

INTEGRATION OF ECONOMIC LAW AND HEALTH LAW IN MINOR THEFT HANDLING POLICIES: LITERATURE ANALYSIS

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Abstract

This study aims to analyse the integration of economic law and health law in policies addressing petty theft through a literature review. Petty theft is often triggered by economic factors such as poverty and unemployment, as well as health factors such as mental disorders, which are not fully accommodated in the conventional criminal justice system. Literature analysis shows that policies for handling petty theft that are solely oriented towards punishment tend to be ineffective and have the potential to cause social injustice. The integration of the two fields of law through a restorative justice approach and cross-sector collaboration can provide a more comprehensive, fair, and humane solution. Synergy between law enforcement agencies, social institutions, and health services is needed, as well as regulatory reforms, so that policies for handling petty theft can be more responsive to the economic and health conditions of the perpetrators.

Keywords: *economic law, health law, petty theft, policy, restorative justice.*

INTRODUCTION

Theft is one of the most common crimes in society and has become a major concern in the Indonesian criminal justice system. This phenomenon involves not only adults, but also children and adolescents, who are increasingly involved in cases of petty theft or minor theft. The high number of petty theft cases indicates the existence of complex and multidimensional social problems that cannot be resolved solely through a conventional criminal law approach (Fajar Seto Nugroho, 2025a). One of the main factors driving petty theft is poor economic conditions. Poverty, unemployment, and socio-economic inequality are often the main reasons why people, including children, resort to theft to meet their basic needs. The increasingly sharp economic inequality in society creates enormous social pressure, forcing some individuals to resort to illegal acts as a last resort to survive (Dwi Aryani, 2025c). In addition to economic factors, health aspects, particularly mental health, also play an important role in cases of petty theft. Some perpetrators of petty theft are known to suffer from psychological disorders, such as kleptomania, which drives them to steal without purely economic motives. The lack of access to mental health services and the lack of understanding of law enforcement officials regarding these health factors mean that the handling of petty theft cases often fails to address the root of the problem (Siti Aminah, 2022).

The application of repressive criminal law against perpetrators of minor theft, especially children and adolescents, often causes debate. On the one hand, law enforcement is necessary to maintain order and justice in society. However, on the other hand, an approach that focuses too much on punishment without considering the economic and health factors of the perpetrator has the potential to cause long-term negative effects, such as stigmatisation, repeat offences, and failure of social reintegration (Fajar Seto Nugroho, 2023). In the context of child protection, Law No. 23 of 2002 emphasises the importance of protecting and caring for children in conflict with the law. Children are regarded as national assets whose rights must be guaranteed, including the right to fair and humane treatment. However, the reality on the ground shows that protection and supervision of children involved in minor theft cases is still weak, so that they often become victims of a legal system that is unresponsive to their special needs (Dwi Aryani, 2025b). The handling of minor theft cases has tended to ignore the integration between economic law and health law. Existing policies focus more on criminal aspects, without considering the link between poverty, health disorders, and criminal behaviour. In fact, an interdisciplinary approach is needed to produce comprehensive and sustainable solutions in handling these cases. (Ahmad Fauzi, 2025).

Restorative justice has begun to be adopted as an alternative means of resolving minor theft cases, especially those involving children and perpetrators from vulnerable groups. This approach emphasises restoring relationships between perpetrators, victims, and the community, as well as providing perpetrators with the opportunity to reform without having to serve prison sentences. However, the implementation of restorative justice in Indonesia still faces various challenges, such as limited regulations, resources, and synergy between relevant agencies (Dwi Aryani, 2023). The integration of economic law and health law in policies addressing petty theft is highly relevant for further study. Economic law can provide perspective on the importance of social protection, economic empowerment, and poverty reduction as preventive measures against crime. Meanwhile, health law highlights the need for early detection, rehabilitation, and protection for perpetrators with mental health disorders.

The existing literature indicates that effective handling of petty theft requires cross-sector collaboration, including law enforcement agencies, social services, health services, and the community. This multidisciplinary approach is expected to identify the root causes more accurately and provide interventions tailored to the needs of each individual (M. Thus, the resulting policies can be more fair, humane, and have a positive impact on perpetrators, victims, and the wider community. In addition, it is important to highlight the role of the family and the environment in preventing petty theft. Lack of supervision, attention, and fulfilment of children's basic needs in the family environment are often the main triggers for deviant behaviour. Therefore, policies to deal with petty theft must also involve efforts to strengthen the role of the family and improve the quality of the social environment (Rika Sari, 2025). This study aims to critically analyse the literature related to the integration of economic law and health law in policies addressing petty theft in Indonesia. Using a literature analysis approach, it is hoped that a more effective, adaptive and equitable policy model can be found, one that is capable of significantly reducing the incidence of petty theft. Finally, the results of this study are expected to make a real contribution to the development of legal science, particularly in the fields of criminal law, economic law, and health law. In addition, this study is also expected to serve as a reference for policymakers, law enforcement officials, and other relevant parties in formulating more integrated policies for handling minor theft that are oriented towards the protection of human rights.

METHOD

This study utilises a qualitative literature review method, whereby data is collected through searching, identifying, and analysing various relevant secondary sources, such as legislation, scientific journals, books, and policy documents related to economic law, health law, and the handling of petty theft. The data obtained was then analysed descriptively and comparatively to examine the integration of the two fields of law in policies for handling petty theft and to identify the challenges and opportunities for its implementation in Indonesia (Eliyah & Aslan, 2025); (Bolderston, 2008).

RESULTS AND DISCUSSION

Analysis of Economic Factors in Cases of Minor Theft

Economic factors are one of the main determinants of petty theft in Indonesia. Various studies and empirical data show that poverty, income inequality, and limited economic access are the main triggers for individuals, including children and adolescents, to commit petty theft in order to meet their basic needs. Difficult economic conditions, such as declining family income, job loss, or lack of a steady source of income, drive some people to take shortcuts through criminal acts, including petty theft (Nurul Huda, 2025). Poverty has consistently been shown to have a positive and significant influence on theft rates. Studies in various provinces in Indonesia show that the higher the poverty rate in an area, the higher the theft rate tends to be. This occurs because the economic pressures faced by poor communities, especially in meeting basic needs such as food, shelter and education, drive them to commit theft as a means of survival. In many cases, petty theft is not committed solely for criminal motives, but rather as a response to acute economic hardship (Lawrence O. Gostin, 2013).

Income inequality is also an important factor contributing to high rates of petty theft. When income distribution in society is uneven, a wide socio-economic gap is created between rich and poor groups. This inequality not only causes a sense of injustice, but also triggers social jealousy and feelings of marginalisation, which can ultimately drive individuals to commit theft as a form of compensation for their inability to access adequate economic resources (Scott Burris et al., 2015). However, some studies have also found that the relationship between income inequality and crime can vary depending on the regional context and other social factors. The unemployment rate is another variable that greatly influences the tendency for petty theft to occur. Individuals who do not have permanent employment or who have lost their jobs often experience severe economic pressure, making them more vulnerable to engaging in criminal acts, including theft. Prolonged unemployment leads to a decline in purchasing power and a

loss of self-confidence, which in some cases triggers deviant behaviour as a means of obtaining alternative income (Yong-Shik Lee, 2019). In addition, low levels of education also correlate with high rates of petty theft. Low education limits individuals' access to decent jobs and the skills needed in the labour market, thereby narrowing their economic opportunities. As a result, individuals with low education are more likely to resort to theft in order to meet their basic needs. This situation is exacerbated by the lack of economic empowerment programmes and skills training for vulnerable groups in society. (Damhudi, 2021) .

From a family perspective, poor economic conditions in the household are often the main trigger for children to engage in petty theft. Children from poor families or those experiencing family dysfunction tend to receive less supervision and fulfilment of their basic needs, making them more vulnerable to committing theft either for themselves or to help their families. An unfavourable social environment, such as associating with friends who are also involved in criminal activities, further increases the risk of children becoming involved in petty theft (Dwi Aryani, 2025a) . Deteriorating economic conditions can also cause changes in general societal behaviour. When basic needs are difficult to meet, people tend to disregard moral values and legal norms in order to survive. In this situation, petty theft is often seen as a pragmatic solution, even though it violates the law and social norms. This shows that economic factors not only affect individuals directly, but also shape collective mindsets and behaviour in society (JLegemaate, 2002) .

Further analysis shows that efforts to combat petty theft cannot rely solely on a criminal law approach. Effective interventions must include economic policies that favour vulnerable groups, such as improving access to employment, skills training and social protection programmes. Governments and stakeholders need to strengthen social safety nets to prevent communities from falling into a cycle of poverty and crime (Ni Luh Putu Suryani, 2023) . In addition, it is important to pay attention to macroeconomic dynamics, such as economic growth and the stability of basic commodity prices, which also have an impact on the rate of petty theft. National economic instability, inflation, and price increases can worsen the economic conditions of the lower classes, thereby increasing the risk of petty theft. Therefore, stable macroeconomic policies that favour the poor are very important in reducing the incidence of petty theft (Sara E. Wilensky & Joel B. Teitelbaum, 2022) .

Support from the private sector and civil society is also crucial in empowering vulnerable groups economically. Corporate social responsibility (CSR) programmes, entrepreneurship training, and access to capital for micro-enterprises can help reduce the economic pressures that drive petty theft. This cross-sector collaboration can strengthen community economic resilience and prevent criminal behaviour arising from economic hardship (Ayşe Nil Tosun et al., 2021) . Finally, data and policy integration between the economic, social, and legal sectors is key to addressing minor theft cases. A multidisciplinary approach involving simultaneous analysis of economic, social, and legal factors will result in more effective and sustainable policies. Thus, efforts to prevent and combat petty theft can be comprehensive and address the root causes of the problem (A . Overall, economic factors have a significant influence on petty theft in Indonesia. Policies to address petty theft must be based on a deep understanding of the root economic problems faced by the community, so that the solutions produced are not only repressive, but also preventive and rehabilitative. The integration of economic, social and legal policies is a key prerequisite for creating a safer, fairer and more prosperous society.

Analysis of Health Factors in Cases of Petty Theft

Health factors, particularly mental health, play an important role in understanding and dealing with cases of petty theft. Not all perpetrators of petty theft act out of economic motives or pure criminal intent; some are driven by certain psychological conditions or mental disorders, such as kleptomania. This disorder is characterised by an irresistible urge to steal, even though the items taken have no value or benefit to the perpetrator, and the act is not based on malicious intent or careful planning (Nuno Garoupa, 2009) . Kleptomania is a form of impulse control disorder that makes sufferers unable to resist the urge to take other people's belongings. Typical symptoms of kleptomania include an inability to resist the urge to steal, anxiety before committing theft, and feelings of relief or satisfaction after the act, although these are often followed by feelings of guilt or shame. Stolen items are usually not used by the individual themselves, and are sometimes discarded or given to others. (Genaya Hanum Setiaji et al., 2023) . It is important to distinguish between minor theft committed for economic reasons and theft caused by kleptomania. In cases of kleptomania, perpetrators often come from economically secure or even affluent backgrounds, meaning that their primary motive is not financial gain, but rather an uncontrollable psychological urge. This emphasises that petty theft is not always related to poverty or economic need, but can also be caused by mental disorders such as kleptomania (Rina Oktaviani, 2022)).

Other psychological factors that can influence minor theft behaviour include stress, depression, trauma, anxiety, and other mental disorders that affect a person's decision-making. Individuals who experience severe mental stress or emotional disorders tend to have weak self-control, making them more prone to impulsive actions such as petty theft. From a biological perspective, several studies have shown an imbalance of chemical compounds in the brains of kleptomaniacs, such as focal neurological signs, cortical atrophy, and enlargement of the lateral ventricles. These biological factors play a role in reducing impulse control and increasing the tendency to commit repeated acts of theft (AMARTYA et al., 2021) . The social and family environment is also an important factor in relation to the mental health of juvenile offenders. An unfavourable environment, lack of parental supervision, negative peer influence, and exposure to media depicting violence or crime can trigger antisocial behaviour and reduce an individual's sense of responsibility towards legal and social norms. Social stigma towards individuals with mental disorders often prevents them from receiving appropriate treatment (Fajar Seto Nugroho, 2023) . The lack of access to mental health services and social support means that many cases of minor theft triggered by mental disorders are not identified early and are not handled properly. This worsens the condition of the perpetrator and increases the risk of repeat offences (Fajar Seto Nugroho, 2025a) .

In the context of criminal law, mental health is an important factor in determining the perpetrator's ability to be held responsible for their actions. The Indonesian legal system, through Article 44 of the Criminal Code, provides criminal exemptions for perpetrators who are proven to have a mental disorder that renders them incapable of understanding or controlling their actions. However, implementation in the field still faces challenges, particularly in terms of proving and interpreting mental disorders by law enforcement officials (Dwi Aryani, 2025a) . The handling of minor theft cases involving perpetrators with mental disorders requires a holistic and multidisciplinary approach. Effective interventions include rehabilitation, psychological counselling, and community support, not merely criminal punishment. Rehabilitation programmes in prisons and community support services have been proven to reduce crime rates among individuals with mental health disorders (Fajar Seto Nugroho, 2025b) . Comprehensive mental health services are key to preventing and handling cases of minor theft based on mental disorders. These services include easy access to psychotherapy, medication, social skills training, and family support. By strengthening the mental health service system, the risk of criminal acts due to mental disorders can be significantly reduced (Dwi Aryani, 2025c) .

In practice, there are still many challenges to be faced, such as limited mental health facilities, a shortage of professionals, and a lack of public education about the importance of mental health. In addition, there is still a tendency for law enforcement officials to prosecute minor theft cases without considering the mental health of the perpetrator. Therefore, integration between the legal and health systems is essential to create fair and humane policies for dealing with petty theft. Collaborative efforts between law enforcement, health workers, families and the community are needed to ensure that offenders with mental disorders receive appropriate treatment and do not become trapped in a cycle of repeated criminalisation. This approach not only protects the rights of offenders, but also improves the overall security and welfare of society.

Integration of Economic and Health Policy

The integration of economic and health law policies in dealing with petty theft is an urgent necessity arising from the complexity of the root causes and the social impact of the problem. Petty theft, especially when committed by children and vulnerable groups, cannot be viewed solely as a criminal offence, but also as a social phenomenon influenced by economic and health dynamics in society (Siti Aminah, 2022) . Therefore, countermeasures must be multidimensional, combining penal and non-penal approaches, and taking into account the economic and health aspects of the perpetrators. The penal approach has tended to focus on criminal sanctions, such as detention or rehabilitation in correctional institutions. However, the effectiveness of this approach is often limited, especially if it is not accompanied by rehabilitation and economic empowerment efforts. In addition, the criminal justice system has a secondary function that should not be the only instrument in dealing with economic crimes, including petty theft. Law enforcement should ideally place greater emphasis on administrative and civil mechanisms, as well as prioritise preventive and rehabilitative efforts (Fajar Seto Nugroho, 2023) . From an economic law perspective, policy integration can be achieved through social protection programmes, family economic empowerment, and improved access to education and employment. The government and stakeholders need to strengthen the social safety net to prevent people from falling into extreme poverty, which is often the main trigger for petty theft. Social assistance programmes, skills training, and access to micro-business capital are an important part of the economic-based prevention strategy (Dwi Aryani, 2025b) .

Meanwhile, from a health law perspective, policies for dealing with petty theft must pay special attention to the mental health of the perpetrator. Many cases of petty theft are triggered by psychological disorders such as kleptomania, severe stress, or childhood trauma. Mental health interventions, such as counselling, rehabilitation, and psychosocial support, should be an integral part of the petty theft case management system. This is in line with the principle of restorative justice, which emphasises the recovery and social reintegration of perpetrators (Ahmad Fauzi, 2025) . Synergy between economic and health policies can be achieved through cross-sector collaboration. Law enforcement agencies, social services, health services, and educational institutions need to work together to identify the root causes of problems and design appropriate interventions. For example, when a child is involved in petty theft, the legal process must be accompanied by economic and health assessments to determine the most effective intervention, whether it be rehabilitation, skills training, or mental health services (Dwi Aryani, 2023) .

The importance of a collaborative approach is also emphasised in criminological studies, where the prevention and combating of economic crime requires the active involvement of the government, legal institutions and the community. This collaboration enables synergy in surveillance, consistent law enforcement and public education to build awareness and prevent economic crime in the future. The ideal criminal policy is one that is able to integrate penal and non-penal approaches in a balanced manner(Agussalim, 2022) . The penal approach remains necessary to provide a deterrent effect and maintain order, but it must be balanced with non-penal efforts such as education, guidance, and rehabilitation. This integration must also be supported by regulatory improvements and compliance with established provisions so that policy implementation runs optimally at the field level (M .

Synchronisation between legal regulations and coordination between various law enforcement agencies are also crucial in achieving policy integration. Criminal law regulations must pay greater attention to the use of systematic and integrated concepts, both in investigations, prosecutions and trials. In this way, the law enforcement process will become more effective and less overlapping. In addition to regulatory aspects, legal culture and public awareness also play an important role in the success of policy integration. Public education on the importance of preventing petty theft, child protection, and mental health must continue to be promoted. The community needs to be involved in prevention efforts, for example through community programmes, entrepreneurship training, and family counselling services (Rika Sari, 2025) . The main challenge in integrating economic and health policies is limited resources, both in terms of budget, professionals, and supporting infrastructure. In addition, there is still resistance among law enforcement officials to adopt a multidisciplinary approach, as well as a lack of cross-sectoral understanding of the importance of policy integration. To overcome these challenges, strong political commitment from central and local governments is needed, as well as institutional capacity building at all levels. Investment in education, health, and economic empowerment must be a priority in development planning so that efforts to prevent and combat petty theft can be carried out in a sustainable manner (Nurul Huda, 2025) . Thus, the integration of economic and health policies in dealing with petty theft will not only increase the effectiveness of law enforcement, but also provide more comprehensive protection and recovery for perpetrators, victims, and society at large. This approach is expected to significantly reduce the incidence of petty theft and build a legal system that is more just, humane, and oriented towards mutual welfare.

CONCLUSION

The integration of economic law and health law in policies addressing petty theft is an important step towards achieving a more just, proportionate, and humane legal system. Literature analysis shows that economic factors such as poverty, unemployment, and urgent needs, as well as health factors such as mental disorders or physical limitations, are often the main background to petty theft. Therefore, a legal approach that only focuses on punishment without considering the economic and health conditions of the perpetrator is considered ineffective and has the potential to cause social injustice. A policy for handling minor theft that integrates economic and health aspects can be realised through the application of restorative justice, as stipulated by the Supreme Court of the Republic of Indonesia in PERMA Number 1 of 2024. This approach enables the peaceful resolution of cases, mediation, or rehabilitation, particularly for offenders from vulnerable groups such as children, the elderly, or those who commit theft due to urgent needs or health issues. Thus, law enforcement is not solely focused on punishment but also on the rehabilitation of offenders, victims, and society as a whole. Synergy between law enforcement agencies, social institutions, and health services is needed to ensure that this policy is effective. In addition, regulatory updates and capacity building for officials are essential to ensure that the handling of petty theft cases is more responsive to the economic and health context of the perpetrators. With this integration, it is hoped that efforts to combat petty theft will not only reduce crime rates, but also strengthen the protection of human rights and create more substantive justice within society.

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