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Reorientation of the Purpose of Punishment in the National Criminal Code: A Humanistic Approach in Indonesian Criminal Law

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Abstract: The reform of criminal law in Indonesia through Law Number 1 of 2023 concerning the National Criminal Code represents a significant transformation in the orientation of the national sentencing system. Historically, Indonesia's criminal justice framework has largely been influenced by a retributive paradigm, where punishment is primarily viewed as retaliation for criminal acts committed by offenders. However, the development of modern criminal law thought has encouraged the adoption of a more comprehensive approach that emphasizes humanitarian values. In this context, the National Criminal Code introduces a new paradigm that incorporates humanistic and restorative principles, while emphasizing social recovery. This approach does not merely focus on imposing sanctions on offenders, but also seeks to repair the social relationships disrupted by crime, ensure adequate protection for victims, and support the rehabilitation and social reintegration of offenders. This study aims to examine the reorientation of sentencing objectives under the National Criminal Code and to analyze how a humanistic approach is integrated into Indonesia's criminal law framework. The research employs a normative juridical method, utilizing statutory and conceptual approaches. The analysis is conducted through an examination of the provisions contained in the National Criminal Code as well as relevant criminal law literature. The findings indicate that the National Criminal Code establishes a new direction for the Indonesian sentencing system by emphasizing a balance between public protection, victim restoration, and offender rehabilitation. Consequently, punishment is no longer solely perceived as a mechanism of retaliation, but rather as a legal instrument aimed at achieving substantive justice, maintaining social order, and promoting a more humane and equitable criminal justice system.

Keywords: Sentencing Objectives, National Criminal Code, Humanistic Approach, Restorative Justice, Criminal Law Reform.

INTRODUCTION

Criminal law serves as one of the primary instruments through which the state maintains order, security, and justice within society. Through this legal framework, the state has the

authority to determine which actions constitute criminal offenses and to impose sanctions on individuals who violate these legal norms. In this context, sentencing occupies a central position in the criminal justice system because it functions as a formal mechanism for imposing legal consequences on offenders through legitimate judicial processes. Beyond its role in law enforcement, punishment also functions as a means of protecting society and preserving social stability (Muksin, 2023).

From a conceptual standpoint, the objectives of punishment have evolved alongside developments in criminal law theory. In classical criminal law thought, the primary justification for punishment was often associated with retributive theory, which views punishment as a deserved response to unlawful conduct committed by an offender. This theory is based on the assumption that individuals who commit crimes must bear the consequences of their actions in the form of suffering or deprivation, reflecting moral accountability for their wrongdoing. Within a retributive framework, punishment is therefore understood as a tool for achieving justice by imposing sanctions proportional to the offender's level of culpability.

The influence of retributive theory has historically been significant within Indonesia's criminal justice system, particularly because the national criminal law framework was largely inherited from the Dutch colonial legal system. For many decades, the Indonesian Criminal Code that governed criminal law was a colonial legacy constructed with a largely punitive and repressive orientation. Within this system, imprisonment became the most dominant form of punishment applied in criminal proceedings. As a result, the sentencing framework tended to prioritize penal sanctions against offenders rather than focusing on victim recovery or the restoration of social relationships within the community (Warzuk & Aminulloh, 2024).

However, as societies evolve, purely retributive approaches to punishment have increasingly been criticized by scholars and legal practitioners. These criticisms arise from the perception that retributive punishment alone cannot fully address the complex social problems associated with crime. In many cases, the punishment of offenders does not necessarily resolve the social conflicts created by criminal acts. Moreover, systems that rely heavily on punitive measures often generate additional problems, including overcrowding in correctional facilities, high recidivism rates, and the social stigmatization of former offenders who have completed their sentences (Fajarwati, 2025).

One of the most pressing challenges within Indonesia's sentencing system is the issue of overcrowded correctional institutions. Various reports indicate that the number of inmates in correctional facilities frequently exceeds the available capacity, creating significant challenges for the management of the correctional system. Such conditions not only reduce the effectiveness of rehabilitation programs but may also lead to potential violations of human rights. Consequently, many observers argue that a sentencing system overly dependent on imprisonment requires substantial reform in order to become more effective and humane (Irmawanti & Arief, 2021).

In addition to overcrowding, a punishment-centered approach often fails to adequately address the interests of victims. Within traditional criminal justice systems, victims frequently serve only as witnesses during trial proceedings, while their need for restoration or compensation is not always treated as a priority. In modern conceptions of justice, however, victim recovery is considered a crucial element in the resolution of criminal cases. For this reason, many criminal law scholars advocate for approaches that emphasize victim restoration and the resolution of social conflicts arising from criminal acts (Flora, 2017).

Contemporary developments in criminal law theory demonstrate a gradual shift from strictly retributive models toward more humanistic and restorative approaches. A humanistic perspective in criminal law places human dignity at the center of legal processes. Under this approach, offenders are not merely regarded as objects of punishment but as individuals who possess the potential for reform and rehabilitation. At the same time, this perspective stresses

the importance of recognizing the rights of victims and the broader interests of society when addressing criminal offenses (Arafat, 2025).

One concept that has emerged within the humanistic framework is restorative justice. This concept promotes the resolution of criminal cases through dialogue and mediation involving offenders, victims, and members of the community, with the aim of repairing the social harm caused by criminal conduct. In this model, the resolution of criminal cases does not focus solely on punishing offenders but also seeks to repair the damage experienced by victims and rebuild social harmony within the community (Andriyanti, 2020).

These developments in criminal law thinking have encouraged many countries, including Indonesia, to undertake reforms in their criminal justice systems. Such reforms aim to align criminal law with contemporary values of human dignity, social justice, and the protection of human rights. In Indonesia, efforts to reform criminal law have been underway for several decades and reached a significant milestone with the enactment of Law Number 1 of 2023 concerning the National Criminal Code.

The enactment of the National Criminal Code represents a major milestone in the history of criminal law reform in Indonesia. One of the key innovations introduced by this legislation is the explicit formulation of sentencing objectives within statutory provisions. This formulation is intended to provide clearer guidance for judges when imposing criminal sanctions and to ensure that punishment functions not only as a form of retaliation but also as an instrument for achieving broader social objectives (Ramadhan & Ariyanti, 2023).

Under the National Criminal Code, the objectives of punishment extend beyond merely imposing penalties on offenders. They also include preventing future crimes, resolving conflicts arising from criminal acts, restoring social balance within society, and fostering the rehabilitation of offenders so that they may reintegrate as responsible members of the community. Consequently, sentencing within the National Criminal Code adopts a more comprehensive and balanced orientation that considers the interests of offenders, victims, and society alike.

This reorientation of sentencing objectives reflects the gradual adoption of a more humanistic approach within Indonesia's criminal justice system. Such an approach emphasizes the importance of human values in the enforcement of criminal law. From this perspective, punishment is no longer perceived solely as a means of inflicting suffering on offenders but also as a mechanism for encouraging behavioral reform, restoring victims' losses, and maintaining social equilibrium within the community (Tuahuns, 2025).

Nevertheless, the implementation of a humanistic approach in sentencing is not without challenges. One of the primary difficulties lies in ensuring that law enforcement officials particularly judges, prosecutors, and investigators are able to understand and consistently apply the new sentencing principles in judicial practice. In addition, the correctional system must increasingly emphasize rehabilitation and guidance in order to ensure that the humanistic objectives of punishment can be effectively realized.

Based on this background, examining the reorientation of sentencing objectives within the National Criminal Code becomes an important area of study. This research aims to analyze how the shift in sentencing paradigms within the National Criminal Code reflects the adoption of a humanistic approach in Indonesian criminal law. Furthermore, the study seeks to assess the implications of this transformation for the broader criminal justice system in Indonesia.

By understanding the reorientation of sentencing objectives introduced by the National Criminal Code, it is expected that a more comprehensive understanding of the future direction of Indonesian criminal law can be achieved. This study is also expected to contribute to the development of criminal law scholarship and to serve as a reference for policymakers and law enforcement officials in implementing a sentencing system that is more just, effective, and grounded in humanitarian values.

METHOD

This study employs a normative legal research method, which focuses on examining legal norms contained in statutory regulations, legal doctrines, and relevant academic literature related to the research topic. Normative legal research aims to analyze legal concepts and principles that regulate particular issues within the legal system. In this study, the method is used to examine and analyze the reorientation of sentencing objectives in the Indonesian National Criminal Code and to explore how a humanistic approach is incorporated into the Indonesian criminal law system. This type of research is considered appropriate because the issues discussed relate primarily to legal principles, statutory provisions, and theoretical perspectives within criminal law (Rizkia & Fardiansyah, 2023).

The research applies two main approaches: the statutory approach and the conceptual approach. The statutory approach is conducted by reviewing and analyzing legislation related to the sentencing system in Indonesia, particularly Law Number 1 of 2023 concerning the National Criminal Code. Through this approach, the study examines how sentencing objectives are formulated within the new Criminal Code and how these provisions reflect a shift in the paradigm of Indonesia's criminal justice system. Meanwhile, the conceptual approach is used to analyze various theories and principles within criminal law that relate to the purposes of punishment, including retributive theory, utilitarian theory, rehabilitative theory, and the concept of restorative justice, which has gained increasing prominence in contemporary criminal law discourse.

The legal materials used in this research consist of primary, secondary, and tertiary legal sources. Primary legal materials include statutory regulations governing the criminal justice system, particularly Law Number 1 of 2023 on the National Criminal Code. Secondary legal materials consist of scholarly works such as criminal law textbooks, academic journal articles, research reports, and other academic publications discussing sentencing objectives and criminal law reform in Indonesia. Tertiary legal materials include legal dictionaries, encyclopedias, and other reference sources used to clarify legal terms and concepts relevant to the research.

The collection of legal materials in this study was conducted through library research. This method involves reviewing various sources of literature relevant to the research topic, including statutory documents, books, scholarly journals, and other academic publications. Through this process, the researcher aims to obtain a comprehensive understanding of the development of sentencing objectives and the application of humanistic principles within the criminal law system.

The collected legal materials are then analyzed using a qualitative analytical method. Qualitative analysis is carried out by interpreting legal norms contained in statutory provisions and relating them to the theoretical frameworks and concepts developed in criminal law scholarship. This analytical process is conducted systematically to understand how the transformation of sentencing principles in the National Criminal Code reflects a more humanistic orientation in Indonesia's criminal law framework.

By applying these research methods, the study seeks to provide a comprehensive analysis of the reorientation of sentencing objectives within the National Criminal Code and to examine its implications for the future development of Indonesia's criminal justice system.

RESULTS AND DISCUSSION

The Development of Sentencing Objectives in Indonesian Criminal Law

The concept of sentencing objectives constitutes a fundamental component of the criminal law system. Punishment should not merely be interpreted as the imposition of penalties on individuals who commit criminal offenses; rather, it also functions as a social mechanism aimed at maintaining order and justice within society. Throughout the development

of criminal law scholarship, the understanding of the purposes of punishment has undergone significant transformation in response to evolving legal thought and social dynamics. These changes demonstrate that the concept of punishment is not static but continues to develop in accordance with societal needs and the prevailing sense of justice within a legal system.

In classical criminal law theory, punishment was generally associated with the retributive theory of justice. According to this perspective, unlawful acts must be responded to with sanctions that correspond to the severity of the offender's wrongdoing. In this sense, punishment is considered a moral consequence that the offender must bear as accountability for violating the law. The retributive approach emphasizes that the central objective of punishment is to impose suffering on the offender as a form of responsibility for the committed offense. Therefore, within this framework, the justification for punishment is not necessarily linked to broader social benefits but rather to the principle of justice as proportional retaliation for wrongdoing (Rivanie et al., 2022).

This retributive viewpoint has significantly influenced the evolution of criminal justice systems in many countries, including Indonesia. Such influence can largely be traced to the historical development of Indonesia's criminal law, which was heavily shaped by the Dutch colonial legal system. For decades, the Indonesian Criminal Code in force was a colonial legacy designed within the framework of classical criminal law that emphasized punitive and repressive responses to criminal behavior. Under this system, imprisonment became the most frequently applied form of sanction in criminal proceedings. As a result, sentencing practices tended to prioritize punishment of offenders rather than focusing on victim recovery or the restoration of social relationships within the community (Mubarok, 2015).

Although the retributive approach is grounded in strong philosophical notions of justice, in practice it has often been criticized for its limited ability to address crime-related problems in a comprehensive manner. Critics argue that the retributive model places excessive emphasis on punishment while neglecting other important dimensions such as crime prevention, offender rehabilitation, and victim recovery. In many situations, imposing penalties on offenders does not necessarily resolve the social conflicts generated by criminal acts. In fact, overly punitive systems may contribute to additional social problems, including overcrowded prisons and the social stigmatization experienced by individuals who have served their sentences (Suryawan, 2021).

As criminal law scholarship has evolved, new theoretical perspectives on the objectives of punishment have emerged as alternatives to the retributive model. One such perspective is deterrence theory, which emphasizes that the primary function of punishment is to prevent future criminal behavior. This preventive function can operate in two forms: general deterrence and specific deterrence. General deterrence aims to discourage the broader public from engaging in criminal activity by demonstrating the consequences of unlawful conduct, while specific deterrence seeks to prevent convicted offenders from repeating their offenses after experiencing the legal consequences of their actions.

Another significant development in sentencing theory is the rehabilitative approach, which highlights the importance of reforming and guiding offenders. According to this perspective, individuals who commit crimes should be viewed as capable of personal improvement through appropriate correctional and rehabilitative measures. Consequently, the purpose of punishment extends beyond imposing sanctions; it also involves assisting offenders in transforming their behavior so that they can return to society as responsible and productive members. This rehabilitative perspective has influenced the development of the correctional system in Indonesia, which aims to guide and prepare inmates for reintegration into society after completing their sentences.

Further developments in modern criminal law thinking have also introduced the concept of restorative justice. This concept views criminal acts not only as violations of state law but

also as social conflicts involving offenders, victims, and the broader community. From this perspective, the resolution of criminal cases should not be limited to punishing offenders but should also include efforts to repair the harm suffered by victims and to restore disrupted social relationships. The restorative justice approach encourages dialogue and participation among offenders, victims, and community members in order to achieve a more constructive resolution of criminal conflicts.

In Indonesia, the emergence of these various theories of punishment has had a significant impact on the process of reforming the national criminal law system. Legal scholars and policymakers have increasingly recognized that a sentencing system overly focused on punishment is no longer compatible with contemporary values of human dignity and social justice. Consequently, efforts to reform Indonesian criminal law have sought to integrate multiple sentencing theories in order to establish a more balanced and comprehensive criminal justice framework.

This integration of diverse sentencing perspectives is reflected in the formulation of punishment within the newly enacted National Criminal Code. Under this new legal framework, punishment is not solely intended to penalize offenders. Instead, it also aims to prevent future crimes, encourage behavioral reform among offenders, restore the losses suffered by victims, and maintain social harmony within society. In this sense, Indonesia's sentencing system has begun to move toward a more humanistic and substantively just approach.

These developments indicate that the objectives of punishment in Indonesian criminal law have undergone a significant transformation. Whereas earlier approaches primarily emphasized retaliation against offenders, contemporary perspectives increasingly regard punishment as a mechanism for achieving broader social objectives. This transformation reflects an effort to align the criminal justice system with evolving values related to human dignity, the protection of human rights, and the societal demand for a more equitable and effective system of criminal justice.

Reorientation of Sentencing Objectives in the National Criminal Code

The enactment of Law Number 1 of 2023 concerning the National Criminal Code (KUHP Nasional) represents a major milestone in the reform of Indonesia's criminal law system. This reform does not merely replace criminal law provisions inherited from the colonial era, but also introduces a fundamental shift in the philosophy and orientation of sentencing. One of the most notable innovations is the explicit formulation of the objectives of punishment within the statutory provisions. This development is particularly significant because the previous Criminal Code did not clearly articulate the purposes of sentencing, which often led to punishment being imposed primarily as a form of retribution against offenders (Rumadan, 2013).

Under the National Criminal Code, the objectives of punishment are defined in a more comprehensive manner and reflect contemporary developments in criminal law theory. Punishment is no longer viewed solely as a mechanism for inflicting suffering on offenders but rather as a legal instrument aimed at achieving broader social objectives. The sentencing goals outlined in the new Criminal Code include the prevention of criminal acts, the rehabilitation of offenders, the resolution of conflicts arising from criminal behavior, and the restoration of social balance within society. Accordingly, sentencing is positioned not only as a means of enforcing the law but also as a tool for preserving social harmony and protecting the broader interests of the community.

One of the principal objectives of punishment within the National Criminal Code is crime prevention. This preventive function operates through two mechanisms: general deterrence and specific deterrence. General deterrence seeks to discourage members of society

from committing criminal acts by demonstrating the consequences of violating the law, while specific deterrence is intended to prevent individuals who have already been punished from repeating their offenses. Through these mechanisms, the sentencing system is expected to strengthen legal awareness among the public and encourage greater compliance with existing legal norms (Hamzani, 2022).

In addition to preventive objectives, the National Criminal Code also places considerable emphasis on the rehabilitation and development of offenders. This aspect of sentencing aims to correct and improve the behavior of individuals who have committed criminal acts so that they can eventually return to society as responsible members of the community. Such an approach reflects a more humanistic orientation in criminal law, where offenders are not solely regarded as subjects of punishment but also as individuals with the capacity for reform through rehabilitation and social reintegration. Consequently, the sentencing system is not limited to imposing penalties but also seeks to promote behavioral transformation and reduce the likelihood of future criminal conduct (Malik & Amin, 2025).

The reorientation of sentencing objectives in the National Criminal Code is also evident in its emphasis on the resolution of conflicts resulting from criminal acts. Modern criminal law increasingly recognizes that crime does not merely constitute a violation of state law but also creates social conflicts that may damage relationships between offenders, victims, and the community. For this reason, the resolution of criminal cases should not focus exclusively on punishing the offender but should also include efforts to repair the harm experienced by victims and to restore disrupted social relationships. This perspective aligns closely with the concept of restorative justice, which has become increasingly influential in contemporary criminal justice systems (Kusuma, 2016).

Another objective emphasized in the National Criminal Code is the restoration of social balance. Criminal acts inherently disrupt social harmony and cause harm to individuals as well as to the broader community. Therefore, punishment is intended not only to impose sanctions on offenders but also to restore equilibrium within society so that social life can function harmoniously once again. This restoration may be achieved through various mechanisms, including compensation to victims, apologies from offenders, or other forms of settlement that involve community participation.

In addition to clearly defining the purposes of punishment, the National Criminal Code also introduces sentencing guidelines to assist judges in determining appropriate sanctions. These guidelines are designed to provide clearer direction in the sentencing process, ensuring that judicial decisions are not based solely on subjective considerations but also adhere to principles established in statutory law. The presence of such guidelines is expected to promote greater proportionality, fairness, and consistency in criminal sentencing across different cases.

The reorientation of sentencing objectives is further reflected in the introduction of alternative forms of punishment aimed at reducing excessive reliance on imprisonment. Historically, imprisonment has been the most commonly imposed sanction within Indonesia's criminal justice system. However, the overuse of custodial sentences has contributed to several systemic problems, including severe overcrowding in correctional institutions. In response to these challenges, the National Criminal Code introduces several alternative sanctions, such as community service, supervision orders, and more flexible financial penalties.

Community service represents one of the key innovations within the reformed sentencing framework. This type of sanction allows offenders to fulfill their legal responsibility by performing work that benefits the community rather than serving time in prison. In certain types of offenses, this approach is considered more constructive because it enables offenders to remain within society while contributing positively through socially beneficial activities mandated by the court.

Another alternative sanction introduced by the National Criminal Code is supervision-based punishment, which places offenders under specific forms of monitoring without requiring incarceration. Under this system, individuals must comply with various conditions imposed by the court, such as regularly reporting to supervisory authorities or participating in designated rehabilitation programs. This approach ensures that offenders remain under state oversight while also providing opportunities for behavioral improvement without complete separation from their social environment.

The Humanistic Approach in the Sentencing System

The humanistic approach in criminal law represents a paradigm that places human values and dignity at the center of law enforcement processes. Within this perspective, punishment is not merely understood as a mechanism to penalize offenders, but also as a means to repair the social relationships that have been disrupted by criminal acts. The humanistic approach is grounded in the belief that every individual, including those who commit crimes, possesses inherent human rights and the capacity for personal improvement. Therefore, a sentencing system should take into account humanitarian considerations not only for offenders but also for victims and society as a whole.

From a humanistic standpoint, offenders are not viewed solely as subjects who must endure suffering as a consequence of their actions. Instead, they are recognized as individuals whose behavior may be influenced by a variety of social, psychological, and economic factors. For this reason, the sentencing process should not only aim to impose sanctions but also seek to understand the underlying causes of criminal behavior and determine the most effective ways to prevent similar offenses in the future. This perspective emphasizes the importance of rehabilitation and social reintegration, enabling offenders to return to society as responsible and productive members of the community (Sariyono, 2025).

In addition to considering the interests of offenders, the humanistic approach also places strong emphasis on the rights and needs of victims. In traditional criminal justice systems that prioritize punishment, victims often play a limited role as witnesses during court proceedings. Their need for recovery or compensation is not always treated as a central concern in the resolution of criminal cases. However, criminal acts do not merely violate state law; they also cause tangible harm to victims, including physical injury, psychological trauma, and economic loss.

For this reason, a humanistic approach to criminal law stresses the importance of victim restoration as an essential component of criminal case resolution. Such restoration may take various forms, including financial compensation, formal apologies from offenders, or other arrangements that assist victims in recovering from the harm they have experienced. Through this perspective, the sentencing process is not limited to punishing offenders but also aims to address and repair the damage suffered by victims.

Another key element of the humanistic approach is the involvement of the community in resolving criminal cases. From this viewpoint, crime is not only considered a violation of legal norms but also a social conflict that can disrupt relationships among individuals within society. Therefore, the resolution of criminal matters should ideally involve community participation in order to help restore social harmony and repair relationships damaged by criminal behavior.

One concept that reflects the application of the humanistic approach in criminal law is restorative justice. This concept promotes the settlement of criminal cases through dialogue and mediation involving offenders, victims, and other relevant stakeholders. The main objectives of this approach are to repair the harm experienced by victims, encourage offenders to take responsibility for their actions, and restore social relationships that have been affected by the crime (Setyorini et al., 2025).

Within the restorative justice framework, criminal cases do not always need to be resolved through formal and punitive judicial processes. Instead, resolution can occur through deliberative mechanisms that involve offenders, victims, family members, and community representatives. Through such dialogue, the involved parties may reach an agreement regarding the offender's accountability and the measures necessary to restore the victim's condition. In certain types of criminal cases, this approach is considered more effective because it can generate solutions that are fairer and more sustainable for all parties involved.

In Indonesia, the concept of restorative justice has gained increasing recognition within the criminal justice system. Various law enforcement institutions including the police, prosecutors, and courts have begun to apply this approach in handling certain types of cases, particularly minor offenses or cases involving juvenile offenders. This development is also consistent with the spirit of criminal law reform embodied in the National Criminal Code, which emphasizes the importance of restoring social balance within society.

The implementation of a humanistic approach in sentencing is also closely connected to the protection of human rights. In modern legal systems, the enforcement of criminal law must respect the fundamental rights of all individuals, including those accused or convicted of criminal offenses. This means that the sentencing process must be conducted in a manner that is fair, proportional, and consistent with humanitarian principles. Accordingly, the humanistic approach seeks to balance the goals of law enforcement with the protection of human dignity.

Despite its advantages, the practical application of the humanistic approach in the criminal justice system presents several challenges. One of the main difficulties lies in transforming the mindset of law enforcement officials who have traditionally relied on punitive and repressive methods. Moreover, the successful implementation of this approach requires strong support from the community as well as institutional readiness within legal systems to develop more participatory and restorative mechanisms for resolving criminal cases.

Implications of the Reorientation of Sentencing for the Criminal Justice System

The redefinition of sentencing objectives introduced by the National Criminal Code has significant implications for the criminal justice system in Indonesia. The transition from a punishment model that previously emphasized retribution toward a more humanistic and restorative orientation requires adjustments in multiple aspects of law enforcement. These adjustments extend beyond the written legal norms contained in statutory regulations and also affect the perspectives, attitudes, and practices of law enforcement authorities within the criminal justice system.

One of the primary implications of this shift is the need for a change in mindset among law enforcement officials, including investigators, prosecutors, and judges. Under a traditional retributive criminal justice model, law enforcement actors often focus primarily on proving the guilt of the offender and imposing the most severe punishment possible as a form of retaliation for the committed offense. However, within the new sentencing paradigm, law enforcement authorities are expected to play a broader role. They are no longer limited to enforcing legal rules through punitive measures but are also encouraged to seek fair and humane solutions to the conflicts arising from criminal acts.

In this context, law enforcement officials are required to adopt a more comprehensive perspective when handling criminal cases. Their responsibilities extend beyond the formal enforcement of legal provisions; they must also consider the social, psychological, and humanitarian aspects associated with each case. As a result, the law enforcement process should aim not only to produce legally valid decisions but also to deliver substantive justice that takes into account the interests of all parties involved.

This transformation in perspective is closely connected to the growing implementation of restorative justice practices within Indonesia's criminal justice system. The restorative

justice approach creates opportunities for law enforcement authorities to resolve certain criminal cases through dialogue and mediation involving offenders, victims, and members of the community. In such mechanisms, law enforcement officials do not act solely as enforcers of the law but also as facilitators or mediators who assist the parties in reaching fair and balanced agreements. Through this approach, criminal case resolution is expected to become more effective while also helping to repair the social relationships that have been disrupted by criminal acts (Syarifullah et al., 2025).

In addition to influencing the role of law enforcement authorities, the reorientation of sentencing objectives also has important implications for the correctional system in Indonesia. Within a humanistic sentencing paradigm, imprisonment is no longer regarded as the only effective method for addressing criminal behavior. Instead, correctional institutions are encouraged to place greater emphasis on rehabilitation, personal development, and social reintegration for inmates. The primary goal of these efforts is to enable offenders to improve their behavior and eventually return to society as responsible and productive individuals after completing their sentences (Manuputty et al., 2025).

The emphasis on rehabilitation within the correctional system reflects the belief that offenders possess the capacity for change and personal development. Consequently, correctional institutions should not function solely as facilities for serving punishment but also as institutions that provide structured development programs. These programs may include educational opportunities, vocational training, and psychological or spiritual guidance aimed at preparing inmates to reintegrate successfully into society once their sentence has been served.

Another important implication of the sentencing reform is the expansion of alternative sanctions outside imprisonment. The National Criminal Code introduces several forms of alternative punishment, such as community service and supervisory sanctions, which allow courts to impose penalties without resorting to incarceration. This policy represents an important step toward reducing the excessive reliance on imprisonment that has historically characterized Indonesia's criminal justice system.

The development of alternative sanctions is also expected to help address the persistent issue of overcrowding in correctional facilities, which has long been one of the major challenges within the Indonesian criminal justice system. Prison overcrowding not only affects the physical conditions of correctional facilities but also undermines the effectiveness of rehabilitation programs for inmates. By reducing the use of imprisonment through the application of alternative sanctions, the burden on correctional institutions may be alleviated, allowing rehabilitation and reintegration programs to function more effectively.

Furthermore, the reorientation of sentencing objectives may also influence the overall effectiveness of law enforcement. A criminal justice system that embraces more humanistic and restorative principles has the potential to strengthen public trust in legal institutions. When members of society perceive that legal processes are conducted fairly, transparently, and with respect for human dignity, their willingness to comply with the law tends to increase. In the long term, this increased trust can reinforce the legitimacy of the legal system and contribute to greater social stability.

CONCLUSION

The reorientation of sentencing objectives in the Indonesian National Criminal Code represents a significant step in the broader reform of criminal law in Indonesia. This reform reflects a shift in perspective from a predominantly retributive model of punishment toward a more comprehensive approach that incorporates elements of crime prevention, offender rehabilitation, and the restoration of social relationships disrupted by criminal acts. Such a transformation not only illustrates the development of contemporary criminal law theory but

also demonstrates the state's effort to align its criminal justice system with evolving principles of humanity and justice within society.

Historically, Indonesia's sentencing system was heavily influenced by the Dutch colonial Criminal Code, which primarily emphasized punishment as a form of retaliation against offenders. Under this framework, criminal sanctions were largely designed as consequences for legal violations committed by offenders. However, developments in criminal law scholarship and practice have shown that a system focused solely on punitive measures often fails to effectively resolve the social conflicts arising from criminal behavior. Moreover, such an approach tends to provide limited attention to the recovery of victims and the social reintegration of offenders.

The enactment of Law Number 1 of 2023 concerning the National Criminal Code introduces a fundamental transformation by explicitly defining the objectives of sentencing within Indonesia's criminal justice framework. These objectives include preventing criminal acts, rehabilitating offenders, resolving conflicts caused by criminal conduct, and restoring social balance within the community. The formal articulation of these goals provides judges with clearer guidance in determining appropriate sanctions. As a result, sentencing decisions are no longer exclusively focused on retaliation but also aim to achieve more substantive justice that takes into account broader social interests.

The humanistic orientation increasingly adopted in Indonesia's sentencing system also highlights the importance of considering humanitarian values within law enforcement processes. From this perspective, offenders are not merely treated as objects of punishment but as individuals who possess the potential for personal change and rehabilitation. At the same time, the approach places greater emphasis on the recovery of victims and encourages community involvement in resolving criminal cases through mechanisms such as restorative justice.

This shift in sentencing objectives carries broad implications for Indonesia's criminal justice system. Law enforcement authorities are required to move away from a purely repressive model of law enforcement and adopt a more humane approach that prioritizes fair conflict resolution. Additionally, the correctional system must increasingly focus on rehabilitation and development programs to ensure that inmates can reintegrate into society as productive members after serving their sentences. The expansion of alternative sanctions beyond imprisonment is also expected to help address the persistent problem of overcrowded correctional facilities while enhancing the overall effectiveness of the sentencing system.

In conclusion, the reorientation of sentencing goals within the National Criminal Code represents a strategic effort to establish a criminal justice system that is more modern, humane, and just. If this policy is implemented with adequate support from law enforcement institutions, an effective correctional system, and active community participation, Indonesia's criminal justice framework will not only provide legal certainty but also promote a more humane form of justice and maintain social harmony within society.

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