

JURIDICAL QUALIFICATION FORMULATION AND JUDICIAL RATIO DECIDENDI IN MITIGATING SENTENCING DISPARITIES IN NARCOTICS CRIME

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ABSTRACT

Criminal law enforcement against illicit substance abuse tests judicial consistency in strictly separating the qualifications of illicit trafficking and self-consumption. This study examines the construction of criminal law norms and the judicial ratio decidendi to mitigate sentencing disparities. A normative legal research method is employed through a doctrinal analysis of written legal materials and court jurisprudence. Findings indicate that distinguishing legal qualifications requires comprehensive proof of the offender's subjective intent rather than relying solely on quantitative thresholds of drug weight. Inconsistencies in judicial reasoning lead to sentencing disparities that undermine legal certainty. Mitigating these disparities necessitates structured sentencing guidelines, optimization of internal judicial directives, and the application of individualization principles supported by objective medical evidence. Strengthening the unifying legal function of the Supreme Court remains crucial for establishing a proportional, transparent, and substantively just criminal justice system.

Keywords: Legal qualification, illicit trafficking, self consumption, ratio decidendi, sentencing disparity, sentencing guidelines, legal certainty.

INTRODUCTION

The practice of illicit drug circulation in modern social order poses complex legal problems that test the resilience of the criminal justice structure. This circulation can occur through covert channels or the black market, including illegal drug trafficking practices conducted unlawfully to evade government supervision and prohibitions (Purwanto et al., 2024). Handling both users and dealers requires consistency in the application of enforcement articles to ensure the principle of legal certainty is implemented orderly. Law enforcement officers face the complexity of illicit trade modi operandi, which continuously transform alongside advancements in information technology. Applicable statutory provisions demand sharp interpretation by judges and investigators to distinguish criminal acts of distribution from personal use. Legal actions

taken by police and prosecutorial institutions establish a firm line between retributive criminal sanctions and medical recovery measures (Fitria et al., 2024). Although various regulations have been crafted by the government to address narcotics issues, circulation and usage continue to increase (Prabowo et al., 2024). Monitoring the traffic of illicit substances necessitates cross-institutional coordination with absolute legal authority. Formulative policy in drafting criminal norms serves as the primary foundation to direct both repressive and preventive measures in a balanced manner. Within the scope of the national legal order, enforcement against illicit substance offenses reflects the state's commitment to maintaining public order. Evidentiary procedures in court serve as a benchmark of justice for the disputing parties before the law.

The dynamics of criminal law in combatting illicit substance offenses reveal structural challenges from the investigation stage to the execution of court decisions. Criminal law is frequently utilized as a primary tool to handle various social issues, including efforts to overcome rising crime rates (Aryadi et al., 2024). The qualification of a criminal act requires precision in qualitative and quantitative evidence to prevent erroneous sanction imposition. Proving elements of distress, possession, and ownership of illicit substances often sparks differing interpretations between public prosecutors and defense counsel (Laia & Panggabean, 2024). Judicial institutions are demanded to establish agreed standards of legal reasoning to achieve uniformity of decisions in similar cases. Criminal policy implemented by the government relies on special criminal statutes that provide explicit limits on minimum and maximum sanction criteria. Firm action against distribution networks constitutes a form of protection for social order threatened by organized crime. Concurrently, the legal treatment of actors categorized as users requires validation by an integrated assessment team to determine appropriate action qualifications. Accountable law enforcement guarantees human rights and sanction certainty proportional to the offender's fault. Periodic evaluations of criminal law norms are imperative to respond to increasingly covert patterns of illicit traffic.

The evolution of transnational narcotics crime complicates enforcement processes at both domestic and international levels. A state's legal jurisdiction frequently conflicts with organized crime networks operating outside national sovereign territory (Kassab & Rosen, 2019). Extradition cooperation and mutual legal assistance serve as critical instruments to reach primary perpetrators of illicit trade offenses. Local law enforcement officers are required to possess a foundational understanding of international law and bilateral treaties concerning the eradication of illicit drugs. The seizure of assets derived from narcotics crime represents a strategic step to paralyze the financial circulation of criminal networks. Money laundering mechanisms are frequently utilized as supporting tools to trace the flow of illicit trade funds. The application of heavy financial penalties alongside custodial sentences is expected to provide a tangible deterrent effect for perpetrators. Decisiveness in confiscating crime proceeds reflects the state's commitment to paralyzing the reach of organized criminal networks. Strict legal procedures guarantee

that every asset seizure and confiscation action is conducted under a valid court order.

The construction of national criminal law grants broad authority to officers to conduct enforcement, yet the exercise of such authority must strictly submit to the principle of legality. Police discretion in making arrests and detentions must be measured according to the prevailing criminal procedure code (Yasa & Sugama, 2024). Abuse of authority during the investigation process can compromise the validity of evidence presented in court. Internal and external oversight of law enforcement performance is absolutely necessary to maintain the integrity of the criminal justice system. Judicial institutions serve as the final bastion in testing the legality of investigators' actions through transparent pretrial mechanisms. Judicial rulings that reflect society's sense of justice will enhance public trust in national legal authority. The interpretation of ambiguous statutory articles in narcotics law requires academic precision to prevent arbitrary officer behavior in the field. Legal certainty can only be achieved if every stage of law enforcement is executed according to established and tested standard operating procedures. Roscoe Pound's concept of law as a tool of social engineering positions law as a instrument to direct societal behavior, including in preventing and controlling illicit drug trafficking (Rianto et al., 2023). Organizing clean criminal justice governance serves as the primary prerequisite for creating legal certainty for all citizens.

Debates regarding the qualification of capital punishment and life imprisonment for large-scale narcotics crimes continue among legal academics. Narcotics offenders can be subjected to criminal sanctions because their actions have the potential to harm public welfare and impact national or regional finances (Hardyansah et al., 2022). In serious crime cases such as narcotics, terrorism, and corruption, capital punishment is often viewed as a severe form of sentence deemed necessary to address the immense impact caused by such offenses (Ferdinanta et al., 2024). Proponents of severe sanctions argue that the destructive power of these crimes is proportional to the harshest penalties in order to protect state security. Opponents of severe sanctions emphasize the right to life and the potential for judicial error that cannot be remedied once execution is carried out. Judges issuing rulings must carefully weigh retributive goals, general deterrence, and offender rehabilitation (Rafsanjani & Mustaffa, 2022). Balanced sentencing policies require comparative studies of legal systems in other countries that have successfully suppressed similar crime rates. Enforcement oriented toward substantive justice demands a strict distinction between victims of crime and principal perpetrators of illicit trade. In various cases, victims are instead often treated as perpetrators because they are considered involved in unlawful activities (Lukmantara et al., 2022). Evaluating the effectiveness of custodial sanctions serves as an important foundation for future correctional system reforms. The effectiveness of imposing criminal sanctions is also influenced by the approach applied in the law enforcement process (Suhartono et al., 2024). The integration of substantive criminal law and criminal procedural law is the primary key to the successful comprehensive prosecution of narcotics offenses.

The lack of clarity regarding substance threshold limits in statutes triggers disparities in judicial rulings that prejudice legal certainty for defendants. Public prosecutors frequently face difficulties in selecting the appropriate indictment article between qualifications of control, storage, or possession for distribution purposes. Divergent interpretations between police and prosecutorial authorities during the pre-prosecution stage often delay the settlement of criminal case files. This condition potentially creates legal loopholes exploited by irresponsible parties to allow principal perpetrators to escape maximum sanctions. The disarray in determining criminal offense qualifications directly impacts overcrowding in correctional facilities with varied case backgrounds. Divergent views among judges regarding criteria for pure users result in uneven standards for imposing rehabilitation measures across different judicial jurisdictions. The criminal law system loses its predictability when cases with similar qualifications are decided with extreme and opposing sanction verdicts.

The criminal justice system faces serious issues regarding the oversight of illicit substance evidence seized from investigation through destruction. The vulnerability to embezzlement or re-misuse of evidence by rogue officers damages the credibility of law enforcement institutions in the public eye (Putri et al., 2023). Evidence storage governance requires high transparency and strict oversight based on public accountability to prevent procedural deviations. Evidentiary procedures at trial rely entirely on the integrity of the chain of custody from the crime scene to the forensic laboratory. Non-independent forensic testing or legally flawed seizure procedures result in the entire prosecution process becoming void by law. Uncertainty in evidence management creates legal vulnerabilities that prejudice state interests in thoroughly eradicating criminal acts. Evidence governance reform is an urgent necessity to guarantee that law enforcement operates on principles of transparency and justice.

This study aims to comprehensively analyze the normative construction of criminal law regarding the legal qualification boundary between illicit trafficking perpetrators and independent users, as well as to evaluate judges' ratio decidendi in overcoming sentencing disparities. The theoretical contribution of this research lies in the development of special criminal law doctrine concerning the limits of discretionary authority and the certainty of tiered article interpretation. Practically, the results of this study provide formulative input for reforming narcotics criminal legislation and drafting sentencing guidelines for law enforcement officers to realize legal unity and substantive justice.

METHODS

This study applies a normative legal methodological framework by basing the analysis on the inventorying, qualification, and evaluation of written legal documents relevant to criminal law enforcement. A doctrinal approach is utilized to analyze vertical and

horizontal synchronization between legislative regulations and judicial decisions. The process of collecting primary and secondary legal materials is conducted in a structured manner through library research, isolating pure legal doctrines from the interference of empirical field data. The analysis of legal materials relies on grammatical, systematic, and teleological interpretation techniques to uncover the ratio legis behind norm formulation as well as application trends within judicial institutions. The researcher acts as an independent interpreter who critiques the consistency of legal norm application without involving the participation of respondents or direct research subjects. This qualitative review scheme ensures that general legal principles remain the primary benchmark in evaluating the textual effectiveness of special criminal statutes. Such methodological choices guarantee the depth of legal analysis focused on dogmatic integrity and legal logic (Soekanto & Mamudji, 2007).

The processing procedure of research materials is executed through three integrated stages encompassing legal material reduction, categorical presentation, and deductive conclusion drawing. Selection criteria for secondary legal materials prioritize reputable literature and widely recognized doctrines from criminal law experts. Scholarly validity is strictly maintained through cross-comparison among doctrinal sources to avoid interpretative deviations regarding the examined norms. A conceptual approach is utilized to strictly distinguish the qualification boundaries of criminal acts regulated under tiered statutory articles. The researcher outlines the legal considerations of judges from first-instance courts up to the cassation level to map the consistency of legal reasoning. This normative qualitative framework safeguards the analysis from subjective claims and directs the research toward the formation of rational and tested scientific conclusions. This structured synthesis system of legal materials provides a tangible contribution to mapping normative problematics within criminal justice (Marzuki, 2008).

RESULTS AND DISCUSSION

Legal Construction of the Boundary Between Illicit Trafficking and Personal Use

The construction of national criminal law in addressing illicit drug crimes rests on statutory formulations that explicitly distinguish commercial acts from personal consumption. Lawmakers designed the formulation of offenses to ensure that criminal prosecutions target appropriate objectives. The qualification of illicit trafficking is characterized by elements of offering for sale, selling, buying, receiving, acting as an intermediary in buying and selling, exchanging, or delivering. These elements indicate a criminal intent oriented toward financial gain or material distribution to other parties (Marks, 2019). This legal act is categorized as a serious crime threatening public order and the safety of the broader community. Proving this action requires precision in identifying a causal relationship between possession of goods and the intent to distribute. Law enforcement officers are bound by moral and legal obligations to prove all statutory

elements without relying on mere assumptions. The absence of supporting evidence indicating distribution intent results in the invalidity of trafficking charges. The firmness of this separation forms the primary foundation for maintaining the principle of legal certainty at every stage of criminal justice.

Determining the qualification for personal users relies on statutory formulations regulating acts of planting, cultivating, owning, storing, possessing, or using for oneself. These legal criteria are designed to provide legal protection for individuals ensnared as victims of illicit substance dependency. The fundamental difference between possession for distribution and possession for personal consumption lies in the perpetrator's subjective intent (*mens rea*) and the availability of supporting physical evidence. Possession of evidence in limited quantities without accompanying commercial transaction apparatus must be interpreted as an indication of personal use. Legal interpreters are required to apply accurate legal rules to avoid ensnaring personal users under trafficking articles carrying mandatory minimum prison sentences. Proving personal user status frequently depends on urine test results and medical assessments from authorized institutions. Proper qualification at the initial investigation stage dictates the direction of prosecution and judicial reasoning in court proceedings. Errors in qualifying criminal acts carry a high risk of damaging the sense of justice and undermining the very purpose of punishment itself.

The primary challenge in pre-prosecution arises when investigators utilize multi-tiered charges cumulatively or alternatively to anticipate proof failure in court. The practice of drafting indictments combining trafficking and personal use articles simultaneously creates legal uncertainty regarding the defendant's standing (Ruggiero, 2022). Public prosecutors tend to select the harshest charge to secure a criminal conviction without considering objective crime scene facts. This condition reflects a mechanical tendency in the law enforcement process that disregards fundamental qualification differentiation. Defendants who should be qualified as personal users are frequently left vulnerable to custodial sentences as traffickers. This overly formalistic legalistic approach distances the judiciary from achieving the substantive justice envisioned by criminal law. Harmonizing perceptions between investigators and public prosecutors regarding qualification boundaries is an absolute, non-negotiable necessity. Accountable law enforcement requires every investigative action to be grounded in the analysis of lawful and relevant qualitative evidence.

Evidence thresholds or substance quantity (grammage) seized are frequently used as the sole indicator by law enforcement officers to determine criminal qualifications. This quantitative approach possesses fundamental weaknesses because the quantity of evidence held does not always correlate directly with an intent to distribute. A person possessing illicit substances above a certain threshold does not necessarily possess commercial intent if supporting evidence—such as digital scales, clip packaging, or transaction communication records—is absent. Interpretations relying strictly on

quantitative aspects potentially generate discriminatory and unfair legal treatment. Trial judges are obligated to examine court facts comprehensively to uncover the material truth behind evidence possession. Overreliance on quantity limits narrows the scope of justice and disregards the defendant's psychological condition and medical history. An evaluation of these quantitative criteria is urgently needed so that the application of criminal articles returns to the original intent of statutory enactment.

Police discretionary authority at the investigation stage plays a crucial role in determining the disposition of illicit substance cases. Discretion unguided by strict legal criteria carries the potential to trigger abuses of power and transactional practices in the field. Classifying an individual as a suspect trafficking perpetrator or a personal user is frequently determined by the subjective judgment of investigators at the time of arrest (Ohoiwutun & Soekorini, 2024). Absent adequate internal oversight, arrest actions can disregard basic principles of human rights protection. Investigative governance must be equipped with standard operating procedures mandating prompt medical and legal assessments. Integrating investigative teams with medical professionals during initial testing serves as an important instrument to minimize officer subjectivity. Strengthening external oversight systems is likewise necessary to maintain integrity and transparency throughout the investigation process. Only through objective and measured investigations can accurate legal qualifications be consistently enforced.

The role of forensic laboratories in providing scientific evidence constitutes a core pillar determining the legal qualification of a criminal act. Testing illicit substance contents and analyzing a defendant's addiction level provide objective data for public prosecutors and judges. Scientific evidence functions to rebut or corroborate legal assumptions regarding a defendant's qualification in court proceedings. Delays or inaccuracies in forensic test results can disrupt judicial proceedings and prejudice the defendant's legal rights. The independence of forensic institutions must be safeguarded from outside intervention so that test results carry unshakeable evidentiary weight. Certification and standardization of forensic procedures serve as a quality guarantee for the validity of evidence presented at trial. Presenting comprehensive forensic evidence assists judges in understanding the degree of the defendant's dependency and distinguishing it from pure dealer qualifications. Strengthening judicial forensic capacity is a concrete step toward solidifying special criminal law certainty.

First-instance judicial institutions frequently face legal dilemmas when adjudicating cases where charged statutory qualifications do not align with trial facts. Judges are bound by the principle that a judgment cannot exceed what is charged by the public prosecutor in the indictment (*ultra petita*). If a public prosecutor solely submits trafficking charges while trial facts establish that the defendant is a personal user, judges are placed in an extremely complex position. This situation often forces judges either to acquit the defendant or, conversely, to impose disproportionate custodial sentences. Limitations regarding prosecutorial framing within indictments highlight the importance of sharp

prosecutorial analysis from the inception of charge formulation. Flexibility in judicial interpretation within the framework of criminal procedural law is necessary to correct qualification errors without violating the defendant's rights of defense. The judge's acumen in formulating legal reasoning serves as the ultimate test for enforcing substantive justice in the courtroom.

The restorative justice perspective is increasingly advanced as a complementary instrument to correct the rigidity and harshness of conventional criminal qualifications. The application of restorative justice principles within Indonesia's criminal legal system is being widely discussed as an alternative for handling various criminal cases featuring complex issues and needs (Wijaya et al., 2022). This approach offers out-of-court dispute resolution mechanisms specifically tailored for personal users, prioritizing rehabilitation and recovery. Integrating restorative justice into the criminal justice system aims to alleviate correctional facility overcrowding and restore the offender's social standing. Implementing this mechanism demands measurable qualification criteria so that it is not exploited by illicit trafficking networks. Clear technical regulations are imperative to limit law enforcement discretion in determining which cases are suitable for recovery channels. Synergy among law enforcement agencies, health institutions, and social services is key to the successful execution of restorative justice. This paradigm shift in sentencing reinforces a movement away from retributive orientation toward sentencing focused on rehabilitation and human recovery.

Differences in legal qualifications also directly impact the management and governance of correctional facilities nationwide. Housing organized crime trafficking network operatives together with personal users within a single facility produces fatal consequences for correctional rehabilitation (Pantea, 2024). Personal users who should undergo medical and social recovery become vulnerable to recruitment into illicit trade networks inside prisons. This condition exacerbates crime rates and nullifies the deterrent effect expected from criminal sanctions. Inmate classification based on court-established legal qualifications must be strictly enforced by correctional authorities. Constructing dedicated rehabilitation facilities separate from general correctional institutions represents a strategic solution that can no longer be delayed. Physical separation and targeted rehabilitation programs will ensure that recovery objectives for personal users are optimally achieved.

The impact of uncertainty in separating these qualifications extends to declining public trust in the authority of criminal law. The public perceives manifest injustice when minor users receive severe sentences while major traffickers frequently obtain relatively light penalties. This perception of discrimination damages judicial legitimacy and fuels skepticism regarding overall law enforcement efficacy. Transparency in qualifying criminal acts and consistency in sentencing are absolute prerequisites for restoring public trust. Law enforcement officers must demonstrate to society that law is enforced fairly without regard to a defendant's social or economic status. Effective law enforcement

requires active public participation (Saputra et al., 2021). Educating the public regarding the legal distinctions between dealers and users is also essential to building rational legal awareness. Criminal law legitimacy can only be sustained if principles of justice and legal certainty are tangibly applied in every judgment.

Aspects of human rights protection demand that every suspect or defendant receive the right to a fair and balanced legal defense. Defense counsel plays a pivotal role in ensuring that legal qualifications charged by investigators align with actual material facts (Kizi, 2024). Access to quality legal aid must be guaranteed by the state, particularly for financially underprivileged individuals. Disparities in legal defense capabilities frequently serve as the primary reason personal users become trapped under dealer qualifications. Courts must provide adequate opportunity for defense counsel to present counter-evidence and mitigating expert witnesses. The presence of effective legal defense ensures that cross-examination mechanisms at trial proceed honestly and transparently. Protecting human rights within criminal proceedings serves as a primary indicator of a democratic and civilized constitutional state (Rechtsstaat).

The firmness of criminal law norms depends heavily on the integrity and interpretive sharpness of law enforcement officers across every judicial level. A sharp separation between illicit trafficking and personal use is not merely a technical drafting issue, but a manifestation of individual rights protection and the enforcement of substantive justice. Overreliance on quantitative evidence thresholds must be replaced by comprehensive proof testing subjective intent (*mens rea*) and the broader context of the act. Reforming criminal procedural law and strengthening investigative standard operating procedures represent urgent steps to eliminate subjectivity and false legal certainty. Synchronizing understanding among investigators, public prosecutors, and judges is the primary key to realizing a proportional, accountable, and just criminal justice system.

Judicial Ratio Decidendi and Mitigation of Criminal Sentencing Disparities

Ratio decidendi, or the legal considerations forming the basis of a judge's operative verdict, constitutes the core of justice enforcement within judicial institutions. These considerations reflect the judge's legal reasoning in assessing the relevance between facts revealed at trial and the statutory elements of charged offenses. Judges do not merely serve as mouthpieces of the statute (*la bouche de la loi*), but as active legal interpreters evaluating the defendant's degree of fault. In illicit substance cases, the foundation of judicial reasoning must outline substantive justifications behind selecting sentence types and severity. Assessing good faith, absence of prior criminal records, and degree of substance dependency forms the critical substance of written considerations. The sharpness of legal reasoning determines whether a rendered judgment meets criteria for retributive or rehabilitative justice. The absence of logical and consistent reasoning risks invalidating judgments and opening opportunities for reversals at appellate or cassation levels. Solid legal considerations serve as the primary pillar for building an accountable judicial doctrine.

Imposing extremely varied criminal sentences on cases sharing similar characteristics and severity indicates sentencing disparities that threaten legal certainty. These disparities frequently stem from differing philosophical orientations among individual judges regarding sentencing objectives (Siallagan et al., 2022). Certain judges favor a retributive approach focusing purely on punishment through severe custodial sentences. Conversely, other judges prioritize a rehabilitative approach emphasizing physical and social recovery for offenders. This inconsistency creates legal uncertainty for defendants whose fates depend on the composition of the adjudicating judicial panel. Another cause of disparity is the wide range between minimum and maximum statutory penalties provided by special criminal legislation. Without binding sentencing guidelines, judicial discretion becomes expansive and vulnerable to extra-doctrinal influences. The phenomenon of sentencing disparity demands concrete mitigation measures to uphold equality before the law.

Mitigating criminal sentencing disparities requires formulating structured and measurable sentencing guidelines for the judiciary. These guidelines serve as instruments to regulate judicial discretion without impairing judicial independence in adjudicating cases. The formulation of sentencing guidelines should contain a matrix for determining sanctions based on qualitative and quantitative crime variables (Tonry, 2019). The severity level of the offense, the perpetrator's degree of network involvement, and the magnitude of societal impact represent primary variables in the sentencing matrix. Clear guidelines assist judges in formulating more rational, transparent, and predictable ratio decidendi. Utilizing these guidelines also facilitates appellate and cassation courts in reviewing the consistency of legal reasoning applied by lower courts. This harmonization step minimizes discriminatory treatment and guarantees that every sentence imposition is based on a uniform standard of justice.

The issuance of circular letters or technical guidelines by the Supreme Court serves as a strategic medium to bridge technical regulatory gaps regarding sentencing boundaries. Internal judicial instruments guide judges to optimize rehabilitation sanctions for pure personal users. Applying these technical guidelines strengthens legal certainty by providing uniform references for lower court judges. Nevertheless, the effectiveness of technical directives depends heavily on commitment and shared understanding among judges in the field. Establishing mutual consensus regarding sentencing benchmarks is a priority to avoid sharp interpretive differences across jurisdictions. Consistent application of Supreme Court technical directives demonstrates that judicial reform can proceed internally without awaiting comprehensive statutory amendments. Strengthening judicial oversight functions is imperative to ensure technical guidelines are executed obediently and responsibly by all judicial panels.

Judicial legal considerations are obligated to pay specific attention to trial facts presented by medical and criminal law expert witnesses. Expert testimony provides an objective scientific foundation for judges to assess the defendant's psychological and physical

condition at the time of the act. Forensic medical test results regarding addiction levels constitute crucial evidence underlying considerations to order rehabilitation sanctions (Renata & Myharto, 2024). Judges who disregard expert testimony without valid legal grounds can be categorized as negligent in considering key trial facts. Integrating non-legal scientific knowledge with criminal law dogmatics enriches the quality of the resulting ratio decidendi. This interdisciplinary approach ensures judicial rulings are not only formally correct legally, but also fair medically and humanely. Thorough, evidence-based judicial considerations reflect the maturity of a modern judicial system (Barda Nawawi Arief, 2010).

The dilemma of sentence imposition becomes increasingly complex when judges face statutory criminal provisions establishing high mandatory special minimum penalties. Special minimum penalty provisions often bind judges' hands, preventing the imposition of fair and proportional sentences matching the offender's culpability. Cases where defendants acted merely as minor couriers promised minimal remuneration often carry threats of over a decade in prison due to mandatory minimum provisions. This condition creates glaring injustice where imposed criminal penalties are out of proportion with the act's blameworthiness. Judges who boldly make legal breakthroughs occasionally depart from mandatory minimum provisions by prioritizing substantive justice and equitable legal certainty. However, such judicial breakthroughs frequently trigger fundamental disagreements among legal practitioners and scholars. Restructuring mandatory minimum penalty formulations in special criminal law is an urgent agenda to restore flexibility in proportional sentencing.

The use of teleological or sociological interpretation by judges serves as an effective tool to correct the rigidity and harshness of written statutory text. Teleological interpretation directs judges to understand the primary objective of statutory enactment: protecting society while rescuing individuals from the harmful effects of illicit drugs. Through this interpretation, judges can bypass textual barriers to provide recovery for users who have been charged under illicit trafficking articles. Judicial law-making through progressive rulings acts as a driving engine for national criminal law reform. Jurisprudence generated by progressive judges serves as a primary reference for other judges resolving similar cases. The authority of jurisprudence as a source of law helps establish judgment uniformity and reduce disparity levels moving forward. Judicial courage in formulating interpretations oriented toward substantive justice represents a tangible expression of judicial sovereignty.

Judicial oversight through judgment examination mechanisms (eksaminasi putusan) conducted by academics and supervisory bodies serves as a critical means to evaluate the quality of judges' ratio decidendi. Public examination of rulings exhibiting sharp disparities exerts moral pressure to improve judicial performance. Critical analysis of legal reasoning reveals whether a judgment is grounded in valid legal logic or subjective conclusions. Examination findings serve as internal evaluation materials for the Supreme

Court to formulate more targeted judicial training policies. Judgment transparency accessed publicly through court repositories enables the public to monitor legal consistency. An open judicial attitude toward academic critique strengthens court legitimacy and authority in the public eye. Continuous public oversight fosters high-quality, fair judgments founded upon universal legal principles (Sudikno Mertokusumo, 2009).

The individualization of sentencing approach represents a fundamental principle that must be integrated into all judicial legal considerations. This principle dictates that criminal sanctions must be tailored to the personal characteristics, social background, and self-rehabilitation potential of each individual defendant. No two criminal cases are identical; thus, applying uniform, generalized sanctions without considering individual aspects constitutes a form of injustice. Judges are obligated to examine a defendant's life history to identify mitigating or aggravating sentencing factors. Sentence individualization prevents the criminal justice system from automatically imposing imprisonment, which carries the potential to ruin an offender's future. Implementing this principle strengthens the educational and resocialization functions of criminal penalties rather than treating them merely as instruments of suffering. A *ratio decidendi* incorporating sentence individualization analysis reflects mature, civilized, and future-oriented legal reasoning.

The role of the cassation level at the Supreme Court is decisive in maintaining legal unity and correcting sentencing disparities at lower levels. The Supreme Court holds the authority to overturn or modify first-instance and appellate decisions proven to have misapplied the law. Cassation and judicial review rulings containing consistent legal reasoning function as standard benchmarks for the entire judiciary. The *judex juris* function executed by the Supreme Court ensures that the interpretation of criminal statutory provisions operates within established national legal corridors. Correcting flawed legal reasoning re-establishes the boundaries of criminal act qualifications and appropriate sanctions. Strengthening the Supreme Court's role at the apex of the judiciary accelerates judgment harmonization and eliminates irrational disparities. The success of this supervisory function guarantees equal legal certainty across all state territories.

The impact of structuring *ratio decidendi* and mitigating disparities is reflected in the realization of a predictable and equitable criminal justice system. Rational legal certainty provides clarity for the public regarding the legal consequences of every criminal act committed. Law enforcement officers, from investigators to public prosecutors, will be driven to construct allegations and indictments more meticulously and realistically (Hamdi, 2024). Gradual reduction of disparity levels restores public trust in judicial institutions and eliminates perceptions of legal unfairness. Accountable judicial governance supports effective crime enforcement without sacrificing the fundamental rights of disputing parties. Sustained criminal law reform depends heavily on consistently refining standards of legal reasoning within judicial environments. The integration of

precise regulations, measurable sentencing guidelines, and judicial integrity forms the primary key to the triumph of the rule of law.

Legal considerations stand as the primary fortress in upholding justice and curbing criminal sentencing disparities. Mitigating disparities requires combining measurable sentencing guidelines, optimizing internal judicial technical directives, and encouraging judicial courage to apply progressive legal interpretations. Evidence-based judicial considerations, sentence individualization, and public examination transparency ensure that imposed criminal penalties remain proportional and accountable. Strengthening the Supreme Court's supervisory and unification functions solidifies legal certainty and restores the legitimacy of the criminal justice system in the eyes of society.

CONCLUSION

The construction of national criminal law in addressing illicit substance offenses demands sharp legal qualification to strictly distinguish between illicit trafficking perpetrators and personal users. Normative clarity and precise, comprehensive proof—moving beyond sole reliance on quantitative evidence thresholds—serve as the primary keys to realizing substantive justice. Criminal sentencing disparities arising from differing judicial perspectives can be mitigated by formulating measurable sentencing guidelines, optimizing judicial technical directives, and basing legal considerations on scientific-medical evidence and sentence individualization. Strengthening the Supreme Court's supervisory and legal unification functions guarantees the creation of fair, transparent, and accountable unity in legal interpretation across all judicial levels.

The findings of this study carry theoretical implications for the development of special criminal law doctrine, particularly in establishing standards for judicial legal reasoning and defining the limits of law enforcement discretion at the pre-prosecution stage. Practically, this analysis serves as a formulative reference for lawmakers in drafting proportional reforms to narcotics criminal regulations and bridging legal loopholes that trigger judgment disparities. Structuring investigative and prosecutorial standard operating procedures based on qualitative evidence will foster law enforcement efficiency while alleviating overcrowding in correctional facilities. The implementation of uniform sentencing guidelines strengthens legal certainty and enhances public legitimacy and trust in the transparency of the national criminal justice system.

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