Vol. 8, No. 4, 2022, pp. 1007-1013
DOI: https://doi.org/10.29210/ 020221694

Contents lists available at Journal IICET

JPPI (Jurnal Penelitian Pendidikan Indonesia)
ISSN: 2502-8103 (Print) ISSN: 2477-8524 (Electronic)

Journal homepage: https://jurnal.iicet.org/index.php/jppi

The imposition of corruption criminal acts: handling corruption cases in Indonesia number. 28/PID.SUS.TPK/2020/JKT.PST

Sariat Arifia
University of Al Azhar Indonesia, Indonesia

Article Info

Article history:

Received May 09th, 2022
Revised Aug 31st, 2022
Accepted Oct 31th, 2022

Keyword:

Judges' legal decision making,
Deductive legal reasoning,
Corruption criminal act,
Handling corruption cases

ABSTRACT

The imposition of corruption offense in case Number. 28/PID.SUS.TPK/2020/ JKT.PST, where the imposition of the offense of participation in acts of gratification is separated into two categories, namely those who give bribes and those who are bribed. It is unclear how the Judge differentiates those who give bribes and those who are bribed. Thus, the research question is as follows: How is the implementation of participating in corruption cases in accordance with the case judgment number. 28/PID.SUS.TPK/2020/JKT.PST? Second, how is criminal behavior in corruption instances regulated in Indonesia? The research method employed is normative juridical, which means that it is based on an examination of pertinent laws and regulations. The study's conclusions include the absence of reason and logic in the judges' deliberations and decisions regarding the classification of bribery in case number. 28/PID.SUS.TPK/2020/ JKT.PST. Second, there is a legal vacuum or loophole in which no rules have a clear formula for classifying those who give bribes or those who are bribed. According to these two results, the regulation of participation in criminal acts of corruption still need conceptual and technical refinement in the future

Corresponding Author:

_Sariat Arifia,
University of Al Azhar Indonesia
Email: permai.martialart@yahoo.com

Introduction

Corruption is a serious problem in Indonesia. Many attempts have been made by the government to eradicate corruption, but it seems in vain. In the last five years, many books discussing corruption have been published, for example: works by Bubandt (2014); Febari (2015); Latif (2016); and Syahroni, Maharso, and Sujawardi (2018). The proliferation of criminal acts of corruption certainly makes the entire Indonesian nation nervous. It turns out that corruption occurs in various sectors as well as in the executive, legislative, and judicial branches, as well as in the private sector. Therefore, eradicating corruption is one of the main focuses of the government and the Indonesian nation. Efforts have been made to both prevent and eradicate corruption simultaneously, considering that it is both a white collar crime and an extraordinary crime. These efforts have actually been carried out and striven to produce results in the form of growing intentions to eradicate corruption in remote parts of Indonesia. During the reform period, in addition to the Police and the Prosecutor's Office, a number of implementing and supporting corruption eradication agencies were also formed, including the Corruption Eradication Commission (KPK), the Financial Transaction Reports and Analysis Center (PPATK), and the Witness and Victim Protection Agency (LPSK). special court for corruption. All of this is done in order to optimize efforts to eradicate corruption.

In early January 2020, Indonesian people faced a corruption case involving Harun Masiku, Wahyu

Setiawan, Saepul Bahri, and Agustiani Tio Fridelina. The subject matter registered and decided in case Number. 28/PID.SUS.TPK/2020/JKT.PST contains information about Harun Masiku trying to bribe the *KPU* (General Elections Commission) state official, Wahyu Setiawan. To simplify his business, Harun still called Saepul Bahri to help him, and Saepul Bahri then called, used, and mobilized Agustiani Tio Fridelina to help in his efforts to fulfill Harun Masiku's wish. (28/Pid.Sus-Tpk/2020/PN.Jkt.pst, 2021)

In criminal law, participation is known by several terms such as intervening in criminal events (*Tresna*), participating in offenses (*Karni*), participating (*Utrecht*), *Deelneming* (Netherlands), *Complicity* (England), *Teilnahme/Tatermehrheit* (Germany), Participation (French). (Arief, 2009) Von Feuerbach is one of the figures whose classifies two different forms of participation, namely, (a) those who directly try to occur a criminal event, these are called *auctores* or *urheber*, and (b) those who only assist the efforts of those who are called or those who do not immediately try, this is called *gehilfe*. *Urheber* took the initiative, and *gehilfe* was the only one helping out. (Rohrohmana, 2017)

Articles 55 and 56 of the Criminal Code have explained the meaning of "Participation," which means that:(Arfhan et al., 2019)

> "There are two or more people who commit a criminal act, or in words, there are two or more people taking part to realize a criminal act. It can be broadly stated that a person takes part in a relationship with another person to do a criminal act, perhaps long before it occurs."

Based on the statements of Articles 55 and 56 of the Criminal Code, it can be understood that a series of activities involving several or more than two people with these actions aim to realize a criminal act. Then the people involved in the act can be categorized as participating in the criminal act committed.

The reformation was announced 22 years ago, and a President who led for almost three decades fell because of the rampant issue of corruption, collusion, and nepotism. Then a new order was born, the reform order with an Indonesian ideal free from corruption, collusion, and nepotism. This ideal was later stated in the Indonesian corruption law number 31 of 1999. This law is different from the previous corruption law. There is an extraordinary acts and motivation to stop corrupt practices that are rampant in the new order regime. The specialty of the corruption law number 31 of 1999 by replacing this law number 3 of 1971, as stated in the preamble to Law number 31 of 1999, it can be seen: (Salmi, 2009)

Corruption is detrimental to state finances or the state economy and hampers development. (Agung, 2015) As a result of corruption that has occurred, apart from harming state finances or the state economy, it also hampers the growth and continuity of national development, which demands high efficiency; (Tuka, 2017) Law Number 3 of 1971 concerning the Eradication of Criminal Acts of Corruption is no longer by the development of legal needs in society. Therefore it needs to be replaced, thus it is expected to be more effective in preventing and eradicating corruption.(Ridwan, 2010)

Moreover, Indonesia has also signed the United Nations Convention Against Corruption (UNCAC) 2003. It was ratified on April 18, 2006, through Law Number 7 of 2006 concerning Ratification of the United Nations Convention Against Corruption, 2003. (United Nations Convention Against Corruption, 2003). The ratification of this Convention is Indonesia's commitment to improving the image of the Indonesian nation in the international political issue. (Hukum Pidana Internasional, Bandung: Pustaka Reka Cipta, 2013, Hal. 179., 2013)

Furthermore, UNCAC 2003 adheres to the internationalist paradigm by prioritizing the harmonization of legal system models of "Civil Law" and "Common Law,"; while Law Number. 31 of 1999, in conjunction with Law Number. 20 of 2001, adopts a nationalist paradigm that prioritizes "Civil Law" legal system model.(Pengantar Hukum Pidana Internasional Bagian II. Jakarta: PT. Hecca Mitra Utama, 2004, Hal. 141, 2004)

A commission or delicta commission is essentially an act prohibited by law. Most of the criminal provisions in the law and the Criminal Code are in the form of commission offenses since it contain prohibitions for committing an act. The opposite of delicta commission or commission offense is not doing what is required or required by law. Delicta commission is based on an adage *qui potest et debet vetara, tacens jubet*, which means a person who stays, does not prevent, or does not do something that must be done, just as the intended order.(Hiariej, 2016) This is where the provisions of Article 55 of the Criminal Code as a norm related to the concept of inclusion doctrine are used to capture perpetrators as intended in the inclusion doctrine regarding messengers, persuaders, and participating actors. In contrast, the participation of superiors as non-material actors increases in addition to the forms of doen *plegen* and *uitlokken*, which have been known in The repertoire of Indonesian criminal law, which is referred to as superior with the construction of commission or omission acts, the construction of doen *plegen* and *uitlokken* can be used for superiors but not all roles such as omission or

action that does not prevent acts of corruption which of course are not attached to *doen plegen* and *uit lokken*. (Hiariej, 2016)

If there is an omission, then the elements of Article 19 and Article 28 of UNCAC 2003 become useful as the basis for what is called an act of not preventing corruption because of the element of "knowledge." Nothing has changed. In other words, nothing has changed with the concept of inclusion in the Criminal Code, only an expansion of the understanding of participation specifically to people who have superior qualities which can be punished if they are directly related to their duties and functions to prevent acts of corruption but do not commit or otherwise commits an act. However, it is difficult to include it in the scheme of Article 55 of the Criminal Code. (Hiariej, 2016)

Furthermore, most importantly and not yet regulated in Article 55 of the Criminal Code, criminal responsibility for failure to prevent the occurrence of criminal acts of corruption on orders which are expressly regulated in Article 19 UNCAC 2003 as abuse of functions, then the criminal responsibility is under the general principle of irrelevance of capacity (deviation of authorized officials) which shows the main objective of UNCAC 2003 that every person (a public official) who wants a criminal act of corruption against the welfare of society has an individual responsibility and criminal responsibility.

In deciding this corruption case, with his participation, the judge is the main pillar and the last place for justice seekers in the justice process. As one of the elements of judicial power that receives, examines and decides cases, judges must provide justice to justice seekers. (Latief, 2007) Article 1 paragraph (8) of the Criminal Procedure Code states judges are districted court officials authorized by law to adjudicate. Thus, the function of a judge is someone who is authorized by law to conduct or adjudicate every case delegated to the court. (Mulyadi, 2007)

As state officials and law enforcers, judges are obliged to explore, comply and acknowledge the legal values and sense of justice in society. In considering the severity of the crime, the judge must also consider the good and evil nature of the defendant (Article 28 of Law No. 4/ 2004143 in conjunction with Law No. 48/2009). A judge is obliged to resign from the trial if he is bound by blood or marriage relations to the third degree, or a husband and wife relationship even though they are divorced, with the chairman, one of the member judges, prosecutors, advocates, or clerks (Article 30 paragraph (1) of Law Number. 4 /2004145Jo 146. Law Number. 48/2009).

Based on this, the formulation of the problems in this study is, first, how is the implementation of participating in corruption cases in corruption cases with the decision of the case decision Number. 28/PID.SUS.TPK/2020/JKT.PST? Second, how is the regulation of criminal acts involved in corruption cases in Indonesia? The legal theory used is the legal theory of participation, or *deelneming*, and the judge's decision, which is supposed to be reasonable and logical by using deductive legal reasoning methods. The research method used is normative juridical, namely the approach taken by reviewing the laws and regulations and other regulations relevant to the problem to be studied.

Method

Research Location

Data and information are needed in the framework of the preparation of this article, and the authors conducted research in Jakarta, namely the Corruption Court at the Central Jakarta District Court. The author also collects data at the Al Azhar University Library in Indonesia.

Type and Sources of Data

Based on the problems studied, the research is research in legal science (legal research) with a concentration on criminal law. The approach to the problem in this study was carried out in a normative juridical manner; namely, the approach carried out by reviewing the laws and regulations and other regulations relevant to the problem to be studied. The data sources used in this paper can be classified into two types, namely: 1) Primary Legal Materials, obtained from the Corruption Court Decision at the Central Jakarta District Court; Materials related to the Decision; the indictment of the Public Prosecutor; Public Prosecutor's Demands; Pledoi of the Legal Advisory Team and the Decision Order; 2) Secondary Legal Materials obtained from relevant books, kinds of literature, documents, and archives through library research.

Data Collection Techniques

This study uses data collection techniques in the form of Library Research to collect several data, including library materials sourced from books, archives, and legislation related to this research. The use of qualitative analysis techniques includes all data that has been collected and then processed, thus forming a description that supports the qualifications of this study. The data analysis technique used is a qualitative approach, answering

and solving, and a thorough and complete deepening of the object under study.

Results and Discussions

The definition of participation or *deelneming* is not explicitly specified in the Criminal Code (Juanda, 2017). The form of participation in Article 55 paragraph (1) to 1 of the Criminal Code stipulates that those convicted of being the maker or father of a criminal act are: first: Those who commit, who order to do and participate in doing (*zin die hetfeit plegen, doen plegen, en medeplegen*)" In the case of Corruption, as stated in Article 2 paragraph (1) of Law Number. 31 of 1999 jo. UU Number. 20 of 2001 concerning the Eradication of Corruption Crimes stated:

"Every person who unlawfully commits an act of enriching himself or another person or a corporation that can harm the state's finances or the state's economy is sentenced to life imprisonment or a minimum of 4 (four) years and a maximum of 20 (twenty) years.) years and a fine of at least Rp. 200,000,000 (two hundred million rupiahs) and a maximum of Rp. 1,000,000,000, (one billion rupiah)."

Furthermore, Article 3 states: "Every person who benefits himself or another person or a corporation, abuses the authority, opportunity or facilities available to him because of a position or position that can harm state finances or the state economy, shall be punished with life imprisonment. or imprisonment for a minimum of 1 (one) year and a maximum of 20 (twenty) years and or a fine of at least Rp. 50,000,000, - (fifty million rupiah)."

Therefore, there are many applications of inclusion that are not under Article 55 paragraph (1) -1 of the Criminal Code in the case of Corruption Crimes because there are still many cases related to corruption which in the indictment, demands and decisions do not explain in detail the position of the perpetrator in the article. The perpetrator's position is very important because it relates to the perpetrator's accountability so that an explanation regarding the position of the perpetrator of corruption will be obtained when it is associated with the doctrine of inclusion, to know related to criminal responsibility.(Juanda, 2017)

According to Wiryono Kusumo, considerations are the basis for a judge's decision or a judge's argument in deciding a case. If the legal argument is untrue and improper (proper), people can judge that the decision is untrue and unfair. (*Pasal 55 Ayat (1)*, 2020)

Moreover, according to Sudikno Mertokusumo, the judge's decision includes instructions and heads of decisions, considerations, and orders. From that scope, consideration is seen as the basis for the decision. Strong reasons under consideration as the basis for the decision make the judge's decision objective and authoritative. (Hukum Acara Perdata Indonesia, Jogyakarta: Liberty, 1993, Hal. 174., 1993)

Therefore, it can be said that basis for consideration is the argument that becomes the basis/material for compiling the considerations of the panel of judges before the panel of judges makes a legal analysis which is then used to pass a decision on the defendant. Because the better and more precise the considerations used by the judge in a decision, the more the judge who makes the decision will have a sense of justice. In addition, concerning justice itself, the position of a judge who has the task of adjudicating and deciding cases must be truly trustworthy, fair, and impartial in judging and deciding a case. Therefore, the objectivity of judges in adjudicating cases, the responsibility of judges for their decisions, and the freedom of judges in hearing and deciding cases are factors that need to be considered.(Arfhan et al., 2019)

For judges, decision-making is not just a matter of inductive reasoning, deduction, or analogy. However, the demand that every decision is reasoned with common sense and logic is always necessary and cannot be negotiated. This requirement is not required "after" presenting the facts in the legal process but is inherent in the legal process itself.(Weruin, 2017)

Therefore, logic and legal reasoning are always relevant since logic and legal reasoning mean (Weruin, 2017): 1) Guarantee the validity of an argument and a way to get closer to truth and justice; 2) Helping prospective legal practitioners, lawyers, prosecutors, and judges, analyze, formulate, and evaluate facts, data, and legal arguments; ability in this field is the crown and heart of the skills of lawyers and judges in deciding a legal case; 3) An understanding of the principles of logical inference, both deduction, analogy, and generalization of induction, is not only useful in understanding legal issues, practices, and decisions but also in everyday empirical experiences and scientific observations; 4) The main domain and essence of legal practice or judgment is none other than practical reasoning with logic as its basis.

In law, the application of the law in the same case as in other cases, then the same law will be applied in other cases. The reason is that the two cases have a lot in common. The same is true of other areas of legal reasoning. Example:

Premise 1: In the case of X1, elements a, b, and c are revealed, and the plaintiff is declared victorious,
Premise 2: In case X2, elements a, b, and c are also revealed, and the plaintiff is declared victorious,
Premise 3: In the case of X3, elements a, b, and c are also revealed, and the plaintiff is declared victorious,
Conclusion: In all cases, when elements a, b, and c are revealed, the plaintiff should also win.

This method of deductive legal reasoning can be extended to include other premises as well. For example:

Premise 1, Murder is the act of killing a human being with an act of planned revenge that is against the law.
Premise 2, Jono shoots and kills Hari.
Premise 3, Jono does not have any legal justification for killing Hari.
Premise 4, Hari is human.
Premise 5, Jono kills Hari in the act of premeditated revenge.
Conclusion: Jono is certainly guilty of murder.

The rules of deductive reasoning (syllogisms) consist of rules relating to terms and rules relating to propositions. These rules must be adhered to so that the resulting conclusions are valid (Weruin, 2017). Reasoning from the various considerations listed in DECISION NUMBER. 28/PID.SUS.TPK/2020/ JKT.PST. Based on the description of the judge's consideration in succession, a conclusion can be drawn, including the following:

Harun Masiku is the one who gives the gratification, while Wahyu is the one who receives the gratification. The parties involved were Saipul Bahri, Donny Istiqomah, and Agustiani Tio Fridelina. Saipul Bahri is the driving force and the party that fully controls Agustiani Tio Fridelina. Agustiani Tio Fridelina's existence was solely due to the orders and wishes of Saepul Bahri.

When Saipul is stated as participating from Harun Masiku, the logical consequence is that Agustiani Tio Fridelina is Saepul Bahri's participation, not Wahyu Setiawan. Agustiani Tio Fridelina's presence and participation are not initiatives and are not controlled by Wahyu Setiawan.

The judge deliberately denied the facts and considerations made by himself. On the contrary, he suddenly postulated separately that Agustiani Tio Fridelina was part of Wahyu Setiawan by ignoring the chronology and weighting of each role in the construction of the case.

The judge was proven to have neglected his role in exploring and providing a sense of justice, as described by Firmansyah Hilipito. It was said that Law Number. 48 of 2009 concerning Judicial Power stipulates in Article 3 paragraph (1) that "in carrying out their duties and functions, judges and Constitutional judges are obliged to maintain the independence of the judiciary." and free from all forms of pressure, both physical and psychological.

Concerning the independence of judges, which causes court decisions to determine participation, it also includes punishment for participating in criminal acts. Number 48 of 2009 concerning Judicial Power, which in Article 5 paragraph (1) states that judges and constitutional judges are obliged to explore, follow and understand legal values and a sense of justice that live in society. This provision contains the same meaning as the editorial explanation of Article 2 paragraph (1) of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption (Hilipito, 2016) .

Whereas in adjudicating this case, the judge did not fully implement it based on Law Number 8 of 1981 concerning the Criminal Procedure Code, which according to the provisions of the law referred to in Article 160 paragraph (1) letter c states: "If there are witnesses, both favorable and incriminating, the Defendant is listed in the letter of delegation of the case and or requested by the defendant. The defendant or legal adviser, or public prosecutor, during the trial or before the verdict is handed down, the judge, the trial chair, is obliged to listen to the witness's testimony (Kusuma, 2009). In the decision and considerations formulated by the judge, several important things did not heed. They contained the testimony of witness Saipul regarding the position of Agustiani Tio Fridelina, which stated that Agustini Tio Fridelina was his subordinate.

Suppose it is connected between Article 55 of the Criminal Code and *Deelneming's* value. In that case, there is no criminal event between the perpetrators having equal positions and roles, meaning that it is not logical if, in handling a criminal case, the judge states that Article 55 of the Criminal Code is proven to be limited to stating the existence of collective relationship cooperation. In a criminal case, it is very important to find a relationship between the perpetrators in solving a criminal act, namely jointly committing a crime; one person has the will and plans a crime while using another person to do the crime. (Kusuma, 2009)

Therefore, it can be said that panel of judges failed to trace the formal truth of Article 55 of the Criminal Code, which was applied to Agustiani Tio Fridelina. As a result, at the end of the implementation of the application of the teachings of participating in cases of criminal acts of corruption, it is not following the theory

of criminal responsibility due to its inappropriate application and does not meet the elements of justice. This is because the perpetrators of corruption cannot be punished according to what they have done.

Failure to disclose their respective roles results in legal confusion, legal uncertainty, and providing injustice in considering the cases disclosed, even though the name of the court should be able to provide fairness in every decision taken.

In the decision of the corruption case Number. 28/PID.SUS.TPK/2020/JKT.PST, Agustiani Tio Fridelina participated; due to the ambiguous placement of participation, Agustiani, as the party invited to participate by Saipul Bahri, had to receive a sentence of 4 (four) years more than Saipul Bahri himself, who was only sentenced to one year in prison, even though in terms of case reconstruction, Saipul Bahri was the mover, controller of Agustiani Tio Fridelina and also the initiator, recipient, and organizer of case management fees. Therefore, in the future, it is necessary to improve how the determination of participation is under the facts on the ground so that the law runs as it should, which is expected to provide justice for anyone.

Conclusions

First, based on the deductive reasoning methodology, no reason and logic were found in the judgment and decision-making of judges in deciding the classification of participation in bribery in the decision of case Number. 28/PID.SUS.TPK/2020/JKT.PST, therefore the regulation of participating in corruption crimes still has to be further refined, both conceptually and technically in the field. The judge could not provide a complete picture of what and who played what role in full. Thus, this decision is unfair and wrong in determining the position of the construction of his participation, where Agustiani Tio Fridelina actually and should be the participation of Saepul Bahri, who has been declared as participating briber.

Second, this irrational and logical decision-making is possible because of a legal vacuum or loophole in the corruption law. There are no clear rules containing legal formulations governing the classification of participation for bribers or those given bribes in criminal and corruption cases.

As suggestions concerning participation as described in Article 55 of the Criminal Code, the parameters that need to be determined in the future are participation between the bribed and bribed parties. This can be done if the judge wants to explore their respective roles and responsibilities, for example:1) A person can be said to be a "Participating Bribery" if he is indeed summoned, ordered, and controlled by the bribe giver; 2) While a person can be said to be a "Participating Bribery Receiver" if he is summoned, ordered, and controlled by the bribe recipient. With these parameters, it is hoped that it will reduce bias. The classifier will participate, which results in unjustly imposing penalties in the future.

References

28/Pid.Sus-Tpk/2020/PN.Jkt.pst, P. P. N. (2021). *Putusan Perkara Nomor 28/Pid.Sus-Tpk/2020/PN.Jkt.pst*. file:///C:/Users/Idzni/Documents/Berkas Caski/Tesis Zam/pn_jkt.pst_20210107.pdf

Agung, K. M. (2015). Urgensi Kebijakan Pidana dalam Pemberantasan Korupsi di Indonesia. *Jurnal Magister Hukum Udayana*, *4*(3), 44165.

Arfhan, H., Din, M., & Sulaiman, S. (2019). Ajaran Turut Serta Tindak Pidana Korupsi. *Syiah Kuala Law Journal*, *3*(1), 35–52.

Arief, B. N. (2009). Hukum Pidana Lanjut. *Semarang: Badan Penyediaan Bahan Kuliah FH Undip*.

Asser, C. (1896). *Handleiding tot de beoefening van het Nederlandsch burgerlijk recht: Dl. 1 [Personenrecht]/met medew. van Ph. W. van Heusde* (Vol. 1). Tjeenk Willink.

Pengantar Hukum Pidana Internasional Bagian II. Jakarta: PT. Hecca Mitra Utama, 2004, hal. 141, (2004).

Hukum Acara Pidana Indonesia, Jakarta: Sinar Grafika, 2008., (2008).

Hiariej, E. O. S. (2016). *Prinsip-prinsip hukum pidana*. Cahaya Atma Pustaka.

Hilipito, F. (2016). Pertanggungjawaban Pidana terhadap Turut Serta (Medeplegen) Melakukan Tindak Pidana Menurut KUHP. *Lex Privatum*, *4*(5).

Juanda, E. (2017). Konstruksi hukum dan metode interpretasi hukum. *Jurnal Ilmiah Galuh Justisi*, *4*(2), 168–180.

Kusuma, I. A. (2009). *Analisis konstruksi hukum hakim dalam pembuktian sebagai dasar pertimbangan dalam memutus perkara korupsi gratifikasi*.

Latief, M. A. (2007). Kebijakan Reformasi Hukum: Suatu Rekomendasi (jilid II). *Jakarta: Komisi Hukum Nasional RI*.

Dasar-Dasar Hukum Pidana, Jakarta: Sinar Grafika, 2011., (2011).

Mawar, S. (2020). Metode Penemuan Hukum (Interpretasi Dan Konstruksi) Dalam Rangka Harmonisasi Hukum. *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial*, *1*(1), 22–38.

Hukum Acara Perdata Indonesia, Jogyakarta: Liberty, 1993, hal. 174., (1993).

Mulyadi, L. (2007). *Putusan hakim dalam Hukum Acara Pidana: teori, praktik, teknik penyusunan, dan permasalahannya*.

Pasal 55 Ayat (1). (2020). Penerapan Ajaran Penyertaan Yang Tidak Sesuai Menurut Pasal 55 Ayat (1) Ke - 1 KUHP Oleh Jaksa Penuntut Umum Dalam Dakwaan Kasus Tindak Pidana Korupsi Dihubungkan Dengan Pertanggungjawaban Pidana Dalam Putusan Pengadilan Negeri Bandung No. 26/ Pid.Sus-TPK.

Ramelan, Y. (2018). Penerapan Saksi Pidana Korporasi pada Bank dan Implikasinya. *Jurnal Hukum & Pembangunan*, *48*(4), 861–882.

Ridwan, R. (2010). *Kebijakan Formulasi Hukum Pidana Dalam Penanggulangan Tindak Pidana Korupsi*. UNIVERSITAS DIPONEGORO.

Rohrohmana, B. (2017). PENERAPAN AJARAN TURUTSERTA DALAM TINDAK PIDANA KORUPSI. *Yuridika*, *32*(2), 210–227.

Asas-Asas Hukum Pidana di Indonesia Dan Penerapannya, Jakarta: Alumni AHM, 1982, (1989).

Salmi, A. (2009). PIDANA PEMBAYARAN UANG PENGGANTI: DULU KINI DAN MASA DATANG. *Jurnal Hukum & Pembangunan*, 217–236.

Hukum Pidana Internasional, Bandung: Pustaka Reka Cipta, 2013, hal. 179., (2013).

KUHP dan Penjelasannya, Surabaya: Usaha Nasional, 1980.

Tuka, S. T. (2017). *Tidak Dibayarnya Uang Pengganti Oleh Terdakwa Tindak Pidana Korupsi Di Pengadilan Tipikor Kupang*.

Dasar Dasar Hukum Pidana di Indonesia, Tangerang Selatan : PT Nusantara Persada Utama, 2017, (2017).

Weruin, U. U. (2017). Logika, Penalaran, dan Argumentasi Hukum. *Jurnal Konstitusi*, *14*(2), 374–395.

Pembahasan Undang-Undang Pemberantasan Tindak Pidana Korupsi, Jakarta: Sinar Grafika, 2005., (2005).