



Implementation of Legal Mathematics in Case Resolution Corruption Crime in Indonesia (Case Study of the Harvey Mouis Case at the Central Jakarta Corruption Court)

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ABSTRACT

The purpose of writing this scientific article is to find out and analyze the implementation of legal mathematics in resolving criminal acts of corruption in Indonesia. This article is motivated by the many decisions of the panel of judges which impose varying lengths of sentences from one judge to another, so this raises questions among the public regarding the consistency and legal certainty in imposing sentences for perpetrators of criminal acts of corruption in Indonesia. Harvey Mouis' decision in a corruption case further strengthens the public's suspicions about the Panel of Judges who decided the case, that this decision did not provide justice considering that the punishment given was deemed not commensurate with the losses caused to the state. The results of this research show that differences in judges' decisions regarding the length of punishment in corruption cases are due to the absence of standard guidelines regarding the length of the sentence which are adjusted to the amount of loss caused to the state. What exists so far is only the minimum and maximum punishment limits without paying attention in detail to specific losses. Therefore, in resolving cases of criminal acts of corruption, legal mathematics is required so that judges can increase transparency and accountability in the decision-making process, as well as minimize the occurrence of criminal disparities that often occur in cases of criminal acts of corruption in Indonesia.

INTRODUCTION

Corruption crimes often occur in Indonesia, which causes Indonesia to experience large losses and has an impact on increasing poverty in society. Corruption crimes occur as one of the impacts of incessant national development which actually has the aim of improving people's welfare. National development, apart from having a positive impact, also has a negative impact, where the positive impact can increase changes in life by advancing the social development of society, while the negative impact is characterized by the increasing opportunities for criminal acts to occur which disturb the community (Bunga et al., 2019). One of the criminal acts in question is corruption.

Corruption crimes not only have a major impact on financial losses for the state in Indonesia but also affect all aspects, including the life of the nation and the state in Indonesian society (N. R. Putra & Linda, 2022). The government as a representative of the country continues to make efforts to eradicate criminal acts of corruption. This is done so that the impact of criminal acts of corruption does not become more widespread and repeated. The formation of the Corruption Eradication Commission in 2002 as an independent institution was one of the efforts made by the government to eradicate criminal acts of corruption. This institution has a legal basis, namely Law of the Republic of Indonesia Number 30 of 2002 concerning the Eradication of Corruption Crimes which has been amended and is currently being amended by Law of the Republic of Indonesia Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning Commissions. Eradication of Corruption Crimes (hereinafter referred to as the Corruption Eradication Law).

Handling criminal acts of corruption in Indonesia involves 3 (three) institutions that collaborate or are related to each other. These institutions are the Police, Prosecutor's Office and Corruption Eradication Commission. The three institutions prioritize the principle of equality of authority and protection of human rights so that it is necessary to increase the synergy of each institution so that it is efficient and effective. Synergy is very necessary because the crime of corruption is a crime that is difficult to find criminals (crime without offenses), because corruption is in an area that is difficult to penetrate. Based on these factors, corruption is referred to as an extraordinary crime (Doly, 2017).

Proof is difficult to investigate the existence of criminal acts of corruption in an institution, of course the methods used cannot only be conventional methods. Satjipto Raharjo stated that to prevent corruption it is necessary to use different and extreme methods, especially in judicial institutions (Raharjo, 2006). The process put forward by Satjipto Raharjo emphasizes the importance of the existence or involvement of judicial institutions in handling corruption cases. The judicial institution that handles corruption cases is a special court under the general judiciary, namely the Corruption Crime Court. Some time ago, Indonesia was abuzz with news of criminal acts of corruption in the tin mining sector involving the husband of the famous artist Sandra Dewi, named Harvey Moeis. On March 27 2024, Harvey Moeis was named a suspect and detained that same day on suspicion of criminal acts of corruption in the trading system of tin commodities in the PT Timah Tbk Mining Business License (IUP) area for 2015-

2022(Rizky, 2024). Based on case data in the Corruption Crime Court Case Tracking Information System at the Central Jakarta District Court, it was recorded that Harvey Moeis' case was transferred to that court on August 6 2024(Admin, 2024b).

Majelis Hakim dalam perkara Harvey Moeis Nomor 70/Pid.Sus-TPK/2024/PN Jkt.Pst menjatuhkan putusan berupa pidana penjara selama 6 (enam) tahun dan 6 bulan serta denda sebesar 1 (satu) miliar rupiah. Ketentuan dalam putusan tersebut menetapkan bahwa apabila denda tidak dibayarkan, maka akan diganti dengan pidana kurungan selama 6 bulan. Harvey Moeis juga diwajibkan membayar uang pengganti kerugian keuangan negara sebesar 210 (dua ratus sepuluh) miliar rupiah. Apabila uang pengganti tidak dibayarkan dalam waktu paling lama 1 (satu) bulan setelah putusan pengadilan berkekuatan hukum tetap, harta benda miliknya dapat disita oleh Jaksa dan dilelang guna menutupi uang pengganti tersebut. Apabila jumlah harta benda yang dimiliki tidak mencukupi, maka ia harus menjalani pidana penjara selama 2 (dua) tahun sebagai pengganti kewajiban denda(Admin, 2024a).

The verdict handed down by the Panel of Judges in the case has caused a lot of controversy among the Indonesian people, including Members of Commission III of the House of Representatives of the Republic of Indonesia, who revealed that the verdict is bad news for justice, the state loss of Rp300,000,000,000,000.00 (three hundred trillion) should not be rewarded with a sentence of 6.5 (six point five) years in prison(Tim Detik.com, 2024). Furthermore, the Director of the Center for Constitutional Studies, Faculty of Law, Andalas University, also expressed his disappointment with the decision because it further weakens the eradication of corruption in Indonesia(Tim Detik.com, 2024). This was also made clear by members of Commission III of the Nasdem Fraction, that the decision did not have a deterrent effect on perpetrators of criminal acts of corruption(Tim Detik.com, 2024), bearing in mind that the criminal threat is life imprisonment with a minimum imprisonment of 4 (four) years and a maximum of 20 (twenty) years and a fine of at least 200 (two hundred) million rupiah and a maximum of 1 (one) billion rupiah. Therefore, even though the judge's decision met the minimum and maximum criminal threat provisions as proven in the trial, there was dissatisfaction from the public because the sentence handed down was considered too light.

The problems mentioned above show that there is inequality in the application of legal justice, especially in cases of criminal acts of corruption. Public dissatisfaction with the decision may arise because of the perception that the sanctions imposed are not commensurate with the impact of losses caused by the perpetrators of criminal acts of corruption to the state and society. This research aims to obtain a common perception of the length of time that criminal sanctions are imposed which can be used as a guideline for punishment in cases of criminal acts of corruption. Therefore, to achieve this goal, the author chose the title "Implementation of Legal Mathematics in Resolving Corruption Crime Cases in Indonesia".

LITERATURE REVIEW

Understanding Implementation

Many experts and academics have put forward the definition of implementation, especially in relation to the concept of research on policies or laws and regulations. Explanation of implementation is important because implementation is a crucial part of the entire policy planning process. Mulyadi defines implementation as an action that aims to realize the goals that have been set in a decision. These actions are carried out to turn decisions into operational patterns that can be applied in real terms. The effort also aims to produce change, both on a large and small scale, in accordance with predetermined decisions (Mulyadi, 2015). Understanding this implementation is important to illustrate whether existing policies have worked according to the expected goals, or have actually created new problems (Akib, 2010), such as legal inequality or public dissatisfaction with court decisions. In the context of this research, implementation refers to the process of implementing or implementing a legal policy, especially in the use of legal mathematical concepts in the criminal justice system. Implementation also includes how the policy can be interpreted and implemented by law enforcers, such as judges, prosecutors and other law enforcement officials to achieve the main objectives, namely justice, legal certainty and benefit.

Understanding Corruption Crimes

The crime of corruption has actually been going on for a long time, namely since the existence of human communities, just like other crimes (Atmoko & Syauket, 2022). Criminal law academics define the meaning of criminal acts of corruption from several sources, such as the birth of the word corruption in parts of the world to the birth of laws regarding criminal acts of corruption, namely Corruption Eradication Act. The word corruption comes from Dutch, which literally means evil, rotten, corruptible, immoral, depravity and dishonesty (Hamzah, 2007). Article 1 Number 1 of Article 1 Number 1 of the Corruption Eradication Law only provides the definition of criminal acts of corruption as criminal acts which include acts that are detrimental to the state, bribery, embezzlement in office, extortion, fraudulent acts, conflicts of interest in procurement and gratuities (Auli, 2024).

The definition of corruption is expressly explained in the General Explanation of Law of the Republic of Indonesia Number 7 of 2006 concerning the Ratification of the United Nations Convention Against Corruption, 2003 (United Nations Convention Against Corruption, 2003). Corruption can be imagined as a criminal act that is systematic and has a detrimental impact on sustainable development. This crime requires comprehensive, systematic, and sustainable prevention and eradication efforts, both at the national and international levels. Corruption is also considered a threat to democratic principles, which include the values of transparency, accountability, integrity, and maintaining the security and stability of the Indonesian state. In the legal context, corruption is defined as behavior that benefits personal interests by harming other parties, carried out by public officials who directly violate the law.

Based on government norms, this action is also interpreted as a violation of the law or a reprehensible act in business activities(Suhatrizal, 2012).

Based on the definitions mentioned above, in the context of this research, it can be concluded that what is meant by criminal acts of corruption are acts that involve violations of law and morals with the aim of enriching oneself or another person or certain group which results in losses to state finances and interests. public, and social order.

Theory of Punishment

There are 3 (three) theories of punishment known in criminal law, namely absolute theory, relative theory and combined theory, where these theories were put forward by scientists taking into account various aspects of the targets to be achieved in criminal imposition, which in this case it cannot be separated from the socio-cultural values lived by these scholars(Rivanie et al., 2022). The following can be explained about these theories:

1. **Absolute Theory**

The absolute theory states that a criminal sentence is imposed because someone has committed a crime, so they are absolutely punished as a form of retaliation for that act (Usman, 2011). The basis for justification for criminal punishment in this theory lies in the existence of the crime itself which is the main reason for the implementation of the punishment.

2. **Relative Theory**

This relative theory states that the basis for carrying out punishment against someone is the purpose of the punishment itself because the crime has a certain purpose. According to this theory, punishment aims to maintain public order(Efritadewi, 2020). In other words, the purpose of punishment is prevention to change the behavior of criminals and other people who have the potential or are likely to commit crimes.

3. **Combined Theory**

Absolute theory and relative theory are the basis for the formation of the third theory in penal which recognizes the element of retaliation as part of criminal law. This theory also integrates elements of prevention and improvement efforts for criminals(Sudewo, 2022). Criminalization not only provides physical suffering but also includes psychological impact, with the aim of shaping the character and behavior of the perpetrator. The main focus of the theory of punishment is to provide educational sanctions so that improvements can occur in criminals, including minor crimes. This approach aims to create positive changes in the lives of perpetrators in the hope of preventing the recurrence of crimes in the future.

Sentencing Guidelines

Criminal guidelines function as a control tool as well as provide a philosophical, rational, and motivational basis in imposing criminal sentences by judges, so as to create justice for justice seekers(Sinaga, 2013). In the process of resolving criminal cases, problems that often arise involve the imposition of criminal sanctions, especially in determining the appropriate type of criminal punishment or the amount of criminal punishment imposed. The existence of

these guidelines is expected to help judges in considering the legal, fair, and utility aspects in imposing criminal verdicts, so that the resulting verdicts have a strong basis and do not cause dissatisfaction in the community.

This sentencing guideline aims to be a standard reference for judges, especially in handing down criminal decisions to perpetrators of criminal acts. Barda Nawawi Arief stated that the formulation of the objectives of punishment is carried out in general and is an operational objective that will bind or intertwine each stage of punishment into a chain link in one unified, rational system to achieve the objectives of punishment (Muladi & Arief, 1998). The purpose of this punishment was never formulated in the Old Criminal Code (KUHP), which is a legacy from the Netherlands.

Criminal guidelines have been accommodated in the National Criminal Code which is regulated in Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code, especially in Articles 53 to 56. In the National Criminal Code, judges have an obligation to uphold law and justice in deciding criminal cases. When there is a conflict between legal certainty and justice, the main priority that must be upheld is justice. Article 54 Paragraph (1) of the National Criminal Code formulates 11 (eleven) aspects that must be considered in criminal punishment, namely: the form of the perpetrator's guilt, the motive and purpose of the perpetrator, the perpetrator's mental attitude, the planning of the criminal act, the method of carrying out the criminal act, the perpetrator's actions after the criminal act, the social background, curriculum vitae, and economic condition of the perpetrator, the impact of the crime on the future of the perpetrator, the influence of the criminal act on the victim or his family, There is forgiveness from the victim or the victim's family, as well as the value of law and justice that lives in society.

Article 54 Paragraph (2) of the National Criminal Code emphasizes that the lightness or severity of the criminal act, the personal condition of the perpetrator, as well as the situation when the criminal act occurred and the conditions after it can be considered not to impose a crime or certain actions while still paying attention to the aspects of justice and humanity. In the context of criminalizing corporations, Article 56 of the National Criminal Code stipulates 10 things that must be considered, namely the level of loss or impact caused, the involvement of administrators who have important functions, the role of the orderer, control holder, or beneficial owner of the corporation, the duration of the criminal act committed, the frequency of violations, the form of corporate error, the involvement of officials, the legal value and justice that apply in society, the track record of corporate business, the impact of criminalization on corporations, and the level of corporate cooperation in handling criminal acts.

The sentencing guidelines in the National Criminal Code mentioned above will certainly be a challenge for law enforcers, especially for judges who have the authority to try criminal cases (Rizki, 2024). Judges are indirectly required to not only understand and apply the law correctly, but must also be able to combine the legal objectives of legal certainty, a sense of justice, and the benefits of the law for society.

Legal Mathematical Concepts

The term legal mathematics is of course more synonymous with something standard that is used as a reference in the implementation of the law. In general, mathematics is defined by James and James as the science of logic, regarding shape, structure, quantity, and concepts that are related to each other (Rahmah, 2013). The mathematical concept in this research is a quantitative concept for legal analysis to support decision making based on logic, rationality and justice. In the context of the justice system, especially for judges, legal mathematics aims to serve as an objective framework guide in determining the amount of punishment or sanctions by considering several variables, such as the level of error, the losses incurred, and the social impact of a criminal act.

METHODOLOGY

This research is normative research with a statutory approach and a case study approach. Normative research, according to Nugroho and colleagues, defines law as a structured system of norms. According to Nugroho, the norm system in question includes principles, norms, rules from statutory regulations, court decisions, agreements and doctrines (Nugroho et al., 2020). The legislative approach is carried out by examining various regulations related to criminalization, especially in the context of corruption crimes. The case study approach is applied through the analysis of court decisions in corruption cases, including case Number 70/Pid.Sus-TPK/2024/PN Jkt.Pst, as well as several other relevant decisions.

Normative law research uses primary, secondary, and tertiary legal materials as explained by Muhaimin (Muhaimin, 2020). Primary legal materials include laws and regulations, official minutes, court decisions, and official state documents related to criminalization in corruption crimes. Secondary legal materials include law books, legal journals, research results, and internet sites that present legal materials related to criminalization in corruption crimes. Tertiary legal materials include non-legal books such as research methods, the Great Indonesian Dictionary, research reports, and other sources that support the analysis in this study.

The collection of legal materials is carried out through the method of tracing and documentation studies, which are then analyzed using prescriptive techniques. The prescriptive technique, as explained by Muhaimin, serves to provide arguments for the results of legal research that has been carried out. The argumentation process aims to provide a prescription in the form of an assessment of truth or error, or provide an overview of what should be in accordance with the law. The assessment is based on legal norms, legal principles and principles, doctrines, or legal theories that are relevant to the legal facts or events that are the object of the research (Muhaimin, 2020). Thus, in this research the author will first carry out an analysis of the decision, then compare it with several other decisions with similar articles and losses, then analyze the impact of the sentence and finally provide recommendations for finding standard sentencing guidelines, especially in resolving corruption cases. so that there is no disparity in decisions.

RESEARCH RESULT AND DISCUSSION

Analysis of Decision Number 70/Pid.Sus-TPK/2024/PN Jkt.Pst and Other Decision Disparity

Harvey Moeis is the Defendant in case Number 70/Pid.Sus-TPK/2024/PN Jkt.Pst which is being tried at the Corruption Crime Court at the Central Jakarta District Court. In this case, the indictment against Harvey Moeis was presented cumulatively by the Public Prosecutor at a trial held on 14 August 2024. In connection with the indictment submitted, the Public Prosecutor charged Harvey Moeis based on the relevant articles, namely Article 2 paragraph (1) Jo Article 18 of the Corruption Eradication Law Jo. Article 55 paragraph (1) 1st of the Criminal Code as stated in the First Indictment, as well as Article 3 of Law Number 8 of 2010 concerning Prevention and Eradication of the Crime of Money Laundering in conjunction with Article 55 paragraph (1) 1st of the Criminal Code in the Second Indictment Primair. Based on these articles, Harvey Moeis is charged with imprisonment for 12 (twelve) years, which will be fully reduced by the period of detention already served. The defendant was also ordered to remain detained in the State Detention Center. Not only that, there is a fine of 1 (one) billion rupiah, with the stipulation that if the fine is not paid, it will be replaced by imprisonment for 1 (one) year. Apart from the fine, the defendant was also required to pay compensation amounting to 210 (two hundred and ten) billion rupiah. If the replacement money is not paid within 1 (one) month after the court decision becomes legally binding, the defendant's property can be confiscated by the Prosecutor and auctioned off to pay the replacement money. If the defendant does not have sufficient assets to pay compensation, the defendant will be sentenced to prison for 6 (six) years. If the defendant pays part of the replacement money, the amount paid will be calculated as a reduction in the additional prison sentence imposed in lieu of the obligation to pay the replacement money.

On December 23 2024, the Panel of Judges sentenced Harvey Moeis to imprisonment for 6 (six) years and 6 (six) months, as well as a fine of 1 (one) billion rupiah. If the fine is not paid, imprisonment for 6 (six) months will be imposed as a substitute. Harvey Moeis is also required to pay compensation for state financial losses amounting to 210 (two hundred and ten) billion rupiah, a subsidiary of imprisonment for 2 (two) years. This decision then sparked a lot of controversy considering that the demands and the decision were very different. Many people regret that criminal acts of corruption in tin commodity trading activities in the mining business permit (IUP) area of PT Timah, Tbk in Bangka Belitung for the period 2015 to 2022 have resulted in State Losses amounting to IDR 300,003,263,938,131.14 (Three hundred trillion three billion two hundred sixty three million nine hundred thirty eight thousand one hundred thirty one rupiah fourteen cents). These losses are considered not commensurate with the prison sentence that has been imposed on Harvey Moeis.

The facts that occurred show that there is a discrepancy in the verdict among the judges in resolving the case. Supposedly, judges in resolving cases must prioritize objectivity based on applicable law, by upholding the principle of independence and freedom from external influences (Kusyandi & Yamin, 2023). In the process of dissolving the case, the judge can only consider relevant and proven facts, which are then used as a basis for consideration in making

decisions. The provisions of the norms that regulate criminal threats are generally minimum and maximum limits, thus providing space for disparities in judges' decisions. Fenomena ini menimbulkan ketidakpuasan di kalangan pelaku tindak pidana, yang merasa putusan hakim tidak mencerminkan keadilan atas adanya disparitas tersebut. The following is an example of the disparity in decisions in resolving criminal acts of corruption that are similar to the criminal acts of corruption committed by Harvey Moeis:

Table 1. Comparison of Corruption Crime Decisions in Indonesia

No	Case Number, Defendant Name, and Losses	Decision
1	70/Pid.Sus-TPK/2024/PN Jkt.Pst, Harvey Moeis, 300T	<ul style="list-style-type: none"> - Article 2 Paragraph (1) Jo. Article 18 of the Corruption Eradication Law Jo. Article 55 Paragraph (1) 1 of the Criminal Code and Article 3 Eradication of Corruption Jo. Article 55 Paragraph (1) 1st Criminal Code; Subsidiary: Article 4 of the TPPU Law Jo. Article 55 Paragraph (1) 1st of the Criminal Code; - Imprisonment for 6 years and 6 months; - A fine of 1 billion, subsidiary to 6 months imprisonment; - Compensation money of 210 million, subsidiary to 2 years imprisonment.
2	13/Pid.Sus-TPK/2024/PN Yyk, Robinson Saalino, Rp 981.393.333,00	<ul style="list-style-type: none"> - Article 2 Paragraph (1) Jo. Article 18 of the Corruption Eradication Law Jo. Article 55 Paragraph (1) 1st Criminal Code; - Imprisonment for 10 years; - A fine of 500 million, subsidiary to 6 months imprisonment; - Compensation money Rp. 31,293,714,000.00, subsidiary to 5 years imprisonment.
3	85/Pid.Sus-TPK/2024/PN Sby, Mega Yunan Rakhmana, Rp.2.386.948.753,00	<ul style="list-style-type: none"> - Article 2 Paragraph (1) Jo. Article 18 of the Corruption Eradication Law Jo. Article 55 Paragraph (1) 1st of the Criminal Code; - Imprisonment for 6 years; - A fine of 500 million, subsidiary to 6 months imprisonment; - Compensation money Rp. 2,386,948,753.00 subsidiary to 4 years imprisonment.
4	7/Pid.Sus-TPK/2024/PN Gto, Rusli Zubair Gobel, Rp1.902.999.500,00	<ul style="list-style-type: none"> - Article 2 Paragraph (1) Jo. Article 18 of the Corruption Eradication Law Jo. Article 55 Paragraph (1) 1st of the Criminal Code; Subsidiary: Article 3 Jo. Article 18 of the Corruption Eradication Law Jo. Article 55 Paragraph (1) of the Criminal Code Jo. Article 64 Paragraph (1) 1 of the Criminal Code; - Imprisonment for 7 years;

No	Case Number, Defendant Name, and Losses	Decision
		<ul style="list-style-type: none"> - A fine of 200 million, subsidiary to 2 months imprisonment; - Compensation Rp. IDR 1,050,000,000.00 subsidiary to 1 year imprisonment.
5	13/Pid.Sus-TPK/2024/PN Jmb, Abdul Hadi Bin Yahya, Rp. 600.735.111,15	<ul style="list-style-type: none"> - Article 3 Jo. Article 18 of the Corruption Eradication Law; - Imprisonment for 5 years; - A fine of 200 million, subsidiary to 2 months imprisonment; - Compensation Rp. 576,735,111.15 subsidiary prison sentence of 1 year and 6 months.

Source: Author's analysis, 2024 (from comparison of data in the Supreme Court-RI Decision Directory)

The table above shows the disparity in decisions between judges in Indonesia. This disparity occurs inseparable from the existence of criminal law provisions which provide full freedom to judges in examining and trying a case. One of the negative impacts of this disparity is that it will give rise to injustice and legal uncertainty, resulting in suspicion from the public regarding the judge's non-objective attitude in deciding the case. These suspicions can be explained by comparing several decisions as in the table above, where the decisions in serial number 1 (one) to serial number 5 (five) are very unequal in the length of sentence imposed on the Defendant. In the 1st (one) verdict, with a loss of 300 (three hundred) trillion, the defendant was given a criminal sentence for 6 (six) years and 6 (six) months, while in the 2nd (two) verdict, with a loss of approximately 900 (nine hundred)) million, a criminal sentence was imposed for 10 (ten) years. Furthermore, in the 3rd (three) verdict, with a loss of approximately 2 (two) billion, the defendant was sentenced to a sentence of 6 (six) years, while in the 4th (fourth) verdict, with a loss of approximately 1 (one) billion, a verdict was handed down. sentenced to 7 (seven) years. Finally, in the 5th (fifth) decision with a loss of approximately 600 (six hundred) million, the Defendant was sentenced to a criminal sentence of 5 (five) years. Consideration of mitigating circumstances also varies, as in the case of Harvey Moeis, where the Panel of Judges in deciding on a prison sentence of 6 (six) years and 6 (six) months, one of them was by considering mitigating circumstances such as the Defendant being polite in trial, cooperative, and also the Defendant is the backbone of the family who still has young children and 1 (one) wife.

This difference is actually something that usually happens considering the freedom of judges in handing down decisions. Apart from that, the reason why there is disparity in decisions for criminal acts of corruption may also be due to the different perspectives of the judges in their theories of punishment. There are judges who tend to agree with the absolute theory, or there are also those who agree with using the relative theory, or even agree with using the combined

theory. However, if disparities continue to persist, the level of public trust in judicial institutions will decrease, especially in resolving criminal acts of corruption in Indonesia. Therefore, to avoid public suspicion, it is necessary to have uniform rules in the process of resolving corruption cases, for example with a common perception regarding the relevant criminal theories applied in resolving corruption crimes. In the author's opinion, the most relevant theory of punishment to be applied is the combined theory as expressed by Putra and his friends (A. A. B. W. Putra et al., 2020). This is because the combined theory combines 2 (two) important elements, namely not only retaliation, but also preventative efforts with the aim of providing a deterrent effect and at the same time preventing the occurrence of the same criminal act. In other words, in this criminal act of corruption, the theory combines a combination of revenge and purpose. The retaliation theory talks about what sanctions will be imposed on perpetrators of criminal acts of corruption in accordance with applicable laws, whereas the objective theory talks about how these sanctions can have a deterrent effect not only on the perpetrators, but also on the public so that they do not commit crimes. the same action.

Furthermore, regarding the disparity in decisions regarding the length of the sentence imposed, it would be better to create a sentencing guideline that combines legal mathematical concepts as the judge's standard rule in determining the length of the sentence in decisions regarding corruption crimes. This approach uses quantitative principles to reduce subjectivity in decision making and create a more transparent and consistent legal system. As for the implementation of legal mathematics, the author can explain in the next sub-chapter.

Efforts to Implement Legal Mathematics in Resolving Corruption Crimes in Indonesia

Efforts to implement legal mathematics in resolving criminal acts of corruption in Indonesia present great potential for creating a punishment system that is more measurable and closer to the values of justice and legal certainty. Starting from the process of analyzing several decisions which show the existence of disparity in decisions, even in very large differences, this legal mathematics is an effort that according to the author is very suitable to be applied, especially in resolving criminal acts of corruption in Indonesia. As is the nature of mathematics in general, the presence of legal mathematics in resolving criminal cases will produce criminal decisions that are more structured, more certain and measurable, but without reducing the essence of the judge's own freedom in examining and adjudicating a case.

In the context of resolving corruption cases, legal mathematics can be used as a tool to ensure proportional punishment. Through this approach, law enforcers, especially judges, can use quantitative formulas to determine punishment based on the weight of the error, level of involvement, and benefits obtained by the perpetrator from the crime. This has the potential to reduce the disparity in punishment that is often highlighted in corruption cases. The quantitative formula simulation can be made in the form of sentencing guidelines as also implemented in the National Criminal Code. Sentencing guidelines will

need to be created in the form of determining the category of loss and the length of the sentence that can be imposed. The use of this category has also been implemented in the National Criminal Code, namely in determining criminal fines, as regulated in Article 79 Paragraph (1) of the National Criminal Code, which contains the following categories:

- a. category I, 1 (one) million rupiah;
- b. category II, 10 (ten) million rupiah;
- c. category III, 50 (fifty) million rupiah;
- d. category IV, 200 (two hundred) million rupiah;
- e. category V, 500 (five hundred) million rupiah;
- f. category VI, 2 (two) billion rupiah;
- g. category VII, 5 (five) billion rupiah; And
- h. category VIII, 50 (fifty) billion rupiah.

The implementation of legal mathematics in resolving criminal acts of corruption in Indonesia can combine the concepts as stated in Article 79 Paragraph (1) of the National Criminal Code above, with the addition of the range of sentences that can be imposed by judges. For example, category I, with state financial losses of under 100 (one hundred) million rupiah, the length of sentence is 4 (four) years. Next is category II, with state financial losses ranging from 101 (one hundred and one) million rupiah to 300 (three hundred) million rupiah, the length of sentence is 4 (four) to 5 (five) years. Next, category III, state financial losses amounting to 301 (three hundred one) million rupiah to 500 (five hundred) million rupiah, the length of sentence is 6 (six) to 7 (five) years, and so on. With the existence of these standard guidelines, it will be difficult to find punishment for defendants in criminal acts of corruption where there are very different disparities. These guidelines can then be created and published in the form of Supreme Court Regulations, so that in their application they can be binding on judges in deciding cases of criminal acts of corruption. The existence of these sentencing guidelines certainly does not reduce the absolute requirements for values in the evidentiary process, namely at least 2 (two) valid pieces of evidence plus the judge's belief.

However, the application of legal mathematics in criminal acts of corruption in Indonesia is not without challenges or obstacles. One of the main obstacles is the limited legal system which is not yet fully ready to integrate quantitative approaches into the judicial process. Law enforcers need to have a deep understanding of this analytical method, including skills in using quantitative data to support legal arguments. In addition, considering that there are no specific technical guidelines regarding the use of legal mathematics in corruption cases, it can cause differences in interpretation between judges and prosecutors, which risks creating inconsistencies in the application of the law, so strong synergy between law enforcers is needed. This legal mathematics is an additional instrument that supports more objective and transparent decision making. With the application of legal mathematics, it is hoped that it can be used as an important tool in eradicating criminal acts of corruption in Indonesia to restore the public's sense of trust in judicial institutions.

CONCLUSIONS AND RECOMMENDATIONS

The implementation of legal mathematics in resolving criminal acts of corruption in Indonesia can be applied by creating sentencing guidelines that contain categories of state financial losses with a range of lengths of punishment that can be imposed on defendants in cases of criminal acts of corruption. Legal mathematics is very important as an additional instrument that supports more objective and transparent decision making for judges, so that it can minimize the occurrence of disparities in decisions, as was the case in the Harvey Moeis decision which was compared with several decisions of judges on corruption crimes in other courts.

So that this legal mathematics can be implemented in resolving corruption cases, of course this effort also requires support from various parties and various aspects, including efforts to update regulations, special training for law enforcers, as well as strengthening data-based legal infrastructure. Apart from that, in its application legal mathematics must also not be separated from considering qualitative aspects such as the motivation of perpetrators of criminal acts of corruption, the resulting social impact, and the values of justice that live in society. Thus, even though with this legal mathematics there will be standard rules as a guideline for sentencing judges in handing down decisions, they are also not rigid regarding matters of a humanistic nature.

ADVANCED RESEARCH

In this research, there are limitations, namely that it has not discussed in more detail the determination of categories of state financial losses with the range of lengths of punishment that can be imposed on defendants in cases of criminal acts of corruption. This is because the nature of this research is as an initiator to open up opportunities for legal mathematics to be applied in resolving corruption cases. Therefore, it is hoped that future researchers will be able to determine categories of state financial losses with a range of lengths of punishment that can be imposed on defendants in cases of criminal acts of corruption, while still paying attention to the minimum and maximum limits previously regulated in the Corruption Eradication Law, the Criminal Code, National Criminal Code, Criminal Procedure Code, and also other related laws and regulations.

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