

THE REPEAL OF INDONESIA'S DEATH PENALTY FOR CORRUPT OFFICIALS

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Abstract

The implementation of the death penalty for corruptors in Indonesia is criticized for its ineffectiveness in deterring corruption and its inconsistency with the country's commitment to upholding human rights. While some nations enforce the death penalty for corruption with minimal success, others achieve better results through preventive measures that do not involve capital punishment. The death penalty is seen as contradicting Indonesia's legal framework and international human rights obligations, as it is equated to state-sponsored premeditated murder. As an alternative, this paper proposes impoverishing corruptors by recovering misappropriated state assets and imposing restrictions on their civil and political rights, thereby preventing recidivism and reducing future harm to the state. This approach would align with human rights principles while fostering a more effective anti-corruption strategy.

Keywords: corruption, death penalty, government strategy.

INTRODUCTION

Corruption is defined as rottenness, ugliness, depravity, dishonesty, the ability to be bribed, immorality, and a divergence from holy values. Corruption is defined as willfully deviating from a position's official obligations in order to receive benefits in the form of status, riches, or money for people, close relatives, or one's own group. The definition of corruption is also formulated in Article 2 paragraph (1) of Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which reads: "Any person who unlawfully commits an act of enrichment for himself, another person, or a corporation that can harm state finances or the state economy". Article 3 of Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which states that "Any person who abuses the authority, opportunity, or means available to him because of his position or position which can harm state finances or the state economy, with the aim of benefiting himself or another person or a corporation". In Law No. 31 of 1999 and Law No. 20 of 2001 Concerning the Eradication of Criminal Acts of Corruption, corruption is classified into thirty forms/types of criminal acts of corruption.

These articles describe in detail the acts that can result in criminal consequences for corruption. The thirty forms/types of criminal actions of corruption can generally be categorized as follows: State financial losses, bribery, office embezzlement, extortion, fraudulent actions, procurement conflicts of interest, and satisfaction. Corruption is a severe national problem that is classed as an unusual crime with far-reaching consequences for people's lives. As a result, corruption cases must be handled precisely and thoroughly by a particular entity, in this case, the Corruption Eradication