

ABSTRACT

*The dissertation research titled reformulation of treason in the Criminal Code is a form of doctrinal juridical research. The focus of writing which is a legal issue in this dissertation is the legislative ratio of makar settings in the Criminal Code (KUHP); The ratio decidendi of the judge's decision on the criminal act of treason; And ius constituendum makar as a criminal act in the Criminal Code.*

*This type of research is normative legal research using statute approach (statute approach); Conceptual approach; Case approach; And comparative approach.*

*The results showed that in criminal law understood the concept of treason and crime of treason. Different understanding of the concept of treason causing misinterpretation and application of criminal law especially in case of makar will result in ignoring the value of legal justice. A restorative justice-oriented approach to crime victims can be applied in criminal law enforcement. It is advisable to the State in the determination of the criminal law provisions to pay attention to the lex certa aspect more carefully so as not to provide opportunities for different interpretations of the elements of a crime.*

*Keywords : reformulation, treason, penal law*