

Economic Analysis : Application of Technology in Law Enforcement in Combating Corruption

Sarbini^{1*}, Rakha Afkary², Hafidah Zalma's Love Aura³

Faculty of Law, University of Lampung

Corresponding Author: Sarbini Pt.sultangoldpropertindo@gmail.com

ARTICLE INFO

Keywords: Economic Analysis, Corruption, Law Enforcement, Application of Technology

Received : 21, July

Revised : 28, July

Accepted: 25, August

©2023 Sarbini,Afkary, Aura: This is an open-access article distributed under the terms of the [Creative Commons Atribusi 4.0 Internasional](https://creativecommons.org/licenses/by/4.0/).



ABSTRACT

The massive corruption cases that occur in Indonesia prove that there is a need for effective and efficient law enforcement efforts to eradicate corruption cases that occur, in handling it is necessary to apply technology to streamline the course of law enforcement, law enforcement efforts to eradicate corruption are regulated in Law No. 19 of 2019 concerning the second amendment to Law No. 30 of 2002 concerning the Corruption Eradication Commission. The problems that will be discussed in this study are related to economic analysis and the application of technology in law enforcement and corruption eradication. The research method used in this study is a normative research method using a legislative approach and a case approach and will be analyzed using content analysis.

INTRODUCTION

Economic analysis in handling corruption cases is a consideration in solving corruption crimes that occur, the many costs needed in solving corruption criminal cases become a supporting factor. The settlement of corruption criminal cases through court cases in handling requires a lot of costs where the cost of handling this case is based on the operational costs of handling cases, where corruption cases are handled by law enforcers such as; Judges, prosecutors, and other law officials involved in handling the corruption case. In cases of corruption with relatively small losses, the settlement of corruption crimes through court cases is considered less effective for corruption cases with relatively small losses because it can require high operational costs. So in cases of corruption with relatively small losses, other alternatives outside court cases are needed to reduce state losses.¹ Corruption is an unlawful act with the intention of enriching oneself and others, the criminal act of corruption also harms the state, corruption results in slowing down the country's economic growth, decreasing investment, increasing poverty, and increasing income inequality. corruption can also reduce the level of happiness of the people in a country, corruption crimes in Indonesia are divided into several groups of corruption crimes including; harming state finances, bribery, embezzlement, incumbentness, fraudulent acts, extortion, conflict of interest in procurement, and gratuities.²

In law enforcement of corruption crimes, there are cases of corruption with relatively small state losses compared to state expenditures in handling cases in cases of criminal acts of corruption, knowing this, an *efficient* legal policy is needed in law enforcement of criminal acts of corruption, especially crimes with relatively small loss values.³ Efficient legal policies in handling corruption crimes with relatively small value are carried out through alternative out-of-court case settlements such as mediation, settlement in this way is expected to be an *effective* and *efficient* way of handling criminal cases with relatively small losses because out-of-court settlement through mediation is considered to be an alternative settlement Cases in a fast, simple, and lower cost way than solving cases through the court. In the current era of globalization, the development of technology brings various impacts to human life, both positive and negative impacts, along with the rapid development of technology, there are more and more modes carried out by perpetrators of criminal acts of corruption. The application of technology should also be important in law enforcement to eradicate corruption, especially in ensuring the availability, accuracy, and accuracy as well as speed in obtaining and processing quality law enforcement data because the application of technology in law enforcement can help in⁴⁵ *effectiveness* and *efficiency* in law enforcement. The research methodology used is

a normative research method, which is a research method carried out by examining library materials or secondary data using a statute approach related to economic analysis in law enforcement of criminal acts of corruption. The statute approach examines matters related to legal principles, legal views and doctrines, as well as laws and regulations, related to economic analysis and the application of technology in law enforcement and combating corruption. In addition, an in-depth examination of these legal facts is also held to solve the problems that arise in the symptoms caused, based on the description of the background explanation, the problems in this study include: ⁶

1. What is the urgency of economic analysis in law enforcement and corruption eradication?
2. What is the legal policy and the importance of economic analysis and the application of technology in law enforcement and corruption eradication?

METHODOLOGY

The research method used is a normative research method, using a *statute approach* related to Economic Analysis and Application of Technology In Law Enforcement In Combating Corruption. The⁷ *statute approach* is to examine matters concerning legal principles, legal views and doctrines, and laws and regulations related to the meeting point between Economic Analysis and Application of Technology In Law Enforcement In Combating Corruption, with accurate and accountable data. In addition, an in-depth examination of the legal facts is also held to then seek solutions to the problems that arise in the symptoms concerned.⁸

RESULTS AND DISCUSSION

The Urgency of Economic Analysis in Law Enforcement and Corruption Eradication

Corruption comes from the word *corruptus* which means a change in behavior from good to bad, in general corruption is defined as "an act done with the intention of providing benefits that are not in accordance with official duties and rights of others. In Indonesia, massive corruption cases are increasingly becoming a problem that until now has not been resolved properly, according to article 2 paragraph [1] of Law No. 21 of 1999 concerning the eradication of corruption states that people who can be convicted for corruption crimes are "any person who unlawfully enriches himself or corporations that can harm the country's finances or economy, Some provisions regarding criminal acts are regulated in Law No. 20 of 2001 concerning amendments to Law No. 31 of 1999 concerning the eradication of criminal acts of corruption, People's Consultative Assembly Decree No. XI / People's Consultative Assembly / 1998 concerning Clean and Collusion, Corruption and

Nepotism -Free State Administration, and Law No. 19 of 2019 which is new and fundamental for the Corruption Eradication Commission. Massive corruption cases occur based on several factors where these factors not only come from one's own corrupt behavior but are also driven by environmental factors. Corruption needs to be handled specifically where the regulation is contained in the Criminal Code [criminal code because, corrupt behavior is considered to deviate from the reality of human behavior in social interactions. The problem of corruption that occurs in Indonesia comes from corruption cases with great value where not a few government officials or people with great power are involved in it, such as the example of the Hambalang project corruption case which is the largest corruption case in Indonesia where in that case it drags several big names who have high power and position. However, corruption problems that occur are also not a few derived from corruption cases with relatively low losses. In corruption cases with relatively low value, an economic analysis is needed in law enforcement of corruption crimes that occur, the economic analysis is based on state financial losses experienced from handling corruption criminal cases through court cases. The settlement of corruption crimes through court cases requires a lot of costs where these costs are needed to pay operational costs in court cases as well as the cost of law enforcement services that handle corruption cases in court to other costs that may be needed. Therefore, in cases of corruption with relatively small value, an effective and efficient policy is needed in handling corruption cases outside court cases in order to reduce losses that may be caused if the corruption case is handled through court cases.⁹

Legal Policy and the Importance of Economic Analysis and Application of Technology in Law Enforcement and Corruption Eradication

Policies that can be used in handling cases of criminal acts of corruption outside court cases in corruption cases with relatively low value can be done through case resolution through mediation, case resolution through mediation is considered to be a good alternative in solving corruption criminal cases with relatively low value because settlement through mediation can be implemented quickly, and low costs so that it is considered more efficient and effective in handling, Settlement through mediation can also reduce state financial losses, especially in the operational costs of handling cases of criminal acts of corruption. In addition, other alternatives that can be used in solving cases of corruption crimes with relatively low value can be resolved through the return of state financial losses, as well as fines that must be paid due to corruption cases committed by perpetrators of corruption crimes, For example, corruption cases with a relatively low value of state losses are cases of bribery of members of¹⁰ the People's Representative Council in the release of Tanjung Pantai Air Telang protected forest area and Bintan Island protected forest in 2006-2008

which caused state losses 543 times the losses caused. Based on this case, economic analysis is considered necessary in law enforcement of criminal acts of corruption. The application of technology in law enforcement is utilized to facilitate and ¹¹*streamline* law enforcement in the eradication of corruption. The application of technology in combating corruption is carried out as an effort to improve government performance in services and the effectiveness of government performance in law enforcement processes and eradication of corruption that are easier to access. The application of technology is also used in law enforcement, especially in transparency and accountability in the process of law enforcement of criminal acts of corruption, using technology in law enforcement of criminal acts of corruption will provide convenience in the process of collecting data or information, investigation, to the prosecution stage. In addition, the application of technology is also used in the calculation of economic analysis by applying the principles of transparency and accountability so as to reduce the risk of fraud. The application of technology in economic analysis is needed because it is considered beneficial in speed, accuracy and accuracy in economic analysis in law enforcement of corruption crimes that occur. However, the application of technology in law enforcement is in fact still widely misused by some individuals in committing acts of corruption through the development of existing technology so that more or less corruption cases are actually carried out through the application of technology

12

CONCLUSION

Economic analysis in determining the handling of corruption crimes is important in considering the resolution of corruption cases, especially corruption crimes with relatively small losses resulting in state financial losses. In corruption cases with relatively high value, the handling will be balanced with the operational costs that will be incurred in the process of handling cases by law enforcement officials. Meanwhile, in handling cases of criminal acts of corruption with small losses, the settlement of cases through court channels is considered inefficient and effective because it will not be comparable in value to the losses that will be borne by the state if the relatively small case is delegated and followed up by law enforcement officials. In addition, handling costs in a case require a lot of money, it is based on the cost of paying law enforcement officials, case settlement costs, and costs resulting from corruption cases. So to reduce the losses caused, alternative solutions to the case are needed through the return of losses. In addition, the application of technology plays an important role in law enforcement and corruption eradication because it can

help optimize government performance in handling corruption cases. and assist in the effectiveness and efficiency of law enforcement of criminal acts of corruption.

ADVANCED RESEARCH

This research still has limitations so further research needs to be done on this topic.

REFERENCES

- Saragih, Y. M., Prasetyo, T., & Hafidz, J. (2018). Juridical Analysis of the Authority of the Corruption Eradication Commission (KPK) as a Prosecution of Perpetrators of Corruption Crimes. *UNIFICATION: Journal of Legal Sciences*, 5(1), 33-44.
- Salsabila, S., & Wahyudi, S. T. (2022). The Role of the Prosecutor's Office in Resolving Corruption Cases Using a Restorative Justice Approach. *Legal Issues*, 51(1), 61-70.
- Asmorojati, A. W. (2017). The Urgency of Anti-Corruption Education and KPK in the Eradication of Corruption in Indonesia. *URECOL*, 491-498.
- Bayu, C. (2021). KPK institutional transformation: KPK Law as a corruption prevention policy in Indonesia. *Journal of Socio-Cultural Dynamics*, 23(1), 84-97.
- Alhakim, A., & Soponyono, E. (2019). Corporate Criminal Responsibility Policy for the Eradication of Corruption. *Indonesian Journal of Legal Development*, 1(3), 322-336.
- Suntoro, A. (2020). Wiretapping and the Existence of the Supervisory Board of the Corruption Eradication Commission. *Indonesian Journal of Legislation*, 17(1), 25-37.
- Peter Mahmud Marzuki, *Legal Research*, (Jakarta Kencana Prenada Media Group, 2011), 35
- Mukti Fajar and Yulianto Achmad, *Dualism of Normative & Empirical Legal Research*, (Yogyakarta, Student Library, 2010), 34
- Suntoro, A. (2020). Wiretapping and Existence of the Supervisory Board of the Corruption Eradication Commission. *Indonesian Legislation Journal*, 17(1), 25-37
- Wijaya, A. (2016) Eradication of Corruption According to Law No. 31 of 1999 jo. Law No. 20 of 2001. *Al-Jinayah: Journal of Islamic Criminal Law*, 2(1), 178-209.
- Narindrani, F. (2020). Corruption Resolution Using Restorative Justice. *De Jure Legal Research*, 20, 606-607.
- Lasmadi, S., & Sudarti, E. (2019). The modus operandi of perpetrators of corruption crimes committed by members of the House of Representatives in the release of the Air Telang Beach Protected Forest Area, Banyuasin Regency, South Sumatra. *Journal of Legal Communication (JKH)*, 5(1), 1-20.
- Jonah, A., & Hofi, M. A. (2021). Formulation of the Wiretapping Authority of the Corruption Eradication Commission in an Effort to Eradicate Corruption in Indonesia. *HUKMY: Journal of Law*, 1(1), 35-54.