ijtihad*, *ahl al-khibrah*, dan *maslahah*. Dengan demikian, *Visum et Repertum* berfungsi sebagai instrumen ilmiah pendukung yang memperkuat pencarian kebenaran dan keadilan dalam pembuktian tindak pidana pembunuhan.

Kata Kunci: *Visum et Repertum*, Pembuktian Pidana, Hukum Pidana Islam

INTRODUCTION

Evidence is one of the fundamental aspects of criminal proceedings because it determines whether a criminal act can be established lawfully and convincingly before a court. In the Indonesian criminal procedural system, evidentiary proceedings are not merely intended to establish the occurrence of a criminal offense but also to ascertain material truth concerning the criminal event, the perpetrator, and the causal relationship between the act and its consequences. This principle is reflected in Article 183 of the Indonesian Criminal Procedure Code, which essentially requires at least two valid items of evidence accompanied by the judge's conviction regarding the defendant's guilt. Accordingly, the quality, relevance, and interconnectedness of evidence are important determinants in forming judicial conviction, particularly in murder cases involving the loss of human life and often presenting complex evidentiary issues. The significance of scientific evidence in such cases has been emphasized in studies examining the position of *Visum et Repertum* (VER) within the criminal evidentiary system (Christi, 2016; Sugiarto, 2018).

One instrument with strong relevance to murder cases is *Visum et Repertum* (VER), namely a written report prepared by a physician based on a medical examination of a victim at the request of an authorized party for judicial purposes. VER contains objective findings concerning the victim's physical condition, the type and characteristics of

injuries, the mechanism of injury, and, in cases involving deceased victims, the cause and mechanism of death. Because it is prepared on the basis of medical expertise and professional examination, VER functions as an epistemic bridge between medical facts and legal facts. Information that cannot be adequately explained through ordinary witness testimony can be scientifically interpreted through forensic examination, thereby providing law enforcement authorities and judges with a professional basis for assessing a criminal event. Its evidentiary significance has been recognized in studies concerning the use of VER as documentary evidence and its role in criminal proceedings (Bastian et al., 2024; Sugiarto, 2018).

The relevance of VER becomes even more evident in proving murder because determining the cause of death, the relationship between injuries and death, and the characteristics of violence suffered by the victim may constitute crucial elements in constructing a criminal case. Forensic examination can provide explanations concerning whether death resulted from particular forms of violence, how an injury occurred, and whether the medical findings demonstrate a causal relationship with the victim's death. Research on murder cases has shown that VER can contribute to establishing the circumstances surrounding death and strengthening the evidentiary process through medically grounded findings (Christi, 2016; Christina et al., 2024). In circumstances where other evidence is

limited or discrepancies exist regarding the chronology of events, findings contained in VER may function as objective evidence for testing the consistency of facts presented during trial. Thus, VER should not be understood merely as an administrative medical document but also as an instrument possessing probative value in constructing legal facts on the basis of scientific knowledge (Varesa et al., 2022; Shara et al., 2019).

Nevertheless, the legal position of VER must be understood proportionally within the evidentiary system established by the Indonesian Criminal Procedure Code. VER does not automatically determine the guilt of a defendant but constitutes part of a comprehensive evidentiary framework that must be assessed by the judge in conjunction with other lawful evidence. Within the framework of Article 184 of the Indonesian Criminal Procedure Code, the medical findings documented in VER may be positioned as documentary evidence, while the physician's explanation concerning the results of the examination may be related to expert testimony. This dual evidentiary dimension demonstrates that the probative value of VER cannot be separated from the manner in which it is obtained, prepared, presented, and correlated with other evidence. Therefore, treating VER as independent evidence that conclusively determines the judicial decision may undermine the principle of integrated evidentiary assessment under Indonesian criminal procedure.

Conversely, VER occupies a strategic position as corroborative evidence that enables judges to assess medical facts objectively and scientifically (Roring, 2017; Bastian et al., 2024). Its importance is also apparent in cases involving death, where the findings contained in VER may strengthen the relationship between the criminal act and the resulting fatal consequence (Shara et al., 2019).

The position of VER becomes particularly significant when examined from the perspective of Islamic criminal law. Islamic criminal law recognizes the concept of *al-bayyinah* as a foundation of proof intended to disclose truth and provide a reliable basis for judges in rendering just decisions. Although the formulation and classification of evidence in Islamic criminal law have developed within a conceptual framework different from that of modern criminal procedure, the principle of establishing truth through accountable evidence provides room for the use of scientific evidence in criminal cases. From this perspective, VER may be understood as a modern form of evidentiary instrument that is compatible with the principle of *al-bayyinah* insofar as it is obtained through reliable procedures, prepared by competent experts, and used to clarify facts relevant to the case. The relevance of VER to Islamic criminal law has been specifically discussed in relation to its function in proving murder and assisting judges in establishing the factual circumstances of criminal acts (Nur Ahmad & Salenda, 2021). Furthermore, the utilization of medical knowledge in

judicial proceedings may be viewed as part of the judge's effort to obtain a more objective understanding of a criminal event and to realize substantive justice (Lestari et al., 2022).

Previous studies have established the importance of VER in proving criminal offenses involving the human body and life. Research has examined its position in murder cases, its evidentiary strength, and its function in supporting judicial decision-making (Christi, 2016; Sugiarto, 2018). Other studies have demonstrated that VER can strengthen the evidentiary process when assessed alongside other forms of evidence and can provide an objective medical basis for determining the circumstances of death (Ainun & Aldyan, 2023; Azzihab & Najib, 2024). Research has also addressed the position of VER as evidence in criminal proceedings more generally, emphasizing the need to assess its probative value within the broader evidentiary framework rather than treating it as conclusive evidence (Bastian et al., 2024; Sihombing & Siregar, 2023). Meanwhile, studies from the perspective of Islamic criminal law have begun to examine the relevance of VER to *fiqh jinayah* and the principles of Islamic proof (Lestari et al., 2022; Nur Ahmad & Salenda, 2021). However, a study that specifically examines the relevance of the legal position of VER to the evidentiary framework under Article 184 of the Indonesian Criminal Procedure Code while simultaneously relating it to the principles of Islamic criminal law remains important. This gap is significant because the position of VER should not be

understood solely from the technical perspective of forensic medicine but also from the juridical perspective of its evidentiary strength, limitations, and relationship with other lawful forms of evidence.

Based on this context, this study aims to analyze the relevance of the position of *Visum et Repertum* in proving the crime of murder under Article 184 of the Indonesian Criminal Procedure Code and from the perspective of Islamic criminal law. The study focuses on identifying the legal position of VER within the system of admissible evidence, explaining its contribution to establishing the elements and factual circumstances of murder, and analyzing its compatibility with the principles of evidence under Islamic criminal law. Through this approach, the study is expected to provide a more comprehensive understanding of the relationship between scientific evidence, Indonesian criminal procedural law, and the principles of justice embodied in Islamic criminal law. In particular, the study seeks to clarify that the relevance of VER lies not in its capacity to independently determine criminal liability, but in its ability to provide scientifically grounded information that can strengthen the overall evidentiary construction and assist judges in reaching a reasoned and just decision.

METHOD

This study employs a normative juridical method to analyze the relevance of the legal position of *Visum et Repertum* in proving the crime of murder under

Article 184 of the Indonesian Criminal Procedure Code and from the perspective of Islamic criminal law. This method is appropriate because the study focuses on legal norms, principles, and doctrines governing the admissibility, evidentiary position, and probative value of VER rather than empirical practices.

The study applies three approaches: the statutory, conceptual, and comparative approaches. The statutory approach examines relevant provisions of the Criminal Procedure Code, particularly Articles 183 and 184 concerning the minimum evidentiary threshold, judicial conviction, and lawful forms of evidence. The conceptual approach examines the concepts of criminal evidence, expert testimony, documentary evidence, VER, and forensic evidence. The comparative approach analyzes the position of VER within the Indonesian evidentiary system in relation to the concept of *al-bayyinah* and principles of proof in Islamic criminal law.

The legal materials consist of primary, secondary, and tertiary legal materials. Primary materials include the KUHAP and other relevant legislation governing criminal procedure and forensic examination. Secondary materials comprise scholarly journal articles, legal books, and previous research concerning VER, murder, criminal evidence, and Islamic criminal law, particularly studies addressing the evidentiary position and strength of VER (Christi, 2016; Roring, 2017; Sugiarto, 2018; Bastian et al., 2024). Materials

concerning VER from the perspective of Islamic criminal law are also examined (Nur Ahmad & Salenda, 2021; Lestari et al., 2022). Tertiary materials are used to clarify relevant legal concepts and terminology.

Data collection is conducted through library research by identifying, selecting, classifying, and analyzing relevant legal materials. The analysis uses a qualitative descriptive-analytical method through legal interpretation and comparative reasoning. The analysis first determines the position of VER under Article 184 of the Criminal Procedure Code, then examines its probative value and limitations in proving murder, and finally assesses its compatibility with *al-bayyinah* and the principles of justice in Islamic criminal law. Source triangulation is employed by comparing legislation, legal doctrine, and scholarly research to produce a coherent and academically grounded conclusion regarding the relevance, legal position, evidentiary strength, and limitations of VER.

RESULTS AND DISCUSSION

The Legal Position of *Visum et Repertum* in the Evidentiary System under the Indonesian Criminal Procedure Code

The findings indicate that *Visum et Repertum* occupies a strategically important position within the Indonesian criminal evidentiary system, particularly in murder cases involving the death of a person. Its significance arises from its capacity to translate medical findings into

legally relevant information concerning the victim's physical condition, injuries, cause of death, and mechanism of injury. In this respect, VER does not merely function as an administrative medical document but as a scientific instrument that assists law enforcement officers, prosecutors, and judges in reconstructing facts that cannot adequately be established through ordinary testimony. Previous studies consistently demonstrate that VER has an important role in revealing the circumstances surrounding a victim's death and strengthening the evidentiary construction of murder cases (Christi, 2016; Sugiarto, 2018; Suswanto et al., 2023; Azzihab & Najib, 2024).

From a normative perspective, VER is primarily positioned within the category of documentary evidence under Article 184 paragraph (1) of the Indonesian Criminal Procedure Code, particularly when connected with Article 187. Its evidentiary relevance derives from the fact that it is prepared by a physician on the basis of professional medical examination and under an official request for judicial purposes. Therefore, the legal significance of VER lies not simply in its physical form as a written document but in the official and professional process through which its contents are produced. Anggun (2019) explains that although VER possesses the characteristics of an authentic official document, its evidentiary force remains subject to judicial assessment and cannot automatically establish the guilt of the

accused. This position is consistent with Bastian et al. (2024), who emphasize that the evidentiary value of VER must be assessed within the broader framework of criminal proof rather than in isolation.

The findings further demonstrate that VER has a close relationship with expert evidence because its substantive contents derive from the professional knowledge of a physician. Nevertheless, a distinction must be maintained between the written VER as documentary evidence and oral testimony given by a physician as expert testimony before the court. Yuliana et al. (2023) demonstrate that the evidentiary position of VER may be connected with expert knowledge, while Hippy et al. (2026) emphasize its distinctive evidentiary character within criminal proceedings. Consequently, describing VER simply as "dual evidence" may be legally imprecise. More appropriately, VER constitutes documentary evidence containing professional medical findings, while the physician may provide expert testimony concerning those findings when required. This distinction is important because it determines how the court evaluates the evidentiary material and prevents an overstatement of the legal status of VER.

The evidentiary significance of VER becomes particularly apparent in murder cases. Medical examination can identify the nature, location, and characteristics of injuries and can assist in determining the cause and mechanism of death. Christina et al. (2024) show that forensic examination can provide important

information regarding injuries sustained by a victim and the manner in which the victim died. Similar findings are reported by Varesa et al. (2022), whose analysis of a murder case demonstrates the relevance of VER in establishing facts concerning the victim's injuries. Shara et al. (2019) likewise demonstrates the importance of VER in cases involving violence resulting in death. Thus, VER can provide an objective medical basis for testing whether the alleged chronology of events is compatible with the physical evidence found on the victim.

Nevertheless, the research establishes that VER does not constitute conclusive evidence. The Indonesian criminal justice system applies a negative evidentiary system in which a conviction requires at least two lawful forms of evidence accompanied by the judge's conviction concerning the guilt of the accused. Lisdayanty (2019) consequently argues that VER cannot independently serve as the sole basis for conviction. The same principle is reflected in Suhardianto and Arafat (2022), who emphasize that the evidentiary strength of VER must be evaluated in conjunction with other evidence. Ainun and Aldyan (2023) further demonstrate that VER becomes more meaningful when considered alongside other evidence in judicial reasoning. Accordingly, its relevance is strongest when the medical findings correspond with witness testimony, documentary evidence, indications, expert explanations, or other admissible evidence.

The research also reveals that the absence of VER does not necessarily invalidate every murder prosecution. Yuliana et al. (2023) indicate that VER is not invariably mandatory in every criminal case, although it is highly advisable in offenses involving the human body. Its importance is therefore functional rather than absolute. In murder cases, where the victim is deceased and cannot testify, VER becomes particularly valuable because it preserves and communicates medical information that would otherwise be unavailable to the court. Nurtianti and Koswara (2023) underline this representative function, emphasizing the importance of VER in cases where the victim cannot appear in court. Wahyuningrum (2018) similarly demonstrates its influence in judicial consideration in murder cases.

The position of VER is therefore best understood as a scientifically grounded evidentiary instrument whose persuasive value depends upon its authenticity, methodological reliability, relevance to the disputed facts, and consistency with other evidence. It serves as a bridge between forensic medicine and criminal law, allowing judges to understand medical facts beyond ordinary legal knowledge (Nurmayanti & Yusuf, 2025). Batubara et al. (2025), although examining a sexual-offense case, further illustrates the broader evidentiary significance of VER in offenses involving bodily integrity. Thus, within the framework of Article 184 Criminal Procedure Code, VER has substantial

probative relevance but does not replace the integrated evaluation of all lawful evidence. Its ultimate significance lies in its capacity to assist the court in discovering material truth while preserving the principles of judicial independence and rational evidentiary assessment.

The Position and Concept of *Visum et Repertum* in Islamic Criminal Law

The findings further demonstrate that the relevance of VER can be understood within Islamic criminal law through the broader concept of *al-bayyinah*, which refers to evidence capable of establishing the truth of a claim or event before a judicial authority. Unlike the Indonesian Criminal Procedure Code, Islamic criminal law does not contain a specific classical legal provision that explicitly identifies *Visum et Repertum* as an evidentiary instrument. Nevertheless, the absence of an explicit textual formulation does not necessarily prevent the use of contemporary scientific evidence. The central concern of Islamic adjudication is the establishment of truth and justice through reliable evidence, and this creates doctrinal space for incorporating forms of evidence that emerge from developments in science and professional expertise.

Nur Ahmad and Salenda (2021) explain that *al-bayyinah* encompasses evidentiary means capable of establishing a case to a level sufficient to convince the judge. In this framework, VER may be considered a contemporary form of evidentiary information because it

provides objective findings based on professional medical examination. Sihombing and Siregar (2023) describe VER as a written report prepared by a physician based on professional knowledge concerning what is observed and discovered through examination of a victim, deceased person, or other relevant physical evidence. Its scientific character therefore provides a rational basis for considering VER within the broader epistemological framework of *al-bayyinah*.

The acceptance of VER from the perspective of Islamic criminal law is particularly related to the concepts of judicial reasoning, expertise, and public benefit. Lestari et al. (2022) argue that the use of VER can be understood as an application of *ijtihad* by the judge in seeking truth and justice through contemporary scientific knowledge. This does not mean that VER is equivalent to classical forms of evidence in every respect. Rather, its relevance derives from its ability to provide information that contributes to the judge's understanding of facts that cannot be adequately established through ordinary observation. In this sense, medical expertise can function as a form of *ahl al-khibrah*, namely specialized knowledge that assists the adjudicator in resolving factual questions requiring expertise.

The relevance of this approach becomes particularly strong in murder cases. Determining the cause of death, identifying the nature of injuries, and explaining the mechanism through which

fatal injuries occurred require knowledge that ordinarily lies beyond the competence of a judge or ordinary witness. Christina et al. (2024) demonstrate that forensic findings can be instrumental in determining the injuries sustained by a victim and reconstructing the manner of death. Azzihab and Najib (2024) similarly emphasize that VER provides important clarification of factual circumstances involving crimes against life and health. From the perspective of Islamic criminal law, such information contributes to the objective of establishing factual certainty and preventing erroneous judgments.

The principle of *maslahah* also provides a significant conceptual foundation for the acceptance of scientific evidence. If VER can help establish the truth, protect the rights of victims and accused persons, prevent wrongful convictions, and support a just judicial decision, its use may be regarded as consistent with the objectives of Islamic law. Nur Ahmad and Salenda (2021) specifically associate the use of VER with the pursuit of truth, justice, and human welfare. Lestari et al. (2022) similarly position its use within the broader effort to accommodate scientific developments while maintaining the objectives of *fiqh jinayah*. Therefore, the legitimacy of VER in Islamic criminal law is not primarily dependent on whether the term itself appears in classical sources, but on whether its use satisfies the principles of reliability, justice, expertise, and public benefit.

At the same time, the analysis indicates that VER should not be treated as an absolutely decisive form of evidence in Islamic criminal law. Its function is better understood as corroborative evidence that contributes to the judge's assessment of the totality of circumstances. This position is important because scientific evidence, although potentially highly persuasive, remains dependent on the quality of the examination, the competence of the expert, the integrity of the physical evidence, and the relationship between the medical findings and the alleged criminal event. Christina et al. (2024) emphasize the importance of maintaining the integrity of physical evidence in the forensic process. Consequently, the reliability of VER must be examined before it is used as a basis for judicial conclusions.

The role of VER also becomes significant because a murder victim cannot provide testimony concerning the circumstances of his or her death. Nurtianti and Koswara (2023) emphasize that VER can preserve information concerning the victim's physical condition and thereby contribute to the evidentiary reconstruction of the case. This function does not transform VER into a substitute for all forms of testimony, but it enables the court to access objective medical information that would otherwise be unavailable. Such a function is compatible with the broader Islamic legal objective of preventing injustice caused by incomplete factual information.

Thus, from the perspective of Islamic criminal law, VER can be positioned as a contemporary evidentiary instrument compatible with *al-bayyinah*, *ijtihad*, *ahl al-khibrah*, and *maslahah*. Its acceptance rests on its capacity to provide trustworthy scientific information for judicial reasoning rather than on an explicit textual classification. The findings consequently suggest that Islamic criminal law has conceptual flexibility to accommodate forensic evidence, provided that its acquisition and interpretation comply with standards of reliability and fairness. This position reinforces the conclusion that VER may support the judicial search for truth without being transformed into an infallible or self-sufficient basis for criminal conviction.

Comparative Relevance of *Visum et Repertum* under the Indonesian Criminal Procedure Code and Islamic Criminal Law

The comparative analysis demonstrates that the Indonesian Criminal Procedure Code and Islamic criminal law differ principally in the formal basis through which VER acquires evidentiary relevance, while sharing a substantially similar orientation toward truth, justice, and reliable proof. Under the Criminal Procedure Code, the position of VER is connected to a formally regulated evidentiary system. Article 184 recognizes several lawful forms of evidence, while Article 187 provides the framework for documentary evidence. Roring (2017) emphasizes the relevance of VER within

this statutory evidentiary structure, particularly in crimes involving bodily injury and death. Bastian et al. (2024) similarly confirms that VER constitutes an important evidentiary instrument in criminal proceedings. In contrast, Islamic criminal law does not establish VER through an equivalent statutory provision but can accommodate it through the broader doctrine of *al-bayyinah* and judicial reasoning.

The distinction between the two systems is therefore primarily formal rather than functional. In Indonesian criminal procedure, VER derives its legal relevance from statutory recognition and procedural requirements. Its evidentiary force is assessed within the framework of the negative evidentiary system, which requires lawful evidence and judicial conviction. Anggun (2019) demonstrates that even when VER possesses the characteristics of an official document, its evidentiary strength does not become absolute. Lisdayanty (2019) reinforces that VER cannot independently establish criminal liability because a conviction must satisfy the statutory evidentiary threshold and the judge's conviction. This limitation ensures that scientific evidence remains subject to judicial scrutiny rather than becoming determinative by itself.

Islamic criminal law approaches the matter differently. The evidentiary status of VER emerges through a substantive and functional interpretation of *al-bayyinah*. Nur Ahmad and Salenda (2021) argue that VER may constitute a written form of evidence that assists the

judge in establishing truth and justice. Lestari et al. (2022) further demonstrate that its use can be understood as an exercise of *ijtihad* in responding to developments in forensic medicine. The comparison therefore indicates that while the KUHAP provides a formal legal pathway for recognizing VER, Islamic criminal law provides a normative and ethical pathway based on the reliability of evidence, expertise, justice, and public benefit.

Both systems nevertheless recognize the importance of corroboration. In the Criminal Procedure Code, VER must be integrated with other lawful evidence because no single evidentiary instrument is sufficient to satisfy the entire requirement for conviction. Suhardianto and Arafat (2022) emphasize that the strength of VER depends on its relationship with other evidence, while Ainun and Aldyan (2023) show that its presence alongside other evidentiary materials can strengthen judicial reasoning. Varesa et al. (2022) and Shara et al. (2019) further demonstrate the practical significance of VER in murder and death-related cases, where medical findings can be correlated with the factual circumstances established through other evidence.

A similar functional principle can be identified in Islamic criminal law. Although the terminology and evidentiary architecture differ, the central objective remains the establishment of a reliable

factual basis for judicial decision-making. Scientific medical findings may therefore reinforce other forms of evidence rather than displace them. The use of VER becomes particularly significant where direct testimony is unavailable or insufficient. Nurtianti and Koswara (2023) show that the medical documentation contained in VER has an important role in representing factual information concerning a deceased victim. This function is especially relevant to murder cases because the principal victim is necessarily unable to appear before the court and narrate the circumstances of the crime.

The comparison also reveals a common epistemological function of VER: it serves as a bridge between specialized scientific knowledge and judicial decision-making. Nurmayanti and Yusuf (2025) characterize VER as an essential instrument connecting medical science with the criminal justice system. Azzihab and Najib (2024) similarly demonstrate its role in translating medical findings into legally meaningful information. Hippy et al. (2026) further illustrate the significance of forensic medical evidence in criminal adjudication. The shared reliance on professional expertise indicates that both legal systems can recognize the importance of scientific knowledge when factual questions exceed ordinary human understanding.

The relevance of this comparison can be summarized as follows:

Table 1. Comparative Position of *Visum et Repertum* under the Indonesian Criminal Procedure Code and Islamic

Aspect	Indonesian Criminal Procedure Code	Islamic Criminal Law
Legal Position	Relevant as documentary evidence within the evidentiary framework of Article 184 and Article 187 Criminal Procedure Code (Roring, 2017; Bastian et al., 2024)	Not expressly regulated in classical sources; may be accommodated within <i>al-bayyinah</i> through judicial reasoning (<i>ijtihad</i>) (Nur Ahmad & Salenda, 2021; Lestari et al., 2022)
Evidentiary Character	Primarily documentary evidence; physician testimony may separately constitute expert testimony	Contemporary scientific evidence based on professional expertise and written findings
Independence of Evidence	Cannot stand alone; conviction requires at least two lawful forms of evidence and judicial conviction (Lisdayanty, 2019; Anggun, 2019)	Functions as corroborative evidence contributing to judicial conviction within the broader framework of <i>al-bayyinah</i>
Role in Murder Cases	Helps establish cause of death, injuries, and mechanism of injury (Christina et al., 2024; Sugiarto, 2018; Varesa et al., 2022)	Assists in establishing objective facts concerning death and bodily injuries and supports the pursuit of justice
Evidentiary Approach	Formal and procedural, based on the statutory evidentiary system and judicial conviction	Substantive and justice-oriented, emphasizing reliable evidence, judicial reasoning, and <i>maslahah</i>
Role of Scientific Knowledge	Integrates forensic medicine into criminal adjudication (Nurmayanti & Yusuf, 2025)	May be accommodated as specialized expertise (<i>ahl al-khibrah</i>) and an application of <i>ijtihad</i> (Lestari et al., 2022)
Judicial Position	Judge evaluates VER together with other lawful evidence and is not absolutely bound by its conclusions	Judge may use scientific evidence to strengthen factual conviction while remaining oriented toward justice and reliable proof
Function for the Victim	Preserves medical facts when the deceased victim cannot testify (Nurtianti & Koswara, 2023)	Provides objective information concerning the victim and contributes to the establishment of truth and justice
Relationship with Other Evidence	Must be correlated with other evidence to satisfy the Criminal Procedure Code evidentiary threshold (Ainun & Aldyan, 2023; Suhardianto & Arafat, 2022)	Should be evaluated together with other reliable evidence to establish <i>al-bayyinah</i> comprehensively

The comparison demonstrates that the two legal traditions ultimately converge on a fundamental proposition: VER has significant evidentiary relevance but should not be regarded as an autonomous or infallible determinant of criminal responsibility. In the Indonesian system, its authority is bounded by the formal requirements of the KUHAP and the principle that the judge must obtain

conviction from a legally sufficient body of evidence. In Islamic criminal law, its legitimacy derives from its capacity to contribute reliable information to the process of establishing *al-bayyinah*, justice, and *maslahah*. The difference therefore lies less in whether scientific medical evidence can be used than in the doctrinal foundation through which it is incorporated.

This finding also confirms that the relevance of VER is particularly strong in murder cases because it addresses factual questions that are central to establishing the occurrence and characteristics of the offense. The medical findings may clarify whether death resulted from violence, identify the nature of injuries, and help establish the relationship between injuries and death. Christina et al. (2024), Sugiarto (2018), and Azzihab and Najib (2024) collectively reinforce this function. At the same time, the studies of Wahyuningrum (2018), Suhardianto and Arafat (2022), and Ainun and Aldyan (2023) indicate that its greatest evidentiary value emerges when the findings are integrated with other evidence and subjected to judicial evaluation.

Accordingly, the relevance of VER under Article 184 KUHAP and Islamic criminal law should be understood through an integrated evidentiary perspective. Its scientific character gives it substantial persuasive value, but its legal effect remains dependent on procedural legitimacy, professional reliability, evidentiary correlation, and judicial assessment. This position avoids two opposite errors: undervaluing VER as merely an administrative medical report and overvaluing it as conclusive evidence. The appropriate position is to recognize VER as a scientifically grounded evidentiary instrument that strengthens the judicial search for material truth while remaining subject to the broader principles of criminal justice. In this respect, both the KUHAP and Islamic criminal law provide, through

different doctrinal routes, a normative basis for utilizing scientific evidence in the pursuit of accurate, fair, and accountable adjudication.

CONCLUSION

This study concludes that *Visum et Repertum* (VER) has a strategically important position in proving murder under Article 184 of the Indonesian Criminal Procedure Code. VER primarily functions as documentary evidence containing scientifically grounded medical findings concerning injuries, cause of death, and the mechanism of death. Although its contents are based on expert medical knowledge, VER does not automatically constitute conclusive evidence and should be distinguished from oral expert testimony provided by the physician before the court. Its evidentiary value depends on its authenticity, relevance, professional reliability, and correlation with other lawful evidence. Therefore, VER cannot independently establish criminal responsibility because a conviction requires at least two lawful forms of evidence accompanied by the judge's conviction. From the perspective of Islamic criminal law, VER is not explicitly regulated in classical sources but may be accommodated within the concept of *al-bayyinah*, particularly through *ijtihad*, *ahl al-khibrah*, and *maslahah*. Its scientific character enables it to contribute objectively to the establishment of truth and justice, especially when the victim is deceased and unable to provide testimony. The comparison demonstrates that although the

two systems differ in formal legal foundations, they share a substantive orientation toward reliable evidence, truth, and justice. Thus, VER is relevant as a corroborative scientific instrument that strengthens, rather than replaces, the overall evidentiary process.

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