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Juridical Analysis Changes Number Minimum and Maximum Sanctions Corruption Against Justice and Legal Certainty

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Abstract. *This study aims to analyze the juridical comparison of changes in the minimum and maximum sanctions for corruption crimes in the new Indonesian Criminal Code (Law No. 1 of 2023) compared to the Anti-Corruption Law (Law No. 31 of 1999 juncto Law No. 20 of 2001). The research seeks to examine how these changes affect the principles of justice and legal certainty amid Indonesia's ongoing struggle with corruption. The research method was used a normative juridical approach with legislative, conceptual, and case approaches. Data were obtained from primary, secondary, and tertiary legal materials through literature study, and analyzed using qualitative, content, and descriptive analysis techniques. The novelty of this research lies in its comprehensive analysis of both the minimum and maximum criminal sanctions, supported by factual data such as corruption case trends, the Anti-Corruption Behavior Index, and the interpretation of Decision Number 1/Pid.Sus-TPK/2024/PN Mam. This study also introduces adaptive solutions through penal and non-penal measures, such as asset forfeiture, revocation of political rights, and restrictions on public office, to strengthen deterrence and restore justice. Based on the research concluded that the reduction of sanctions for corruption crimes in the new Criminal Code is inconsistent with Indonesia's corruption reality and requires refinement to ensure the balance between justice, legal certainty, and the effectiveness of corruption eradication.*

Keywords: *Certainty; Corruption; Ideal; Justice; Sanctions.*

1. Introduction

A criminal offense is an act that violates the laws of Indonesia. Corruption, in particular, is a criminal offense that concerns us all as it has a widespread impact on the life of the nation and state. The imposition (Atmoko & Syauket, 2022, pp. 177-191) of sanctions for corruption is a measure implemented to reduce the number of corruption cases in Indonesia. The types of criminal sanctions applied in our country are imprisonment and fines. In 2026, new legal regulations will come into effect, although the types of criminal sanctions will remain the same, imprisonment and fines, there will be changes to the minimum and maximum sanctions for corruption in Indonesia.

However, in 2023, the Indonesian government passed a new Criminal Code (KUHP) (Ikra, Purwanda , Suardi, Ambarwati, & Tijjang, 2025, pp. 345-354)through Law No. 1 of 2023. One of the significant changes in the new Criminal Code is the revision (Putra & Adhari , 2023, pp. 4817-4826) of criminal sanctions for corruption, which are regulated in Articles 603 to 606. When compared to Law No. 31 of 1999 juncto Law No. 20 of 2001 on the Eradication of Corruption, several important differences can be found in the aspect of imposing criminal sanctions on perpetrators of corruption. The new Criminal Code contains (Hiariej & Santoso, 2025, p. 616) articles that reduce the minimum criminal penalties but also increase the categories of fines imposed on perpetrators, although there are also increases in criminal penalties, both in terms of imprisonment and minimum fines, which have also increased slightly. Changes (Situmorang , Aan , & Ridwan , 2025, pp. 1-15) to the minimum and maximum criminal penalties imposed increase the likelihood of creating dilemmas in law enforcement efforts where on the one hand, the new Criminal Code seeks to harmonize the penal system to make it more resocializing but on the other hand, these changes may result in a different deterrent effect for perpetrators of corruption as reflected in Articles 603 to 606 of the new Criminal Code.

We must also be aware that based on supporting data, such as data from the Central Statistics Agency (Statistik, 2024), which issued a report stating that the anti-corruption behavior index in 2024 will experience a decline from 3.92 in 2023 to 3.85, while the ideal index for anti-corruption behavior is 5. However, when comparing 2023 and 2024 based on this index, the reality is that we are further away from the ideal or the value of 5. This shows a decline in the level of anti-corruption behavior, which will affect the effectiveness of corruption eradication in Indonesia. This decline in anti-corruption behavior is also supported by actual cases of corruption committed by law enforcement officials themselves. For example, there is one case from DECISION Number 1/Pid.Sus-TPK/2024/PN Mam. Corruption committed by the treasurer of the Mamuju Tengah police resort, who used budget funds to gamble online, morally tarnishes the reputation of law enforcement officials, who should be helping to raise the anti-corruption behavior index but in reality are contributing to its decline.

There is a related regulatory signal, such as the Corruption Eradication Commission (KPK) in Law No. 19 of 2019 concerning the Corruption Eradication Commission, Article 12, which indicates that the Corruption Eradication

Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022
ISSN: 2747-2604
Volume 7 No.3, September 2025, (503-518)

Commission has a strong role in tasks related to the eradication of criminal acts of corruption through several duties and authorities such as investigation, inquiry, and prosecution as intended to carry out wiretapping and asset blocking. Changes in the number of sanctions for corruption will affect the effectiveness of corruption eradication in the future, and will certainly be related to the principles of justice and legal certainty. Law No. 16 of 2004 juncto Law No. 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia 30 A implements the eradication of corruption through tracing, confiscation, and returning assets resulting from criminal acts to the state, victims, and entitled parties. Article 35 paragraph 1 letter c states that the attorney general has the authority to set aside cases for the public interest. This is related to the change in the minimum and maximum penalties for corruption, which must be balanced with strict law enforcement institutions so that justice (Azzahra, Saragih , Yusuf , & Pasaribu , 2025, pp. 593-598) and legal certainty are maintained. Law No. 48 of 2009 on Judicial Authority, Article 5 paragraph 1, states that judges and constitutional judges are required to explore, follow, and understand the legal values and sense of justice that exist in society. This relates to the great responsibility of a judge as the decision-maker in criminal corruption cases, how judges can make decisions that are fair and reflect legal certainty.

The nature (Widjowati , 2023, pp. 1-19) of the new regulations governing Corruption Crimes in the new Criminal Code has essentially only recently been established, and will only come into effect in 2026. This study will focus on analyzing criminal sanctions for corruption in the new Criminal Code and Law No. 31 of 1999 juncto Law No. 20 of 2001 on Eradicating Corruption and its implications for law enforcement and criminal justice in Indonesia and this research have gap and also novelty like research by Muhammad Axel Putra and Ade Adhari, what distinguishes this research from mine is that it not only discusses the minimum sanctions but also the maximum sanctions and considers the overall changes in the sanctions in each article in relation to the principles of justice and legal certainty.Research by Islamilatun Nada and colleagues,what distinguishes this research from mine is that it does not only focus on the controversy, but also uses factual data such as anti-corruption behavior indices and case examples to emphasize how changes can still be adapted to maximize the principles of justice and legal certainty. Research by Nelly Esterina Situmorang, Aan Asphianto, and Ridwan, what distinguishes my research is that it emphasizes the gap between the changes in the legal regulations on corruption and then provides a broad understanding and adaptive solutions, such as encouraging the enactment of asset forfeiture laws to further strengthen the principles of justice and legal certainty.

Corruption is like a cancer in every human being within a country because if left unchecked, it will spread to an increasingly wider scope, affecting the country's economy, government, and society. Our country, Indonesia, adheres to a zerotolerance system for criminal acts of corruption, specifically through the provisions of Law No. 31 of 1999 juncto Law No. 20 of 2001 concerning the Eradication of Criminal Acts of Corruption, which serves as a deterrent for perpetrators. Changes in criminal sanctions will certainly, from a criminological (Santoso & Zulfa , 2022, p. 11) perspective, affect the coercive power of criminal law, such as criminal acts of corruption. This change (Nada, Beta, Dwi Ardiyanti , Maulani, & Octafiana, 2024, pp. 128-135) in legal regulations will also open up opportunities for corruptors to find loopholes in the law, which will certainly affect law enforcement in Indonesia. We also need to analyze whether this change will harmonize the enforcement of criminal acts of corruption in our country, Indonesia, through this research.

This research aims to explore in greater depth the entire article regulating criminal acts of corruption in the new Criminal Code and compare it with the old regulations in Law No. 31 of 1999 juncto Law No. 20 of 2001 concerning the Eradication of Criminal Acts of Corruption in several aspects. Through this research, there will be an identification of the implications that will occur subsequently, in order to assess whether the changes made by our country are the same or different from the principles of justice globally (Siagian, Lubis, Salwa, & Firouzfar, 2024, pp. 29-52). Injustice in the resolution of corruption cases will continue to occur because there are articles that state changes to the minimum and maximum penalties for corruption, which is a sign that the deterrent effect of corruption has not been successful and will certainly lead to a decline in public confidence in the principle of justice in the resolution of corruption cases. Injustice will affect legal morality (Ginting, 2023, pp. 519-526) because the existence of corruption will certainly cause widespread harm to society. Legal uncertainty (Tallaut & Adhari, 2022, pp. 26-39) in the resolution of criminal acts of corruption exists because there are different interpretations that confuse the public. Legal uncertainty is caused by inconsistent (Valentine , Eskanugraha, Purnawan, & Sasanti, 2023, pp. 14-27) handling of corruption cases between law enforcement agencies dealing with criminal acts of corruption, which will become a loophole in the law that is a sign of legal uncertainty that can occur in the settlement of criminal acts of corruption.

2. Research Methods

This type of research was normative legal research. The approach to the problem in this research used various approaches (Marzuki, 2016, p. 133), the statute approach, case approach, and conceptual approach. The data specifications include primary legal sources such as laws, Law No. 1 of 2023 concerned the national Criminal Code, and Law No. 31 of 1999 juncto Law No. 20 of 2001 concerned the Eradication of Corruption Crimes. Other laws related to this study are also used as data sources, included Law No. 19 of 2019 concerning the

Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022
ISSN: 2747-2604
Volume 7 No.3, September 2025, (503-518)

Corruption Eradication Commission, Law No. 16 of 2004 juncto Law No. 11 of 2021 concerned the Attorney General's Office of the Republic of Indonesia, Law No. 48 of 2009 concerning Judicial Power, secondary legal materials such as research results, textbooks, and scientific journals related to this study, and tertiary legal materials such as dictionaries and encyclopedias. Data collection in this study was carried out through library research. The data analysis technique in this study involved steps related to the process of predetermined data, both primary and secondary data that had been collected to answer the research questions used qualitative analysis, which was then followed by an analysis of the legal materials used content analysis, the wrote technique in this study used descriptive wrote data.

3. Results and Discussion

It should be noted that the changes in the number of sanctions for corruption crimes are as follows: a comparison between Article 603 of the new Criminal Code and Article 2 paragraph 1 of the Corruption Crime Law shows that the minimum prison sentence has been reduced from 4 years to 2 years, the minimum fine has been reduced from IDR 200 million to IDR 10 million, and the maximum fine has been increased to IDR 2 billion. Comparison between Article 604 of the new Criminal Code and Article 3 of the Corruption Crimes Law: The minimum prison sentence has increased from 1 year to 2 years, the minimum fine has decreased from IDR 50 million to IDR 10 million, and the maximum fine has increased to IDR 2 billion. Comparison between Article 605 paragraph 1 (active perpetrators of corruption or givers) in the form of bribery in the new Criminal Code and Article 5 of the Corruption Crime Law, the maximum fine has increased from Rp250 million to Rp500 million, the maximum prison sentence remains 5 years. Comparison between Article 605 paragraph 2 (passive perpetrators of corruption or recipients) in the form of bribery in the new Criminal Code and Article 5 of the Corruption Crime Law is the same as for active perpetrators of corruption, with an increase in the maximum prison sentence and fine (maximum prison sentence increased from 5 to 6 years, maximum fine increased from IDR 250 million to IDR 500 million). Comparison between Article 606 paragraph 1 of the new Criminal Code (active gratification/giver) and Article 13 of the Corruption Crime Law: the maximum fine increases from IDR 150 million to IDR 200 million, maximum prison remains at 3 years, comparison between Article 606 paragraph 2 of the new Criminal Code (in the form of passive gratification/recipient) and Article 11 of the Corruption Crime Law maximum prison sentence reduced from 5 years to 4 years, maximum fine reduced from IDR 250 million to IDR 200 million.

Article 603 differs from Article 2 paragraph 1 of the Corruption Eradication Law in that it contains a different principle,that Article 603 is a material offense that focuses on the act, while Article 2 paragraph 1 is a formal offense that focuses on

Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022
ISSN: 2747-2604
Volume 7 No.3, September 2025, (503-518)

the consequences. Article 604 is a material offense and Article 3 is a formal offense. This article stipulates an increase in the minimum prison sentence and maximum fine, which is certainly necessary because proving Article 604 is more difficult than Article 603, where abuse of authority can occur in two ways, such as doing something that is not within one's authority and exercising authority but using it incorrectly. Article 605 refers to the criminal act of bribery, with paragraph 1 referring to the active party or the giver and paragraph 2 referring to the passive party or the receiver. Article 606 is almost the same as Article 605, but the difference is that the active briber is considered to have made a promise in the form of a bribe due to their position of power or authority.

The basis for criminal sanctions for corruption will only include imprisonment and fines, even though the old Corruption Law included the death penalty, although it was never actually carried out. Important for us to understand the basis for the types of sanctions, both imprisonment and fines. The first basis for imprisonment is to encourage repentance (Hiariej E. , 2016, p. 466) or moral rehabilitation of the perpetrator, in this case the corruptor, because the legislators must ensure that the threat of imprisonment is absolute for corruptors. The next type of punishment, fines (Akbar, 2023, pp. 1-13), is imposed because through fines, corruptors will not be severely stigmatized or labeled by society, even though corruption affects public opinion. Fines are also based on the ease of adjusting to any circumstances, are easy to follow up on, and allow the state to minimize losses resulting from fines (Sinaga & Nasution, 2024, pp. 50-62). However, in reality, there are fundamental weaknesses in fines, such as the fact that not all corruptors, even those who have embezzled or caused losses to state finances, are able to pay fines due to differences in economic capacity.

The legal basis for changes in the number of sanctions for criminal acts of corruption cannot be separated from the concept of legal policy, specifically national criminal law, which aims to change the paradigm (Faisal, et al., 2024) of the penal system from retributive to rehabilitative, restorative, and corrective. Article 1 paragraph 3 of the 1945 Constitution states that Indonesia is a country based on the rule of law. In relation to criminal law, it is also clear that there must be rapid adaptation and progress in relation to this research as a basis for being able to respond quickly to the reality of the implementation of the law on corruption in a society where its benefits for our country have not been maximized. The basis for changing the limits of criminal sanctions can certainly be interpreted as part of a social policy that is fundamentally aimed at resolving social problems caused by corruption, which has had a widespread impact on society. The next basis is criminal policy (Arief , 2016, p. 29)as a means of combating crime, in this case corruption. The next basis is that the change in the number of sanctions as a legal policy in terms of legal substance is also based on improving the effectiveness of law enforcement in corruption crimes that have not been

Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022
ISSN: 2747-2604
Volume 7 No.3, September 2025, (503-518)

optimally implemented, as indicated by the decline in the 2022-2024 anti-corruption behavior index, which continues to stray from the ideal, and DECISION Number 1/Pid.Sus -TPK/2024/PN Mam, where the perpetrators of corruption were law enforcement officials, the police.

The next theoretical basis for change in this study is related to the principles of justice and legal certainty. There are three types of justice in the previous changes: retributive or revenge, but because the system has been in place for decades and has become irrelevant, it is necessary to refresh the principles of justice, such as corrective, restorative, and rehabilitative. Corrective justice is directed at the perpetrator (Al Munawar, 2025, pp. 111-128), meaning that the perpetrator will be subject to sanctions such as actions and criminal penalties applicable in the national Criminal Code, in this case, Articles 603-606 of the national Criminal Code. Restorative justice means that the victim is restored to their previous condition in good standing. Rehabilitative justice means that the victim and perpetrator are not only subject to corrective measures in the form of sanctions, but can also improve themselves as a means of recovery so that they do not repeat their actions. The victim is restored and also improved so that they can return to their original state. The next principle is legal certainty. Although justice is prioritized in accordance with Article 53 of the new Criminal Code, this principle is also important for us to relate to criminal acts of corruption. According to Peter Mahmud Marzuki, legal certainty is a principle that forms the basis for the implementation of laws that can be applied consistently and predictably by society. The reason for predictability is to increase awareness and self-prevention in order to steer clear of all forms of crime, in this case corruption.

Changes in the minimum and maximum penalties for corruption will create normative and sociological problems. The reduction in the minimum penalty for corruption will diminish its deterrent effect and legal awareness, rendering it irrelevant to the reality of the situation. This reduction opens up opportunities, like a huge loophole (Handrawan Handrawan, Faisal, Nur, & Pratama, 2025, pp. 475-504), which will be exploited by corruptors who will receive lighter punishments than what is actually stipulated by law. This reduction is the basis of the problem amid the situation where corruption cases are still a major problem in Indonesia. In criminal law, prevention is a strong basis for increasing the effectiveness of combating corruption.

The reduction in the number of sanctions for corruption crimes is the basis for the disparity in corruption criminal verdicts. When the maximum number of sanctions remains the same or increases, which is good for corruption, while the minimum is reduced, it will widen the gap between the minimum and maximum number of sanctions, which underlies the disparity in penalties for corruption crimes that disrupts the principle of legal certainty (Emran, Lina, & Ismed, 2024, pp. 4548-

4560). Disparity becomes the basis for disruption due to changes in the number of sanctions, whereby judges as decision makers will also be able to give unpredictable verdicts, which disrupts the principle of legal certainty because the public will experience a decline in legal awareness based on their lack of awareness of the legal consequences of corruption. Legal awareness is important because through legal awareness, order will be maintained. Legal awareness is heteronomous in nature, meaning that there is an external force that compels us to obey and comply with the law, rather than coming from within ourselves. Legal awareness is important because it is the highest source of law in a democratic state based on the rule of law.

The basis for the next change is due to empirical problems resulting from criminal acts of corruption. These empirical problems are driven by factual data from ICW (Yandwiputra, 2025), such as data on the number of corruption cases in Indonesia from 2021 to 2023, which has increased. In 2021, there were 533 cases and 1,173 suspects uncovered. In 2022, the number rose again to 579 cases with 1,396 suspects, and in 2023, there were 791 cases and 1,695 suspects. and in 2024, there was actually a decrease of around 427 cases or around 54 percent from the previous year, even though the decline in 2024 was also influenced by the lack of information on case handling provided by law enforcement officials. The basis for ICW's statement that there is a lack of information on case handling is that the budget for corruption eradication by law enforcement agencies is not being maximally absorbed. Through the level of strictness, the number of criminal sanctions for corruption was previously much stricter but failed to resolve the problem of corruption. Therefore, with the change in the number of criminal sanctions (Handayani & Ainnaiha, 2025, pp. 19-38), both minimum and maximum, which have been reduced, this will become a worrying inevitability when the new regulations come into force.

The basis for the next change is that there is a normative basis related to the status of corruption as a criminal offense. However, the reduction in both the minimum and maximum penalties is not actually in line with the status of corruption as an extraordinary crime. All judicial institutions in Indonesia maintain this status for corruption as a criminal offense. In its decision number 003/PUU-IV/2006, the Constitutional Court stated that "Corruption is an extraordinary crime that must be dealt with in extraordinary ways." With this status and the severity of the penalties in the old criminal law on corruption, it has not been successful. By reducing the sanctions for corruption as an extraordinary crime, this reduction will create a negative situation and hinder the success of corruption eradication in Indonesia.

Through the dynamics of change that have occurred based on the information presented, it is equally important to consider how ideally the number of criminal

Law Development Journal
SINTA 3 Degree No. 225/E/KPT/2022
ISSN: 2747-2604
Volume 7 No.3, September 2025, (503-518)

sanctions for corruption should change in order to apply the principles of justice and legal certainty to criminal acts of corruption. The most important thing we must do is to be aware of the changes that will take effect in 2026. The new law that will come into force will have the meaning of legal force (Setiadi, 2022, p. 124), whereby every member of our society will be deemed to be aware of the changes that have taken place, and the nature of the changes will be binding on everyone. The meaning of legal force, which must be well understood by the public, is the ideal starting point for reflecting the principle of legal certainty in this case of criminal acts of corruption. Legal certainty (Supardi, 2023, p. 153) means that existing laws are clear and firm in their application to criminal acts of corruption, which remain a serious problem in society. With legal certainty established due to the force of the new law, ideally the public will become aware of the legal consequences of criminal acts of corruption.

The next ideal thing to do through changes in the amount of sanctions is to identify indicators that these changes will result in the effectiveness of the principles of justice and legal certainty. First, it must be ensured that the ideal (Syihab & Hatta, 2022, pp. 307-322) changes in the minimum and maximum amounts of sanctions will ensure moral and spiritual improvement for corruptors as perpetrators of corruption crimes. The next indicator is that the ideal change in the law on corruption is to ensure that corruptors will not repeat their crimes, or what we know as recidivism. The next ideal indicator is to determine whether there are positive aspects that must be ensured with the existing penalties to make potential corruptors wary and ultimately cancel their desire to commit corruption as an ideal preventive measure. The next ideal indicator that must be ensured with the change in the minimum and maximum criminal sanctions specifically for corruption is to ensure that these sanctions are capable of restoring the damage caused by all aspects of corruption, restoring the value of community life, creating peace in society, and making everyone wary of committing corruption.

The ideal approach is also being taken to ensure that changes to the minimum and maximum penalties for specific corruption offenses can be implemented to the fullest extent possible when they come into effect on January 2, 2026. The first ideal approach uses an integrated penal (Muladi & Arief, 2010, p. 158) and non-penal approach. This approach combines penal measures in the form of criminal law policy, in this case changes to the penalties for corruption, with the strengthening of social policy. The purpose of this combination is to ensure that the changes in the number of sanctions are ideal because they will spur social development and community responsibility and indirectly serve as an ideal early prevention function. This is because it is a strategic combination to ensure that the principles of justice and legal certainty are implemented optimally so that, ideally, this combination will continue to be beneficial because it will suppress and reduce corruption cases, which are an important indicator. The next approach (Yoserwan, Danil, & Kurniawan, 2020) is through the policy and value approach of criminal law, which relates to two things,what should be considered a criminal offense and how it should be punished. Making criminal law through sanctions for corruption a means or indicator to consider many factors that support the function of sanctions for corruption in the future, even though with the decline in the number of sanctions for corruption, it becomes less relevant. Therefore, ideally, a functional approach and rational policies in line with the reality of society must be used so that the principles of justice and legal certainty can be implemented properly.

The ideal change in the number of sanctions for criminal acts of corruption will also ensure that criminal disparities are successfully overcome. To create the ideal principles of justice and legal certainty when changes in the number of sanctions for criminal acts of corruption come into effect, two approaches are used: an approach to reduce disparities and an approach to reduce the negative impact of disparities. Forming an indicator of the severity of corruption is done so that judges can calculate fair punishments for corruptors, not just punishments that are fair according to the prescribed range of sanctions, but also punishments that take into account the consequences and impact of corruption on the victims who have suffered losses. This way, proportionality can be maximized so that efforts to reduce disparities related to corruption can be minimized ideally. Improving the quality of judges in their role of resolving disparities is also important, given that the range of sanctions has become too wide due to the decline in the number of sanctions for corruption crimes. If the judge wishes to impose (Hamzah, 2020, p. 240) a heavier sentence on the corruptor, the ideal indicator to consider is that the corruptor violated the special obligations of his position and used the power, opportunity, or efforts obtained because of his position. This statement is relevant to the background section, DECISION Number 1/Pid.Sus -TPK/2024/PN Mam, in which the perpetrators of corruption were law enforcement officials, the police. This is relevant to Article 604 of the new Criminal Code, and if the judge wishes to reduce the sentence of a corruptor, even if necessary in the midst of the reality of a continuously increasing trend of corruption cases, for example, due to attempts to commit this criminal act of corruption, and also because of aiding and abetting, there are Articles 605 and 606 in the new Criminal Code, which stipulate penalties for active perpetrators (givers) and passive perpetrators (recipients) of corruption money, and the considerations must be in accordance with Article 54 of the new Criminal Code.

The ideal indicator of changes in the number of sanctions for criminal acts of corruption is that judges, as the people who decide the punishment for corruptors, can interpret criminal law, in this case Articles 603-606 of the new Criminal Code. All formulations of the text of the law must be interpreted in order to be understood so that later, in implementing this law, the reflection of the principles of justice and legal certainty in eradicating corruption can benefit the state and society. In relation to corruption crimes, systematic/logical interpretation (Santoso, HUKUM PIDANA Suatu Pengantar, 2022, p. 372) can be used. Systematic means organized according to a system, and a system itself means a set of related elements that form a totality. Therefore, when imposing sentences on corruptors, judges must not only consider the text of the law but also the purpose of the law, which is to eradicate corruption crimes. The judge's systematic/logical interpretation can also be linked to Article 183 of the Criminal Procedure Code, which states that a minimum of two pieces of evidence are required to convince the judge that the corruptor has committed a criminal act of corruption, after which the judge can impose an appropriate and fair punishment. Through systematic interpretation, it becomes an ideal way to interpret "state financial losses" based on the examination of state financial audit institutions, followed by the applicable laws on criminal acts of corruption and logical interpretation of the articles related to the regulation of criminal acts of corruption, which can then be linked to other relevant laws or regulations.

Changing the penalties for corruption will facilitate the prosecution of individuals and society as a whole. Changing the severity of penalties is also a means of conveying the hope that everyone will begin to realize how they should live their lives in order to avoid corruption. Ideal penalties will enable everyone to understand (Sudarto, 2018, p. 119) the consequences of corruption. Ideal sanctions also aim to make everyone aware that corruption is contrary to the views of society. The existence of ideal sanctions for corruption will enable everyone to make the decision to avoid corruption because they are aware of all the consequences, and it is our hope that this will reduce the number of corruption cases in Indonesia.

The ideal situation that must be fought for by everyone who cares about corruption is to create rules that serve as a trigger or a slap in the face for corruptors, such as asset forfeiture, which has the advantage of not having to wait for the corruptor to appear in court. If the corruptor flees from the legal process once the corruption has been discovered, they can still be prosecuted. Asset forfeiture will reduce the opportunity for corruptors to convert the money they have embezzled into other forms of assets. Another ideal situation that would serve as a deterrent to corruptors and others from committing corruption is to prohibit corruptors from holding public office (Aditya, 2022, pp. 26-41), which would limit corruptors from holding positions that they could use to commit corruption, thereby preventing corruption from occurring and emphasizing the importance of selecting public officials based on their background. The next ideal situation is to revoke political rights because perpetrators of corruption are often linked to political power (Christianty & Herman, 2025, pp. 135-142), and it is common knowledge that this is how the budgets of our state institutions, from the legislature to the executive, are created, and this will certainly gradually restore public trust. This ideal strategy or trigger will only be successful if the human resources who are the main executors have positive morals and integrity.

4. Conclusion

Through legal analysis, this study concludes that changes in the minimum and maximum penalties for corruption crimes reflect an inevitability that is reflected in the decline in the Anti-Corruption Behavior Index and reinforced by Decision Number 1/Pid.Sus-TPK/2024/PN Mam, as well as the trend of increasing corruption cases reported by ICW. These findings indicate that the reduction in penalties for corruption is not in line with the socio-legal reality in Indonesia. Substantively, (Kholiq & Gunarto, 2021) these changes benefit perpetrators rather than promoting justice, thereby eroding public trust and undermining legal certainty. Therefore, the ideal response is to ensure that the new criminal provisions—effective on January 2, 2026—uphold the principles of justice and legal certainty through balanced criminal and non-criminal measures, including asset forfeiture, revocation of political rights, and restrictions on public office. This study makes a new contribution by comprehensively analyzing minimum and maximum penalties in relation to the principle of justice and offering adaptive solutions to strengthen the effectiveness of anti-corruption law enforcement in the future.

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