The Judge's Role in the Effectiveness of Anti-Corruption Enforcement in Indonesia: A Juridical Analysis

Author(s)

Jitro Gianfranco Behuku*
Universitas Pelita Harapan, Indonesia || 02052240005@student.uph.edu
*Corresponding Author

Jevine Ilonesia Kusuma
Universitas Pelita Harapan, Indonesia || 02052240014@student.uph.edu

Nabila Uswatun Chasanah
Universitas Pelita Harapan, Indonesia || 02052240012@student.uph.edu

Fajar Sugianto
Universitas Pelita Harapan, Indonesia || fajar.sugianto@uph.edu

Astrid Athina Indradewi
Universitas Pelita Harapan, Indonesia || astrid.indradewi@lecturer.uph.edu

ABSTRACT

The effectiveness of anti-corruption law enforcement in Indonesia is facing a severe legitimacy crisis. This condition is characterized by a paradox between a robust legal framework on paper and its inadequate implementation in practice, thereby eroding public trust. This research aims to critically analyze the central role of judges in determining this effectiveness, with an analytical focus on the problematic interpretation of legal norms and the systemic challenges that impede judicial performance. Through a normative legal approach fortified by a case study, this research employs qualitative content analysis to dissect the legal reasoning in two key 2024 decisions from the Corruption Crimes Court. The findings reveal a diametrically different legal treatment of defendants. On one hand, the court was capable of convicting an individual defendant (a rogue judge) through a procedural application of the law. On the other hand, the court acquitted five large corporations of all legal charges in a corruption case that resulted in significant state economic losses. This acquittal was based on the legalistic argument that the proven act did not constitute a criminal offense. This dualism confirms that law enforcement effectiveness remains sporadic, undermined by a disparity in the professional capacity of judges to interpret the element of "unlawful act," particularly in complex corporate crimes. It is concluded that without systemic judicial reform to standardize legal interpretation and strengthen accountability, anti-corruption law enforcement will remain blunted when confronting powerful economic actors.

Keywords: Acquittal; Corruption Eradication; Judicial Integrity; Legal Effectiveness; Legal Interpretation.

INTRODUCTION

Anti-corruption efforts in Indonesia are confronted by a fundamental paradox (Pawe et al., 2025). On one hand, the state possesses a comprehensive anti-corruption legal framework, including specialised bodies such as the Corruption Eradication Commission. On the other hand, corrupt practices demonstrate systemic entrenchment and infiltration across various sectors. This condition is underscored by data from Transparency International Indonesia (2024), which reveals a decline in Indonesia's Corruption Perception Index score from 40 in 2019 to 34 in 2022. This significant drop is more than a mere statistic; it is a potent signal of waning public trust and a crisis of legitimacy concerning the effectiveness of anti-corruption measures pursued to date (Anandya & Easter, 2023; Hananti et al., 2023). Consequently, structural inefficiencies and permissive cultural norms toward corruption have become primary obstacles that systematically blunt the effectiveness of these policy initiatives.

Amid this constellation of issues, the judiciary, particularly judges, occupies a position as both the vanguard and the last bastion of anti-corruption law enforcement. Judges function not merely as mouthpieces of the law, but also as interpreters of the law, whose rulings shape the trajectory of justice and the efficacy of the rule of law (Harini & Rahmat, 2025). However, this pillar of law enforcement faces serious integrity challenges (Putra & Linda, 2022). Consequently, the emergence of judicial misconduct cases—ranging from bribery to abuse of authority by rogue judges—has become a vulnerability that directly erodes the dignity and legitimacy of the judicial institution.

Every corruption verdict perceived as unjust not only tarnishes the judiciary's image but also delegitimises the entire anti-corruption endeavour in the public eye (Ismail, 2023; Trinugroho, 2025).

Beyond issues of individual integrity, judicial effectiveness is also impeded by a series of chronic systemic challenges. The law enforcement ecosystem in Indonesia remains characterised by political intervention (Imran & Koswara, 2023), weak coordination among law enforcement agencies (Jawa et al., 2024), and at times, ambiguous legal procedures. This procedural ambiguity creates loopholes for subjective interpretation and discretionary powers prone to abuse (Kurniawan, 2022). Moreover, the professional capacity of judges to handle increasingly sophisticated corruption cases is often inadequate. Such cases may involve complex financial schemes, digital evidence, and transnational corporate corruption. Without meaningful institutional reform and a robust culture of accountability, these systemic problems will continue to hinder effective anti-corruption enforcement (Ansori, 2024; Nawir, 2025).

Although several studies have examined the challenges of anti-corruption from a macro-institutional perspective, a significant analytical gap remains in connecting these systemic problems to concrete adjudication practices in the courtroom. As a result, existing academic discourse tends to focus on macro-level policy analysis or institutional performance. It leaves a void in micro-level analysis, specifically regarding how judges, as the epicentre of the judicial process, interpret legal norms when faced with the complexities of a case. The novelty of this research lies in its attempt to bridge this gap by conducting a juridical analysis of recent, monumental court decisions. Through this approach, the dynamics of law enforcement can be depicted more empirically and contextually.

Drawing upon this background, this research aims to critically analyse the effectiveness of anti-corruption law in Indonesia through the lens of the judge's role. The analysis focuses on two primary aspects: the interpretation and application of the Law on the Eradication of Corruption Crimes, and the challenges that impede judicial effectiveness. To achieve these objectives, this study will conduct an in-depth examination of two significant first-instance court decisions from 2024. This research will examine two key rulings. *First*, a decision concerning a palm oil corruption case that raises the fundamental problematic of interpreting the element of "unlawful act" in corporate criminal liability. *Second*, a bribery case involving an active judge highlights the issue of judicial integrity. Thus, the analysis of these two cases aims not only to map the tangible challenges on the ground but also to formulate evidence-based policy recommendations as a concrete contribution to strengthening judicial integrity and capacity in the fight against corruption.

METHOD

This research fundamentally employs a normative legal research approach. This approach was selected for its relevance in examining law as a system of norms, enabling an in-depth analysis of legal principles, the synchronisation of legislation, and prevailing legal doctrines (Qamar & Rezah, 2020). However, to transcend a purely doctrinal analysis that risks being sterile, this normative approach is fortified by a case study method. This combination was chosen to bridge the gap between law in the books and law in action. Court decisions are utilised as a proxy to observe how legal norms are interpreted and applied by judges in concrete situations.

To address the research questions, two types of data sources were used, namely primary and secondary legal materials, both of which are qualitative (Sampara & Husen, 2016). The primary legal materials constitute the main source of data, consisting of legislation that forms the substantive and formal legal basis. This legal foundation is primarily based on Law Number 31 of 1999 juncto Law Number 20 of 2001. Additionally, decisions from the Corruption Crimes Court, selected purposively, were also used. The primary selection criterion was the significance of the decisions in representing two key aspects of contemporary judicial challenges: the complexity of corporate criminal liability and the issue of internal judicial integrity. On the other hand, secondary legal materials were utilized to refine the analysis and establish a robust theoretical framework. These materials include journal articles, books, legal commentaries, criminal law doctrines, and official reports from relevant state institutions.

Data collection was conducted through a systematic literature review and document analysis. This process involved identifying, inventorying, and classifying all relevant legal materials for subsequent analysis (Irwansyah, 2020). The data analysis stage, which forms the core of this research, was carried out using a qualitative content analysis framework. In practice, this technique was applied by meticulously dissecting the legal considerations (*ratio decidendi*) in each examined decision. The focus of the analysis was on reconstructing the judges' legal reasoning, identifying patterns of interpretation, and deconstructing inconsistencies that emerged in judicial practice. Through this method, the research can yield a profound understanding of how the Law on the Eradication of Corruption Crimes operates at the judicial level and the systemic impediments that affect it.

RESULTS AND DISCUSSION

A. The Interpretation and Application of the Law on the Eradication of Corruption Crimes by Judges in Indonesia

The interpretation and application of the Law on the Eradication of Corruption Crimes by judges in Indonesia reveal a troubling inconsistency, ultimately calling into question the predictability and legal certainty of anti-corruption efforts. This dualism in judicial practice is sharply reflected in two monumental decisions from 2024. On one hand, Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst demonstrates law enforcement proceeding according to procedural expectations in sentencing a rogue judge. On the other hand, Decision Number 39/Pid.Sus-TPK/2024/PN Jkt Pst, in a corporate corruption case, resulted in a controversial acquittal. A comparative analysis of these diametrically opposed decisions provides crucial insight into how judicial discretion becomes a determinative factor capable of producing vastly different outcomes, despite operating under the same legal framework.

1. The Problematic Interpretation of the Unlawful Act Element against Corporate Corruption Defendants: An Analysis of Decision Number 39/ Pid.Sus-TPK/2024/PN Jkt Pst

The case implicating five palm oil corporations has become an anomaly in Indonesia's anti-corruption law enforcement landscape. The five corporations are PT Nagamas Palmoil Lestari, PT Pelita Agung Agrindustri, PT Nubika Jaya, PT Permata Hijau Palm Oleo, and PT Permata Hijau Sawit. Faced with trial evidence proving the manipulation of data for fulfilling Domestic Market Obligation (DMO) requirements, which resulted in state economic losses, the Judicial Panel of the Central Jakarta Corruption Crimes Court instead issued an acquittal from all legal charges (*ontslag van alle recht vervolging*). Decision Number 39/Pid.Sus-TPK/2024/PN Jkt Pst is fundamentally problematic. The judges stated that although the actions of the corporate defendants were proven, these actions did not constitute a criminal offense. This verdict immediately sparked controversy and set a dangerous precedent for the future of combating corporate crime.

The key to understanding this controversial decision lies in deconstructing the judges' legal reasoning (*ratio decidendi*). The judicial panel appeared to build its argument upon a rigid separation between the realms of administrative law and criminal law. In the judges' logic, the corporations' actions of failing to meet DMO requirements and manipulating data in the government's online system were viewed as administrative violations of trade

policy. The judges opined that, because these actions fell within the domain of administrative law, the applicable sanctions should also be administrative, rather than penal. Thus, the judges concluded that, from a criminal law perspective, the element of "unlawful act" as stipulated in Article 2 section (1) of Law Number 31 of 1999 was not met.

This judicial interpretation demonstrates the operation of an exceedingly narrow legalistic-positivistic paradigm (Taufiqurrahman et al., 2023). This approach disregards significant developments in modern criminal law doctrine, particularly concerning the doctrine of material unlawfulness in its positive function. In the context of corruption crimes, an act is not only considered unlawful if it contradicts written regulations (formal unlawfulness) but also if it conflicts with unwritten general principles that are part of societal norms, such as propriety, diligence, and prudence (Afdhila et al., 2024). These are principles that should be upheld in the management of public policy. The corporations' actions of consciously manipulating data to obtain export profits violated these principles, regardless of whether administrative sanctions could be imposed.

Furthermore, this acquittal (*ontslag*) effectively creates impunity for sophisticated corporate crime. By declaring the act non-criminal, the court seemingly justifies the notion that manipulating policy for personal or corporate gain is a business risk that can be settled outside the criminal realm. It directly blunts the deterrent effect of the Law on the Eradication of Corruption Crimes. The decision has the potential to become a negative jurisprudence that will be used by other corporations in the future to justify their actions by citing the argument of "administrative violation" when committing similar acts. Consequently, law enforcement against white-collar crime that harms broad public interests is paralyzed.

Theoretically, this decision is a manifestation of the judges' failure to execute their function of legal discovery (*rechtsvinding*). Instead of using their discretion to interpret the law progressively to protect state and public interests, the judges chose to shelter behind a literal interpretation that favoured the perpetrators of economic crime (Zahrulyani et al., 2024). This failure highlights the importance of capacity and judicial courage in addressing complex corruption cases. When confronted with large corporations possessing abundant resources, judges who lack a profound doctrinal understanding and the courage to break through legal formalism risk delivering a verdict that injures the public's sense of justice. This verdict, instead of being a breakthrough, has become a worrying regression in Indonesia's corruption adjudication practice.

2. Procedural Orthodoxy and Judicial Fragility: An Analysis of Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst

In stark contrast to the verdict of the palm oil corporation, which was fraught with interpretive controversy, Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst presents a more conventional and predictable judicial facade. The case, which implicated Mangapul, a sitting judge, on charges of bribery and gratification, serves as a showcase of the judicial institution's internal fragility. In this verdict, the judicial panel applied Article 12B of Law Number 20 of 2001. This article contains the mechanism of a limited and rebuttable reverse burden of proof. Theoretically, this provision is a potent weapon for tackling gratification (Monita et al., 2023). The burden of proof shifts to the defendant to prove the legality of their assets after the prosecutor successfully proves an illicit receipt of assets (Rompegading, 2022).

Although the verdict formally applied the reverse burden of proof standard, an analysis of its *ratio decidendi* reveals the operation of a rigid, legalistic, and positivistic approach. The judges limited their role to a literal application of the norm (*subsumptie*) without engaging in progressive legal interpretation (*rechtsvinding*). The judicial reasoning appeared to halt at the fulfilment of procedural requirements, without conducting a substantive exploration of the defendant's defence arguments. This phenomenon indicates a "procedural orthodoxy," wherein judges focus more on the literal application of rules rather than excavating the material truth. It aligns with the findings of Wibisana (2023), who identified limited capacity and weak integrity as factors hindering the depth of judicial analysis.

Another issue that emerged from this case was the handling of the defendant's application for justice collaborator status. It was reported that the application was disregarded without transparent and accountable consideration in the verdict. This is despite, as emphasised by Jardan and Khairani (2024), the justice collaborator mechanism being a crucial instrument in modern anti-corruption strategies. Its purpose is to dismantle organised crime from within. The disregard for this application without clear justification not only infringes upon the defendant's rights but also sends a negative signal that could weaken the incentive for other perpetrators to cooperate with law enforcement in the future.

Ultimately, this case serves as a critical reflection on the independence and internal accountability of the judiciary. This judicial attitude, which tends to be defensive and less explorative, can be interpreted as a manifestation of an *esprit de corps* culture (Weo et al., 2024). This corps solidarity can indirectly

impede the search for material truth in order to protect the institution's image. When the judiciary is tasked with cleansing itself, hesitation in applying the sharpest analytical standards can instead reinforce public perception of impunity. It at least demonstrates judicial reluctance. The case affirms that without rigorous internal oversight and a robust culture of transparency, the judiciary will remain a vulnerable link in the anti-corruption law enforcement system.

3. **Comparative Reflection: The Dualism of Law Enforcement against Individuals and Corporations**

A comparative analysis of the two previously discussed decisions reveals a troubling dualism in Indonesia's corruption adjudication practice. This dualism is not merely a technical difference in legal reasoning; it reflects a fundamental inconsistency in how judges perceive and adjudicate different legal subjects: individuals versus corporations. While Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst shows that the judicial system can function normatively to convict an individual public official, Decision Number 39/Pid.Sus-TPK/2024/PN Jkt Pst illustrates how the same system can become compromised, resulting in a controversial verdict when confronted with large corporations possessing significant economic power.

At the first level, this dualism manifests in the application of different standards of legal interpretation. In the case of Judge Mangapul, the judicial panel applied the law textually and procedurally. This approach, although criticized for its lack of depth, ultimately resulted in a conviction that aligned with public expectations of law enforcement. Conversely, in the palm oil corporation case, the judicial panel undertook a very broad interpretive maneuver. The judges used their discretion to draw a rigid line of demarcation between administrative law and criminal law. This interpretation effectively granted impunity to the corporate defendants. This inconsistency raises a fundamental question: why is judicial discretion more inclined to be used to acquit corporations, while a stricter approach is applied to individuals?

At a deeper level of analysis, this phenomenon can be examined from a socio-legal perspective that considers the influence of non-legal factors. The acquittal of large corporations can be interpreted as a manifestation of judicial deference or a reluctance on the part of judges to intervene in what is considered the "business realm" or economic policy (Hermanto & Aryani, 2023). Judges may be more cautious in imposing criminal sanctions that could impact economic stability or business continuity—a consideration that does not arise in cases involving individuals. This phenomenon aligns with

the theory of elite capture, wherein legal institutions, consciously or not, can produce verdicts that are more favorable to actors with dominant economic and political power (Zuada et al., 2023).

Theoretically, this dualism starkly refutes the notion of law as an objective and impartial instrument. It reinforces the perspective of legal realism, which posits that the law is what the judges say it is (Shortell & Valdini, 2022). In this context, the defendant's identity—whether an individual official or a giant corporation—appears to be a significant variable in determining the outcome of a verdict. The failure to apply equivalent standards of interpretation and evidence to all legal subjects constitutes a serious threat, not only to the principle of equality before the law, but also, ultimately, delegitimizes the entire anti-corruption endeavor in Indonesia.

B. Challenges Hindering Judicial Effectiveness in Handling Corruption Cases

The analysis of the aforementioned jurisprudential dualism not only highlights inconsistencies in legal interpretation; more importantly, it also implicitly reveals a series of structural, institutional, and professional challenges that constitute the root of the problem. Both the controversial acquittal and the seemingly mechanical conviction are symptoms of the same fundamental problems. These problems consistently hinder judicial effectiveness in the fight against corruption.

1. The Complexity of Corporate Crime and the Judicial Capacity Gap

The acquittal (*ontslag*) in the palm oil corruption case serves as the most tangible evidence of the first challenge: the judicial capacity gap in confronting the complexity of modern corporate crime. This case required judges to navigate the intersection of criminal law, administrative law, and commercial law. The judicial panel's failure to view the act of DMO data manipulation as a criminal offense—rather than merely an administrative violation—indicates a difficulty in understanding the material nature of an unlawful act in the context of economic crime. This verdict raises a crucial question as to whether judges in Indonesia are, in general, equipped with an adequate doctrinal understanding to handle the evolving modi operandi of corporate crime, which often shelters behind business policy justifications.

This challenge is exacerbated by the absence of specific procedural guidelines for corporate prosecution in Indonesia. As noted by Bulan and Sambas (2025), many investigators, prosecutors, and judges lack a comprehensive understanding of the concept of corporate crime. Meanwhile, judges are

burdened with conducting legal discovery without uniform guidance. This *ontslag* verdict can be seen as a direct consequence of this void. Without a bench book or established jurisprudence that explicitly governs how judges should assess acts in the "grey area" between administrative and criminal violations, judges tend to take the most legally safe position. It, in turn, creates immense legal uncertainty.

Ultimately, this capacity gap directly undermines the primary objectives of corporate punishment: the deterrent effect and the recovery of state losses. An acquittal in a case of this magnitude sends a dangerous signal to the business community that manipulating policies to the detriment of the state economy can escape criminal liability. It not only weakens law enforcement efforts but also damages a healthy business climate. Thus, Decision Number 39/Pid.Sus-TPK/2024/PN Jkt Pst is not merely an anomaly. It is a symptom of a deeper problem: the institutional unpreparedness of the judiciary to confront corporate crime as a serious criminal threat.

2. Institutional Vulnerability and the Culture of *Esprit de Corps*

On the other hand, Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst, involving Judge Mangapul, starkly reveals the second challenge: institutional vulnerability and the internal pressures faced by judges. The judicial panel's seemingly mechanical approach in applying the reverse burden of proof system and disregarding the justice collaborator application without strong argumentation indicates a reluctance to conduct an in-depth examination when the subject of the case is a colleague. This phenomenon suggests that a culture of *esprit de corps* may be at play. This corps solidarity, while positive in other contexts, can become an impediment to accountability and transparency in the context of enforcing professional ethics.

As noted by Hidayati (2023), judges in Indonesia often operate in non-transparent and vulnerable environments, susceptible to various pressures, whether political, hierarchical, or financial. In cases involving fellow judges, these pressures can be more subtle, for instance, taking the form of concerns about precedents or a reluctance to "tarnish the good name of the corps." A culture of institutional silence and fear of reprisal can hinder objective judicial deliberation. Consequently, the resulting legal reasoning tends to be defensive and less explorative.

The judiciary's failure to demonstrate resolve in "cleansing itself" has profoundly damaging implications for legal legitimacy. It not only erodes public trust but also creates a perception of double standards in law enforcement, as

if law enforcement officials are immune to the sharpest scrutiny. When the last bastion of justice shows signs of fragility from within, the entire edifice of the anti-corruption criminal justice system is jeopardized. Therefore, strengthening independent internal and external oversight mechanisms becomes an imperative to combat a veiled culture of impunity.

3. Disparity in Professional Capacity and Resource Limitations

The dualism of the verdicts analyzed in this study starkly points to a third, fundamental challenge: the disparity in professional capacity among Indonesian judges. Both the controversial acquittal in the corporate case and the mechanical conviction in the judicial bribery case are symptoms of the same problem: the uneven capacity of judges to conduct in-depth and contextual legal reasoning. This phenomenon indicates that the quality of justice in corruption cases becomes highly dependent on the appointed judicial panel. This condition creates what is known as a "judicial lottery" (Garoupa, 2024).

This capacity gap becomes increasingly perilous when confronted with the evolving modi operandi of corruption. Crimes such as transnational money laundering, corporate collusion, or the use of shell companies require judges to possess knowledge that extends beyond conventional criminal law doctrines. According to Butt and Schütte (2014), factors such as the high rate of judicial rotation, limited specialization programs, and uneven training in modern evidentiary techniques significantly diminish the judiciary's ability to enforce anti-corruption law consistently and accurately. Although the Supreme Court has made efforts to organize training, its sporadic implementation at the regional level fails to create a uniform minimum standard of competence. It perpetuates capacity disparities across jurisdictions.

Ultimately, this capacity problem not only impacts the effectiveness of law enforcement; it also touches upon the fundamental principles of a fair trial. A judge who lacks an adequate technical understanding of complex evidence or is unable to interpret the intersection between various legal regimes risks making fatal errors in judgment. These errors can either prejudice the rights of the defendant or, conversely, fail to prove the guilt of the actual perpetrator. Thus, investing in the enhancement of judicial professional capacity is not merely a technical matter; it is a crucial aspect of ensuring the effective administration of justice. It is a fundamental prerequisite for guaranteeing the realization of predictable and accountable justice in every verdict.

4. Incoherence of Verdicts and the Crisis of Legal Legitimacy

The final challenge revealed by the comparative analysis of these two cases is the incoherence of judicial outcomes, which directly triggers a crisis of legal legitimacy. The difference between these two verdicts is not merely a matter of sentencing disparity; it is a fundamental disparity in verdicts: a heavy conviction on one side, and an acquittal from all legal charges on the other. When an individual judge can be found guilty and sentenced to prison, while five large corporations proven to have committed acts detrimental to the state economy are acquitted, this creates a public perception that the law is selectively applied, targeting the less powerful while sparing the influential.

Theoretically, this extreme incoherence undermines the principles of legal certainty and equality before the law. The absence of clear guidelines for judges in interpreting the element of "unlawful act" in the context of corporate crime, as seen in Decision Number 39/Pid.Sus-TPK/2024/PN Jkt Pst grants overly broad discretionary space (Kurniawan, 2022; Kadafi, 2023; Bulan & Sambas, 2025). This discretion, when not guided by a robust and progressive doctrinal understanding, becomes susceptible to subjective interpretation, potentially resulting in arbitrary verdicts. Consequently, the outcome of a corruption case becomes unpredictable, depending more on the presiding judicial panel than on the evidence alone.

The most damaging impact of this systemic incoherence is the erosion of public trust in the judicial system, a point consistently highlighted by Transparency International Indonesia (2024). The legitimacy of a judicial institution is not only built on its independence, but also on its ability to produce verdicts that are consistent, rational, and accountable. When verdicts in high-profile cases appear opposed, public trust will collapse. Therefore, the standardization of legal interpretation in corruption cases, particularly those involving corporations, becomes a pressing agenda, aimed at restoring and maintaining the legitimacy of the judiciary in the public eye.

CONCLUSIONS AND SUGGESTIONS

Based on the results and discussion, it can be concluded that the effectiveness of anti-corruption law enforcement in Indonesia is paralyzed by a fundamental jurisprudential dualism. This dualism manifests in the diametrically different legal treatment of different legal subjects. On one hand, Decision Number 107/Pid.Sus-TPK/2024/PN Jkt Pst demonstrates that the judicial system can function normatively in convicting individual corrupt actors, albeit with a somewhat mechanical approach. On the other hand, however, Decision Number 39/Pid.Sus-TPK/2024/

PN Jkt Pst controversially acquitted five large corporations of all legal charges. This acquittal, based on a narrow, legalistic interpretation that separates the criminal and administrative realms, sets a dangerous precedent, indicating judicial unpreparedness and reluctance to ensnare complex corporate crime.

This inconsistency in judicial outcomes confirms that the effectiveness of the Law on the Eradication of Corruption Crimes is not determined solely by the quality of its legal norms. Instead, it is determined by the highly variable discretion and interpretive capacity of judges. When law enforcement becomes unpredictable and appears blunted against powerful economic actors, the legitimacy of the entire judicial system is threatened. The root of the problem is not the absence of law, but the failure to consistently apply it. This failure stems from interconnected systemic challenges, ranging from the disparity in judges' professional capacity to understand modern criminal law to institutional vulnerabilities that allow for verdicts that injure the public's sense of justice.

Consequently, to transform judicial "islands of excellence" into a solid and trustworthy "continent" of law enforcement, a series of structured and sustainable policy interventions is required. Based on these findings, the following recommendations are formulated:

1. Strengthening Judicial Training and Specialization. The Supreme Court must establish a continuous special certification and training program for judges who handle corruption crimes. The primary focus should be on corporate criminal law, the intersection of criminal and administrative law, and financial forensics and digital evidence.
2. Developing Binding Judicial Guidelines. To reduce interpretive disparities, codified judicial guidelines (sentencing and interpretation guidelines) need to be developed. These guidelines must specifically regulate the parameters for interpreting the "unlawful act" element in corporate crime and provide a clear framework for evaluating evidence.
3. Ensuring Institutional Independence and Accountability. Judges must be shielded from all forms of intervention. However, this protection must be balanced with effective and transparent oversight mechanisms. Reforms to judicial oversight bodies must ensure that controversial verdicts that injure the public's sense of justice can be examined in an accountable manner.
4. Promoting Transparency in Legal Reasoning. Courts should be mandated to elaborate on their legal reasoning (*ratio decidendi*) in a detailed and logical manner, especially in complex verdicts or when rejecting crucial legal instruments such as an application for Justice Collaborator status. This step would enhance accountability and allow for more effective public scrutiny.

5. Integrating Technology and Cross-Sectoral Collaboration. Courts should collaborate more closely with forensic accountants, information technology experts, and financial intelligence units (e.g., the INTRAC/PPATK) to combat corruption crimes. This capacity enhancement would enable judges to better understand increasingly sophisticated criminal modus operandi and render more informed and higher-quality decisions.

Ultimately, these five recommendations are not merely technical or procedural fixes; they constitute a fundamental judicial reform agenda. Their implementation demands a strong political commitment from the Supreme Court and the full support of other stakeholders. Without these concrete steps, anti-corruption efforts will continue to stagnate, trapped in a cycle of hope and disappointment, which ultimately threatens the very foundations of the rule of law state.

REFERENCES

Afdhila, S., Mulyadi, M., & Rosmalinda, R. (2024). Konstruksi Unsur Objektif Perbuatan Melawan Hukum dan Unsur Kerugian Perekonomian Negara dalam Tindak Pidana Korupsi. *Jurnal Ilmu Hukum, Humaniora dan Politik, 5*(2), 1207-1221. https://doi.org/10.38035/jihhp.v5i2.3290

Anandya, D., & Easter, L. (2023). *Monitoring Report Trends in Prosecution of Corruption Cases in 2022: Corruption Across the Trias Politica.* Indonesia Corruption Watch. https://antikorupsi.org/en/monitoring-report-trends-prosecution-corruption-cases-2022

Ansori, A. (2024). The Effectiveness of the Corruption Eradication Law in Suppressing Corrupt Practices in the Public Sector. *Proceeding of International Conference on Education, Society and Humanity, 2*(2), 2079-2087. Retrieved from https://ejournal.unuja.ac.id/index.php/icesh/article/view/10495

Bulan, D. N., & Sambas, N. (2025). Kebijakan Pemidanaan Korporasi dalam RUU KUHP: Analisis Normatif dan Kesiapan Praktis Aparat Penegak Hukum. *Collegium Studiosum Journal, 8*(1), 25-30. https://doi.org/10.56301/csj.v8i1.1654

Butt, S., & Schütte, S. A. (2014). Assessing Judicial Performance in Indonesia: The Court for Corruption Crimes. *Crime, Law and Social Change, 62*(5), 603-619. https://doi.org/10.1007/s10611-014-9547-1

Decision of the District Court of Central Jakarta Number 39/Pid.Sus-TPK/2024/PN Jkt Pst on Defendants: PT. Nagamas Palmoil Lestari, PT. Pelita Agung Agrindustri, PT. Nubika Jaya, PT. Permata Hijau Palm Oleo, and PT. Permata Hijau Sawit. https://putusan3.mahkamahagung.go.id/direktori/putusan/zaf0054cef7f986eba93313233343034.html

Decision of the District Court of Central Jakarta Number 107/Pid.Sus-TPK/2024/PN Jkt Pst on Defendant: Mangapul. https://putusan3.mahkamahagung.go.id/direktori/putusan/zaf03129988736da93d7303831313537.html

Garoupa, N. (2024). Purging Disloyal Courts in Democratic Transitions and Judicial Preferences. *International Journal of Transitional Justice, 18*(3), 474-489. https://doi.org/10.1093/ijtj/ijae030

Hananti, N. P., Pratama, R. A., & Sidabutar, T. R. A. (2023). Analisis Efektivitas Penegakan Hukum Terhadap Korupsi di Indonesia. *Indigenous Knowledge, 2*(5), 359-366. Retrieved from https://jurnal.uns.ac.id/indigenous/article/view/79824

Harini, M., & Rahmat, D. (2025). Peran Hakim Pada Proses Penemuan Hukum Sebagai Upaya Penegakan Keadilan Berdasarkan Kode Etik Hakim. *Journal Evidence of Law, 4*(1), 207-230. https://doi.org/10.59066/jel.v4i1.1097

Hermanto, B., & Aryani, N. M. (2023). Quo Vadis Specialised Courts in Indonesia within Constitutional Court Decisions Confines. *Jurnal Penelitian Hukum de Jure, 23*(4), 403-418. https://doi.org/10.30641/dejure.2023.V23.403-418

Hidayati, F. R. (Ed.). (2023). *Bunga Rampai: Penegakan dan Penguatan Integritas Peradilan*. Sekretariat Jenderal Komisi Yudisial Republik Indonesia.

Imran, I., & Koswara, I. Y. (2023). The Problematics of Determining Investigators for the Corruption Eradication Commission. *SIGn Jurnal Hukum, 5*(2), 235-248. https://doi.org/10.37276/sjh.v5i2.257

Irwansyah. (2020). *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel*. Mirra Buana Media.

Ismail, A. S. (2023, June 27). *Analisis Peran Hakim dalam Penegakan Hukum dan Pemberantasan Korupsi di Indonesia*. Retizen. Retrieved June 6, 2025, from https://retizen.republika.co.id/posts/225248/analisis-peran-hakim-dalam-penegakan-hukum-dan-pemberantasan-korupsi-di-indonesia

Jardan, G., & Khairani, K. (2024). Urgensi Pembaharuan Hukum Pidana Terhadap Pengaturan Justice Collaborator di Indonesia. *Unes Journal of Swara Justisia, 8*(1), 156-165. https://doi.org/10.31933/ujsj.v8i1.485

Jawa, D., Malau, P., & Ciptono, C. (2024). Tantangan dalam Penegakan Hukum Tindak Pidana Korupsi di Indonesia. *Jurnal Usm Law Review, 7*(2), 1006-1017. https://doi.org/10.26623/julr.v7i2.9507

Kadafi, B. (2023). Perbandingan Penegakan Integritas Hakim di Berbagai Negara Serta Tantangan di Indonesia. In F. R. Hidayati (Ed.), *Bunga Rampai: Penegakan dan Penguatan Integritas Peradilan* (pp. 219-252). Sekretariat Jenderal Komisi Yudisial Republik Indonesia.

Kurniawan, T. (2022). Discretion as a Factor in Corruption: A Case from Indonesia. *Public Integrity, 24*(7), 692-701. https://doi.org/10.1080/10999922.2021.1975939

Law of the Republic of Indonesia Number 31 of 1999 on the Eradication of Corruption Crimes (State Gazette of the Republic of Indonesia of 1999 Number 140, Supplement to the State Gazette of the Republic of Indonesia Number 3874). https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/432

Law of the Republic of Indonesia Number 20 of 2001 on Amendment to Law Number 31 of 1999 on the Eradication of Corruption Crimes (State Gazette of the Republic of Indonesia of 2001 Number 134, Supplement to the State Gazette of the Republic of Indonesia Number 4150). https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/351

Monita, Y., Najemi, A., & Arfa, N. (2023). Urgensi Pengaturan Pembalikan Beban Pembuktian dalam Perkara Gratifikasi pada Tindak Pidana Korupsi. *Jurnal Sains Sosio Humaniora, 7*(1), 40-57. https://doi.org/10.22437/jssh.v7i1.21931

Nawir, N. (2025). Tindak Pidana Korupsi Pasca Lahirnya Dewan Pengawas Komisi Pemberantasan Korupsi (KPK). *Jurnal Hukum Lex Generalis, 5*(7), 1-10. Retrieved from https://ojs.rewangrencang.com/index.php/JHLG/article/view/1010

Pawe, T., Husen, L. O., & Muzakkir, A. K. (2025). The Paradox of a Rule of Law State: A Critical Reflection on the Dialectic between Discourse and Reality in the Eradication of Corruption in Indonesia. *Sovereign: International Journal of Law, 6*(1-2), 1-17. https://doi.org/10.37276/sijl.v7i1-2.56

Putra, N. R., & Linda, R. (2022). Corruption in Indonesia: A Challenge for Social Changes. *Integritas: Jurnal Antikorupsi, 8*(1), 13-24. https://doi.org/10.32697/integritas.v8i1.898

Qamar, N., & Rezah, F. S. (2020). *Metode Penelitian Hukum: Doktrinal dan Non-Doktrinal.* CV. Social Politic Genius (SIGn).

Rompegading, A. M. (2022). Deterrence and Eradication of Gratification Crime. *SIGn Jurnal Hukum, 3*(2), 151-162. https://doi.org/10.37276/sjh.v3i2.161

Sampara, S., & Husen, L. O. (2016). *Metode Penelitian Hukum.* Kretakupa Print.

Shortell, C., & Valdini, M. E. (2022). The Politics of Women's Presence on High Courts: Bias and the Conditional Nature of Cultivating Legitimacy. *Politics & Gender, 18*(3), 858-877. https://doi.org/10.1017/s1743923x21000404

Taufiqurrahman, F., Ibnususilo, E., & Melina, M. (2023). Pergesaran Penegakan Hukum yang Positivistik Menuju ke Penegakan Hukum yang Progresif. *Journal Equitable, 8*(1), 159-183. https://doi.org/10.37859/jeq.v8i1.4450

Transparency International Indonesia. (2024, January 30). *Indeks Persepsi Korupsi 2023: Pemberantasan Korupsi Kembali ke Titik Nol.* https://ti.or.id/corruption-perceptions-index/corruption-perceptions-index-2023

Trinugroho, A. T. (2025, April 15). *Suap Hakim: Cermin Krisis Sistemik di Tubuh Peradilan*. Kompas.id. Retrieved June 6, 2025, from https://www.kompas.id/artikel/suap-hakim-cermin-krisis-sistemik-di-tubuh-peradilan

Weo, J. G., Helan, Y. G. T., & Lamataro, C. W. T. (2024). Penguatan Wewenang Komisi Yudisial dalam Menjaga Kehormatan dan Martabat Hakim Ditinjau dari Undang-Undang Nomor 22 Tahun 2004 tentang Komisi Yudisial. *Petitum Law Journal, 2*(1), 15-25. https://doi.org/10.35508/pelana.v2i1.15620

Wibisana, A. W. (2023). Developing the Integrity of Corruption Crime Judges: Evidence in Indonesia. *International Journal of Research in Business and Social Science, 12*(9), 460-476. https://doi.org/10.20525/ijrbs.v12i9.3060

Zahrulyani, A., Santoso, M. I., Maksum, I. R., & Pratiwi, S. (2024). Normative Construction of Restorative Justice Implementation in Accelerating State Losses Return in Corruption Crimes. *Indonesian Journal of Multidisciplinary Science, 3*(9), 1-12. https://doi.org/10.55324/ijoms.v3i9.898

Zuada, L. H., Afdalia, N., Kafrawi, M., & Nutfa, M. (2023). The Modus Operandi of Corruption during the Growing Period of Nickel Mining in Central Sulawesi: An 'Elite Capture' Perspective. *Integritas: Jurnal Antikorupsi, 9*(1), 55-70. https://doi.org/10.32697/integritas.v9i1.987