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## Article Title

### The Paradigm of Meaningful Guilty Pleas: Balancing Procedural Efficiency and Substantive Justice in the Indonesian Criminal Justice System

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## **ABSTRACT**

*This study is motivated by the systemic dysfunction of the Indonesian criminal justice system, characterized by case backlogs and overcrowding in correctional institutions. This condition prompted the adoption of the plea bargain mechanism in Article 78 of the New Criminal Procedure Code. However, the application of this special track potentially becomes trapped in procedural pragmatism that neglects the search for material truth and the essence of substantive justice. The objective of this study is to formulate the Meaningful Guilty Plea paradigm as a synchronization instrument between the procedural efficiency of Article 78 of the New Criminal Procedure Code and substantive justice values in the sentencing guidelines of Article 54 of the New Penal Code. The research method used is normative legal research, employing statutory, conceptual, and comparative approaches through qualitative-prescriptive analysis. The results indicate that plea bargain formalism requires a rigid material foundation so that granting sentence reduction is not speculative-transactional in nature. The construction of the meaningful guilty plea paradigm requires examining the quality of the defendant's statement, based on indicators of sincere remorse, moral responsibility, and commitment to victim recovery, to ensure sentencing proportionality. This synchronization enables a transition from a retributive pattern to a restorative-corrective model, as mandated by the New Penal Code. The conclusion asserts that procedural efficiency must be governed by active judicial control, achieved through the integration of sentencing guidelines to prevent judicial decision-making disparities. This study recommends the formulation of implementing regulations in the form of sentencing guidelines that integrate the plea-bargaining mechanism nationwide as a crucial implementation step following the recent enforcement of the new criminal law on January 2, 2026. Under this ideal model, the criminal justice system is expected to achieve sustainable harmony between the speed of processes and the quality of decisions that are substantively just for both the defendant and the victim.*

*Keywords:* Meaningful Guilty Plea; New Criminal Procedure Code; New Penal Code; Plea Bargain; Substantive Justice.

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## **INTRODUCTION**

Indonesian criminal procedure law is currently undergoing a fundamental transition following the promulgation of Law Number 20 of 2025 on the Criminal Procedure Code (hereinafter referred to as the New Criminal Procedure Code). This Law recently entered into force on January 2, 2026. The reality of the national criminal justice system over the past decade has demonstrated chronic dysfunction, characterized by the phenomenon of correctional institution overcrowding and case backlogs at the judicial level (Lestari et al., 2023). The retributive paradigm, which focuses solely on physical punishment, has proven ineffective in controlling criminal behavior. Instead, such practices have placed an excessive burden on state finances (Frans et al., 2024). This condition demands a reorientation of sentencing theory from an absolute to a more integrative, purposive theory (Rivanie et al., 2022). Therefore, a procedural breakthrough is required to balance the need for judicial efficiency with the preservation of the essence of justice for the legal subjects involved.

The enactment of Law Number 1 of 2023 on the Penal Code (hereinafter, the New Penal Code) serves as a material guiding principle. This law shifts the criminal law paradigm from a retaliatory orientation toward a corrective, rehabilitative, and restorative orientation (Ramadhan & Ariyanti, 2023; Rivanie & Ashar, 2025).

This shift necessitates harmonization between material and formal laws to achieve societal protection and social welfare simultaneously (Irmawanti & Arief, 2021). This transformation addresses not only the types of punishment but also the state's perspective on the defendant's position within the criminal justice process. In this context, Articles 51 through 54 of the New Penal Code have established rigid sentencing guidelines as legal pillars to minimize disparities in judicial decisions (Hiariej & Santoso, 2025). Synchronization between these sentencing norms and court examination procedures is an absolute prerequisite for the success of national criminal law reform.

In response to the demand for procedural efficiency, Article 1 point 16 and Article 78 of the New Criminal Procedure Code introduce the plea bargain mechanism. This provision adopts the "special track" concept, which has long been discussed in academic texts as an effort to accelerate the resolution of certain criminal cases (Putri et al., 2024). Conceptually, this mechanism allows for curtailing convoluted evidentiary stages if the defendant voluntarily enters a guilty plea to their actions (Haeranah et al., 2025). The implementation of the plea bargain is expected to realize the principles of a speedy, simple, and low-cost judiciary more progressively (Sirjon et al., 2023). Nevertheless, adopting a concept originating from the common law system requires deep juridical adaptation to avoid conflict with the fundamental principles of Indonesian criminal procedure law, which is rooted in the civil law tradition.

The greatest philosophical challenge in applying the plea bargain is the potential shift in values from the search for material truth (*daadwerkelijke waarheid*) to a consensual truth. Under the negative statutory proof system, the judge's conviction must still be supported by at least two valid pieces of evidence, even if the defendant has provided a confession (Idris, 2025). Concerns arise that procedural efficiency might obscure actual legal facts merely to meet case resolution targets (Maulana, 2017). In an era where objective truth is often distorted by pragmatic interests, the criminal judiciary must remain the last bastion for discovering genuine legal truth (Putro & Moeliono, 2020). The plea bargain must not be viewed merely as a judicial transaction tool. Instead, this instrument must be positioned within an evidentiary process that respects human rights (Maulana, 2015).

Previous studies on the special track concept have often focused solely on procedural comparisons with the United States' plea bargaining system or on the risk of violating the principle of non-self-incrimination (Hermawati, 2023; Sirjon et al., 2023). Several studies have also highlighted the use of plea bargains as a strategy to address prison overcrowding. However, these studies have not provided judges with measurable material parameters for imposing sentences (Fratama, 2020; Kadir & Juniarti, 2024). There is an absence of a judicial-dogmatic analysis that integrally connects the admission procedure under the New Criminal Procedure Code with the sentencing guidelines in the New Penal Code. Without a clear bridging norm,

granting sentence reductions after a plea bargain risks becoming an unpredictable form of discretion. Ultimately, this undermines the public's sense of justice and the defendant's legal certainty.

To address these problems, this study proposes that a meaningful guilty plea is important. This concept requires that the defendant's admission reflect moral responsibility, genuine remorse, and a willingness to provide restitution to the victim (Arum & Maulidah, 2025). In exercising their authority, judges must look beyond the procedural text to achieve substantive justice in accordance with Pancasila values (Setyanegara, 2014). A high-quality plea bargain must be a variable that proportionately activates the sentence-reduction mechanism, as mandated by positive law principles (Fatoni et al., 2025). Thus, the efficiency achieved is not a value-free efficiency but rather one grounded in the integrity of the justice system.

The integration of sentencing guidelines in Article 54 of the New Penal Code serves as a vital control instrument over the execution of the plea bargain in Article 78 of the New Criminal Procedure Code. Article 54 of the New Penal Code obliges judges to consider the motive, inner attitude, and actions of the perpetrator after committing the crime as the basis for determining the severity of the punishment (Pratama, 2024). Through this integrative approach, sentence reduction is no longer speculative but is now supported by a measurable evaluative standard (Arafat, 2025). Synchronization between the formal and material aspects is expected to minimize the abuse of the plea bargain mechanism for seeking a sentence reduction without conscience. This alignment also supports the application of alternative punishments, such as social work sentences, which are more constructive for the social reintegration process (Khaidarulloh, 2023; Laia, 2024; Listiyanto et al., 2025).

Given this background, there is an urgency to formulate a criminal policy framework that aligns judicial authority in assessing guilty pleas with legitimate sentencing limits (Awanadi & Zulkarnain, 2025; Oktaviana, 2025). This study is crucial to filling the gap in Indonesian criminal procedure doctrine following the recent enforcement of the new legal codification. An in-depth analysis is required to balance the state's interest in accelerating the judicial process with the defendant's interest in obtaining sentencing certainty. Furthermore, the victim's interest in obtaining restoration must also be accommodated (Padang et al., 2024; Kadri et al., 2025). With a global perspective that remains grounded in local characteristics, the Indonesian plea-bargaining mechanism can become an authentic model of integrity (Sood & Raval, 2024).

The objective of this research is to formulate the paradigm of a meaningful guilty plea as a synchronization instrument between procedural efficiency in Article 78 of the New Criminal Procedure Code and substantive justice values in the sentencing guidelines of Article 54 of the New Penal Code. Specifically, this research seeks to

construct an ideal plea-bargain model that is not merely transactional and pragmatic for the sake of case acceleration. The model is based on moral responsibility, the defendant's remorse, and victim restoration to ensure proportional sentence reductions with certainty within the Indonesian criminal justice system. Academically, this research is expected to enrich the knowledge of criminal procedure law regarding special tracks. Practically, this research is expected to serve as a reference for policymakers in drafting and implementing regulations in preparation for the implementation of the national criminal law in 2026.

## **METHOD**

This research is designed using the normative or doctrinal legal research method to address the problem of the synchronization between procedural efficiency and substantive justice (Irwansyah, 2020). The use of this method is based on the need to examine the internal consistency of legal norms. The primary focus is on the interaction between formal criminal procedure law in the New Criminal Procedure Code and material sentencing guidelines in the New Penal Code. Normative legal research allows the author to examine the law as a closed yet dynamic system of norms. The analysis is conducted on statutory texts, legal principles, and doctrines relevant to the plea bargain mechanism. Thus, this method serves as the most relevant instrument for formulating a new paradigm in the Indonesian criminal justice system.

The statute approach is applied as a preliminary step to identify and dissect the nomenclature of the plea bargain in Article 1 point 16 and Article 78 of the New Criminal Procedure Code. Furthermore, a dissection is performed on the sentencing guidelines in Articles 51 through 54 of the New Penal Code. Through this approach, an inventory of norms is conducted to discover the hierarchical and functional relationship between summary examination procedures and the limits of judicial discretion. The analysis of these regulations is conducted in an integrated manner. This is done to ensure that legal certainty achieved through the special track remains aligned with the new national sentencing objectives. This approach serves as the basis for testing whether the existing regulatory framework is adequate to accommodate a fair plea bargain mechanism.

Subsequently, the conceptual approach is used to develop a theoretical framework for the paradigm of meaningful guilty pleas. This approach departs from the view that the law is limited to written texts. The law encompasses substantive justice values that must be unearthed through profound legal reasoning. The author synthesizes various concepts from diverse reference sources, ranging from sentencing objective theories to proportionality principles, to construct ideal quality parameters for plea bargains. This conceptual approach fills the doctrinal void in Indonesian criminal procedure law by providing evaluative standards for law enforcers. These standards are used to assess the defendant's level of remorse and moral responsibility.

To expand the analytical horizon, a comparative approach is used to examine plea-bargaining practices across countries. Through this international comparison, the research seeks to identify positive elements and potential systemic failure risks. The comparative data is critically analyzed to discover the adaptation format most suitable for the characteristics of Indonesian law and society. This comparative approach guarantees that the proposed ideal model possesses a global empirical foundation while remaining grounded in local values.

The technique for collecting legal materials in this research is comprehensive library research of primary, secondary, and tertiary legal materials (Sampara & Husen, 2016). Primary legal materials include the new national legal codifications. Secondary legal materials include textbooks, legal annotations, and academic journal articles relevant to plea bargain discourse. Data inventory is systematically conducted on all collected reference sources to ensure the validity and reliability of the information. All legal materials are classified based on their substantive relevance to the research objectives. This classification aims to facilitate the conceptual synthesis process in the subsequent stage.

The legal material analysis technique used in this research is a qualitative-normative analysis employing deductive reasoning (Qamar & Rezah, 2020). The analysis begins with general premises regarding sentencing principles and judicial efficiency. These premises are then drawn into specific conclusions about the synchronization of plea-bargain norms. Furthermore, this research employs prescriptive analysis to provide concrete recommendations on the optimal sentencing model for defendants who enter plea bargains. This prescriptive analysis aims to produce legal parameter formulations that can be practically used by judges and prosecutors following the recent enforcement of the new criminal law in 2026.

Finally, the legal interpretations used include systematic and teleological interpretations to ensure coherence between different legal norms. Systematic interpretation is performed to connect each article in the New Criminal Procedure Code with the material sentencing guidelines in the New Penal Code. This is done to create a unified and intact justice system. Meanwhile, a teleological interpretation is used to determine the legislators' original intent and purpose in adopting the plea bargain mechanism. These analysis techniques are thoroughly integrated into the Results and Discussion section. This is done to ensure that the resulting conclusions are supported by a strong, well-founded legal argument.

## **RESULTS AND DISCUSSION**

### **A. Procedural Formalism of Plea Bargains in the New Criminal Procedure Code: The Dialectics of Efficiency and Burden of Proof**

The implementation of the plea bargain mechanism in the Indonesian criminal justice system is a juridical response to systemic dysfunction. This

condition manifests as court backlogs and a crisis of overcapacity in correctional institutions. This phenomenon has resulted in massive waste of the state budget. Additionally, public access to justice has become impeded (Frans et al., 2024). The urgency of procedural efficiency becomes the primary determinant in formulating criminal policy to realize the principles of a speedy, simple, and low-cost judiciary (Sirjon et al., 2023). In this perspective, accelerating case handling through the special track is viewed as a pragmatic instrument capable of reducing judicial workload. This effort is undertaken without neglecting the defendant's fundamental rights in a fair legal process (Maulana, 2015; Putri et al., 2024). However, adopting this efficiency value must not be carried out merely formally; instead, it must remain within the framework of human rights protection (Latif et al., 2019).

Normatively, the New Criminal Procedure Code provides legitimacy to the plea bargain mechanism. Article 1 point 16 of this Law defines the plea bargain as a defendant's statement admitting to all charged acts and voluntarily admitting guilt. This provision marks a significant shift from the Criminal Procedure Code in Law Number 8 of 1981, which tended to position the defendant's statement merely as complementary evidence with low probative value (Maulana, 2017). Through Article 78 sections (1) and (2) of the New Criminal Procedure Code, the legislators provide an entry point for summary case resolution. This facility applies to crimes punishable by imprisonment of a maximum of 5 (five) years. This procedural formalism reflects a legislative effort to construct a more agile examination track to respond to the dynamics of contemporary criminality (Kadir & Juniarti, 2024).

Critical analysis of Article 78 of the New Criminal Procedure Code indicates that the plea bargain does not automatically annul the examination process. The mechanism requires rigid procedural validation through a plea bargain hearing. Article 78 section (5) of the New Criminal Procedure Code stipulates the necessity of a written agreement between the public prosecutor and the defendant, acknowledged by an advocate. This agreement must subsequently be approved by the judge. This aims to ensure that every admission is genuinely voluntary and based on a full understanding of the legal consequences. These consequences include the waiver of the right to be examined through ordinary examination proceedings (Idris, 2025; Oktaviana, 2025). Methodologically, this formal requirement functions as a legal barricade to prevent coercion against the defendant (Hermawati, 2023). The strictness of this formal requirement demonstrates that although efficiency is pursued, the integrity of the judicial process remains the top priority.

However, complex dialectics arise when the plea-bargaining mechanism confronts the problem of legal truth in the post-truth era. Amidst information flows that often obscure objective facts, the criminal judiciary is demanded not to

be trapped in a truth that is merely consensual or transactional (Putro & Moeliono, 2020). Judicial risk arises when the judge acts merely as a “rubber stamp” for the parties’ agreement, without conducting thorough fact-finding (Maulana, 2017). Therefore, the efficiency offered by Article 78 of the New Criminal Procedure Code must be understood as technical efficiency in trial duration. This is not efficiency in the quality of truth verification. Judges must retain a sense of judicial sensitivity to detect false confessions the defendant may make due to economic reasons or other structural pressures.

Challenges to the material burden of proof in the New Criminal Procedure Code still refer to the principle of at least two valid pieces of evidence. Even though the defendant has admitted guilt, Article 78 section (9) of the New Criminal Procedure Code explicitly states that the judge’s decision must be based on a conviction supported by valid evidence. This confirms that the plea bargain is not, standing alone, the “queen of evidence” (*regina probationum*). The admission still requires other supporting evidence to validate the defendant’s statement. This provision is a legal safeguard that ensures the principle of material truth is not sacrificed for procedural efficiency. The goal is for the resulting justice to maintain a strong and objective evidentiary basis.

The position of the single judge in deciding plea bargains according to Article 78 section (4) of the New Criminal Procedure Code places judicial authority in a central position. The single judge possesses discretionary authority to accept or reject the plea bargain based on an assessment of voluntariness and factual conformity. The judge’s role in this context is not merely administrative. The judge must actively ensure that the defendant’s rights are not diminished during the summary examination process (Putri et al., 2024). This judicial control is crucial because the judge’s failure to test the validity of the admission implies a failure of law enforcement (Hermawati, 2023). Thus, the professionalism and integrity of the single judge determine the successful synchronization between case acceleration and human rights protection.

As a conclusion to the analysis in this section, the procedural formalism of plea bargains in the New Criminal Procedure Code constitutes a legal paradox. This phenomenon brings together the urgent need for efficiency with the obligation to seek material truth. Procedural efficiency offered by Article 78 of the New Criminal Procedure Code can only be justified if it remains subject to transparent standards of proof (Kadir & Juniarti, 2024; Haeranah et al., 2025). The plea bargain must not transform into merely a mechanistic administrative formality. This instrument must be viewed as part of a legal dialectic process pursuing justice. This dialectic requires sharper evaluative parameters, which will be discussed further in the next section through the integration of material sentencing guidelines.

## **B. Construction of the Meaningful Guilty Plea: Material Alignment Based on the New Penal Code Sentencing Guidelines**

The reorientation of the national criminal law paradigm through the enactment of the New Penal Code brings a fundamental transformation to sentencing philosophy. It shifts from a retributive, vengeance-based pattern toward a more corrective, rehabilitative, and restorative paradigm (Rivanie & Ashar, 2025). This transformation is explicitly affirmed in Article 51 and Article 52 of the New Penal Code. Punishment is no longer viewed merely as physical suffering but as an instrument for upholding legal norms, resolving conflicts, and restoring a sense of security (Hiariej & Santoso, 2025). In this context, the plea-bargaining mechanism must be aligned with this material-sentencing philosophical spirit. This alignment aims to ensure that the efficiency achieved through the special track does not contradict the noble objectives of the new national criminal law (Hikmah & Agustian, 2023; Ramadhan & Ariyanti, 2023).

The existence of the plea bargain in the procedural dimension requires a material foundation so as not to be trapped in judicial pragmatism devoid of substantive justice values. The urgency of this synchronization stems from the fact that, without rigid sentencing guidelines, granting sentence reductions risks becoming a corrupt legal transaction (Latif et al., 2019; Irmawanti & Arief, 2021). Therefore, this research offers a meaningful guilty plea paradigm as a legal bridge. This paradigm connects Article 78 of the New Criminal Procedure Code with the sentencing guidelines in the New Penal Code. This concept positions the plea bargain not only as a formal prerequisite but as a manifestation of the defendant's moral responsibility and remorse (Fatoni et al., 2025).

The main parameter to test the quality of a plea bargain to be categorized as "meaningful" lies in the application of Article 54 section (1) of the New Penal Code. This provision obliges judges to consider various intrinsic and extrinsic factors. These factors include the motive and objective of the crime, the perpetrator's inner attitude, and the premeditation preceding the act (Pratama, 2024). Under the plea-bargain mechanism, the single judge must not merely accept the "guilty" statement at face value. The judge must examine whether the admission aligns with the perpetrator's psychological and social state as mandated by the sentencing guidelines. This examination of the inner attitude serves as a crucial filter for distinguishing between a strategic confession and one born of legal consciousness (Hikmah & Agustian, 2023).

In addition to the perpetrator's internal aspects, Article 54 section (1) point j and point k of the New Penal Code also emphasize the importance of considering the crime's influence on the victim. This also includes forgiveness from the victim or their family. This indicator shows that the meaningful guilty plea paradigm must possess a tangible restorative dimension. Defendants who admit their guilt

are expected not to stop at mere oral statements in court. They must demonstrate concrete efforts to restore the losses suffered by the victim (Padang et al., 2024; Kadri et al., 2025). Synchronization between the plea bargain and social restoration obligations will ensure that sentence reduction has a strong moral foundation and fulfills the public's sense of justice.

The instrument for testing plea-bargain voluntariness receives a stronger legal foundation from the principle of substantive justice in Article 53 of the New Penal Code. This article mandates that judges prioritize justice over formal legal certainty when the two conflict. In the context of plea bargaining, Article 53 of the New Penal Code serves as a protective bastion for the defendant against entrapment by systemic coercion (Setyanegara, 2014). Judges possess full authority to reject the plea bargain even if it has been agreed upon by the public prosecutor and the defendant. Refusal is carried out if the judge assesses that the admission does not reflect the truth and may violate human rights (Fatoni et al., 2025; Hiariej & Santoso, 2025).

Furthermore, applying the principle of insignificance in the new national criminal law system can serve as an additional screening instrument. This principle allows for the handling of crimes whose impact is insignificant to legal interests to be resolved more proportionately (Arum & Maulidah, 2025). Before the judge approves the use of the plea bargain track as stipulated in Article 78 of the New Criminal Procedure Code, an assessment of the degree of offense seriousness becomes highly relevant. This is done to ensure that the case acceleration mechanism is not misused for crimes that require a substantial evidentiary examination. Such a policy is necessary given the broad social impact of certain types of crime.

This integration between formal and material law also provides judges with a prescriptive foundation for imposing more constructive sanctions. Under the new sentencing paradigm, a meaningful guilty plea can serve as an entry point for the imposition of non-custodial alternative punishments. Such sanctions include social work sentences or supervision sentences (Laia, 2024; Arafat, 2025). The utilization of these alternative sanctions aligns with the correctional objective of reintegrating the perpetrator into society (Khaidarulloh, 2023; Listiyanto et al., 2025). Thus, the meaningful guilty plea transforms from merely a tool for accelerating trial duration into a catalyst for a more humane restoration of justice.

As a conclusion to the analysis in this section, the construction of the meaningful guilty plea paradigm is an absolute prerequisite for the successful implementation of national law. Material alignment based on Articles 51 through 54 of the New Penal Code ensures that every sentence reduction possesses a philosophically accountable *ratio legis*. Procedural efficiency achieved through Article 78 of the New Criminal Procedure Code no longer stands as a sole value.

This aspect is an integral part of the state's collective effort to uphold substantive justice. Through a judicial control mechanism based on material sentencing guidelines, the Indonesian criminal justice system can realize harmony between process speed and decision quality.

### **C. The Ideal Synchronization Model: Sentence Reduction Parameters and Judicial Control Post-January 2026**

Formulating the ideal synchronization model requires international comparison to mitigate systemic failure risks in the application of the plea bargain. Comparative studies across the United States, India, Germany, and the United Kingdom reveal important insights. The success of the plea-bargaining mechanism depends heavily on the degree of judicial oversight to prevent coercion by state authorities (Sood & Raval, 2024). In the United States, the plea bargain is a dominant judicial practice but is often criticized for a lack of transparency. Meanwhile, in India, formal regulations under Chapter XXI-A of the CrPC impose more stringent limits on judges to ensure voluntariness (Maulana, 2015). Indonesia, under Article 78 of the New Criminal Procedure Code, must be able to adopt strong judicial oversight mechanisms.

Mitigation of coercion risks in the plea-bargaining mechanism places the judge in a central position as the gatekeeper of justice. In a global perspective, court control is exercised by thoroughly assessing the defendant's voluntariness (Sood & Raval, 2024). Article 78 section (6) of the New Criminal Procedure Code has mandated the obligation for the single judge to assess this matter before accepting a plea bargain. This policy aligns with the principle of human rights protection. This principle demands a guarantee that no individual is forced to admit guilt to avoid the threat of heavier punishment (Sirjon et al., 2023; Idris, 2025). Therefore, strengthening the single judge's role in Article 78 section (4) of the New Criminal Procedure Code becomes the primary determinant in preventing law enforcement failure.

The prescriptive model regarding sentence reduction limits in this research is constructed by integrating the mechanism in Article 78 of the New Criminal Procedure Code with the sentencing guidelines in Article 54 of the New Penal Code. Certainty of sentence reduction must not be absolute or uniform for every admission. The reduction must be proportional to the quality of the admission provided (Awanadi & Zulkarnain, 2025). A meaningful guilty plea should automatically trigger measurable parameters for sentence reduction. These parameters could include, for example, a one-third reduction from the maximum threat or a shift to a lighter punishment category (Pratama, 2024; Arafat, 2025). This synchronization ensures that punishment reduction has a legitimate material legal basis and is not viewed as a form of impunity (Irmawanti & Arief, 2021; Fatoni et al., 2025).

The application of non-custodial alternative sanctions becomes the primary instrument for realizing restorative objectives after a quality plea bargain. Under Article 65 of the New Penal Code, a social work sentence may be imposed as a substitute for imprisonment. This applies to crimes with a penalty threat of no more than 5 (five) years, which aligns with the scope of Article 78 of the New Criminal Procedure Code. The use of social work sentences provides convicts with opportunities to make tangible contributions to society as a form of moral responsibility (Laia, 2024; Listiyanto et al., 2025). The application of this sanction in common law countries has been shown to suppress recidivism rates (Khaidarulloh, 2023). Thus, the plea bargain becomes an entry point for a more constructive sentencing transformation (Frans et al., 2024; Arafat, 2025).

In addition to social work sentences, the supervision sentence, as regulated in Article 71 of the New Penal Code, is also a highly relevant sanction alternative. The supervision sentence allows the state to maintain control over the convict's behavior outside prison walls (Arafat, 2025). In the meaningful guilty plea paradigm, the judge can establish supervision conditions directly related to victim recovery efforts (Arum & Maulidah, 2025). This model guarantees that sentencing objectives aimed at correcting the perpetrator and restoring social order can be achieved without isolating the individual from their social environment (Rivanie et al., 2022; Kadri et al., 2025). This reinforces the idea that procedural efficiency under the New Criminal Procedure Code must lead to sustainable substantive justice.

Harmonization of roles between the Public Prosecutor as the holder of the *dominus litis* principle and the Judge as the deciding authority is an absolute prerequisite in the operationalization of Article 78 of the New Criminal Procedure Code. Based on Law Number 11 of 2021 on Amendment to Law Number 16 of 2004 on the Attorney General's Office of the Republic of Indonesia, prosecutors possess discretion in determining the direction of prosecution. However, in the plea bargain mechanism, such discretion must be limited by a written agreement approved by the judge according to Article 78 section (5) of the New Criminal Procedure Code. This synergy is required to ensure that prosecution outcomes are not sharply disparate across regions in similar cases (Kadir & Juniarti, 2024). This coordinative relationship between law enforcement officers must be based on transparency and accountability to build public trust (Fratama, 2020; Haeranah et al., 2025).

As a policy recommendation following the recent full implementation on January 2, 2026, the government needs to immediately draft implementing regulations in the form of sentencing guidelines. These guidelines must technically regulate aggravating and mitigating variables correlated with the stage at which the admission is delivered (Arafat, 2025). The earlier the admission, the greater

the incentive to reduce. This policy aims to motivate defendants to be cooperative from the beginning of the investigation process (Maulana, 2015; Awanadi & Zulkarnain, 2025). The readiness of the legal infrastructure is also a crucial factor for the effective and efficient operation of the plea bargain mechanism and for ensuring it remains within the bounds of legal truth (Putro & Moeliono, 2020; Padang et al., 2024). With this strategic step, the national criminal law transition is expected to birth a modern and substantively just criminal judiciary (Irmawanti & Arief, 2021; Fatoni et al., 2025).

## **CONCLUSIONS AND SUGGESTIONS**

Based on the comprehensive analysis and discussion presented, it can be concluded that the implementation of the plea bargain mechanism in Article 78 of the New Criminal Procedure Code constitutes a juridical necessity. This is done to address the systemic dysfunction of the Indonesian criminal justice system, which manifests in case backlogs and overcapacity in correctional institutions. Nevertheless, such procedural efficiency must not stand alone, but must be grounded in pragmatism. Such procedures must be controlled by the meaningful guilty plea paradigm. This paradigm positions the plea bargain not merely as a transactional tool to accelerate trial duration. This instrument serves as a means of synchronization, connecting formal certainty with substantive justice. Synchronization is achieved when the judge utilizes the sentencing guidelines in Article 54 of the New Penal Code as a material touchstone. The objective is to evaluate the quality of the defendant's admission based on indicators of sincere remorse, moral responsibility, and commitment to victim recovery.

The conclusion of this research confirms that the ideal norm synchronization model requires a rigid integration between Article 78 of the New Criminal Procedure Code and Articles 51 through 54 of the New Penal Code. This is done to ensure proportional certainty about sentence reduction. A high-quality plea bargain must be a determinant variable that automatically activates sanction mitigation mechanisms. The form of such mitigation can be a reduction in the duration of imprisonment or a diversion of sanctions to non-custodial alternatives. Alternative punishment types include social work sentences or supervision sentences as regulated in Article 65 and Article 71 of the New Penal Code. Through active judicial control by the single judge, the risk of coercion or law enforcement failure can be mitigated. This guarantees that the acceleration of the judicial process remains grounded in the integrity of material truth. Thus, the "consistent triangle" between efficiency issues, substantive justice objectives, and operational conclusions has been fulfilled through the formulation of prescriptive legal parameters.

Given the policy implications and follow-up recommendations arising from the recent enforcement of the national criminal law on January 2, 2026, the government

needs to immediately formulate technical sentencing guidelines. These guidelines must include standardized provisions on the extent of leniency incentives based on the admission stage and the offense's severity level. Furthermore, strengthening digital infrastructure for case management and enhancing law enforcement officials' intellectual capacity in restorative justice philosophy are required. It is also suggested that future researchers conduct empirical studies post-enforcement to evaluate the effectiveness of the Meaningful Guilty Plea paradigm in reducing recidivism rates. Such efforts are expected to yield tangible legal utility for Indonesian society sustainably.

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