



## Juridical Analysis and Implementation of Perma 1/2020 in Corruption Crimes : Perma No. 1 of 2020 as an Instrument for Strengthening Judicial Accountability and Restoring Public Sense of Justice

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### ABSTRACT

The 1945 Constitution mandates the state to ensure justice and public welfare, encompassing moral values, social ethics, and humanitarian considerations. Public perception of justice, especially in corruption cases, is crucial, as lenient verdicts can erode public trust. President Prabowo emphasized that light sentences for corruptors harm the public's sense of justice. The rising number of corruption cases has led to a 34-point decline in Indonesia's Corruption Perceptions Index (CPI) from 2022 to 2023, classifying Indonesia as a "corruption-prone" country. This study analyzes sentencing provisions in Perma No. 1/2020 from a justice perspective, evaluates its implementation, and provides recommendations for fair sentencing. A mixed-method approach (qualitative-quantitative) is used, including correlation tests with SPSS. The results show a significant correlation between state losses and sentence severity in Perma 1/2020. However, its implementation remains weak, with inconsistent judicial rulings leading to sentencing disparities. This study recommends strengthening the implementation of Perma No. 1/2020 to ensure consistency, transparency, and fairness in corruption sentencing and to restore public trust in justice.

## INTRODUCTION

The 1945 Constitution comprehensively mandates the state to create prosperity and justice for all Indonesian citizens. The sense of justice is related to the concept of justice in human life, which is not only based on legal regulations but also on moral values, social ethics, and humanity. In a social context, the sense of justice is often associated with how laws are applied humanely – not merely adhering to the letter of the law but also considering the conditions and feelings of the affected community. The law must not undermine the public’s sense of justice.

The issue of justice has now become a serious concern for both society and the government, particularly in monitoring law enforcement in Indonesia. Even Indonesia’s eighth President, Prabowo Subianto, as quoted by Liputan6.com (December 31, 2024) during the Musrenbangnas 2025-2029 at the Bappenas building in Menteng, Central Jakarta, on Monday (December 30, 2024), emphasized that “Lenient sentences for corruptors can harm the public’s sense of justice.” The widespread corruption in Indonesia has tarnished its global reputation in combating and enforcing anti-corruption measures. This decline is reflected in Indonesia’s Corruption Perception Index (CPI) for 2022-2023, which dropped to 34 points, classifying Indonesia as a corruption-prone country.

One of the main causes of the rising corruption cases is the weakness of legal regulations and law enforcement systems. Therefore, Nurhayati (2014) argues that, as part of efforts to uphold the rule of law, resolve controversies, and meet public demands for the swift resolution of corruption cases, the government must continuously refine legal frameworks and enhance the quality of law enforcement.

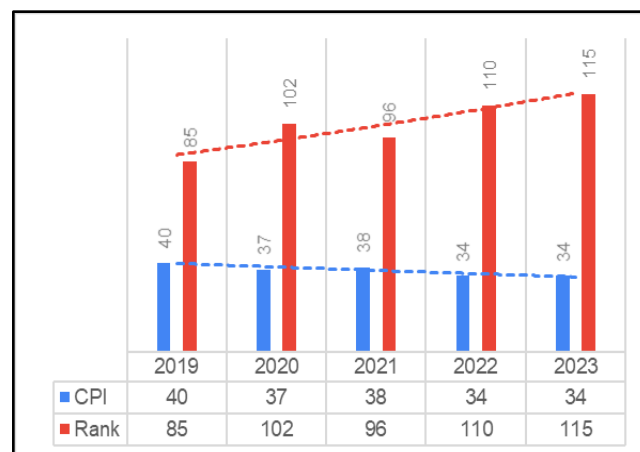


Figure 1. Indonesia’s Corruption Perception Index (CPI) 2019 - 2023  
Source: Data Analysis by ICW (2023 and 2024)

One of the efforts to refine legal regulations was the enactment of Law No. 20 of 2001, which amends Law No. 31 of 1999 on the Eradication of Corruption Crimes. This legal amendment was expected to introduce a new paradigm in ensuring legal certainty, eliminating multiple interpretations, and promoting fair treatment in combating corruption.

To achieve a more effective approach in preventing and eradicating corruption, the law specifically regulates sentencing provisions (straftoemeting).

These include the establishment of mandatory minimum sentences, higher fines, compensation penalties, and the possibility of the death penalty as an aggravated punishment, as outlined in the general explanation of Law No. 31 of 1999.

The Supreme Court of the Republic of Indonesia, in an effort to prevent sentencing disparities in corruption cases with similar characteristics – ensuring that judges impose penalties while strictly adhering to the principles of certainty and proportionality for fair law enforcement – issued Supreme Court Regulation (Perma) No. 1 of 2020. This regulation serves as a sentencing guideline for Articles 2 and 3 of Law No. 31 of 1999 on the Eradication of Corruption Crimes. The issuance of this sentencing guideline presents an interesting subject for research and forms the core issue of this study.

Based on the background explained above, the research problem is formulated as follows: “The loss of a sense of justice due to sentencing disparities in corruption cases is caused by the ineffective implementation of Supreme Court Regulation No. 1 of 2020.” Therefore, the purpose of this study is to conduct a juridical analysis of these sentencing provisions from a justice perspective, assess their implementation in law enforcement, and provide recommendations for judges in determining fair sentencing standards (strafstoemeting).

## LITERATURE REVIEW

To highlight the differences in focus between this study and previous research, the author conducted a literature review and inventory of prior studies. No previous research was found that shares the same title and core issue as this study, ensuring its scientific accountability and originality. However, several previous studies are relevant to the current research topic, particularly regarding the juridical review and implementation of sentencing provisions for corruption crimes, as outlined in the following discussion:

### 1) **Maria Gracia (2019) : “Integrating Law and Economics in Indonesia”.**

Maria Gracia (2019) conducted a study titled “Integrating Law and Economics in Indonesia.” The findings of this research were published in the UPH Law Review, Volume XVIII, No. 3 - March 2019. Gracia’s (2019) research fully integrates the ideology of utilitarianism. She explains that Bentham followed Adam Smith’s philosophy of the free market, believing that society should have the freedom to decide what to buy and what to produce. Alain Marciano, Adam Smith, and Jeremy Bentham are all considered founders of political economic philosophy. Although Smith and Bentham came from different academic disciplines, they shared a common goal: maximizing societal welfare.

Throughout history, it has been evident that legal issues have an economic dimension. Conducting legal analysis using an economic approach often involves certain assumptions, one of which is that every individual seeks to maximize their satisfaction rationally. The economic assumption suggests that human rationality and motivation influence behavior. Since humans are self-interested rational beings, their actions reflect what they value. This study provides a theoretical foundation for the current research, particularly regarding

the integration of law and economics in the context of corruption law enforcement in Indonesia.

**2) Tama S. Langkun, et, al. (2015) : “*Studinatas Disparitas Putusan Pemidanaan Perkara Tindak Pidana Korupsi*”**

Tama S. Langkun et al. (2015), researchers from Indonesian Corruption Watch (ICW), conducted a study on the characteristics of sentencing in corruption cases in Indonesia from 2009 to 2014. Their research was published as a study report by ICW and the Indonesian Legal Aid Foundation (YLBHI) for the years 2014/2015, under the title “Study on Sentencing Disparities in Corruption Cases.” The report highlights the existence of sentencing disparities in corruption cases, analyzing the patterns and factors contributing to these inconsistencies before the issuance of Supreme Court Regulation (PERMA) No. 1 of 2020 on guidelines for sentencing in corruption cases.

The present study serves as both a response and a follow-up to Langkun et al.’s (2015) research, specifically examining the sentencing framework after the implementation of PERMA No. 1 of 2020. Additionally, this research explores the perspective and legal implications of the new sentencing guidelines. As a result, the study provides a comparative analysis of sentencing disparities in corruption cases before and after the issuance of PERMA No. 1/2020.

**3) Indriyanto Seno Adji, (2020) : “*Korupsi : Economic Analysis of Law Dan Perspektif Implementasi Straftoemeting*”.**

Indriyanto Seno Adji (2020), a professor and legal practitioner, conducted a study titled “Corruption: Economic Analysis of Law and the Perspective of Straftoemeting Implementation.” The findings were published in the “Center for Economic Analysis of Law and Policy Bulletin.” In his study, Adji argues that crime prevention policies in criminal law, particularly regarding enforcement and prevention of corruption offenses, require a distinct understanding in relation to sentencing measures (straftoemeting). However, the traditional approach, which relies on classical methods and traditionalist interpretations emphasizing the principle of culpability with a deterrent effect, has not yet strengthened the corruption eradication system, especially in terms of enforcement. This indicates the need for a modern and updated approach to corruption prevention and enforcement.

The present study serves as a follow-up to Adji’s research, offering an alternative concept for determining sentencing measures in corruption cases. More specifically, this research comprehensively examines corruption sentencing regulations from the perspective of justice theory. The findings are expected to contribute to a contemporary approach to sentencing (straftoemeting) as an alternative solution for ensuring fair and just corruption eradication.

**4) Pniel Destenese Diocto (2023) : “*Putusan Hakim Tindak Pidana Korupsi Yang Tidak Berdasarkan Dengan Ketentuan Pemidanaan PERMA Nomor 1 Tahun 2020 Pada Pengadilan Negeri Pontianak*”**

P.D. Diocto (2023) conducted research on sentencing in corruption cases at the Pontianak District Court and found that most defendants were prosecuted

under Articles 2 and 3 of the Corruption Eradication Act (UU Tipikor) for acts that caused financial losses to the state. However, there was a significant disparity in court rulings on these cases. To address this issue, the Supreme Court issued Supreme Court Regulation (Perma) No. 1 of 2020 as a sentencing guideline. Despite this, the judicial panel views Perma as merely a guideline rather than a binding procedural law, meaning that judges continue to base their rulings on the prevailing legislation. However, this judicial discretion is not absolute; it must be exercised responsibly and free from internal or external interference.

This research aims to further examine sentencing trends, not just in individual cases but as a broader phenomenon over the past five years, since the Supreme Court introduced its sentencing regulations in 2020. A deeper legal analysis of these sentencing provisions will also be conducted, focusing on their implementation in corruption cases. As a recommendation, this study will explore alternative legal formulations, particularly regarding sentencing standards in corruption cases, to ensure greater consistency in judicial decisions and prevent sentencing disparities in corruption cases.

**5) Medani P. Bhandari, (2023) : *"The Corruption of a Chronic Disease of Humanity : Causes, Effect and Consequences"*.**

Medani P. Bhandari (2023), in the journal "ASEJ Scientific Journal of Bielsko Biala School of Finance and Law, Volume 27, No. I (2023), p. 13", wrote an article titled "The Corruption: A Chronic Disease of Humanity: Causes, Effects, and Consequences." His research states that corruption is a chronic disease that hinders development and weakens trust in institutions, particularly in developing countries. Eradicating corruption requires a collective effort from academics, practitioners, international bodies, the UN, and governments. Corruption cannot be eliminated overnight; instead, it demands long-term commitment and a comprehensive approach, including legal, institutional, and cultural reforms. Efforts should include strengthening legal frameworks, promoting transparency and accountability, ensuring integrity in public services, engaging communities, and addressing socio-economic factors. International cooperation, such as sharing best practices, providing technical assistance, and financial support, is also crucial.

Ultimately, minimizing corruption requires a cultural shift toward integrity, transparency, and ethics. Only through collaboration among all stakeholders can corruption be reduced, supporting sustainable development, social justice, and improved quality of life in developing countries. This study is closely related to the author's research, particularly regarding the essence of corruption, its impacts, and its root causes in developing countries. The findings serve as a foundation for analyzing the core issues of corruption, leading to the conclusion that one of the key factors driving the rise of corruption in Indonesia is sentencing policies.

## **METHODOLOGY**

The method applied in this study is a combination of qualitative and quantitative research methods, using a normative-empirical legal research approach. This approach examines the implementation of positive legal provisions (legislation) and contracts in actual legal events within society to achieve predetermined research objectives. The basis for using this combined method is to determine the extent to which sentencing provisions are applied in the enforcement of corruption crimes and to provide recommendations for judges in establishing fair sentencing standards (*straf-toemeting*) for corruption offenses. According to Muhaimin (2020), in scientific research, data collection techniques refer to the research process in which scientific methods are systematically applied to collect data, which is then analyzed to align with the research objectives.

Based on this concept, data collection techniques in this study involve gathering primary and secondary legal materials—including laws, Supreme Court Regulation (Perma) No. 1 of 2020, and other legal provisions related to the sentencing of corruption crimes, as well as previous research findings. Data collection is conducted through document studies (documentation techniques) and analysis of corruption crime verdicts from the Pontianak District Court over the past five years (2020–2024), obtained from SIPP (<http://10.11.12.13/sipp/>). Additionally, data is gathered through interviews with respondents and key informants, questionnaires (surveys), and direct observations of research locations and objects.

The qualitative analysis in this study focuses on non-numerical data, providing descriptive insights based on words and narratives rather than numerical figures. It prioritizes data quality over quantity. In contrast, numerical data—such as the total financial losses incurred by corruption during the observation period and the duration of corruption-related sentences—are analyzed using quantitative methods. This quantitative approach involves numerical data or variables to explore, investigate, and understand a phenomenon.

The findings are then discussed using a normative-descriptive approach, offering a legal perspective on the observed phenomena. To support data analysis, interviews with relevant parties, such as judges, and focus group discussions (FGDs) with key stakeholders are conducted. Additionally, supporting data—such as studies, reports, research journals, and other relevant sources—are collected to provide a comprehensive discussion on the phenomenon under study.

## **RESULTS AND DISCUSSION**

### **A. Juridical Analysis of Supreme Court Regulation No. 1/2020 on Sentencing Provisions for Corruption Crimes Under Articles 2 and 3 of Law No. 31/1999.**

Supreme Court Regulation (Perma) No. 1 of 2020 provides sentencing guidelines for corruption cases, specifically those regulated under Articles 2 and 3 of Law No. 31 of 1999 on the Eradication of Corruption Crimes. This regulation

aims to guide judges in imposing penalties on corruption offenders in a more consistent and measurable manner.

Article 2 of Law No. 31 of 1999 addresses acts of corruption that clearly cause financial losses to the state or national economy, which can be subject to severe punishments, including life imprisonment. This article focuses on deliberate actions by perpetrators that harm the state. Meanwhile, Article 3 regulates the abuse of authority by state officials or individuals in certain positions to enrich themselves or others, indirectly causing financial losses to the state.

Perma No. 1/2020 provides sentencing guidelines based on the severity of state financial losses and the role of the perpetrator in the corruption offense. It classifies state financial losses into several categories, ranging from minor to significant, each with corresponding sentencing consequences. The greater the financial loss caused by corruption, the harsher the punishment imposed. Additionally, this regulation considers various factors, such as the role of the perpetrator – whether they were the main actor or merely an accomplice – as well as any efforts made to compensate for state losses. The goal is to ensure proportional justice in sentencing by taking into account all relevant aspects of corruption cases.

This regulation establishes clearer sentencing standards for judges, aiming to minimize sentencing disparities across different courts. Perma No. 1/2020 also emphasizes the importance of transparency and accountability in the sentencing process for corruption crimes, ensuring that punishments genuinely reflect justice and serve as a deterrent to both offenders and the broader society.

Numerical data on corruption sentencing provisions under Perma No. 1/2020 is organized into tables for easier presentation and analysis. Sentencing for corruption offenses under Articles 2 and 3 is classified into five categories, with the sentencing provisions outlined in Table 1. To assess the correlation between the extent of state financial losses and sentencing provisions under Perma No. 1/2020, a statistical correlation analysis was conducted using SPSS software (Table bellow).

Table 1. Provisions of Perma No. 1/2020 on Sentencing for Corruption Crimes.

| Classification | State Losses          | Imprisonment  | Fine             |
|----------------|-----------------------|---------------|------------------|
| Heaviest       | > 100.000 juta        | 10 - 20 tahun | 500 - 1.000 juta |
| High           |                       | 16 - 20       | 800 - 1.000      |
| Medium         |                       | 13 - 16       | 650 - 800        |
| Low            |                       | 10 - 13       | 500 - 600        |
| Heavy          | 25.000 - 100.000 juta | 8 - 16 tahun  | 400 - 800 juta   |
| High           |                       | 13 - 16       | 650 - 800        |
| Medium         |                       | 10 - 13       | 500 - 650        |
| Low            |                       | 8 - 10        | 400 - 500        |
| Medium         | 1.000- 25.000 juta    | 6 - 13 tahun  | 300 - 650 juta   |
| High           |                       | 10 - 13       | 500 - 650        |
| Medium         |                       | 8 - 10        | 400 - 500        |

|          |                  |              |                |
|----------|------------------|--------------|----------------|
|          | Low              | 6 - 8        | 300 - 400      |
| Lighr    | 200 - 1.000 juta | 4 - 10 tahun | 200 - 500 juta |
|          | High             | 8 - 10       | 400 - 500      |
|          | Medium           | 6 - 8        | 300 - 400      |
|          | Low              | 4 - 6        | 200 - 300      |
| Lightest | < 200 juta       | 1 - 4 tahun  | 50 - 200 juta  |
|          | High             | 3 - 4        | 150 - 200      |
|          | Medium           | 2 - 3        | 100 - 150      |
|          | Low              | 1 - 2        | 50 - 100       |

Table 2. Results of Trend Correlation Analysis: Supreme Court Regulation (Perma) Number 1 of 2020 on Sentencing Provisions for Corruption Crimes under Articles 2 and 3 of Law Number 31/1999

|                 |                 | Kerugian Negara | Pidana Penjara | Pidana Denda |
|-----------------|-----------------|-----------------|----------------|--------------|
| Kerugian Negara | Correlation     | 1               | .703**         | .706**       |
|                 | Sig. (2-tailed) |                 | .003           | .003         |
|                 | Sum of Squares  | 1.052E12        | 1.531E8        | 6.387E8      |
|                 | Covariance      | 7.517E10        | 1.094E7        | 4.562E7      |
|                 | N               | 15              | 15             | 15           |
| Pidana Penjara  | Correlation     | .703**          | 1              | 1.000**      |
|                 | Sig. (2-tailed) | .003            |                | .000         |
|                 | Sum of Squares  | 1.531E8         | 45072.000      | 187050.000   |
|                 | Covariance      | 1.094E7         | 3219.429       | 13360.714    |
|                 | N               | 15              | 15             | 15           |
| Pidana Denda    | Correlation     | .706**          | 1.000**        | 1            |
|                 | Sig. (2-tailed) | .003            | .000           |              |
|                 | Sum of Squares  | 6.387E8         | 187050.000     | 776833.333   |
|                 | Covariance      | 4.562E7         | 13360.714      | 55488.095    |
|                 | N               | 15              | 15             | 15           |

\*Correlation is significant at the 0.01 level 2-tailed.

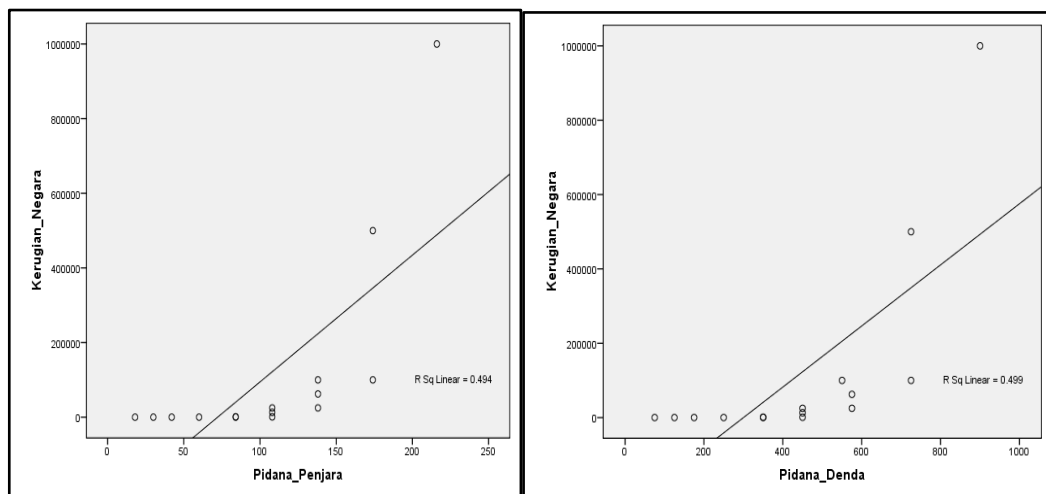


Figure 2. Scatter Plot Analysis of Trend Correlations: Perma Number 1/2020. Source: Statistical Analysis Results (SPSS) of Perma No. 1 of 2020.

The interpretation of the statistical correlation analysis using SPSS on Perma No. 1/2020 indicates a significant correlation between state financial losses and sentencing provisions, both in terms of imprisonment and fines. The correlation coefficient between state financial losses and imprisonment provisions is 0.703, while the correlation between state financial losses and fine provisions is 0.706. These correlation values indicate that the severity of sentencing for corruption crimes is directly influenced by the magnitude of financial losses caused by unlawful actions that harm the state or national economy.

The strong correlation between financial losses and sentencing provisions for both imprisonment and fines in corruption cases reflects efforts to enforce proportionality in criminal sanctions. Perma No. 1/2020 aims to create consistency in sentencing by linking the severity of punishment to the extent of state financial losses. This approach aligns with the principle of justice, ensuring that the greater the financial impact, the harsher the punishment, thereby reinforcing deterrence.

However, inconsistencies in judicial decisions and sentencing disparities remain issues that undermine public trust in law enforcement. Therefore, strengthening the implementation of Perma No. 1/2020 through stricter adherence to sentencing guidelines, increased judicial accountability, and greater transparency in rulings is essential. By establishing a more predictable and fair sentencing framework, public confidence in the judiciary can be restored while demonstrating the state's commitment to eradicating corruption and upholding the rule of law.

## **B. Implementation of Perma Number 1/2020 in Corruption Crimes**

The verdicts in corruption cases at the Pontianak District Court (PN Pontianak) contain several key elements that form the basis of legal considerations. These include proving the elements of corruption, determining the defendant's guilt or innocence, and imposing appropriate criminal sanctions. Judges assess whether the defendant's actions meet the elements stipulated in Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Eradication of Corruption Crimes, such as causing state financial losses, abuse of authority, or unlawfully enriching oneself.

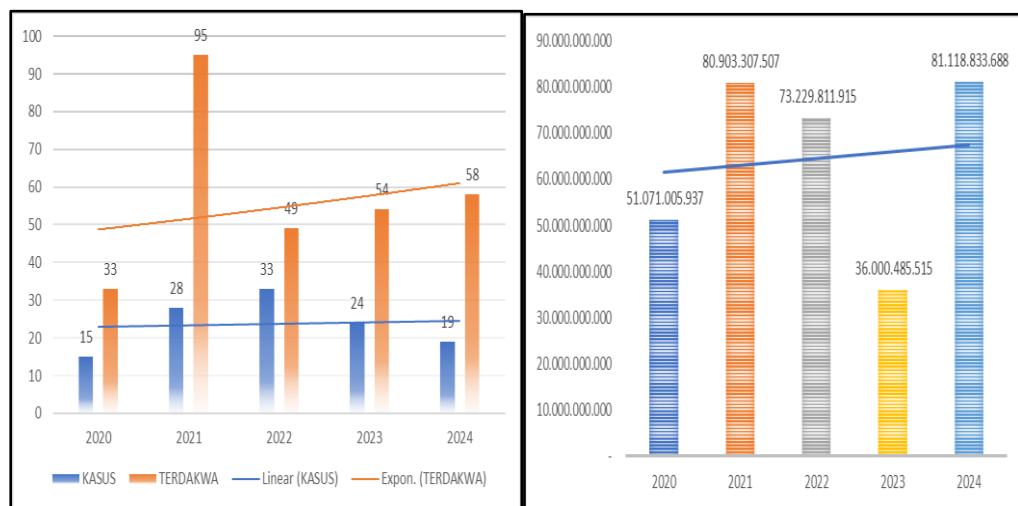
During the evidentiary process, judges consider legally valid evidence under Article 184 of the Criminal Procedure Code (KUHAP), including witness testimonies, documents, and expert statements. Additionally, they take into account mitigating or aggravating factors, such as efforts to recover state losses or the defendant's track record. If found guilty, the defendant may face imprisonment, fines, or an obligation to compensate for state losses. In some cases, the defendant's attempt to return state losses may serve as a mitigating factor, as regulated in Article 4, paragraph (2) of Perma No. 1 of 2020 on Sentencing Guidelines for Corruption Crimes. The verdict is final at the first-instance level but can be appealed by either the defendant or the public prosecutor to a higher court following the procedures established in KUHAP.

Moreover, compiling verdict data periodically can help analyze the characteristics of corruption crimes and sentencing patterns applied by the judges. For instance, by collecting and extracting verdict data on corruption cases

at PN Pontianak from 2020 to 2024, trends in corruption case handling after the enactment of Perma No. 1 of 2020 can be identified. This data can serve as an evaluation tool to assess the consistency of sentencing guidelines, disparities in punishments, and the effectiveness of state loss recovery efforts. According to Indonesian legal expert Prof. Romli Atmamasmita, consistency and transparency in corruption law enforcement are crucial to restoring public trust in the judicial system. Thus, analyzing these verdicts is not only beneficial for law enforcement but also for strengthening judicial accountability and integrity.

The data was obtained from <http://10.11.12.13/sipp/main>, organized into tabular form, and analyzed using a combined qualitative and quantitative approach to gain a comprehensive understanding of corruption crimes and the sentencing decisions made by judges in handling such cases. Numerical analysis of court verdict data on corruption cases after the enactment of Perma No. 1 of 2020 (from 2020 to October 2024) indicates significant trends. The total number of corruption cases at the Pontianak District Court reached 289, with 33 cases in 2020, 95 cases in 2021, 49 cases in 2022, 54 cases in 2023, and 58 cases as of October 2024. This fluctuation reflects the dynamics of corruption case handling and the effectiveness of Perma No. 1 of 2020 in law enforcement.

Most cases involved violations of Articles 2 and 3 of Law Number 31 of 1999 on the Eradication of Corruption Crimes, while a smaller proportion related to Articles 5 and 12. Corrupt practices during this period were estimated to have caused state losses of approximately IDR 373 billion, with the highest losses occurring in 2020 (IDR 105.965 billion) and the lowest in 2023 (IDR 36 billion). From a gender perspective, 95.16% of corruption perpetrators were male, while 4.84% were female. The following graphical analysis provides a more detailed overview of corruption trends, types of offenses, and financial losses to the state within the jurisdiction of PN Pontianak.



a. Corruption Case Trend

b. Total State Losses

Figure 3. Corruption Cases at the Pontianak District Court (2020–2024)  
(Source: 2025 Analysis Results)

According to Law Number 31 of 1999 on the Eradication of Corruption Crimes, various types of corruption offenses are specifically regulated along with

the articles they violate. The following are the types of corruption offenses and their corresponding articles :

- 1) Causing losses to state finances or the national economy (Article 2, Paragraph 1).
- 2) Abuse of authority, opportunity, or facilities (Article 3).
- 3) Bribery (Article 5, Paragraphs 1 and 2, and Article 11).
- 4) Gratification (Article 12B, Paragraph 1).
- 5) Extortion in office (Article 12, Letter e).
- 6) Fraudulent acts (Article 7, Paragraph 1, Letters a and b).
- 7) Conflict of interest in procurement (Article 12, Letter i).
- 8) Embezzlement in office (Article 8).
- 9) Receiving gifts or promises related to position or office (Article 12, Letters a and b).

Of the nine types of corruption offenses mentioned above, data analysis of corruption cases at the Pontianak District Court indicates that the most dominant offense is causing financial or economic losses to the state, followed by bribery and gratification. This finding suggests that acts causing financial losses to the state (Article 2, Paragraph 1) and abuse of authority, opportunity, or facilities (Article 3) have been the most prevalent corruption practices in West Kalimantan over the past five years, with an increasing trend each year.

To better understand this phenomenon and the disparities that arise, it is necessary to analyze sentencing data from court rulings on corruption cases. Additionally, an in-depth analysis of court decisions should be conducted. Sentencing disparities refer to inconsistencies in judges' rulings when imposing punishments on defendants convicted of similar offenses under Articles 2 and 3 of Law No. 31/1999. This analysis should also examine the standards judges use in their decisions—whether they align with sentencing guidelines or not. Furthermore, it is crucial to assess trends and correlations in rulings to determine whether certain cases tend to receive more lenient sentences, particularly those involving high-ranking officials or cases with significant financial losses to the state. This can be achieved by referencing judicial decision databases.

Based on an analysis of corruption verdicts referring to Articles 2 and 3 of Law No. 31/1999 in conjunction with Law No. 20/2001 on the Eradication of Corruption Crimes in the Pontianak District Court from 2020 to 2024, findings indicate a low correlation and significant disparity in sentencing. This disparity is reflected in the inconsistency of judges in sentencing defendants involved in corruption cases with similar characteristics. Statistical analysis reveals that the correlation between state financial losses and sentencing severity is minimal. The correlation coefficient between financial losses and imprisonment is only 0.022, while the correlation between financial losses and fines is 0.047. This suggests that financial losses are not a dominant factor in judicial considerations, leading to legal uncertainty and injustice in sentencing.

According to legal expert Romli Atmasasmita, sentencing disparities in corruption cases arise from varying judicial interpretations of the law and the absence of clear guidelines for determining appropriate punishments.

Furthermore, M. Yahya Harahap argues that inconsistencies in judicial decisions undermine legal certainty and fairness, which should be fundamental pillars of the justice system. These findings are consistent with previous research by Indonesia Corruption Watch (ICW), which highlights that corruption sentencing disparities are often influenced by non-legal factors such as political intervention or external pressure.

The weak correlation between financial losses and sentencing severity, both in terms of imprisonment and fines, reflects inconsistencies in legal enforcement that can erode public trust in the judicial system. When the severity of punishment does not correspond to the magnitude of financial losses inflicted on the state, the public may perceive law enforcement as unfair and disproportionate. This situation risks creating legal uncertainty and the impression that the law favors perpetrators with economic or political power.

Therefore, reforms are needed in sentencing policy implementation, including strengthening more objective and transparent sentencing standards based on substantive justice principles. By ensuring that punishments are proportional to the impact of the crime, the legal system can be more effective in deterring corruption, enhancing judicial accountability, and restoring public confidence in the state’s commitment to eradicating corruption.

Table 4. Results of Trend Correlation Analysis of Judges’ Rulings in Corruption Cases Under Articles 2 & 3 of Law No. 31/1999 at the Pontianak District Court (2020–2024)

|                 |                     | Correlations    |                |              |
|-----------------|---------------------|-----------------|----------------|--------------|
|                 |                     | Kerugian_Negara | Pidana_Penjara | Pidana_Denda |
| Kerugian_Negara | Pearson Correlation | 1               | .022           | .047         |
|                 | Sig. (2-tailed)     |                 | .802           | .593         |
|                 | N                   | 133             | 133            | 133          |
| Pidana_Penjara  | Pearson Correlation | .022            | 1              | .717**       |
|                 | Sig. (2-tailed)     | .802            |                | .000         |
|                 | N                   | 133             | 133            | 133          |
| Pidana_Denda    | Pearson Correlation | .047            | .717**         | 1            |
|                 | Sig. (2-tailed)     | .593            | .000           |              |
|                 | N                   | 133             | 133            | 133          |

\*\* . Correlation is significant at the 0.01 level (2-tailed).

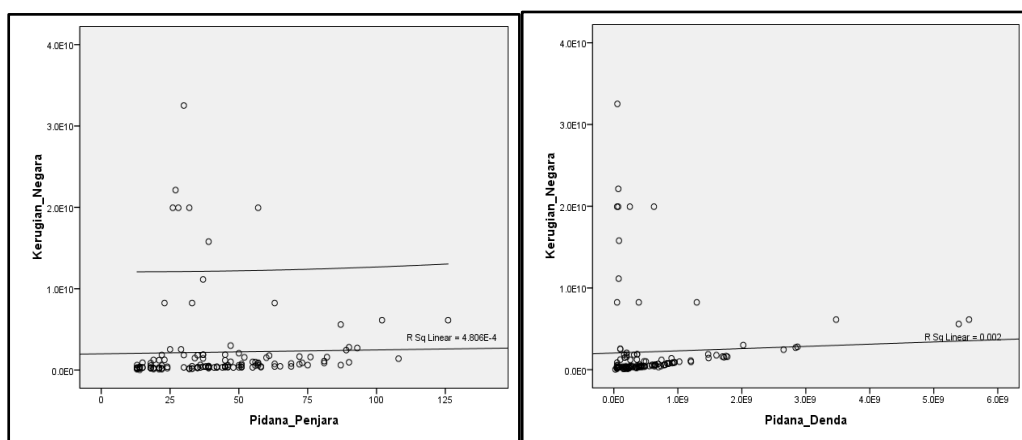


Figure 4. Scatter Plot Analysis of Trend Correlations in Judges’ Rulings on Corruption Crimes Under Articles 2 and 3 of Law No. 31/1999 at the Pontianak District Court (2020–2024). Source: SPSS Statistical Analysis Results

### **C. Enhancing the Effectiveness of Perma No. 1 of 2020 in Improving Judicial Accountability and Restoring Public Sense of Justice Amid Disparities in Corruption Sentencing**

Perma No. 1 of 2020 on Sentencing Guidelines for Articles 2 and 3 of the Corruption Eradication Law serves as a legal instrument aimed at creating uniformity in corruption sentencing. This regulation was introduced in response to public criticism regarding sentencing disparities, which often do not align with the financial losses suffered by the state or the level of culpability of the offenders. However, despite the existence of clearer guidelines, the effectiveness of Perma No. 1 of 2020 in restoring public confidence in justice still faces several challenges. Certain measures must be taken to ensure that this regulation is optimally implemented and provides legal certainty that is fair and just.

#### **1. *Consistency in Applying Sentencing Guidelines***

One of the main issues that persists is the inconsistency in how judges apply the sentencing guidelines. Although Perma No. 1 of 2020 classifies sentencing based on the amount of state financial losses, there are still cases where corrupt officials receive lenient sentences despite causing significant financial harm. Prof. Dr. Topo Santoso, S.H., M.H. asserts that uniformity in sentencing is a fundamental principle of due process of law, ensuring that justice is not only applied formally but also substantively to serve the public interest. Therefore, the Supreme Court must enforce stricter oversight to prevent judges from issuing rulings that deviate from the established guidelines.)

#### **2. *Strengthening Judicial Oversight***

To enhance the effectiveness of Perma No. 1 of 2020, judicial oversight must be reinforced. The Judicial Commission (KY) and the Supreme Court must ensure that every verdict handed down adheres objectively to the sentencing guidelines. In practice, many rulings contain subjective considerations that do not always align with principles of justice and legal certainty. Dr. Harkristuti Harkrisnowo emphasizes that strict oversight of corruption-related rulings is crucial for maintaining the integrity of the judicial system. Conducting regular evaluations of past rulings can also help identify patterns of deviation in sentencing and minimize disparities.)

#### **3. *Optimizing Additional Penalties as a Deterrent***

Beyond imprisonment and fines, sentencing effectiveness in corruption cases can be strengthened by implementing additional penalties, such as revocation of political rights, asset confiscation, and bans on holding public office. Dr. Refly Harun, S.H., M.H. argues that combating corruption requires more than just imposing lenient prison sentences; it must also include measures to impoverish corrupt officials, eliminating any financial incentives for engaging in corruption. By consistently enforcing these additional penalties, public confidence in the justice system can be restored, as offenders will not only face individual punishment but also long-term consequences for their actions.

#### **4. *Transparency and Accountability in Judicial Decisions***

Sentencing disparities in corruption cases often lead to negative public perceptions, primarily due to a lack of transparency in judicial proceedings. To address this, the Supreme Court must promote greater transparency in publicly communicating judicial rulings in corruption cases. Prof. Dr.

Hikmahanto Juwana, S.H., LL.M. stresses that disclosing the legal basis for corruption sentences is crucial to preventing negative assumptions about the judiciary. One potential step is to provide publicly accessible summaries of judicial considerations in corruption rulings. By ensuring greater transparency, the public can better understand the factors underlying judicial decisions and assess whether the rulings align with principles of justice.

## **CONCLUSION**

Factually, law enforcement in corruption cases still faces numerous challenges, particularly concerning the inefficacy of the sentencing system, which can undermine public trust. Although there is a correlation between the amount of state financial losses and the severity of punishment as outlined in Perma No. 1/2020, its implementation remains inconsistent, leading to sentencing disparities. On the other hand, the low correlation between financial losses and sentencing outcomes in certain cases indicates legal uncertainty that may favor corrupt offenders. To address this issue, sentencing policies must be strengthened to be more objective, transparent, and grounded in the principles of substantive justice. By implementing more consistent and proportional sentencing standards, the legal system can become more effective in deterring corruption, upholding the rule of law, and restoring public confidence in judicial integrity and the state's commitment to eradicating corruption.

While Perma No. 1/2020 represents progress in addressing sentencing disparities in corruption cases, its effectiveness still requires significant improvements. Ensuring consistency in applying sentencing guidelines should be a priority to maintain uniformity in judicial decisions. Stronger oversight of judicial rulings is necessary to prevent deviations from legal standards. Additionally, the more frequent application of supplementary penalties, such as fines and asset confiscation, is essential to create a stronger deterrent effect and reinforce proportionality in sentencing. Enhancing transparency in public communication regarding judicial rulings is also crucial to building accountability and public trust in the judicial process.

By implementing these measures, the effectiveness of Perma No. 1/2020 can be significantly improved, thereby reducing sentencing disparities for corrupt officials and restoring public confidence in the legal system. Strengthening these aspects will not only uphold the rule of law but also reinforce the moral and ethical foundations of justice, ensuring that sentences are commensurate with the severity of the crime and align with society's sense of justice.

## **ADVANCED RESEARCH**

Further research is essential to address ongoing challenges in the sentencing of corruption cases, particularly regarding the inconsistent application of **Supreme Court Regulation (Perma) No. 1 of 2020**. Despite its intent to reduce sentencing disparities, implementation has often been uneven, leading to legal uncertainty and diminishing public trust in the judiciary.

Future studies could focus on the following key areas:

1. **Assessment of Perma No. 1/2020 Implementation**  
An empirical analysis of court decisions to evaluate how consistently judges apply the sentencing guidelines.
2. **Correlation Between State Losses and Sentencing Severity**  
Research on the proportionality of sentences in relation to financial losses incurred, aiming to determine whether judicial decisions reflect substantive justice.
3. **Effectiveness of Supplementary Penalties**  
Examination of the use and impact of fines, asset confiscation, and restitution in enhancing deterrence and reinforcing accountability.
4. **Transparency and Public Trust**  
Analysis of how transparent judicial decisions affect public perception and trust in anti-corruption efforts.
5. **Policy Recommendations for Sentencing Reform**  
Development of more objective, measurable, and just sentencing frameworks to improve consistency and fairness in corruption rulings.

By addressing these areas, future research can contribute to a more transparent, proportional, and credible legal system, ultimately strengthening public confidence and the rule of law in the fight against corruption.

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