P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

Reforming *Deelneming* Doctrine in State Financial Loss Crimes

Bambang Sugeng Rukmono [1,*], Roberth Jimmy Lambila [2], Yessentemirova Aigul Maratovna [3]

[1] Sekolah Tinggi Ilmu Hukum Adhyaksa, Jakarta, Indonesia.
[2] Karanganyar District Attorney's Office, Karanganyar, Indonesia.
[3] L.N. Gumilyov Eurasian National University, Astana, Kazakhstan.

*Corresponding Author: bambanglekmono@gmail.com

Abstract

Corruption involving state financial losses remains prevalent in Indonesia, often exacerbated by the ambiguity and divergent interpretations of legal norms, particularly the doctrine of *deelneming* (criminal participation). The inconsistent and politically influenced application of this doctrine has contributed to legal uncertainty in corruption prosecutions. This study aims to reconstruct *deelneming* in the context of corruption to enhance legal certainty and promote proportional criminal liability. Employing a normative juridical method, it analyzes legal theories, legislation, and judicial decisions. Findings reveal that the application of *deelneming*—notably under Article 15 of the Corruption Law and the broad interpretation of Articles 2 and 3—is frequently inconsistent and discriminatory, treating all forms of participation uniformly regardless of intent or role. The study proposes a doctrinal reconstruction grounded in intent theory, causality, and tacit cooperation, streamlining participation into *medeplegen* (co-perpetration), *uitlokking* (incitement), and *medeplichtige* (accomplice), while eliminating *plegen* and *doenplegen*. This reconceptualization seeks to reframe *deelneming* as a foundational legal principle rather than a mere procedural tool, ultimately fostering a fairer and more proportionate framework for criminal liability in corruption cases.

Keywords: Corruption; Deelneming; Legal Certainty; State Financial Loss;

Introduction

Corruption has become embedded within the system, rendering its eradication complex and challenging. Law enforcement officers often face dilemmas, as the internal corruption network is difficult to penetrate due to collusion among industrialists, politicians, and members of law enforcement. In this context, corruption operates not as an external criminal act, but as an integral part of the system.[1] The corruption network is also complex to penetrate from the outside, as law enforcement officers may present low-

[1] Ponco Hartanto and others, 'Corruption Policy Challenges in Combating Land Mafia: Experiences from Several Countries', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 521–654 https://doi.org/10.53955/jhcls.v4i3.233

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

level offenders as scapegoats to protect the actual perpetrators within the system.[2]

Corruption is a global issue that affects all nations, including Indonesia. As evidence of its commitment to addressing corruption as an international concern, the Indonesian government ratified the United Nations Convention Against Corruption (UNCAC) of 2003 and the United Nations Convention Against Transnational Organized Crime of 2000 through Law Number 7 of 2006 and Law Number 5 of 2009, respectively.[3] The Indonesian Government's commitment to combating corruption is demonstrated by establishing various policies to guide law enforcement on bribery and enacting new regulations to replace outdated statutes and regulations deemed insufficient to address the issue.[4] It includes the ratification of numerous international conventions relevant to the corruption problem. If there is evidence of state financial loss due to the offense prohibited in the formulation, corruption in Article 2, paragraph (1) and Article 3 of the Corruption Law can be declared proven. The Constitutional Court Decision Number 25/PUU-XIV/2016 has transformed the crime of corruption that damages state finances into a material crime rather than a formal crime.[5]

The crime of corruption, which is a syndicated crime that damages state finances and involves many individuals, including corporations, ontologically, has the character of absolute participation or *noodzakelijk deepening*. The Corruption Law's character as a crime is demonstrated by formulating the elements of Article 2, paragraph (1), and Article 3, which, paradoxically, refers to "every person" or a single perpetrator.[6] A request for criminal responsibility against multiple perpetrators involved in a crime is only feasible when the crime is connected or linked to the provisions of participation, which are regulated as a general provision in Chapter V Articles 55 to 62 of the Criminal Code, as is the case with the crimes in the Criminal Code that formulate the subject of the perpetrator of the crime with the sentence whoever points to one person as the perpetrator of the crime. By law, the indictment of the Public Prosecutor against multiple perpetrators of

[2] Dedy Ardian Prasetyo and Rahimah Embong, 'The Impact of Human Rights Principles on the Criminal Act of Caning: Asymmetric Decentralization Insight', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 60–90 https://doi.org/10.53955/jhcls.v5i1.528

[3] Alessandro De Chiara and Ester Manna, 'Corruption and the Case for Safe-Harbor Regulation', *Economics Letters*, 216 (2022), 110546 https://doi.org/10.1016/j.econlet.2022.110546

[4] Alessandro De Chiara and Ester Manna, 'Corruption, Regulation, and Investment Incentives', *European Economic Review*, 142 (2022), 104009 https://doi.org/10.1016/j.euroecorev.2021.104009

[5] De Chiara and Manna, 'Corruption, Regulation, and Investment Incentives'.

[6] Bambang Sugeng Rukmono, Pujiyono Suwadi, and Muhammad Saiful Islam, 'The Effectiveness of Recovering Losses on State Assets Policy in Dismissing Handling of Corruption', *Journal of Human Rights, Culture and Legal System*, 4.2 (2024), 299–330 https://doi.org/10.53955/jhcls.v4i2.259

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

a single crime that is not associated with one of the forms of deepening outlined in Articles 55 and 56 of the Criminal Code is null and invalid. [7]

Law Number 31 of 1999, as amended by Law Number 20 of 2001, regulates acts classified as criminal acts of corruption without establishing specific provisions regarding deeming. Assistance is briefly regulated in Article 15 of the Corruption Crime Law, while other forms of assistance, including *plegen, doen plegen, medeplegen,* and *uitlokken*, are not explicitly regulated. The definition of "assisting in a criminal act of corruption" is not controlled by these provisions. [8] The act of assistance is subject to the same penalties as those referred to in Article 2, Article 3, Article 5, and Article 14, and these provisions only regulate provisions regarding the prospect of criminal penalties for assistants. The explication of Article 15 indicates that this provision is a special rule, as the threat of criminal penalties for attempted and assisted criminal acts is typically reduced by one-third of the threat of criminal penalties. The deeming provisions in Book I, Chapter V of the Criminal Code apply to corruption offenses without specific and comprehensive regulations regarding deeming in the Corruption Crime Law, as per Article 103 of the Criminal Code.[9]

The potential conclusion that can be drawn regarding the absence of specific regulations regarding deeming the corruption crime law is that the lawmakers think that the provisions of inclusion in the Criminal Code are still relevant to be applied to corruption crimes whose nature, character, motives, and modus operandi continue to develop through the use of science and technology, making them more difficult to detect quickly. If this assertion is accurate, the policymakers have committed an error. In reality, the nature of this corruption offense directly opposes the criminal crimes outlined in the Criminal Code. In actuality, the doctrines or teachings accompanying the Criminal Code and the inclusion provisions cannot adapt to the development of contemporary crimes.[10]

Deelneming regulations significantly influence the current criminal law, as the likelihood of crimes involving numerous individuals is more prevalent than in previous eras. These types of phenomena are crucial for attracting attention to criminal law. Harkristuti observes that this tendency is induced by the desire to achieve significantly greater results. It is challenging to

---

[7] Jawade Hafidz and others, 'The Corruption Reduction with an Administrative Law Approach: Evidence from Australia', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 822–41 https://doi.org/10.53955/jhcls.v4i3.396

[8] Srividya Jandhyala and Fernando S. Oliveira, 'The Role of International Anti-Corruption Regulations in Promoting Socially Responsible Practices', *Journal of Economic Behavior & Organization*, 190 (2021), 15–32 https://doi.org/10.1016/j.jebo.2021.07.017

[9] Rachmawaty Rachmawaty and others, 'Judges' Philosophical Orientation in Resolving Anti-SLAPP Disputes', *Journal of Human Rights, Culture and Legal System*, 4.1 (2024), 149–68 https://doi.org/10.53955/jhcls.v4i1.215

[10] Anhua Zhou and Jun Li, 'Impact of Anti-Corruption and Environmental Regulation on the Green Development of China's Manufacturing Industry', *Sustainable Production and Consumption*, 27 (2021), 1944–60 https://doi.org/10.1016/j.spc.2021.04.031

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

identify the individuals involved in corruption crimes, particularly when conducted in a confined environment and include individuals in specific positions. How can one of the perpetrators be willing to provide information if it will result in them becoming a suspect or defendant? In such situations, the regulation of deeming is of paramount importance.[11]

Article 103 of the Criminal Code legitimately justifies the legal application of the deeming provisions to the law on corruption crimes. However, this poses various legal issues in judicial practice that jeopardize legal certainty. The problem of employing the provisions of inclusion in different cases is not limited to high-complexity cases. In straightforward cases involving multiple individuals, such as assault, theft, and homicide, law enforcement is perpetually confronted with the challenge of determining the appropriate level of inclusion for each party.[12]

The discourse on inclusion or deepening in corruption cases, particularly corruption crimes that harm state finances, in Article 2 paragraph (1) and Article 3 of the Corruption Law, is of great importance for discussion and debate, as it is directly related to the effectiveness of the application of the provisions of the corruption law. The position of deepening in the Criminal Code, which serves as a reference for applying the Corruption Law, is the subject of numerous issues. Initially, the Criminal Code does not offer a definition or comprehension of inclusion or deletion; instead, it merely establishes the forms of inclusion outlined in Articles 55 and 56 of the Criminal Code.[13] The absence of a comprehensive explanation regarding the definition and boundaries of each form of inclusion has resulted in a debate among prominent criminal law experts. It has become a subject that judges are always free to interpret and apply the concept of deeming to specific cases. Secondly, the clarification of the ambiguous inclusion provisions in the doctrine and jurisprudence of the majority born in the 18th and 19th centuries, which emerged through the development of the times, the nature of thought, the development of society, the development of culture, and the development of crime at that time.[14] These circumstances significantly differed from the nature of thought, society's development, and technology today. Thirdly, the uncertain and absurd provisions of inclusion in the Criminal Code are further exacerbated by the fact that the types of corruption

[11] Tong Fu and Ze Jian, 'Corruption Pays off: How Environmental Regulations Promote Corporate Innovation in a Developing Country', *Ecological Economics*, 183 (2021), 106969 https://doi.org/10.1016/j.ecolecon.2021.106969

[12] Oguzhan Dincer and Burak Gunalp, 'The Effects of Federal Regulations on Corruption in U.S. States', *European Journal of Political Economy*, 65 (2020), 101924 https://doi.org/10.1016/j.ejpoleco.2020.101924

[13] Boge Triatmanto and Suryaning Bawono, 'The Interplay of Corruption, Human Capital, and Unemployment in Indonesia: Implications for Economic Development', *Journal of Economic Criminology*, 2 (2023), 100031 https://doi.org/10.1016/j.jeconc.2023.100031

[14] Sidik Sunaryo and Asrul Ibrahim Nur, 'Legal Policy of Anti-Corruption Supervisor Design: A New Anti-Corruption Model in Indonesia', *Bestuur*, 10.2 (2022), 137–58. https://doi.org/10.20961/bestuur.v10i2.65105

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

crimes that are detrimental to state finances in Article 2 (1) and Article 3 are formulated elastically and flexibly to be able to reach various acts but have negative access to legal certainty as one of the objectives of the law. Fourth, the provisions in Article 2 and Article 3 are the most frequently employed by law enforcement to ensnare corruption perpetrators.[15]

The ambiguity and absurdity of applying deeming in judicial practice as a threat to legal certainty are demonstrated in numerous cases. First, the defendant's counsel stated that the legal considerations of the panel of judges who declared his client guilty in the case of the Bomb Explosion at the DPR Building on July 14, 2003, were still vague. Subsequently, the Sri Rejeki group explosive case involves four defendants. They submitted an appeal and rejected the 10-year sentence imposed on them. The reason they submitted an appeal was the sentence's proportion in comparison to that of the perpetrators of the bomb explosion.[16] Why were they sentenced to a more severe punishment, whereas the perpetrators of the bomb detonation were only sentenced to seven years? Therefore, their objection was predicated on the belief that their sentence should be reduced because they were not the primary perpetrators of the explosion.[17]

Third, in the instance of Tommy Soeharto. Public objections were elicited by the 15-year prison sentence imposed by the Panel of Judges at the Central Jakarta District Court upon his conviction of being the mastermind behind the murder of Supreme Court Justice Syafiudin Kartasasmita. The sentence was deemed inappropriate because the individual responsible for the homicide was sentenced to life imprisonment. Fourth, another issue that arises when there are multiple perpetrators in a crime is whether the law justifies the punishment of another participant when the primary perpetrator has not been apprehended or may have never existed. An illustration of this is the Central Jakarta District Court ruling on March 3, 2002, in the BLBI Fund case involving the defendant Syahril Sabirin. Syahril Sabirin, the Governor of BI, was then taken to court for allegations of committing a criminal act of corruption. The judge declared the defendant a medepleger in his verdict, while the other participant, Joko S. Tjandra, the primary perpetrator, was absolved up to the cassation level.[18]

Nasution and Riswadi's research indicate that Indonesia's legal framework is confronted with substantial obstacles due to the relaxation and weakening of the law, particularly in the context of non-trial asset recovery. The

[15] Julien Hanoteau, Gandhi Pawitan, and Virginie Vial, 'Does Social Capital Reduce Entrepreneurs' Petty Corruption? Evidence across Indonesian Regions', *Papers in Regional Science*, 100.3 (2021), 651–71 https://doi.org/https://doi.org/10.1111/pirs.12588

[16] Fu and Jian.

[17] Anisah Alfada, 'The Destructive Effect of Corruption on Economic Growth in Indonesia: A Threshold Model', *Heliyon*, 5.10 (2019), e02649 https://doi.org/https://doi.org/10.1016/j.heliyon.2019.e02649

[18] Jon S.T.Jon S T QuahQuah, 'Combating Police Corruption in Indonesia: Cleansing the Buaya (Crocodile)', *Asian Education and Development Studies*, 9.2 (2019), 129–43 https://doi.org/https://doi.org/10.1108/AEDS-04-2018-0088

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

inconsistent application and enforcement of the law are further exacerbated by discrepancies in the regulations that regulate official rules and the calculation of state financial losses.[19] In the interim, Hartati et al.'s research indicates that signing comprehensive rules and explicit guidelines leads to various interpretations by law enforcement, which can impede the successful prosecution of corruption cases and the recovery of state assets.[20] Then, Firmansyah et al.'s research demonstrates that the multi-interpretable nature of extant legal norms continues to pose a significant challenge in establishing the element of state financial loss in corruption cases. A more suitable evidentiary model is necessary to calculate actual state losses, thereby providing equitable legal certainty due to the transition from formal to material crime qualifications.[21]

The regulation of deepening the law on corruption offenses does not include predictability features and prospective features, which must also be inherent in a legal rule that is said to contain legal certainty. The reconstruction of the provisions on inclusion in corruption crimes, particularly corruption crimes that affect state finances, is a legal necessity that must be aligned with criminal law reform policies to accommodate the changes in the era of legal certainty. The necessity of reconstructing the deeming teachings is particularly pressing in the context of corruption offenses. On the one hand, deeming is traditionally extremely restricted in addressing crimes in the contemporary era. In contrast, the character and quality of corruption in Indonesia are becoming more sophisticated, complex, and organized, which is reflected in the continued growth of corruption crime statistics.

Methodology

The research methodology employed in this investigation is normative juridical. This methodology is founded on literature studies that use a statistical, conceptual, and case approach.[22] This investigation examines positive legal norms associated with the doctrine of deeming (inclusion) in corruption offenses, as well as the potential for applying this doctrine to generate legal uncertainty in identifying and proving the party responsible

[19] Adhitya Anugrah Nasution and Riswadi Riswadi, 'Legal Reconstruction of Non-Conviction-Based Asset Forfeiture for State Loss Recovery from Corruption Crimes', *Return : Study of Management, Economic and Bussines*, 3.11 (2024), 871–80 https://doi.org/10.57096/return.v3i11.293

[20] Hartati and others, 'Authority for Calculating State Economic Losses in Criminal Acts of Corruption in Indonesia', *Jurnal IUS Kajian Hukum Dan Keadilan*, 12.3 (2024), 530–41 https://doi.org/10.29303/ius.v12i3.1480

[21] Firmansyah Firmansyah and others, 'Reconstruction to Prove Elements of Detrimental to State Finances in the Criminal Act of Corruption in Indonesia', *Jurnal Cita Hukum*, 8.3 (2020) https://doi.org/10.15408/jch.v8i3.18295

[22] Paul Atagamen Aidonojie and others, 'Examining Human Rights Abuses on Religious, Cultural, and Political Intolerance in Nigeria', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 3.1 (2025), 78–94 https://doi.org/10.53955/jsderi.v3i1.55

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

for state financial losses.[23] The legal materials utilized as sources include primary legal materials, such as the Corruption Crime Law and the Criminal Code; secondary legal materials, such as legal literature and previous research results; and tertiary legal materials, such as legal dictionaries. The analysis is qualitative, focusing on the reconstruction of legal concepts to create a deepening doctrine that is more proportional, fairer, and provides legal certainty in the context of corruption cases involving state financial losses.[24]

Results and Discussion

Corruption Offenses Causing State Financial Loss Undermining Legal Certainty

The nature and values of Articles 2 and 3 of the Corruption Law were significantly altered by two Constitutional Court Decisions issued to pursue legal certainty. The unlawful nature of Article 2 of the Corruption Law was modified by Constitutional Court Decision Number: 003/PUU-IV/2006 on July 25, 2006, to require a rigorous interpretation as a formal unlawful nature. The material's unlawful nature, as detailed in the explanation of Article 2 paragraph (1), has been declared non-binding due to constitutional violation. In the interim, Constitutional Court Decision Number 25/PUU-XIV/2016, dated January 25, 2017, has modified the nature of the offense in Articles 2 and 3 from a formal offense to a material offense, as per the intention of the authors of Law Number 31 of 1999. One of the subjects of discussion in the field of law, including criminal law, is the existence of vague norms. This type of incident is addressed in the current corruption law and other rules and regulations, such as Article 335 of the Criminal Code.[25]

The argument for legal certainty serves as the foundation for the two Constitutional Court decisions that modified and imparted new meaning and intent to Article 2 paragraph (1) and Article 3 of the Corruption Law. This demonstrates that Article 2 paragraph (1) and Article 3 are among the most evidential pieces of evidence that cannot be refuted. Indeed, Articles 2 and 3 lack legal certainty. The scope of criminal acts in Article 2 and Article 3 overlaps with other special criminal acts, such as economic, tax, financial, forestry, and customs crimes.[26]

This article can penetrate any field of action that pertains to state finances or the state economy due to the combination of state financial loss or state

---

[23] Aris Irawan and others, 'Criminal Penalties for Foreigners Engaged in Illegal Fishing Indonesia's ZEE Impact SDGs', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 3.1 (2025), 95–120 https://doi.org/10.53955/jsderi.v3i1.42

[24] Abdul Kadir Jaelani and others, 'Green Legality Certificate on Agrarian Reform: Indonesian Experience', *KnE Social Sciences*, 2024 https://doi.org/10.18502/kss.v8i21.14713

[25] Brandon Parsons, 'Unpacking Corruption: The Role of Economic Freedom in Developing Countries', *Research in Economics*, 79.2 (2025), 101044 https://doi.org/10.1016/j.rie.2025.101044

[26] Astri Wulandari and others, 'Indonesia's Women: Corruption Is a Normal Thing (Survey of Women's Perception of Corruption in Indonesia)', *Sage Open*, 14.2 (2024) https://doi.org/10.1177/21582440241259956

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

economy, the aspect of illicit acts in Article 2, and the element of abusing authority in Article 3. It is nearly sure that Articles 2 and 3 can be operationalized as long as there has been a state financial loss and every act is related to state finances.[27] The general explanation of the Corruption Crime Law Number 31 of 1999 provides a broad definition of state financial loss or economy encompassing various aspects. The formulation of Articles 2 and 3 has the potential to be used in aspects of acts that have the potential to damage state finances, as they are always related to state financial losses.[28] This implies that the offenses in Article 2 and Article 3 are indeterminate, have no applicable limits, and can be invoked at any time in the event of state financial losses. As a result, the definition and restrictions of corruption crimes in Articles 2 and 3 are consistently adjusted to align with the definition of state financial losses and the state economy. Corruption is defined as the presence of space and actions resulting in state financial losses.[29]

Three primary points of discussion address the reasons why two criminal acts of corruption Article 2 and 3 are the most frequently employed by investigators, public prosecutors, and justices in enforcing other criminal acts of corruption. Initially, Article 2 and 3 are exceedingly broad in scope and can be readily modified to accommodate the multifaceted nature, aspects, and methodologies of state financial losses. Articles 2 and 3 are the progenitors of numerous special criminal acts of corruption that are associated with Article 2 and 3. Consequently, most acts classified as detrimental to state finances are within the scope of Article 2 and 3. Secondly, in direct relation to the first argument, Article 2 and 3 always overlap with other acts regulated in other special criminal acts, overlap with other criminal provisions in the law on criminal acts of corruption, or overlap with acts in the field of civil law and state administration. Third, the formulation of Articles 2 and 3 is flexible, elastic, and multi-interpretable, enabling the public prosecutor to argue. Several conclusions regarding articles 2 and 3 can be drawn by examining the explication in the law on corruption crimes in both Law Number 31 of 1999 concerning the Eradication of Corruption Crimes and Law Number 20 of 2001.[30]

---

[27] Hufron and Sultoni Fikri, 'The Urgency of Regulating Forfeiture of Assets Gained from Corruption in Indonesia', *Legality : Jurnal Ilmiah Hukum*, 32.2 (2024), 292–310 https://doi.org/10.22219/LJIH.V32I2.35243

[28] Caesar Marga Putri, Josep Maria Argilés-Bosch, and Diego Ravenda, 'Creating Good Village Governance: An Effort to Prevent Village Corruption in Indonesia', *Journal of Financial Crime*, 31.2 (2024), 455–68 https://doi.org/10.1108/JFC-11-2022-0266

[29] Dewi Asri Yustia and Firdaus Arifin, 'Bureaucratic Reform as an Effort to Prevent Corruption in Indonesia', *Cogent Social Sciences*, 9.1 (2023) https://doi.org/10.1080/23311886.2023.2166196

[30] La Ode Faiki, 'The Phenomenon of Corruption and Efforts to Combat Corruption in Indonesia', *Jurnal Multidisiplin Madani*, 3.2 (2023), 381–91 https://doi.org/10.55927/mudima.v3i2.2437

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

Articles 2 and 3 are deliber constructed to address a variety of modus operandi for pertaining state financial or economic irregularities which are becoming increasingly complex and sophisticated. It includes the formulation of provisions that include acts of "unlawfully" enriching oneself, others, or a corporation in the formal and material sense, and the explicit categorization of corruption crimes as formal offences.[31] Secondly, the rationale or context for the implementation of such provisions is as follows: (i) the community's aspirations to eradicate corruption and other forms of irregularities are intensifying, and (ii) the reality of corruption has resulted in substantial state losses, which can subsequently influence the emergence of crises in a variety of sectors. (iii) Corruption in Indonesia is a systemic and widespread issue that has harmed state finances and violated the general public's social and economic rights.[32]

Consequently, it is necessary to implement an extraordinary approach to eradicating corruption. The legislators' objective in developing Articles 2 and 3 as part of the Criminal Law Policy is to address the public's "desire". The history of the introduction of the crime of corruption detrimental to state finances in the Regulation of the Military Authorities Number: Prt/PM-06/1957 dated April 9, 1957, which was born in the context of a state of war emergency based on Presidential Decree Number 40 of 1957, is almost like a repetition of the situation and context of the era of the birth of the crime in Article 2 and 3, Law Number 31, 1999, which is oriented towards utility and pragmatism. It is widely recognized that the absence of smoothness in efforts to eradicate acts detrimental to state finances and the state economy, which is referred to as corruption by the public, necessitates criminal provisions that the Criminal Code does not regulate. This is done by considering these provisions.[33]

The broad and flexible formulations of Articles 2 and 3 of the Corruption Law have become the foundation for numerous variants of corruption offenses involving state financial losses across various sectors of national life, as previously discussed. This expansive scope largely explains their dominance in Indonesian anti-corruption enforcement. Functioning as legal mechanisms that continuously generate new forms of corruption, these provisions have contributed to a phenomenon of overcriminalization. A key criminogenic factor is the political legal policy on combating corruption, rooted in People's Consultative Assembly Decree No. XI/MPR/1998 on Clean and Corruption-Free State Administrators, which was subsequently

[31] Zuhairan Yunmi Yunan and others, 'Spread of Corruption in Indonesia after Decentralisation: A Spatiotemporal Analysis', *Oxford Development Studies*, 51.2 (2023), 198–215 https://doi.org/10.1080/13600818.2022.2162493

[32] Bima Suprayoga, Hartiwiningsih, and Muhammad Rustamaji, 'Reconstruction of State Economic Losses in Criminal Acts of Corruption in Indonesia', *Revista de Gestão Social e Ambiental*, 17.4 (2023), e03453 https://doi.org/10.24857/rgsa.v17n4-024

[33] Azwar Azwar and Achmat Subekan, 'Does Democracy Reduce Corruption in Indonesia?', *Jurnal Ilmu Sosial Dan Ilmu Politik*, 25.3 (2022), 195 https://doi.org/10.22146/jsp.56886

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

institutionalized through Law No. 31 of 1999, as amended by Law No. 20 of 2001.[34]

Reconstruction of the Deelneming Doctrine in Corruption Crimes to Achieve Legal Certainty

The Corruption Law does not offer a comprehensive and flawless regulation of participation. The Corruption Law contains only one article that pertains to participation, which is Article 15, which is currently in effect. Several logical and legal implications arise from the substance of Article 15 of the Corruption Law (if it pertains to participation) about Article 103 of the Criminal Code. Initially, the comprehension and manner of the involvement in the Corruption Law are exclusively defined by the provisions of Article 56, paragraph (1) and paragraph (2) of the Criminal Code. Secondly, the exception to the criminal provisions for assistants in Article 57 of the Criminal Code suggests that at least two presuppositions or views influence the lawmakers' thinking in formulating the provisions of Article 15: (i) the quality and gradation of the act and the level of consequences arising from assistance have the same value as the quality, gradation of the act, and the level of consequences arising from other forms of involvement, and/or (ii) the lawmakers understand that there is a practical or theoretical challenge in distinguishing between the act of assistance and other forms of involvement that can be detrimental to the enforcement of corruption law.[35]

The ambiguous boundaries can serve as a "ground" for law enforcement officers to manipulate by punishing a perpetrator as an assistant to reduce their sentence in comparison to if they were qualified as a father, as defined in Article 55, the first paragraph (1) of the Criminal Code and/or as *uitlokken* in Article, the second 55 paragraph (1) of the Criminal Code. Third, the absence of special provisions regarding inclusion in Article 15 or all the Articles of the Law on Corruption results in the application of all provisions regarding inclusion in the Criminal Code, except those regarding criminal penalties for assistance and their inclusion in the Law on Corruption is governed by Article 103 of the Criminal Code.[36]

The continued implementation of the inclusion provisions in the Criminal Code suggests at least two aspects of the legislators' perspective. First, lawmakers regard that the inclusion provisions in the Criminal Code are still pertinent and can be trusted in the application of criminal acts of corruption. Second, the legislators acknowledge that the inclusion provisions in the Criminal Code have several weaknesses when applied to criminal acts of corruption. However, they have no alternative but to utilize the inclusion

[34] Mahdi Abdullah Syihab and Muhammad Hatta, 'Punishment Weighting for Criminal Acts of Corruption in Indonesia', *SASI*, 28.2 (2022), 307 https://doi.org/10.47268/sasi.v28i2.955
[35] Pupung Purnamasari, Noor Afza Amran, and others, 'Penta-Helix Model of E-Government in Combating Corruption in Indonesia and Malaysia: The Moderating Effect of Religiosity', *F1000Research*, 11 (2022), 932 https://doi.org/10.12688/f1000research.121746.3
[36] Pupung Purnamasari, Rusman Frendika, and others, 'The Influence of E-Government Services on Corruption in Indonesia and Malaysia', *KnE Social Sciences*, 2022 https://doi.org/10.18502/kss.v0i0.12332

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

provisions in the Criminal Code. The legislators have not yet had the idea or concept to create a more effective inclusion provision than the current provisions in the Criminal Code.[37]

Legal certainty is endangered by the provisions of Article 15 of the Corruption Law and the logical and legal implications that result from them from a theoretical perspective. This provision directly opposes the criminalization system implemented in Indonesian criminal law, which limits the liability of participants. The substance of Article 15 of the Corruption Law is a departure from the criminal liability system for participants that the Criminal Code established as a source of Indonesian criminal law. A legal ”anomaly“ is demonstrated by this regulation, as the Corruption Crime Law implements a criminal liability system that diverges from the Criminal Code.[38]

Article 15 establishes the same criminal liability for all perpetrators of participation without considering the nature, quality, scale, or contribution of each participant in a corruption crime. The system enshrined in Article 15 of the Corruption Crime Law, which equates each participant with the perpetrator who alone commits the crime, is derived from the Roman legal system and is incorporated into Article 59 of the French Penal Code. This system ensures that individuals are held to the same standards as the perpetrator. In practice, the public prosecutor should include assistance in the indictment if the public prosecutor doubts whether an act is included in aid, even though assistance is punished like other forms of participation categorized as daggers. Consequently, the regulation regarding assistance in Article 15 of the Corruption Crime Law becomes ineffective and inefficient. If the act is not included in the indictment and the judge believes it to be a form of assistance, the defendant must be acquitted.[39]

There are no special regulations regarding participation in Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption and Law Number 20 of 2001, except Article 15, which provides deviant regulations regarding the form of participation in Assistance in Article 56 of the Criminal Code. The punishment for Assistance in criminal acts of corruption is identical to that outlined in the Criminal Code, with no one-third reduction. Additionally, the Corruption Law fail to establish regulations that govern the provisions concerning corporations' involvement as criminal entities. This implies that the provisions on participation in the Criminal

[37] Tri Sandi, Lidya Ramadhani Hasibuan, and Aulia Rahman Lubis, ‘When Corporations Cross the Line: Legal Perspectives on Corporate Corruption in Indonesia’, *Indonesian Journal of Interdisciplinary Research in Science and Technology*, 3.2 (2025), 225–34 https://doi.org/10.55927/marcopolo.v3i2.11

[38] ‘Corruption in Indonesia (Is It Right to Governance, Leadership and It to Be Caused?)’, *Journal of Economics and Sustainable Development*, 2020 https://doi.org/10.7176/JESD/11-2-06

[39] Firmansyah and others.

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Sekolah Tinggi Ilmu Hukum ADHYAKSA
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

Code apply to criminal acts of corruption, per Article 103 of the Criminal Code.[40]

The initial step in evaluating corporate actions as a criminal act of corruption is to consider corruption as a criminal act that always involves many individuals, is syndicated, and causes issues in the men's reading and actus reus. When a corporation is accused of committing a criminal act of corruption that involves other individuals or corporations, it is challenging to ascertain the nature of corporate participation in the criminal act of corruption, whether it be as Pleger, Doenpleger, Medepleger, *Uitlokker*, or only as an assistant. The challenges associated with applying the doctrine of acts to corporations that engage in criminal acts of corruption have implications for the evolution of acts against corporations as a response to legal advancements. The development of this doctrine of acts has implications for the development of the doctrine of corporate participation in criminal acts of corruption.[41]

The primary challenge in distinguishing memeplexes and *medeplichtige* in cases of corruption in Articles 2 and 3, as well as other criminal acts, is determining the limit of whether a person's actions are included in the act of implementation, thereby determining whether they are memeplexes or not and can be classified as Assistance. This is indeed a challenging issue, even though the debate surrounding it has resulted in various opinions consolidated into two main theories: the Objective and the Subjective theories. However, this does not resolve the current debate regarding memeplexes and *medeplichtige*.[42]

The answer to why the form of inclusion of *Doen Plegen*, *Uitlokken*, or *Medeplichtige* in corruption cases under Article 2 and Article 3 was not found is provided by the development of the doctrine of *medeplegen* in judicial practice, which has concluded that the meaning of *Deelneming* is the same as the meaning of *Medeplegen* (Mp'). The reason is not that the form of inclusion does not exist; instead, it has been absorbed and incorporated into the form of deepening inclusion in practice. *Deelneming* inclusion surpasses the imprecise borders of other forms of inclusion, including *doenplegen*, *uit lokken*, and *medeplechtige*. In addition, it is exceedingly challenging to ascertain the quality of the plugin in a defendant in corruption cases, and in practice, all factors are incorporated into the memeplex's inclusion. [43]

---

[40] Muhamad Ferdy Firmansyah, 'Impact of Political Institution Role to Anti-Corruption Perception Index: An Experience From Indonesia', *International Journal of Community Service & Engagement*, 2.1 (2021), 20–41 https://doi.org/10.47747/ijcse.v2i1.145

[41] Muhtar Hadi Wibowo, 'Corporate Responsibility in Money Laundering Crime (Perspective Criminal Law Policy in Crime of Corruption in Indonesia)', *Journal of Indonesian Legal Studies*, 3.2 (2018), 213–36 https://doi.org/10.15294/jils.v3i02.22740

[42] Bambang SLamet Riyadi, 'The Sociology Law: Corruption and Abuse of Power in Indonesia', *International Journal of Religion*, 5.7 (2024), 599–613 https://doi.org/10.61707/64fp5z33

[43] Tofik Yanuar Chandra and Bambang Slamet Riyadi, 'The Differences between the Attorney General and The Corruption Eradication Commission in Prosecuting Corruption Cases in

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

The deeming provisions are functionally designed to facilitate the imposition of criminal culpability and punishment in a criminal act that involves multiple perpetrators. This is significant because the subject of the perpetrator in crimes regulated in the Criminal Code and outside the Criminal Code is formulated as *"engkelvoudige dader"* or single perpetrator, specifically with the formulation of *hij die* or whoever, which has since evolved to the term "everyone". We cannot demand criminal responsibility for individuals implicated in a crime who do not meet all of the elements of a crime, as there are no deeming provisions.[44]

Provisions of inclusion constructed with a systematic, formalistic, rigid, and strict arrangement are nothing more than an attempt to achieve legal certainty rooted in the teachings of legalism. Legislation mandates that a legal provision be made in writing, rigid, strict, and precise in anticipation of preventing arbitrary treatment or the absolutism of monarchical power when the provision is established.[45]

The legal issue arising the formulation of the highly formalistic and stringent deeming provisions cannot be consistently applied due to the complexity of the character and forms of criminal acts, as well as the variety of modes, motives, and the role of the perpetrators of criminal acts between one case and another. The provisions of deepening are unable to predict and adapt to the development of various crimes, particularly those in the current era with a very high and varied level of complexity, due to their rigid nature.[46]

Given the reality of deeming provisions in criminal law that are regulated in writing and technically with a rigid systematic format, these provisions become unpredictable, unacceptable, unstable, and unsuitable for regulating multi-complex matters such as the current crime of corruption. Therefore, it is reasonable to establish a scheme or legal form that is more effective in establishing legal certainty.[47]

Legal uncertainty surrounding the deeming provisions in corruption offenses undermines the protection of state finances and contradicts the human rights principle of equality before the law, an essential characteristic

---

Indonesia: A Legal Analysis', *International Journal of Religion*, 5.2 (2024), 267–75 https://doi.org/10.61707/1phztv11

[44] Hamdan Rampadio, Ana Fauzia, and Fathul Hamdani, 'THE URGENCY OF ARRANGEMENT REGARDING ILLICIT ENRICHMENT IN INDONESIA IN ORDER TO ERADICATION OF CORRUPTION CRIMES BY CORPORATIONS', *Jurnal Pembaharuan Hukum*, 9.2 (2022), 225–41 https://doi.org/10.26532/JPH.V9I2.17625

[45] Agus Riwanto, 'CONSTRUCTION OF LEGAL CULTURE MODEL FOR CORRUPTION PREVENTION THROUGH SOCIAL MEDIA IN INDONESIA', *Jurnal Hukum Dan Peradilan*, 11.3 (2022), 385 https://doi.org/10.25216/jhp.11.3.2022.385-404

[46] Nur Khoirin and Mahfudz Junaedi, 'Religious Inconsistency on Corruption Behaviour among Muslim Politicians in Indonesia', *HTS Teologiese Studies / Theological Studies*, 78.4 (2022) https://doi.org/10.4102/hts.v78i1.7361

[47] Dewi Yustiarini and Biemo W. Soemardi, 'A Review of Corruption in Public Procurement in Indonesia', *IOP Conference Series: Materials Science and Engineering*, 849.1 (2020), 012013 https://doi.org/10.1088/1757-899X/849/1/012013

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

Jurnal Justice
Dialectical
Volume 3, Issue 1, 2025, pp. 71-90
P-ISSN: 3047-423X
E-ISSN: 3047-4264

of a rule-of-law state. To address this, a reconstruction is needed to align the provisions with the principle of legal certainty, particularly given the limitations of their current codified form. This study proposes establishing *deelneming* as a foundational principle of criminal law, thereby transforming it from a rigid and unpredictable procedural rule into a substantive legal doctrine. As a result, the forms of participation outlined in Articles 55 and 56 of the Criminal Code would be redefined as constitutive elements of a criminal offense, rather than merely procedural classifications.[48]

This study refers to the deelneming principle, which entails several key propositions. . First, all parties implicated in a crime are perpetrators of a crime. Secondly, all individuals who commit a crime must be sentenced to a criminal sentence. Third, punishment cannot be assigned to a single perpetrator in a case where multiple individuals are involved in the commission of the crime. Fourth, it is impossible to supplant or substitute a punishment with another party who is not the perpetrator.[49]

The researcher contends that to underscore *deelneming* as a general principle, the correct and perfect comprehension of everyone is a person that includes one or more individuals, as well as a corporation or multiple corporations. The formulation of this understanding has included deeming it a criminal act similar to a criminal act committed by a single individual. *Deelneming* is a criminal provision created and formulated in the Criminal Code in a manner that is consistent with the principle of legality and intended to provide legal certainty in criminal law. This provision must be in written form *(lex scripta)*, be clear *(lex certa)*, and be firm *(lex strichta)*.[50]

Recent research indicates that the plugin pledge, as outlined in Article 55, paragraph (1), point 1 of the Criminal Code, is no longer tenable and should be abolished. The doctrine of inclusion cannot be effectively reconstituted through a mere simplification of the concept of *deelneming* within the Criminal Code. The existing dichotomy between deelneming and *medeplichtige*, coupled with the removal of *plegen* and *doenplegen* from the *deelneming* framework in Chapter V, is inadequate. Therefore, it is imperative to streamline the doctrine of inclusion by consolidating its various forms into

[48] Waluyo Waluyo, Hilaire Tegnan, and Noni Oktiana Setiowati, 'Aligning State Finance Regulations with SOE Bankruptcy Policy: Evidence from the United States', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 246–78 https://doi.org/10.53955/jhcls.v5i1.470

[49] Yogi Yasa Wedha and others, 'Unraveling the Complex Policies Regulating Conflicts of Interest and Criminal Corruption', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 33–59 https://doi.org/10.53955/jhcls.v5i1.486

[50] Muhammad Aryo Dwinanda Mukti and Mulyadi Mulyadi, 'Application of Participation (Deelneming) in the Crime of Mistreatment of A Child (Case Study of Decision Number 4/PID.SUS-ANAK/2023/PN JKT.SEL)', *Law Development Journal*, 6.4 (2024), 525 https://doi.org/10.30659/ldj.6.4.525-538

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

a singular, cohesive structure.[51] The researcher proposes a novel reconstruction of the doctrine of *deelneming* in cases of corruption that lead to state financial losses, reinterpreting it as a foundational principle of criminal law rather than just a technical provision. . *Deelneming* is a component of the crime, not a delict *bestandel*. Secondly, the term *"deelneming"* is limited to *medeplegen*, *uitlokkin*, and *medeplichtigen*. The definition of a plugin does not include *memeplexes* in the form of *pledges* and *uitlokkin*. Third, combining the forms of *deelneming*, namely *medeplegen*, *uitlokkin*, and *medeplictigen*, into a single form of inclusion that is not characterized by any rigid, formalistic, or systematic division or distinction. Fourth, the definition of *deelneming* includes the principles or legal theories of intent and the theory of causality, specifically the theory of relevance. Fifth, the principle of tacit cooperation is also present in the sense of *delneeming*, and it therefore pertains to any act of not doing something that should be done with intent or awareness of the occurrence of a crime *(Delicta comissiva per ommisiva)*.[52]

Conclusion

Judicial practice in Indonesia continues to face significant challenges, particularly concerning legal certainty in applying the doctrine of inclusion *(deelneming)* in corruption cases. Ambiguities in its interpretation have led to sentencing disparities and inequities, as judges exercise broad discretion in defining participation. Articles 2 and 3 of the Corruption Law are frequently applied due to their broad and flexible wording; however, their elasticity, though intended to capture the complexity of corruption and meet public expectations, has instead fostered legal uncertainty, offense overlap, and risks of overcriminalization. The Corruption Law's provisions on participation remain inadequate, diverging from the criminal liability framework established in the Criminal Code. Article 15, in particular, imposes uniform penalties on all forms of participation, disregarding the degree of involvement or culpability. This undifferentiated approach fails to reflect the complexities of modern corruption, especially in cases involving corporate actors. Accordingly, it is essential to reconceptualize *deelneming* as a foundational principle of criminal law rather than a mere procedural mechanism. Such a reimagining requires a more nuanced and flexible framework that integrates various forms of participation, grounded in the theories of intent, causality, and tacit cooperation.

[51] Nur Ariatmoko, 'Implementation of Deelneming in Tax Criminal Actions', *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 10.1 (2024), 1 https://doi.org/10.29300/mzn.v10i1.2939

[52] Dimitrios Asteriou, Keith Pilbeam, and Iuliana Tomuleasa, 'The Impact of Corruption, Economic Freedom, Regulation and Transparency on Bank Profitability and Bank Stability: Evidence from the Eurozone Area', *Journal of Economic Behavior & Organization*, 184 (2021), 150–77 https://doi.org/10.1016/j.jebo.2020.08.023

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

P-ISSN: 3047-423X
E-ISSN: 3047-4264

References

Aidonojie, Paul Atagamen, Hassan Ismaila, Eregbuonye Obieshi, and Omobolanle Omolola Ikpotokin, 'Examining Human Rights Abuses on Religious, Cultural, and Political Intolerance in Nigeria', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 3.1 (2025), 78–94 https://doi.org/10.53955/jsderi.v3i1.55

Alfada, Anisah, 'The Destructive Effect of Corruption on Economic Growth in Indonesia: A Threshold Model', *Heliyon*, 5.10 (2019), e02649 https://doi.org/https://doi.org/10.1016/j.heliyon.2019.e02649

Anugrah Nasution, Adhitya, and Riswadi Riswadi, 'Legal Reconstruction of Non-Conviction-Based Asset Forfeiture for State Loss Recovery from Corruption Crimes', *Return : Study of Management, Economic and Bussines*, 3.11 (2024), 871–80 https://doi.org/10.57096/return.v3i11.293

Ariatmoko, Nur, 'Implementation of Deelneming in Tax Criminal Actions', *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 10.1 (2024), 1 https://doi.org/10.29300/mzn.v10i1.2939

Asteriou, Dimitrios, Keith Pilbeam, and Iuliana Tomuleasa, 'The Impact of Corruption, Economic Freedom, Regulation and Transparency on Bank Profitability and Bank Stability: Evidence from the Eurozone Area', *Journal of Economic Behavior & Organization*, 184 (2021), 150–77 https://doi.org/10.1016/j.jebo.2020.08.023

Azwar, Azwar, and Achmat Subekan, 'Does Democracy Reduce Corruption in Indonesia?', *Jurnal Ilmu Sosial Dan Ilmu Politik*, 25.3 (2022), 195 https://doi.org/10.22146/jsp.56886

Chandra, Tofik Yanuar, and Bambang Slamet Riyadi, 'The Differences between the Attorney General and The Corruption Eradication Commission in Prosecuting Corruption Cases in Indonesia: A Legal Analysis', *International Journal of Religion*, 5.2 (2024), 267–75 https://doi.org/10.61707/1phztv11

De Chiara, Alessandro, and Ester Manna, 'Corruption, Regulation, and Investment Incentives', *European Economic Review*, 142 (2022), 104009 <https://doi.org/10.1016/j.euroecorev.2021.104009>

———, 'Corruption and the Case for Safe-Harbor Regulation', *Economics Letters*, 216 (2022), 110546 https://doi.org/10.1016/j.econlet.2022.110546

'Corruption in Indonesia (Is It Right to Governance, Leadership and It to Be Caused?)', *Journal of Economics and Sustainable Development*, 2020 https://doi.org/10.7176/JESD/11-2-06

Dincer, Oguzhan, and Burak Gunalp, 'The Effects of Federal Regulations on Corruption in U.S. States', *European Journal of Political Economy*, 65 (2020), 101924 https://doi.org/10.1016/j.ejpoleco.2020.101924

Firmansyah, Firmansyah, Topo Santoso, Febrian Febrian, and Nashriana Nashriana, 'Reconstruction to Prove Elements of Detrimental to State Finances in the Criminal Act of Corruption in Indonesia', *Jurnal Cita*

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

Hukum, 8.3 (2020) https://doi.org/10.15408/jch.v8i3.18295

Firmansyah, Muhamad Ferdy, 'Impact of Political Institution Role to Anti-Corruption Perception Index: An Experience From Indonesia', *International Journal of Community Service & Engagement*, 2.1 (2021), 20–41 https://doi.org/10.47747/ijcse.v2i1.145

Fu, Tong, and Ze Jian, 'Corruption Pays off: How Environmental Regulations Promote Corporate Innovation in a Developing Country', *Ecological Economics*, 183 (2021), 106969 https://doi.org/10.1016/j.ecolecon.2021.106969

Hafidz, Jawade, Dini Amalia Fitri, Muhammad Azam, Achmad Arifullah, and Agus Prasetia Wiranto, 'The Corruption Reduction with an Administrative Law Approach: Evidence from Australia', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 822–41 https://doi.org/10.53955/jhcls.v4i3.396

Hanoteau, Julien, Gandhi Pawitan, and Virginie Vial, 'Does Social Capital Reduce Entrepreneurs' Petty Corruption? Evidence across Indonesian Regions', *Papers in Regional Science*, 100.3 (2021), 651–71 https://doi.org/https://doi.org/10.1111/pirs.12588

Hartanto, Ponco, Pujiyono Suwadi, Muhammad Rustamaji, and Rizqan Kamil, 'Corruption Policy Challenges in Combating Land Mafia: Experiences from Several Countries', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 521–654 https://doi.org/10.53955/jhcls.v4i3.233

Hartati, Hafrida, Erwin, Romi Arizyanto, and Beny Saputra, 'Authority for Calculating State Economic Losses in Criminal Acts of Corruption in Indonesia', *Jurnal IUS Kajian Hukum Dan Keadilan*, 12.3 (2024), 530–41 https://doi.org/10.29303/ius.v12i3.1480

Hufron, and Sultoni Fikri, 'The Urgency of Regulating Forfeiture of Assets Gained from Corruption in Indonesia', *Legality : Jurnal Ilmiah Hukum*, 32.2 (2024), 292–310 https://doi.org/10.22219/LJIH.V32I2.35243

Irawan, Aris, Asneliwarni, Julian Ransangan, and Rachel Georghea Sentani, 'Criminal Penalties for Foreigners Engaged in Illegal Fishing Indonesia's ZEE Impact SDGs', *Journal of Sustainable Development and Regulatory Issues (JSDERI)*, 3.1 (2025), 95–120 https://doi.org/10.53955/jsderi.v3i1.42

Jaelani, Abdul Kadir, Reza Octavia Kusumaningtyas, Resti Dian Luthviati, Sholahuddin Al Fatih, and Ahmad Siboy, 'Green Legality Certificate on Agrarian Reform: Indonesian Experience', *KnE Social Sciences*, 2024 https://doi.org/10.18502/kss.v8i21.14713

Jandhyala, Srividya, and Fernando S. Oliveira, 'The Role of International Anti-Corruption Regulations in Promoting Socially Responsible Practices', *Journal of Economic Behavior & Organization*, 190 (2021), 15–32 https://doi.org/10.1016/j.jebo.2021.07.017

Khoirin, Nur, and Mahfudz Junaedi, 'Religious Inconsistency on Corruption Behaviour among Muslim Politicians in Indonesia', *HTS Teologiese Studies / Theological Studies*, 78.4 (2022)

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

P-ISSN: 3047-423X
E-ISSN: 3047-4264

https://doi.org/10.4102/hts.v78i1.7361
Mukti, Muhammad Aryo Dwinanda, and Mulyadi Mulyadi, 'Application of Participation (Deelneming) in the Crime of Mistreatment of A Child (Case Study of Decision Number 4/PID.SUS-ANAK/2023/PN JKT.SEL)', *Law Development Journal*, 6.4 (2024), 525 https://doi.org/10.30659/ldj.6.4.525-538
La Ode Faiki, 'The Phenomenon of Corruption and Efforts to Combat Corruption in Indonesia', *Jurnal Multidisiplin Madani*, 3.2 (2023), 381–91 https://doi.org/10.55927/mudima.v3i2.2437
Parsons, Brandon, 'Unpacking Corruption: The Role of Economic Freedom in Developing Countries', *Research in Economics*, 79.2 (2025), 101044 https://doi.org/10.1016/j.rie.2025.101044
Prasetyo, Dedy Ardian, and Rahimah Embong, 'The Impact of Human Rights Principles on the Criminal Act of Caning: Asymmetric Decentralization Insight', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 60–90 https://doi.org/10.53955/jhcls.v5i1.528
Purnamasari, Pupung, Noor Afza Amran, A. Harits Nu'man, Rusman Frendika, Mohamad Naimi Mohamad Nor, and Mohamad Sharofi Ismail, 'Penta-Helix Model of E-Government in Combating Corruption in Indonesia and Malaysia: The Moderating Effect of Religiosity', *F1000Research*, 11 (2022), 932 https://doi.org/10.12688/f1000research.121746.3
Purnamasari, Pupung, Rusman Frendika, . Lasmanah, Noor Afza binti Amran, Mohamad Naimi Mohamad Nor, and Mohamad Sharofi Ismail, 'The Influence of E-Government Services on Corruption in Indonesia and Malaysia', *KnE Social Sciences*, 2022 https://doi.org/10.18502/kss.v0i0.12332
Putri, Caesar Marga, Josep Maria Argilés-Bosch, and Diego Ravenda, 'Creating Good Village Governance: An Effort to Prevent Village Corruption in Indonesia', *Journal of Financial Crime*, 31.2 (2024), 455–68 https://doi.org/10.1108/JFC-11-2022-0266
QuahQuah, Jon S.T.Jon S T, 'Combating Police Corruption in Indonesia: Cleansing the Buaya (Crocodile)', *Asian Education and Development Studies*, 9.2 (2019), 129–43 https://doi.org/https://doi.org/10.1108/AEDS-04-2018-0088
Rachmawaty, Rachmawaty, Hartiwiningsih Hartiwiningsih, I Gusti Ayu Ketut Rachmi Handayani, and Ravi Danendra, 'Judges' Philosophical Orientation in Resolving Anti-SLAPP Disputes', *Journal of Human Rights, Culture and Legal System*, 4.1 (2024), 149–68 https://doi.org/10.53955/jhcls.v4i1.215
Rampadio, Hamdan, Ana Fauzia, and Fathul Hamdani, 'THE URGENCY OF ARRANGEMENT REGARDING ILLICIT ENRICHMENT IN INDONESIA IN ORDER TO ERADICATION OF CORRUPTION CRIMES BY CORPORATIONS', *Jurnal Pembaharuan Hukum*, 9.2 (2022), 225–41 https://doi.org/10.26532/JPH.V9I2.17625
Riwanto, Agus, 'CONSTRUCTION OF LEGAL CULTURE MODEL FOR

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Jurnal Justice
Sekolah Tinggi Ilmu Hukum ADHYAKSA Dialectical
Volume 3, Issue 1, 2025, pp. 71-90

CORRUPTION PREVENTION THROUGH SOCIAL MEDIA IN INDONESIA', *Jurnal Hukum Dan Peradilan*, 11.3 (2022), 385 https://doi.org/10.25216/jhp.11.3.2022.385-404

Riyadi, Bambang SLamet, 'The Sociology Law: Corruption and Abuse of Power in Indonesia', *International Journal of Religion*, 5.7 (2024), 599–613 https://doi.org/10.61707/64fp5z33

Rukmono, Bambang Sugeng, Pujiyono Suwadi, and Muhammad Saiful Islam, 'The Effectiveness of Recovering Losses on State Assets Policy in Dismissing Handling of Corruption', *Journal of Human Rights, Culture and Legal System*, 4.2 (2024), 299–330 https://doi.org/10.53955/jhcls.v4i2.259

Sunaryo, Sidik, and Asrul Ibrahim Nur, 'Legal Policy of Anti-Corruption Supervisor Design: A New Anti-Corruption Model in Indonesia', *Bestuur*, 10.2 (2022), 137–58 https://doi.org/10.20961/bestuur.v10i2.65105

Suprayoga, Bima, Hartiwiningsih, and Muhammad Rustamaji, 'Reconstruction of State Economic Losses in Criminal Acts of Corruption in Indonesia', *Revista de Gestão Social e Ambiental*, 17.4 (2023), e03453 https://doi.org/10.24857/rgsa.v17n4-024

Syihab, Mahdi Abdullah, and Muhammad Hatta, 'Punishment Weighting for Criminal Acts of Corruption in Indonesia', *SASI*, 28.2 (2022), 307 https://doi.org/10.47268/sasi.v28i2.955

Tri Sandi, Lidya Ramadhani Hasibuan, and Aulia Rahman Lubis, 'When Corporations Cross the Line: Legal Perspectives on Corporate Corruption in Indonesia', *Indonesian Journal of Interdisciplinary Research in Science and Technology*, 3.2 (2025), 225–34 https://doi.org/10.55927/marcopolo.v3i2.11

Triatmanto, Boge, and Suryaning Bawono, 'The Interplay of Corruption, Human Capital, and Unemployment in Indonesia: Implications for Economic Development', *Journal of Economic Criminology*, 2 (2023), 100031 https://doi.org/10.1016/j.jeconc.2023.100031

Waluyo, Waluyo, Hilaire Tegnan, and Noni Oktiana Setiowati, 'Aligning State Finance Regulations with SOE Bankruptcy Policy: Evidence from the United States', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 246–78 https://doi.org/10.53955/jhcls.v5i1.470

Wedha, Yogi Yasa, I Made Hendra wijaya, Hudali Mukti, and Arida Turymshayeva, 'Unraveling the Complex Policies Regulating Conflicts of Interest and Criminal Corruption', *Journal of Human Rights, Culture and Legal System*, 5.1 (2025), 33–59 https://doi.org/10.53955/jhcls.v5i1.486

Wibowo, Muhtar Hadi, 'Corporate Responsibility in Money Laundering Crime (Perspective Criminal Law Policy in Crime of Corruption in Indonesia)', *Journal of Indonesian Legal Studies*, 3.2 (2018), 213–36 https://doi.org/10.15294/jils.v3i02.22740

Wulandari, Astri, Rana A. Fitriawan, Catur Nugroho, Rosalia P. Nurdiarti, M. Nastain, and Kharisma Nasionalita, 'Indonesia's Women: Corruption Is a

Article History
Submitted 6 November 2024- Revision Required 10 March 2025 - Accepted 28 May 2025

P-ISSN: 3047-423X
E-ISSN: 3047-4264

Normal Thing (Survey of Women's Perception of Corruption in Indonesia)', *Sage Open*, 14.2 (2024) https://doi.org/10.1177/21582440241259956

Yunan, Zuhairan Yunmi, Ben Freyens, Yogi Vidyattama, and Itismita Mohanty, 'Spread of Corruption in Indonesia after Decentralisation: A Spatiotemporal Analysis', *Oxford Development Studies*, 51.2 (2023), 198–215 https://doi.org/10.1080/13600818.2022.2162493

Yustia, Dewi Asri, and Firdaus Arifin, 'Bureaucratic Reform as an Effort to Prevent Corruption in Indonesia', *Cogent Social Sciences*, 9.1 (2023) https://doi.org/10.1080/23311886.2023.2166196

Yustiarini, Dewi, and Biemo W. Soemardi, 'A Review of Corruption in Public Procurement in Indonesia', *IOP Conference Series: Materials Science and Engineering*, 849.1 (2020), 012013 https://doi.org/10.1088/1757-899X/849/1/012013

Zhou, Anhua, and Jun Li, 'Impact of Anti-Corruption and Environmental Regulation on the Green Development of China's Manufacturing Industry', *Sustainable Production and Consumption*, 27 (2021), 1944–60 https://doi.org/10.1016/j.spc.2021.04.031