

Indonesian Journal of Pancasila dan Global Constitutionalism

Volume 2 Issue 1 (January-June 2023), pp. 103-138

ISSN 2830-0629 (Print) 2830-0610 (Online)

<https://doi.org/10.15294/ijpgc.v2i1.59806>

Published biannually by the Faculty of Law, Universitas Negeri Semarang, Indonesia and managed by Pancasila dan Constitution Studies Center, Universitas Negeri Semarang, INDONESIA

Available online since January 26, 2023

Pancasila as a Source of Law in Enforcing Corruption in Indonesia

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ABSTRACT: Indonesia is currently in a state of emergency in law enforcement, especially in cases of corruption. Law enforcement in Indonesia is still quite alarming because the law in Indonesia still views the public and officials, this view is certainly not equal and not in accordance with the values contained in Pancasila. With the inequality of legal equality of corruption, there are many problems ranging from health to the economy. Corruption is an act that is very detrimental in various sectors, especially in its enforcement that is not in accordance with the values of Pancasila which causes enforcement in Indonesia to be very sad. In the discussion of this journal, it focuses more on the values of Pancasila so that law enforcement in Indonesia returns to normal or enforcement in Indonesia can be said to be equivalent which contains the values of Pancasila in it. In taking the material in this journal, we use the library study method which will add insight into how to take the attitude of Pancasila values in law enforcement corruption.

KEYWORDS: Pancasila, Anti-Corruption, Law Enforcement, Sources of Law

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Submitted: 11/12/2021 **Reviewed:** 13/03/2022 **Revised:** 19/08/2022 **Accepted:** 12/12/2022

HOW TO CITE:

Nugroho, Andre Setyo. "Pancasila as a Source of Law in Enforcing Corruption in Indonesia. *Indonesian Journal of Pancasila and Global Constitutionalism* 2, No. 1 (2023): 103-138. <https://doi.org/10.15294/ijpgc.v2i1.59806>



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I. INTRODUCTION

Seeing that Indonesia's current problem is the most crisis and fatal is the problem of corruption, where the problem of corruption has plundered in various sectors ranging from the smallest sector of society to the political sector that harms the nation and state. Indonesia lately has a condition of concern in terms of enforcing the law, where the condition of legal equality in various parties is very less strong or in other words burden some for the next party.¹ This law enforcement problem cannot be taken lightly because the resulting impact is large enough to affect the survival of the nation and state. Corruption is not a new problem in Indonesia, corruption has existed since the colonial era where corruption itself originated from the innate nature of the colonials which was then imitated by higher-ups in Indonesia, although there was already a law that bound the corruption problem, but the problem still occurs and more sadly the legal force in Indonesia is not strong to deal with the problem of

¹ Hasanuddin, Iqbal. "Keadilan sosial: Telaah atas filsafat politik John Rawls." *Refleksi* 17.2 (2018): 193-204; Faiz, Pan Mohamad. "Teori Keadilan John Rawls (John Rawls' Theory of Justice)." *Jurnal Konstitusi* 6.1 (2009): 135-149.

corruption.² Corruption cases themselves, for example, there are still corruptors who get punishments not in accordance with their actions, or even in providing punishments such as prison terms, for example, are even reduced, this is very concerning.

Based on Law Number 31 of 1999, Corruption is the act of any person who unlawfully commits an act of enriching himself or others or a corporation that can harm the state's finances or the country's economy. Whereas in the Big Indonesian Dictionary (KBBI), corruption is the misappropriation or misuse of state money, companies, etc., for personal or other people's benefit. Corruption in Indonesia is a common thing in the ears of the public, this is because it almost always occurs in a short period of time, there must always be corruption committed by officials. This is due to the lack of implementation and the strength of faith in the enforcement of Pancasila in daily activities by officials. Seeing that Indonesia's condition is slumped due to corruption, instead of looking for a quick way to handle it, law enforcement is indifferent or less swift in eradicating corruption cases, it is even more sad that law enforcement is the one who commits corruption.³ Various policies have been

² Rais, Muslih. "Nilai Keadilan Putusan Hakim Pada Perkara Tindak Pidana Korupsi." *Al Daulah: Jurnal Hukum Pidana dan Ketatanegaraan* 6.1 (2017): 121-144; Sutrisno, Sutrisno, Fenty Puluhulawa, and Lusiana Margareth Tijow. "Penerapan Asas Keadilan, Kepastian Hukum Dan Kemanfaatan Dalam Putusan Hakim Tindak Pidana Korupsi." *Gorontalo Law Review* 3.2 (2020): 168-187; Saputra, Inggar. "Implementasi Nilai Pancasila dalam Mengatasi Korupsi di Indonesia." *JPPKn (Jurnal Ilmiah Pendidikan Pancasila dan Kewarganegaraan)* 1.2 (2017).

³ Lewis, Blane D., and Adrianus Hendrawan. "The impact of majority coalitions on local government spending, service delivery, and corruption in Indonesia." *European Journal of Political Economy* 58 (2019): 178-191; Pertiwi, Kanti, and Susan Ainsworth. "'Democracy is the Cure?': Evolving Constructions of Corruption in Indonesia 1994–2014." *Journal of Business Ethics* 173.3 (2021): 507-523; Prihanto, Hendi, and Itjang D. Gunawan. "Corruption in Indonesia (Is It Right to Governance, Leadership and It to Be Caused?)." *Journal of Economics and Sustainable Development* 11.2 (2020): 56-65.

implemented ranging from laws to the establishment of institutions dealing with corruption, the KPK for example. However, this is still an indicator that law enforcement agencies in Indonesia have not been optimal in carrying out their duties, which can have an impact on public trust in the government in eradicating corruption.⁴

Corruption can be categorized as an act that is very detrimental to the nation and state. Many people are affected by the consequences of the corruption problem so that it will slowly damage national resilience. Corruption as a form of abuse of position, power, the opportunity to fulfill the interests of oneself and or its group against the interests of the common (society). The law in Indonesia must be fair, especially in the enforcement of corruption, in law enforcement, we Indonesians have a fairly strong source of law, namely Pancasila. Pancasila has all legal bases because Pancasila is a legal basis that has been agreed upon in such a way that by the high-ranking officials of ancient times taking into account the consequences in this day and age. Therefore, Pancasila even though the times have developed, the values contained in Pancasila are still appropriate and remain strong in existence. Pancasila itself has become a whole unit of part of Indonesia's constitutional life.⁵

⁴ Putriyana, Ayu, and Nur Rochaeti. "The impact of enforcement of corruption law by the corruption eradication commission after the ratification of the latest KPK law." *Jurnal Penelitian Hukum De Jure* 21.3 (2021): 299; Suwana, Fiona. "What motivates digital activism? The case of the Save KPK movement in Indonesia." *Information, Communication & Society* 23.9 (2020): 1295-1310; Oktavianto, Rizky, and Norin Mustika Rahadiri Abheseka. "Evaluasi Operasi Tangkap Tangan KPK." *INTEGRITAS: Jurnal Antikorupsi* 5.2 (2019): 117-131.

⁵ Maharani, Delia, and Dinie Anggraeni Dewi. "Implementasi Pancasila dalam Mengatasi Korupsi di Indonesia." *Jurnal Pendidikan Tambusai* 5.1 (2021): 920-925; Halimah, Lili, Arnie Fajar, and Yayuk Hidayah. "Pendidikan anti korupsi melalui mata kuliah Pancasila: tingkatan dalam memahami kejujuran." *Jurnal Pendidikan*

Therefore, if in responding to the values contained in Pancasila, the law in Indonesia must be very strong and all problems such as corruption will be resolved quickly. The problem of corruption occurs because in enforcing yes it does not implement the values in Pancasila, especially moral values which are carried out by corrupt individuals. In order for Indonesia to continue to have a strong ideology, namely Pancasila, we must practice Pancasila more because if we do not do it then both in terms of law enforcement and corruption problems will not be resolved properly or in other words Pancasila can be destroyed and the ideals of the country that have long been dreamed of cannot be achieved properly. Therefore, we must understand better in responding to Pancasila from an early age to avoid problems such as corruption, for example. It is hoped that readers after reading this paper will better practice the value of Pancasila in order to create a just and prosperous nation and state.

II. METHODS

In the KBBI, research is the activity of collecting, processing, analyzing, and presenting data that is carried out systematically and objectively to solve a problem or test a hypothesis to develop general principles. Meanwhile, descriptive means to be descriptive and describe as it is. Research methods are the main method used to achieve a goal, for example to test a series of hypotheses, using certain techniques and tools. This main method is used after the investigator takes into account the reasonableness in terms of the purpose of the investigation and the situation of the investigation. The research

Kewarganegaraan 5.1 (2021): 1-14; Sapiro, Rian. "Pembentukan Karakter Anti Korupsi Berlandaskan Ideologi Pancasila." *Jurnal Pancasila* 3.1 (2022): 39-50.

method used is a descriptive research method, where in my research I try to describe a symptom, event and event that occurs at the present moment where the researcher tries to describe the events and events that are the center of attention to be described as they are. Also in research, I use philosophical methods sourced from experts.

In research in this journal, I compared data sourced from several websites and other books related to the discussion I chose, namely about the value of Pancasila in the problem of corruption in Indonesia. I draw conclusions from the discussion and sort out which ones are important for my data processing which can later help me in answering the problem being discussed. The first thing I will do is identify the problem that is being researched with the help of various research sources, then Author formulate the problem followed by reviewing the selected problem, after Author review the problem, it will compile a frame of mind as well as interpret the data that I have obtained from various summmbers, and after all that I will make a report on the research with the method of analytical research sourced from websites and books that support the problems raising.

III. THE CURRENT PROBLEM OF CORRUPTION IN INDONESIA

The definition of corruption according to Law Number 20 of 2001 concerning the Eradication of Corruption Crimes is any person who unlawfully commits acts of enriching himself or others or a corporation that can harm the state's finances or the country's economy. Some studies also emphasized that the philosophical problem of corruption is to enrich oneself so that the punishment that according to philosophical studies is most appropriate for acts of

corruption is impoverished. This is felt to have a deterrent effect because corrupt behavior shows the side of human gluttony towards property or wealth. The problem of corruption is familiar to the Indonesian people because seeing the recent cases, there are many corruption cases that occur in Indonesia, both carried out by small circles to officials.⁶

Corruption is a disease for the Indonesian nation itself, because it is very detrimental to various aspects of statehood ranging from economic problems to inequalities in society that have never subsided. Corruption in Indonesia is classified as a very serious crime case that not only penetrates economic problems but also socio-cultural and moral problems of the Indonesian nation itself. Therefore, corruption in Indonesia must be followed up immediately so that in the long term it can be resolved properly, one of the ways to handle corruption cases in Indonesia today is by strengthening agencies or institutions related to corruption cases such as the KPK, where the rights and duties of these agencies are more liberated in order to quickly resolve corruption cases.

Seeing that Indonesia's corruption cases have now been widely reported by various national television broadcasts so that the Indonesian people are more aware of the attitudes and behaviors carried out by their higher-ups, where their attitudes are very detrimental to both their own communities and the sustainability of state development activities. Because many people know about the

⁶ Ka'bah, Rifyal. "Korupsi di Indonesia." *Jurnal Hukum & Pembangunan* 37.1 (2007): 77-89; Waluyo, Bambang. "Optimalisasi pemberantasan korupsi di indonesia." *Jurnal Yuridis* 1.2 (2017): 169-162; Badjuri, Achmad. "Peranan Komisi Pemberantasan Korupsi (KPK) sebagai lembaga anti korupsi di indonesia." *Jurnal Bisnis dan Ekonomi* 18.1 (2011); Baswir, Revrison. "Dinamika korupsi di Indonesia: dalam perspektif struktural." *Jurnal Universitas Paramadina* 2.1 (2002): 25-34.

acts of corruption committed by officials, many people who have now faded their trust in the government, where both from the enforcement agencies themselves to the perpetrators always commit acts of corruption that are very detrimental, so that many people no longer try to implement the government programs that are being promoted, because their trust is lost and do not want to be too hopeful with programs implemented by the government, seeing this in fact not all programs carried out by the government are all caught up in the problem of corruption, but indeed because corruption in Indonesia today is very concerning almost in every aspect occurs in the name of corruption cases that make oneself in Indonesian society embedded the thought that all activities carried out by the government must always have such a thing as corruption.

The frequent acts of corruption in Indonesia certainly make various sectors of government kualahan deal with it ranging from executive to judicial institutions, surely from the institution of the institution wants to immediately avoid the name of corruption among its members, but returning again to the true nature of human beings who have passions and do not have the power of faith and practice pancasila, the problem of corruption that has existed for a long time is inevitable.⁷ The corruption case itself was brought by the colonial nation which was then imitated by the higher-ups of the Indonesian nation because they wanted to get more results from their share, even

⁷ Syarif, Laode Muhammad, and Faisal Faisal. "Addressing the root of political corruption in Indonesia." *Integritas: Jurnal Antikorupsi* 5.2 (2019): 191-198; Pujiyono, Pujiyono, Fajar A. Setiawan, and David MT Hutabarat. "A New Approach to Prevent Corruption in Indonesia: A Case Study on TP4 in Central Java, Indonesia." *Journal of Social Studies Education Research* 10.1 (2019): 93-115; Sinaga, Henry DP, Rintis N. Pramugar, and Aditya Wirawan. "Reformulation of Condtio Sine Qua Non in the Renewal of Mens Rea Corporate Corruption in Indonesia." *International Journal of Advanced Science and Technology* 29.8 (2020): 1241-1251.

though the results they got were more than enough for the welfare of the Indonesian people but the brand did not attach importance to the interests of others and only concerned with its own interests, therefore as an Indonesian society today can only promote knowledge of the importance of instilling the soul anti-corruption stance carried out early on . Some of the things that are likely to make corruption reach Indonesia today are also due to the poverty of Indonesia, the many regulations that cannot be applied by the high-ranking officials and the lack of knowledge in the field taken by these government officials or people involved in corruption, in the eradication of corruption itself the most important thing is to instill an attitude early on because when we are young it will be guidelines for us adult society to carry out various activities.⁸ Like the early efforts made among elementary school children, they are given knowledge of the effects of corruption, and they must stay away from what is called corruption.

Seeing that the efforts made by the current government, namely in enforcing the eradication of corruption, have not been carried out properly, because it is within the human being itself that the problem is. Furthermore, the causes of corruption in Indonesia can be classified into two, namely internal and external causes, namely as follows:

⁸ Ash-shidiqqi, Ellectrananda Anugerah, and Hindrawan Wibisono. "Corruption and Village: Accountability of Village Fund Management on Preventing Corruption (Problems and Challenges)." *JILS (Journal of Indonesian Legal Studies)* 3.2 (2018): 195-212; Wangga, Maria Silvy E., Pujiyono Pujiyono, and Barda Nawawi Arief. "Revocation of Political Rights of The Perpetrators of Criminal Acts of Corruption." *JILS (Journal of Indonesian Legal Studies)* 4.2 (2019): 277-298; Hidayat, Shubhan Noor, Lego Karjoko, and Sapto Hermawan. "Discourse on Legal Expression in Arrangements of Corruption Eradication in Indonesia." *JILS (Journal of Indonesian Legal Studies)* 5.2 (2020): 391-418.

1. *Internal Factors*

Internal Factors are factors that come from the human being himself, which includes the nature of the person's personal self. Moral and individual qualities play an important role in this factor as some of the individual factors that I quote from the merdeka.com website are as follows:

- a) Greed or greedy nature
Corruption is not done because of primary needs or food needs. The culprit is a person who is well-off, but has a greedy, greedy nature, and has a desire to enrich himself. The element that causes corruption comes from within oneself, namely greedy nature.
- b) Less powerful morals
People whose morals are not strong are easily tempted to commit acts of corruption. Temptations can come from various influences around him, such as superiors, co-workers, subordinates, or other parties who give opportunities.
- c) Consumptive lifestyle
Lifestyle in a big city encourages a person to behave consumptively. Consumptive behavior that is not balanced with appropriate income creates an opportunity for a person to commit an act of corruption.⁹

From the three internal factors above, it can be seen that these factors have been ingrained in man since he was born and lived in

⁹ Sarwono, Aris Eddy, et al. "Factors Affecting Corruption in Indonesia: Study on Local Government in Indonesia." *Indonesian Journal of Sustainability Accounting and Management* 2.2 (2018): 79-89; Prabowo, Hendi Yogi. "To be corrupt or not to be corrupt: Understanding the behavioral side of corruption in Indonesia." *Journal of Money Laundering Control* 17.3 (2014): 306-326.

constitutional activities, in addition to the 3 things above, there are many more internal factors that exist in corruptors.

2. *External Factors*

External factors are factors that originate from outside a person's person. There are many external factors for the occurrence of corruption such as some external factors that I quote from the merdeka.com website page, namely as follows:

a) Law

Indonesia's legal system to eradicate corruption remains very weak. The law is not carried out according to the correct procedure, the authorities are easily shunned so that violations are very easy for the community to commit.

b) Politics

Monopoly Power is a source of corruption, due to the absence of control by institutions that represent the interests of society. A factor that is very close to the occurrence of corruption is the culture of excessive abuse of authority, in this case the occurrence of KKN. Corruption, Collusion, and Nepotism (KKN) are still very high, and the absence of a good control system causes people to think that corruption is a common thing.

c) Social

The social environment can also influence a person to commit corruption. Corruption is the culture of local officials and there is a tradition of giving that is abused by irresponsible people.

From the 3 external factors above, it can be seen that these factors must be immediately above, because external factors are easier to overcome than internal factors. Both in overcoming the factors above,

various agencies are needed, both from the community and the government itself, to jointly handle corruption cases.

Corruption in Indonesia can be classified into crimes that are long-term in nature, corruption can take the form of various things with various impacts as well. The high level of corruption in Indonesia has resulted in several sectors such as the economy, politics and the environment, making Indonesia's current condition concerning, supported by the current health pandemic, where the health pandemic cases around the world that attack Indonesia are also the problem of the COVID-19 virus case, resulting in the balance of both laws and policies in force in Indonesia being hampered. Sadly, the attitude of the higher-ups and government officials even used this as their advantage to find additional money to get it from the path of corruption. Looking at the information from Kompas.com on November 25, 2020, it can still be seen that although KPK chairman Firli Bahuri had warned officials not to commit acts of corruption, all the warnings conveyed were ignored and as a result corrupt practices still occurred such as this new example in Indonesia getting a corruption case from one of the former ministers of Maritime Affairs and Fisheries Edhy Prabowo where he was arrested by the KPK due to corruption against embezzlement of money to forwarder companies, besides that there is also another corruption case from Juliari who committed corruption against alleged bribes for social assistance in handling the COVID-19 pandemic in the Jabodetabek area in 2020.¹⁰ And there are many more cases of corruption that occur

¹⁰ Purwanto, Muhammad Roy, Tamyiz Mukharrom, and Putri Jannatur Rahmah. "Corruption in Infrastructure Development in Indonesia during the Covid-19 Pandemic." *Review of International Geographical Education Online* 11.5 (2021); Mietzner, Marcus. "Populist anti-scientism, religious polarisation, and institutionalised corruption: How Indonesia's democratic decline shaped its COVID-19 response." *Journal of Current Southeast Asian Affairs* 39.2 (2020): 227-249; Hamzah,

in our country, the Indonesian state, which cannot be blatantly published to the Indonesian people.

All actions must have an impact produced, including acts of corruption that are very detrimental to both the nation and the state. Some of these are the impacts resulting from corruption committed in Indonesia, especially in the social and poverty fields as stated from the KPK webistie data as follows:

a. High Price of Services and Public Services

Corrupt practices create a high-income economy that imposes on economic actors. This high-cost economic condition has an impact on the high price of services and public services, because the price set must be able to cover the losses of economic actors due to the amount of capital carried out due to misappropriation that leads to corruption.

b. Poverty Alleviation is slow

Weak coordination and data collection, funding and institutions. Because of corruption, the problem of poverty itself will eventually make it difficult for people to get access to employment due to their educational background, while to make their own work is constrained by abilities, engineering and funding problems.

c. Limited Access for the Poor

The poor take precedence over getting staples for life than for schools that are increasingly cornered by ignorance. Education, health, livable houses, information, laws and so on services are difficult for the poor to access. Access to decent work becomes

Hamzah. "Civil law agreement and its implication on regulation for prevention of corruption within Covid-19 Pandemic." *Journal of Social Studies Education Research* 11.3 (2020): 156-176.

very limited, in the end the poor have no job and are always in poor conditions for life. Creating a cycle of poverty.

d. Rising Crime Rate

According to Transparency International, corruption and the quality and quantity of crimes are closely related. The ratio is that when corruption increases, the number of crimes that occur also increases, on the contrary, when corruption is successfully reduced, then people's trust in law enforcement also increases.

e. Social Solidarity is Getting Scarcer

Society feels that it does not have a clear handle to carry out its daily life. The uncertainty of the future and the increasingly strong crush of life make the nature of togetherness and mutual cooperation that has been carried out rare.

f. Demoralization

Society is becoming increasingly individualist. Selfish to himself and family only. Why people do this is understandable, because there is no longer any trust in the government, the system, the law and even between the people themselves.

And there are many more impacts produced by the actions of this corruption problem. With the impact of corruption, the integrity and resilience of the Republic of Indonesia is on the verge of collapse, therefore it is understandable to all of us that there is no good result or impact produced by committing corruption, therefore the problem of corruption is an important thing today must be resolved quickly if you want the nation and the unitary state of the Republic of Indonesia to enable the ideal and its goals to be achieved. Not to forget also in the implementation of the eradication of corruption in Indonesia is not far from the guidelines of the source of all sources of law in Indonesia, namely the ideology of Pancasila.

IV. BASIC SOURCES OF PANCASILA STATE

Judging from its name and history, pancasila is taken from Sanskrit where the meaning of panca is five and sila is joint, so pancasila as a whole can be described as five elements or five joints that support the ideological foundation of the Indonesian nation. Pancasila has a long history in Indonesia starting from its formulation which gets various problems that are contrary to the ideology of pancasila, this is because Indonesia is a country with a variety of kinds, races, tribes, religions and cultures that are also well separated from the language and territory of Indonesia itself consists of various islands and languages, it can be seen for yourself today that although it is still on one island but the language used can be more than one vernacular. However, thanks to the success and efforts of the founders of the country finally produced maximum results that pancasila can become the ideology of all nations in Indonesia so that all the differences that exist in Indonesia can be integrated with other words the concept of "different but still one" has been attached to the person of the Indonesian nation.

The term pancasila was put forward by Ir Soekarno at that time, which was precisely at the time of the BPUPKI I session, which then the officials who attended the meeting agreed with Soekarno's proposal where pancasila became the foundation for the establishment of a country, the Indonesian state. Therefore, as an Indonesian society, it must be obliged to implement and understand what the meaning of pancasila is made by ancient officials to be used as the basis of the state in the activities of national and state life. All the sources of Indonesian life have been united into one ideology, namely the ideology of pancasila where the ideology has been proven that pancasila can be the source of all sources both in ancient times

and today, the ideology has been well thought out by the higher-ups at that time, because Pancasila was also a symbol and goal of the Indonesian state mind.

In the discussion of interpreting Pancasila as the basis of the state, it does not escape the understanding of Pancasila that Pancasila is the main foundation and foundation to the point of reference of the Indonesian nation in the life of the nation and state of the Republic of Indonesia. Therefore, a thought can be drawn that Pancasila is very important in regulating the main points of important aspects in the constitution of the Unitary State of the Republic of Indonesia so that by upholding this thought, all kinds of regulations set by both individuals and governments such as the Law, for example, must be based on one source from all sources, namely Pancasila.

The meaning of Pancasila is defined as a source of all sources, especially sources of law, both basic and highest law, both written and all applicable in the constitution of the Republic of Indonesia. It can be seen that Pancasila is very important in the sustainability of aspects of national and state life so that it can be concluded that how dangerous it is if Indonesia does not have a Pancasila state basis, it is possible that the Indonesian state will not have the force of laws or guidelines as strong as Pancasila so that all normal activities carried out by various groups of society become disrupted because every society or individual has guidelines their own ideologies are stagnant, so that returning to the original concept of Indonesia which consisted of various races of religious and cultural nations there could be a split or dispute. Therefore, we must be proud of our ideology, namely Pancasila where Pancasila only exists in Indonesia and is only applied in Indonesia which has various diversity, Pancasila is not

inferior to ideological ideologies applied by other countries such as communist or liberal ideologies.

Pancasila is a very strong source of the country's foundation, and its existence cannot be underestimated either compared to the basic ideology of other countries, pancasila is still a strong ideology. Judging from the current condition of the Indonesian nation has various diversity but by using this ideology Indonesia is still a whole or in other words not divided, therefore pancasila is very important and beneficial for the sustainability of the nation and state of the Unitary State of the Republic of Indonesia. Seeing that this is not far from the function of pancasila function as the basis of the Indonesian state, quoting from the website hot.liputan6.com there are 5 functions of pancasila, namely as follows:

a. Pancasila as a Life Guide

Pancasila is a guideline for the nation's life, so that it can become a guide in making decisions.

b. Pancasila as the Soul of the Nation

Pancasila must be the soul of the Indonesian nation, so that the soul of the nation can be realized in every institution and organization and person in Indonesia.

c. Pancasila as the Personality of the Nation

Pancasila as the personality of the nation, because the personality of the Indonesian nation is very important and also becomes the identity of the Indonesian nation. Therefore, Pancasila must be silent in every individual of the Indonesian nation in order to make Pancasila a National Personality.

d. Pancasila as a Source of Law

Pancasila is the source of law from all applicable laws in Indonesia, or you could say pancasila as the basis of the state.

So, there should not be a single regulation that contradicts Pancasila.

e. Pancasila as the Mind of the Nation

Pancasila as the ideal of the nation. Therefore, as an Indonesian nation, it must have wishful thinking with a godly country with a high sense of humanity, unity and solidity, always deliberative and also the emergence of social justice.

The function of the above function requires us as Indonesians to always respect and implement Pancasila. With us, the Indonesian people can practice Pancasila well, all laws and ideals of state goals can be achieved properly with various problems that can be resolved quickly and completely, especially the problem of Indonesia, which is in crisis at this time, namely the problem of corruption.

V. INDONESIA'S CURRENT LAW ENFORCEMENT SYSTEM

In accordance with the 1945 Constitution article 1 paragraph 3 which reads the State of Indonesia is a state of law, then in essence almost every state activity from the lowest to the highest must always be protected by law. Law in Indonesia, both ancient and present, always sees and emphasizes two foundations, namely in terms of usefulness or purpose and in terms of the legal foundation, namely Pancasila, Pancasila is the law of all laws in Indonesia. Law is the most important system in the exercise of the institutional power set of forms of abuse of power in the political, economic and societal spheres in various ways and acts, as the main intermediary in social relations between societies against criminalization in criminal law, criminal law that seeks the way in which the state can prosecute perpetrators in the legal constitution provides a framework for the

creation of law, protection of human rights and expanding political power and the manner in which their representatives will be elected.

In Indonesia, the legal system applied is a legal system taken from Continental Europe or *Civil Law*. Where the legal system has been recorded and proven to be adopted by several countries such as Italy, Germany, the Netherlands. In addition, do not forget the existence of Pancasila in the eyes of the law, where Pancasila is used as a foundation in law enforcement so that in law enforcement must always implement the values that exist in Pancasila ranging from the nature of divinity to social justice. If the legal law in Indonesia implements the value of Pancasila well, it can be guaranteed that all legal problems in Indonesia can be resolved quickly and quickly.

Indonesia is currently facing a law enforcement crisis where it sees a lot of legal problems in Indonesia that exist today, but these problems have not been resolved and have instead attracted a lot of controversy in various circles of society. As in this discussion, one of the crisis problems is corruption cases, corruption in Indonesia is very concerning, many corruption cases occur even in its enforcement, law enforcement officials alone can commit corruption acts such as bribery and so on. Law in Indonesia often occurs inequality, it is very difficult for law enforcement to see everyone is the same in the eyes of the current law, such as the unfairness of a crime case that occurred not long ago, namely there was a grandmother who stole bananas who was later sentenced to prison, and while there were corruption cases that occurred such as embezzlement of money instead getting sanctions alone, it can be seen from this that the law in Indonesia is very concerning, even the obvious crimes, in its enforcement cannot be maximized. This is because the relevant law enforcement officials

do not implement the values in Pancasila and only act on major crimes that are seen and most prevalent among the community.

Law enforcement is very important to see that Indonesia is essentially a country of law, so it is appropriate to have good law enforcement and in accordance with Pancasila, several law enforcers in Indonesia including:

a. Police

Police personnel or commonly called police are one of the law enforcement officers who are tasked with protecting the community. Where if there is a problem among the community, it is this policeman who will mediate or enforce the law first before going deeper. The purpose of this police itself is to create an orderly and prosperous Indonesian nation and state, and in its enforcement is also based on Pancasila and kinship so that no other problems or other commotions are created that add to the problem to be worse.

b. Judge/Prosecutor

Judges in Indonesia are tasked with enforcing the sentencing decisions that will be given to the person who commits a crime and he will be punished. The power of judges in Indonesia is very vulnerable when faced with problems such as those being discussed, namely Corruption. Where looking at corruption cases in Indonesia, to enforce it yourself, especially in sanctioning crime crackdowns is still not appropriate, it can also be concluded that a judge or prosecutor is said to be vulnerable to accepting bribes so that high-ranking officials who commit corruption, the sanctions become lightened even to the point of being eliminated, how sad it is if this often happens in law enforcement in Indonesia. The power of the judiciary is

weakened because many rules are eliminated or may be reduced to follow up on corruption cases so that, law enforcement for corruption becomes very weak.

c. Advocate/Lawyer

Advocates in Indonesia have the status of free and independent law enforcement where in their implementation is guaranteed by law and legislation. An advocate or lawyer has the right to defend and support or divert some reality about his crimes so that those criminals who hire an advocate's suit or lawyers receive a law that is not onerous. With the existence of lawyers, cases of crimes that have been committed can avoid severe punishment, in corruption cases surely the corruptors use the services of lawyers, they maximize the functions of lawyers well, be it from lawyers to prosecutors, corruptors in Indonesia always have a way to circumvent the actions they have committed to achieve. A legal decision that is not too onerous for corruptors, the role of lawyers is very important to see cases outside of corruption as well, so that the Indonesian people get a degree of appointment in the eyes of the law.

From some of the law enforcement officials discussed above, law enforcement in Indonesia is still sad, the lack of understanding of Pancasila and the weak faith of law enforcement officials make law enforcement in Indonesia still inferior to law enforcement abroad. In the case of corruption, Indonesia has its own institution tasked with enforcing corruption problems, namely the Corruption Eradication Commission (KPK), many efforts and efforts have been made by the KPK in following up to eradicate corruption cases, but once in Indonesia the top officials of the law such as the DPR reduced the power of this KPK, they reduced the authority carried out by the KPK under the pretext of the KPK so that it could be more active self.

Seeing this, law enforcement in Indonesia, especially government officials, does not want corruption to disappear quickly, but the higher-ups want corruption to remain in Indonesia because they do not increase the authority of the KPK but reduce it.

In accordance with Law Number 30 of 2002 concerning the establishment of the Corruption Eradication Commission, the KPK can be seen from its name as having objectives such as following up on corruption cases, conducting investigations and prosecutions on corruption problems. The KPK has a lot of authority to follow up on corruption, where this authority will assist in the investigation, monitoring and investigation of corruption cases. However, in recent cases, the enforcement of corruption cases by the KPK has been hampered due to the current condition of Indonesia which is facing the corona virus pandemic or COVID-19 is being used by high-ranking government officials such as the DPR, for example to reduce this authority, many Indonesians are furious about the actions that have been taken by members of the DPR, and also sad that the voice of the people at that time was limited and seemed not to be heard by the members of those bigwigs.

Seeing this, of course, the attitude taken by these government officials is not in accordance with the content in the values of Pancasila they attach importance to their own interests above the interests of many people, and therefore law enforcement in Indonesia has become very sad, even law enforcement officials have no steps to follow up on the incident and only resign themselves to the situation Just because what they are facing is a person whose position is more high of them and society especially the lower society cannot take action to overcome this. Why does this happen? Weak law enforcement in Indonesia occurs due to several factors such as:

a. Power and authority

From every problem that exists in Indonesia, the main or initial problem must occur due to the consequences of someone's actions, such as corruption, for example where the corruptors have the intention, do not have the power of faith to maintain their obligations.

b. The existence of regulations that hinder enforcement.

Indonesia has a lot of laws and regulations that apply, almost in every sector of state life in Indonesia there is such a thing as regulations. However, the regulations must have been made by the higher-ups who thought about the conditions around them, because like most corruption cases are the higher-ups must be peacocks making a regulation that makes it difficult for corruption enforcers to follow up on their cases so that the punishments received by the corruptors are not appropriate.

c. Many cases of bribery

The name bribery is no longer a foreign thing among the Indonesian people, bribery is an act carried out by criminals to others in order to get their own benefits with a certain intention, where bribery itself is very detrimental to others. Bribery cases often occur on the issue of corruption in Indonesia, the word bribery has been attached to all acts of corruption. Therefore, enforcement in Indonesia is weak because most law enforcement officers are bribed by criminals.

d. Uneven justice

Looking at the current state of Indonesia, it has been proven by many cases that occur that in every crime case, in the enforcement it is very weak, because in the enforcers still see the name of the high person and the bottom person in the context of position and position. The person who has power will win far from the middle ordinary even though the crimes that have

been committed are more inclined to the person who has power, so that when giving punishment the ordinary person will get a more severe punishment.

e. Not implementing pancasila

Pancasila is the identity of the Indonesian nation, all actions and ideologies of the nation and society in Indonesia are contained in pancasila. Therefore for those who do not implement the value of values in pancasila have a low moral attitude, have a low power of faith and especially awareness of the responsibilities they carry. Pancasila is very important, especially in providing legal and regulatory decisions that exist in every sector of the life of the Indonesian nation, in my opinion pancasila has become a very strong rule and source to be used as a benchmark in aspects of all things, if every Indonesian nation always implements pancasila then law enforcement in Indonesia will be very strong and fair.

All actions must have a driving factor, it is possible that enforcement in Indonesia is weak due to several factors that result in very weak law enforcement in Indonesia. Enforcement in Indonesia is currently very weak, causing many other problems caused by it such as the gap that is very bad compared to other countries, Indonesia's economy is getting worse day by day which requires Indonesia to go into debt here and there. If law enforcement in Indonesia is even and good, the welfare of the Indonesian nation will also be better than before.

VI. THE VALUE OF PANCASILA IN ENFORCING INDONESIAN CORRUPTION

Indonesia has a source from all very powerful sources whose existence is even recognized by many nations and countries, namely Pancasila. Pancasila is the identity of the Indonesian nation, all aspects of national and state life are contained in the value of pancasila values. The process of forming pancasila passed through various obstacles from all aspects, pancasila was carefully thought out by the founders of the Indonesian nation they thought about how pancasila which essentially became the ideology and identity of the Indonesian nation in order to be integrated into a unity of diversity that exists in Indonesia, they founders thought about all problems that include life nation and state both in its time, our present and the future, the founders thought hard so that Pancasila could adjust to the times and be able to solve these problems, and all of that was contained in the content of the value of Pancasila.

Corruption behavior carried out by government officials does not reflect the value of pancasila values, because it is very contrary to pancasila and detrimental in various aspects of the life of the Indonesian nation and state and hinders the goals and ideals desired by the founders of the nation since long ago, namely realizing a just, prosperous and prosperous society. In the enforcement of corruption in Indonesia, if you look at it in terms of justice and look at the value of pancasila values, the punishment that should be received by a corruptor is the death penalty, because his actions as a corruptor who deprives the Indonesian people of money and rights that should be used for the welfare of the Indonesian nation are used unilaterally and as a result result result of personal problems of the Indonesian nation and these problems reach their economy so that They are

unable to live well and the case of their formation causes the person to die. Seeing that indirectly a corruptor has killed many Indonesian people slowly they attack the economic aspects of Indonesian society, therefore the death penalty will make all corruptors deterred from their actions and will think twice about doing these actions.

There needs to be a necessity where the value of values in Pancasila must be implemented in accordance with the content of the laws and regulations in force in Indonesia, by following up on this, justice for law enforcement in Indonesia will be guaranteed quality and the condition of the Indonesian nation and state, especially the people will be more prosperous. Pancasila is a philosophy of the Indonesian State which in its use will provide a logical decision in dealing with an action problem, especially in corruption cases, if you want the law in Indonesia to be strong and of positive value, the law and its contents are not far and contrary to the implementation of pancasila values. Recalling that pancasila was formed thanks to the diversity that exists in Indonesia which is then spelled out in more specific regulations such as the 1945 Constitution where the Constitution has never been replaced or changed and has always been the basis of Indonesian regulations because the things contained in the 1945 Constitution are indeed directly from the founder and directly from the derivative of pancasila. Seeing that pancasila is the source of law from all laws there are 3 values that make up the law of pancasila, namely:

a. Basic Values

Where this value includes the basic principle of absolute aspects determined by the founders when establishing pancasila and in forming this value there was a lot of controversy when making it because it was necessary to think about how the basic value

of Pancasila covers the overall diversity in Indonesia, some of these basic values there are divine values, human values, unity values, people's values and justice values.

b. Instrumental Value

Instrumental value itself means value value which includes the implementation of Pancasila itself in the environment of aspects of basic values. This can be as an example in the form of norms that apply in Indonesia, especially legal norms, there are many norms that apply in Indonesia, therefore with the existence of Pancasila the norms can become a whole unit which then the norms are made into a law that will form a just, prosperous and prosperous Indonesia.

c. The Value of Praxis

If the basic value and instrumental value are the initial elaboration of the value contained in Pancasila then, then the praxis value itself is a value that will show in more detail how to implement the value into people's lives. In other words, the value of praxis itself is a value in the form of the realism of the community in implementing Pancasila in their daily lives. The praxis value has a purpose and elaboration to find out how well the value in Pancasila has been applied in Indonesia seeing the dynamics of law enforcement in Indonesia is critically critical, for example the case that is currently rampant and is being discussed this time, namely the corruption case.

Seeing the value that can be described in Pancasila above that we have realized that Indonesia has a source from all sources and views that should be used in the life of the nation and state, therefore we in interpreting Pancasila must be minded and open considering that we Indonesians have a lot of diversity so that if we do it then a good community life will be able to be realized also life a government that

will be far from the problem of corruption cases . As we have known for a long time that pancasila has 5 precepts that have been formulated where in each precept has a meaning and purpose in accordance with the ideals and goals of the Indonesian state. Seeing the current corruption case which is a crime case that penetrates into all aspects of life does not reflect the implementation of pancasila, by committing acts of corruption also means wanting to destroy the ideology of the Indonesian nation , namely pancasila. Pancasila, which is difficult to form, should not be damaged just because of the problem of corruption cases carried out by government officials, therefore in order to better understand how corruption damages the value of values in pancasila in accordance with the existing precepts, it will be explained as follows to be clearer:

a. *The All-One God*

In the first precept of pancasila in has the meaning that all our actions must be related to our creator God Almighty where we are required to always do good so that in good practice it is recorded, so that in the case of corruption itself it is clear that if the corruptors do it then it is clear that we are acting evil towards our fellow human beings and have violated our rules and obligations towards God. Therefore, corruption is very contrary to the first precept regarding divinity, as a society of faith it is appropriate that we always obey the teachings of the goodness of our religion that God has given us, so if we practice the first precept we will avoid evil, especially cases of corruption.

b. *A just and civilized humanity*

As written in the second precept which is just and civilized, then the act of corruption as we know it is clearly clearly violates this value , in this second precept it means that all the actions we

take, especially the leaders of the nation where both they and us as a society must treat our fellow human beings in a fair and civilized manner without discriminating against race, ethnic cultures, regional languages and religions, all must be treated equally in our eyes, our actions must also be in accordance with human customs in Indonesia, namely must uphold politeness and friendliness. Seeing the corruption case itself it is proven that his actions produce injustice, especially in the eyes of the law and its enforcement, they corruptors are very uncivilized also where seeing various problems in Indonesia besides corruption they are more concerned with their own interests than the interests of the people, they are very greedy where all the property and power of the state are given responsibility to them, they ignore it and make it all their own, thus reclaiming the rights of the Indonesian nation and making the Indonesian people not prosperous it can be seen that there are still many gaps in Indonesian society.

c. *Unity of Indonesia*

In the third precept as written, namely unity, it has the meaning of uniting all diversity in Indonesia into a single whole, where the Indonesian people have solidarity and trust in each other both between one society and the government. With the current diverse condition of Indonesia, why are we not divided? because many people have implemented this third precept. In the eyes of the problem of corruption cases, this is very divisive for the Indonesian nation indirectly, with corruptors committing acts of corruption it is very clear that their actions make people lose confidence in all the efforts made by the government, they begin to disbelieve that if the activities carried out by the government will not have corruption cases, even though not all government activities are entangled in

corruption cases. Due to the loss or fading of people's beliefs, people's lives are not calm and always was, it does not reflect the value of Indonesian unity.

d. People led by wisdom in Consultative and representative

In the fourth precept, it emphasizes more in terms of deliberation, especially in social life, it must not be far from the word deliberation. In almost every activity, Indonesian society always implements deliberations in order to reach a mutual agreement, this fourth precept is very attached to the personal self of the Indonesian people. By committing acts of corruption where in the implementation of corruption always attaches importance to its interests, or in other words does not want to take the word deliberation, because corruption is carried out on personal decisions not many people. Therefore, it is a decision that is determined by oneself so many people are very angry about this act of corruption, especially those people who are harmed because of corruption.

e. Social Justice for All Indonesian

Returning again to the problem of law enforcement in Indonesia which is unfair due to acts of corruption or bribery, in this fifth precept clearly emphasizes also the form of justice for the Indonesian people, seeing corruption cases in Indonesia today which cover all forms of aspects ranging from the economy to the law resulting in injustice in its implementation. It is very fatal for corruptors who carry out their actions because they take away the justice of the Indonesian people and their rights as equal before the law become a writing only without any action taken directly. Indeed, corruption undermines all justice systems in Indonesia considering the fifth precept, namely justice to all Indonesian people without exception.

From the explanation and discussion of how the value of Pancasila is faced with the problem of corruption cases, corruption is a very crisis mistake, where in its implementation it violates or does not follow the concept of the value of Pancasila which is the essence of the source of all sources. Since ancient times the founders have considered this corruption case, the founders already know that corruption will continue to exist both in its time, today to the future, so Pancasila is a very valid and relevant source of law to always be applied as the basis of all laws and regulations. With the Indonesian state which is a developing country that has a lot of differences both in terms of race, ethnicity, culture, regional language and religion, corruption can divide the Indonesian nation indirectly, every value contained in Pancasila directly shows the incompatibility between the main concepts of corruption. The big blow to the corruptors is that they are very unaware of Pancasila, the corruptors here can be in the form of higher-ups, government officials, the public, and even law enforcement officials can commit acts of corruption.

VII. CONCLUSION

Corruption is an act that is very detrimental to both the nation and the state. In its own implementation, there are many controversies that occur among the community and the government, with there are still cases of corruption in Indonesia that are clearly seen to have violated the value of values which sometimes in Pancasila cause many losses in various sectors such as community inequality instead of improving it is getting worse, in achieving the ideals of the state becomes hampered because all its supporting factors become lost due to acts of corruption, There are so many losses suffered by the Indonesian nation due to corruption. Indonesia, which is a country of

law and has a diversity of tribes, races, cultures, regional languages and religions, begins to feel uneasy due to corruption, in the eyes of the law itself corruption violates the rules of Pancasila in the aspects of justice and equality of rights before the law, the provision of punishment between cases of one crime and another crime is very inappropriate very not implementing Pancasila, while in diversity itself with the problem of corruption cases in government circles, especially causing a crisis of trust where with the existence of corruption cases in Indonesia today causing public trust in the government to begin to fade so that many people begin to distrust the government with the impact that many government programs that are being run are not implemented by the community.

Looking at the previous discussion on the suitability of Pancasila values when faced with corruption cases, it has been proven from the results of an in-depth analysis that both starting from the first precept regarding divinity to the fifth precept regarding the justice of all Indonesian people, it is proven that all acts of corruption cases are very misguided from the nature of the values in Pancasila. Therefore, it is recommended to all Indonesian citizens to stay away from corruption because it is very detrimental both later to themselves and of course to harm others. Seeing the current condition of Indonesia which is in solving the pandemic problem, namely COVID-19, corruptors must take advantage of this very crisis condition to take advantage of themselves, because the right of the community to act against has been limited to close the spread of the corona virus, corruptors easily use it to carry out their actions so that it will run smoothly without any obstacles, Seeing this, the morale of the corruptors has been greatly damaged, there is not the slightest implementation of the value of Pancasila, it is hoped that readers and all tools of the Indonesian nation will be aware of the importance of

implementing Pancasila so that all the initial goals of the founders of the Indonesian state can be quickly achieved well to realize a prosperous, just and prosperous Indonesian society.

ACKNOWLEDGMENTS

None.

COMPETING INTERESTS

The Authors declared that they have no competing interests.

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