

The Reconstruction of Indonesian Criminal Sanctions against Perpetrators of Corruption Based upon Justice

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Corruption in Indonesia continues to show an increase from year to year. Corruption has been widespread in society, both in the number of cases that have occurred and the number of losses to the state, as well as in terms of the quality of the criminal acts committed have become more systematic and have penetrated all aspects of public life. The criminal sanctions imposed by judges against perpetrators of corruption vary widely, and there are even striking disparities in crimes against the perpetrators so that they are considered unfair. The purpose of this study is to analyze the reconstruction of criminal sanctions against the perpetrators of corruption in Indonesia based on the value of justice. The method used in this research is juridical empirical. The data sources consisted of primary data obtained by conducting interviews with judges and secondary data obtained by conducting literature studies. The data collected was then analyzed using a qualitative descriptive method. The results of the research on criminal sanctions in the law to eradicate corruption in Indonesia use a special, light minimum system, which is a minimum of 1 year in prison, and the penalty for returning the State money is the same as that for corruption, as a result judges tend to decide corruption cases with light criminal sanctions so that they need to be reconstructed by intensifying the special minimum sentence to a minimum of 10 years in prison and the punishment of returning the State money twice the money corrupted by the perpetrator, in order to have the effect of general prevention which in turn can reduce the level of corruption in Indonesia.

Keywords: *Reconstruction, Sanctions, Corruption, Criminal.*



Introduction

Indonesia has entered the 21st century with economic growth still stagnating and in many ways it is still far from ideal. Although Indonesia is not the poorest country, the poverty rate is still quite high. This is not because natural resources are poor but on the contrary. Indonesia's natural wealth is abundant but has not been able to make its citizens prosperous, and this is due to many factors, one of which is the rampant corruption in all aspects of people's lives (Wibowo, 2018).

Corruption is a very despicable act because its impact can not only cause huge losses to state finances and the country's economy, but also violate the social and economic rights of the community at large. In Indonesia, corruption is widespread in society and its development continues to increase from year to year, both in terms of the number of cases that have occurred and from the number of state losses. Apart from that, in terms of the quality of criminal acts, corruption is increasingly systematic with a wide scope that enters all aspects of public life. Corruption is an extraordinary crime because it violates the economic and social rights of the community. That is why the handling of this problem must be extraordinary in order to provide a deterrent effect on the perpetrators and to fulfill the sense of justice in society. Law enforcement officials, whether investigators, public prosecutors, and judges should uncover all corruption cases completely (Isra, Yuliandri, Amsari, & Teganan, 2017).

From several reports in the mass media, both television and newspapers that report on the proceedings of the investigation process at the court of corruption in Indonesia, it can be seen that many decisions are still far from the sense of justice of the community, either in the form of acquittals against the accused or the lack of criminal sanctions imposed by the judge against the perpetrator of a criminal act. According to the public, the important thing that must be done to corruptors is a form of punishment that makes them deterrent. One of them is to increase the punishment imposed on corruption perpetrators so that other potential corruptors will think a thousand times before committing acts of corruption. The form of punishment that is most appropriate to be imposed on corruptors and which is suspected of having a deterrent effect is to impoverish the corruptors. All assets proceeds from corruption must be confiscated so that corruptors cannot make economic calculations of their evil behavior of robbing state funds. In addition, with the addition of imprisonment, the perpetrators will feel the suffering of the community whose welfare they have taken away (Wahyuningsih, 2017a).

In Law No.31 of 2009 concerning the Eradication of Corruption Crime, the criminal threat for corruptors varies widely, ranging from 1 year imprisonment to 20 years in prison, even in certain cases there is a death penalty. The maximum fine is Rp. 1 billion. The system for formulating criminal threats for certain articles uses a special minimum threat system of 1 year, so that judges in making decisions are more likely to approach this special minimum. This

certainly does not bring justice to society, because judges are considered to prioritize legal certainty rather than justice. Efforts to eradicate corruption in Indonesia have almost reached half a century, which should have decreased the number of corruption crimes in Indonesia, because there have been efforts to eradicate corruption with the enactment of laws on the eradication of corruption and convictions of perpetrators of corruption. in fact the number of incidents of corruption is increasing (Wahyudi, 2018).

This is of course inseparable from the judge's factor, as the party given the authority by law to impose sanctions on perpetrators of criminal acts. Judges are expected to be able to provide justice by applying the law in accordance with the community's sense of justice. And in every criminal process (as an act of applying sanctions), the judge should consider the sense of justice in society, and not only act as a mouthpiece for the law, but the judge must be able to provide substantive justice. Because convictions against perpetrators of corruption in Indonesia have so far not been effective in preventing the occurrence of new corruption crimes, the existing criminal pattern must be reconstructed to find an ideal model in punishment so that it can provide a deterrent effect and a deterrent effect in corruption. in Indonesia. Based on the above background, the purpose of this study is to analyze the reconstruction of criminal sanctions against perpetrators of corruption in Indonesia based on the value of justice (Deng, 2018).

Methods

The approach method used in this research is sociological juridical, using a statute approach and a case approach. Sources of data used are primary data obtained by conducting interviews with prosecutors and judges who handle corruption cases at the Corruption Court and secondary data obtained by conducting literature and document studies. The data obtained were then analyzed using a qualitative descriptive method.

Result and Discussion

Sanctions for the Perpetrators of Corruption Crimes

In Indonesia, the criminal act of corruption is one part of special criminal law besides having certain specifications that are different from general criminal law, such as irregularities in procedural law and when viewed from regulated material, the criminal act of corruption is directly or indirectly intended to suppress to a minimum. leakage and irregularities in the country's finances and economy (Maksum & Surwandono, 2017).

By starting from this aspect, the regulations on criminal acts of corruption have undergone many changes. They are revoked and replaced with new regulations. This is understandable because on the one hand the development of society is so fast and the modus operandi of corruption is increasingly sophisticated and varied, while on the other hand the development

of law (law in book) is relatively behind with the development of society. In the law to eradicate corruption in Indonesia, there are several the kinds of acts that are included in the criminal act of corruption, namely any person who violates the law to enrich himself and cause losses to the state finances. This criminal act of corruption is referred to in Article 2 of Law No.31 / 1999 concerning the Eradication of Corruption, which can be found in its elements, namely every person, enriching himself or another person or a corporation, harming state finances (Sabani, Farah, & Sari Dewi, 2019).

Misusing authority, opportunity because of position or position and causing losses to state finances. Thus, this criminal act is referred to in Article 3, where the elements of a criminal act, namely any person with the aim of benefiting himself or another person, misuses his / her authority, opportunity or means, harms state finances or the state economy. Giving gifts or promises to civil servants keeping in mind the powers that be in the network. This type of crime is referred to in Article 13, which includes the elements of the crime, namely giving gifts or promises, given the power or authority attached to the position. Assist or agree to commit a criminal act of corruption. This type of crime is referred to in Article 15, which includes the elements of a criminal act, namely conducting an attempt, assistance or consensus, committing a criminal act of corruption. Providing assistance or facilities from outside the territory of Indonesia for corruption. The elements of this crime are contained in Article 16, namely outside the territory of Indonesia, providing assistance, opportunities, facilities, information for the occurrence of a criminal act of corruption (Joseph Joseph et al., 2016).

In the provisions of Law Number 31 of 1999, there is a procedural law that must be applied to investigators, prosecution and examination at court proceedings in corruption cases. Examination of corruption offenses must have a high priority, in the sense that the trial must take precedence over other cases. Meanwhile, the procedural law applied in the examination of corruption offenses is the procedural law that applies to criminal cases, namely Law Number 8 of 1981 concerning the Criminal Code (KUHP), State Gazette Number 76 of 1981, unless otherwise stipulated in the Law. As part of the special criminal law (*Ius Singulare, Ius Speciale* / *Bijzonder Strafrecht*), the criminal act of corruption has a special procedural law that deviates from the rules of procedure in general. Concretely, the existence of irregularities which are intended to speed up procedures and facilitate investigation, prosecution and trial in obtaining evidence of a corruption case and such deviations do not mean that the basic rights of the suspect / defendant in the crime of corruption are not guaranteed or protected, but are endeavored in such a way. in order to save human rights from the dangers caused by acts of corruption (Henderson & Kuncoro, 2011).

Data from Indonesia Corruption Watch (ICW) states that most decisions are considered too light when compared to the prosecutors' demands. From the data in 2018, it is revealed that from 1,053 cases with 1,162 defendants who were convicted in the District Courts, High Courts

and the Supreme Court, on average the overall verdicts against perpetrators of corruption were mostly light with imprisonment (1 year to 4 years) from 918 the defendant and the verdict in the medium category (4 years - 10 years imprisonment) of 180 defendants. The average overall verdict is 2 years and 5 months. From the judge's decision, the public considered that the criminal sanctions imposed on corruptors had not been able to provide a deterrent effect so that corruption was increasingly rampant (Wahyuningsih, 2017b). Findings from Indonesia Corruption Watch regarding the Trends in Corruption Court Sentences During 2019 found that in 3 domains of the court, namely the district court, the appellate court and the cassation court, it turned out that 941 cases were heard at the first level court, 56 cases at the appeal level, and 22 other cases at the court level cassation and review at the Supreme Court. The average verdicts at each court level are as follows:

Tabel 1. Average Of Judgments On Corruption Cases In Indonesia Year 2019

Num	Court Level	Average Prison Verdict
1	First degree court	2 years 6 months
2	High Court	3 years 8 months
3	Supreme Court	3 years 8 months
Average Prison verdicts		2 years 7 months

Referring to Article 10 of the Criminal Code which states about the main crimes (imprisonment and fines), the ICW findings average imprisonment for corruptors is only 2 years 7 months in prison. Meanwhile, the fine was Rp. 116,483,500,000. The findings related to the verdict have increased compared to 2018 which was only 2 years and 5 months in prison.

Throughout 2019, courts at various levels released 41 defendants and handed down verdicts on 13 defendants. If presented about 5.2% of the total decision handed down by the panel of judges. This number is the highest when compared to 27 defendants in 2018 and 35 defendants in 2017. In essence, decisions in the form of acquittal or release are commonplace in law enforcement. In connection with Article 183 KUHAP, if the judge cannot find two pieces of evidence relevant to the criminal act and he does not believe that the defendant is guilty, by law the defendant must be acquitted of every indictment. Likewise with the acquittal decision, in which the indictment is proven but is not a criminal act. However, the problem can not only be seen as normative, but transactional portraits in court institutions must also receive the spotlight. The panel of judges should not let the acquittal or release sentence be based on certain transactions. Not only that, the prosecutor's indictment and evidence must be seriously evaluated. Because, if the verdict is correct based on good legal considerations, it means that the fault lies with the law enforcer, in this case the prosecutor in formulating an indictment or a strategy of proof (Alfada, 2019).

Courts are law enforcement agencies in the criminal justice system (criminal justice system). The seekers of justice (justisiabelen) put their hopes in the court to get justice. Justice seekers (justisiabelen) want simple, fast and low cost trials. In this case, judges have a very important and strategic role to achieve justice (Hay, Widdowson, & Young, 2018).

Soerjono Soekanto has distinguished the function and position of judges in the criminal justice process into two main functions, namely the ideal function and the supposed function.

- First, the ideal function, namely the function contained in the provisions of Article 1 to 1 of Law Number 48 of 2009 concerning Judicial Power which states that: "Judicial power is the power of an independent state to administer judiciary to enforce law and justice based on Pancasila and The 1945 Constitution of the Republic of Indonesia, for the sake of implementing the State of Law of the Republic of Indonesia. "
- Second, the functions that should be as stipulated in the provisions of Article 18 of Law Number 48 of 2009 concerning Judicial Power which regulates as follows: "Judicial power is exercised by a Supreme Court and judicial bodies under it in the general court environment, the environment of religious courts. , the military court environment, the state administrative court environment, and by a Constitutional Court. Then regulated in Article 4 of Law Number 48 Year 2009 concerning Judicial Powers which regulates as follows: "(1) The court shall judge according to the law without discriminating against people. (2) Courts assist justice seekers and strive to overcome all obstacles and obstacles in order to achieve a simple, fast, and low cost trial. " Furthermore, Article 5 of Law Number 48 of 2009 regulates as follows: "(1) Constitutional judges and judges are obliged to explore, follow and understand legal values and a sense of justice that lives in society. (2) Judges and constitutional judges must have integrity and personality beyond reproach, be honest, fair, professional, and have experience in the field of law. (3) Judges and constitutional judges must obey the Code of Ethics and the Code of Conduct of Judges. " And the provisions stipulated in Article 10 paragraph (1) of Law Number 48 of 2009 concerning Judicial Powers which state as follows: "(1) The court is prohibited from refusing to examine, hear and decide a case filed on the pretext that the law does not exist. or less clear, but it is obligatory to examine and judge them. "

Criminalization is the process of imposing sanctions by a judge on the party who is found guilty, so that the analysis of this study will focus on the factors that influence the judge in the process of imposing a criminal on corruption. This relatively light sentencing condition certainly has not been able to fulfill the public's sense of justice, because the relatively light punishment certainly does not make other parties feel afraid to commit the criminal act of corruption (Lewis & Hendrawan, 2019).

Sudikno Mertokusumo is of the opinion that the existence of judges as a tool of law enforcement in Indonesia today has a negative perception from society. This is because the judge's decision still does not fulfill the sense of justice of the community. So far, convictions of corruption have not been fair and have not been able to provide a sense of a deterrent effect for people who intend to commit a criminal act of corruption. This is influenced by several factors, including the following:

1. Judges still have legalistic and textual positivism paradigms in handling corruption cases.

Legal positivism was born and influenced by the positivism school of philosophy in the XIX century. Positivism thinking in law coincided with the birth of the modern state. Legal positivism has become thick with legal formalization. H.L.A Hart has provided the main characteristics of positivism in law, including:

- That law are commands of human being.
- That there is no necessary between law and morals, or law as it is and law as it ought to be.
- That analysis or study of meanings of legal concept is an important study to be distinguished from (though in no way hostile to) historical inquiries, sociological inquiries, and critical appraisal of law in terms of moeals, social aims, functions.
- That the legal system is a closed logical system in which correct decisions can be deduced from predetermined legal rules by logical means alone.

The free translation is that law is a commandment from humans, there is no relationship between law and morals, or existing law and law should be, the analysis of the study of the meaning of the conception of law must be distinguished from historical research, sociological research, or research on the origin of laws. and the legal system is a logical, closed system, meaning that correct legal decisions can be produced in a logical manner. From this, positivism can be understood as the rational application of laws to concrete cases or cases. This view is also called legalism or the flow of legism, where law is considered a logical system for the implementation and settlement of all cases because of its rational nature (Henderson & Kuncoro, 2011).

The understanding of legal positivism still dominates the way of thinking of judges in handling corruption cases. The implication is that judges are not free to explore in search of material truth in order to present fair, correct laws and protect the interests of society. The failure of judges in proving cases handled is because judges only adhere to deductive thinking and do not explore and develop inductive thinking in finding legal facts.

The tendency of the legalistic positivism paradigm is the result of the knowledge system possessed by the judges. The paradigm of thinking that this legalistic positivism is actually born from the legal understanding followed by judges, namely legal positivism. This of course cannot be separated from our legal teaching system, which so far has assumed that our law as a legacy of the Dutch East Indies originates from the family of the continental legal system (civil law system) or what Rene David calls The Romano Germanic Family. This view is motivated by several things, namely:

- the historical background and development of the legal system (the historical background and development of the system);
- its characteristic typical mode of thought;
- its distinctive institutions;
- the types of legal sources it acknowledges and its treatment of these);

Judges with a legalistic positivism paradigm have the following characteristics:

- the law as the only reference and source deemed valid in handling cases;
- Judge's discretion to make legal findings lacks space;
- the judge becomes the mouthpiece of the law;
- emphasizes the dimensions of procedural justice with an emphasis on legal certainty;
- establish a deductive logic (top down) in getting to the truth.

These characteristics are a reflection of the legal culture of judges in understanding law, both dimensions of ontology, axiology and epistemology. In the ontology dimension, which is related to the nature of the law applied, whether law is interpreted as a principle of justice and truth or is law interpreted as positive law in the statutory system. In the axiological dimension, namely whether the goals to be achieved with law, justice (*gerechtigheit*), legal certainty (*rechtssicherheit*), and benefits (*zweckmaaigkeit*), or all three. In the epistemological dimension, namely at the level of the approach method used by the subject in dealing with the object of his study (Piza & Gilchrist, 2018).

The legalistic positivism paradigm adopted by most judges will give birth to a textual way of thinking. This means that in solving the problems faced by him, the judge will tend to first look at the textual of the legislation, so that if this is not accommodated in the statutory text, the judge will not try to make legal findings (Wahyuningsih, Danujaya, & Iksan, 2020).

In the application of a special minimum punishment, which is a special provision in the law on corruption. Based on research results in the 2013 Indonesian Supreme Court is still applying deviation to the minimum special penalties, namely 3 cases that were decided less than 1 (one) year. The absence of sentencing guidelines in special laws outside the Criminal Code that include a special minimum sentence in the formulation of the offense including the Corruption

Crime Law, in turn has the potential to cause juridical problems at the implementative level. This is related to the practice of implementing a special minimum crime against corruption. This means that even though the formulation of the offense has explicitly determined the minimum penalty in particular, with certain legal arguments, the judge has still put aside the special minimum criminal limit (Tibaka & Rosdian, 2018).

The determination of a specific minimum punishment in the (formulation) of the law on corruption is not without rational reasons and reasons. Some of the basic reasons are;

1. Corruption is considered an extra ordinary crime which is the common enemy of the Indonesian people.
2. The fact that there is a very striking disparity of crime for corruption crimes which are not substantially different in quality;
3. There is a desire to meet the demands of society which require an objective minimum standard for criminal acts of corruption that are highly reprehensible and detrimental / endanger the community / state, as well as corruption that qualifies or is exacerbated by its consequences (erfolgsqualifizierte delikte);
4. There is a desire to make general prevention more effective against criminal acts of corruption which are seen as dangerous and unsettling to the public.

According to Muladi, taking into account various interests related to criminal law enforcement, it appears that there are international trends, one of which is to develop special minimum (criminal) sanctions for certain crimes. The development of special minimum crimes is in the context of reducing disparity (disparity of sentencing) and showing the seriousness of the criminal offense committed (Wibowo, 2018).

Criminal disparity is the application of different crimes against the same crimes or against crimes whose dangerous nature can be compared without a clear justification. In connection with the disparity and special minimum penalties, Andi Hamzah stated: "Due to the variety of crimes and actions listed in the Criminal Code and laws outside the Criminal Code, they are often alternatives in one article, in addition to the absence of a specific minimum in each. In the criminal cases stated in the above articles, as in the United States, judges in Indonesia have very broad freedom in determining the severity of the punishment to be imposed on the accused. As a result of this kind of provision, sometimes two offenses are the same, for example murder, the punishment is very different, one is for example 5 years in prison while the other is 10 years in prison. Herein lies the advantage when it is stated that the minimum penalties in each criminal law".

2. Inappropriate application of the principle in dubio pro reo.

Based on the results of the above research, the authors found several decisions of the Semarang Corruption Court in which the indictment was in the form of subsidiarity, but in consideration of proving the elements of the indictment, the Panel of Judges treated them as alternative charges. The form of the subsidiarity charge has the consequence that the judge must first consider and prove the primary charge, if the primary charge is not proven, then the subsidiar charge should be considered. This is different from the arrangement of the alternative form of indictment, in the alternative form of indictment, the judge has the freedom to consider and prove which indictment has elements that are consistent with the facts revealed in the trial (Welner, Malley, Gonidakis, Saxena, & Burnes, 2018).

The judge's decision based on the basis of the indictment is in the form of subsidiarity, but in the judgment it is considered as an alternative indictment, it can be understood that the judge has an opinion that the defendant is proven to have committed the subsidies charge, so the judge does not prove and consider the primary indictment, but directly on the subsidiary charge. This shows that the judge uses the principle of in dubio pro reo, which is the principle that regulates that if there is any doubt about a matter, it must be decided that things are in the interest of the defendant (Ahmed, 2017).

Therefore, the criminal act of corruption is a case that has broad consequences for society. So the judge should be limited in applying the principle in dubio pro reo. Or the judge must use the principle of in dubio pro populi. The indo brio pro populi principle is the principle adopted by the author of the environmental judge certification training organized by the Indonesian Supreme Court in collaboration with the Ministry of the Environment, where in examining environmental cases, judges are emphasized to use the indo brio pro natura principle (in favor of the environment life), because the environment is a victim of environmental crime. So that in handling corruption cases, judges should have an indo brio pro populi paradigm (side with the people), because the people are the victims of corruption (Lastra, Bell, & Bond, 2018).

3. The absence of sentencing guidelines in cases of criminal acts of corruption.

Judges in examining and adjudicating cases have independence. However, the independence of judges in imposing criminal sanctions is not without limits. It is impossible to completely eliminate differences in judge's decisions for similar cases. Sentencing guidelines are needed to avoid disparities in verdicts disparities in criminal cases of corruption. Disparities in corruption decisions have long been a problem. Because the disparity in judges' decisions in cases of criminal acts of corruption affects the public's perspective and assessment of the judiciary. Disparity can be seen as a manifestation of injustice (Silver & Nedelec, 2018).



Proportional imposition of punishment is the imposition of sanctions in accordance with the level of seriousness of the crime committed. In essence, proportionality requires a value scale to weigh and assess the severity of the crime in relation to the crime. Values and norms that apply in society and culture tend to be determinants in determining the ranking of sanctions that are deemed appropriate and appropriate in a particular historical context. The principle of proportionality has been formulated in ancient Indonesian law books. The idea of proportional punishment developed into the idea of making a criminal guideline capable of reducing the subjectivity of judges in deciding cases. Judge's discretion is very likely to be misused, so that the criminal code is considered the best way to limit the freedom of judges (Ramadhan, 2018). In Indonesia so far there have been several criminal guidelines as contained in Article 14a, Articles 63-71, and Article 30 of the Criminal Code. However, the criminal guidelines mentioned above are still insufficient, so that the Criminal Code Bill contains sentencing guidelines that must be considered by judges in making a decision, namely: mistakes of the criminal act, motive and purpose of committing a criminal act, the mental attitude of the criminal offender, whether the criminal act is planned, how to commit the crime, the attitude and actions of the perpetrator after committing the crime, the life history and socio-economic conditions of the perpetrator, the effect of the crime on the future of the perpetrator, the effect of the crime on the future of the victim or the victim's family, forgiveness of the victim / family, and the public's view of the criminal act committed (Wahyuningsih et al., 2020).

Portraits of disparity in convictions still color the judgments of the Courts throughout 2019. Of course this implies that there are different views of judges when looking at the context of corruption crimes. Surely this kind of difference can be minimized in the future. Because, this is directly related to the context of justice, both for the accused and the community itself. Basically, disparity in decisions is a common thing, considering that each case naturally has different characteristics. Not to mention how law enforcers (Public Prosecutors) formulate indictments and formulate evidentiary strategies. These aspects determine the final decision to be passed by the panel of judges. In ICW's records, cases with large state losses are often given light sentences by the panel of judges. This is different from other cases which have small state losses but are severely punished. Not only that, bribery cases are in the spotlight, with the characteristics of a similar professional background but the verdicts between the two are very different (Donner, Maskaly, & Thompson, 2018).

Conclusions

Based on the qualitative analysis using the normative juridical approach, as well as the constructivism study paradigm, it can be concluded that:

1. Criminal charges of corruption in Indonesia are not fair. This means that the convictions given by the judges at the Corruption Crime Court against the perpetrators of corruption have so far not fulfilled people's sense of justice. This is

due to several factors, namely: Judges still have a legalistic and textual positivism paradigm in handling corruption cases, Judges have not handled specifically corruption crimes, Inappropriate application of the principle in dubio proreo, No sentencing guidelines) in cases of criminal acts of corruption, which can minimize disparities in judge decisions.

2. Based on the theory of reformatory justice (reform justice), then several articles in Law no. 20 of 2001 concerning Amendments to Law no. 31 of 1999 concerning the eradication of criminal acts of corruption must be reconstructed. These articles include: in Article 1 the provision of public office is added, in Article 2 paragraph (1) the criminal threat is revoked in the form of revocation of the right to be elected in public office, in paragraph (2) if corruption is carried out systematically and structurally, the punishment shall be with the death penalty, in Article 3 the penalty is added to the revocation of the right to be elected to public office, the minimum sentence in particular from 1 (one) year is changed to 4 (four) years, and the fine is amended with a minimum of 2.5% and a maximum of 10% of Income during the term of office, in Article 5 paragraph (1) the criminal threat is added with the revocation of the right to be elected in public office, the minimum sentence in particular from 1 (one) year is changed to 4 (four) years, while in paragraph (2) the threat of punishment coupled with the revocation of the right to be elected to public office, the minimum sentence in particular from 1 (one) year is changed to 4 (four) years, and the fine is changed ah with a minimum of 2.5% and a maximum of 10% of his income while holding the position, in Article 6 paragraph (1) the criminal threat is added to the revocation of the right to be elected in a public office, the minimum sentence especially from 1 (one) year is changed to 4 (four) years, while in paragraph (2) the criminal threat is added to the revocation of the right to be elected to public office, the minimum sentence especially from 1 (one) year is changed to 4 (four) years, and the fine is amended with a minimum of 2.5% and a maximum 10% of his income while holding the position, in Article 11 the criminal threat is added to the revocation of his right to be elected to public office, the minimum sentence especially from 1 (one) year is changed to 4 (four) years, and the fine is amended with a minimum of 2.5% and a maximum of 10% of his income while holding the position, in Article 12 the criminal threat is added to the revocation of the right to be elected in public office, and the fine is amended by n at least 2.5% and a maximum of 10% of his income during the term of office, in Article 12 B paragraph (1) the minimum value of gratification that must be proven by the Public Prosecutor is 1.62 grams of gold, if the value of gratuity is more than 1.62 grams gold, then the one who is obliged to prove is the State Administrator, in paragraph (2) the criminal threat is added with the revocation of the right to be elected in a public office, and the fine is amended to a minimum of 2.5% and a maximum of 10% of their income during the term of office, in Article 18 (2) the

additional penalty in paragraph (1) letter d is eliminated, because the crime of revoking certain rights has been made the main punishment.

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