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Eradication of Corruption Crime in Indonesia From the Perspective of Comparative Law Study

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Abstract:

Corruption is a crime that can damage the country's economy and even undermine national development. In Indonesia, corruption is increasing even though many perpetrators have been convicted, but it seems that the sanctions imposed do not create a general prevention effect. This study aims to analyze the eradication of crimes against perpetrators of corruption in Indonesia and various foreign countries. The research method uses a post-positivism paradigm, a normative juridical approach method, and a descriptive research type. The type and source of data use secondary data. Secondary data consists of primary, secondary, and tertiary legal materials and data collection methods with literature study and qualitative data analysis methods. The survey results show that corruption eradication in various foreign countries such as Japan, China, and Malaysia is more successful because both laws and implementation by law enforcement are very independent, and the community has a culture that supports efforts to eradicate corruption. The application of criminal sanctions that are considered heavy influences the community not to commit corruption, which decreases the corruption rate in several foreign countries. In Indonesia, corruption is increasing due to criminal sanctions against perpetrators of corruption crimes are considered not yet fair and still relatively low both criminal sanctions for imprisonment and fines, especially in Article 2 and Article 3 of the Law on Eradication of corruption crimes, another weakness is the coordination of handling corruption cases is still not optimal because investigations can be carried out by the Police, Prosecutors and the Corruption Eradication Commission.

Keywords: Crime, corruption, law, comparative law.

Introduction: Corruption crimes harm the state's finances and hinder the development of democracy, the implementation of public institution tasks, and the optimal use of resources. Corruption fosters behaviour to conceal everything and oppression. In the end, corruption closes the possibility for the weakest community members to enjoy development and a higher quality of life [1].

In addition, corruption crimes also violate the community's social and economic rights, so they are categorized as extraordinary crimes or extraordinary crimes. Corruption in Indonesia today is like a chronic disease that is difficult to eradicate. Handling corruption crimes is one of the priorities of the Indonesian government. This is evidenced by the eradication of corruption that has been carried out over a long period but is increasing until now [2].

The large number of corruption cases in Indonesia cannot be separated from the light sanctions imposed by judges on perpetrators of corruption crimes, so it is considered to be able to injure the sense of justice of the community. An example of a phenomenal corruption case is the e-KTP case by Setya Novanto. The demand for sixteen years of criminal punishment against Setya Novanto can be called "soft". With a series of crimes committed, looking at his position in the DPR and what he did to avoid legal traps after his determination as a suspect, the prosecutor should demand Setya's maximum punishment, life imprisonment. The Corruption Eradication Law even allows prosecutors to request that corruption perpetrators be punished.

The Corruption Eradication Commission (KPK) issued an SP3 Notice of Termination of Investigation of the corruption case of Bank Indonesia Liquidity Assistance (BLBI), which dragged the name of the conglomerate, Sjamsul Nursalim (Sjamsul Nursalim profile). The KPK argued that SP3 was issued to provide legal certainty. Moreover, one of the defendants in the same case, Syafruddin Temenggung, has been declared free at the Supreme Court (MA) cassation level. The issuance of SP3 for the Sjamsul Nursalim case is claimed to follow Article 40 of the KPK Law. The BLBI case is a corruption case that has been around for a long time but has not yet been resolved [3].

Former Minister of Social Affairs Juliari Batubara manages 1.6 million packages out of 1.9 million social assistance packages. The procurement package is for handling Social Assistance for COVID-19 at the Ministry of Social Affairs for the 2020 Budget Year in the form of procurement of Basic Social Assistance in June and July 2020. Currently, the case is still in the process of handling the KPK because it is suspected that there is a corruption scandal in the procurement package of social assistance at the Ministry of Social Affairs.

Supreme Court through PERMA Number 1 of 2020 Regarding Guidelines for Sentencing Article 2 and Article 3 of the Law on Eradication of Corruption Crimes, was born on the basis that every criminal sentence must be carried out by considering the certainty and proportionality of sentencing to realize justice based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Besides that, the most important thing is to

avoid disparity in cases with similar characters. Sentencing guidelines are needed. The Attorney General also reinforces this through Guideline Number 1 of 2019 Regarding Criminal Demands for Corruption Crime Cases, where this guideline is intended as a reference for the Public Prosecutor in determining criminal demands for Corruption Crime cases while still paying attention to the principles of justice and usefulness. Efforts and policies to make reasonable illegal law regulations, in essence, cannot be separated from the purpose of crime control. The workings of law in society involve several elements or aspects that are interrelated as a system [4].

Criminal sanctions against perpetrators of corruption crimes have not yet run optimally, considering that they have not provided a deterrent effect, so they are deemed ineffective. So, researchers are interested in reconstructing their criminal sanctions. Based on the background description above, corruption can decrease if a study is conducted in various foreign countries. Researchers find it interesting to research Criminal Sanctions Against Perpetrators of Corruption Crimes in Indonesia in a comparative law perspective study.

Research Methods: The author uses a post-positivism paradigm in this study, which states that legal science does not deal with legislation alone. The law must be applied, and it tends not to question the value of justice and its usefulness to society. The type of research used in completing this is a normative juridical research method, which researches by conducting research sourced from Library studies, which are secondary data. Secondary data sources include primary legal materials, secondary legal materials, and tertiary legal materials. The data obtained is then analyzed with qualitative descriptive methods.

Results and Discussion:

Comparative Study of Corruption Eradication in Various Foreign Countries:

- 1. Japan:** Japan is also famous for its corruption cases. The Transparency International in the Corruption Perceptions Index in 2023 states that Japan ranks 16th out of 180 countries and is the cleanest country in the world, scoring 73/100. The reasons why corruption cases in Japan are very few include:
 - a. The Existence of a Shame:** Culture This might be the main reason or the most critical factor why corruption cases in Japan are very few. With this shameful culture, Japanese society gets pressure from people around them when they commit reprehensible, criminal, and criminal acts. In its history, this shameful culture has existed since the Kamakura era, when samurai committed suicide by tearing their stomachs with their swords. The reason is that the samurai are ashamed because they lost in battle. So, rather than having to bear the shame, the samurai prefer to commit suicide. Well, until now, it turns out that the strong shame culture continues to exist in the habits of the Japanese people. So they would rather avoid reprehensible, criminal, and criminal acts than have to feel extraordinary shame. Usually, if the person holds a position, he will resign because he is ashamed to have failed in carrying out his duties. Even in the worst cases, these people commit suicide because they can't stand the shame [5].

b. High Honesty and Always Discipline in Everything: Still related to the first point, according to Japanese society, a person's trust is more important than anything, so to maintain that trust, honesty is one of the traits that can perpetuate that trust. In addition to high honesty, the Japanese are famous for their discipline. From an early age, Japanese society has always been taught to be disciplined. Their parents will exemplify this disciplined behaviour, so their children will also follow their parents. If their child's actions are wrong, their parents will be happy to straighten their child's actions. This is a simple way, but it is practical because parents are a reflection of their children. In addition to being taught in the family environment, at school, they are also taught always to live a disciplined life. So, after growing up, the habit is always ingrained and continues to be passed down to their children and grandchildren.

Japanese people are very disciplined, especially when it comes to cleanliness. In Japan, it's pretty challenging to find a trash can. But this does not encourage Japanese people to litter. The proof is that everywhere, whether at home or public facilities such as highways, stations, and others, always looks clean without trash. Japan is very obedient to this. They will not smoke in that area if it is written no smoking. If it is written no eating-drinking, they will not eat-drink in that area. For Japanese people, breaking the rules is a shame.

In the past, the samurai had this high discipline or what they knew as the bushido principle. The habit has continued to be passed down to this day. However, some historians say that this is less true because when some Europeans came to Japan on the eve of the Meiji era (before 1868 AD), the Japanese were not disciplined people like that. The Japanese were just like people in general, often drinking and breaking the rules. Even according to them, being 30 minutes late was not a problem. This makes historians argue that this culture of discipline only existed after Japan's defeat in the Second World War (1945 AD). At that time, the Japanese felt there was no other way to rise except by being disciplined and prioritizing hard work. And the habit continues to be passed down to this day.

c. Criminal law regulations on corruption in Japan: Unlike Indonesia, which has the Corruption Law (Law on Corruption Crimes), Japan has no special regulations regarding corruption crime cases. Based on the usual general criminal regulations, the perpetrator will only be sentenced to a maximum of 7 years in prison. But, due to Japan's influential culture of shame, this makes for a few corruption cases. Even if there are cases, the perpetrators will be very depressed because they are ashamed of what they have done. Toshikatsu Matsuoka, the Minister of Agriculture, Forestry and Fisheries, committed a corruption case. But in the end, he took his own life by hanging himself during the corruption scandal.

d. Law Enforcement in Japan: There is no particular body formed in Japan to eradicate corruption. Unlike Indonesia, which has the KPK institution to handle corruption cases, in Japan, the handling of corruption cases is only carried out by the police, prosecutors,

and general courts. The police will carry out the investigation, then handed over to the prosecutor to process whether the case is worth prosecuting. So, when the case is feasible, it will be tried in a general court even though Japan does not have a unique institution in eradicating corruption. But with these three institutions, Japan effectively handles corruption cases. The success factor of Japan's high score in the cleanest country from corruption is actually in the Japanese people, who are famous for honesty, discipline and shame in committing criminal acts. In this case, Japan's strategy in dealing with corruption prioritizes prevention rather than handling.

Currently, in the CPI survey, Indonesia is in the 85th position with a score of 40/100, meaning Indonesia is in the middle between the most corrupt country and the cleanest country from corruption. To improve this score, Indonesian people can imitate some of Japan's strategies, namely, in addition to prioritizing the handling of corruption cases, prevention is also needed in the form of character values that are instilled in each individual (such as honesty, discipline, and shame), so the possibility of committing a crime especially corruption will be less, and Indonesia's score will increase.

- 2. China:** In the historical record, corruption in China is not a new problem, and its traces can be traced back to the imperial era. Since the 1980s, the scope and intensity of corruption have increased at a level that has never happened before. Prime Minister Zhao Ziyang (Wang, 1985: 134) referred to the practices of corruption that occurred in China as "disgusting" activities among officials, for example organizing excessive luxury parties by introducing bosses/businessmen, peddling influence for personal gain, and bribery. This corruption activity is often associated with the tradition of *guanxi* (connection). *Guanxi* is a relationship between individuals based on trust and is a key determinant factor for business success. During nine months, 136,000 economic crimes were committed by party and government cadres [6].

Law Enforcement in China China's strong commitment to eradicating corruption has started since the era of Zhu Rongji (1997-2002). His famous saying is, "Give me 100 coffins, Ninety-nine will I use to bury the corruptors, and one for me if I commit corruption." The corruption eradicated by the Prime Minister of China is part of bureaucratic reform. This step provides legal certainty so that it can raise foreign funds worth 50 billion US dollars every year. Its economic growth immediately skyrocketed, regardless of its weaknesses.

One form of the seriousness of the Chinese government in eradicating corruption was also realized by participating in ratifying the UN Convention against corruption, including bribes to public officials as a criminal act by the National People's Congress in October 2005. China's Criminal Law Code (KUHP) regulates that those who offer and accept bribes can be punished with the death penalty for bribe recipients and life imprisonment for bribe givers. The death penalty is the heaviest punishment that can be given to corruptors. This death penalty is also applied to high state officials, not just to low officials or ordinary people [7].

Some officials who were sentenced to death for corruption include Cheng Kejie (Chairman of the Guangxi Autonomous Regional Government), Ma Xiangdong (Mayor of Shenyang), Li Jiating (Governor of Yunnan), Ma De (Secretary of the PKC Committee of Suihua City, Heilongjiang), and Liu Jinbao (Director General of Bank of China in Hong Kong). The Chinese government shows seriousness in eradicating corruption. The Chinese government is determined to consistently oversee economic development by minimizing the abuse of authority within the bureaucracy.

Criminal law violations, in general, giving, asking or receiving bribes for the purpose or as a reward for obtaining unlawful benefits is a violation. Conspiring to commit violations under Criminal Law is also a violation, as is using intermediaries to facilitate bribes.

- 3. Singapore:** The Singapore government makes efforts to socialize the community by using the efficiency of public aspirations by forming the "Public Service in the 21st Century" (PS21) to achieve good administrative governance, organizational excellence, and service-oriented. Increasing efficiency and effectiveness in providing public services can act against corruption and reduce its opportunities. This is because services delivered quickly and without complications leave less room for corruption than services that take a long time and have boring processing stages. The main goal of the Singapore Government in carrying out the PS21 initiative is to increase efficiency and effectiveness in providing its public services [8].

Law Enforcement in Singapore Another law enforcement agency that finds or receives reports about corruption must hand over the case to the CPIB. The CPIB has independent action. We can investigate any person or company in government or the private sector, no matter how high their hierarchy. The CPIB reports directly to the Prime Minister to block undue interference from any party and to ensure that the CPIB does not favour any individual, department, or institution but operates without fear or favour, regardless of skin colour, belief, or social status. Even the Constitution guarantees the independence of CPIB action, with provisions for the elected President of Singapore to open the door for investigations to continue if the government blocks the CPIB. Our Bureau's slogan, "Swift and Sure", is a message to all corruptors that there will be swift action, certainty of results and justice will prevail. The CPIB always strives to be a crack investigation agency, driven by purpose and fully committed to our mission "to combat corruption through swift and sure action". Swift action shows accuracy, speed and timeliness, while specific action shows the certainty of action, firmness and result orientation. Through the CPIB, Singapore is actively involved in international forums and meetings discussing corruption issues. It is a pioneering member of the ADB-OECD Anti-Corruption Initiative, which meets twice yearly.

In 2008, Singapore hosted the 12th meeting and the 6th Regional Anti-Corruption Conference, in which more than 120 participants participated. The CPIB has joined the

International Association of Anti-Corruption Authorities (IAACA). It is a member of the APEC Anti-Corruption Task Force (ACT), and last year, we led the ACT discussion. In the ASEAN region, there is an MOU on preventing and eradicating corruption among anti-corruption institutions involving the CPIB. The CPIB was one of the first four institutions to sign the MOU in December 2004 in Jakarta, along with institutions from Malaysia, Indonesia and Brunei. The MOU aims to increase sharing capacity building and strengthen collaborative efforts in anti-corruption matters [9].

- 4. Malaysia:** Corruption is one of the most severe problems faced by society and the Malaysian government. Rampant corruption in the country causes damage to its reputation, which significantly impacts investors and potential investors doing business in the country. The Malaysian government has been shocked by a global corruption scandal worth billions of dollars involving former Malaysian Prime Minister Najib Razak in recent years. He is accused of abusing power to reap state investment worth millions of dollars through a financial company called 1Malaysia Development Berhad (1MDB), which the Finance Department wholly owns. Based on the investigation results, the company sent money several times to the personal bank account of the former prime minister. He was arrested for the last transfer worth 2.6 billion Malaysian ringgit (£ 477 million) to his bank account.

Elected President Mahathir Muhammad expressed his commitment to eradicate corruption in Malaysia. Since the day of the election victory, the newly elected Malaysian government has aggressively pursued an anti-corruption agenda through the establishment of the Special Cabinet Committee on Anti-Corruption (JKKMAR), the government, the Integrity and Anti-Corruption Centre (GIACC), and the National Anti-Corruption Plan. One of the steps taken by the government is to tighten cooperation procedures with private companies to prevent bribery between the private sector and the government. The first step taken by the Malaysian government is to amend the 2018 Malaysian Anti-Corruption Commission Act (MACCA Amendment) by introducing section 17 A of MACCA 2009, which is a provision that imposes explicit responsibility on commercial organizations for corruption committed by related people. This provision requires every company's top-level management to comply fully with anti-corruption laws and regulatory requirements. Through the amendment of article 17 A of MACCA 2009, every local or multinational company based in Malaysia or elsewhere is ordered to implement several steps to avoid corruption. These steps will be implemented through several anti-corruption policies such as due diligence, whistleblowing, background screening, anti-bribery and fraud training, and anti-fraud assessment policies [10].

The state sees the trial of corruption cases cannot be proven by actions alone but must be proven by the completion or not of the action and the existence or absence of state losses through bribes, gratuities, and corruption as well as forms of nepotism. The Malaysian Anti-Corruption Commission ("MACC") is authorized to investigate bribery

violations based on the MACC Law and PC. Other institutions relevant to combating corruption include the Attorney General's Chambers ("AGC"), the Royal Malaysia Police, the Royal Customs and Excise Department, the Financial Intelligence Unit of the Central Bank of Malaysia, the Ministry of Foreign Affairs, the Public Service Department and the Judiciary. With the approval of the Attorney General acting as the Public Prosecutor, the MACC can also act as a prosecutor in matters of corruption and criminal conspiracy of corruption. On August 31, 1957, Tuanku Abdul Rahman, as Prime Minister, proclaimed the Federation of Malaya as an independent country. On August 31, 1963, the Federation of Malaysia was declared with 14 member states, including Singapore, Sarawak, and Sabah. On August 9, 1965, Singapore left the federation, and 13 states left. As a federation of sultanates that took turns as the head of state of the federation, the feudal agricultural system developed into a federation with a modern democratic model of England. However, the remnants of the feudal system must still exist, such as the habit of tribute, which is one of the factors for the growth of corruption.

The Malaysian Anti-Corruption Commission (MACC), or Suruhanjaya Pencegahan Rasuah Malaysia (SPRM), is an anti-corruption agency established in 1967 under the name Badan Pencegah Rasuah (BPR). Subsequently, on January 1, 2009, through the ratification of the MACC Act 2009, the Badan Pencegah Rasuah (BPR) officially changed its name to SPRM or MACC with strengthened authority.

With that, the 1982 Anti-Corruption Agency Law was replaced with the 2009 Malaysian Anti-Corruption Commission Law (SPRM Act 2009), and the Malaysian Anti-Corruption Commission officially began operating on January 1, 2009, along with enforcing the SPRM Law 2009. The transformation of BPR to SPRM is not just in name. This change is intended to increase the efficiency, effectiveness, independence, and transparency of anti-corruption actions in Malaysia while repelling negative perceptions of this anti-corruption entity, which was previously considered not independent and transparent.

Therefore, a 'check and balance' mechanism is realized through the establishment of the Anti-Corruption Advisory Board (LPPR), the Special Committee on Corruption (JKMR), the Complaints Committee (JA), the Operations Evaluation Panel (PPO), and the Consultation and Corruption Prevention Panel together - together with the establishment of SPRM with the function to monitor, advise and ensure the tasks and responsibilities of this Commission are carried out efficiently, effectively, independently, and transparently.

- 5. Indonesia:** In the historical record, corruption in China is not a new problem, and its traces can be traced back to the imperial era. Since the 1980s, the scope and intensity of corruption have increased at a level that has never happened before. Prime Minister Zhao Ziyang (Wang, 1985: 134) referred to the practices of corruption that occurred in China as "disgusting" activities among officials, for example organizing excessive

luxury parties by introducing bosses/businessmen, peddling influence for personal gain, and bribery. This corruption activity is often associated with the tradition of *guanxi* (connection). *Guanxi* is a relationship between individuals based on trust and is a key determinant factor for business success. During nine months, 136,000 economic crimes were committed by party and government cadres [11].

- a. **Weakness of Legal Substance Aspect:** The regulation of corruption crimes in Indonesian regulations before issuing the Corruption Eradication Law (PTPK) was contained in the Criminal Code (KUHP). However, it did not regulate the scope of corruption crimes in detail, such as in Articles 209, 210, 215 to 220, 423, 425, and 435. Even abuse of office is explained in Chapter XXVIII of the Criminal Code.

Regulations regarding corruption are also scattered in various legislations after the Criminal Code. In the history of eradicating corruption crimes, the government once enacted Law Number 14/PRP/1960 About Investigation, Prosecution and Examination of Corruption Crimes, which later became the basis for the issuance of Presidential Decree Number 228 of 1967 dated December 2, 1967 About the Establishment of the Corruption Eradication Team (TPK), then Law Number 3 of 1971 About Corruption Crimes until finally in the reform era of 1999, the government and the DPR issued the PTPK Law and the KPK Law in 2002.

The PTPK Law also stipulates that if the convict does not pay the substitute money at the latest within one month after the court decision, which has obtained legal force, then his property can be confiscated by the prosecutor and auctioned to cover the substitute money. Suppose the convict does not have enough property to pay the substitute money. In that case, he is sentenced to imprisonment for a period not exceeding the maximum threat of the leading crime by the provisions in the PTPK Law. The court's decision to confiscate goods not owned by the defendant is not imposed if the rights of third parties in good faith will be harmed.

The weakness of the legal substance aspect in the provisions of Article 2 and Article 3 of the Corruption Law is proven by law enforcement officers, including the Supreme Court (MA), who still misunderstand Article 2 and Article 3 of Law Number 31 of 1999 concerning Eradication of Corruption Crimes (Corruption Law). In this case, the panel of judges emphasizes the element of state loss more than the element of enriching oneself. The way of proving it should be reversed, that is, establishing the aspect of improving oneself first, then proving the element of state loss. This misunderstanding indeed results in legal uncertainty.

- b. **Weakness of Legal Structure Aspect:** In the functioning of the law, the mentality or personality of law enforcement officers plays an important role. If the regulations are reasonable, but the quality of officers is not good, there is a problem. So far, there has been a strong tendency among the community to interpret the law as officers or law

enforcement officers, meaning the law is equated with the fundamental behaviour of officers or law enforcement officers.

Unfortunately, in carrying out its authority, problems often arise because of attitudes or treatments considered to exceed authority or other actions that tarnish law enforcement's image and authority. The low quality of these law enforcement officers causes this.

Specifically for the prosecutor's office, the opportunity for successful law enforcement in eradicating corruption crimes is implemented by taking strategic steps in handling corruption cases, namely by opening a PO Box 777 located in the High Prosecutor's Office and District Prosecutor's Office throughout Indonesia to accommodate reports/information complaints of corrupt practices that occur. Cultivating a work pattern that is fast, precise, and thorough in handling corruption crimes, meaning not protracted, then precisely in line with statutory provisions and values that exist in society, and specific, that is, able to complete a job or problem without causing new problems. In addition the prosecutor's office also holds workshops, lectures/provision of corruption eradication policies in various agencies, including the Director General of Taxes, Depdagri, Depkop, BPKP, multiple universities and the Prosecutor's Office Training Center, with the hope that the policy that has been carried out by the prosecutor's office in eradicating corruption, can be understood and further transformed on all ranks/communities of each agency with the aim that the movement to eliminate corruption nationally can be more cultured [12].

The factor of the legal profession organization also becomes an obstacle in eradicating corruption crimes because of the legal profession organization. Practitioners and academics that have existed so far have not shown activities that can support eliminating corruption crimes and still do not reflect a professional organization that can be relied upon in development and law enforcement. Among the existing legal profession organizations (Persahi, Ikahi, and lawyer organizations), so far, they have not carried out professional ethics by national and international legal professional standards. The legal profession has so far tended to prioritize personal interests over professional ethics.

What is no less important is that the coordination among fellow law enforcement officers in the integrated criminal justice system (Integrated Criminal Justice System) still has no vision, interpretation, or perception of integrating law enforcement duties.

The weakness of the legal structure aspect is that the coordination of handling corruption-indicated cases is still not optimal and often less transparent, so it is less supportive in revealing corruption cases. So synergy is needed between law enforcement apparatus from the police, prosecutors, and the judiciary.

c. Weakness of Legal Culture Aspect: The spearhead of corruption eradication in Indonesia, carried out by the prosecutor's office in addition to the Corruption Eradication Commission, has made maximum repressive efforts to enforce the law by prosecuting perpetrators of corruption crimes to the court. However, the results are felt to be not optimal according to community demands. This is because the effort to enforce the law faces various obstacles inhibiting law enforcement from overcoming corruption crimes.

Law enforcement comes from the community and aims to achieve peace within society. Every citizen or group has some degree of legal awareness. The problem that arises is the level of legal compliance, that is, high, medium, or low legal compliance. The degree of public legal compliance with the law is one indicator of the functioning of the law in question. Culture includes the values that underlie the applicable law, which values are abstract conceptions of what is considered good (so it is obeyed) and what is considered harmful (so it is avoided). Thus, Indonesian culture is the basis or underlies customary law. In addition, written law (legislation) also applies, which is formed by certain groups in society who have the power and authority to do so. This legislation must reflect the values that form the basis of customary law so that the bill can be actively applied.

The factor of the level of public legal awareness is also still relatively low. This is seen from the fact that there are still community members who are reluctant or afraid to report corruption cases, even though they know about the case. The weaknesses and obstacles mentioned above have been factors inhibiting the smoothness and success of handling corruption cases, which results in weak law enforcement.

A solution needs to be found so as not to disrupt law enforcement performance's accountability. Suppose the existing weaknesses and obstacles are minimized by utilizing the current strengths and opportunities. In that case, the ranks of law enforcement officers will increasingly be able to realize their existence as reliable and trustworthy law enforcement officers. Law enforcement's success in eradicating corruption crimes is also influenced by the honesty, competence, and high integrity of law enforcement officers (Police, Prosecutors, Judges). This success is also closely related to the government's political will and the community's legal awareness as the main potential in actively combating corrupt behaviour [13].

The weakness of the legal culture aspect is that the legal awareness of the community is still relatively low. This is seen from the fact that there are still community members who are reluctant or afraid to report corruption cases, even though they know about the case. The weaknesses and obstacles mentioned above have been factors inhibiting the smoothness and success of handling corruption cases, which results in weak law enforcement. Therefore, there needs to be socialization in the community to provide socialization on the importance of corruption prevention from an early age.

Conclusion: In Japan, China, and Malaysia, the eradication of corruption is more successful because both legislation and implementation by law enforcement are very independent, and the community has a culture that supports the eradication of corruption. The application of criminal sanctions that are considered heavy also influences the community not to commit corruption, so the number of corruption in some foreign countries tends to decrease.

The weaknesses of the regulation of criminal sanctions against perpetrators of corruption crimes in Indonesia in terms of legal substance in the provisions of Article 2 and Article 3 of the Corruption Eradication Law (Tipikor Law) are proven by law enforcement officers, including the Supreme Court (MA) still misunderstand Article 2 and Article 3 of Law Number 31 of 1999 concerning Eradication of Corruption Crimes (Corruption Law).

In this case, the panel of judges emphasizes the element of state loss more than the element of enriching oneself. The way of proving it should be reversed, that is, establishing the aspect of improving oneself first, then proving the element of state loss. This misunderstanding indeed results in legal uncertainty. The weakness of the legal structure aspect is that the coordination of handling corruption-indicated cases is still not optimal and often less transparent, so it is less supportive in revealing corruption cases. So, synergy is needed between law enforcement apparatuses, including the police, prosecutors, and the judiciary.

The weakness of the legal culture aspect is that the legal awareness of the community is still relatively low. This is seen from the fact that there are still community members who are reluctant or afraid to report corruption cases, even though they know about the case. The weaknesses and obstacles mentioned above have been factors inhibiting the smoothness and success of handling corruption cases, which results in weak law enforcement. Therefore, there needs to be socialization in the community to provide socialization on the importance of corruption prevention from an early age.

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