

The Impact of Low Criminal Sanctions on Corruption Criminal Actions during the Covid-19 Still on the Consistency of Corruption Eradication in Indonesia (Analysis of Supreme Court Decision Number 942K/Pid.Sus/2022)

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Abstract. This study centers around the thought of the Justice for the highest court in Choice Number 942K/Pid.Sus/2022 which gave a low decision on the culprits of debasement. This choice further adds to the dull record for endeavors to destroy debasement. It is possible that numerous misfortunes have been capable by the state, particularly the local area, yet the appointed authority doesn't have the responsiveness in deciphering significant equity despite the fact that every one of the components of the offense charged have been demonstrated lawfully and convincingly, also that later on the culprits will be exceptionally simple to get reduction while carrying out a punishment. The High Court's choice Number 942k/Pid.Sus/2022 as the most elevated legal foundation didn't reinforce the soul of policing destroying debasement in Indonesia, the High Court decreased the criminal period to 5 years in jail and a fine of 400 million Rupiah, the High Court decided that the litigant's exhibition was really great for repudiating Clergyman of Marine Undertakings and Fisheries Guideline Number 56 of 2016 and supplanting it with Pastor of Sea Issues and Fisheries Guideline Number 12 of 2020. These contemplations are exceptionally emotional so they lessen objectivity in policing, the choice should be surveyed and explained so every court choice can offer a benefit of equity thinking about that the casualty as opposed to debasement is the express, this study utilizes a standardizing research technique considering the object of exploration is the High Court Choice. in the viewpoint of Policing to figure out the ramifications of the thought of the Justice for the nation's highest court who gave a low decision on the culprits of Defilement Violations on the consistency of Debasement Destruction.

Keywords: corruption; law enforcement; justice

1 Introduction

As a free country, Indonesia has a public objective for the government assistance of its kin, so in the organization is constantly situated to the flourishing individuals to execute that Public Improvement plans to understand the Indonesian nation in general and Indonesian culture all in all that is simply, prosperous, prosperous, and systematic in view of Pancasila and the 1945 Constitution of the Republic of Indonesia.

Albeit the motivation behind the state is plainly expressed in the constitution as the most elevated wellspring of regulation as a type of legitimate conviction in destroying debasement, there are still ways of behaving of public authorities who hurt individuals by stealing from individuals' privileges by exploiting defilement conduct obstructs public objectives. To understand an equitable, prosperous, and prosperous Indonesian culture, it is important to work on the counteraction and destruction of criminal demonstrations overall and defilement specifically persistently.

Destruction of Defilement is a state legitimate plan that should be completed completely so the freedoms of individuals return to individuals all in all without being decreased by any lawful subject, lawful conviction for killing debasement is clear as an aide for the execution of the law so organizations that have the title of upholding it should be really reliable in running it as well as could be expected.

As indicated by Kelsen, the law is an arrangement of standards. Standards are proclamations that stress parts of "ought to" or *das sollen*, by including a few guidelines about what should be finished. Normans are the result of deliberative human activity. Regulations containing basic principles act as rules for people to act in the public eye, both about individual people and concerning society. These guidelines become limits for society in troubling or making a move against people.

The presence of these guidelines and the execution of these standards make legitimate assurance. [1]

As per Edward Omar Sharif Hiariej, since the reorganization time, the issue of killing debasement has forever been a focal subject in policing Indonesia. [2] In its turn of events, the change period has driven the Indonesian country to a period of democratization set apart by the introduction of a political development that supports the production of good administration and a spotless administration model. [3]

In the midst of public advancement endeavors in different fields, individuals' yearnings to destroy debasement and different types of abnormalities are expanding on the grounds that defilement has caused colossal state misfortunes which thusly can affect the rise of emergencies in different fields. Hence, endeavors to forestall and kill defilement should be additionally improved and heightened while as yet maintaining basic liberties and local area interests.

This regulation is planned to supplant Regulation Number 3 of 1971 concerning the Annihilation of Criminal Demonstrations of Debasement, as would be considered normal to have the option to meet and expect advancements in the legitimate requirements of the local area to forestall and destroy all the more really every type of defilement that is exceptionally impeding to state funds or the country's economy specifically and society overall.

State funds being referred to are all state resources in any structure, isolated or not isolated, including all pieces of state resources and all privileges and commitments emerging from:

- a. Being in the control, the board, and responsibility of state organization authorities, both at the focal and territorial levels;
- b. Being in the control, the board, and obligation of State-Claimed Ventures or Local Possessed Endeavors, establishments, legitimate substances, and organizations that incorporate state capital, or organizations that incorporate outsider capital in view of concurrences with the State. Though what is implied by the State Economy is a financial life that is organized as a joint exertion in light of the standard of family relationship or a free local area business in view of Government strategies, both at the focal and territorial levels by the arrangements of material regulations and guidelines pointed toward giving advantages, success, and the government assistance surprisingly's lives.

As indicated by M. Ichwan, state finance is a quantitative movement plan (with the figures of which are communicated in the quantity of monetary standards) that will be completed for the future, typically one year. [4]

To reach different usual methodology of inconsistencies in state funds or the state economy are progressively modern and muddled, the crook acts managed in the Law are planned so as to incorporate demonstrations of improving oneself or someone else or a company in an "unlawful way" in a formal and material sense. With this plan, the idea of disregarding the law in debasement can likewise incorporate detestable demonstrations which as per the sensation of equity of the local area should be arraigned and rebuffed.

To accomplish a more successful objective of forestalling and killing crook demonstrations of defilement, the law contains criminal arrangements that are not quite the same as the past guideline, in particular deciding a particular least unlawful punishment, a higher fine, and the danger of capital punishment is a weighting of the crook. Furthermore, the law likewise contains detainment for culprits of debasement who can't suffer unexpected consequences in pay for state misfortunes.

Since the establishment of Regulation Number 31 of 1999 concerning the Annihilation of Criminal Demonstrations of Debasement, there have been different translations or understandings that have created locally, particularly with respect to the use of the Law to criminal demonstrations of defilement that happened under the steady gaze of Regulation Number 31 of 1999 was instituted. It is on the grounds that Article 44 of the Law expresses that Regulation Number 3 of 1971 concerning the Destruction of Criminal Demonstrations of Defilement has been pronounced invalid since Regulation Number 31 of 1999 was declared so there is a suspicion that there is a legitimate vacuum to handle debasement violations that happen under the watchful eye of the order of Regulation Number 31 of 1999.

Likewise, taking into account that debasement in Indonesia happens methodically and broadly so it isn't simply negative to the state's funds however has additionally disregarded the social and monetary freedoms of the local area at large, the annihilation of defilement should be completed exceptionally. Subsequently, the destruction of debasement should be completed uncommonly, including the utilization of a converse verification framework, in particular the confirmation that is charged to the litigant.

There is now a substantial juridical premise and legitimate conviction, there are as yet criminal demonstrations of debasement that happen in the organization of government, it happened to Edhy Prabowo as a respondent.

The board of judges at the Debasement Court, the Respondent was found to have disregarded Article 12 letter (a) of the Law of the Republic of Indonesia Number 31 of 1999 concerning the Destruction of Criminal Demonstrations of Defilement as revised in the Law of the Republic of Indonesia Number 20 of 2001. The respondent is considered to have gotten pay-offs connected with the handling of grants for lobster development and the product of seeds lobster fry (BBL) adding up to Rp 25.7 billion from lobster seed exporters. The litigant followed the requests of the KPK investigator. Nonetheless, the board of judges gave the disavowal of political privileges lighter than the examiner's interest, which was 4 (four) years.

After the not entirely settled, the respondent recorded an allure at the Jakarta High Court (PT) the board of high court passes judgment on expanded the litigant's sentence to 9 years in jail and was expected to pay a fine of IDR 400 million which could be substituted by detainment for 6 (Six) months. The board of judges at the re-appraising level likewise resolved a substitute sentence of Rp 9.68 billion.

Likewise, the board of judges maintained the choice of the primary occasion court which disavowed the litigant's political freedoms for 3 (three) years. The choice number is 30/PID.TPK/2021/PT DKI was perused out by managing judge Haryono alongside two part judges, specifically Reny Halida and Branthon Saragih.

Not tolerating the choice of the DKI High Court, the litigant recorded an enticement for the High Court, the Justice for the nation's highest court through High Court Choice Number 942k/Pid.Sus/2022 slice the criminal time frame to 5 years in jail and a fine of 400 million Rupiah at the degree of cassation, the presentation of the respondent was viewed as great since he denied the Guideline of the Clergyman of Oceanic Issues and Fisheries Number 56 of 2016 and supplanted it with the Guideline of the Priest of Sea Undertakings and Fisheries Number 12 of 2020. Edhy's step was thought of as useful for the government assistance of the local area.

The adjudicator's emotional thought decreases the goal worth of the litigant's activities which lessen the privileges of individuals through their deplorable acts, creating new legitimate issues, which harm the upsides of equity that live in the public arena.

Equity is human conduct connected with one's privileges. Subsequently, equity should be visible as an ethicalness that looks to satisfy the privileges of others. The underpinning of equity is the human individual in friendly relationship. As an uprightness, equity is the principal interest and obvious assurance for the acknowledgment of request in friendly advancement. The object of this need is common freedoms, both the privileges of others and individual privileges. Equity is connected with the satisfaction of freedoms and commitments, social advantages, and individuals who are associated with political society. Equity contains the possibility of human uniformity in freedoms and commitments. [5]

Essentially, the decrease of discipline for the culprits of defilement is the same old thing. In view of the records of Indonesia Debasement Watch (ICW), the pattern of light disciplines has over and over again happened. You can envision, all through 2020 alone, the typical sentence for defilement culprits is just 3 (three) years and a month in jail. Also the additional peculiarity of "alternate ways" slicing punishments through the audit course. As a matter of fact, debasement has been sorted as an exceptional wrongdoing (phenomenal wrongdoing) that likewise requires additional activities to give an impediment impact, one of which is a most extreme punishment. [6]

Judges ought to focus on the arrangements of Article 5 of the Law on Legal Power which likewise unequivocally expresses that while settling on a choice, the appointed authority should investigate the feeling of equity that lives locally, concerning the derivation of the respondent's sentence so there is no equity considered by the board judges to give a most extreme sentence to give a feeling of equity to the local area as casualties of the act of criminal demonstrations of debasement.

A few things get away from the choice of the previous Clergyman of Marine Undertakings and Fisheries. For instance, the adjudicator didn't think about the business status of the denounced while perpetrating the wrongdoing. It ought to be noticed that Article 52 of the Crook Code (KUHP) has given a substantial premise to judges to enhance the choice on the grounds that the guideline expresses that for each open authority who carries out a wrongdoing, his sentence will be expanded by a third, not diminished.

What's more, the respondent is additionally known to have done ruin rehearses amidst the Coronavirus pandemic. The circumstance ought to move the board of judges to condemn the respondent to a limit of 20 years in jail or even life. To exacerbate the situation, towards the finish of the preliminary cycle at the principal case, the litigant likewise didn't concede his activities. On that premise, the court of first occasion and allure affirmed the charges of the public examiner.

Alluding to the thought of the board of incomparable adjudicators at the cassation level which diminished the litigant's sentence, there were odd things. To start with, the board of judges explicitly expressed that the litigant while filling in as Pastor of the KKP had functioned admirably. This sort

of contention is simplest to discredit. For instance, what is the lawful premise that legitimizes the High Court to survey the presentation of a Priest?

It is the privilege of the president as head of government, not of judges, to assess the exhibition of priests. A Justice for the nation's highest court has corrected the Clergyman of Oceanic and Fisheries (PerMen KKP) Pronouncement No. 56 of 2016, which he replaces with his PerMen KKP No. 12 of 2020, giving expectation that the local area I accept it has permitted us to flourish. It is critical to stress that the High Court hears criminal cases in its ability and doesn't survey mandates. It is vital to underscore that the High Court in its ability is hearing a lawbreaker case, not testing a guideline. Hence, it is basically dead on in the event that individuals, herd to reprimand the odd choice.

The cutoff for assessment at the cassation level has really been made sense of in Article 253 of the Criminal Methodology Code (KUHAP). The guidelines accommodate no less than three review things, including the utilization of law and order, the strategy for method, and the force of courts to hear cases. In this way, things beyond that are denied from being viewed as by the board of judges. Alludes to the decreased sentence against the litigant, which obviously and obviously veers off from the arrangements of the Criminal Technique Code.

The High Court is definitely not a solitary establishment that should be accused in light of the fact that the KPK's exhibition likewise appears to be not ideal in taking care of the lobster seed send out pay off case. The KPK is associated with not circling back to the request of the Secretary General of the KKP, Antam November. As a matter of fact, all along, the counter debasement organization had passed on data in regards to the supposed request from the respondent to Antam to deal with pulling out bank ensures from exporters through the Top of the Fish Quarantine, Quality Control, and Fishery Item Security Office. After the main gathers in mid-Walk 2021, the KPK didn't remember the Secretary General of the KKP.

The low decision against the culprits of criminal demonstrations of debasement by the High Court in its choice further adds to the dull record of endeavors to annihilate defilement. You can envision, debasement destruction foundations, for example, the KPK were debilitated, combined with a progression of light sentences by the courts, also that later on the culprits will simplest get reduction while carrying out a punishment.

Based on the description above as well as the decision of the supreme judge who handed down a decision below the special minimum limit in decision number 942k/Pid.Sus/2022, that the difference between *das sollen* and *das sein* so that the authors are interested in conducting legal research that will answer in this study are: How are the considerations judge's law in Decision Number 942k/Pid.Sus/2022 is reviewed from the perspective of Law Enforcement? and What is the impact of the Supreme Court's consideration of lowering the perpetrators of Corruption Crimes on the consistency of Corruption Eradication?

2 Methodology

The sort of examination utilized is the Standardizing Exploration Approach, specifically concentrating on legitimate issues at the degree of standards by the principles of the discipline of Regulation or Lawful Tenet. The exploration recorded as a hard copy this regulation is juridical-regularizing in view of the regulation examination that controls every issue contemplated and prompts a writing study to get existing optional information so the connection among regulation and different guidelines can be gotten and its application in this review, particularly the productivity of the development of new government foundations in supporting the running of the public authority and its adjustment to the standards of law and order. [7] The Legitimate Idea Approach likewise centers around the investigation of lawful rules that are important for the legitimate idea, as indicated by Satjipto Rahardjo, with the presence of legitimate standards, it tends to be seen the reason for the actual law, the law isn't simply an assortment of guidelines, however contains values. - values and moral requests. Consequently, the guideline of regulation is an extension between lawful guidelines and the social standards and moral perspectives on the local area. [8]

The sort of information utilized in this study is optional information which is information gotten from the consequences of a writing survey or an audit of different writing or library materials which are frequently alluded to as legitimate materials. In standardizing juridical regulation exploration or writing, information assortment strategies in examination to be completed by the writer are Reports/Libraries on lawful materials, both essential legitimate materials, optional legitimate materials, as well as tertiary lawful materials or potentially non-lawful materials, to dissect the information got The strategy for regularizing examination will be utilized, which is an approach to deciphering and talking about research results in view of lawful comprehension, lawful standards, lawful speculations and teachings connected with the topic.

3 Discussion

3.1 The Judge's Legal Considerations in Decision Number 942k/Pid.Sus/2022 are reviewed from the perspective of Law Enforcement

Policing the most significant thing in understanding the capability of regulation to carry out legitimate goals, Policing the most common way of putting forth attempts to uphold or work lawful standards as rules for conduct in rush hour gridlock or lawful relations in friendly and state life. Seen according to the subject's perspective, policing be done by a wide subject and can likewise be deciphered as a work to implement the law including all issues.

Policing an endeavor to make the thoughts of equity, lawful conviction, and social advantages a reality. The requirement of criminal regulation is an endeavor to understand the thoughts of equity in criminal regulation into legitimate reality in lawful conviction and social advantages into legitimate reality in each lawful relationship. [8]

In a country that complies with a Common Regulation framework like Indonesia, where the composed regulation is the principal rule in overseeing the law, judges have an extremely key capability in policing, the lead of policing in the appointed authority's choice, as the last type of legitimate sureness that decides if the law is legitimate works or not.

The choice of the High Court Number 942k/Pid.Sus/2022 is the object of exploration that the specialist looks at to decide if the adjudicators' contemplations in the choice are sound with the idea of policing that the place of the case in this study has been attempted by the Defilement Court at the Locale Court of Focal Jakarta, which attempted criminal cases with the typical assessment method in the primary example, with the litigant name Edhy Prabowo, previous Pastor of Sea Undertakings and Fisheries of the Republic of Indonesia.

In view of the Prosecution Letter, the Debasement Court surveyed that in its thought it was demonstrated that it disregarded the arrangements of Article 12 letter (a) of the Law of the Republic of Indonesia Number 31 of 1999 concerning the Destruction of Criminal Demonstrations of Defilement as corrected in Law of the Republic of Indonesia Number 20 of 2001. The respondent is considered to have gotten pay-offs connected with getting licenses for lobster development and product of lobster fry (BBL) of Rp 25.7 billion from lobster seed exporters. The respondent conformed to the requests of the KPK examiner. In any case, the board of judges gave the renouncement of political freedoms lighter than the examiner's interest, which was 4 years.

The arrangements of Article 12 letter (a) of Law of the Republic of Indonesia Number 31 of 1999 concerning Destruction of Criminal Demonstrations of Defilement as revised in Law of the Republic of Indonesia Number 20 of 2001 peruses:

"Imparted to life detainment or detainment for at least 4 (four) years and a limit of 20 (twenty) years and a base fine of Rp. 200,000,000.00 (200,000,000 rupiahs) and a limit of Rp. 1,000,000,000.00 (one billion rupiah):

a civil servant or state administrator who accepts a gift or promise, even though it is known or reasonably suspected that the gift or promise was given to mobilize him to do or not do something in his position, which is contrary to his obligations."

In light of the article that is accused of satisfying the component of the offense charged, the respondent is a state head in the leader domain who is demonstrated to have taken kickbacks or guaranteed presents and is demonstrated to have gotten pay-offs of 77 thousand of US dollars (USD) and Rp. 24,625,587,250 from business people connected with the product of lobster seeds despite the fact that it is known or sensibly thought that the gift or commitment is given to activate to do or to avoid something in his situation as pastor, which is in opposition to his commitments.

The Public Examiner (JPU) of the Debasement Destruction Commission (KPK) requested that the litigant be condemned to 5 years in jail, and forced a sentence against the respondent as detainment for quite a long time and a fine of Rp. 400 million auxiliaries a half year in jail. Nonetheless, the board of judges gave the denial of political freedoms lighter than the examiner's interest, which was 4 years.

After the not entirely settled, the respondent documented an allure at the High Court (PT) of the DKI Jakarta High Court to expand the litigant's sentence to 9 years in jail on October 21, 2021. The sentence was added to a fine of Rp. 400 million, auxiliary to a half year in jail, and paid remuneration of Rp. 9,687,457. 219 and 77 thousand US dollars and disavowal to be chosen for public office for quite some time.

Moreover, the board of judges maintained the choice of the primary example court which disavowed the litigant's political privileges for quite some time. The choice number is 30/PID.TPK/2021/PT DKI was perused out by directing appointed authority Haryono alongside two part judges, specifically Reny Halida and Brandon Saragih.

Not tolerating the choice of the DKI High Court, the respondent documented an enticement for the High Court, the Adjudicator for the nation's highest court through High Court Choice Number 942k/Pid.Sus/2022 slice the criminal time frame to 5 years in jail and a fine of 400 million Rupiah from the

degree of cassation, the presentation of the litigant was viewed as great since it renounced the Guideline of the Clergyman of Oceanic Undertakings and Fisheries Number 56 of 2016 and supplanted it with the Guideline of the Pastor of Sea Issues and Fisheries Number 12 of 2020. This step of the respondent was viewed as valuable for the government assistance of the local area.

The High Court chose to cut the length of the crook sentence of the previous Clergyman of Oceanic Issues and Fisheries to a long time from the past 9 years in jail and the disavowal of the option to be chosen in open office for a considerable length of time was diminished to just 2 years.

The cassation choice was made on Walk 7, 2022, by a gathering comprising of 3 individuals, to be specific Sofyan Sitompul as director of the gathering, Gazalba Saleh, and Sinintha Yuliansih Sibarani. There are a few things that the cassation board considers as motivation to lessen the respondent's decision since it has functioned admirably and has given incredible desire to the local area, particularly anglers.

As per the adjudicator, the litigant disavowed the Guideline of the Pastor of Sea Undertakings and Fisheries Number 56/PERMEN-KP/2016 dated December 23, 2016, and supplanted it with the Clergyman of Sea Issues and Fisheries Guideline Number 12/PERMEN-KP/2020. To have an energy for using lobster seeds for the government assistance of the local area, specifically needing to engage anglers since lobster in Indonesia is tremendous and in his thought, the High Court Equity expressed that the Clergyman of Oceanic Undertakings and Fisheries Guideline No. 12/PERMEN-KP/2020 expects exporters to get fry from little anglers. The litigant's activities are for the government assistance of the local area, particularly little anglers, as per the adjudicator.

The appointed authority's thought with respect to the cutting of the litigant's sentence was silly and didn't consider the objective regulation in regards to the component of the offense which was legitimately and convincingly demonstrated to have carried out a lawbreaker demonstration of defilement as charged by the public examiner of the Debasement Destruction Commission. The decrease of the sentence to 5 years by the preeminent appointed authority isn't in accordance with the standards of policing, just a half year was heavier than the litigant's staff, particularly the respondent with the wrongdoing of defilement that he carried out had disregarded his pledge of office as a state chairman.

Defilement in Indonesia has entered the intense region or one might say that it is at its absolute bottom. With the goal that the Pastor who manhandles his power and is given a low sentence is a terrible impression of the rule of policing. Defilement isn't just completed together however has been done fundamentally by the gatherings in the desire for advancing themselves as well as other people. Widespread demonstrations of debasement, which are a type of protection from the law did by the respondent by taking hush-money are inconvenient to the local area so the holder of influence or power to satisfy their inclinations by hurting state funds ought to be rebuffed to the greatest. [9]

The powerlessness of judges as cops ought to open up and consider the way that debasement should be halted right away. A lower sentence will be given to a shown respondent to have disregarded components of a defilement offense and blamed for subverting public trust in policing.

Reestablishing public confidence in police officers should be carried out right away. An extraordinary feeling of longing for policing be kindled. The presence of this unprecedented debasement absolutely prevents the manageability of advancement in Indonesia. Defilement is an uncommon wrongdoing conduct that undermines the beliefs of the express that requires more serious lawful dealing with, how debasement isn't wherever in Indonesian culture and has entered all circles as though there is no apprehension, disgrace, and sin for the people who perpetrate violations. [10]

Policing the most common way of putting forth attempts to uphold or work lawful standards as rules for conduct in rush hour gridlock or legitimate relations in friendly and state life. According to the subject's perspective, policing be done by an expansive issue and can likewise be deciphered as a work to implement the law including all subjects.

The issues that happen in the public eye and the existence of the state, like in Indonesia, ought to be related with the presence of regulation since Indonesia is a nation in light of the law (*rechts-staat*) and not a state in view of force (*machtstaat*) alone. At the point when there is a case including the social, social, monetary, instructive, strict, and political aspects, the presence of the law will unavoidably be addressed and, surprisingly, sued by the local area when the law is judged or assessed as having neglected to complete its holy mission. Accordingly, policing killing debasement should be re-celebrated and carried out reliably. [10]

The moderating contemplations that are utilized as the justification for the High Court to lessen the litigant's sentence are totally crazy and overlook the part of lawful sureness, on the off chance that the respondent has without a doubt functioned admirably and has given desire to the local area as the adjudicator considers, the litigant won't be indicted by the Defilement Destruction Commission and demonstrated at fault for perpetrating a wrongdoing of debasement.

The litigant is a culprit of a crook demonstration of defilement, exploiting his situation as a priest to acquire benefits illegal. Consequently, the respondent was captured and condemned to a few punishments, going from detainment, fines, substitution cash, and disavowal of political privileges.

The board of judges disregarded the arrangements of Article 52 of the Lawbreaker Code which confirmed the crook trouble for an authority while carrying out a lawbreaker act utilizing the power, opportunity, or means given to him.

This 5-year sentence is extremely in opposition to the arrangements of Article 52 of the Crook Code, defilement is ordered as an unprecedented wrongdoing in light of the fact that the effect of exploitation is a more extensive and disreputable demonstration that hurts the local area.

Defilement is a demonstration to improve oneself or a gathering and is a demonstration that is exceptionally impeding to others, the country, and the state.⁷³ Debasement is an illness that has tormented the Indonesian state. Like a sickness, the debasement should be relieved with the goal that it doesn't spread to different pieces of the body. For body parts that have decayed and can't be saved any longer, then, at that point, that body part should be severed so the infection doesn't spread to different parts that can imperil the victim's life. Moreover, with this debasement. [11]

Debasement is an infection that has tormented Indonesia. Like a sickness, this defilement should be mended with the goal that it doesn't spread to different pieces of the body. For body parts that have decayed and can't be saved any longer, then, at that point, that body part should be cut off so the infection doesn't spread to different parts that can jeopardize the existence of the victim. In like manner, with this debasement. [12]

That the choice of the Great Court which changed the choice of the Region Court didn't consider the alleviating conditions of the respondent, so it should have been remedied because the litigant as the Pastor of Sea Undertakings and Fisheries of the Republic of Indonesia had functioned admirably and had given extraordinary desire to the local area, particularly anglers as per the adjudicator's contemplations about not give the most extreme punishment.

The adjudicator's emotional thought decreases the goal worth of the respondent's activities which lessen the freedoms of individuals through their atrocities, leading to new lawful issues, which harm the upsides of equity that live in the public eye.

Equity is human conduct connected with one's freedoms. Thusly, equity should be visible as a temperance that looks to satisfy the freedoms of others. The underpinning of equity is the human individual in friendly connection. As a righteousness, equity is the principal interest and unquestionable assurance for the acknowledgment of request in friendly advancement. The object of this need is common liberties, both the privileges of others and individual freedoms. Equity is connected with the satisfaction of privileges and commitments, social advantages, and individuals who are engaged with political society. Equity contains the possibility of human uniformity in privileges and commitments.

Decreasing discipline for culprits of debasement is in opposition to the standard of policing. Debasement has been sorted as a phenomenal wrongdoing (unprecedented wrongdoing) that likewise requires additional activities to give an obstacle impact, one of which is the most extreme punishment.

Judges ought to focus on the arrangements of Article 5 of the Law on Legal Power which likewise expressly expresses that while settling on a choice, the appointed authority is obliged to investigate the feeling of equity that lives locally, by alluding to the derivation of the litigant's sentence, no equity is viewed as by the board of judges, it ought to be the adjudicator gave a most extreme sentence to give a feeling of equity to the local area as survivors of the act of criminal demonstrations of debasement.

Numerous things get away from the choice of the previous Priest of Marine Undertakings and Fisheries. For instance, the adjudicator didn't think about the work status of the charged while carrying out the wrongdoing. It ought to be noticed that Article 52 of the Crook Code (KUHP) has given a substantial premise to judges to enhance the choice. This is on the grounds that the guideline expresses that for each open authority who carries out a wrongdoing, his sentence will be expanded by a third, not decreased.

Likewise, the respondent is additionally known to have completed degenerate works on during the Coronavirus pandemic. This sort of circumstance ought to move the board of judges to condemn the respondent to a limit of 20 years in jail or even life. To exacerbate the situation, towards the finish of the preliminary interaction at the main example, the litigant likewise didn't concede his activities. On that premise, then, at that point, the court of first case and allure affirmed the charges of the public examiner.

Alluding to the thought of the board of incomparable appointed authorities at the cassation level which decreased the respondent's sentence, there were odd things. To begin with, the board of judges explicitly expressed that the respondent while filling in as Clergyman of the KKP had functioned admirably. This sort of contention is simpler to refute. For instance, what is the lawful premise that legitimizes the High Court to survey the presentation of a Pastor?

Evaluating the presentation of the clergyman isn't the capability of an appointed authority yet the power of the President as the head of government, the Justice for the highest court trusts that the litigant's transition to repudiate the Pastor of Marine Undertakings and Fisheries Guideline (PerMen KKP) No. 56 of 2016 and supplant it with PerMen KKP No. 12 of 2020 has given trust and thrived the local area. It is critical to underscore that the High Court in its ability is hearing a lawbreaker case, not testing a guideline. Thusly, it is dead on assuming individuals ran to censure the odd choice.

The cutoff for assessment at the cassation level has been made sense of in Article 253 of the Criminal System Code (KUHP). The guidelines accommodate somewhere around three review things, including the utilization of law and order, the technique for system, and the force of courts to hear cases. Thus, things beyond that are denied from being viewed as by the board of judges. Alludes to the diminished sentence against the respondent, which plainly and digresses from the arrangements of the Criminal Methodology Code.

The High Court is certainly not a solitary organization that should be accused on the grounds that the KPK's exhibition appears to be not ideal in taking care of the lobster seed trade pay off case. The KPK is associated with not circling back to the request of the Secretary General of the KKP, Antam Novambar. As a matter of fact, all along, the counter debasement organization had passed on data in regards to the supposed request from the litigant to Antam to deal with pulling out bank ensures from exporters through the Top of the Fish Quarantine, Quality Control, and Fishery Item Security Office. After the main brings in mid-Walk 2021, the KPK didn't remember the Secretary General of the KKP.

The low decision against the culprits of criminal demonstrations of defilement by the High Court in its choice further adds to the dull record of endeavors to kill debasement. You can envision, debasement destruction establishments, for example, the KPK were debilitated, combined with a progression of light sentences by the courts, also that later on the culprits would be more straightforward to get reduction while carrying out a punishment.

3.2 The Impact of the Supreme Court's Judgment of Low Sentencing Perpetrators of Corruption Crimes on the Consistency of Corruption Eradication

As the Highest State Court, the Supreme Court is a court of cassation tasked with fostering uniformity in the application of the law through cassation and judicial review decisions to ensure that all laws and regulations throughout the territory of the Republic of Indonesia are applied fairly, precisely and correctly, therefore it is important for Supreme Court justices understand the philosophical, sociological and juridical aspects related to the case decided because of the final nature of the decision.

In the context of the object of research that has been researched by the Supreme Court Judge through the Supreme Court Decision Number 942k/Pid.Sus/2022, the sentence is reduced to 5 years in prison and a fine of 400 million Rupiah. In the considerations of the supreme judge at the cassation level, the defendant's performance was good because it revoked the Minister of Marine Affairs and Fisheries Regulation Number 56 of 2016 and replaced it with the Minister of Maritime Affairs and Fisheries Regulation Number 12 of 2020. Edhy's step was considered beneficial for the welfare of the community.

The judge's subjective consideration reduces the objective value of the defendant's actions which reduce the rights of the people through their corrupt actions, causing new legal problems that injure the values of justice that live in society.

The decision of the panel of judges who had lightly sentenced the former minister as a state administrator who had abused his position clearly reduces the value of justice that should be upheld by the supreme judge. Justice is human behavior related to one's rights. Therefore justice can be seen as a virtue that seeks to fulfill the rights of others. The foundation of justice is the human person in social correlation. As a virtue, justice is the first demand and undeniable guarantee for the realization of order in social progress.

Basically, the reduction of punishment for the perpetrators of corruption is nothing new. Based on Indonesia Corruption Watch (ICW) record, the trend of light sentences has repeatedly occurred. You can imagine, throughout 2020 alone, the average sentence for corruption perpetrators is only 3 (three) years and a month in prison. Not to mention the added "shortcuts" phenomenon in cutting penalties through the review route. In fact, corruption has been categorized as an extraordinary crime and should require extra measures to provide a deterrent effect, one of which is the maximum penalty.

Considering that corruption is an extraordinary crime, the Supreme Court as the highest judicial institution should be able to give objective decisions with measurable steps to uphold law and justice, considering that corruption in Indonesia is already very chronic.

Corruption is an act to enrich oneself or a group and is an act that is very detrimental to other people, the nation, and the state. [11] Corruption is a disease that has plagued Indonesia. Like a disease, this corruption must be cured so that it does not spread to other parts of the body. For body parts that have rotted and cannot be saved anymore, then that body part must be amputated so that the virus does not spread to other parts that can endanger the life of the sufferer likewise this corruption.

Corruption is a disease that has plagued Indonesia. Like a disease, this corruption must be cured so that it does not spread to other parts of the body. For body parts that have rotted and cannot be saved anymore, then that body part must be amputated so that the virus does not spread to other parts that can endanger the life of the sufferer similarly to this corruption. [12]

Corruption is behavior that deviates from the official duties of a state office because of personal gains of status or money (individual, close family, own group) or violates the rules for implementing some personal behavior. [13]

The judge's subjective consideration reduces the objective value of the defendant's actions which reduce the rights of the people through their corrupt actions, causing new legal problems, which injure the values of justice that live in society.

Justice is human behavior related to one's rights. Therefore justice can be seen as a virtue that seeks to fulfill the rights of others. The foundation of justice is the human person in social correlation. As a virtue, justice is the first demand and undeniable guarantee for the realization of order in social progress. The object of this priority is human rights, both the rights of others and personal rights. Justice is related to the fulfillment of rights and obligations, social benefits, and people who are involved in political society. Justice contains the idea of human equality in rights and obligations.

Reducing punishment for perpetrators of corruption is contrary to the principle of law enforcement. Corruption has been categorized as an extraordinary crime (extraordinary crime) which also requires further actions to provide a deterrent effect, one of which is the maximum penalty.

Judges should pay attention to the provisions of Article 5 of the Law on Judicial Power which also explicitly states that when making a decision, the judge must explore the sense of justice that lives in the community, concerning the deduction of the defendant's sentence, then no justice is considered by the panel judges in giving a maximum sentence to provide a sense of justice for the community as victims of the practice of criminal acts of corruption.

There are some things that escape the decision of the supreme judge related to the criminal acts committed by the defendant. For example, the judge did not consider the employment status of the accused when committing the crime. It should be noted that Article 52 of the Criminal Code (KUHP) has provided a concrete basis for judges to amplify the decision. It is because the regulation states that for every public official who commits a crime, his sentence will be increased by a third, not reduced.

The litigant is additionally known to have done ruin rehearses in the midst of the Coronavirus pandemic. The circumstance ought to move the board of judges to condemn the litigant to a limit of 20 years in jail or even life. To exacerbate the situation, towards the finish of the preliminary interaction at the primary case, the litigant additionally didn't concede his activities. On that premise, the court of first case and allure affirmed the charges of the public examiner.

The thought of the board of preeminent appointed authorities at the cassation level lessens the respondent's sentence, there are odd things. To start with, the board of judges explicitly expressed that the litigant while filling in as Clergyman of the KKP had functioned admirably. This sort of contention is extremely simple to negate. For instance, what is the legitimate premise that legitimizes the High Court to survey the presentation of a Clergyman?

The incomparable adjudicator felt that the respondent's transition to repudiate the Priest of Oceanic Issues and Fisheries Guideline (PerMen KKP) No. 56 of 2016 and supplant it with PerMen KKP No. 12 of 2020 has given trust and thrived the local area. It is critical to stress that the High Court in its ability is hearing a crook case, not testing a guideline. Accordingly, it is dead on in the event that individuals, group to censure the odd choice.

The assessment at the cassation level has been made sense of in Article 253 of the Criminal Methodology Code (KUHAP). The arrangement expresses that there are somewhere around three objects of assessment, including the utilization of law and order, the strategy for judging, and the power of the court to hear cases. Thus, things beyond that are disallowed from being viewed as by the board of judges. Alludes to the decreased sentence against the litigant, which plainly and goes amiss from the arrangements of the Criminal Technique Code.

The decrease of sentences for culprits of criminal demonstrations of defilement by the High Court in its choice further adds to the dim record of endeavors to annihilate debasement in Indonesia, obviously the respondent's activities satisfied every one of the components of the offense charged.

The litigant has perpetrated a wrongdoing as a state official with the goal that he satisfies the components of a crook demonstration of debasement as expressed in Article 2 passage (1) of Regulation Number 31 of 1999 Jo. Regulation Number 20 of 2001 concerning the Wrongdoing of Debasement, peruses "Each and every individual who unlawfully carries out a demonstration of enhancing himself or someone else or a partnership that can hurt state funds or the state economy, will be condemned to life detainment or a base detainment of 4 (four) years and a limit of 20 (twenty) years and a fine of essentially Rp. 200,000,000.00 (200,000,000 rupiahs) and a limit of Rp. 1.000.000.000,00 (one billion rupiah)".

Judge of the Defilement Court, the Respondent was decided to have abused Article 12 letter an of the Law of the Republic of Indonesia Number 31 of 1999 concerning the Destruction of Criminal Demonstrations of Debasement as revised in the Law of the Republic of Indonesia Number 20 of 2001. The litigant was considered to have taken hush-money connected with handling licenses for lobster development and the product of fry lobster (BBL) adding up to Rp 25.7 billion from lobster seed exporters. The respondent agreed with the requests of the KPK examiner. Be that as it may, the board of judges gave the denial of political freedoms lighter than the examiner's interest, which was 4 years.

The respondent documented an allure at the Jakarta High Court (PT) the board of judges of the great court expanded the litigant's sentence to 9 years in jail and was expected to pay a fine of IDR 400 million

which could be supplanted by a half year detainment. The board of judges at the re-appraising level likewise resolved a substitute sentence of Rp 9.68 billion.

The board of judges maintained the choice of the principal example court which disavowed the respondent's political privileges for quite a long time. The choice number is 30/PID.TPK/2021/PT DKI was perused out by directing adjudicator Haryono alongside two part judges, to be specific Reny Halida and Branthon Saragih.

The Arbiter for the nation's highest court didn't focus on the arrangements of Article 5 of the Law on Legal Power likewise expressly expressed that while going with a choice, the adjudicator should investigate the feeling of equity that lives locally, by alluding to the derivation of the respondent's sentence, then no equity is viewed as by the board of judges. The appointed authority ought to give a greatest sentence to give a feeling of equity to the local area as survivors of the act of criminal demonstrations of defilement.

The respondent did his bad practices in the midst of the Coronavirus pandemic. This present circumstance ought to move the board of judges to condemn the litigant to a limit of 20 years in jail or even life. To exacerbate the situation, towards the finish of the preliminary interaction at the primary case, the litigant likewise didn't concede his activities. On that premise, then the court of first example and allure affirmed the charges of the public examiner.

The thought of the board of incomparable adjudicators at the cassation level diminishes the litigant's sentence, there are odd things. To begin with, the board of judges explicitly expressed that the respondent while filling in as Priest of the KKP had functioned admirably. This sort of contention is more straightforward to refute. For instance, what is the legitimate premise that legitimizes the High Court to survey the presentation of a Pastor?

The High Court is certainly not a solitary organization that should be accused. It is on the grounds that the KPK's exhibition likewise is by all accounts not ideal in dealing with the lobster seed send out pay off case. The KPK is associated with not circling back to the request of the Secretary General of the KKP, Antam Novambar. As a matter of fact, all along, the counter debasement organization had passed on data in regards to the supposed request from the litigant to Antam to deal with pulling out bank ensures from exporters through the Top of the Fish Quarantine, Quality Control, and Fishery Item Wellbeing Organization. After the primary calls in mid-Walk 2021, the KPK didn't remember the Secretary General of the KKP.

The decrease of culprits of criminal demonstrations of defilement by the High Court in its choice further adds to the dim record of endeavors to kill debasement. It is possible that debasement destruction organizations, for example, the Defilement Annihilation Commission (KPK) have been debilitated, combined with a progression of light sentences by the courts, also that later on the culprits will be extremely simple to get reduction while carrying out a punishment which is obviously not by the soul of killing defilement.

There are worries that the High Court's substitution of sentences won't stop degenerate individuals from taking multivitamins, and it will likewise urge public authorities to go out to commit degenerate demonstrations, which will adversely affect the destruction of debasement. How choices are made by legal specialists seldom offers extraordinary open doors as there are no most extreme punishments for debasement guilty parties.

4 Conclusion

- a. The appointed authority's legitimate contemplations in Choice Number 942k/Pid.Sus/2022 were not in accordance with the standards of Policing, Respondent was demonstrated to have disregarded Article 12 letter an of the Republic of Indonesia Regulation Number 31 of 1999 concerning the Destruction of Criminal Demonstrations of Defilement, be that as it may, the High Court gave a low sentence to the culprits of debasement in its choice. It adds to the dull record for endeavors to kill defilement in Indonesia since it starts a terrible trend for state authorities who feel that regardless of whether they perpetrate a wrongdoing of debasement, the court will in any case be given a light sentence.
- b. The High Court's choice Number 942k/Pid.Sus/2022 decreased the criminal period to 5 years in jail and a fine of 400 million Rupiah, the High Court decided that the respondent's exhibition was great since he disavowed the Clergyman of Marine Issues and Fisheries Guideline Number 56 of 2016 and supplanted it with a Guideline of the Priest of Oceanic Undertakings and Fisheries Number 12 of 2020. The appointed authority evaluated that the strategy was gainful for the government assistance of the local area. The adjudicator's emotional contemplations decrease the worth of objectivity in the activities of the litigants who take individuals' privileges through their deplorable acts, creating new legitimate issues, which harm the upsides of equity that live in the public eye to acquire fair arrangements, in light of the fact that the pastor takes hush-money to just oblige the interests of enormous capital proprietors.

5 Suggestions

- a. The High Court needs to give re-direction to judges in regards to the criticalness of killing defilement in Indonesia so that Article 12 letter an of the Law of the Republic of Indonesia Number 31 of 1999 concerning the Destruction of Debasement Violations can be done accurately and produce equity for the local area in light of the fact that the genuine survivors of defilement are criminal demonstrations of defilement. Public.
- b. The arrangement of occasional preparation connected with the utilization of inside equity for decided in concluding instances of criminal demonstrations of defilement thinking about that the casualty as opposed to debasement is the state so that since each choice on circumstances of defilement, passes judgment on utilize legitimate sureness boundaries as well as focus on the advantages and lawful equity.

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