

Criminal Law Politics: Law Concerning Corruption Crimes Eradication

Yazid Bustomi, Reza Pahlevi and Ariyanti Lady Sakinata

Department of Law, Faculty of Social Science and Law, State University of Surabaya, Indonesia

E-mail: bustomipaul@gmail.com

How to cite : Yazid Bustomi, et.all. "Criminal Law Politics " Law Concerning Corruption Crimes Eradiction"
Unifikasi: Jurnal Ilmu Hukum. 8(1). 2021.126-133. DOI : 10.25134/unifikasi.v8i1.3557
Submitted : 15-10-2020 Revised : 08-01-2021 Accepted : 14-01-2021

Abstract : The purpose of this study is to analyze the law authority through criminal law politics states in the law concerning corruption. This study employed a normative juridical method with conceptual and statute approaches. This research collected the data from primary and secondary legal materials. These are to obtain a critical study of legal issues happening in society. The findings revealed that the criminal act of corruption does not provide a deterrent effect and is actually detrimental to the state. In addition, this study also found that the law concerning corruption increases the state's burden. This is because the prison sentence for corruptors is too light. The amount of money proceeds from corruption is not comparable to state spending in supporting the life of corrupt convicts in prison. The standard of penalty state in the law is too light compare to the result of corruption. Thus, it is necessary to reform the law on corruption due to the absence of proportionality in law and large losses to the state when dealing with corruption. The highest standard penalty for corruption only amounts to one billion Rupiah. In fact, many corruption cases reach to tens billions and even trillions rupiahs.

Keywords: Corruption; Criminal Law; Criminal Law Politics

Politik Hukum Pidana dalam Undang-Undang tentang Pemberantasan Tindak Pidana Korupsi

Abstrak : Penelitian ini bertujuan untuk menganalisis wibawa hukum melalui politik hukum pidana pada undang-undang tindak pidana korupsi. Penelitian ini menggunakan metode yuridis normative dengan pendekatan konseptual dan pendekatan perundang-undangan. Penelitian ini dilakukan dengan mengumpulkan bahan hukum primer dan sekunder, guna mendapatkan studi kritis tentang masalah hukum yang beredar di masyarakat. Hasil dari penelitian ini menunjukkan jika undang-undang tindak pidana korupsi tidak memberikan efek jera dan justru merugikan negara. Penelitian ini menemukan jika undang-undang tindak pidana korupsi menjadikan beban negara bertambah karena hukuman penjara untuk para koruptor terlalu ringan, uang hasil korupsi yang disita jumlahnya tidak sebanding dengan pengeluaran negara saat menghidupi napi korupsi di penjara dan standar denda pada undang-undang yang terlalu ringan jika dibandingkan hasil korupsinya. Sehingga perlu adanya pembaharuan undang-undang korupsi, mengingat tidak adanya proporsionalitas dalam undang-undang ini., karena mengakibatkan kerugian-kerugian besar yang akan diterima oleh negara ketika menangani korupsi jika hanya menyebutkan standar denda yang terbanyak hanya terbilang Rp. 1 Milyar Rupiah saja, padahal banyak kasus-kasus korupsi yang terjadi dengan nominal hingga puluhan milyar bahkan triliyunan rupiah.

Kata kunci: Hukum Pidana, Korupsi, Politik Hukum Pidana

INTRODUCTION

In the development of law, legal politics, according to Sacipto Rahardjo, is a legal study directed at the iusconstituendum and is a substantial part of legislation knowledge.¹ This means legal politics discusses how changes made in applicable law to meet existing needs in society. Furthermore, it also discusses the process of forming the iusconstituendum of the iusconstitutum in facing the changes in society's life. The result of legal change sets the framework and direction for

¹ Abu Rokhmad, *Abu Rokhmad, Hukum Progresif Pemikiran Satjipto Rahardjo Dalam Perspektif Teori Masalah*, ed. by Ahmad Hakim, 1st edn (Semarang: Pustaka Rizki Putra, 2012). 8.

legal developments. This is also reinforced by Utrech's opinion that legal politics create rules that will determine how humans should act.²

The study on criminal law politics indicates there is a need to review the actual problem of criminal law legislation. This study will describe the formulation of existing criminal law concerning corruption eradication in Indonesia. The issue of eradicating corruption is an interesting thing to discuss because this is a major problem happening in every country, especially in Indonesia. Eradicating corruption needs to be conducted on an ongoing basis. This is because the symptoms are like an iceberg phenomenon. Thus, the current corruption eradication is only a small picture of the cases that have occurred. Corruption can destroy life in society, nation, and state. The budget to optimize the welfare of the community can only rejoice by few people. This then causes state fragility in Indonesia. The result of transparency International's survey shows that Indonesia is at level 38 on a scale of 0-100 in 2018.³

An index close to 0 indicates there is a high corruption occurrence. On average, there are 392 cases of suspected corruption handled by law enforcement in 2015-2018. The number of suspects reached 1,153 people and state losses of IDR 4.17 trillion per year. This means there is the need to conduct a firm and wise action on corruption cases in Indonesia. Thus, this will not cause losses to state finances. There is the need to regulate a strict criminal law and provide a deterrent effect to eradicate corruption. In addition, there must be a review from a law enforcement perspective. This can be done by assessing the legislation product that has been made. This is to assess the social sensitivity that occurs in society. The laws should be able to describe new actions or modes emerge and provide solutions to improve the condition of state finances.

RESEARCH METHODS

This study employed normative legal research where the data collected by literature study.⁴ In addition, this study was also involved statue and conceptual approaches. The former approach was carried out by examining all relevant laws on researched legal issues based on the statutory hierarchy. The result of the analysis becomes an argument to solve the issue at hand. Meanwhile, the latter approach was carried out because no legal rule applies to the current problem. Thus, this study needs to refer to legal principles based on scholars and legal doctrines perspectives.⁵

RESULTS AND DISCUSSION

According to Prof. Mardjono Reksoduputro, in the book of Indonesian criminal law reformation, there are a number of principles that should be considered in determining how criminal law is formulated and administered, namely: A) the principle of reasonableness losses described by the act. B) the principle of action tolerance. C) the principle of subsidiarity. D) the principle of proportionality. E) the principle of legality F) the principle of its practical and effective use.

A. The Principle of Reasonableness Losses Described by the Act

Law enforcement officials have collaborated with the BPK or BPKP in tracing the elements detrimental to state finances. Recently, the result of an audit by BPK and BPKP revealed that it was

² Ruslan Rasyid, 'Politik Hukum Pembentukan Peraturan Daerah Nomor 5 Tahun 2006 Tentang Investasi Infrastruktur Jalan Dan Landing Site Eks Jalan Pertamina Oleh Pemerintah Kabupaten Barito Timur', *Arena Hukum*, 6.3 (2013), 290–307 <<https://doi.org/10.21776/ub.arenahukum.2013.00603.1>>.

³ Databoks, 'Indeks Persepsi Korupsi Indonesia 2018 Naik 1 Poin Menjadi 38', *Katadata*, 2018 <<https://databoks.katadata.co.id/datapublish/2019/01/29/indeks-persepsi-korupsi-indonesia-2018-naik-1-poin-menjadi-38>> [accessed 12 April 2020].

⁴ HSR. Tinambunan, H. Widodo, and GA. Ahmad, 'The Reconstruction of Revocation Againsts the Rights to Vote or to Be Voted in Public Post for Those Who Are Found Guilty in Corruption Case in Indonesia from a Progressive Legal Perspective', *Journal of Physics: Conference Series*, 953 (2018), 012170 <<https://doi.org/10.1088/1742-6596/953/1/012170>>.

⁵ Peter Mahmud Marzuki, *Penelitian Hukum*, 12th edn (Jakarta: PRENADAMEDIA GROUP, 2016). 133.

against the law and was not under their authority. The BPK's and BPKP's authority is not to the extent of finding the presence of an illegal act as this is under the investigator and public prosecutor's authority. The element of state financial loss, if Article 2 paragraph (1) of Law Number 31 of 1999 is linked with Law Number 1 of 2004, it must be examined thoroughly on the relationship between the return of state losses to the committed illegal actions. Reimbursement of state losses after the results of an audit conducted by the BPK do not necessarily mean that the BPK does not need to report it to the competent agency. Therefore, any findings of state losses by BPK from the results of the audit must be reported to the competent agencies, the public prosecution and the National Police. This is to see whether the state losses being returned constitute an act against the law or not.⁶

Law Number 1 of 2004 concerning state treasury Article 64 paragraph (1) states that "financial manager, non-financial manager civil servants, and other officials appointed to compensate state/regional losses may be subject to administrative sanctions and/or criminal sanctions". This can be interpreted that even the state loss has been returned, it is still possible to proceed through criminal proceedings. Based on the criminal aspect, every BPK audit result must be reported to the competent authority, regardless the state losses have been returned or not.⁷

In practice, the confusion is also found in the element verification of state loss. In several judicial practices, it has been proven that there is an element of state loss. However, the element in the form of enriching oneself, others, and corporations is not proven.⁸ Thus, this is used as an excuse to release corruption suspects. This behavior hampers the law enforcement process. The evidence of state financial loss element in a trial must be properly investigated and should not be avoided. The investigation process and the trial must be done thoroughly so no mistakes occur. A question would arise if it is not properly implemented. Such as where is the money or assets losses? In conclusion, the reasonable loss due to the criminal act of corruption is due to a change in public official's moral values. However, the paradigm has shifted with the spread of corruption committed by conglomerates and the elite class that controls the bureaucrats.

B. The principle of act tolerance

The assessment of losses is closely related to the presence or absence of tolerance. Tolerance is based on respect for individual freedom and responsibility.⁹ Article 4 of Law No. 31 of 1999 Jo. UU no. 20 of 2001 concerning the Eradication of Corruption Crimes ("Hereinafter referred to as the TIPIKOR Law), explicitly states that the recovery of state financial losses or economy does not eliminate the conviction of criminal offenders. This is referred to in Article 2 and Article 3. The law enforcers in general will take a stand with the fulfillment of the elements in Article 2 and Article 3. Thus, the corruptors will still be prosecuted legally. The crimes will not be abolished.

Strengthening the provisions of Article 4, the Supreme Court in its decision Number: 1401K / Pid / 1992 dated June 29, 1994, with legal considerations stated that even though the losses of the State/Region Level II Sikka have been returned by the defendant, the unlawful nature of the defendant's legal actions remains. This cannot be written off and cannot be considered as an excuse to justify or forgive the defendant's mistake. The defendant is still be prosecuted based on the

⁶ Kejaksaan Negeri Jakarta Barat, 'Permasalahan Seputar Kerugian Keuangan Negara (Tinjauan Dari Perspektif Pembuktian Hukum Pidana)', *Kejari-Jakbar.Go.Id*, 2016 <<http://www.kejari-jakbar.go.id/index.php/component/k2/item/236-permasalahan-seputar-kerugian-keuangan-negara-tinjauan-dari-perspektif-pembuktian-hukum-pidana>> [accessed 10 June 2020].

⁷ Mieke Ayu Raba, 'Peran Badan Pemeriksa Keuangan (Bpk) Dalam Melakukan Pemeriksaan Terhadap Pengelolaan Keuangan Negara Untuk Mewujudkan Pemerintahan Yang Baik Menurut Uu No. 15 Tahun 20061', *Lex Crimen*, VI.3 (2017), 152–60.

⁸ Emerson Yuntuho and others, *Penerapan Unsur Merugikan Keuangan Negara Dalam Delik Tindak Pidana Korupsi* (Jakarta, 2014). 42.

⁹ Dey Ravena and Kristian, *Kebijakan Kriminal (Criminal Policy)*, 1st edn (Jakarta: Kencana Prenada Media Group, 2017). 159.

applicable law. However, the return of corrupted state finances can be used as one of the factors that mitigates the defendant's sentence from the judge verdict.¹⁰ In principle, returning goods of criminal act result is still considered as an act against the law and cannot be justified even the suspect has a good intention to return the goods resulting from the crime. As an analogy, if someone steals a wallet and then returns it because someone else knows it, that is still a criminal offense. It is unfortunate that the good intention from the defendant was abused. We never know whether the defendant really had good intentions or this thing was done to lighten the offense. Accordingly, there is a little tolerance in the regulations for eradicating corruption. The state should not tolerate corruptors because this is very detrimental to the state from all aspects.

C. Principle of Proportionality

This principle emphasizes a balance between losses described with the limits given by the principle of tolerance and the reaction or penalty given. In other words, there must be a balance between the penalty severity imposed and the loss so that it is worthy to be considered as an ideal law.¹¹ Corruption is not included in the proportional principle. For example, corruption case committed by the chairman of the Bengkalis DPRD, Heru Wahyudi, who committed corruption in social assistance funds worth IDR of 31 billion. He was sentenced by the panel of judges to 18 months in prison or (1 year 6 months in prison). The panel of judges also obliged the suspect to pay a fine of IDR 50 million, subsidiary to two months in prison, and pay compensation of IDR 15 million.¹² If we see the offense detrimental to state finances as in Article 2 paragraph (1) and 3 of the Corruption Law, Article 2 paragraph (1) states "Any person who illegally commits an act of enriching himself, another person, or a corporation harming the state finances or state economy, shall be punished with life imprisonment or imprisonment for a minimum of four years and a maximum of twenty years and a penalty of at least IDR of 200,000,000.00 (two hundred million rupiahs) and a maximum IDR of 1,000,000,000.00 (one billion rupiahs). Meanwhile, Article 3 reads "Any person aiming to benefit himself or another person, or a corporation misuses his/her authority, opportunity, or facility due to his position and harming the state finances or the state economy, shall be punished with life imprisonment or imprisonment for a minimum of one year and a maximum of twenty years and or a penalty of at least IDR of 50,000,000 (fifty million rupiahs) and a maximum IDR of 1,000,000,000.00 (one billion rupiah).

In conclusion, the law has not specifically regulated the large losses received by the state regarding corruption. The law only states the maximum standard penalty is only IDR of one billion Rupiah even though many corruption cases happening in Indonesia amounted up to tens billions and trillions rupiahs. This light imprisonment and penalty help the corruptors enrich themselves with their proceeds of corruption and cause enormous losses to the state.

D. The Principle of Subsidiarity

This principle states an act prior to declared as a criminal act, is necessary to pay attention to whether the violation of legal interests can still be protected in other ways. This is because criminal law is only *ultimum remedium*.¹³ Thus, the aforementioned principle also relates to this principle. The

¹⁰ Ali, 'Pengurangan Hukuman Syaukani Sesuai Doktrin', *HUKUM ONLINE*, 2017 <<https://www.hukumonline.com/berita/baca/hol18189/pengurangan-hukuman-syaukani-sesuai-doktrin>> [accessed 11 June 2020].

¹¹ Dey Ravena and Kristian, *Op.Cit.*, 159.

¹² M Syukur, 'Kasus Korupsi Rp 31 M, Ketua DPRD Bengkalis Divonis 1,5 Tahun Bui', *Liputan6.Com*, 2017 <<https://www.liputan6.com/regional/read/2974957/kasus-korupsi-rp-31-m-ketua-dprd-bengkalis-divonis-15-tahun-bui>> [accessed 11 June 2020].

¹³ Dey Ravena and Kristian, *Op.Cit.*, 160.

imprisonment and penalty in Indonesia are only in a small number and do not cover the full nominal loss from the corruptors.

For this reason, the country experiences multiple losses. Furthermore, many corrupt convicts are imprisoned. From two perspectives this also results in multiple state expenditures. First, corrupt convicts have harmed the state. This causes losses as they take the state money illegally to enrich themselves or their group. Second, they are imprisoned. This means they have to use facilities in prison taken from the state finances. Minister of Law and Human Rights (Menkumham), Yasonna Laoly, revealed that the food cost for prisoners in 2019 was 1.79 trillion, which was a big increase. The cause of this increase is the growing number of prisoners. The capacity of correctional institutions (Lapas) and detention centers even overloaded. Therefore, it is necessary to have other alternatives overcoming this problem so that our country does not experience more losses in handling the corruption case.¹⁴

The element of repaying state losses by corruptors is an important element in the execution of criminal acts in corruption and imposing sanctions on the defendants who have not shown a deterrent effect. The former corruption convicts return to corruption. Thus, settlement of state losses needs to be applied immediately to restore lost or reduced state wealth. The state finances and its economy are vital matters and have an important position in the life of the nation and state. This is because it is closely related to the state's ability to realize the goals of the Indonesian state.

There are factors that cause the maximum inability to recover state losses from criminal cases, the corruption in Indonesia. Basically, this comes from the law itself, the lack of regulations regarding replacement money in the Corruption Law. This law only regulates additional penalties for money replacement in one article, Article 18 paragraph (1) letter b, "the penalty payment which is equal to the maximum assets obtained from corruption" and paragraph (3) "In the case where the convict does not have sufficient assets to pay the penalty is referred to in paragraph (1) letter b, they shall be punished with imprisonment whose duration should not exceed the maximum threat of the core punishment. This is in line with the provisions of this law. The duration of punishment has been determined in a court decision". This only covers three things. First, how to calculate the amount of replacement money; second, when the replacement money is paid at the latest; and third, what are the consequences for not paying the replacement money. The lack of regulations regarding replacement money results in confusion in its application. The handling of a corruption case regarding reimbursement money, Article 18 paragraph (3), should be annulled by not giving imprisonment to the convicted prisoners. This should be changed into all corrupt convicts including his children, wives, or anyone involved and enjoyed its money are obliged and responsible to pay the penalty of the state losses. Thus, the reimbursement of money can be optimized and in line with the principle of subsidiarity. This is because the terms of punishment as a final medicine cannot return the loss of state finances by the corruptor.¹⁵

E. The principle of legality

The principle of legality is important and serves as the main principle in criminal law. This principle states in Article 1 Paragraph (1) of the Criminal Code, "An act cannot be punished unless referring to the strength of the existing criminal legislation". This principle aims to impose penalties in criminal law. Every sentence imposed by a judge must be a legal consequence taken from law provision. This aims to guarantee everyone's rights. This principle is the protection for individuals,

¹⁴ Christoforus Ristiano, 'Jumlah Napi Bertambah, Biaya Makan Capai Rp 1,7 Triliun' (*KOMPAS.com*, 2018) <<https://nasional.kompas.com/read/2018/12/27/15413471/jumlah-napi-bertambah-biaya-makan-capai-rp-17-triliun>>. accessed 11 June 2020.

¹⁵ Sara Hersriavita, Lego Karjoko, and W.T Novianto, 'Upaya Pengembalian Kerugian Negara Dari Perkara Tindak Pidana Korupsi Oleh Kejaksaan Negeri Sukoharjo', *Jurnal Pasca Sarjana Hukum UNS*, 7.1 (2019), 15–28.

especially for perpetrators of criminal acts in ensuring justice and legal certainty. According to Barda Nawawi Arief, the provisions of Article 1 paragraph (1) of the Criminal Code contain the principle of "formal legality" or "lex scripta", the principle of "lex certa", the principle of "lex temporis delicti", or the principle of "non-retroactivity". Basically the principle of legality contains three important aspects as follows:

- a. Lex Certa means the provisions of criminal legislation must be clear (leading to the principle of legal certainty).
- b. Lex Stricta means the provisions of criminal law must be strict and have a limited scope.
- c. Lex Scripta means there must be written criminal law rules that make the act punishable.

The Corruption Law, in achieving a political criminal law, it is important to ensure the fulfillment of the elements of the legality principle. Supposedly, if one of the elements is not fulfilled means the regulation is experiencing a product defect and needs direct Judicial Review to manifest legal purposes. The amendment of legal certainty (lex certa) in the Corruption Law on Corruption Eradication is to ensure legal certainty, eliminate various interpretations, and provide fair treatment in eradicating criminal acts of corruption. The Corruption Law guarantees legal certainty by further emphasizing who and what forms of action can be charged by this law, adding evidence, reversing evidence, adding a lawsuit by the state when assets have not been confiscated, additional penalties for the previously aggravating circumstances that do not exist in Law Number 31 of 1999, eradication of corruption crimes. The written rules (lex scripta) are automatically fulfilled by the Corruption Law which enacted on November 21, 2001, by the President of the Republic of Indonesia, Megawati Soekarnoputri. It also has been promulgated on November 21, 2001. Thus, the Principle of Legal Fiction is valid and the lex scripta, the legal principle of this law had been fulfilled. The strictness and limited reach (lex stricta) of the Corruption Law can be seen through the addition of who can be charged under this law and the specifications of the penalties. Accordingly, they equalize the penalties for all corruption perpetrators. Furthermore, there is also an addition of judges, advocates, and certain punishment specifications that were not in the previous TIPIKOR Law. In conclusion, if all elements are fulfilled means this law has also complied with the legality aspect of criminal law politics.

F. The Principles of Practical Use and Effectiveness

This principle emphasizes the possibility of its enforcement and its impact on general prevention.¹⁶ The Corruption Law is a material law that must be accompanied by formal law, the Law of the Republic of Indonesia Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the corruption eradication commission. Corruption law enforcement has been regulated and carried out by the independent agency of the Corruption Eradication Commission (KPK) and assisted by other law enforcers as regulated in the KPK law. Whether this enforcement goes according to expectations or not, the key is with the KPK. In substance, the corruption law has completely regulated who and what actions are categorized as corruption. Furthermore, it is the KPK's duty to realize one of Indonesia's ideals stipulated in the law of corruption crime. Since the Corruption Law was enacted, the KPK has recorded its achievements in enforcing the corruption law. These achievements include the arrest of Inspector General Djoko Susilo, Ratu Atut Chosiyah, Setyo Novanto, etc. This achievement indicates that the enforcement in the criminal act of corruption is incredibly good although an improvement is still needed. This has proven that the material coverage of the criminal act of corruption is good. Thus, the political objectives can be achieved.

¹⁶ Dey Ravena and Kristian, *Op.Cit.*, 160.

The general prevention or efforts to prevent corruption problems or actions related to corruption through the Corruption Law have also been considered. It is evident this law has predicted that law enforcers can also commit corruption. Therefore, Article 6 Paragraph (2) states the judges or advocates who have committed a criminal act of corruption or an act that leads to corruption can be sentenced. Another prevention is the confiscation of assets that have not been collected at the time of verification. Accordingly, there is a regulation in Article 38C that states the state has the right to file a civil suit against the convict or his heirs if the assets have not been confiscated. These two things deemed sufficient for now as preventive measures to anticipate corruption crimes in the future. Along with the times, there is the need to add other prevention to avoid the legal vacuum in corruption crime.

CONCLUSION

Examining the Law of the Republic of Indonesia Number 20 of 2001 on amendments to Law Number 31 of 1999, the Eradication of Corruption, through the perspective of criminal law politics, it is concluded that there is the need to reform the corruption law considering the absence of proportionality in this law. This resulted in enormous losses by the state if the highest standard of fines was only IDR of one billion Rupiah. This is because many corruption cases happening in Indonesia amounted to tens billions and even trillions rupiahs. Thus, the light imprisonment and fines help the corruptors enriching themselves and harming the country by enjoying the result of their corruption.

SUGGESTION

There are further needs for the evaluation of the current corruption laws. Over time, it appears the things that need to be changed from this law. This is to manifest Indonesia as a prosperous, equitable, and safe country. The evaluation and issuance of a new law are expected to properly handle the corruption cases in Indonesia. Thus, this does not harm the state continuously. In addition, the government should immediately carry out a judicial review of laws that have been enacted and promulgated, especially Law of the Republic of Indonesia Number 20 of 2001 concerning amendments to Law Number 31 of 1999, the Corruption eradication. This is because both of them are important and serve as the main pillar in maintaining the integrity of a country after Pancasila. Furthermore, this is also to manifest legal certainty, justice, and bring benefit for all Indonesian people. Lastly, it is also necessary to pay attention to the political principles of criminal law. This is to determine how criminal law is formulated and implemented in every statutory regulation.

REFERENCES

- Ali, 'Pengurangan Hukuman Syaukani Sesuai Doktrin', *Hukum Online*, 2017 <<https://www.hukumonline.com/berita/baca/hol18189/pengurangan-hukuman-syaukani-sesuai-doktrin>> [accessed 11 June 2020]
- Databoks, 'Indeks Persepsi Korupsi Indonesia 2018 Naik 1 Poin Menjadi 38', *Katadata*, 2018 <<https://databoks.katadata.co.id/datapublish/2019/01/29/indeks-persepsi-korupsi-indonesia-2018-naik-1-poin-menjadi-38>> [accessed 12 April 2020]
- Handoko, Duwi, *Kriminalisasi Dan Dekriminalisasi Di Bidang Hak Cipta*, 1st edn (Pekanbaru: HAWA DAN AHWA, 2015) <<https://books.google.co.id/books?id=wgQXDQAAQBAJ&printsec=frontcover#v=onepage&q=krimi&f=false>>
- Hersriavita, Sara, Lego Karjoko, and W.T Novianto, 'Upaya Pengembalian Kerugian Negara Dari Perkara Tindak Pidana Korupsi Oleh Kejaksaan Negeri Sukoharjo', *Jurnal Pasca Sarjana*

- Hukum UNS*, 7.1 (2019), 15–28
- Kejaksaan Negeri Jakarta Barat, ‘Permasalahan Seputar Kerugian Keuangan Negara (Tinjauan Dari Perspektif Pembuktian Hukum Pidana)’, *Kejari-Jakbar.Go.Id*, 2016 <<http://www.kejari-jakbar.go.id/index.php/component/k2/item/236-permasalahan-seputar-kerugian-keuangan-negara-tinjauan-dari-perspektif-pembuktian-hukum-pidana>> [accessed 10 June 2020]
- KPK, ‘Capaian Dan Kinerja KPK Di Tahun 2018’, *KPK.Go.Id*, 2018 <<https://www.kpk.go.id/id/berita/siaran-pers/717-capaian-dan-kinerja-kpk-di-tahun-2018>> [accessed 12 April 2020]
- Marzuki, Peter Mahmud, *Penelitian Hukum*, 12th edn (Jakarta: PRENADAMEDIA GROUP, 2016)
- Raba, Mieke Ayu, ‘Peran Badan Pemeriksa Keuangan (Bpk) Dalam Melakukan Pemeriksaan Terhadap Pengelolaan Keuangan Negara Untuk Mewujudkan Pemerintahan Yang Baik Menurut Uu No. 15 Tahun 2006’, *Lex Crimen*, VI.3 (2017), 152–60
- Rasyid, Ruslan, ‘Politik Hukum Pembentukan Peraturan Daerah Nomor 5 Tahun 2006 Tentang Investasi Infrastruktur Jalan Dan Landing Site Eks Jalan Pertamina Oleh Pemerintah Kabupaten Barito Timur’, *Arena Hukum*, 6.3 (2013), 290–307 <<https://doi.org/10.21776/ub.arenahukum.2013.00603.1>>
- Ravena, Dey, and Kristian, *Kebijakan Kriminal (Criminal Policy)*, 1st edn (Jakarta: Kencana Prenada Media Group, 2017)
- Ristiano, Christoforus, ‘Jumlah Napi Bertambah, Biaya Makan Capai Rp 1,7 Triliun’, *KOMPAS.Com*, 2018
- Rokhmad, Abu, *Abu Rokhmad, Hukum Progresif Pemikiran Satjipto Rahardjo Dalam Perspektif Teori Masalah*, ed. by Ahmad Hakim, 1st edn (Semarang: Pustaka Rizki Putra, 2012)
- Setyowati, Dewi, and Emmilia Rusdiana, ‘Relevance of Criminal Law Formulation in the Law of Domestic Violence Elimination in Indonesia’, *JILS (Journal of Indonesian Legal Studies)*, 5.1 (2020), 95–124 <<https://journal.unnes.ac.id/sju/index.php/jils/article/view/35362>>
- Syukur, M, ‘Kasus Korupsi Rp 31 M, Ketua DPRD Bengkalis Divonis 1,5 Tahun Bui’, *Liputan6.Com*, 2017 <<https://www.liputan6.com/regional/read/2974957/kasus-korupsi-rp-31-m-ketua-dprd-bengkalis-divonis-15-tahun-bui>> [accessed 11 June 2020]
- Tinambunan, HSR., H. Widodo, and GA. Ahmad, ‘The Reconstruction of Revocation Againsts the Rights to Vote or to Be Voted in Public Post for Those Who Are Found Guilty in Corruption Case in Indonesia from a Progressive Legal Perspective’, *Journal of Physics: Conference Series*, 953 (2018), 012170 <<https://doi.org/10.1088/1742-6596/953/1/012170>>
- Yuntuho, Emerson, Illian Deta Arta Sari, Jeremiah Limbong, Ridwan Bakar, and Firdaus Ilyas, *Penerapan Unsur Merugikan Keuangan Negara Dalam Delik Tindak Pidana Korupsi* (Jakarta, 2014)