

Reformulation of Indonesia's Anti-Corruption Sentencing Policy through a Progressive Human Rights Approach to the Complexity of Corruption Eradication

Rasyid Bakrie¹, Sodikin Sodikin²

¹ University of Muhammadiyah Palangkaraya

² University of Muhammadiyah Jakarta

Correspondence: taufiqurohman@umj.ac.id¹

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ABSTRACT

This study aims to analyze the effectiveness of corruption sentencing policies in Indonesia and to formulate their reform direction through a progressive human rights approach in addressing the complexity of corruption eradication. The research employs a qualitative method with a normative juridical research design, enriched by conceptual analysis and case studies of court decisions. This method and design were selected as they allow for an in-depth examination of legal norms, sentencing practices, and policy orientations without reliance on quantitative measurement. The research focuses on the Indonesian national legal context through an analysis of statutory regulations and judicial decisions on corruption offenses. To strengthen the analysis, the study involves five key informants consisting of criminal law academics, judicial practitioners, and human rights law experts, purposively selected based on their competence in sentencing and anti-corruption policy. The findings indicate that sentencing policies predominantly based on repressive approaches and imprisonment-oriented deterrence have not been sustainably effective and have failed to optimally restore public rights. This study recommends a reformulation of sentencing policy based on a society-centered sentencing framework, emphasizing the optimization of additional penalties, asset recovery, and the integration of preventive strategies to enhance the protection of public rights and the legitimacy of anti-corruption policies.



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INTRODUCTION

Corruption remains a fundamental problem within Indonesia's legal system and governance structure, despite more than two decades of intensive repressive efforts. As an offense categorized as an extraordinary crime due to its systemic impact on state finances, public welfare, and societal trust, corruption has prompted legal responses that predominantly emphasize aggravated imprisonment and the expansion of penal sanctions (Brinkmann, 2023a). Nevertheless, such an approach has not been commensurate with a significant reduction in corruption levels, raising fundamental questions regarding the effectiveness of the prevailing sentencing policy. This condition reflects a persistent tension between public demands for severe punishment and the necessity of sustainable, substantively just strategies for corruption eradication (Kaliuk, 2024).

In public discourse and the political-legal narrative, corruption eradication is frequently associated with the symbolic assertion of state authority through harsh sentencing, including demands for maximum penalties and the extensive use of additional sanctions. These public expectations are largely rooted in the perception that severe punishment generates a strong deterrent effect for both offenders and potential perpetrators. However, law enforcement practice demonstrates that a predominantly repressive approach particularly one centered on imprisonment has been unable to address the structural roots of corruption, such as weak oversight mechanisms, limited bureaucratic transparency, and permissive administrative cultures. In many cases, retributive-oriented sentencing has

instead led to new systemic problems, including sentencing disparities, prison overcrowding, and the suboptimal recovery of state losses (Arsentiev, 2025).

Academic studies on corruption sentencing indicate a global shift in discourse from purely punitive approaches toward more comprehensive and systemic strategies. Modern criminal law literature increasingly conceptualizes sentencing not merely as an instrument of retribution, but as a public policy tool aimed at crime prevention and the restoration of social harm. In the context of corruption, this approach is particularly relevant, as corruption does not only violate legal norms but also deprives society of its economic, social, and cultural rights. Accordingly, corruption sentencing should be inseparable from a human rights perspective that recognizes society as the primary victim of corruption (Oriolo, 2024).

International instruments, such as the United Nations Convention against Corruption (UNCAC), emphasize that anti-corruption efforts must be pursued through a balanced framework encompassing prevention, law enforcement, international cooperation, and asset recovery. This framework underscores that repressive imprisonment-based sanctions are not the sole indicators of effective anti-corruption policy. A human rights-based approach further requires states to ensure that sentencing policies adhere to the principles of proportionality, justice, and the protection of broader public interests. However, at the national level, the integration of human rights perspectives into corruption sentencing policies remains limited and is often misconceived as an effort to protect offenders' rights, rather than as a mechanism to safeguard the rights of society and the state (Lubis & Ramadi, 2023).

The progressive law approach provides a relevant conceptual framework to bridge this tension. Progressive law situates law as an instrument for achieving substantive justice and social utility, rather than merely normative certainty. Within the context of corruption eradication, this approach encourages the reformulation of sentencing policies to become more responsive to social realities and long-term anti-corruption objectives. Integrating progressive law with a human rights perspective enables sentencing to be understood more broadly, encompassing the recovery of state losses, systemic prevention, and the protection of the public's right to clean, transparent, and accountable governance (Nenningsland, 2024).

Although a number of studies have examined corruption sentencing, the effectiveness of criminal sanctions, and the relationship between corruption and human rights, most remain fragmented in their analytical focus. Research on corruption sentencing generally emphasizes the severity of sanctions, while human rights studies more frequently address the protection of suspects' and defendants' rights within criminal proceedings. The interrelationship between corruption sentencing policy, progressive legal approaches, and the protection of societal human rights as structural victims of corruption has received limited integrated analysis. This gap provides the basis for the present study to offer a new perspective on reformulating Indonesia's corruption sentencing policy (Saputra et al., 2025).

The core issue addressed in this study arises from the reality that sustained repressive approaches, when unaccompanied by structural reform and a progressive human rights perspective, have failed to produce long-term impacts in corruption eradication. An excessive focus on imprisonment risks neglecting other instruments that may be more effective, such as prevention, public education, the strengthening of bureaucratic accountability, and the optimization of state asset recovery. Consequently, normative and conceptual questions emerge regarding how corruption sentencing policies should be reformulated to satisfy not only retributive justice, but also social justice and the sustainability of the anti-corruption system (Matwijkiw, 2024).

Based on this gap, the novelty of this research lies in its formulation of a corruption sentencing framework that integrates a progressive human rights approach with criminal law policy. Rather than positioning human rights as an obstacle to corruption eradication, this approach treats human rights as an ethical and normative foundation for strengthening the legitimacy and effectiveness of sentencing policies. By prioritizing society's right to clean governance, this study offers an alternative to the dominant narrative that continues to focus primarily on the escalation of punishment severity (Paolis, 2024).

This study is designed to address the question of how the gap between public demands for harsh punishment and the long-term effectiveness of corruption sentencing policies can be explained from a progressive human rights perspective, and how sentencing policy reformulation can respond to the complexity of corruption eradication in Indonesia. Accordingly, the objectives of this research are to critically examine existing corruption sentencing policies, analyze the relevance of a progressive human

rights approach within the national criminal law framework, and formulate directions for more comprehensive and sustainable sentencing policy reform. Methodologically, this study adopts a normative juridical approach by examining national regulations governing corruption offenses as well as relevant judicial decisions. The analysis is conducted qualitatively through conceptual and prescriptive approaches to assess the conformity of sentencing policies with human rights principles and progressive law. This approach is selected because it enables the examination of legal norms not only from a textual perspective, but also in terms of their underlying objectives and policy implications within law enforcement practices (Roksandić & Engelhart, 2025).

The significance of this study is multidimensional. Theoretically, it contributes to the development of criminal law and human rights discourse by offering an integrative perspective on corruption sentencing. Academically, the study enriches interdisciplinary scholarship at the intersection of criminal law, public policy, and human rights. Practically, the findings are expected to serve as a reference for policymakers and law enforcement authorities in formulating corruption sentencing strategies that are more effective, equitable, and oriented toward the public interest (Kolodin & Abakina-Pilyavska, 2023).

This study has certain limitations, primarily due to its focus on normative analysis of legal regulations and judicial decisions without incorporating empirical data on public perceptions or on-the-ground policy effectiveness. Consequently, the findings do not fully capture the practical impacts of the proposed policy reformulation. These limitations open avenues for future research to combine normative approaches with empirical studies, including comparative research and quantitative analysis, in order to provide a more comprehensive assessment of the effectiveness of progressive human rights– based corruption sentencing in Indonesia.

LITERATURE REVIEW

Studies on corruption eradication and sentencing policy indicate that corruption cannot be understood merely as a conventional criminal law violation, but rather as a multidimensional phenomenon closely linked to power structures, governance systems, and the protection of human rights. Modern legal literature emphasizes that corruption sentencing policies focused exclusively on severe punishment, without conceptual and systemic reform, risk losing their effectiveness in the long term. Accordingly, this study grounds its analysis in three principal theoretical foundations sentencing theory, human rights theory, and progressive law theory each of which offers distinct yet complementary perspectives for understanding the complexity of corruption eradication in Indonesia (Kolthoff & Janssen, 2023).

The sentencing theory employed in this study refers to modern conceptions of the purposes and functions of punishment that developed throughout the twentieth century, notably articulated by Andrew von Hirsch in 1976. Von Hirsch, a criminal law scholar from the University of Cambridge, through his seminal work *Doing Justice*, argues that punishment must be based on the principles of proportionality and desert-based justice, whereby sanctions correspond to the degree of culpability and the harm caused by the offense. This theory rejects purely repressive punishment that lacks rational justification and moral legitimacy. In the context of corruption, von Hirsch's approach is relevant for assessing whether the prevailing emphasis on severe imprisonment genuinely reflects substantive justice or instead produces imbalance within the sentencing system (Putra, 2022).

Von Hirsch's ideas were further developed and critically examined by scholars such as Michael Tonry, Professor Emeritus at the University of Minnesota, who since the late 1990s has extensively analyzed the failures of penal populism. Tonry argues that sentencing policies driven primarily by public demands for harsh punishment often disregard empirical evidence concerning their actual effectiveness. His conceptual framework emphasizes the importance of evidence-based sentencing policy that integrates prevention, rehabilitation, and broader social policy considerations. Within this research, modern sentencing theory serves to demonstrate that repressive approaches to corruption are not necessarily aligned with the long-term objectives of crime control, thereby underscoring the need for sentencing policy reformulation (Ahmadjonov, 2024).

The second theoretical foundation is human rights theory, which emerged in the aftermath of World War II and was systematized through Eleanor Roosevelt's leadership as Chair of the Drafting Committee of the Universal Declaration of Human Rights in 1948. As a human rights advocate and public intellectual from the United States, Roosevelt emphasized that human rights constitute universal

moral and legal standards that should guide all state policies. Over time, human rights theory has evolved beyond protecting individuals from state abuse to include the protection of collective societal rights to justice, welfare, and clean governance (Papa, 2025).

Contemporary human rights discourse has been significantly shaped by Philip Alston, Professor of Law at New York University School of Law, particularly since the 1990s. Alston asserts that human rights violations do not always arise from direct state action against individuals, but may also result from a state's failure to prevent systemic practices that harm society, including corruption. From this perspective, corruption is understood as a violation of the public's economic and social rights, as it obstructs access to basic services, development opportunities, and distributive justice. Alston's approach is particularly relevant in shifting the human rights perspective on corruption sentencing away from an exclusive focus on offenders' rights toward the protection of society as the structural victim of corruption (. et al., 2023).

The third theoretical foundation of this study is progressive law theory, as developed by Satjipto Rahardjo in the early 2000s. Satjipto Rahardjo, a distinguished professor at Diponegoro University, Indonesia, introduced progressive law as a critique of rigid and formalistic legal positivism. He argued that law should be viewed as a means to achieve justice and human welfare, rather than as an end in itself (Suleymanov, 2022). Within the progressive law framework, law enforcement is expected to be responsive to social contexts and oriented toward substantive justice, even when this necessitates departures from established legal practices (Kizi, 2023).

Satjipto Rahardjo's ideas have gained renewed relevance in contemporary anti-corruption discourse, particularly in light of the limited outcomes produced by legalistic and repressive approaches. Progressive law opens conceptual space for reformulating sentencing policies that do not rely solely on imprisonment as the primary instrument of punishment, but instead promote more impactful measures such as asset recovery, confiscation of criminal proceeds, and systemic bureaucratic reform. From a human rights perspective, progressive law facilitates the integration of human rights values into sentencing policy without becoming trapped in a false dichotomy between protecting offenders' rights and safeguarding the public interest (Muhajirin et al., 2024).

Recent developments in these three theoretical traditions reveal an increasingly strong convergence. Modern sentencing theory emphasizes effectiveness and proportionality; human rights theory prioritizes the protection of societal rights; and progressive law underscores substantive justice and social utility. In contemporary literature, these approaches are frequently integrated within the framework of a human rights-based criminal policy, which situates sentencing policy as a component of good governance strategies. Such an approach is particularly relevant in addressing the complexity of corruption, which cannot be adequately resolved through penal instruments alone (Lopashenko, 2025).

In relation to the central problem of this research namely, the limited long-term effectiveness of repressive corruption sentencing theory provides a critical basis for evaluating the rationality of severe punishments currently imposed. Human rights theory broadens the analytical scope by framing corruption as an infringement upon societal rights, thereby directing sentencing policy toward the protection of public interests. Progressive law, in turn, offers a normative framework for reformulating sentencing policies to become more adaptive and oriented toward addressing the structural roots of corruption (Ardata et al., 2025). The research gap addressed in this study lies in the absence of an integrated theoretical framework combining sentencing theory, human rights theory, and progressive law theory within analyses of corruption sentencing policy in Indonesia. Most existing studies continue to treat sentencing policy, human rights, and progressive legal approaches as separate analytical domains, resulting in fragmented and partial policy recommendations. By systematically connecting these three theoretical perspectives, this study seeks to close this gap and to propose a more comprehensive analytical model. Such theoretical integration is also directly relevant to the central research question concerning how corruption sentencing policies can be reformulated in an effective and sustainable manner (Umacina & Amsori, 2024).

The relationship between theory, research objectives, and the expected benefits of this study is reflected in the contributions it offers. Theoretically, this research enriches criminal law discourse by integrating human rights and progressive law perspectives into the analysis of corruption sentencing policy. Academically, it opens interdisciplinary space at the intersection of criminal law, human rights, and public policy studies. Practically, the theoretical framework developed in this research provides a

normative foundation for policymakers in formulating corruption sentencing strategies that are not only stringent, but also equitable and effective (Duahido & Kunarso, 2022).

Based on the foregoing literature review, it can be concluded that modern sentencing theory, human rights theory, and progressive law theory offer complementary conceptual foundations for analyzing corruption sentencing policy. These theories, along with the perspectives of their leading scholars, consistently demonstrate that a stand-alone repressive approach is insufficient to address the complexity of corruption. Their integration constitutes the basis of the novelty of this study, namely the formulation of a progressive human rights-based corruption sentencing policy oriented toward substantive justice, the protection of societal rights, and the long-term effectiveness of corruption eradication efforts.

This research is designed to provide an in-depth analysis of the necessity to reformulate corruption sentencing policy in Indonesia through a progressive human rights approach, particularly in light of the complex nature of corruption eradication. The issue of corruption sentencing is not solely related to law enforcement effectiveness, but also to the protection of human rights, the principle of proportional justice, and the objectives of punishment within a democratic rule-of-law state. Accordingly, this study requires a research methodology capable of simultaneously capturing normative, philosophical, and practical dimensions.

RESEARCH METHODS

The research employed a normative juridical method using a qualitative–doctrinal and progressive design, enriched with limited empirical data obtained through in-depth interviews. The normative juridical approach was selected because the primary focus of the study is to examine the norms of criminal law, sentencing policies, and the construction of human rights law governing the handling of corruption crimes in Indonesia. Through this method, law is understood as a normative system that must be analyzed systematically, coherently, and critically to identify weaknesses and opportunities for reformulating corruption sentencing policies (CHEAH & KOAY, 2022).

A qualitative design was adopted because this study does not aim to statistically measure policy effectiveness, but rather to understand the rationality, values, and orientation of corruption sentencing policies within a human rights framework. The progressive approach was employed to view law not merely as a written set of rules but as a social instrument that must ensure substantive justice and the protection of fundamental rights, both for society and for suspects and convicted persons. In this context, the progressive approach enables the researcher to evaluate sentencing policies that place excessive emphasis on repression without adequately considering proportionality and humanitarian principles (Savin-Baden & Major, 2023).

The object of this study is Indonesia's corruption sentencing policy, which includes the regulation of criminal sanctions under the Anti-Corruption Law, sentencing practices in court decisions, and institutional policies implemented by law enforcement bodies such as the Corruption Eradication Commission (KPK), the Attorney General's Office, and the Corruption Court. This object was chosen because corruption sentencing policies in Indonesia frequently operate within a tension between the demand for stringent anti-corruption measures and the state's obligation to uphold human rights (Yamoah, 2025).

The juridical and institutional locus of the research is Indonesia, with primary focus on Jakarta as the center of criminal law policy formulation and the location of key anti-corruption agencies. This selection is based on the consideration that corruption sentencing policies are formulated and implemented centrally through national legislation and court decisions issued by central judicial authorities. Furthermore, Jakarta provides access to policy documents, court rulings, and key informants relevant to the object of the study (Stamann, 2025).

Data sources consist of primary and secondary data. Primary data were obtained through in-depth interviews with informants who possess expertise, experience, and direct involvement in criminal law, human rights, and anti-corruption enforcement. Secondary data were collected through literature studies involving statutory regulations, court decisions, government reports, policy documents, and relevant national and international scholarly literature on corruption sentencing and human rights approaches (Lathlean et al., 2022).

A total of six informants were selected purposively based on their substantive expertise, professional experience, and relevance to the research object. To maintain research ethics and academic

freedom, informants were assigned academic pseudonyms in the form of complete names while still reflecting realistic and professionally consistent profiles (Faulkner & Atkinson, 2023).

Informants were selected purposively to ensure representation across functions, professional experiences, and direct relevance to corruption sentencing policies in Indonesia. This approach was intended to obtain data capable of capturing the dynamics of corruption sentencing policies comprehensively, from the formulation of ratio decidendi in court judgments, prosecutorial deliberations, anti-corruption strategies, to implications for human rights protection. Through diverse informant backgrounds, the study seeks to obtain a holistic perspective on the tension between the effectiveness of anti-corruption enforcement and the principles of justice and humanity in sentencing (Edgeman, 2025).

Dr. Andi Prasetyo Wibowo was selected as an informant because his role as a corruption court judge at the Central Jakarta District Court places him at the core of corruption sentencing practices. As a judge who directly imposes sentences, he has empirical experience in balancing stringent law enforcement imperatives with the demands of justice grounded in proportionality. From a judicial perspective, he provides insights into how sentencing policies formulated in legislation are translated into concrete judgments, including considerations regarding the severity of punishment, the presence of aggravating and mitigating factors, and the relevance of protecting the rights of defendants throughout criminal proceedings.

The judge's perspective is essential because it demonstrates that sentencing policy does not end at the normative level but acquires its substantive meaning in courtroom practice. His experience shows that judges often face dilemmas when confronted with public expectations for maximum punishment against corrupt officials while the principle of justice requires individualized and proportionate sentencing. Therefore, the judicial perspective clarifies that reformulating corruption sentencing policy must consider judicial discretion as a safeguard of substantive justice.

Consistent with the theoretical framework of this study, Prof. Dr. Rina Maharani Putri was selected due to her academic expertise as a scholar of criminal law and human rights at the Faculty of Law, University of Indonesia. Her scholarly contributions to progressive sentencing and human rights protection provide a robust conceptual foundation for evaluating corruption sentencing policies from normative and philosophical perspectives. Through an academic lens, she emphasizes that sentencing in a constitutional state must not be divorced from the goal of protecting human dignity, including that of offenders.

Her academic insights enrich the study by demonstrating that a purely repressive approach to combating corruption, if not constrained by human rights principles, may produce policies that contradict constitutional values. Thus, the role of academic expertise in this research is crucial to bridging legal practice with universal principles of justice and assessing the extent to which corruption sentencing policies align with restorative and corrective justice orientations.

Meanwhile, Ahmad Fauzan Ramadhani was selected as an informant due to his position as a public prosecutor at the Attorney General's Office handling corruption cases. His involvement in prosecutorial processes and the formulation of sentencing demands offers an institutional perspective on how sentencing policy operates at the pre-adjudication stage. From the prosecutorial perspective, corruption sentencing is often shaped by national law enforcement priorities, expectations for effective anti-corruption measures, and public pressure demanding harsher penalties for corruption offenders. The present study employs a normative juridical method with a qualitative–doctrinal and progressive design, enriched by limited empirical data obtained through in-depth interviews. The normative juridical approach was selected because the primary focus of the research is to examine criminal law norms, sentencing policies, and the human rights framework governing the prosecution and adjudication of corruption offences in Indonesia. Through this approach, law is understood as a system of norms that must be analyzed systematically, coherently, and critically to identify weaknesses and opportunities for reformulating corruption sentencing policies.

A qualitative design was adopted because the research does not aim to statistically measure policy effectiveness; rather, it seeks to understand the rationality, values, and orientation of corruption sentencing policies within a human rights framework. The progressive approach allows the law to be examined not merely as written rules but as a social instrument that must ensure substantive justice and the protection of fundamental rights for society, suspects, and convicted persons (“Collecting Qualitative Data,” 2025). Within this context, the progressive approach enables the researcher to

critique sentencing practices that rely heavily on repressive measures without adequate regard for proportionality and humanitarian principles.

The object of this research is Indonesia's corruption sentencing policy, which includes the statutory framework under the Anti-Corruption Law, judicial sentencing practices, and institutional policy frameworks of law enforcement bodies such as the Corruption Eradication Commission (KPK), the Public Prosecutor's Office, and the Corruption Criminal Court. This object was chosen because corruption sentencing policy in Indonesia often operates within a tension between demands for harsh anti-corruption measures and the state's obligation to uphold human rights (Brinkmann, 2023b).

The juridical and institutional locus of the research is Indonesia, with particular attention to Jakarta as the center for criminal law policy formulation and the operational base of key anti-corruption institutions. Jakarta was selected because corruption sentencing policies are centrally formulated and implemented through national legislation and high-level judicial decisions. Moreover, Jakarta provides access to policy documents, court decisions, and key informants relevant to the study (Hayes, 2025).

The data sources in this research consist of primary and secondary data. Primary data were collected through in-depth interviews with informants possessing substantive expertise, professional experience, and direct involvement in criminal law, human rights, and anti-corruption enforcement. Secondary data were obtained from a literature review of statutes, court decisions, government reports, policy documents, and national as well as international academic literature relevant to corruption sentencing policies and human rights approaches.

A total of six informants were selected purposively based on substantive expertise, professional experience, and relevance to the research object (Chenail, 2025). To maintain research ethics and academic freedom, the informants were assigned pseudonyms in the form of complete academic names that realistically reflect their professional profiles.

The purposive selection of informants was intended to ensure representation across functional roles, professional backgrounds, and institutional linkages directly related to corruption sentencing policy in Indonesia. This strategy ensures that the collected data depict the multidimensional dynamics of corruption sentencing from the formulation of ratio decidendi in judicial decisions, prosecutorial practices, and anti-corruption strategies to their implications for human rights protection (Chong, 2022). Through the diversity of informant backgrounds, the research aims to capture a comprehensive perspective on the tension between the demand for effective anti-corruption measures and the principles of justice and humanity in sentencing.

Dr. Andi Prasetyo Wibowo was selected as an informant due to his role as a corruption court judge at the Central Jakarta District Court, placing him at the center of corruption sentencing practices. As a judge directly responsible for rendering decisions, he provides empirical insights into balancing the demands for stringent law enforcement with the pursuit of proportional and just punishment. From a judicial perspective, he illustrates how statutory sentencing policies are translated into concrete judicial decisions, including considerations related to aggravating and mitigating circumstances and the relevance of human rights protections for defendants in criminal proceedings.

The judge's perspective is significant because it demonstrates that sentencing policy does not end at the normative level but gains practical meaning in court decisions. His experience reveals that judges often confront dilemmas when facing public expectations for maximum sentences while simultaneously adhering to the principle of individualized and proportional punishment. Thus, the judicial perspective helps explain why the reformulation of corruption sentencing policy must consider judicial discretion as a safeguard of substantive justice (Salmona & Kaczynski, 2024).

Consistent with the study's theoretical orientation, Prof. Dr. Rina Maharani Putri was selected for her academic expertise as a scholar of criminal law and human rights at the Faculty of Law, University of Indonesia. Her academic contributions to progressive sentencing and human rights protection provide a strong conceptual foundation for evaluating corruption sentencing policy through normative and philosophical lenses. Her perspective emphasizes that sentencing in a constitutional state must uphold human dignity, including for individuals accused or convicted of criminal offences (Sadeghi & Smith, 2024).

The academic perspective enriches the analysis by showing that repressive anti-corruption approaches, if unrestrained by human rights principles, risk producing policies that contradict constitutional values (Ulloa & Schwerer, 2024). Thus, the academic informant plays a crucial role in

linking legal practice with universal principles of justice and in assessing the extent to which corruption sentencing policies reflect restorative and corrective justice orientations.

Meanwhile, Ahmad Fauzan Ramadhani, a public prosecutor at the Attorney General's Office handling corruption cases, was selected because his position provides institutional insight into how sentencing policy operates at the pre-adjudication stage. From the prosecutorial perspective, corruption sentencing is often influenced by national law enforcement priorities, the demand for strong anti-corruption deterrence, and public pressure for severe penalties.

The prosecutorial perspective is relevant to understanding how sentencing recommendations are formulated as representations of the state's interest in combating corruption. He explains that prosecutors function not only as enforcers of legal norms but also as agents implementing the state's criminal policy. Thus, this perspective helps uncover how corruption sentencing policy functions in practice and reveals potential tensions between repressive demands and the obligation to respect defendants' human rights.

On the other hand, Siti Nurhaliza Kurniati was selected due to her experience as an investigator at the Corruption Eradication Commission (KPK). Her role is essential because the investigation stage forms the entry point for shaping the sentencing trajectory of corruption cases. From the investigative perspective, sentencing policy is frequently influenced by institutional strategies to combat corruption systemically and extraordinarily. She explains how KPK's institutional emphasis on generating deterrent effects informs case construction from the earliest stages.

Her insights reveal that the hard-line approach in corruption cases is often positioned as a strategic necessity for maintaining public trust. However, from a human rights standpoint, such an approach requires caution to ensure that fundamental rights of suspects are not compromised during investigation. Thus, this informant's perspective is crucial for understanding the nexus between anti-corruption strategies and the sentencing outcomes they shape.

Additionally, Dr. Muhammad Rizky Adinata was selected as a senior researcher at a legal and human rights research institute. His involvement in monitoring sentencing practices allows the study to incorporate an independent and critical evaluative perspective. From this viewpoint, corruption sentencing is assessed not only in terms of effectiveness but also in relation to its implications for human rights fulfillment and principles of justice.

His perspective helps identify potential human rights violations arising from overly repressive sentencing policies, such as disproportionate penalties or excessive stigmatization. Therefore, the human rights researcher provides a corrective lens to dominant anti-corruption narratives that often neglect humanitarian dimensions.

Finally, Jonathan Surya Pratama was selected due to his experience as a senior defense attorney representing defendants in corruption cases. This practitioner perspective is important for understanding the concrete impact of sentencing policy on the rights of defendants and convicted persons. He provides insights into how sentencing policies are applied and experienced by individuals navigating the criminal justice system.

The advocate's perspective tests whether corruption sentencing policy aligns with procedural justice and proportionality principles. It also allows the research to assess the extent to which a progressive human rights approach can be integrated into defense practice without undermining anti-corruption objectives. Thus, this perspective complements the study's analysis by highlighting the need to safeguard individual rights within the criminal justice process.

Overall, the selection of informants was designed to build triangulation across law enforcement, academia, human rights research, and legal practice. This approach enables a balanced and critical analysis of corruption sentencing policy and supports the research objective of proposing sentencing reforms that are both effective and respectful of human rights within Indonesia's anti-corruption framework.

Data collection techniques consisted of document analysis and semi-structured interviews. Document analysis involved examining statutes, court decisions, and policy documents related to corruption sentencing. Semi-structured interviews were used to elicit in-depth yet focused insights from informants.

Data analysis employed qualitative–doctrinal interpretation and thematic analysis. Normative data were analyzed through systematic and critical interpretation of criminal law and human rights

norms, while interview data were categorized into key themes such as sentencing objectives, proportionality, and human rights protection (Taherdoost, 2025).

Conclusions were drawn using analytical synthesis by integrating interpretations of legal norms, interview findings, and the progressive legal theory framework. The conclusions were formulated inductively to propose recommendations for reformulating corruption sentencing policy in a manner that balances effective anti-corruption enforcement with the protection of human rights.

RESULTS AND DISCUSSION

The findings of this study reveal that Indonesia's sentencing policy for corruption offences remains predominantly shaped by a repressive paradigm that places imprisonment as the principal punitive instrument. An examination of the prevailing legal framework particularly the Anti-Corruption Law and its amendments demonstrates that the formulation of criminal sanctions emphasises retribution and individual deterrence. While this approach normatively reflects the state's commitment to combating corruption, its practical implementation has not produced a significant reduction in corruption levels nor substantial improvements in overall governance quality.

The study further finds that the policy orientation toward imposing severe penalties is not consistently reflected in judicial practice. An analysis of various court decisions shows considerable sentencing disparities, both in terms of imprisonment length and the application of additional penalties. This disparity indicates that the normative escalation of criminal sanctions does not automatically translate into substantive justice in practice. Instead, such inconsistencies risk undermining public trust in the judiciary and weakening the legitimacy of corruption sentencing policy.

Moreover, the findings underscore that the prevailing punitive approach does not adequately account for the structural and systemic nature of corruption. Corruption does not solely arise from the personal intent of offenders; it is strongly influenced by weak oversight mechanisms, low bureaucratic transparency, and permissive organisational cultures. In this context, imprisonment alone fails to address the systemic roots that allow corruption to recur. Punishing individual offenders without accompanying structural reform tends to produce reactive, short-term responses.

From a human rights perspective, the study reveals that Indonesia's corruption sentencing policy still adopts a narrow view of human rights, focusing mainly on the protection of suspects' and defendants' rights during criminal proceedings. This limited perspective has not fully embraced the human rights dimension related to the broader public harm caused by corruption. Corruption directly deprives society of quality public services, equitable development, and social welfare. Thus, the principal victims of corruption are the public and the state, not abstract entities such as "state finances."

The study finds that the neglect of society's human rights dimension results in an imbalanced sentencing orientation. The disproportionate emphasis on imprisonment often sidelines the optimisation of additional sanctions such as asset recovery, compensation orders, and restitution for state losses.

Consequently, the primary objective of sentencing restoring public rights remains inadequately achieved. In many cases, additional penalties are imposed formally but lack effective mechanisms for enforcement, limiting their practical benefit to society.

The results also demonstrate that the progressive legal approach has not been adequately internalised within Indonesia's corruption sentencing framework. Although Indonesian law provides room for judges to explore substantive justice, judicial practice often remains formalistic and overly focused on normative certainty. This limits opportunities for innovative sentencing, resulting in a reliance on conventional punitive models. In contrast, progressive legal theory demands context-sensitive legal interpretation aimed at achieving substantive justice and broader social utility.

The findings indicate that integrating a progressive human rights approach into corruption sentencing policy may offer a more comprehensive alternative framework. This approach does not reject the importance of firm punishment; instead, it situates sentencing within a broader context of public protection and systemic prevention. Sentencing is thus understood not merely as retribution but as a component of public policy designed to restore losses, improve systems, and prevent future corruption.

In reformulating Indonesia's corruption sentencing policy, the study emphasises the need for a fundamental shift from offender-centered punishment toward society-centered sentencing. Current policy continues to focus predominantly on offenders, measuring success by the severity of imprisonment imposed. This perspective treats corruption primarily as an individual moral failing,

without sufficiently considering its widespread impact on society, the state, and governance systems. A shift toward society-centered sentencing places public interest at the core of sentencing objectives, ensuring that punishment addresses not only individual wrongdoing but also the restoration and protection of societal rights harmed by corrupt practices.

A society-centered orientation requires redefining the meaning of the state's "firmness" in combating corruption. Firmness should not be narrowly interpreted as imposing lengthy prison terms; rather, it should reflect the state's ability to ensure that corruption yields no economic or political gains for offenders. Sanctions that directly restore public rights such as asset forfeiture, compensation payment orders, and disqualification from public office represent more substantive instruments. These sanctions are not only repressive but also corrective and preventive, reducing the likelihood of recidivism and restoring public trust in state institutions.

The findings show that imprisonment without the effective use of additional sanctions often fails to achieve the objective of restoring state losses. In many cases, corrupt offenders continue to enjoy the proceeds of their crimes or retain political and social influence even after serving prison terms. This situation creates a paradox of justice, wherein the state appears symbolically firm yet substantively weak in ensuring public justice. Thus, a society-centered sentencing approach requires consistent enforcement of sanctions that eliminate illicit gains and prevent offenders from re-entering positions of public authority.

The study also reveals that a purely punitive approach, without balancing preventive measures and public education, tends to generate a stagnant cycle of sentencing. The repeated imposition of harsh penalties does not necessarily improve the systems that enable corruption. Without structural intervention, corruption may reappear in new forms and patterns. In this context, sentencing risks becoming a reactive mechanism that fails to address root causes such as weak bureaucratic integrity, low accountability, and limited public oversight.

Public expectations for severe punishment are often exploited as justification for populist legal policies. Heavy-handed anti-corruption rhetoric is easily accepted by society because it resonates with intuitive notions of justice. However, the study shows that such demands are not always accompanied by critical evaluation of policy effectiveness. In the long term, this approach risks perpetuating a status quo in which corruption remains entrenched despite increasingly harsh legal frameworks. This reinforces the need for evidence-based and forward-looking policy design in corruption sentencing reform.

Within an integrated anti-corruption strategy, sentencing should function as one component complementing preventive measures, public education, and governance reform. The findings emphasize that without such integration, sentencing risks losing its strategic relevance. A comprehensive approach enables sentencing to reinforce social norms against corruption while also correcting systemic failures. Consequently, sentencing policy should not merely respond to crimes already committed but also contribute to preventing corruption in the future.

An analysis of Indonesia's national regulatory framework demonstrates that, normatively, the country already possesses adequate legal foundations to implement a human-rights-oriented and progressive sentencing model for corruption crimes. Provisions regarding additional sanctions such as asset forfeiture and restitution are formally available within the existing legal system. However, the findings indicate that the core problem lies not in the absence of normative instruments but in the orientation and implementation of sentencing policies. Current penal policy continues to position imprisonment as the primary objective, while other instruments are treated merely as administrative complements.

In this context, a reformulation of sentencing policy does not necessarily require increasing statutory penalties or expanding maximum punishments. Rather, refining the orientation of sentencing becomes more crucial, especially to ensure that judicial decisions are aligned with the objectives of protecting public rights and improving governance integrity. This approach is consistent with the principles of progressive human rights, which require the state to be accountable not only for punishing offenders but also for restoring the social and economic harms generated by corruption.

Furthermore, the findings reveal that the application of a progressive human rights perspective in corruption sentencing has the potential to strengthen the legitimacy of anti-corruption policies. By positioning public interest as the normative basis of sentencing, the state demonstrates that anti-corruption efforts are intended to safeguard citizens' rights to clean, transparent, and accountable

governance. Such legitimacy is essential for maintaining public support and mitigating skepticism regarding the effectiveness of existing legal mechanisms.

A progressive human rights orientation also functions as a corrective mechanism against the tendency to use anti-corruption enforcement as a symbolic political tool. When sentencing is directed toward restoring public rights and achieving systemic prevention, opportunities for rhetorical exploitation of corruption issues become more limited. The state is compelled to demonstrate its commitment through policies that create tangible impact rather than relying solely on punitive narratives.

Accordingly, the extended analysis confirms that a reformulation of corruption sentencing policy based on society-centered sentencing and progressive human rights is a strategic pathway to address the multidimensional challenges of corruption in Indonesia. This approach enables sentencing to function as an instrument of systemic transformation, not only penalizing offenders but also safeguarding public rights, improving institutional governance, and ensuring the long-term sustainability of anti-corruption initiatives.

The results further indicate that Indonesia's corruption sentencing policies require reform that goes beyond conventional punitive approaches. A progressive human rights framework provides a conceptual foundation enabling corruption sentencing to be carried out in a more just, effective, and sustainable manner. This reformulation emphasizes not merely the severity of punishment but also its implications for restitution of state losses, corruption prevention, and protection of public rights. In this way, sentencing can operate as a systemic instrument within broader anti-corruption strategies.

The primary problem identified in this research is the dominance of a retributive paradigm in Indonesia's corruption sentencing policies one that has not been balanced with a restorative orientation aimed at public protection. Existing studies show that imprisonment remains the main indicator of state firmness, as reflected in statutory sanctions under Law No. 31/1999 in conjunction with Law No. 20/2001 on the Eradication of Corruption. Although these laws recognize additional sanctions, law enforcement practice demonstrates that imprisonment remains the dominant form of punishment, while restitution and political rights restrictions have not been consistently optimized.

The findings further show that this retributive orientation is not fully aligned with the systemic nature of corruption and its widespread societal impact. Corruption harms not only state finances but also violates citizens' rights to adequate public services as guaranteed by the 1945 Constitution particularly Article 28H(2) and Article 33(3). Consequently, a sentencing model that focuses solely on punishing offenders without addressing the resulting social harm risks neglecting the constitutional dimension of public rights protection. This aligns with conclusions showing that imprisonment, in the absence of structural reform, fails to address the root causes of corruption.

The problem gap in Indonesia's corruption sentencing policy lies in the discrepancy between normative mandates and practical implementation. Normatively, the Anti-Corruption Law already provides instruments that enable the adoption of more progressive sentencing models, including asset forfeiture and restitution. However, prior studies reveal that these instruments have not been utilized optimally as mechanisms for restoring public rights. This indicates that the main issue is not the inadequacy of regulations but the persistence of an offender-centered punishment paradigm.

Another gap concerns the treatment of human rights within sentencing policy. Law enforcement practice tends to conceptualize human rights narrowly as procedural protections for suspects and defendants, as outlined in the Criminal Procedure Code. Meanwhile, broader national and international human rights frameworks emphasize that society is also a rights-bearing subject who must be protected from systemic harms caused by corruption. Law No. 39/1999 on Human Rights explicitly mandates the state to ensure citizens' welfare and social justice both of which are directly undermined by corruption.

The research problem examining how corruption sentencing policy can be reformulated through a progressive human-rights approach finds clear relevance in the findings. Judicial analysis demonstrates that heavier sentences do not automatically produce deterrence or better governance outcomes. Instead, a purely punitive approach risks generating symbolic legitimacy, where the appearance of strict enforcement substitutes for meaningful impact.

These findings highlight the need to redirect sentencing policy toward a change in orientation rather than merely increasing penalty thresholds. A normative shift toward society-centered sentencing grounded in progressive human rights is therefore essential to ensure that corruption sentencing contributes to systemic improvement, public protection, and sustainable anti-corruption governance.

In addressing the research problem, the progressive human rights approach proves relevant as a normative and conceptual framework capable of overcoming the limitations of conventional criminal sentencing in corruption cases. This approach calls for a shift in understanding the purpose of punishment from an instrument of individual retribution to a mechanism for safeguarding the public's right to clean, transparent, and accountable governance. From a progressive human rights perspective, corruption is not merely a criminal offense but a systemic violation of the economic and social rights of society. Consequently, the sentencing of corruption must be directed towards correcting these structural impacts rather than solely punishing the offender.

Existing research shows that public-interest-oriented sentencing is more consistent with principles of substantive justice compared to the repressive approach centered on imprisonment. Instruments such as asset seizure, restitution, and disqualification from public office have a direct impact on the restoration of public rights and the prevention of future corruption. These measures narrow the opportunities for offenders to retain illicit gains or maintain strategic positions within power structures. Thus, sentencing functions not only as a symbolic expression of state authority but also as a corrective mechanism that eliminates the economic and political benefits derived from corruption.

The normative basis for such an approach is explicitly embodied in Article 18 of the Law on the Eradication of Corruption Crimes, which authorizes the imposition of additional penalties such as asset forfeiture and restitution. This provision demonstrates that the legislature has created space for more progressive and recovery-oriented sentencing. However, the findings indicate that implementation remains suboptimal, as these measures are frequently treated as secondary to imprisonment. This underscores that the main issue lies not in the absence of legal norms but in a law-enforcement paradigm that has yet to fully internalize progressive human rights principles.

The research objective to critically examine the effectiveness of corruption sentencing policy is justified by prior findings demonstrating the long-term limitations of repressive approaches. Lengthy prison sentences may satisfy the public's immediate sense of justice, but they do not necessarily correlate with reduced corruption or improved governance. In some cases, disproportionate repressive measures even create new problems, such as sentencing disparities and declining public trust in the judiciary. Thus, the need for a paradigm shift in sentencing policy becomes increasingly urgent.

Reformulating sentencing policy through society-centered sentencing enables corruption punishment to be positioned as an integral component of a comprehensive anti-corruption strategy. This aligns with global anti-corruption frameworks, notably the United Nations Convention against Corruption (UNCAC), ratified by Indonesia through Law No. 7 of 2006. The Convention underscores that the effectiveness of anti-corruption efforts depends on the combination of law enforcement, prevention, asset recovery, and institutional strengthening. Adopting this approach ensures that sentencing is not viewed in isolation from preventive measures or bureaucratic reform but as part of the broader legal and governance ecosystem.

Moreover, society-centered sentencing provides normative justification for strengthening sanctions that protect public interests. Political-rights restrictions for corruption offenders, for instance, should not be framed as human rights violations but rather as measures to safeguard society's right to clean governance. Within a progressive human rights framework, limitations on certain rights are permissible when applied proportionately, grounded in law, and aimed at protecting the public interest. Therefore, prohibiting corruption offenders from holding public office represents a form of human rights protection for society, rather than a violation of individual offender rights.

The study's purpose to propose a sentencing approach aligned with human rights and progressive legal principles is also connected to the state's constitutional duty to guarantee social justice and welfare. Law No. 25 of 2009 on Public Services articulates the state's responsibility to provide high-quality, transparent, and accountable public services. Corruption undermines these obligations by diverting public resources, reducing service quality, and exacerbating social inequality. Thus, sentencing that fails to restore the impact of corruption on public services is inconsistent with the normative mandate of the law.

Within this context, a progressive human rights approach enables corruption sentencing to contribute to improving public service quality through optimized asset recovery and enhanced accountability mechanisms. Funds recovered from corruption, for example, can be redirected to finance affected public services. In this way, sentencing directly contributes to the realization of citizens' rights to public services, as mandated by the Public Service Law and the 1945 Constitution.

Conceptually, the development of this approach reinforces the function of criminal law as *ultimum remedium* oriented toward protecting social interests. Corruption sentencing is no longer perceived as a tool of political legitimacy or a moralistic symbol of state authority but as a rational and responsible public policy instrument. This approach demands consistency between the purpose of sentencing, the type of sanctions imposed, and the expected social outcomes, thereby reducing the gap between legal norms and social realities.

Accordingly, this discussion affirms that the progressive human rights approach provides a normative response to the research questions while supporting the study's objective of formulating a direction for sentencing reform. The integration of public-interest-based sentencing, the state's human rights obligations, and international anti-corruption strategies creates a more comprehensive and sustainable framework for sentencing reform. This approach enables corruption sentencing to function not only as a punitive mechanism but also as an instrument of social transformation toward clean and just governance in Indonesia.

The theoretical contribution of this research lies in strengthening the discourse on criminal law by integrating human rights and progressive legal perspectives into corruption sentencing. Previous studies show that separating sentencing from human rights limits the analytical space for criminal justice policy. By linking corruption sentencing to the protection of public rights, this research offers a more holistic and contextual analytical model.

The study's academic significance is reflected in its contribution to enriching interdisciplinary scholarship across criminal law, human rights law, and public policy. The research demonstrates that normative legal studies can be developed not only to analyze legal norms but also to critique policy orientations and their social implications. Thus, it serves as a reference for further studies on extraordinary crimes within a progressive human rights framework.

The practical implications relate directly to policymakers and law-enforcement agencies. The findings indicate that sentencing reform does not always require legislative amendments but rather a reorientation in its application. Optimizing additional penalties, enforcing asset-recovery mechanisms, and restricting the political rights of corruption offenders can be achieved within the existing legal framework. This approach aligns with principles of policy effectiveness and efficiency while strengthening the legitimacy of anti-corruption measures in the eyes of the public.

In conclusion, this discussion confirms that the core problem, research gap, problem formulation, objectives, and benefits are conceptually and normatively interconnected. Reformulating corruption sentencing policy based on progressive human rights principles is not merely an academic proposition but a strategic necessity to ensure that criminal law functions as an instrument for protecting public rights, improving governance, and enabling sustainable anti-corruption efforts in Indonesia.

CONCLUSION

This study concludes that Indonesia's current sentencing policy for corruption offences remains dominated by a repressive paradigm that positions imprisonment as the primary indicator of the state's firmness. Based on the research findings and discussion, such an approach has not been fully capable of addressing the complexity of corruption as a systemic crime that produces extensive impacts on public rights. Punishment that is oriented toward individual retribution has proven ineffective in generating sustained deterrence or in restoring the social and economic losses caused by corrupt practices.

The findings further demonstrate that although Indonesia's national legal framework provides a relatively comprehensive range of punitive instruments including provisions on additional penalties and asset recovery the implementation of these policies remains suboptimal. The analysis reveals that the dominance of an offender-centered punishment paradigm has hindered the optimal utilisation of mechanisms designed to restore public rights, such as asset confiscation and the restriction of political rights for convicted offenders. As a result, sanctions for corruption tend to be symbolic and have yet to produce substantive benefits for society, which is the primary victim of corruption.

The study also concludes that the current understanding of human rights within corruption sentencing policy remains narrow. Human rights considerations are still largely confined to the procedural rights of defendants, while the human rights dimension of society as the structural victim of corruption receives insufficient attention. The analysis shows that corruption clearly violates citizens' rights to adequate public services, social welfare, and clean governance. Consequently, sentencing

policies that fail to address these impacts risk undermining the substantive aims of human rights protection.

Drawing from the findings and discussion, the study affirms that a progressive human rights approach offers a relevant normative foundation for reformulating Indonesia's corruption sentencing policy. This approach enables sentencing to be conceptualised as an instrument for protecting the public interest and restoring societal rights, rather than merely punishing offenders. The integration of progressive human rights principles with progressive legal theory also encourages the development of sentencing practices that are contextual, proportional, and oriented toward substantive justice and social utility.

The study concludes that the reformulation of corruption sentencing policy must involve a paradigm shift toward society-centered sentencing. This shift positions societal interests at the core of sentencing policy and requires the optimisation of sanctions that directly restore public rights, such as asset confiscation, compensation orders, and disqualification from holding public office. The findings indicate that public-interest-oriented sentencing not only aligns more closely with substantive justice principles, but also strengthens the long-term sustainability of anti-corruption efforts.

Moreover, the study asserts that corruption sentencing cannot be isolated from broader and more integrated anti-corruption strategies. Sentencing, when applied in isolation and without complementary preventive measures, public education, and governance reforms, risks perpetuating a recurring cycle of corruption. Therefore, sentencing reform must be positioned as an integral component of efforts to strengthen bureaucratic accountability, enhance transparency in public resource management, and restore public trust in state institutions.

Overall, this study emphasises that the reformulation of corruption sentencing policy based on a progressive human rights approach is both a normative imperative and a strategic necessity within Indonesia's anti-corruption framework. By linking the research findings with the broader discussion, the study concludes that this approach not only enriches academic discourse but also offers a more just, effective, and publicly-oriented policy direction. Such reform is expected to reinforce the legitimacy of anti-corruption policies and ensure that sentencing contributes meaningfully to the realisation of clean, transparent, and socially just governance in Indonesia.

RECOMMENDATIONS

Based on the study's conclusion that Indonesia's sentencing policy for corruption remains dominated by a repressive approach that has yet to demonstrate sustainable effectiveness, the primary recommendation is the need for a reformulation of sentencing policy that is oriented toward the protection of public interests through a progressive human rights framework. Such reformulation should not be interpreted as a relaxation of the state's stance against corruption; rather, it constitutes an effort to strengthen the effectiveness of sentencing by placing the protection of societal rights as the principal objective of criminal law policy.

The first recommendation is directed at policymakers and legislators, urging them to sharpen the normative orientation of sentencing within the existing statutory framework. Indonesia's Anti-Corruption Law already provides a normative basis for the application of additional sanctions that promote asset recovery and the protection of public interests. Accordingly, policy reform does not necessarily require statutory amendment; instead, it calls for strengthened legislative guidance and prosecutorial policy that explicitly prioritizes asset forfeiture, compensation payments, and political rights restrictions as core instruments of corruption sentencing.

The second recommendation addresses the judiciary and law-enforcement institutions, emphasizing the need to internalize a progressive human rights approach in sentencing practices. Judges are expected to move beyond the formalistic reliance on imprisonment and actively pursue substantive justice and public interest considerations. The optimization of additional sanctions, as prescribed in positive law, should be understood as a form of societal rights protection rather than as a violation of offenders' human rights. In this sense, such sanctions constitute a legitimate mechanism for the protection of collective human rights.

The third recommendation calls for a paradigmatic shift from offender-centered punishment to society-centered sentencing. As shown in the study's findings, this approach is more suitable for addressing corruption as a structural and systemic crime. Therefore, corruption sentencing must be integrated into a broader anti-corruption strategy that encompasses prevention, institutional

rehabilitation, and governance reform. Sentencing should not function as an isolated reactive measure, but as a component that contributes to long-term systemic improvement.

The fourth recommendation, directed at the executive branch, concerns the integration of sentencing policy with public service reforms and bureaucratic governance. The findings demonstrate that corruption directly undermines citizens' rights to quality public services. For this reason, assets recovered through forfeiture and compensation should be transparently allocated to support public service sectors adversely affected by corruption. Such an approach not only reinforces the legitimacy of sentencing but also demonstrates the state's concrete commitment to restoring public rights.

The fifth recommendation is academic and methodological in nature, emphasizing the need for further research that combines normative legal analysis with empirical investigation. While this study establishes the urgency of a paradigm shift in corruption sentencing, the effectiveness of such reform requires empirical evaluation, particularly regarding its impact on corruption prevention and public trust. Comparative studies involving other jurisdictions may also broaden the analytical perspective and enrich discourse on corruption sentencing in Indonesia.

Overall, this study's recommendations reaffirm that the reformulation of Indonesia's corruption sentencing policy must be situated within a broader agenda of strengthening substantive justice and protecting public rights as the central aim of criminal policy. The traditional emphasis on severe imprisonment must evolve into a policy framework capable of addressing the social and structural harms of corruption. Through the lens of progressive human rights, corruption sentencing can be understood not simply as a punishment of offenders, but as an instrument for safeguarding the collective right to clean, transparent, and accountable governance.

Ultimately, the implementation of these recommendations will not only strengthen substantive anti-corruption efforts but also ensure that criminal law fulfills its function as an instrument for the protection of human rights and the improvement of public governance in Indonesia. Reformulating corruption sentencing through a progressive human rights framework is therefore an essential step toward addressing the complex challenges of corruption in a fair and sustainable manner.

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