

# The Complexity of Contemporary Criminal Law: Adapting the Criminal Justice System to the Dynamics of Technology and Globalization

Loso Judijanto

IPOSS Jakarta

**Corresponding Author:** Loso Judijanto [losojudijantobumn@gmail.com](mailto:losojudijantobumn@gmail.com)

---

## ARTICLE INFO

*Keywords:* Scope of Criminal Law, Restorative Justice, Corporate Criminal Law, Cybercrime; Living Law, Principle of Ultimum Remedium, Due Process of Law, Human Rights Protection

*Received :* 01 October

*Revised :* 18 November

*Accepted:* 20 December

©2025 Judijanto: This is an open-access article distributed under the terms of the [Creative Commons Attribution 4.0 International](https://creativecommons.org/licenses/by/4.0/).



## ABSTRACT

This article analyzes the scope of criminal law, which has undergone a fundamental transformation following the enactment of the New Criminal Code. Through a qualitative literature review method, this study outlines the evolution of the criminal law paradigm from a retributive orientation towards a more humanistic approach based on *daad-dader strafrecht*, restorative justice, and the protection of human rights. The main findings indicate that the scope of criminal law now includes substantial expansion in three aspects: first, adaptation to the dynamics of digital technology that blur traditional jurisdictional boundaries in cybercrime; second, the expansion of legal subjects with recognition of corporate criminal liability as a response to structural crimes; and third, the integration of local wisdom values through the recognition of living law as an equivalent source of law. This article also highlights the implementation of the principle of *ultimum remedium*, the diversification of forms of criminal sanctions, as well as the strengthening of the protection of suspects' rights. The main challenges identified include the uncertainty in implementing new norms, the complexity of evidence in cross-border digital crimes, and the balance between legal certainty and substantive justice. Contemporary criminal law must be an agile and responsive system to the dynamics of the times without compromising its identity as a guardian of justice and social order

## INTRODUCTION

Criminal law is a vital instrument in a country's legal system that functions as a tool of social control to maintain order, protect public interests, and uphold justice. As part of public law, criminal law continues to evolve along with the development of human civilization, shifts in social values, and the complexity of contemporary challenges (Muyassar et al., 2024). The existence of criminal law is no longer merely understood as a means of retribution but has transformed into a more humane instrument emphasizing aspects of restoration and rehabilitation. In the context of Indonesia, this dynamic has reached its peak with efforts to reform the national criminal law system, aiming to replace the colonial legacy of the *Wetboek van Strafrecht (WvS)* to make it more in line with the values of Pancasila and human rights (Amalia et al., 2025; Malau, 2023; Rambe et al., 2024).

A fundamental moment in the history of Indonesian criminal law is marked by the enactment of Law Number 1 of 2023 concerning the Criminal Code (New Criminal Code). The presence of this regulation not only changes the normative landscape but also brings a significant paradigm shift in the scope of criminal law, ranging from a more flexible principle of legality by recognizing the living law in society, to changes in the philosophy of sentencing (Fadilla et al., 2024; Rizal et al., 2025). This shift requires a re-understanding of the boundaries of the scope of criminal law, which have so far been conventionally understood, in order to ensure legal certainty during the transitional period of the law's implementation (Malau, 2023; Shafira et al., 2022).

In addition to regulatory changes, the rapid development of information technology in the era of the Industrial Revolution 4.0 and Society 5.0 has drastically expanded the scope of criminal law. The emergence of cyberspace as a new domain of human interaction has given rise to new types of criminal acts (cybercrime) that were previously unimaginable, such as digital identity theft, data hacking, and the misuse of artificial intelligence and deepfakes for criminal purposes (Ghiffari, 2025; Pamungkas et al., 2024). This phenomenon forces criminal law to adapt quickly, not only in terms of criminalizing new acts, but also in redefining the concept of the place of the crime (*locus delicti*) and criminal liability that crosses national jurisdictional boundaries (Flora et al., 2024; Ganjar, 2025).

The complexity of criminal law subjects has also become a major focus in the development of modern law today. Whereas criminal law previously focused only on individuals (*natuurlijke persoon*) as legal subjects, corporations are now widely recognized as entities that can be held criminally accountable. This expansion is based on the reality that corporate crimes, such as environmental offenses and economic crimes, often cause far greater harm than conventional crimes (Ilham, 2025; Pravifjayanto, 2025). Therefore, the study of the scope of criminal law must now include an in-depth analysis of the doctrine of corporate criminal liability and its implications for the law enforcement system in Indonesia (Flora et al., 2024; Wiratama & Setiyono, 2024).

The urgency of writing this article is also driven by the growing discourse and implementation of restorative justice as an alternative for resolving criminal cases (Lubis et al., 2025). This approach offers a new perspective that focuses on restoring victim losses and reconciling perpetrators, victims, and the community, rather than merely imposing prison sentences (Jamaludin & Saputra, 2023). The integration of the restorative justice concept into the Indonesian criminal justice system, whether through prosecutorial or police regulations, or within the New Criminal Code, requires thorough theoretical examination to ensure its implementation does not undermine public sense of justice and remains within the applicable legal framework (Aripkiah et al., 2025; Koto et al., 2024).

Although there has been a lot of literature discussing aspects of criminal law in a partial manner, there is still an urgent need to develop a comprehensive study that maps the scope of criminal law holistically in the post-national legal reform era (Malau, 2023). The gap between classical criminal law theory and the reality of contemporary crimes as well as the latest regulations often creates uncertainty in law enforcement (Koto et al., 2024). Therefore, this paper aims to bridge that gap by providing a systematic analysis of the fundamental elements of criminal law that have undergone evolution, thus serving as a relevant reference for both academics and practitioners.

Based on this background, this article aims to provide an in-depth explanation of the scope of criminal law, including its definition, characteristics, main principles, and the penal system currently applicable in Indonesia. This writing also aims to elaborate on the implications of the implementation of the New Criminal Code and the influence of technological developments on the expansion of subjects and types of criminal acts. Thus, it is hoped that this article can contribute to thinking about the future direction of Indonesian criminal law that is more adaptive, just, and responsive to global challenges.

## LITERATURE REVIEW

### Definition and Legal Basis of Criminal Law

Criminal law is a part of law that deals with actions that violate social norms and endanger public order (Mulyadi, 2023). In criminal law, any action prohibited by legislation is subject to sanctions determined by the state. The main objectives of criminal law are to maintain social order, protect the interests of society, and uphold justice by giving appropriate punishment to offenders (Sofyan & Azisa, 2023). The existence of criminal law is very important in the legal system because it provides guidance on prohibited acts and the consequences that perpetrators must face. Criminal law serves as a state instrument to control the behavior of individuals and groups so that they remain within the limits set by law (Rosyadi, 2022).

In the context of definitions, criminal law has several characteristics that distinguish it from other branches of law. The main feature of criminal law is its coercive nature, whereby individuals cannot avoid the application of the law if proven to have committed an offense. Criminal law is also public in nature, meaning its enforcement is the responsibility of the state, not merely a matter between the victim and the perpetrator. Criminal law has a broad scope covering

offenses from minor to severe crimes, ranging from traffic violations to serious crimes such as murder and terrorism. The role of criminal law also includes a preventive aspect, where its existence serves as a warning to society not to commit violations. Criminal law is retributive, meaning it imposes punishment on offenders as a form of retaliation for actions they have committed (Mulyadi, 2023).

The concept of criminal law has been extensively studied by legal experts from various perspectives. Criminal law is a set of rules aimed at enforcing justice by imposing sanctions on actions that harm society and the state. Criminal law plays an important role in creating a balance between individual rights and the public interest. In its application, criminal law must always refer to the principles of justice and legal certainty to prevent abuse of power (Hasanuddin, 2022).

### **Characteristics and Objectives of Criminal Law**

Criminal law has several characteristics that distinguish it from other branches of law. The main characteristic of criminal law is that it is coercive and imperative (Mulyadi, 2023). This means that criminal law must be obeyed by all citizens without exception, and violations of it will result in sanctions as stipulated in the legislation. Criminal law is both repressive and preventive. The repressive nature is evident in the imposition of sanctions on offenders as a form of retaliation or punishment for their actions. The preventive nature aims to prevent criminal acts from occurring in the future by providing a deterrent effect to society (Sofyan & Azisa, 2023). Criminal law is also public in nature, where the state has a primary role in enforcing and applying it, unlike civil law which focuses more on relationships between individuals (Rosyadi, 2022).

The main purpose of criminal law is to uphold justice and provide protection for citizens from criminal acts that can disrupt public order. An important aim of criminal law is to provide a deterrent effect on offenders as well as on society at large. With the threat of strict sanctions, it is expected that individuals will think twice before committing legal violations. Criminal law also aims to rehabilitate offenders so that they can reintegrate into society after serving their sentences. This rehabilitative aspect is very important, especially in modern justice systems that emphasize restorative justice (Jamaludin & Saputra, 2023; Lubis et al., 2025).

Criminal law has a primary function as a social control tool aimed at maintaining a balance between individual interests and society. This indicates that criminal law, in addition to being intended to punish offenders, also plays a role in creating harmony within the community. In its application, criminal law must always consider aspects of justice, humanity, and legal certainty in order to function optimally in protecting citizens' rights (B. Rahman, 2023).

### **Sources of Criminal Law**

Criminal law has various sources that form the basis of its creation. The main source of criminal law is legislation, which contains written rules that regulate acts categorized as criminal offenses as well as their penalties (Sofyan & Azisa, 2023). In the legal systems of many countries, legislation is the primary source of criminal law and has binding authority. Besides legislation, other sources of criminal law include customary law or traditional law, which exist

within communities and are recognized in judicial practice. Although customary law is not always written, in some cases, legal principles derived from customs can serve as a basis for legal decisions (Mulyadi, 2023). Jurisprudence is one of the important sources of criminal law. Jurisprudence refers to judicial decisions in specific cases that are used as guidelines for resolving similar cases in the future (Sofyan & Azisa, 2023). In legal systems that follow the common law tradition, jurisprudence plays a very significant role in the development of criminal law. In civil law systems, jurisprudence serves more as a secondary source of law that complements legislation. In addition to jurisprudence, legal doctrine is also a source of criminal law. Doctrine refers to the opinions of legal experts that are often used as references in the drafting of legal regulations and in the considerations of judges when deciding cases (Rosyadi, 2022).

Criminal law, besides being sourced from written regulations, also derives from various legal principles that have developed in judicial practice, such as the principle of legality and the principle of non-retroactivity (Sofyan & Azisa, 2023). This indicates that criminal law constantly evolves in accordance with social changes and the needs of citizens. A comprehensive understanding of the various sources of criminal law is very important to ensure the fair and effective application of the law within the criminal justice system (A. Prasetyo, 2021).

#### **General Principles in Criminal Law**

Criminal law has several basic principles that serve as guidelines for its application. One of the main principles is the principle of legality, which emphasizes that no act can be categorized as a criminal offense and no punishment can be imposed except based on legal rules that have been established beforehand (Mulyadi, 2023). This principle is intended to provide legal certainty and prevent arbitrary actions by law enforcement officials. Without the principle of legality, someone could be punished for an act that was not previously prohibited, which would violate human rights and the principle of justice within the legal system (Rambe et al., 2024). The principle of legality also means that criminal law does not apply retroactively (non-retroactive), so a person can only be punished based on the rules in force at the time the act was committed.

The principle of non-retroactivity is closely related to the principle of legal certainty. In a fair legal system, the regulations in force must be predictable by the public so that every individual can understand the consequences of their actions. The application of the non-retroactivity principle is crucial for maintaining public trust in the legal system because if regulations could be applied retroactively, legal uncertainty could occur, which can harm individuals. Another equally important principle is the principle of proportionality, which asserts that the punishment imposed on a criminal offender must be commensurate with the level of their wrongdoing. Punishments that are too light will not provide a deterrent effect, while punishments that are too severe can be considered a violation of the principle of justice (Rosyadi, 2022).

In the development of modern legal systems, the application of the principle of legality in criminal law must consider aspects of substantive justice, not just formal legal certainty. This means that even if a rule has been established

in written law, its application must still take into account the values of justice present in society. The principles of criminal law must always be applied appropriately so that the law remains relevant to the times and does not sacrifice fundamental principles of justice (D. Santoso, 2024).

### **Scope of Criminal Law in the Legal System**

Criminal law has a broad scope within a country's legal system. Its scope, in addition to covering the definition and elements of criminal acts, also includes who can be held criminally responsible and how the penal system is applied (Sofyan & Azisa, 2023). Criminal law aims to uphold social order by imposing sanctions on offenders in accordance with the principle of justice. Over time, criminal law has undergone changes to adapt to contemporary challenges, including the influence of globalization and technology (Suryanto, 2023).

### **Legal Subjects in Criminal Law**

The legal subject in criminal law refers to individuals or entities that have the capacity to be subjected to criminal sanctions for committing legal violations. In conventional criminal law, the legal subject is generally a human being as an individual who commits prohibited acts and can be held criminally responsible (Mulyadi, 2023). The development of modern law allows legal entities or corporations to be considered legal subjects in some jurisdictions (Pravifjayanto, 2025). This is based on the fact that companies and organizations can engage in actions that potentially harm the public, such as corruption, money laundering, and environmental crimes (Wiratama & Setiyono, 2024). Many countries have recognized corporate criminal liability as part of their legal system (Ilham, 2025). In addition to individuals and legal entities, legal subjects in criminal law can also include public officials who have special responsibilities in carrying out their duties. In some cases, state officials can be held criminally liable if they abuse their authority or engage in actions that break the law, such as corruption crimes or human rights violations (Ibrahim, 2021; Rambe et al., 2024). Along with the development of society and technology, legal subjects in criminal law continue to undergo changes and expansions. With the emergence of artificial intelligence (AI) and virtual entities, debates have arisen about whether AI systems or robots can be considered legal subjects in criminal law if they cause significant harm (Kadir, 2025). Some legal experts argue that legal responsibility in these cases should be assigned to the creators or users of the technology, while others propose recognizing non-human entities as legal subjects in certain contexts. Criminal law continues to adapt to social and technological dynamics to ensure that legal subjects responsible for Violations can be subject to fair and appropriate sanctions (Fauzan, 2021). Recent studies show that recognizing new legal subjects in criminal law is an important step in facing legal challenges in the digital and globalized era (Ganjar, 2025; B. Santoso, 2022a).

#### **Classification of Criminal Acts**

Criminal acts in criminal law are classified based on various aspects that reflect the level of severity, motive, and the manner in which the crime is committed. The main classification in criminal law is the distinction between crimes and violations. Crimes include acts that have a significant impact on individuals or society, such as murder, rape, and robbery. Crimes are often punishable by severe penalties, such as long-term imprisonment or even the death penalty, depending on the jurisdiction of each country. Violations refer to less serious acts

and are usually subject to lighter punishments, such as fines or warnings, Administrative, such as traffic violations (Mulyadi, 2023).

Criminal acts can be classified based on the element of intent or negligence of the perpetrator. In the criminal law system, there is the concept of intentional crimes (*dolus*) as well as negligent crimes (*culpa*) (Sofyan & Azisa, 2023). Intentional crimes are committed with a clear intention to break the law, such as premeditated murder or armed robbery. Negligent crimes occur when someone does not intend to commit a crime but still causes unlawful consequences, such as a traffic accident resulting in death due to the driver's negligence. Classification of crimes based on the element of fault plays an important role in determining the severity of the punishment to be imposed on the perpetrator (A. Rahman, 2023).

The classification of criminal acts can also be based on the object violated or the legal interest being protected. Crimes against individuals include offenses such as assault and kidnapping, while crimes against the state include offenses such as treason and espionage (Sofyan & Azisa, 2023). There are also crimes related to specific fields, such as economic crimes, cybercrimes, and environmental crimes, each having diverse characteristics and legal threats (Ghiffari, 2025; Ilham, 2025; Pamungkas et al., 2024). Along with the development of law, the classification of criminal acts continues to be updated to adapt to social and technological changes (Wijaya, 2023b).

### **Elements of Criminal Acts**

The elements of a criminal act are the main components that must be fulfilled for an action to be classified as a crime. In general, the elements of a criminal act consist of objective and subjective elements. The objective elements include actions prohibited by law (*actus reus*), the consequences of these actions, and the causal relationship between the action and the resulting consequences. The subjective elements relate to the perpetrator's intent (*mens rea*), which includes intentionality or negligence in committing the criminal act (D. Prasetyo, 2022)..

One of the debates in criminal law is how to determine the subjective element in cases involving indirect actions or negligence. Some legal systems use an intention-based approach, while others place more emphasis on the resulting consequences. A deep understanding of the elements of a criminal act is necessary to ensure justice in the criminal justice system (Rosyadi, 2022).

As criminal law develops, the elements of criminal acts undergo various interpretations across different jurisdictions. In modern crimes, such as cybercrime, the elements of *actus reus* and *mens rea* are often difficult to identify directly, requiring a more flexible legal approach (Ghiffari, 2025; Pamungkas et al., 2024). Criminal law must adapt to technological developments to properly adjust the elements of criminal acts in the context of digital crimes (Ganjar, 2025; Nugroho, 2024; Tobing et al., 2024).

### **Forms of Criminal Liability**

Criminal liability in criminal law is a principle that determines whether someone can be sanctioned for a criminal act they have committed. The form of criminal liability varies depending on the applicable legal system and the

characteristics of the criminal act committed. The most common form of liability is individual liability, where a person is responsible for their own unlawful actions. The offender must meet the elements of fault, either in the form of intent (*dolus*) or negligence (*culpa*). This individual liability covers all types of crimes, ranging from minor offenses to serious crimes such as murder or terrorism. The basic principle of this form of liability is that a person can only be punished if proven guilty based on valid evidence and a fair judicial process (Weriansyah et al., 2024).

In addition to individual accountability, modern criminal law also recognizes corporate criminal liability (Pravifjayanto, 2025). In many jurisdictions, legal entities such as companies or organizations can face criminal sanctions if proven to commit serious violations, such as corruption, money laundering, or environmental pollution (Ilham, 2025; Wiratama & Setiyono, 2024). This concept has developed because in many cases, economic crimes and corporate crimes have a broader impact than individual crimes (Pravifjayanto, 2025). Sanctions against corporations can include hefty fines, company dissolution, or other administrative penalties. Corporate criminal liability has become an important instrument in enforcing the law against companies that commit violations harmful to society at large (B. Santoso, 2022b).

Another form of accountability is criminal liability under special circumstances, such as accountability for minors, individuals with mental disorders, or individuals under pressure or coercion when committing a crime (Mulyadi, 2023). In some cases, individuals who are not fully aware of or in control of their actions may receive lighter sentences or may even be exempted from criminal liability. This concept is closely related to the principle of justice in criminal law, which emphasizes that a person can only be punished if they have sufficient legal capacity to understand and control their actions. The criminal justice system must consider psychological and social factors in determining criminal liability in order to create a more humane justice (Putra, 2023).

### **The Sentencing and Sanctions System in Criminal Law**

The penal system in criminal law aims to provide a deterrent effect, protect society, and rehabilitate offenders so that they can return to society as productive members. Apart from punishing, criminal sentencing also aims to prevent the recurrence of criminal acts in the future (Sofyan & Azisa, 2023). The penal system encompasses various forms of sanctions that are adjusted according to the severity of the crime and the condition of the offender. The most common form of punishment is imprisonment, which aims to isolate the offender from society for a certain period as a form of punishment and protection for the public. This punishment is widely applied to serious crimes such as murder, robbery, and sexual offenses (Rosyadi, 2022).

In addition to imprisonment, there are fines, which are usually applied to minor offenses or economic crimes. Fines aim to deter the offender without taking away their freedom. In some legal systems, fines can be an alternative to imprisonment for offenders who do not pose a direct danger to society. Moreover, modern sentencing systems also recognize the concept of alternative punishments, such as community service or rehabilitation, especially for minor

offenders or juvenile offenders. These punishments aim to give offenders a chance to improve themselves without having to undergo penalties that could harm their future. The implementation of alternative punishments can enhance the effectiveness of the criminal justice system in rehabilitating offenders and reducing recidivism rates (Lestari, 2024).

The criminal justice system has also evolved with the introduction of the concept of restorative justice, which emphasizes the restoration of victims and reconciliation between offenders and victims (Malau, 2023). This approach is intended to provide more humane solutions in resolving criminal cases, especially in certain cases such as minor offenses or crimes involving complex social relationships. In some countries, restorative justice has become a part of the criminal justice system to replace conventional punishments that are more focused on retribution (Adinda et al., 2024). Restorative justice can produce more positive outcomes compared to the conventional criminal justice system, particularly in reducing social conflict and rebuilding relationships between offenders and victims (Wijaya, 2023a).

## **METHODOLOGY**

This study employs a qualitative literature review method, or narrative literature review, which aims to present a critical and comprehensive synthesis without using rigid protocols as in a systematic literature review (SLR) (Pare & Kitsiou, 2017). This narrative approach is chosen because it allows deep interpretive flexibility in mapping the evolution of concepts, principles, and criminal law norms found in various legal sources and doctrines (Susanto et al., 2024). Unlike SLR, which focuses on data aggregation to answer clinical or specific questions with quantitative evidence, qualitative reviews emphasize contextual understanding, the identification of thematic patterns, and the construction of theoretical arguments regarding paradigm shifts in criminal law (Flora et al., 2024).

The data collection process was carried out by reviewing nationally and internationally reputable journal articles as well as books published within the last five years (Lim, 2024). The literature selection method was based on substantive relevance to the topics of the development of the scope of criminal law, corporate responsibility, restorative justice, and cybercrime (Tarigan et al., 2025). The analysis was conducted in a descriptive-analytical manner, in which the researchers did not merely summarize previous findings, but rather reinterpreted them to build a coherent narrative connecting classical criminal law theories with contemporary challenges (Shafira et al., 2022).

The validity of the results of this review is maintained through source triangulation and the researcher's reflexivity in interpreting legal texts. In the qualitative literature review method, the researcher's subjectivity is acknowledged as an analytical instrument that enriches perspective, as long as it is supported by logical arguments and authoritative references (Snyder, 2024). Through this approach, the research not only produces an inventory of legal rules but also provides critical insights into the theoretical and practical implications of expanding the scope of criminal law in the digital era. The results of this

narrative synthesis are expected to provide a comprehensive conceptual framework for readers to understand the dynamics of criminal law more deeply compared to merely normative textual analysis (Flora et al., 2024).

## **RESULTS AND DISCUSSION**

### **Developments and Challenges in the Scope of Criminal Law**

Criminal law is constantly evolving in line with social, political, and technological dynamics. The changes in the structure of society and the emergence of new forms of crime demand an adaptive and responsive criminal law system. Various challenges such as globalization, transnational crime, and the use of technology in criminal acts increasingly complicate the application of criminal law (Muyassar et al., 2024). A comprehensive study is needed on how criminal law evolves, how legal systems in different countries adjust to changes over time, and how technology plays a role in shifting perspectives on criminal acts (Adinda et al., 2024).

### **The Evolution of Criminal Law in History**

Criminal law has undergone a long evolution since human civilization first became familiar with the concept of rules and sanctions against behavior considered harmful to society. Initially, the criminal justice system was primitive and based on the principle of retaliation or *lex talionis*, as seen in the Code of Hammurabi in ancient Babylon. This system focused on the concept of punishment proportionate to the actions committed by the offender, such as the principle of "an eye for an eye, a tooth for a tooth." Over time, this concept evolved alongside the progress of civilization, especially as legal systems began to be influenced by more rational principles of justice. Changes in the current penal system are now largely influenced by the restorative justice approach, which aims to repair relations between victims, offenders, and society (Sofyan & Azisa, 2023).

In ancient Rome, the criminal law system began to develop in a more structured manner, as seen in the Twelve Tables, which became the legal foundation of the Roman Empire. In subsequent developments, criminal law began to accommodate more complex principles, including the distinction between public and private offenses. This marked a transition from a legal system based solely on retribution to a system that placed more emphasis on justice and social order. With the advent of modern legal systems, the codification of criminal law began to be carried out in various countries. One influential example of legal codification is the Code Pénal in France in the 19th century, which became the basis for many modern criminal law systems worldwide. This demonstrates that criminal law is not a static system but continues to evolve according to the needs of the times (López, 2023).

In the 20th and 21st centuries, criminal law has increasingly developed by taking social, psychological, and economic aspects into account in its formulation. The concept of modern punishment, besides focusing on punishment, also emphasizes rehabilitation and crime prevention. Criminal law today is also beginning to adapt to technological developments, such as the emergence of regulations related to cybercrime and digital rights violations (Ghiffari, 2025; Pamungkas et al., 2024). In this context, criminal law continues to

undergo revisions and updates to remain relevant in facing the challenges of the times. Contemporary criminal law is the result of a long evolution influenced by various social, political, and technological factors (Muyassar et al., 2024).

### **Criminal Law in a Global and National Context**

Criminal law in the era of globalization faces increasingly complex challenges due to differences in legal systems across countries and the rise of transnational crimes (Muyassar et al., 2024). In a global context, many countries cooperate in harmonizing criminal law to address crimes with widespread impacts, such as human trafficking, money laundering, and cybercrime (Ghiffari, 2025; Pamungkas et al., 2024). These transnational crimes often cannot be addressed solely through national legal approaches, thus international cooperation through organizations like the United Nations (UN) and Interpol is needed. The application of universal jurisdiction has increased over the past few decades to tackle transnational crimes (Hernández, 2022).

At the national level, each country has a different approach to implementing criminal law according to the legal system it adheres to. Countries with a common law tradition such as the United States and the United Kingdom tend to rely on case precedents in court decisions, while countries with a civil law system such as Germany and France place more emphasis on written legal codification (Sofyan & Azisa, 2023).

In addition to differences in legal systems, criminal law in each country is also influenced by prevailing cultural and social values. Some countries implement criminal law based on religion, as seen in Islamic criminal law in several Middle Eastern countries. Secular countries tend to develop criminal law based on the principles of humanism and human rights (Rambe et al., 2024). In facing these various challenges, criminal law must continue to evolve in order to provide fair and effective legal protection for society amid rapid social changes. Criminal law must be able to adapt to global developments without sacrificing the fundamental principles that form the basis of the legal system in each country (Muyassar et al., 2024).

### **Influence of Technology on the Scope of Criminal Law**

Technological advancements have brought significant changes to criminal law, both in the context of law enforcement and the emergence of new forms of crime that were previously unknown. Cybercrimes such as data hacking, malware distribution, and identity theft have become serious challenges that require stricter criminal law regulations (Ghiffari, 2025; Pamungkas et al., 2024). Law enforcement officers are required to understand technology to combat crimes committed in the digital realm, such as cases of personal data breaches involving large companies (Ganjar, 2025). The increased use of artificial intelligence in the criminal justice system can help detect and analyze crime patterns more efficiently (Williams, 2023).

Technology is used in the criminal justice system to improve efficiency in investigation and court processes. The use of technology such as biometric scanning, digital forensic analysis, and AI-based monitoring systems helps to collect evidence more accurately (Tobing et al., 2024). However, the implementation of technology in criminal law also raises ethical and legal

challenges, particularly regarding privacy protection and the potential misuse of authority by law enforcement officers (Muyassar et al., 2024). Therefore, regulations related to criminal law must continue to be updated to accommodate technological developments without compromising individual rights (Weriansyah et al., 2024).

In the future, criminal law will increasingly be influenced by technology, including the use of blockchain to track illegal financial transactions and the development of AI-based judicial systems (Ganjar, 2025). However, alongside these advancements, strict regulations are needed to ensure that technology is applied ethically and does not violate human rights (Rambe et al., 2024). A balanced approach between technological innovation and the principles of justice in criminal law is the key to addressing the challenges of the digital era (Ganjar, 2025; Muyassar et al., 2024).

### **Criminal Law in Responding to Contemporary Crime**

The development of modern society brings various new challenges in criminal law, especially in dealing with contemporary crimes that are increasingly complex and difficult to detect (Muyassar et al., 2024). Crimes such as terrorism, human trafficking, narcotics, and money laundering now involve organized international networks and use sophisticated technology to evade law enforcement. The prevalence of environmental crimes, such as poaching and excessive exploitation of natural resources, has also become a major concern in modern criminal law (Ilham, 2025; Wiratama & Setiyono, 2024). The effectiveness of criminal law in addressing contemporary crimes largely depends on coordination among law enforcement agencies in different countries (Martinez, 2021).

In addition to the international dimension, criminal law also faces challenges in addressing crimes that are increasingly evolving in social and cultural contexts. For instance, the rise of hate crimes and hate speech occurring through social media is often difficult to categorize under conventional criminal law. Similarly, cases of gender-based violence still encounter many obstacles within the legal systems of various countries. To address these challenges, various countries are beginning to implement more adaptive approaches, such as using specific regulations to protect vulnerable groups and strengthening law enforcement based on human rights (Rambe et al., 2024). Criminal law must evolve not only to focus on punishment but also to prevent crime early on through policies based on data and scientific research (Muyassar et al., 2024).

The criminal law approach in addressing contemporary crimes is increasingly focused on prevention through more proactive public policies. Rehabilitation programs for economic offenders, deradicalization strategies in terrorism cases, as well as the use of technology in detecting criminal acts are part of a more modern policy in criminal law. However, the effectiveness of these strategies heavily depends on political support, public awareness, and coordination among various agencies involved in the criminal justice system. Therefore, criminal law in the contemporary era must be able to adapt to social and technological changes in order to remain relevant in maintaining public order and safety (Adinda et al., 2024).

## **Reforms and the Future of Criminal Law**

Criminal law reform is an ongoing agenda in various countries to adapt the legal system to the dynamics of modern society. One of the main challenges in this reform is how to create laws that are flexible yet still provide legal certainty for the public (Muyassar et al., 2024). Criminal law reform not only involves changes in regulations but also in approaches to law enforcement, the sentencing system, as well as the protection of human rights (Koto et al., 2024). Recent studies highlight that a human-rights-based approach should be a primary principle in criminal law reform to remain relevant in the future (Kumar, 2023; Rambe et al., 2024).

In various countries, criminal law reform encompasses a wide range of aspects, from revising regulations that are considered no longer aligned with the progress of the times to implementing a more modern judicial system. One significant example of reform is the change in the penal system, which places more emphasis on rehabilitation rather than mere punishment. Scandinavian countries, for instance, have adopted a penal model that is more focused on rehabilitating offenders so they can reintegrate into society in a better way. Some countries have also begun considering the use of technology in the judicial system, such as online courts and the use of artificial intelligence in criminal case analysis. Thus, criminal law reform must continuously be carried out with consideration for balancing justice, utility, and legal certainty (Adinda et al., 2024).

The future of criminal law is predicted to be increasingly influenced by globalization, technology, and rapid social changes. Crimes in the future are likely to become more complex, so criminal law must be able to anticipate and provide appropriate solutions to these challenges. The use of artificial intelligence in criminal case analysis, the implementation of big data-based monitoring systems, and the development of more dynamic regulations are important factors in shaping more effective criminal law in the future. The biggest challenge in this implementation is how to ensure that technological developments do not violate individuals' fundamental rights. The formulation of criminal law in the future must maintain a balance between technological innovation and the principles of justice in order to create a more adaptive and responsive legal system (Muyassar et al., 2024).

### **Synthesis of Contemporary Criminal Law Narratives**

The contemporary criminal law narrative in Indonesia is currently dominated by a fundamental paradigm shift from a rigid retributive orientation towards a more humanistic and rehabilitative approach (Rizal et al., 2025). This change is clearly reflected in the transition of the concept from *daad- strafrecht* (criminal law focused solely on the act) to *daad-dader strafrecht* (balancing between the act and the condition of the perpetrator) (Malau, 2023). Within the framework of the new Criminal Code, the imposition of sanctions is no longer solely intended as state vengeance for violations of norms, but is directed towards restoring social balance and rehabilitating the offender (Rizal et al., 2025). This narrative affirms that modern criminal law must be able to see the human behind the crime, accommodate structural criminogenic factors, and

position sentencing as a corrective tool rather than merely physical suffering (Amalia et al., 2025).

Kompleksitas hukum pidana semakin bertambah dengan hadirnya revolusi digital yang mengaburkan batas-batas tradisional tempat kejadian perkara (*locus delicti*) (Ganjar, 2025; Tobing et al., 2024). Kejahatan siber (*cybercrime*) yang bersifat *borderless* dan *ubiquitous* memaksa hukum pidana untuk meredefinisi konsep kedaulatan dan yurisdiksi (Ghiffari, 2025; Pamungkas et al., 2024). Tantangan utama yang dihadapi adalah kecepatan inovasi modus operandi kejahatan, seperti *ransomware*, *deepfake*, dan pencurian aset kripto, yang sering kali mendahului regulasi yang ada. Narasi yang berkembang menuntut agar hukum pidana tidak lagi bersikap reaktif, melainkan proaktif dengan mengadopsi asas ekstrateritorialitas yang lebih luas dan mekanisme pembuktian digital yang valid (Aini & Lubis, 2024; Muyassar et al., 2024; Tobing et al., 2024). Tanpa adaptasi ini, hukum pidana berisiko kehilangan relevansinya sebagai instrumen perlindungan masyarakat di ruang virtual (Ganjar, 2025; Shafira et al., 2022).

Apart from the technological dimension, the expansion of criminal law subjects has become a central issue in contemporary legal discourse. The doctrine of *societas delinquere non potest* (a legal entity cannot commit a crime) has been abandoned and replaced by a stricter corporate criminal liability regime, especially in the environmental and financial sectors (Pravifjayanto, 2025; Wiratama & Setiyono, 2024). This narrative emerged in response to the failure of conventional criminal law to reach the intellectual actors behind organized crime who hide behind the corporate veil (Ilham, 2025). By recognizing corporations as legal subjects, the state sends a message that business entities have moral and legal obligations equivalent to individuals in maintaining public order and environmental sustainability (Flora et al., 2024; Pravifjayanto, 2025).

On the other hand, there is a strong current pushing for the integration of local wisdom values into the national criminal law system through the recognition of living law within communities (Fadilla et al., 2024). This provision creates a unique yet challenging legal hybridity, where the unification of criminal law must go hand in hand with the pluralism of customary law. This narrative seeks to restore a sense of substantive justice to communities that is often neglected by the formalism of positive law. Although it raises debates regarding legal certainty (*lex certa*), this recognition asserts that Indonesian criminal law must not be uprooted from the nation's cultural roots and must be capable of resolving social conflicts according to the sense of justice in local communities (Fadilla et al., 2024).

The challenges of globalization also force criminal law to synergize with international standards, particularly in combating transnational organized crime. The narrative of legal harmonization becomes crucial when crimes such as human trafficking, terrorism, and money laundering involve sophisticated cross-border networks (Muyassar et al., 2024). In this context, domestic criminal law cannot stand alone but must be integrated with international legal regimes through mechanisms like Mutual Legal Assistance (MLA) and extradition. This indicates that the sovereignty of criminal law is now permeable, where inter-state

cooperation becomes an absolute prerequisite for effective law enforcement (Amalia et al., 2025).

Amid the strengthening of state authority in criminal prosecution, a narrative also emerges emphasizing the reinforcement of human rights protection in the criminal justice process (due process of law) (Rambe et al., 2024). Limiting the authority of law enforcement officials and guaranteeing the rights of suspects becomes a vital balancing act to ensure that criminal law does not become a tool of oppression (Weriansyah et al., 2024). This paradigm emphasizes that the goal of law enforcement is not only to punish the guilty but also to protect the innocent (Koto et al., 2024). The principles of presumption of innocence and the right to effective legal assistance are increasingly strengthened to ensure that the criminal justice system operates fairly and accountably, distancing itself from practices of abuse of power that harm the integrity of the law (Aripkah et al., 2025).

Furthermore, the application of the principle of *ultimum remedium* (last resort) in criminal law enforcement has experienced a revitalization, especially in administrative and economic crimes (Wuisan, 2024). This narrative encourages the use of other legal instruments, such as administrative or civil sanctions, before resorting to criminal measures that are punitive in nature (Koto et al., 2024). This approach aligns with the principle of economic efficiency in law (economic analysis of law), which considers that criminal punishment should be the last option when other mechanisms are no longer effective. This is evident in the handling of tax and environmental crimes, where the recovery of state and environmental losses is prioritized over physical imprisonment (Ilham, 2025; Latifah & Hiari, 2024).

As a final synthesis, contemporary criminal law is required to be an "agile" system in responding to the dynamics of the times without losing its identity as the guardian of public morality. The narrative that emerges is no longer about state dominance over individuals, but about collaboration, restoration, and adaptability (Koto et al., 2024). The relevance of criminal law in the future will largely depend on its ability to balance the firmness of sanctions with humanism, legal certainty with substantive justice, as well as national sovereignty with global obligations. Only in this way can criminal law continue to function effectively as the last bastion of justice in a constantly changing society (Shafira et al., 2022).

## CONCLUSIONS AND RECOMMENDATIONS

Overall, this study concludes that the scope of criminal law in Indonesia is currently undergoing a fundamental transformation that is not only normative but also philosophical. The transition from the colonial criminal law regime (*Wetboek van Strafrecht*) to national criminal law through Law Number 1 of 2023 marks a new era in which the principle of legality is understood more substantively, not merely in terms of textual certainty (*lex certa*) but also justice that lives within society (living law). The paradigm shift from *daad-strafrecht* (act-oriented) to *daad-dader strafrecht* (balance between act and actor) underscores that modern criminal law no longer regards retribution as the

ultimate goal, but instead focuses on protecting society and rehabilitating offenders to achieve social order balance.

The most significant expansion of the scope of criminal law has occurred as a result of technological disruption that blurs traditional territorial boundaries. Cybercrime and the hybrid nature of criminal *modus operandi* demand a redefinition of the elements of criminal acts, particularly concerning the *locus delicti* and evidence. Criminal law is now forced to encompass activities in a borderless virtual space, requiring law enforcement officers to move beyond rigid conventional doctrines. Without this adaptability, criminal law risks experiencing a normative lag (regulatory lag) that can be exploited by offenders to evade legal accountability. Furthermore, the complexity of subjects under criminal law has evolved far beyond the concept of individual persons (*natuurlijke persoon*). The recognition of corporations as legal entities that can be held criminally liable (corporate criminal liability) is a crucial response to structural crimes that harm the country's economy and the environment. This shows that the scope of criminal law now includes functional liability, where business entities can no longer hide behind the absence of human fault (*mens rea*) to escape sanctions for the destructive impact they cause. In terms of the penal system, there has been a strong reorientation towards a humanistic approach through the mainstreaming of restorative justice and the application of the principle of *ultimum remedium*. The diversification of criminal sanctions introduced in legal reforms, such as supervision and community service, indicates that imprisonment is no longer the forefront in resolving criminal conflicts. This approach emphasizes that the effectiveness of criminal law is not measured by the severity of the punishment imposed, but by how effectively the law restores the victim's loss and reintegrates the offender back into society.

Ultimately, the future of Indonesian criminal law will largely depend on the legal system's ability to balance the firmness of legal certainty with flexibility in responding to the dynamics of the times. The greatest challenge ahead is no longer the absence of regulations, but rather the consistency of implementation and the integrity of law enforcers in interpreting these new norms. Therefore, a comprehensive understanding of the scope of adaptive criminal law must continually be updated so that criminal law remains relevant as the last resort in upholding justice and the civilization of the nation amid the rapid currents of globalization.

#### **FURTHER STUDY**

This research still has limitations so that further research is needed on the topic of *The Complexity of Contemporary Criminal Law: Adapting the Criminal Justice System to the Dynamics of Technology and Globalization* in order to perfect this research and increase insight for readers and writers.

## REFERENCES

- Adinda, D., Salam, A., Ramadhan, A., Narendra, A., Anasti, M., & Yanto, J. (2024). Politik Hukum Dalam Pembaharuan Hukum Pidana di Indonesia. *Wathan: Jurnal Ilmu Sosial Dan Humaniora*, 1(1), 12–25. <https://doi.org/10.71153/wathan.v1i1.16>
- Aini, N., & Lubis, F. (2024). Tantangan Pembuktian dalam Kasus Kejahatan Siber. *Judge: Jurnal Hukum*, 5(2), 55–63. <https://doi.org/10.54209/judge.v5i02.566>
- Amalia, M., Rasiwan, I., Rosita, D., Minabari, A., Wibowo, K. T., Khumaeroh, I. N., Ramiyanto, Juita, S. R., & Putrazta, S. A. (2025). *Hukum Pidana Indonesia dalam Perspektif KUHP Baru* (H. Abdurrachman & P. Perdianti (eds.); 1st ed.). Akasa Law Center.
- Aripkah, N., Sanata, K., Asufie, K. N., & Gegana, R. P. (2025). Pembaharuan Konsep Hukum Pidana dalam Undang-Undang No. 1 Tahun 2023 Tentang KUHP. *Jurnal Fundamental Justice*, 6(2), 209–226. <https://doi.org/https://doi.org/10.30812/fundamental.v6i2.5268>
- Fadilla, A. N., Kusumajakti, D. A. N., & Fauzi, R. M. (2024). Analisis Pengaturan Living Law dalam RUU KUHP yang Dituangkan pada Peraturan Daerah Ditinjau Berdasarkan Konstitusi. *Jurist-Diction*, 7(2), 223–244. <https://e-journal.unair.ac.id/JD/article/download/56121/28510/294394>
- Fauzan, A. (2021). Prinsip Legalitas dalam Kasus Kejahatan Siber di Indonesia. *Jurnal Ilmu Hukum*, 33(2), 87–102.
- Flora, H. S., Rinaldi, K., Mudjrimin, J., Soraya, S., Handayani, Y., Jaya, R., Laksono, R. D., Koynja, J. J., Yesami, L., & Malau, P. (2024). *Hukum Pidana di Era Digital* (P. T. Cahyono (ed.); 1st ed.). CV Rey Media Grafika.
- Ganjar, S. D. (2025). Urgensi Pembaruan Hukum Pidana dalam Menanggulangi Kejahatan Siber: Tinjauan Kritis terhadap Kesesuaian KUHP Nasional dan Perubahan UU ITE. *Locus Journal of Academic Literature Review*, 4(3), 197–208. <https://doi.org/10.56128/ljoalr.v4i3.478>
- Ghiffari, A. Al. (2025). Kejahatan Siber dan Tantangan Penegakan Hukum di Indonesia. *JPIM: Jurnal Penelitian Ilmiah Multidisipliner*, 2(2), 1295–1299. <https://ojs.ruangpublikasi.com/index.php/jpim/article/download/835/690/2546>
- Hasanuddin. (2022). Konsep Dasar Hukum Pidana dalam Perspektif Modern. *Jurnal Hukum Dan Keadilan*, 18(2), 45–62.
- Hernández, J. (2022). Universal Jurisdiction and Transnational Crimes. *Global Legal Studies Review*, 41(3), 201–220.
- Ibrahim, M. (2021). Analisis Unsur-Unsur Tindak Pidana dalam Sistem Hukum Pidana Modern. *Jurnal Hukum Dan Kriminologi*, 12(3), 45–62.
- Ilham, M. (2025). Tinjauan Yuridis terhadap Pertanggungjawaban Pidana Korporasi atas Tindak Pidana Lingkungan. *Indonesia Journal of Business Law*, 4(1), 21–39. <https://doi.org/10.47709/ijbl.v4i1.5371>
- Jamaludin, A., & Saputra, D. D. (2023). Unifikasi Regulasi Keadilan Restoratif Melalui Sistem Peradilan Pidana Indonesia. *Legal Standing : Jurnal Ilmu Hukum*, 7(2), 417–435. <https://journal.umpo.ac.id/index.php/LS/article/download/7315/2695>

- Kadir, Z. K. (2025). Kejahatan Berbasis Identitas Digital: Menggagas Kebijakan Kriminal untuk Dunia Metaverse. *Jurnal Litigasi Amsir*, 12(2), 124–137.
- Koto, Z., Syafruddin, & Hutapea, T. (2024). Kebijakan Polri dalam Upaya Mengefektifkan Penerapan Konsep Hukum Pidana Baru dalam UU RI Nomor 1 Tahun 2023 tentang KUHP. *Jurnal Ilmu Kepolisian*, 18(1), 1–21. <https://jurnalptik.id/JIK/article/download/445/209/1066>
- Kumar, P. (2023). Human Rights-Based Criminal Law Reform. *Asian Journal of Legal Studies*, 17(4), 321–340.
- Latifah, M., & Hiari, P. J. (2024). Pengaturan Pedoman Pemidanaan KUHP Baru dan Implikasinya pada Putusan Hakim. *Jurnal Negara Hukum*, 15(2), 25–51. <https://jurnal.dpr.go.id/index.php/hukum/article/download/4573/pdf>
- Lestari, M. (2024). Efektivitas Pidana Penjara dan Alternatif Pemidanaan dalam Mengurangi Residivisme. *Jurnal Hukum Kriminal*, 15(2), 110–128.
- Lim, W. M. (2024). What Is Qualitative Research? An Overview and Guidelines. *Australasian Marketing Journal*. <https://doi.org/10.1177/14413582241264619>
- López, S. (2023). Evolution of Criminal Law: Past, Present, and Future. *International Journal of Legal Studies*, 55(3), 78–95.
- Lubis, Z., Panjaitan, B. S., & Harahap, A. M. (2025). Keadilan Restoratif sebagai Paradigma Baru dalam Pembaruan Hukum Pidana Indonesia: Harmonisasi dan Konvergensi dengan Hukum Islam. *Jurnal Nirta: Studi Inovasi*, 4(2), 150–171. <https://www.journal-stiayappimakassar.ac.id/index.php/JNSI/article/download/240/140/655>
- Malau, P. (2023). Tinjauan Kitab Undang-Undang Hukum Pidana (KUHP) Baru 2023. *Al Manhaj: Jurnal Hukum Dan Pranata Sosial Islam*, 5(1). <https://ejournal.insuriponorogo.ac.id/index.php/almanhaj/article/view/2815>
- Martinez, A. (2021). Challenges in Contemporary Criminal Law Enforcement. *Journal of Law and Society*, 48(1), 55–72.
- Mulyadi, L. (2023). *Bunga Rampai Hukum Pidana Umum dan Khusus*. Penerbit Alumni.
- Muyassar, M., Harfi, F. R., & Rosmalinda. (2024). Tantangan Perubahan dan Perkembangan Kitab Undang-Undang Hukum Pidana di Indonesia. *Civilia: Jurnal Kajian Hukum Dan Pendidikan Kewarganegaraan*, 3(1). <https://jurnal.anfa.co.id/index.php/civilia/article/download/2297/2111/7217>
- Nugroho, T. (2024). Strict Liability dalam Hukum Pidana: Implikasi terhadap Keadilan dan Penegakan Hukum. *Jurnal Ilmu Hukum*, 15(1), 78–95.
- Pamungkas, A. T., Mulyono, A., & Lahangatubun, N. (2024). Tracing Legal Regulations in Dealing with Cybercrime in Indonesia: Examining Obstacles and Solutions. *DELICTUM: Jurnal Hukum Pidana Islam*, 2(2), 71–83. <https://doi.org/10.35905/delictum.v2i2.10613>

- Pare, G., & Kitsiou, S. (2017). *Methods for Literature Reviews. Handbook of E-Health Evaluation: An Evidence-Based Approach*.  
<https://www.ncbi.nlm.nih.gov/books/NBK481583/>
- Prasetyo, A. (2021). Sumber-Sumber Hukum Pidana dalam Sistem Hukum Indonesia. *Jurnal Ilmu Hukum*, 27(1), 102–118.
- Prasetyo, D. (2022). Unsur Kesalahan dalam Tindak Pidana: Kajian terhadap Putusan Pengadilan. *Jurnal Hukum Pidana Kontemporer*, 13(4), 99–116.
- Pravifjayanto, M. R. (2025). Rekonstruksi Sistem Pertanggungjawaban Pidana Korporasi atas Kejahatan terhadap Lingkungan Hidup: Perspektif Hukum Progresif. *Jurnal Hukum & Pembangunan*, 55(1).  
<https://doi.org/10.21143/jhp.vol55.no.1.1738>
- Putra, A. (2023). Perkembangan Doktrin Pertanggungjawaban Pidana dalam Hukum Pidana Indonesia. *Jurnal Penegakan Hukum*, 17(1), 45–62.
- Rahman, A. (2023). Klasifikasi Tindak Pidana dalam Perspektif Hukum Kontemporer. *Jurnal Hukum Pidana Dan Kriminal*, 14(2), 120–138.
- Rahman, B. (2023). Fungsi dan Tujuan Hukum Pidana dalam Masyarakat Modern. *Jurnal Kriminologi Dan Hukum*, 30(3), 210–225.
- Rambe, R. F. A. K., Sihombing, M. A. A., & Winata P, N. (2024). Implikasi Perlindungan Hak Asasi Manusia Dalam Hukum Pidana. *Jurnal Ilmiah Penegakan Hukum*, 11(1), 24–31.  
<https://doi.org/10.31289/jiph.v11i1.11182>
- Rizal, Kusuma, W., & Panjaitan, J. D. (2025). Paradigma Sistem Peradilan Pidana: Transisi dari Pendekatan Retributif ke Restoratif dalam Perspektif Viktimologi- Studi Kasus: Peradilan Pidana Anak. *Causa: Jurnal Hukum Dan Kewarganegaraan*, 14(10). <https://doi.org/10.3783/causa.v2i9.2461>
- Rosyadi, I. (2022). *Hukum Pidana (1st ed.)*. Revka Prima Media.  
<http://repository.uinsa.ac.id/id/eprint/2333/>
- Santoso, B. (2022a). Evolusi Konsep Subjek Hukum dalam Hukum Pidana: Dari Individu ke Korporasi. *Jurnal Ilmu Hukum Pidana*, 14(2), 88–105.
- Santoso, B. (2022b). Pertanggungjawaban Pidana Korporasi dalam Sistem Hukum Modern. *Jurnal Hukum Bisnis*, 13(4), 200–218.
- Santoso, D. (2024). Prinsip-Prinsip Hukum Pidana dan Penerapannya dalam Peradilan. *Jurnal Penegakan Hukum*, 22(1), 75–92.
- Shafira, M., Achmad, D., Cemerlang, A. M., Darmawan, S. M., & Putri, R. M. S. (2022). *Sistem Peradilan Pidana (E. Dewi, M. H. Ghiffary, & H. A. Azra (eds.); 1st ed.)*. Pusaka Media.  
[http://repository.lppm.unila.ac.id/49967/2/Sistem Peradilan Pidana-lengkap.pdf](http://repository.lppm.unila.ac.id/49967/2/Sistem%20Peradilan%20Pidana-lengkap.pdf)
- Snyder, H. (2024). Designing the literature review for a strong contribution. *Journal of Decision Systems*, 33(4), 551–558.  
<https://doi.org/10.1080/12460125.2023.2197704>
- Sofyan, A. M., & Azisa, N. (2023). *Hukum Pidana Indonesia*. Prenada Media.
- Suryanto, E. (2023). Perbandingan Hukum Pidana dengan Cabang Hukum Lainnya. *Jurnal Perspektif Hukum*, 19(4), 300–315.

- Susanto, P. C., Yuntina, L., Saribanon, E., Soehaditama, J. P., & Liana, E. (2024). Qualitative Method Concepts: Literature Review, Focus Group Discussion, Ethnography and Grounded Theory. *Siber Journal of Advanced Multidisciplinary (SJAM)*, 2(2).  
<https://doi.org/https://doi.org/10.38035/sjam.v2i2>
- Tarigan, R. S., Saragih, Y. M., Sembiring, T. B., Isa, S. N., & Telaumbanua, S. E. (2025). Development of Legal Research Methods in Indonesia. *Jiic: Jurnal Intelek Insan Cendikia*, 2(1), 1093–1100.  
<https://jicnusantara.com/index.php/jiic/article/download/2301/2434/11365>
- Tobing, C. I., Tiofanny Marilyn Surya, Selvias, L. R., Stepania Rehulina Girsang, Putri Berliana Azzahra, Lustri Yolanda Purba, Mahezha Agnia Putera, & Nurrahman Rusmana. (2024). Globalisasi Digital Dan Cybercrime: Tantangan Hukum Dalam Menghadapi Kejahatan Siber Lintas Batas. *Jurnal Hukum Sasana*, 10(2), 105–123.  
<https://doi.org/10.31599/sasana.v10i2.3170>
- Weriansyah, A., Siagian, M. N., Assyifa, A., Tanri, A., Paulina, A. L., & Praptadina, S. B. (2024). Pembaruan Hukum Acara Pidana Pasca Berlakunya KUHP 2023 (S. Trisia (ed.); 1st ed.). *IJRS Indonesia Judicial Research Society*.  
[https://ijrs.or.id/wp-content/uploads/2024/07/PEMBARUAN-HUKUM-ACARA-PIDANA-PASCA-BERLAKUNYA-KUHP-2023\\_Juli-2024.pdf](https://ijrs.or.id/wp-content/uploads/2024/07/PEMBARUAN-HUKUM-ACARA-PIDANA-PASCA-BERLAKUNYA-KUHP-2023_Juli-2024.pdf)
- Wijaya, R. (2023a). Restorative Justice dalam Sistem Pidana: Studi Kasus di Indonesia. *Jurnal Kriminologi Dan Hukum*, 16(1), 55–73.
- Wijaya, R. (2023b). Tindak Pidana dalam Perspektif Hukum Internasional: Studi Perbandingan. *Jurnal Kriminologi Dan Hukum*, 16(3), 65–84.
- Williams, T. (2023). Artificial Intelligence in Criminal Justice: Opportunities and Risks. *Journal of Digital Law*, 39(4), 210–230.
- Wiratama, G. P., & Setiyono. (2024). Pertanggungjawaban Pidana terhadap Korporasi yang Melakukan Tindak Pidana Perusakan Lingkungan Hidup. *MLJ: Merdeka Law Journal*, 5(2), 126–137.  
<https://jurnal.unmer.ac.id/index.php/mlj/article/download/15265/7165>
- Wuisan, P. M. B. (2024). Penerapan Asas *Ultimum Remedium* dalam Pemberantasan Tindak Pidana Perusakan Hutan. *Lex Administratum*, 12(4).  
<https://ejournal.unsrat.ac.id/v3/index.php/administratum/article/download/55777/46510/136028>