



THE HEAVIEST SENTENCING FOR THE LEGAL SUBJECT OF CORRUPTION CRIME PERPETRATOR

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ABSTRAK

Penelitian ini menggunakan metode penelitian yuridis normatif melalui studi kepustakaan dengan mengumpulkan data sekunder. Dalam penelitian ini didapatkan hasil bahwa pembicaraan seputar korupsi tidak pernah ada habisnya. Subjek hukum yang dapat dimintakan pertanggungjawaban datang silih berganti. Subjek hukum dalam hal ini adalah "setiap orang yang secara melawan hukum melakukan perbuatan memperkaya diri sendiri atau orang lain atau suatu korporasi yang dapat merugikan keuangan negara atau perekonomian negara." Mengenai hukuman bagi subjek hukum yang melakukan tindak pidana korupsi terutama dalam keadaan tertentu yaitu hukuman terberat hingga hukuman mati.

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Kata Kunci : Hukuman, Subjek Hukum, Tindak Pidana Korupsi.

ABSTRACT

This study uses a normative juridical research method through literature study by collecting secondary data. In this study, it was found that the discussion about corruption never ends. Legal subjects that can be held accountable come one after another. The legal subject in this case is "any person who unlawfully commits an act of enriching himself or another person or a corporation that can harm state finances or the state economy." Regarding punishment for legal subjects who commit criminal acts of corruption, especially in certain circumstances, namely punishment toughest to death penalty.

Keywords : Punishment, Legal Subject, Corruption.

I. INTRODUCTION

There have been many discussions, seminars, workshops and

even research made to discuss the problem of corruption, but corruption continues to thrive in Indonesia. The

problem of corruption continues to occur in Indonesia. Many commissions and official bodies have been established by the state. However, corruption is still rampant in the public domain, it seems that corruption is difficult to control.

Cases of corruption in Indonesia come and go ensnaring officials to politicians in Indonesia.¹ According to **Harkristuti**² the perpetrators of corruption are not random people because they have access to commit such corruption, by abusing the authority, opportunities or facilities available to them. Law enforcement officials and existing laws seem difficult to control corrupt behavior.

With uncontrolled corruption, it will have an impact on the national economy and state life.³ Corruption

makes people suffer.⁴ Even corruption is the most powerful enemy to destroy a country.⁵ The rampant corruption is one of the obstacles in the effort to make Indonesia a prosperous country.⁶ Rampant corruption results in society becoming chaotic.⁷

Indonesia as a developing country has made various efforts to eradicate corruption. In practice, corruption continues to occur. It's like a chronic disease that's hard to save. Many experts say that the disease of corruption has spread to all layers of the government structure. Corruption has become a central issue, even more

¹ Junianto Hamonangan, "Kasus Korupsi Datang Silih Berganti, Koruptor Disarankan Dimiskinkan Dan Ditembak Mati," *Wartakota*, September 24, 2021.

² Syurya Muhammad Nur and Rahmah Ningsih, "Korupsi Mendegradasikan Nilai Etika Pancasila," *Forum Ilmiah* 16, no. 3 (2019): 244.

³ Ermansjah Djaja, *Memberantas Korupsi Bersama KPK* (Jakarta: Sinar Grafika, 2010), 44.

⁴ La Sina, "Dampak Dan Upaya Pemberantasan Serta Pengawasan Korupsi Di Indonesia," *Jurnal Hukum Pro-Justitia* 26, no. 1 (2008): 44.

⁵ "Sri Mulyani: Korupsi Musuh Paling Ampuh Buat Negara Hancur, CNN Indonesia," *CNN Indonesia*, last modified 2021, accessed August 20, 2021, <https://www.cnnindonesia.com/ekonomi/20210820100640-532-682833/sri-mulyani-korupsi-musuh-paling-ampuh-buat-negara-hancur><https://www.cnnindonesia.com/ekonomi/20210820100640-532-682833/sri-mulyani-korupsi-musuh-paling-ampuh-buat-negara-hancur>.

⁶ Faiz Guslan, "Tinjauan Yuridis Mengenai Batasan Antara Perbuatan Maladministrasi Dengan Tindak Pidana Korupsi," *Jurnal Cendekia Hukum* 4, no. 1 (2018): 10.

⁷ M. Umer Chapra, *Islam and Economic Challenge* (USA: IIIT Dan The Islamic Foundation, 1995), 220.

popular than any issue that arises in Indonesia. The trend of corrupt behavior seems to be increasingly endemic which has penetrated in something that is common and seems to have been entrenched in Indonesian society.⁸

Eradicating corruption is easy, if there is awareness in placing the public interest above personal and group interests. Of course this, can be realized as long as law enforcement officers carry out and carry out existing legal provisions. Because the law provides for the harshest punishment.

For many scholars, corruption starts from a small level (petty corruption), to a large level (grand corruption), to systemic corruption. Conducted in the government or public sector, companies, and non-governmental organizations. The forms can be in the form of theft, embezzlement, fraud, extortion, bribery, bribery, selective logging, abuse of authority, collusion,

clientelism, nepotism, and money politics.⁹

The number of corrupt behaviors in Indonesia, has made the existing law has no power whatsoever. It is ironic indeed if you look at the sanctions imposed in the provisions of the law on eradicating corruption. The article explaining the death penalty can be seen in the explanation of Article 2 paragraph 2 of Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption. There is a threat of the death penalty in the above provisions, when corruption is committed, such as during economic crises and natural disasters.

Although there is a death penalty for perpetrators of corruption in certain circumstances, corrupt behavior remains fertile and even more fertile. Just look, corruption occurs in all fields. Many seminars, workshops, discussions, research and all kinds of

⁸ Alfitra, *Hukum Pembuktian Dalam Beracara Pidana, Perdata Dan Korupsi Di Indonesia* (Depok: Raih Asa Sukses, 2011), 146.

⁹ Muhammad Nasrum, "Tentang Kata Korupsi Yang Datang Silih Berganti: Suatu Penjelasan Budaya," *Antropologi Hukum* 34, no. 1 (2013): 2.

appeals not to commit corruption were carried out and given. However, as a result, corruption continues to thrive and is getting worse. Many people end up losing their rights. Because corruption takes what should be enjoyed by the people. In this context, human rights violations have occurred.

Talking about human rights, is a basic right where these rights attached to every human. This right cannot be taken away.¹⁰ Corruption that violates human rights, as mentioned above, has robbed and reduced the people's rights which actually became the full rights of the people. Corruption occurs in all sectors of life. Corruption that occurs in all sectors has taken away the rights of the people. These rights are also taken by the perpetrators of corruption in the government.

With the widespread practice of corruption in various joints of government in the end disrupting the running of the government.¹¹

Corruption concerns the moral aspects, the nature of the rotten situation, positions due to the provision of economic and political factors, as well as the placement of families or groups into services under the authority of their positions.¹²

In many cases, the reason a person commits corruption is because of his seduction for the material world or wealth that he is unable to contain. When the urge to be rich cannot be resisted while access to wealth can be obtained through corruption, then someone will commit corruption.¹³ In the end, corruption is included in the type of case that takes a long time to resolve and its eradication, especially in the evidentiary process. This is because corruption is a crime committed by government or state officials who have

¹⁰ Tim Penyusun and Tim Redaksi Wikrama Washkita 1996, *Himpunan Lengkap Undang-Undang Tentang Hak Asasi Manusia, Buku Kampus* (Yogyakarta, 2014).

¹¹ Junaedi and M. Akil Mochtar, *Memberantas Korupsi Efektivitas Sistem Pembalikan*

Beban Pembuktian Dalam Gratifikasi (Jakarta: Q-Communication, 2006), 10.

¹² Suherry, "Politik Pemberantasan Korupsi Di Indonesia, Otoritas," *Jurnal Ilmu Pemerintahan* 7, no. 1 (2017): 2.

¹³ Viola Sinda Putri Mita Argiya, "Mengupas Tuntas Budaya Korupsi Yang Mengakar Serta Pembasmian Mafia Koruptor Menuju Indonesia Bersih," *Recidive* 2, no. 2 (2013): 163.

a major influence in the progress of a country.¹⁴

From the description above, the author will discuss the subject and criminal liability in corruption offenses. Besides that, it also discusses the application of the heaviest punishment that in order to create legal certainty.

II. RESEARCH METHODS

The method that the author uses in this research is a normative juridical research method through literature study. Due to the study conducted through the literature, in this case the author takes and collects data through secondary data that the author gets from various kinds of literature relevant to the problem under study such as from books, media, magazines, legislation and journals. research result. After the data is collected, it is processed and analyzed to answer the existing problems.

III. DISCUSSION

A. Definition of the Crime of Corruption.

Various ways to eradicate corruption have been carried out both preventively, repressively and pre-emptively. But, it has not given the expected result. There is nothing wrong then, talking about corruption seems to be never ending. The crime of corruption is inherent in its entirety and seems difficult to eliminate. The community also sees and hears the corruption crimes that occur as if they have considered things that are mediocre.

Maybe people are tired of seeing it. Because the legal process for one perpetrator has not yet been completed, another corruption actor has arrived. And so we look at the problem of corruption. Not to mention that the public sees that the sentence handed down is very light and does not even match the sentence imposed with the loss of the state that has been corrupted.

The crime of corruption has crystallized in the joints of the life of

¹⁴ Mien Rukmini, *Hukum Pembuktian Dan Kriminologi (Sebuah Bunga Rampai)* (Bandung: PT Alumni, 2009), 112.

the Indonesian nation. Not only threatens the country's economy, in fact corruption can also threaten the environment, democratic institutions, human rights and basic rights of independence, and the worst thing is that it hinders the progress of development and exacerbates poverty. Various efforts have been made to eradicate corruption, but the results are still far from satisfactory. So what exactly is the meaning of the crime of corruption?

Corruption is an act against the law. It is said to be against the law because in addition to being against the law, it is also against decency and propriety. In many cases, corruption is perpetrated by those in position and power. As a leader who has power, he should be used to serve the people and not take people's money in ways that are against the law. In every existing leadership, the leader must be responsible for the community he leads by providing the best and welfare for the people. Instead of committing acts of corruption that have clearly taken away the rights of the people. For

ordinary people, being a leader is about getting so many facilities, open access and wide network. Being a leader is comfort, having policies that others don't have and having power. From that perception, many people are competing to be leaders with all kinds of goals. Of course it's not wrong. However, there is one thing that is often forgotten, namely the issue of inherent responsibility.¹⁵

The attachment of responsibility to a leader is highly anticipated by the community. This is because the leader is a public servant in order to create prosperity, peace and goodness in his life. The community will get welfare when the state money obtained from taxes collected by the state from the people is returned again for the good of the people in the context of alleviating poverty, improving education and health. Therefore, the state's money should not be corrupted by irresponsible people.

In principle, corruption is theft on a large scale and is perpetrated by

¹⁵ Andika Hazrumy, *Yang Muda Yang Berkarya* (Jakarta: PT. Gramedia Pustaka Utama, 2020), 198.

people who have power and, therefore, have the opportunity to do so. What is stolen is generally money belonging to the state or part of the budget of the central government or local governments. At the community level, what is stolen is generally money belonging to companies or community institutions, such as houses of worship, social foundations and so on.¹⁶ Thus there are other party's rights which are taken illegally.

From the description above, we can draw a common thread that corruption is action against the law that deviate from a position and responsibility that has been given. These deviant acts besides causing state financial losses also cause real human rights violations as the authors stated above. Because corrupt behavior has taken people's rights illegally. State money that is corrupted can actually be used for poverty alleviation, health and education. Corruption behavior that occurs is because the perpetrators do

not have good morals, so they are easily tempted to commit acts of corruption. Therefore, if someone does not have strong morals, it will be very easy to be influenced by committing corruption.

It is time for corrupt behavior to end with a commitment that the money being corrupted is the people's money, which is actually the people as the rightful owners. It is the people who actually have the right to enjoy the money.

B. Legal Subjects and Criminal Liability in Corruption Offenses.

Corruption is identified as the root of all evils its actions as a crime against humanity. No matter how small the form of corruption, it will hamper the pace development of a country. There is no excuse for anyone who is a legal subject who tries to commit corruption. Because the perpetrators of corruption are those who can actually realize their actions. The act is an act which in the logic of the perpetrator cannot be seen as a propriety. His actions are intentional and can be

¹⁶ Andi Hamzah, *Pemberantasan Korupsi: Melalui Hukum Pidana Nasional Dan Internasional* (Jakarta: PT Raja Grafindo Persada, 2005), 4.

subject to legal sanctions. Thus it becomes clear that any legal subject who commits acts of corruption will be subject to imprisonment, life imprisonment and even death penalty according to existing laws.

Before we look at the subject of the perpetrators of criminal acts of corruption who can be held accountable, it is better to first see who is called the perpetrator of a crime. The perpetrator of a crime (*dader*) according to the doctrine is anyone there is an element of violating the law for his actions. The perpetrator is the person who commits the crime in question. After we understand about the perpetrators of criminal acts, only then will we look at the legal subjects of the perpetrators of corruption.

The term legal subject comes from the Dutch translation, namely *rechtsubject* or law of subject (English). In general, *rechtsubject* is defined as a supporter of rights and obligations, namely humans and legal entities.¹⁷

¹⁷ Gilang Rizki Aji Putra, "Manusia Sebagai Subyek Hukum," *Adalah: Buletin Hukum dan Keadilan* 4, no. 3 (2020): 131.

The formulation of the subject of each person, if it is related to the provisions of Article 1 point 3, it is clear that everyone has a broad understanding, including the definition of everyone according to the Law on the Eradication of Criminal Acts of Corruption (UUPTPK) is: an individual or including a corporation. Thus, according to Article 1 point 3 of Law No. 31 of 1999 in conjunction with Law No. 20 of 2001. The formulation of the subject of a criminal act of corruption by using the word "person" as regulated in Article 7 paragraph (2) can be interpreted that included in the definition of the perpetrator is corporation.¹⁸

People as legal subjects of criminal acts of corruption in the law on corruption are divided into two, namely people as legal subjects of criminal acts of corruption which are mentioned in general and people as legal subjects of criminal acts of corruption which are

¹⁸ Satjipto Rahardjo, *Ilmu Hukum*, 7th ed. (Bandung: PT. Citra Aditya Bakti, 2012); Padil, "The Characteristics of Corporate Criminal Liability In Crime Act Of Corruption," *Jurnal IUS, Kajian Hukum dan Keadilan* IV, no. 1 (2016).

specifically mentioned on the status or quality of the person. People as subjects of criminal acts of corruption which are mentioned in general in the formulation of criminal acts of corruption use the term everyone as contained in Article 2, Article 3, Article 5, Article 6, Article 21 and Article 22. Meanwhile, people as legal subjects of criminal acts of corruption specifically mentioned relating to the status and quality of the person and he is capable of being convicted of a criminal act of corruption, for example a civil servant or state administrator.

Another thing that is meant by everyone is anyone who is a legal subject, which in this case is an individual or including a corporation. An individual means a person individually or in a biological construction called a human being and usually in a legal construction known as a *natuurlijke* person. That way, if a corporation is made a legal subject in a criminal act, the burden of criminal responsibility is carried out by those who have a relationship with the corporation.

Back to people as legal subjects of corruption. The law recognizes that it is humans who are recognized as bearers of rights and obligations, but on the contrary it can happen that for legal purposes, something that is not human is accepted as a person in the legal sense.¹⁹ People as legal subjects can be punished if the actions they commit are against the law. The person can be held criminally responsible, because there is an element of guilt or guilt against the person who committed the act.

The definition of the nature of being against the formal and material law is that the act is not only against the prevailing laws and regulations, but is also a disgraceful act and is contrary to the feeling of community justice. This is formulated in the General Elucidation of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001, namely that an act is said to be against the law, in a formal and material sense, if the criminal act of corruption includes despicable acts which according to the community's

¹⁹ Padil, "The Characteristics of Corporate Criminal Liability In Crime Act Of Corruption," 19.

sense of justice should be prosecuted and punished.²⁰ This violation of the law is also found in various regulations regarding corruption. In these various regulations, 'against the law' is also used to indicate the illegal nature of an act, as can be seen in the various formulations of corruption in these regulations.

From the description above, it can be understood that in the formulation of criminal acts as stated in the law on criminal acts of corruption, the so-called legal subjects who can be held criminally responsible for corruption offenses are legal subjects of individuals or everyone. Thus, people are legal subjects in corruption crimes as stated in the corruption law, this includes corporations.

So what is meant by everyone is anyone who is a legal subject. In relation to the principle of "there is no crime without guilt", then the consequence is that only something that has a mind can be charged with

criminal responsibility. Because only humans have hearts, and corporations do not, then only humans (naturlijke persons) can be charged with criminal responsibility.

It can be concluded that everyone who has a mind as a legal subject rather than a perpetrator of a criminal act of corruption can be held accountable if there is an act against the law and the same goes for corporations, if there are errors and elements against the law from an act (corruption) then those who can be held accountable is the manager (having the mind) of the corporation.

C. Application of the Death Penalty in Corruption Crimes.

As the largest population in the world, of course, various problems come and go, both problems of poverty, health and education. In every government in power, the three problems above are of course the responsibility of the existing government to overcome. This means that the problems of poverty,

²⁰ Jawade Hafidz, "Sistem Pertanggungjawaban Perkara Korupsi Dalam Rangka Percepatan Penyelamatan Uang Negara," *Jurnal Dinamika Hukum* 11, no. Ed. Khusus Februari (2011): 126.

education and health must be a priority to be followed up immediately.

Then how to overcome or respond to problems that come and go, especially corruption in the midst of society. In the author's opinion, the way is through efforts to apply the toughest punishments to perpetrators of corruption.

This provision for capital punishment is general in nature, meaning that it can be applied to both criminal acts regulated in the Criminal Code and criminal acts regulated outside the Criminal Code unless the regulations regulate differently. One of the crimes punishable by death in the Criminal Code is premeditated murder as regulated in Article 340 of the Criminal Code. Specific criminal acts that regulate the threat of the death penalty include the Corruption Law.²¹

The rampant corruption committed by people who are supposed to maintain the values of honesty and devotion, even the three

pillars of democracy, the legislature, the executive and the judiciary have worked hand in hand to preserve corruption, this is the nihilism that Nietzsche is worried about. For that we must not remain silent and let the collapse of this value, we must reversal of all values. Corruption is not an ordinary crime, we must reverse the value of the crime of corruption. Corruption is a mental illness (mental) not a crime, a corrupt person is a person who is mentally ill. Therefore, prison is not the right place for them. They must be admitted to a mental hospital to cure their illness.²²

Corruptors are educated people, intelligent people, they know all values, they are moral, dignified people, it's just that they are mentally ill, so they need to be healed. Corruptors are rich people, excessive people do not lack anything economically, even their lives are luxurious, the only reason they are corrupt is that their souls are sick, so they need to be treated. The

²¹ Daud Munasto, "Kebijakan Hukuman Mati Bagi Pelaku Tindak Pidana Korupsi Dikaji Dalam Perspektif Sosiologi Hukum," *Widya Pranata Hukum* 4, no. 1 (2022): 26.

²² Muhamad Erwin, *Filsafat Hukum: Refleksi Kritis Terhadap Hukum Dan Hukum Indonesia (Dalam Dimensi Ide Dan Aplikasi)* (Jakarta: PT Raja Grafindo Persada, 2016), 75.

punishment for corruptors cannot be equated with a chicken thief, their motives are different, the impact is different, so the punishment should be different. Corruptors do it to pursue pleasure and enjoyment, they are hedonists, therefore, the proper punishment for them is to take all the value of pleasure and enjoyment from them. Do not miss also by researching and treating their souls that are empty of the values of goodness.²³

In the many cases of corruption that occur, we can see it in public positions. Officials and policy makers have been implicated in many corruption cases. You see, once they occupy positions in government, those in power seem powerless against corruption. They are unable to stop the desire not to be corrupt. Even so, the author still agrees that not all public officials behave badly. There are public officials who have commendable behavior, meaning that there are still some who are afraid to commit such corruption.

In practice that occurs after occupying a position chair, someone commits acts of corruption, manipulation and so on. This is because the purpose of working is not to worship God, not to serve the country, nor to fulfill the needs of a decent life, for the sake of prestige and for the sake of lust for self-pleasure. That is the reality that is happening in front of our lives.²⁴ Whereas a person is required to have good morals in every episode of his life. Especially when someone is in power.

This nobility and moral sanctity based on God Almighty is what the Criminal Procedure Code demands, so that in themselves and in the behavior of every law enforcement officer the spirit of moral purity is imprinted in every law enforcement action, so that the distance between the justice they embody in concrete, not much different from the true justice justified by God Almighty.²⁵

²³ Ibid.

²⁴ Ibid., 123.

²⁵ Monang Siahaan, *Masalah Korupsi Dan Tindak Pidana Umum* (Ponorogo: Uwais Inspirasi Indonesia, 2021), 45.

The provisions for criminal acts of corruption contained in the Criminal Code (KUHP) are deemed less effective in anticipating or even anticipating the problem of corruption. Therefore, a statutory regulation was formed to eradicate the problem of corruption, in the hope of eroding and perfecting the shortcomings contained in the Criminal Code.

Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption Article 43 A paragraph (1) stipulates that: "Criminal acts of corruption that occurred before Law Number 31 of 1999 concerning the eradication of criminal acts corruption is promulgated, examined and decided based on the provisions of Law Number 3 of 1971 concerning the Eradication of Criminal Acts of Corruption.

The acts that fulfill the elements of a criminal act of corruption according to Article 2 paragraph (1) of Law Number 31 of 1999 are as follows:
a. Each person; b. unlawfully; c. The act of enriching oneself or another person

or a corporation; d. Can harm state finances or the country's economy.

Given the increasingly rampant corruption in Indonesia, it is not wrong if the death penalty is applied to corrupt actors who are detrimental to the country's finances and economy. This is important, because punishment (prison) for perpetrators of corruption is proven unable to reduce the number of criminal acts of corruption and state losses that occur.

However, the implementation of the death penalty is still an interesting debate among experts, not a few of whom reject the implementation of the death penalty against corruption perpetrators. The reason used by those who refuse is that the application of the death penalty is contrary to human rights as stipulated in Article 28A, 28I of the 1945 Constitution of the Republic of Indonesia, Articles 4 and 9 of Law Number 39 of 1999 concerning Human Rights, as well as Article 3 Universal Declaration of Human Rights.

The view that the imposition of the death penalty on perpetrators of corruption is contrary to the principles

of Human Rights is something that is legal, but it should also be understood that one of the factors that influence corruption cannot be eradicated is the aspect of sanctions that do not provide a deterrent effect to perpetrators of corruption. Sanctions applied to perpetrators of criminal acts of corruption have not yet provided a deterrent effect on perpetrators of criminal acts of corruption.

Often judges decide corruption cases with a minimum sentence, rarely do judges apply a maximum punishment to perpetrators of corruption, such as life imprisonment or the death penalty. Death penalty still creates debates among experts, some are of the view that the right to life is guaranteed by the constitution so that no one is allowed to take another person's life. Death penalty can be dropped to perpetrator corruption committed under certain circumstances. The absence of threats of the death penalty being given or imposed makes legal certainty in terms of eradicating corruption difficult to implement as part of the legal objectives.

The principle of legal certainty is must. If there is no certainty in the law, then the law will lose its identity and meaning. If the law does not have an identity then the law is no longer used as a guide for everyone's behavior.²⁶ This death penalty is carried out by shooting dead the perpetrators of criminal acts as stipulated in the law. So far, most of the perpetrators of corruption are punished very lightly. Never mind being sentenced to death, the threat of death penalty for corruption perpetrators has never happened. So far, most of the perpetrators were given light sentences. Mild criminal sanctions make the punishment ineffective and do not deter perpetrators.²⁷

The crime of corruption has clearly harmed state finances and made people miserable. Why is that, because

²⁶ W.J.S. Poerwadarminta, *Kamus Umum Bahasa Indonesia*, 3rd ed. (Jakarta: Balai Pustaka, 2006), 847.

²⁷ Soemodiharjo Dyatmiko. R, *Mencegah Dan Memberantas Korupsi Mencermati Dinamikanya Di Indonesia*, 1st ed. (Jakarta: Prestasi Putaka, 2008); Hartono, "Penerapan Sanksi Hukum Bagi Para Advokat Pelaku Sidang Suap Dalam Sistem Hukum Positif Di Indonesia," *Jurnal Cendekia Hukum* 5, no. 1 (2019): 89.

the money corrupted by corruptors is state money that comes from taxes paid by the people and should return to the people in an effort to improve people's welfare. Therefore, in the context of the state of Indonesia as a state of law, the crime of corruption should not be allowed to grow and develop in people's lives. Corruption is a violation of human rights. Because the corrupt have taken the rights of the people against the law.

All criminal acts of corruptors must be dealt with firmly according to the rule of law and legal principles that exist and are adhered to in our legal system, especially in the realm of criminal law. Once again, it is very important to take firm action, because corruption is an act to get the maximum benefit for oneself and one's group. This act is detrimental to the people as a whole. Corruption behavior does not think about the interests of the poor. Corruptors live in luxury amidst the misery of the people. Corruptors live in luxury homes, travel abroad, feast on luxurious food and places. While on the other hand, so

many poor people are starving and suffering. Therefore, it is demanded sensitivity from law enforcement officers to give the threat of the heaviest punishment to any legal subject who is proven to have committed acts of corruption.

IV. CLOSING.

In the end, it can be understood that the legal subject who can be held criminally responsible for corruption offenses is anyone who unlawfully commits an act of enriching himself or another person or a corporation that can harm state finances or the state economy. Everyone is an individual or including a corporation. A corporation is made a legal subject, then the burden of criminal responsibility is carried out by those who have a relationship with the corporation.

All agree that corruption has a negative impact on the continuation of the social life of the community. Therefore, it is very necessary for the perpetrators of corruption to be given the heaviest punishment. This becomes very important, because acts of

corruption can hamper the welfare of the community and hinder the implementation of development in all fields. The application of the heaviest penalties to perpetrators of corruption has been regulated and explained in the corruption law. In the provisions of the law, corruption crimes committed when the country is in a state of danger, criminal penalties is the death penalty.

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