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The Role of Globalization in Legal Reform in Indonesia

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ABSTRACT

Globalization has had a major impact on various aspects of life, including criminal law. In Indonesia, this has prompted the need for criminal law reform to respond to global challenges, such as the integration of international law, the development of information technology, and increased cooperation in law enforcement across countries. The aim of this research is to determine the impact of globalization on legal reform in Indonesia. This study uses a normative legal method with a descriptive approach to evaluate the influence of globalization on criminal law reform in Indonesia. The findings show that globalization affects regulation, legal implementation, and encourages harmonization of national law with international standards. Globalization also has an impact on regulations in the fields of investment, trade, and other economics, and raises challenges such as cybercrime and misuse of technology. This requires legal reform to be more adaptive and relevant. The development of information technology creates new challenges in the form of digital crimes that have not been adequately regulated in national law. Therefore, legal reform is needed to accommodate these developments and maintain the effectiveness of the legal system. This study emphasizes the importance of synchronizing national law with global dynamics, without ignoring the local social and cultural context.

Keywords: Globalization, Legal Reform, National Legal System

INTRODUCTION

Globalization is an inevitable reality in the modern era, where geographical and cultural boundaries are becoming increasingly unclear due to the rapid development of information and communication technology, global trade, and high human mobility. This phenomenon has a broad and profound influence on various sectors of life, including in the field of criminal law. In Indonesia, the impact of globalization is increasingly felt with increasing relations with the international community and demands to adjust various aspects of law to global standards. Criminal law, as an important element in the national legal system, has also been affected by globalization. Changes in social values, technological advances, and increasing transnational crimes such as terrorism, drug trafficking, and cybercrime, encourage the need for more flexible and responsive criminal law reform. This reform not only reflects internal needs, but also involves adjustments and alignment with international law and widely applicable global standards.¹

Globalization has a real impact reflected in the increase in trade between countries, high mobility of labor, and the expansion of multinational companies that distribute products and services to various regions of the world. Although it brings progress, globalization also presents various challenges, such as increasing economic inequality, loss of jobs in certain sectors due to global competition, and threats to the sustainability of local culture. In addition to its economic impact, globalization also has an impact on political, social, and environmental aspects. In the political field, globalization strengthens position of international organizations such as the United Nations and the World Bank in managing relations between countries and dealing with global issues, including climate change and security issues.²

Globalization has a broad impact not only on the economic, social, and political fields, but also has a significant impact on the development of criminal law in the national context. In an era of increasingly deep global integration, crimes are no longer limited to the jurisdiction of a country, but have expanded into transnational crimes, such as human trafficking, terrorism, and cybercrime. This condition requires an update in the criminal law system in various countries to face new challenges arising from globalization. Therefore, national criminal law needs to adapt to international standards, strengthen collaboration between countries, and ensure that the law enforcement process is able to effectively handle cross-border

¹ Muthiah Maharani Absah et al., "PENGARUH GLOBALISASI TERHADAP PEMBAHARUAN HUKUM PIDANA DI INDONESIA," *Hukum Dinamika Ekselensia* 6, no. 3 (2024): 1–13, <https://journalpedia.com/1/index.php/hde/article/view/3223>.

² Andi Muhammad Aliffar Affan and Andi Rahmah, "EVOLUSI HUKUM PIDANA DALAM KONTEKS GLOBALISASI: TINJAUAN LITERATUR," *Jurnal Hukum Ius Publicum* 5, no. 2 (2024): 121–135, <https://journal.umelmandiri.ac.id/ojs/index.php/jiu/article/view/163>.

crimes. In addition, globalization also influences the perspective and application of criminal law principles at the national level.³

The concepts of justice, human rights, and protection of victims of crime are now increasingly influenced by international standards, which encourage the need to adjust national criminal law to be in line with the international legal system. In other words, the evolution of criminal law in a country can no longer take place separately or in isolation, but must take into account the influence of legal policies, judicial practices in other countries, and the views of the global community. Values such as justice, human rights, and protection of victims of crime are now increasingly influenced by international legal standards, which require that national criminal law be aligned with the global legal system. In other words, the development of a country's criminal law can no longer stand alone, but must take into account the influence of legal policies and practices of other countries and the views of the international community. In this case, national criminal law has a strategic role as a link between domestic needs and global pressures, in order to ensure that the law enforcement process remains relevant and able to respond to the challenges of the times amidst the flow of globalization.⁴

Globalization has helped shape an increasingly connected economy, where markets across countries have become interconnected and nations have become increasingly interdependent. The impact of this process is seen in increased cross-border trade, more dynamic labor flows, and the expansion of multinational companies that distribute products and services to various parts of the world. However, globalization also brings various challenges, such as increasing economic inequality, job losses in certain sectors due to global competition, and the potential erosion of local cultural identities.⁵

Legal globalization in its development actually goes beyond the boundaries of state sovereignty. Although applied in a country, changes and adjustments to the legal system often arise from international agreements. From the perspective of the development of legal globalization like this, we can understand that in the future there will be what is known as the "comparative legal era", although currently its movement is not yet very strong. However, the most important thing in this context

³ Hannah Bliersbach, "Future Citizens between Interest and Ability: A Systematic Literature Review of the Naturalization and Crimmigration Scholarship," *Ethnicities* 24, no. 1 (February 3, 2024): 78–97, <https://journals.sagepub.com/doi/10.1177/14687968221143771>.

⁴ Morad Yasin Deab Al-Refo and Raed S. A. Faqir, "From Legal Translation to Legal Globalization: Globalization of Criminal Laws to Counter Global Crimes," *International Journal of Social Science and Humanity* 6, no. 4 (April 2016): 275–281, <http://www.ijssh.org/index.php?m=content&c=index&a=show&catid=74&id=992>.

⁵ Andrejs Vilks, Aldona Kipane, and Anatolijs Krivins, "Preventing International Threats in the Context of Improving the Legal Framework for National and Regional Security," *Social Legal Studios* 7, no. 1 (March 5, 2024): 97–105, <https://sls-journal.com.ua/en/journals/tom-7-1-2024/zapobigannya-mizhnarodnim-zagrozam-u-konteksti-vdoskonalennya-pravovikh-zasad-natsionalnoyi-ta-regionalnoyi-bezpeki>.

is to encourage us to further explore the phenomenon of legal globalization on the one hand, and the global legal system on the other.⁶

The emergence of transnational crimes is one of the most serious challenges for the criminal justice system in the era of globalization. Criminal acts such as human trafficking, drug trafficking, money laundering, and cybercrime no longer occur within the scope of one country, but involve complex networks that cross various jurisdictions.⁷

For example, an act that is categorized as a violation of the law in one country may not be considered a crime in another country, thus creating a legal loophole that can be exploited by criminals. This condition requires the harmonization of law at the international level and the strengthening of legal cooperation mechanisms between countries. In addition, criminal law is also required to be able to keep up with the very rapid development of technology, considering the many transnational crimes, such as cyber crime, involving advanced technology that continues to develop. Therefore, the criminal law system must continue to innovate and adapt in order to provide effective protection to society from the increasingly complex threat of global crime.⁸

Criminal law in the national scope often experiences significant obstacles when it has to deal with increasingly complex and widespread forms of global crime. The conventional criminal law system is basically designed to deal with violations of the law that occur within a country's territory, with clear jurisdictional boundaries and a focus on law enforcement that is limited to certain jurisdictions only.⁹

The urgency of criminal law reform in Indonesia in facing the era of globalization is not only aimed at increasing the effectiveness of law enforcement, but also so that the national legal system is able to adapt and compete in a continuously evolving global environment. This reform process covers various areas, such as revising laws and regulations, improving the law enforcement system, and strengthening international cooperation in dealing with transnational crimes.¹⁰

⁶ Putri Maha Dewi, "Kajian Tentang Perkembangan Globalisasi Dalam Formulasi Kebijakan Pembangunan Hukum Nasional Indonesia," *ADIL Indonesia Jurnal: Jurnal Ilmiah Bidang Hukum* 1, no. 2 (2019): 42–49, <https://jurnal.unw.ac.id/index.php/AIJ/article/view/373>.

⁷ Terence C. Halliday and Pavel Osinsky, "Globalization of Law," *Annual Review of Sociology* 32, no. 1 (August 1, 2006): 447–470, <https://www.annualreviews.org/doi/10.1146/annurev.soc.32.061604.123136>.

⁸ Ana Aliverti et al., "Decolonizing the Criminal Question," *Punishment & Society* 23, no. 3 (July 9, 2021): 297–316, <https://journals.sagepub.com/doi/10.1177/14624745211020585>.

⁹ Idoreyin Eyo and Glory Charles Okebugwu, "Analysis of Fundamental Challenges in the Combat of Transnational Crimes," *International Journal of Research and Innovation in Social Science* VIII, no. IV (2024): 1297–1318, <https://rsisinternational.org/journals/ijriss/articles/analysis-of-fundamental-challenges-in-the-combat-of-transnational-crimes/>.

¹⁰ R. Raihana, S. Sukrizal, and W. Alfred, "Relevansi Proses Globalisasi Dengan Pembaharuan Hukum," *Jurnal Pendidikan Dan Konseling (JPDK)* 5, no. 2 (2023): 5872–5879, <https://journal.universitaspahlawan.ac.id/index.php/jpdk/article/view/15026>.

In legal reform, it is important to note, as stated by Saniayana, that "a person must indeed plant his feet on the soil of his country, but his eyes must look at the development of the world around him." This reminds us of the influence of science, technology, and globalization, including crimes that do not recognize national borders. Indonesia, which is surrounded by countries with different legal systems, must also consider this. Rene David and Jone E. Briery state that comparative law is a very important aspect in legal science, which is useful for better understanding and developing national law, including laws that live in society. The comparative law that is carried out is normative-positivist, with a focus on finding the norms of a legal system and comparing them with other similar legal norms. The comparative law process is carried out as an effort to find relevant norms, especially in resolving a particular case. Basically, comparative law develops as an academic activity that focuses on studies to find similarities or differences in normative values between various legal systems, which aims to resolve legal cases.¹¹

The development of a national legal system should be focused on creating laws that support and serve national interests. The process of developing the law must be able to become a foundation that provides guarantees to society, especially in terms of creating legal certainty, order, and legal protection. According to the views of philosophers of the enlightenment era, law is not enough to be used as a means to achieve goals merely rational, but the law itself must be based on the principles of rationality.

RESEARCH METHODOLOGY

The method used by the researcher in this study is a type of normative research. Normative research is an approach that aims to find legal rules, legal principles, or legal doctrines in order to provide answers to the legal problems being discussed.¹² The approach used in this study is normative legal research with a focus on analyzing the impact of globalization on legal changes in Indonesia. Normative legal research refers to the study of legal norms contained in laws and court decisions. This research is also known as doctrinal legal research.¹³

RESULT AND DISCUSSION

Globalization is a complex process that creates a network of relationships between people in various parts of the world. The definition of globalization often includes various aspects, from economics, culture, to technology, which interact and influence each other. According to Anthony Giddens, globalization can be seen

¹¹ Ratno Lukito, "Compare But Not to Compare": Kajian Perbandingan Hukum Di Indonesia," *Undang: Jurnal Hukum* 5, no. 2 (December 30, 2022): 257–291, <https://ujh.unja.ac.id/index.php/home/article/view/727>.

¹² Derita Rahayu and Sulaiman, *METODE PENELITIAN HUKUM*, 2020.

¹³ Dr. Jonaedi Efendi and Johnny Ibrahim, *Metode Penelitian Hukum : Normatif Dan Empiris* (Jakarta: Prenadamedia Group, 2016).

as the intensification of global social relations, where events that occur in one location not only have an impact on that area, but also spread throughout the world.

Globalization is often understood as a condition in which the boundaries between countries become increasingly blurred or even no longer relevant. Currently, many countries have realized the importance of interdependence in various fields. Globalization includes several main aspects, namely: economic globalization which is reflected in the movement of goods, capital, services, and information; political globalization which is seen from the spread of policies between governments; and social globalization which is marked by the widespread exchange of ideas, information, images, and human mobility.

In general, although globalization provides various benefits, its broad and complex impacts require attention and wise management so that the benefits can be felt fairly by all parties, while reducing potential risks that may arise. Globalization not only affects the economic, social, and political fields, but also has a significant impact on the development of criminal law at the national level. Along with the increasing connectivity between countries, criminal acts are no longer limited to the boundaries of a country, but have developed into transnational crimes, such as human trafficking, terrorism, and cybercrime.

The influence of globalization on the legal order in Indonesia can be seen in the emergence of the need to adapt to international legal norms. As a country integrated into the global community, Indonesia is faced with pressure to adopt various international conventions and agreements. This encourages the revision and renewal of laws to meet global standards, especially on issues such as human rights, the environment, and trade.¹⁴

However, challenges arise when the implementation of these international norms must be aligned with existing local laws. Some aspects of the law that are influenced by local traditions and values are sometimes difficult to adapt without sacrificing their integrity. In addition, the emergence of new legal issues, including cybercrime and personal data regulations, adds complexity to the formulation of regulations.¹⁵

The development of information and communication technology is one of the key factors influencing legal changes. Technological advances not only create opportunities, but also new challenges in the legal field, where cybercrime modes are increasingly complex and require more careful regulation. Therefore, law enforcers are expected to be able to align and update regulations to maintain order and justice in society.¹⁶

Globalization plays a significant role in driving legal reform in Indonesia, which in the process must involve collaboration between countries and rapid response to social and technological changes that occur. The close relationship

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Raihana, Sukrizal, and Alfred, "Relevansi Proses Globalisasi Dengan Pembaharuan Hukum."

between globalization and legal reform requires the establishment of a legal system which is dynamic and responsive to new challenges that arise, so that the values of justice are maintained in society.¹⁷

Globalization also affects legal development in Indonesia by demanding a rapid and adaptive response to global change. In this context, legal development must be based on its basic values, namely Pancasila and the 1945 Constitution, which function as moral and constitutional guidelines.¹⁸

From a globalization perspective, the formulation of legal policies in Indonesia must consider broader international relations and encourage collaboration between countries. For example, in the context of economics and trade, there is a phenomenon where cross-country products and services interact with each other, which requires a legal framework that can provide guidance and resolution when legal conflicts arise.¹⁹

The evolution of criminal law in the era of globalization shows a significant transformation in the way countries interact and deal with crime. Globalization has caused traditional jurisdictional boundaries to become increasingly blurred, so that criminal law issues now involve an international dimension. Crimes such as human trafficking, terrorism, and cybercrime are no longer tied to one country, but have become global threats that require a collaborative response. With increasing interconnectedness between countries, criminal law needs to adapt to be able to deal with the increasing complexity of cross-border crimes. In this context, the criminal justice systems in various countries must transform to remain relevant and effective in carrying out their law enforcement functions.²⁰

International conventions play a very important role in the development and harmonization of criminal law throughout the world. The implementation of these conventions aims to create uniformity in law enforcement across countries, thus enabling better collaboration in dealing with transnational crimes. Through the application of international standards set out in the conventions, countries are given guidance to update their domestic laws to align with global norms. This is crucial to improving the effectiveness of legal systems around the world, especially when dealing with the challenges of transnational crimes.²¹

Technological advances, particularly in the field of information and communication technology, have become a major factor in the evolution of criminal law. The increasing prevalence of cybercrime shows that criminal activity is no longer limited to physical acts; many crimes are now also committed through virtual media and online. Threats such as digital fraud, identity theft, and cyberattacks on vital infrastructure require adaptive and innovative legal responses. Criminal law

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Affan and Rahmah, "EVOLUSI HUKUM PIDANA DALAM KONTEKS GLOBALISASI: TINJAUAN LITERATUR."

²¹ Ibid.

must therefore be able to evolve with the growth of technology to maintain its effectiveness in dealing with these new forms of crime.²²

Legal reform is not only related to efforts to formulate regulations that are more responsive to changes in the times, but also serves to uphold justice and security in society. This study identifies two understandings of legal reform: as legal reform and legal improvement, both of which are interrelated and support a more effective law enforcement process. This is in line with the opinion that the law must be adapted to follow the rapid social dynamics that occur due to globalization.²³

One of the main challenges in enforcing criminal law in the era of globalization is the existence of differences in legal systems, judicial procedures, and legal definitions between countries that often complicate the handling of transnational crimes. For example, an act that is considered a serious crime in one country may only be subject to light sanctions or may not even be considered a violation in another country. This problem is further complicated by the lack of effective coordination between international law enforcement agencies, which often have different priorities and capacities. In addition, technological advances, especially the internet, are also a major driving factor in the development of criminal law amidst the flow of globalization.²⁴

One of the problems that occurs is the decreasing nature of nationalism and patriotism among the younger generation. As a result of the decreasing nature of nationalism and patriotism, various problems arise. One of them is for the sake of personal gain, ignoring the impact on the surrounding environment.²⁵ The impact of the emergence of globalization brings social changes in society, including in the applicable legal rules as a solution to solving problems that occur due to changes in globalization. Especially the criminal law rules that are updated with the aim of accommodating the development of the times. Both in terms of social, cultural, and technological. As well as the improvement of punishment in accordance with the actions committed in order to create a just law for the general public. The criminal law updates that occur are in the form of changes to the rules and their implementation which are adjusted to adaptation to international standards, and international cooperation.

The 1945 Constitution explains the purpose of making laws to protect all Indonesian people and all Indonesian blood, to realize social justice for all Indonesian blood. The law must provide benefits and prosper the people as much as possible. In this case, the development of the national legal system must be

²² Ibid.

²³ Dewi, "Kajian Tentang Perkembangan Globalisasi Dalam Formulasi Kebijakan Pembangunan Hukum Nasional Indonesia."

²⁴ Ely Aaronson and Gregory Shaffer, "Defining Crimes in a Global Age: Criminalization as a Transnational Legal Process," *Law & Social Inquiry* 46, no. 2 (May 18, 2021): 455–486, https://www.cambridge.org/core/product/identifier/S0897654620000428/type/journal_article.

²⁵ S Widiyono, "Pengembangan Nasionalisme Generasi Muda Di Era Globalisasi," *POPULIKA* 7, no. 1 (January 10, 2019): 12–21, <https://ejournal.widyamataram.ac.id/index.php/populika/article/view/24>.

directed towards the interests national guarantees its people, by creating certainty law, legal order, and legal protection. Philosophers say that law is not only aimed at achieving rationality, law must also be rational.

Viewed from different perspectives, it can be concluded that a legal system is not only composed of and determined by legal norms alone, but also includes all elements that support the running of the system. As explained by M. Syamsudin, the legal system includes:

- a. The Constitution;
- b. High state institutions;
- c. Judicial bodies;
- d. Government agencies and their regulations;
- e. Jurisprudence;
- f. Legal procedures;
- g. Legal apparatus;
- h. Understanding of law among the community, government, and other law enforcers;
- i. Legal customs;
- j. National legal education and theory;
- k. Legal research;
- l. Physical facilities such as buildings and equipment; and m) Other supporting programs or systems.²⁶

During the New Order, the condition of Indonesian law enforcement was very concerning. There was no judicial system that protected citizens from discretion carried out by the executive. Instead, the executive influenced the judiciary. At that time the judicial system had no power (powerless) against bureaucratic intervention.

There are a number of important reasons underlying the need to conduct a study of legislative policies regarding the objectives and guidelines for sentencing in an effort to reform the sentencing system in Indonesia, including:

1. The current Criminal Code does not clearly regulate the objectives and guidelines in the sentencing system.
2. The objectives and guidelines for sentencing have a very important position because they function as a direction, guideline, and method for law enforcement officers in implementing criminal sanctions.
3. Formulating objectives and guidelines is a fundamental thing that must be done before compiling the right way, method, or steps for sentencing.
4. Considering that Indonesia is currently compiling a new Criminal Code to replace the old Criminal Code (WvS), a study of the objectives and

²⁶ Totok Sugiarto and Purwanto, "PEMBAHARUAN HUKUM PIDANA BERBASIS HUKUM ADAT," *Jurnal IUS* 12, no. 1 (2024): 48–69, <https://ejournal.upm.ac.id/index.php/ius/article/download/1952/1476/>.

guidelines for sentencing needs to be carried out so that they are in accordance with the social dynamics of modern society and are based on the values of Pancasila as the foundation of the state.²⁷

The renewal of the Criminal Code was carried out because it was driven by various philosophical, political, sociological, and practical considerations. From a philosophical perspective, the Criminal Code inherited from the Dutch colonial era is considered no longer relevant because it has a different basis of thought from the philosophy of the Indonesian nation. Sociologically, many provisions in the Criminal Code are no longer in line with the social values that have developed in society. In addition, advances in science and technology also demand renewal because the regulation of criminal acts in the old Criminal Code is considered no longer adequate and lagging behind the times.²⁸

Legal culture has an important role in law enforcement. Legal culture as a driving force of justice that bridges the legal system with the behavior of society. The role of the judiciary is very strong because it is through court decisions that the formation of law occurs. Therefore, in addition to its function as a means of seeking justice in solving problems, the court also acts as a stabilizer of law. In this case, the court is not only a broadcaster of laws, but also as a maker of new laws, so that the court, in addition to functioning as a law enforcer, also functions as a law reformer.²⁹

Some of the reasons underlying the need for judicial reform are:

1. Many people complain because the judiciary has failed as a guarantor of the supremacy of law and as a forum for finding truth and justice.
2. One of the ideals of reform is to realize the rule of law or the supremacy of law and the judiciary is the spearhead of the guarantor and implementer of the supremacy of law. This has also become the concern of the international world, namely what is called judicial power and the judicial system. Judicial power concerns the power of the judiciary, while the judicial system concerns the judicial system.

A supervisory institution is needed for judges, namely an independent council (judicial committee) whose members consist of lawyers, community and religious

²⁷ Indung Wijayanto, "Kebijakan Pidana Denda Di KUHP Dalam Sistem Pemidanaan Indonesia," *Pandecta: Research Law Journal* 10, no. 2 (December 31, 2015): 248, <http://journal.unnes.ac.id/nju/index.php/pandecta/article/view/4956>.

²⁸ Puteri Hikmawati, "Peniadaan Pidana Penjara Bagi Pelaku Lansia Dalam Pembaruan Hukum Pidana, Dapatkah Keadilan Restoratif Tercapai? (Elimination of Imprisonment for Elderly Criminal Offenders in Criminal Law Reform, Can Restorative Justice Be Achieved?)," *Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan* 11, no. 1 (June 23, 2020), <https://jurnal.dpr.go.id/index.php/hukum/article/view/1583>.

²⁹ Edi Setiadi, "Pengaruh Globalisasi Terhadap Substansi Dan Penegakan Hukum," *MIMBAR: Jurnal Sosial dan Pembangunan* 18, no. 4 (2002): 443–456, <https://ejournal.unisba.ac.id/index.php/mimbar/article/view/84/pdf>.

leaders and the Supreme Court. The function of the Supreme Court is not only as a regulator and supervisor but also has other functions, namely:

1. Legal education, all judges' decisions must be education for the community.
2. Law reform function through judge made law.
3. Promoting human rights and democracy.
4. Policy making by judge, meaning as a forum for resolving conflicts between the legislature and the executive.

The Supreme Court must provide considerations related to the judicial system, closely related to the existence of good governance, including:

1. A strong legislative body.
2. Professional and corruption-free executive power.
3. Independent judicial power.
4. The existence of a good civil society
5. The existence of a government system that has a strong commitment to the supremacy of law.

Globalization also presents new challenges in the form of increasingly complex and sophisticated crimes. Examples of crimes such as cybercrime, money laundering, human trafficking, and international terrorism are increasingly growing along with the process of globalization. These crimes often involve complex international networks and utilize technological advances to avoid detection and legal action. Therefore, the Indonesian criminal law system needs to make major adjustments in order to effectively deal with these new threats. Criminal law reforms influenced by globalization not only focus on the substance of the law, but also include changes in the process and mechanisms of law enforcement. One important thing is the need to increase international cooperation in law enforcement, both through bilateral and multilateral agreements. This includes things like extradition of criminals, exchange of intelligence information, and operational coordination between law enforcement agencies from various countries. Without strong international cooperation, law enforcement efforts against transnational crime will face significant obstacles to achieving maximum results. Adaptation to the development of information technology is an important aspect in the renewal of criminal law. Technology is used not only by criminals, but also by law enforcement to increase effectiveness prevention and action. Therefore development of technological capacity among law enforcement officers and updating regulations related to its use are essential.

In the context of Indonesia, globalization affects not only the dynamics of crime and law enforcement, but also creates challenges in developing laws that are in accordance with the needs of society. Reforming criminal law in Indonesia must consider various factors, such as local values, culture, and developments in

international law. Therefore, a comprehensive and inclusive approach is needed to ensure that the resulting criminal law can accommodate various interests and face future challenges.

In recent years, the Indonesian government has taken various steps to update criminal law through the revision of the Criminal Code (KUHP) which was ratified by Law Number 1 of 2023 concerning the Criminal Code (KUHP). This new Criminal Code will come into effect on January 2, 2026. The birth of this Criminal Code is a form of adjustment to legal politics, conditions, and developments in community, national, and state life that upholds human rights. It is hoped that it can produce a criminal law system that is more modern, comprehensive, and relevant to global developments.

In the process of judicial power reform in Indonesia with a new paradigm, law enforcement elements must receive moral guidance, because as Herman Mannheim said "it is not the formula that decides the issue but the men who have applied the formula" the good or bad results of law enforcement do not depend on the goodness of the law, but depend on the morality of the law enforcers themselves.

CONCLUSION

Globalization has had a very broad influence on human life. One of the areas that is greatly affected is law. The impact is so great because law is directly related to humans as the main subject, where humans play a role as both the cause and recipient of the impact of globalization. Therefore, law needs to follow the dynamics of globalization that occur. The process of globalization erases national boundaries and facilitates the entry of various values into a country. This condition requires law to continue to experience renewal in order to be able to adapt to the values that develop in society. Law is required to be in line with human development. Therefore, globalization has a very close relationship with legal reform, because globalization is the main driver so that applicable laws can continue to be relevant and in accordance with the needs of society.

REFERENCES

- Aaronson, Ely, and Gregory Shaffer. "Defining Crimes in a Global Age: Criminalization as a Transnational Legal Process." *Law & Social Inquiry* 46, no. 2 (May 18, 2021): 455–486. https://www.cambridge.org/core/product/identifier/S0897654620000428/type/journal_article.
- Absah, Muthiah Maharani, Nabilah Ramanda, Rangga Andrio, Ama Muri Artha, and Asep Suherman. "PENGARUH GLOBALISASI TERHADAP PEMBAHARUAN HUKUM PIDANA DI INDONESIA." *Hukum Dinamika Ekselensia* 6, no. 3 (2024): 1–13. <https://journalpedia.com/1/index.php/hde/article/view/3223>.
- Affan, Andi Muhammad Aliffar, and Andi Rahmah. "EVOLUSI HUKUM

- PIDANA DALAM KONTEKS GLOBALISASI: TINJAUAN LITERATUR.” *Jurnal Hukum Ius Publicum* 5, no. 2 (2024): 121–135. <https://journal.umelmandiri.ac.id/ojs/index.php/jiu/article/view/163>.
- Aliverti, Ana, Henrique Carvalho, Anastasia Chamberlen, and Máximo Sozzo. “Decolonizing the Criminal Question.” *Punishment & Society* 23, no. 3 (July 9, 2021): 297–316. <https://journals.sagepub.com/doi/10.1177/14624745211020585>.
- Bliersbach, Hannah. “Future Citizens between Interest and Ability: A Systematic Literature Review of the Naturalization and Crimmigration Scholarship.” *Ethnicities* 24, no. 1 (February 3, 2024): 78–97. <https://journals.sagepub.com/doi/10.1177/14687968221143771>.
- Dewi, Putri Maha. “Kajian Tentang Perkembangan Globalisasi Dalam Formulasi Kebijakan Pembangunan Hukum Nasional Indonesia.” *ADIL Indonesia Jurnal: Jurnal Ilmiah Bidang Hukum* 1, no. 2 (2019): 42–49. <https://jurnal.unw.ac.id/index.php/AIJ/article/view/373>.
- Efendi, Dr. Jonaedi, and Johnny Ibrahim. *Metode Penelitian Hukum : Normatif Dan Empiris*. Jakarta: Prenadamedia Group, 2016.
- Eyo, Idoreyin, and Glory Charles Okebugwu. “Analysis of Fundamental Challenges in the Combat of Transnational Crimes.” *International Journal of Research and Innovation in Social Science* VIII, no. IV (2024): 1297–1318. <https://rsisinternational.org/journals/ijriss/articles/analysis-of-fundamental-challenges-in-the-combat-of-transnational-crimes/>.
- Halliday, Terence C., and Pavel Osinsky. “Globalization of Law.” *Annual Review of Sociology* 32, no. 1 (August 1, 2006): 447–470. <https://www.annualreviews.org/doi/10.1146/annurev.soc.32.061604.123136>.
- Hikmawati, Puteri. “Peniadaan Pidana Penjara Bagi Pelaku Lansia Dalam Pembaruan Hukum Pidana, Dapatkah Keadilan Restoratif Tercapai? (Elimination of Imprisonment for Elderly Criminal Offenders in Criminal Law Reform, Can Restorative Justice Be Achieved?).” *Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan* 11, no. 1 (June 23, 2020). <https://jurnal.dpr.go.id/index.php/hukum/article/view/1583>.
- Lukito, Ratno. “‘Compare But Not to Compare’: Kajian Perbandingan Hukum Di Indonesia.” *Undang: Jurnal Hukum* 5, no. 2 (December 30, 2022): 257–291. <https://ujh.unja.ac.id/index.php/home/article/view/727>.
- Rahayu, Derita, and Sulaiman. *METODE PENELITIAN HUKUM*, 2020.
- Raihana, R., S. Sukrizal, and W. Alfred. “Relevansi Proses Globalisasi Dengan Pembaharuan Hukum.” *Jurnal Pendidikan Dan Konseling (JPDK)* 5, no. 2 (2023): 5872–5879. <https://journal.universitaspahlawan.ac.id/index.php/jpdk/article/view/15026>.
- Setiadi, Edi. “Pengaruh Globalisasi Terhadap Substansi Dan Penegakan Hukum.” *MIMBAR: Jurnal Sosial dan Pembangunan* 18, no. 4 (2002): 443–456. <https://ejournal.unisba.ac.id/index.php/mimbar/article/view/84/pdf>.
- Sugiarto, Totok, and Purwanto. “PEMBAHARUAN HUKUM PIDANA BERBASIS HUKUM ADAT.” *Jurnal IUS* 12, no. 1 (2024): 48–69. <https://ejournal.upm.ac.id/index.php/ius/article/download/1952/1476/>.
- Vilks, Andrejs, Aldona Kipane, and Anatolijs Krivins. “Preventing International Threats in the Context of Improving the Legal Framework for National and

- Regional Security.” *Social Legal Studios* 7, no. 1 (March 5, 2024): 97–105. <https://sls-journal.com.ua/en/journals/tom-7-1-2024/zapobigannya-mizhnarodnim-zagrozam-u-konteksti-vdoskonalennya-pravovikh-zasad-natsionalnoyi-ta-regionalnoyi-bezpeki>.
- Widiyono, S. “Pengembangan Nasionalisme Generasi Muda Di Era Globalisasi.” *POPULIKA* 7, no. 1 (January 10, 2019): 12–21. <https://ejournal.widyamataram.ac.id/index.php/populika/article/view/24>.
- Wijayanto, Indung. “Kebijakan Pidana Denda Di KUHP Dalam Sistem Pemidanaan Indonesia.” *Pandecta: Research Law Journal* 10, no. 2 (December 31, 2015): 248. <http://journal.unnes.ac.id/nju/index.php/pandecta/article/view/4956>.
- Yasin Deab Al-Refo, Morad, and Raed S. A. Faqir. “From Legal Translation to Legal Globalization: Globalization of Criminal Laws to Counter Global Crimes.” *International Journal of Social Science and Humanity* 6, no. 4 (April 2016): 275–281. <http://www.ijssh.org/index.php?m=content&c=index&a=show&catid=74&id=992>.