

The Participation of the Java Sumatra Archipelago Youth Association (PENJARA) in Preventing the Occurring of Corruption Crimes: Case Study of the Central Leadership Council of the Nusantara Java Sumatra Youth Association (PENJARA)

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Abstract

The general purpose of this research is to find out how the implementation of the role of youth participation in the Java-Sumatra archipelago in upcaya prevention and eradication of criminal acts of corruption. To find out how the government's efforts to optimize the prevention and eradication of corruption in Indonesia. The research method is a way or effort to do something by using the mind carefully to achieve a goal by searching, writing, arranging, formulating and analyzing until preparing a report. empirical legal research is research or observation in the field or field research whose research is focused on collecting empirical data. The approach method used in this research is the juridical-empirical method. Juridical-empirical research is legal research regarding the enactment or implementation of normative legal provisions directly on every legal event that occurs. The government's efforts in preventing and eradicating corruption are very worrying and pose a threat to the government, including synchronizing legislation or regulatory arrangements, fostering human resources, and digitizing government in preventing and eradicating corruption. Synchronizing legislation or regulatory arrangements. Synchronizing legislation or regulatory arrangements, adjustments and alignments related to the law on the prevention and eradication of corruption. Human Resource Development (HR) Providing education to the public about the prevention and eradication of corruption in accordance with Article 13 of Law No.30 concerning the Corruption Eradication Commission is a paradigm in the prevention and eradication of corruption, as a key success factor in the prevention and eradication of corruption. Socializing the prevention and eradication of corruption program. Digitalization and technology efforts in Indonesia are so massive that it is necessary to meet the requirements if we want to encourage the digitalization of all public services as an effort to prevent and eradicate criminal acts of corruption.

Keywords: crimes, corruption, youth association

INTRODUCTION

The current development process can have a positive impact in various fields, including infrastructure, economy and community life. In addition, it also results in changes in the social conditions of society that have negative social impacts such as criminal acts that are very troubling to the community. Criminal acts here that can harm state finances, weaken the economy, and prevent national development. The crime in question is quite a phenomenon and is widely discussed in print, electronic media and so on, namely Corruption Crime.

The law determines what must be done and what can be done and what is prohibited. The legal targets to be addressed are not only people who are obviously acting against the law, but also legal actions that may occur, and to state equipment to act according to the law. Such a system of legal

operation is one form of law enforcement. The development process can lead to progress in people's lives, but it can also result in changes in social conditions that have negative social impacts, especially regarding the problem of increasing criminal acts that disturb the community. One of the criminal offenses that can be said to be quite phenomenal is the problem of corruption. This crime is not only detrimental to state finances, but also a violation of the social and economic rights of the community.

The crime of corruption is a social phenomenon that is still difficult to eradicate because it has become a culture. The effects of corruption crimes have led to the destruction of the nation's economy. With corruption, development in all fields is not going well. The crime of corruption has become an octopus that torments the Indonesian people. Therefore, the crime of corruption is a serious problem, this crime can jeopardize the stability and security of society, jeopardize socio-economic and political development and can damage democratic values and morality because gradually this act seems to have become a culture.

The problem of corruption experienced by the Indonesian nation is at an alarming point. This problem is because the effects of corruption are rampant and worrying about the continuity of the life process of the nation and state. All development processes in the Asta Gatra system, the initiation is severely disrupted ideological, political, economic, socio-cultural and defense development and social security. This condition proves that the problem of corruption must be found the latest solution, so that the problem of corruption which has been very systematically structured has the best way out.

Corruption that occurs in Indonesia today is not a corruption that occurs by chance in the management of state money by unscrupulous state administrators / government agencies / State-Owned Enterprises (BUMN) and Regional-Owned Enterprises (BUMD), but is a corruption that has been planned or planned well in advance at the stage of the planning process and the beginning of budget implementation. Since the decade of the eighties, our economic scholar, Prof. Sumitro Djojohadikusumo, has said that the level of leakage in the management of state finances reached thirty percent. This high leakage rate has continued until now.

Efforts to prevent corruption are carried out with various measures that still refer to the applicable provisions. In addition, the eradication of corrupt practices is sought not to be trapped in justifying the slightest corruption under the pretext of harmonizing people's lives and an integralistic mindset that denies violations, by linking to cultural values and other paternalistic mindsets that deny fraud committed by those who have power. Efforts to provide awareness of the problem of corruption must involve community participation. In accordance with the mandate of Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 concerning the Eradication of Corruption. Article 41 states that the public can participate in assisting efforts to prevent and eradicate criminal acts of corruption.

According to Law No. 43 of 2018 concerning government regulations on procedures for implementing community participation and awarding in the prevention and eradication of criminal acts of corruption.

It can be emphasized that corruption always starts and develops in the government (public) sector and state-owned companies. With clear evidence that with power, public officials and state-owned companies can suppress or extort people who need services from the government and state-owned enterprises (BUMN).

Towards changing the New Order system The reform period (1998) gave rise to the politics of regional autonomy. The initial goal of regional autonomy should be removed because of the authoritarian government Centralized management system. however, in the process of regional autonomy actually makes this nation more complicated in solving the problem of corruption. The emergence of regional autonomy has led to more corruption in every region in Indonesia. Many incidents of corruption are currently joined by several regional heads up to the governor Governor/Mayor with Corruption Problems Corruption has created new problems for this nation.

Corruption can paralyze the development of the nation. In society, this corrupt practice can be found in various modus operandi and can be done by anyone, from various social and economic strata. Indonesia has actually had regulations regarding the eradication of corruption since 1971, namely

Law (UU) Number 3 of 1971 concerning the Eradication of Corruption. However, because this regulation was considered no longer able to keep up with the development of legal needs in society, Law Number 31 of 1999 concerning the Eradication of Corruption was issued, which was later revised through Law Number 20 of 2001 in several of its articles.

The implementation of regulations that contain legal standards is essentially part of law enforcement, because law enforcement is about efforts to ensure compliance with the law. Violations or deviations from the applicable law will be subject to sanctions in accordance with legal provisions. In this case, the Criminal Code applies. Crime is also an effort to eradicate crime.

One of the criminal offenses that has always been in the spotlight in Indonesia is the problem of corruption. Corruption is no stranger to this country. Corruption in Indonesia has even been classified as an extra-ordinary crime because it has damaged, not only the State's finances and economic potential, but has also destroyed the pillars of socio-culture, morals, politics, and the legal order of national security.

Corruption in the private sector has also been as severe as corruption that occurs in the public sector, when its business activities are related or related to the public sector, for example the taxation, banking and public service sectors. The application of articles in the PTPK Law to a corruption crime that has clearly fulfilled its elements, often experiences misapplication from prosecutors, judges and legal counsel. Especially when the perpetrators of corruption are employees of state-owned enterprises, which always causes differences in views from legal circles.

There are often differences of opinion by legal circles in applying the articles of the PTPK Law. For example, UI Faculty of Law professor Erman Radjagukguk said that the assets of BUMN Persero and BUMN Perum as legal entities are not part of state assets. As a result of this misunderstanding of "state assets", charges of corruption also threaten the Directors of SOEs. The misunderstanding of "state assets" means that corruption charges are also levied against the actions of SOE Directors in transactions that are argued to be detrimental to state finances. This means that officials tend not to dare to make risky decisions for fear of being caught in corruption.

Meanwhile, the opinion that leads to the prosecution of corruption in SOEs can be charged with the PTPK Law is Prof. Dr. Nur Basuki Minarno SH Mhum, in the statement that directors who are corrupt can be charged with Article 3 of the PTPK Law because the directors have abused their authority. Directors of SOEs are classified as state administrators or civil servants. Therefore, unlawful acts by them are a form of abuse of authority. The legal basis that the directors of SOEs are state officials is Article 1 point 2 of the Anti-Corruption Law and the explanation of Article 2 point 7 of Law Number 28 of 1999.

Another problem that is often found in practice in the field is the application of articles by prosecutors and lawyers, as well as judges in imposing articles on a corruption case which is sometimes not appropriate. For example, when a case meets the elements of article 2 of the PTPK Law, but article 3 is imposed, it is possible that the reason for this incident can occur is because article 3 has a lighter sanction, so it is used to alleviate the perpetrator. Likewise, the opposite often occurs in other cases, namely the perpetrator is sentenced to article 2 while the perpetrator's actions only fulfill the elements of article 3, namely fulfilling the element of abuse of authority in his quality as an office holder.

Because of these problems, the author tries to examine a corruption case similar to the explanation above, namely corruption committed by BUMN employees, in this case BUMN in the form of banking, namely PT Bank Negara Indonesia (Persero) Tbk. The defendant named Asmiati Khumas ST.MM. was charged with committing the crime of corruption jointly with separate prosecutions. Primair charge with Article 2 paragraph (1) Jo. Article 18 paragraph (1) letter b of Law no. 31 of 1999 concerning Eradication of Corruption as amended and supplemented by Law no. 20 of 2001 concerning amendments to Law no. 31 of 1999 concerning Eradication of Corruption jo. Article 55 paragraph (1) to 1 of the Criminal Code. Subsidiary to Article 3 Jo. Article 18 of Law No. 31 of 1999 on the Eradication of the Crime of Corruption as amended and supplemented by Law No. 20 of 2001

on the amendment to Law No. 31 of 1999 on the Eradication of the Crime of Corruption jo. Article 55 paragraph (1) to 1 of the Criminal Code.

Corruption is capable of paralyzing the development of the nation. In society, this corrupt practice can be found in various *modus operandi* and can be committed by anyone, from various social and economic strata. Indonesia has actually had regulations regarding the eradication of corruption since 1971, namely Law (UU) Number 3 of 1971 concerning the Eradication of Corruption. However, because this regulation was considered no longer able to keep up with the development of legal needs in society, Law Number 31 of 1999 concerning the Eradication of Corruption was issued, which was later revised through Law Number 20 of 2001 in several of its articles.

The Corruption Eradication Commission is an institution established by the government to eradicate corruption. Several individuals with positions and educational backgrounds who have committed various corruption cases can be used as valuable lessons for policy makers and all levels of society. Many public officials at the level of ministers, governors, regents/mayors, and lower-level officials have committed corruption. In fact, if it is related to the level of welfare, both education and family, on average they (perpetrators of corruption crimes) are at a prosperous level. Corrupt behavior can be influenced by opportunities and the orientation of personal and group interests.

Efforts to prevent corruption are carried out with various actions that still refer to the applicable provisions. In addition, the eradication of corrupt practices is attempted not to be trapped in justifying the slightest corruption under the pretext of harmonizing community life and an integralistic mindset that denies violations, by linking to cultural values and other paternalistic mindsets that deny fraud committed by those who have power.

Public involvement in the prevention and eradication of corruption is needed so that the public has the right to seek, receive information about suspected corruption and provide information about suspected corruption to law enforcement officials handling corruption cases.

Effective and comprehensive corruption eradication efforts require the involvement of various stakeholders, including the nation's young generation. An important reason why prisons should be involved is because it is related to the history of the Indonesian nation, where from the colonial era to the reform era, prisons have always been the pioneers of change so that the active role of prisons. The existence of the Law on the Eradication of Corruption (UU PTPK) is a hope for the Indonesian people in eradicating corruption, however, the eradication of corruption cases remains difficult, the steps to eradicate it are still faltering until now. Corruption is already a chronic disease that has infected and has not been cured until now, spreading to all sectors of government even to state-owned companies.

Overcoming change plays a role in the problem of corruption through preventive action. Action is needed when the active role of various parties, including young people, is solid and strong, then it is expected that the issue of corruption can be handled properly. At this time, corruption has become a global problem between countries classified as transnational crime. In fact, due to its multidimensional adverse implications for large economic and financial losses, corruption is classified as an extra ordinary crime so that the eradication of corruption has become a priority on the government agenda of almost all countries in the world (including the Indonesian government) to be tackled seriously.

The Prison Association of Java Sumatra, known as "Penjara", is one of the prison organizations engaged in the prevention of corruption in prisons in the archipelago of Java Sumatra. The organization is filled with prison ranks who have a high commitment to the personal character of the Indonesian nation. The anti-corruption movement of the anti-corruption prison group is sustainable and does not only rely on corruption cases. This is certainly interesting to study, because most other anti-corruption organizations only appear when corruption problems arise and the movement then stops.

The role of the community in helping to prevent and eradicate corruption is needed so that they are given the right to seek, obtain and provide information on allegations of corruption to law enforcers who handle corruption cases.

METHOD

The research method is a way or effort to do something by using the mind carefully to achieve a goal by searching, writing, arranging, formulating and analyzing until preparing a report. empirical legal research is research or observation in the field or field research whose research is focused on collecting empirical data.

The approach method used in this research is the juridical-empirical method. Juridical-empirical research is legal research on the enactment or implementation of normative legal provisions directly on every legal event that occurs.

Data analysis is the processing of data obtained from both field research and library researchers on primary data obtained from the field first examined for completeness and clarity to be classified and arranged systematically and consistently to facilitate analysis. This primary data was first correlated to complete the data that was most relevant to the formulation of the problems in this study. Secondary data obtained from the decision is selected and compiled systematically, so that it can be used as a reference in the analysis. From the results of library and field research data, descriptive analysis is discussed. Descriptive is the presentation of research results with the aim of obtaining a comprehensive but still systematic picture, especially regarding facts related to the problems to be studied. Analysis means that the picture obtained is carefully analyzed so that it can be known about the purpose of this research itself, namely proving the problem as formulated in the formulation of the problem. The next stage is data processing, namely analysis carried out by qualitative methods, namely research methods based on the philosophy of positivism, used to research on natural object conditions, where the researcher is a key instrument, data analysis is inductive or qualitative, and qualitative research results emphasize the meaning of the results of data library research (secondary data) so that it can be known The role of Youth Nusantara Java Sumatra (PENJARA) in efforts to prevent criminal acts of corruption in the field.

RESULT & DISCUSSION

Government efforts to optimize the prevention and eradication of corruption in Indonesia, which is very worrying and a threat to the government, include synchronizing legislation or regulatory arrangements, fostering human resources and digitizing government.

Synchronizing legislation or regulatory arrangements, adjustments and alignments related to the law on the prevention and eradication of corruption.

- a. MPR Decree No. XI/MPR/1998 on the Implementation of a Clean and KKN-free State.
- b. Law No. 28/1999 on the Implementation of a State that is Clean and Free from Corruption, Collusion and Nepotism (State Gazette of the Republic of Indonesia Year 1999 Number 75, Supplement to State Gazette of the Republic of Indonesia Number 3851).
- c. Law Number 31 of 1999 on the Eradication of Corruption (State Gazette of the Republic of 1999 Number 140, Supplement to State Gazette of the Republic of Indonesia 3874) which amended Law Number 3 of 1971.
- d. Law Number 20 of 2001 Concerning the Amendment to Law Number 31 of 1999 Concerning the Eradication of the Crime of Corruption (State Gazette of the Republic of Indonesia of 2001 Number 134, Supplement to State Gazette of the Republic of Indonesia Number 4150).
- e. Law Number 30 of 2002 on the Corruption Eradication Commission (State Gazette of the Republic of Indonesia of 2002 Number 137, Supplement to State Gazette of the Republic of Indonesia Number 4250).
- f. Law Number 1 Year 2006 on Mutual Legal Assistance in Criminal Matter.

- g. Law Number 7 of 2006 on the Ratification of the United Nations Convention Against Corruption, 2003.
- h. Law No. 46 of 2009 on the Corruption Court
- i. Presidential Decree of the Republic of Indonesia No. 127 of 1999 on the establishment of the Commission for the Examination of the Wealth of State Officials and the Secretariat General of the Commission for the Examination of the Wealth of State Officials.

The development of human resources is needed so that Indonesian people are able to understand how to prevent and eradicate corruption efficiently and effectively.

- a. Providing education to the public. Providing education to the public about the prevention and eradication of corruption in accordance with Article 13 of Law No.30 on the Corruption Eradication Commission is a paradigm in the prevention and eradication of corruption, as a key success factor in the prevention and eradication of corruption. The purpose of development in the learning community of prevention and eradication of corruption is to increase the understanding of the learners about corruption, in order to build public awareness to play an active role in efforts to prevent and eradicate corruption in this country.
- b. Socialize the prevention and eradication of corruption program Criminal acts of corruption. The socialization of corruption prevention and eradication programs aims to provide understanding to the public about matters related to corruption and build awareness so that the public plays an active role in efforts to eradicate corruption, while the socialization is carried out in several ways, namely by lectures, and questions and answers between participants and speakers.

Digitalization and technology efforts in Indonesia are so massive that it is necessary to meet the requirements if we want to encourage the digitalization of all public services as an effort to prevent and eradicate corruption. Digitalization as a means of preventing corruption, one of which is in the field of exports and imports, the government is preparing a digital system that has been integrated in this case is the mandate of Law No. 32 of 2022.

Four factors cause corruption, namely political factors, legal factors, economic and bureaucratic factors, and transnational factors. Political factors are one of the causes of corruption because many political events are influenced by Money Politic. Legal factors are the cause of corruption because many legal products have unclear rules, articles are multi-interpretive and there is a tendency for legal rules to be made to benefit certain parties. Economic and bureaucratic factors are the cause of corruption because state power is structured to create opportunities for government employees to advance the interests of themselves and their allies. Government economic policies are implemented, developed and monitored in a non-participatory, non-transparent and non-accountable manner. The reality is that corruption is not only practiced by people with low economic means to survive, but today it is also practiced by the rich and highly educated. Transnational factors are closely related to the development of cross-border economic relations, which often add to the source land for the growth of corruption in the government bureaucracy.

The youth association of the archipelago of Java Sumatra (PENJARA). By looking at the condition of the country at that time, many government officials abused their authority as rulers. and the public also did not understand how to eradicate officials who oppressed their people. The founders of the PENJARA association are looking for an institution that can protect as a legal umbrella to help oppressed people. and also as a social control.

On December 9, 2021, an institution was formed that was legalized by the Ministry of Law and Human Rights under the name "Perkumpulan Pemuda Nusantara Jawa Sumatera" which is abbreviated (PENJARA), and was established on February 23, 2022. "Perkumpulan Pemuda Nusantara Jawa Sumatera" where the purpose of PENJARA is as a social control and can also help oppressed communities, the poor or the marginalized.

The role of the Prison Association in community empowerment is a facilitator, namely preparing the community, bridging the interests of the government and the community, so that conflicts can be

detected early. Another role is advocacy, which is intended as a correlation of deviations, while the main mission is how to make people able to organize themselves and not leave everything to be taken care of by the government. This means that the PENJARA Association becomes a partner of the government.

Operationally, community empowerment activities can be carried out by the government through existing government institutions in the community and the PENJARA Association. Here the PENJARA Association places itself as a companion (facilitator and motivator) which is complementary to government programs, of course one of the programs is in the enforcement of Indonesian positive law itself, especially in the supervision of pretrial and judicial proceedings carried out by legal apparatus. What distinguishes the two is the strategy and approach used, government activities are generally mass, partial and less attention to the element of participation, while the Prison Association activities are generally limited, but comprehensive, including social, political and legal preparation and intensive group development. So between the government and the Prison Association must work together because each has a function that supports each other so that the process of community empowerment and especially law enforcement can run well and benefit the community.

To develop this association, the administrators also conducted group discussions with several individuals involved in this association on various legal business activities including: farmer/fishermen group activities, scientific discussions, interactive dialogues, lectures and training, education, advancing/forming various activities while organizing legal counseling, conducting mutually beneficial and productive cooperation with other parties and seminars/symposiums. These efforts are made so that the Community can play an active role in every part. In addition, the Community can also show concern for others in order to move forward into the future. In improving the professionalism and performance of human resources, this association will carry out training and education and counseling in accordance with the financial capabilities of the association, especially for members, sympathizers, and the public in general, all of these activities can minimize corruption.

The PENJARA organization is the entity responsible for managing detention and correctional facilities. The main objectives of PENJARA organizations are to maintain security, execute sentences or prisoners, and provide rehabilitation and reintegration programs for prisoners so that they can return to contribute positively to society after their sentence ends.

The organization usually involves various parties and elements, including security officers, psychologists, social workers, medical staff, and various other professionals. The main tasks of prison organization include:

1. Security and Supervision: Ensuring the safety of prison facilities, supervising inmates, and preventing security incidents.
2. Rehabilitation: Providing rehabilitation programs that aim to help inmates change bad behaviors into positive ones. This could include educational programs, job training, counseling, and drug treatment programs.
3. Health Services: Provide medical and mental health services to inmates to ensure their well-being.
4. Supervision and Management: Administers parole and supervises released prisoners to ensure that they comply with the conditions of their release.
5. Collaboration with External Parties: Cooperate with civil society organizations, relevant government agencies, and non-profit organizations in providing services that support the social reintegration of prisoners.
6. Justice and Law: Comply with legal regulations and rules in carrying out sentences and provide legal protection for prisoners.

PRISON organizations are usually part of a country's criminal justice system and operate in accordance with applicable laws and regulations. Their main purpose is to provide justice, protection, rehabilitation and social re-integration for prisoners.

1. Purpose and function of prison organizations: Research can discuss the main objectives of the PRISON organization, such as rehabilitation, supervision, and social reintegration of prisoners. It will also address how prison organizations achieve these goals through the programs and policies implemented.
2. Organizational Structure and Management: The research can describe how the organizational structure of the prison is formed and operates. This includes the hierarchy of staff, the responsibilities of each section, as well as how communication and coordination are carried out among staff.
3. Education and Training Programs: The discussion can involve the education and training programs provided to inmates. This includes formal learning programs, job training, vocational skills, as well as efforts to improve the skills of inmates.
4. Rehabilitation and Social Reintegration: Research outcomes may address rehabilitation efforts to help inmates change their bad behaviors into positive ones. It will also include social reintegration programs that help inmates prepare to return to society after release.
5. Prisoner Welfare: Research may address the living conditions of inmates within prison facilities, including aspects such as healthcare, access to hygiene facilities, and mental well-being.
6. Challenges and Problems: Research can highlight the challenges and problems facing prison organizations, such as overcapacity, prison violence, institutional issues, and so on.
7. Supervision and Control: Research may also address how supervision and control is carried out within prisons to prevent security incidents and abuses.
8. Impact on Prisoners and Society: Research may review the impact of prison organizational programmes and policies on prisoners and society as a whole, including in the context of crime prevention and social re-integration.
9. Recommendations and Improvements: Finally, the research may present recommendations for improvements in the prison organization's operations and programmes, based on the findings and analysis that has been conducted.

CONCLUSION

The government's efforts in preventing and eradicating corruption are very worrying and pose a threat to the government, including synchronizing legislation or regulatory arrangements, fostering human resources, and digitizing government in preventing and eradicating corruption. Synchronizing legislation or regulatory arrangements, adjustments and alignments related to the laws on the prevention and eradication of corruption. a. MPR Decree No. XI/MPR/1998 on the Implementation of a State that is Clean and Free of KKN; b. Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 on the Eradication of Corruption; c. Law No. 30 of 2002 on the Corruption Eradication Commission; d. Law No. 7/2006 on the Ratification of the United Nations Convention Against Corruption, 2003; e. Government Regulation No. 71/2000 on Procedures for Implementing Community Participation and Awarding in the Prevention and Eradication of Corruption. Human Resources Development: a. Providing education to the public, Providing education to the public about the prevention and eradication of corruption in accordance with Article 13 of Law No.30 on the Commission for the Eradication of Corruption is the paradigm of corruption prevention. b. Socializing corruption prevention and eradication programs, Socialization of corruption prevention and eradication programs aims to provide understanding to the public about matters related to corruption and build awareness so that the public plays an active role in efforts to eradicate corruption, while socialization is carried out in several ways, namely by lectures, and questions and answers between participants and speakers. Digitalization of Government, Digitalization efforts and technology in Indonesia are so massive that it is necessary to meet the requirements if we want to encourage digitalization of all public services as an effort to prevent and eradicate corruption. Digitalization as a means of preventing corruption, one of which is in the field of exports and imports, the government

is preparing a digital system that has been integrated in this case is the mandate of Law No. 32 of 2022. The role of Youth Nusantara Java Sumatra (PENJARA) is to conduct counseling activities, discussions, dialogues with the community and government in an effort to prevent criminal acts of corruption and malicious intent and limit the space for perpetrators of criminal acts of corruption.

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