

UPN Veteran Jakarta Public Lecturer for the Master of Law Presents Prof. Edward OS Hiariej, SH, MHum Professor of Criminal Law, UGM Yogyakarta

Wednesday, 30 September 2020 14:08 WIB



HumasUPNVJ - UPN Veteran Jakarta Public Lecture for Master of Laws, held online Tuesday, September 29 2020 with the theme "Directions of Indonesian Criminal Law Policy/New Paradigm: Corrective, Rehabilitative and Restorative Justice" with Prof. Dr. Edward OS Hiariej, SH, M.Hum (Professor of Criminal Law, FH UGM Yogyakarta).

The implementation of the Public Lecture began with remarks by the Dean of the Faculty of Law, UPN Veterans Jakarta, Dr. Abdul Halim, M.Ag. In his remarks he said that in the context of opening lectures for the 2021/2022 Odd Academic Master of Law program, the Faculty of Law brought in experts or legal experts whose aim was to provide enlightenment to lecturers and students. Abdul Halim had emphasized that the Faculty of Law was conducting assessments to open a Doctor of Law Program.



The public lecture as well as the opening of the 2021/2022 Odd Academic Master of Law course was opened directly by the Chancellor of UPN Veteran Jakarta Dr. Erna Hernawati, Ak, CPMA, CA. In his direction, the Chancellor said that this public lecture was held as an effort by the Law Faculty of UPN Veterans Jakarta to organize the Tridarma of quality higher education and develop competitive and innovative legal knowledge to create legal intellectuals and professionals. law, especially the development of criminal law policies in Indonesia for academics and students of UPN Veterans Jakarta. The Chancellor also did not forget to remind Master of Law students to really finish their studies and hopefully graduate on time.

After the opening of the Rector's public lecture, the public lecture was continued with an introduction by Prof. Edward OS Hiariej, SH, MHum Professor of Criminal Law at the Faculty of Law UGM who was also part of the drafting team for the Criminal Code Bill. Starting his presentation, Prof. Eddy said that universally criminal law underwent a paradigm shift or a new paradigm of universally applicable criminal law and had started in western Europe in 1990 which tried to change the paradigm of criminal law from retributive justice oriented towards retaliation to corrective justice, rehabilitative justice, and restorative justice.

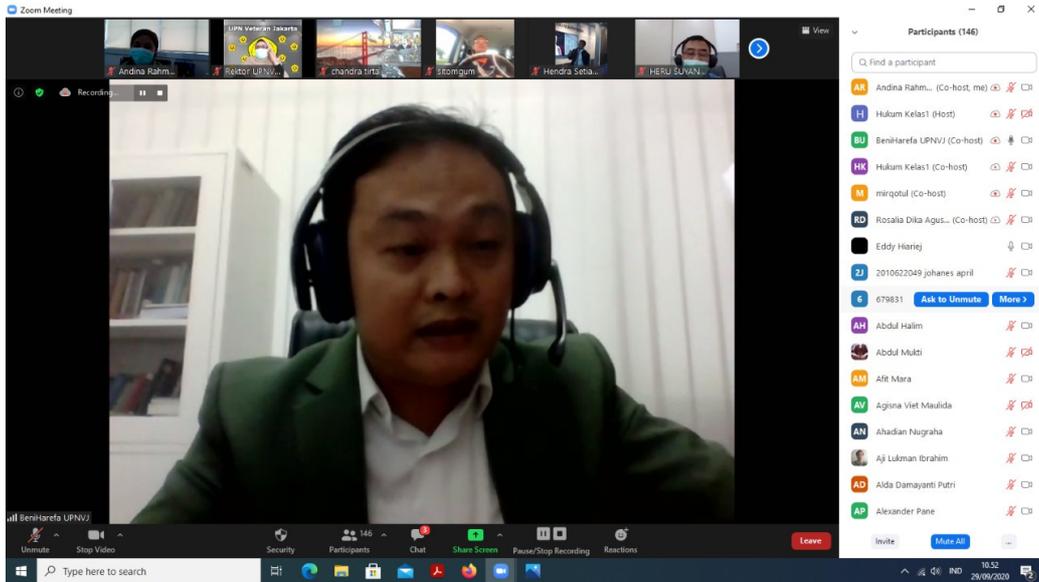
The new paradigm in criminal law that is oriented towards corrective justice, rehabilitative justice and restorative justice, if we take as an example those involved in a criminal act that will lead to criminal responsibility, there are perpetrators and victims, so corrective justice is oriented towards the perpetrators, meaning correcting the actions the offender's fault and therefore the offender is subject to sanctions. Restorative justice is victim oriented, while rehabilitative justice is oriented towards both the perpetrator and the victim. This has been accommodated in the Draft Criminal Code.

The Criminal Code Draft Bill is a draft that has continued to develop since 1963. The first generation draft Criminal Code draft, by Prof. Moeljatno, Prof. Sudarto et al. The second generation, by Prof. Sahetapy, Prof. Andi Hamzah, and Prof. Muladi et al, up to the newest generation, need to understand that making the Criminal Code a nation that is multi-cultural, multi-religious, multi-ethnic, like Indonesia, is not easy, therefore it is impossible to avoid the pros and cons of the issues contained in the Draft Criminal Code. Because in formulating the Criminal Code there must be a *win-win solution* when one interest collides with the interests of another.

The criminal politics adopted in reforming the criminal law are *first*, the principle of recodification (collecting sectoral provisions of the law into the Draft Criminal Code); *secondly*, the principle of consolidation; *third*, the principle of decolonization (the Criminal Code currently in use is a legacy of the colonial Dutch East Indies). The recodification adhered to in the Criminal Code Bill is open in nature, meaning it does not rule out the possibility of crime developments in the future. A new paradigm in the Criminal Code Bill, with many criminal sanctions in the Criminal Code Bill: criminal supervision, social work, fines, confinement, prison sentences. This provides a choice for judges to impose sentences, even if it is examined further in the Criminal Code Bill as far as possible judges do not impose prison sentences.

After the presentation, it was followed by a question and answer discussion with the participants. The participants seemed very active in asking and discussing with the speakers. Participants consisted of UPN Veteran Jakarta Law Faculty Lecturers and Law Masters students who work in the legal profession such as judges, prosecutors, police, advocates, the ministry of law and human rights and various other professions.

The event was attended by approximately 300 participants who were arranged by Moderator Dr. Beniharmoni Harefa, SH, LL.M Head of the UPN Veterans Jakarta Master of Law Study Program and guided by MC Andina Master of Law Student.



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