

# Criminological perspective in corruption crimes committed by TNI army soldiers (Case Study of Decision Number: 21-K/PMT-II/AD/II/2022 and Case Study of Decision Number: 44-K/Connection/PMT-II/AD/VIII/2022)

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## Abstract

**Purpose:** This study aims to analyze the Criminological Perspective in Corruption Crimes Committed by TNI AD Soldiers (Case Study of Decision Number: 21-K/PMT-II/AD/II/2022 and Case Study of Decision Number: 44-K/Koneksitas/PMT-II/AD/VIII/2022).

**Research/methodology:** The type of research in this study uses the normative juridical research type. This type of normative juridical research is research that uses or refers to legal norms that can be in laws and regulations that refer to legal norms. The author conducted research, which is descriptive and analytical. Data analysis was carried out using qualitative analysis methods.

**Results:** The result of a construction analysis that underpins the TNI AD soldiers to commit corruption crimes in juridical studies and criminological studies is the nature of the juridical study that the author analyzes from the two corruption convictions that have been tried in this connection court is that the defendant is legally and justifiably proven to have committed a corruption crime and has been sentenced to a heavy prison sentence accompanied by a large fine and the existence of a criminal additional in the form of replacement money. Analysis Results Regarding the case raised in this study regarding the connection of corruption crimes committed by the military and civilians, the panel of judges has imposed heavy criminal sanctions on the perpetrators, this is actually from two things, namely justice for the victim and justice for the perpetrator. The perpetrator for his actions has been sentenced with heavy sanctions.

**Keywords:** *Criminology, Crime, Corruption, TNI AD Soldiers*

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## 1. Introduction

From 2004 to 2023, the Corruption Eradication Commission (KPK) has handled 1,512 cases of corruption. This fact shows that corrupt practices still occur in Indonesia involving various professions such as members of the House of Representatives and DPRD, governors, regents, ministers, civil servants, judges, prosecutors, police, lawyers and businessmen from the central to regional levels. The problem of corruption that has hit the Indonesian nation is very serious, even corruption has been seen as an extraordinary crime (*extra ordinary crimes*) and has shaken the joints of the life of the nation and state.

Juridically, the definition and types of corruption crimes have been formulated in Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption Crimes. The definition of corruption juridically is essentially an act that meets the elements in the formulation of a criminal act regulated in Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption.

Indonesia has ratified the *United Nations Convention Against Corruption* (UNCAC) with Law No. 7 of 2006, this shows that our country has committed to eradicating corruption in addition to Law No. 20 of 2001 concerning Amendments to Law No. 31 of 1999 concerning the Eradication of Corruption. The moral postulate (assumption that is considered correct) of the enactment of the law expressly states that the corruption crimes that have occurred so far have occurred widely, not only harming the state's finances but also a violation of the social and economic rights of the community at large, so that the crime of corruption needs to be classified as a crime whose eradication must be carried out extraordinarily with the establishment of corruption as *a crimeextra ordinary crimes* by the Indonesian state, so the state, the people and the culture of the Indonesian people should have *zero tolerance* for all forms of corruption (Alkostar, 2013; Zahrani, Nurmayani, & Deviani, 2022).

Corruption crimes are not only committed by civilians, but also occur in the military, namely the TNI (Indonesian National Army) (Djaja, 2010). The TNI has the personal qualities of soldiers with a culture of law-abiding as the basis of professionalism with low indicators in committing violations of the law both in quality and quantity and the realization of TNI soldiers with high values of indicators of discipline level in the implementation of duties and responsibilities in daily life. The existence of a military legal basis contained in the Criminal Code (Military Criminal Code) is a rule that must be obeyed. However, it turns out that there are still many TNI personnel who commit violations of the law, both in general criminal law and special criminal law. Many factors affect a person to commit a corruption crime. Not only economic factors can cause someone to commit a crime of corruption, it can be caused by many factors, including politics, social, culture and so on (Gustian, Respationo, Erniyanti, Anatami, & Parameshwara, 2022; Hermawan, Respationo, Erniyanti, & Fadlan, 2022).

The provisions in the Corruption Crime Law Number 31 of 1999 in conjunction with Law Number 20 of 2001, juridically can be applied to TNI personnel who commit corruption crimes. The legal basis for this enactment is regulated in the provisions of Article 2 of the Military Criminal Code (KUHPM) in Indonesia, which explains that state agencies, agencies, or institutions that are subject to the provisions of the Criminal Code regulations follow this Law, and other provisions apply if they are regulated in laws outside the Criminal Code.

Such as the crime of corruption, committed by the TNI, together with civilians, which has been processed and tried in the connectivity court that will be studied in the writing of the research, namely decision Number 21-K/PMT-II/AD/II/2022 and decision Number 44-K/Connection/PMT-II/AD/VIII/2022. The reason why the author wants to raise this case is because the author wants to describe and analyze from a criminological perspective to see the construction behind the perpetrators, in this case TNI AD personnel who have committed corruption crimes, as well as prevention and countermeasures to minimize the occurrence of corruption crimes within the TNI. A criminological review will help researchers to understand more deeply the actual construction behind the occurrence of corruption crimes committed by the military using criminological theories.

Based on the description above, the author is interested in conducting further research with the title **Criminological perspective in corruption crimes committed by tni ad soldiers (Case Study Decision Number: 21-K/PMT-II/AD/II/2022 and Case Study Decision Number: 44-K/Connection/PMT-II/AD/VIII/2022).**

### ***1.1. Problem formulation***

This research has the following uses:

1. How is the construction behind TNI AD soldiers to commit corruption crimes reviewed from a juridical aspect and a criminological perspective?
2. What is the criminological perspective on corruption committed by the TNI AD as an effort to minimize the occurrence of corruption in the military environment?

## 2. Literature Review

### 2.1. Criminal law

Criminal law can be interpreted as the legal rule of a sovereign country, containing prohibited acts accompanied by criminal sanctions imposed on violators, when, and in what cases the criminal sanctions are imposed and how the criminal enforcement is enforced.

According to Wirjono, Prodjodikoro provides the meaning of criminal law into material criminal law and formal criminal law, namely:

- a. Material criminal law is the designation and description of acts that are threatened by criminal law, the appointment of general conditions must be met so that the act is an act whose act can be criminally punished, the appointment of a person or legal entity that can generally be criminally punished, and the designation of the type of criminal punishment that can be imposed.
- b. Formal criminal law is a law that is closely related to the establishment of material criminal law, therefore it is a series of regulations that contain ways in which the powerful government bodies, namely the police, the prosecutor's office and the courts, must act to achieve the goals of the State by establishing a criminal law (Prodjodikoro, 1989; Tarasari & Nasywa, 2021).

### 2.2. Criminal

According to Muljatno, the definition of criminal acts is an act that is prohibited by a prohibition legal rule which is accompanied by a threat in the form of a certain crime, for anyone who violates the prohibition can also be said that a criminal act is an act that is prohibited by a legal rule and is threatened with criminal punishment, as long as it is remembered that the prohibition is aimed at an act (i.e. a circumstance or event caused by the behavior of a person), Meanwhile, the criminal threat is aimed at the person who caused the incident.

Criminal acts can be equated with the English term "*Criminal Act*", First, *Criminal Act* means conduct and consequences, or in other words: the consequences of an act, which is prohibited by law. Second, because *this Criminal Act* is also separated from criminal liability called *Criminal Liability* or Responsibility. For the existence of *Criminal Liability* (so that a person can be convicted) in addition to committing a *Criminal Act* (criminal act) the person must also have guilt. That for criminal liability it is not enough to commit a criminal act, but besides that there must be mistakes, or mental attitudes that can be reprehensible, it is also evident in the unwritten legal principle; Not punished if there is no wrongdoing. The term criminal act comes from a term known as "*strafbaar feit*". The word "*feit*" in Dutch means "part of a reality", while "*strafbaar*" means punishable, so it can be translated as part of a punishable reality (Lamintang, 1997).

### 2.3. Definition of Corruption Crime

According to Baharuddin Lopa, the general definition of corruption is a criminal act of bribery and unlawful acts that are detrimental or can harm the country's finances or economy, harm the welfare or interests of the people. Acts that are detrimental to the country's finances or economy are corruption in the material field, while corruption in the political field can take the form of voting manipulation by means of bribery, intimidation, coercion, and/or interference that can affect freedom of choice, commercialization of voting in legislative institutions, or administrative decisions in the field of government implementation.

Based on the Law, the definition of corruption is:

- a. Whoever unlawfully commits an act of enriching himself or another person or an entity that directly harms the State's finances and/or the State's economy or is known to be suspected by him that the act is detrimental to the State's finances (Article 2);

- b. Whoever with the aim of benefiting himself or herself or another person or an agency abuses the authority, opportunity, or means available to him because his position or position may directly harm the State or the State's economy (Article 3);
- c. Whoever commits a crime listed in Articles 209, 210, 387, 388, 415, 416, 417, 418, 419, 420, 425, 435 of the Criminal Code (Yurizal, 2017).

#### **2.4. Military Definition**

Military Criminal Code No. 39 of 1947 in Article 46, what is meant by military is:

- a) 1st Those who are related to voluntary service in the Armed Forces, who are obliged to be in the service continuously for the duration of the service bond;
- b) 2nd All other volunteers in the Armed Forces and the military are obliged to, as often and as long as they are in service, as well as if they are outside the actual service within the time limit for as long as they may be called into service, to perform any of the acts formulated in Articles 97, 99 and 139 of this Code.

A military is marked by Rank, NRP, Position, and Unity in carrying out their duties or serving and wearing uniforms according to their dimensions, complete with rank insignia, unit location and other attributes. According to S.R Sianturi, a military can be the subject of criminal acts as follows: if you look at the provisions of Article 63 of the Criminal Code, it determines otherwise, namely the application of the most severe criminal provisions (first paragraph) or the application of special criminal provisions (second paragraph). If a mixed criminal act occurs, *the* military simultaneously becomes the subject of a general criminal act and a military criminal act. A military is the subject of a general criminal act and also a subject of a military crime. Because the reason for the revision of the Criminal Code specifically (separately) is, among other things, for criminal sanctions, in the event of a mixed criminal act, the criminal provisions listed in the Criminal Code are applied, in accordance with the provisions of Article 63 of the Criminal Code (Edla et al., 2025; Pratiwi, Dewi, Widnyani, & Rahayu, 2023; Sianturi, 2010).

#### **2.5. Definition of Criminology**

The term Criminology was introduced by a Belgian Anthropology scholar named *P. Topinard*. This term was coined from the word "*Exceptional*" which means evil or criminal and "*Logos*" which means science, then criminology can mean the science of crime or criminals (Santoso & Zulfa, 2001). The definition of crime in a criminological view has a very broad meaning, not only all acts that are prohibited according to criminal law regulations and norms that exist in society outside criminal law, but also include problems of social phenomena or community diseases (Pebrianto, 2023; Riza, 2023; Sambas & Andrisari, 2021).

Bonger defines criminology as a science that aims to investigate the symptoms of crime as widely as possible or theoretical/pure criminology. Theoretical criminology is a science based on experience, like other similar sciences, paying attention to symptoms and trying to investigate the causes of those symptoms in the ways that exist in them. Investigating the causes of the symptoms of the crime is called *Etiology* (Utari 2012). Meanwhile, Edwin H. Sutherland provides a definition as the whole of knowledge that discusses crime as a social phenomenon, which includes a discussion of the processes of making laws and reactions to violations of laws, which process includes three aspects that are a unity of causal relationships that affect each other.

### **3. Research Methodology**

#### **3.1. Type of Research**

The type of research in this study uses the normative juridical research type. The type of normative juridical research, which is research that uses or refers to legal norms that can be in laws and regulations that refer to legal norms (Marzuki, 2005). written legal fields. This is done by identifying in advance the legal rules that have been formulated in certain legislation.

### **3.2. Nature of Research**

The author conducted research, which is descriptive and analytical. Analytical descriptive is research that describes the applicable laws and regulations associated with positive legal theories related to the problem being studied (Soemitro, 1983). In this study, the author analyzes and deresearches all the symptoms and facts that exist with matters related to the research in accordance with the provisions of the relevant and applicable laws in Indonesia with the subject matter discussed.

### **3.3. Data and Data Sources**

In line with the selection of the type of research in writing this study is a normative juridical research type, the data used is secondary data.

The secondary data used here consists of two legal materials, namely:

- a. Primary Legal Materials are binding legal materials. The primary legal materials used in this research are:
  - 1) The Constitution of the Republic of Indonesia in 1945.
  - 2) Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption.
  - 3) Law Number 46 of 2009 concerning the Corruption Crimes Court.
  - 4) Law Number 30 of 2002 concerning the Corruption Eradication Commission.
  - 5) Law Number 31 of 1997 concerning Military Courts.
  - 6) Law Number 34 of 2004 concerning the Indonesian National Army.
  - 7) Decision Number: 44-K/Connection/PMT-II/AD/VIII/2022
- b. Secondary Legal Materials are library materials that explain primary materials. In the research, legal materials that are helpful and/or supporting primary legal materials in the research will strengthen the explanation in it. This study uses legal research books that contain legal basics, views of legal experts, accredited legal research journals, articles and legal research doctrines related to this research.

### **3.4. Data collection**

In obtaining secondary data, researchers use library research to search for data, information with research topics. Library research is a study used to collect information and data in libraries such as documents, books, magazines, and so on. In collecting data, the author studies books, scientific works, literature, notes, references, and legislation. The author uses internet media to search for topics that are related to research. Literature studies in the research were carried out in several places, such as the National Library of the Republic of Indonesia, the Library of the Military Law College, and internet media (*browsing*) such as e-books and others.

### **3.5. Data Analysis**

The author uses a qualitative analysis method. This qualitative analysis method is chosen to analyze in-depth and not in the form of numbers but from the results of interviews, or written materials such as laws, documents, books and so on. By using this method, the author can analyze the perspective of criminological theory in the crime of corruption.

### **3.6. Drawing conclusions**

The author uses a deductive conclusion drawing method. Deductive Withdrawal is a way of thinking that departs from a general assumption or statement to reach a conclusion that has a more specific meaning (Mundiri 2018). So in this study, the author analyzes from general statements, namely rules that are in positive law, namely Law Number 31 of 1999 Jo. Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Enforcement of Corruption Crimes and Regulations in the Military and with a special statement are the provisions of the rules applied in Decision Number: 44-/Connection/PMT-II/AD/VIII/2022 and Decision No. 21-K/PMT-II/AD/II/2022.

## 4. Results and Discussions

### 4.1. Construction Behind TNI Army Soldiers to Commit Corruption Crimes in Juridical Studies and Criminological Studies

Corruption crimes that occur within the TNI can also be applied to the provisions of the Corruption Crime Law No. 31/1999 concerning the Eradication of Corruption Crimes as amended by Law No. 20/2001 concerning Amendments to Law No. 31 of 1999 concerning the Eradication of Corruption Crimes, which will be studied in this study. The corruption crimes that occurred were carried out by retired TNI officers together with civilian actors who have been processed and tried in connection courts, namely decision No. 21-K/PMT-II/AD/II/2022 and decision No. 44-K/Koneksitas/PMT-II/AD/VIII/2022. Juridical Analysis of Decision No. 21-K/PMT-II/AD/II/2022 and Decision No. 44-K/Koneksitas/PMT-II/AD/VIII/2022

In Decision No. 21-K/PMT-II/AD/II/2022, the indictment that is proven to be the first primary indictment is Article 2 paragraph (1) jo Article 18 of Law Number 31 of 1999 concerning the Eradication of Corruption Crimes as amended by Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Crimes jo Article 55 paragraph (1) 1 of the Criminal Code jo Article 64 paragraph (1) of the Criminal Code.

Based on the facts found in the trial, the Panel of Judges is of the opinion that there is sufficient valid and convincing evidence that the Defendants are guilty of committing a criminal act in accordance with the Primary Indictment, namely "Every person unlawfully commits an act of enriching himself and another person and a corporation that is detrimental to the state finances which is carried out jointly in several acts as a continuing act", as regulated and threatened in Article 2 paragraph (1) jo Article 18 of Law Number 31 of 1999 concerning the Eradication of Corruption as amended by Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption in conjunction with Article 55 Paragraph (1) 1 of the Criminal Code jo Article 64 Paragraph (1) of the Criminal Code.

With the fulfillment of all the elements of the criminal act in the Primary Indictment of the High Military Prosecutor, the Memorandum of Defense (*Pleidooi*) and Duplicates of the Legal Advisory team of the Defendants as well as the personal defense of each Defendant, as far as the proof of the elements of the criminal act in the First Primary Indictment is concerned, is unacceptable and must be set aside. From this case, the Panel of Judges did not find any things that could be used as justification or excuse for the Defendant's actions that made the Defendant independent of criminal prosecution or free from legal prosecution and therefore the Defendant could be held accountable for his actions, so it is appropriate and fair if the Defendant is sentenced commensurate with his actions.

Based on the legal facts at the trial and the Audi t BPKP RI Result Report in the context of calculating State Financial losses on the alleged Crime of Corruption in the management of the Army Mandatory Housing Savings Fund (TWP AD) from 2012 to 2014 Number: PE.03.03/R/S-486/D5/02/2022 dated July 5, 2022, , the calculation of State Financial losses for the Alleged Corruption Crime in the management of the Army Mandatory Housing Savings Fund due to the actions of Defendant-1 and Defendant-2 who have enriched themselves or others, has resulted in state financial losses of Rp 61,776,060,912.00 (sixty-one billion seven hundred and seventy-six million sixty thousand nine hundred and twelve rupiahs) with the following calculations: state losses charged to Defendant-1 amounting to Rp 8,845,000,000.00 (eight billion eight hundred and forty-five million rupiah) and Defendant-2 amounting to Rp 52,270,560,912.00 (fifty-two billion two hundred seventy million five hundred and sixty thousand nine hundred and twelve rupiahs, after deducting from the return of Rp 660,500,000.00 (six hundred and sixty million five hundred thousand rupiah) to Rp 61.115.560.912.00 (sixty satu milyar one hundred and fifteen million five hundred sixty thousand nine hundred and twelve rupiah) which is the burden and responsibility of the Defendants.

In this criminological analysis, it will be analyzed related to the factors behind soldiers to commit corruption crimes from the criminological aspect, which can be formulated and analyzed using criminological theories. The perspective of crime in criminology is evil acts, unlawful acts, behavior

that is contrary to applicable values and norms that have been ratified by written law. Many definitions of crime have been put forward by criminology scholars, such as those put forward by Bianchi:

*for a long time the difficulty of defining crime has been one of the main problems of criminology (Bianchi 2956). Bianchi further concluded the definition of crime in his book as follows: "crime is a sinful, ethically blameworthy, defiant and erroneous act, eventually prohibited by penal law, at any rate deserving to be followed conscious counteraction on the part of society, which in its behavioural aspect is the evidence of a failure of reciprocal socio-psychical adjustment of society and the individual, being a "deficient" mode expression by which man runs counter to his own self". ("Crime is a sinful, ethically reprehensible, unlawful and erroneous act, which is ultimately prohibited by criminal law, but must nevertheless be followed by a conscious act of resistance on the part of society, which in its behavioral aspect is evidence of the failure of mutual socio-psychological adjustment between society and the individual, becoming a form of "defective" expression by which man fights himself.")*

Cloward and Ohlin also formulated about evil, namely:

*the delinquent act ..... it is behavior that violates basic norms of the society, and when officially known, it evokes a judgment by agent of criminal justice that such norm have been violated (Cloward 1960). (mischief deeds ..... is an act that violates the basic norms of society, and if it is officially known, it will cause a verdict by law enforcement officials that the norm has been violated).*

However, in general, the definition of juridical crime is all human behavior that is contrary to the law, punishable as regulated in the criminal law. The occurrence of corruption crimes is not only regulated in the provisions of the law, but morally with the values and norms that exist in society is also an act that is condemned in society. Considering the bad impact in this corruption crime, it has hurt the sense of justice in the state and society. This is because the money that is corrupted is money that should be intended for development or people's welfare.

The military that jointly commits corruption crimes together with civilians will be tried in the connectivity court after the weight of the loss is determined. In the case raised by the author in this study, the weight of the loss is on the military, thus being tried in a military court. Regarding the problems in the research, namely the construction that underpins TNI AD soldiers to commit corruption crimes is reviewed from the aspect of Criminology, the author uses *Routine Activity Theory (RAT)* to find out the causes of corruption committed by TNI soldiers. In Criminology, the *Routine Activity Theory (RAT)* of Marcus Felson in his research shows that the "chemistry of crime" requires all the necessary elements. A criminal event does not only concern one person who wants to commit an offense but also the opportunity to commit such evil desires. Crime is most likely to occur when the three essential elements of crime meet in a space and time where the perpetrator is motivated (*Motivated offender*), an attractive target (*Suitable target*), and the absence of a preventive guard (*Capability guardian*). *Routine Activity Theory* positions crime as a behavior that only arises due to the convergence in time and space from 3 (three) aspects, namely *motivated offender*, *suitable target* and *incapable guardian*.

#### ***4.2. Criminological Perspective on Corruption Crimes Committed by the Indonesian Army as an Effort to Minimize the Occurrence of Corruption Crimes in the Military Environment***

The corruption case in this study is a corruption crime committed by the military which jointly commits corruption crimes together with civilians. Related to the subjects of these perpetrators are military and civilian, they will be judged by the connection court. Connectivity court is a legal process for criminal cases that are carried out jointly (participatory court) by those who are subject to the courts from the general court and military courts. To determine which court has the authority to adjudicate the case, it is determined from the weight of the loss from the criminal act. In the case of corruption here, the focus of losses is the military, so this case is tried in a military court.

The two cases in this study are the indictments that are proven to be Article 2 paragraph (1) jo Article 18 of Law Number 31 of 1999 concerning the Eradication of Corruption Crimes as amended by Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Crimes jo Article 55 paragraph (1) 1st of the Criminal Code jo Article 64 paragraph (1) of the Criminal Code, that is "Any person who unlawfully commits an act of enriching himself or another person or a corporation that can harm the state's finances or the country's economy, shall be sentenced to life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a fine of at least Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1,000,000,000.00 (one billion rupiah), which is done together and done in several acts as a continuing act"

Regarding the case raised in this study regarding the connection of corruption crimes committed by the military and civilians, the panel of judges has imposed heavy criminal sanctions on the perpetrators, actually from two things, namely justice for the victims and justice for the perpetrators. The perpetrator for his actions has been sentenced with heavy sanctions. Efforts to minimize corruption in the military environment require a comprehensive and sustainable approach. Strengthening the surveillance system, the application of technology, education, a culture of transparency, strong regulations, a secure reporting mechanism, and cooperation with anti-corruption agencies are important steps that must be taken. With commitment and concrete actions from all ranks, the TNI AD can create a clean, transparent, and integrity environment. Considering that now there is a Jampidmil, it is hoped that Dansat can socialize to its Soldiers.

Likewise, the judge in deciding a case must consider juridical truth, philosophical and sociological truth. Juridical truth means that the legal basis used has met the applicable legal provisions. Philosophical truth means that the judge must consider the side of justice whether the judge has acted and acted as fairly as possible in deciding a case. Sociological considerations mean that the judge must also consider whether his decision will have a bad effect and impact on society, in other words, a judge must make a fair and wise decision by considering the legal impact and the impact that occurs in society.

## 5. Conclusion

### 5.1. Conclusion

Based on the discussion and analysis as described above, the conclusions that can be conveyed are as follows:

1. The construction analysis that underlies the TNI AD soldiers to commit corruption crimes in juridical studies and criminological studies is the nature of the juridical study in which the author analyzes the two corruption convictions that have been tried in this connection court is that the defendant is legally and possibly proven to have committed a corruption crime and has been sentenced to a heavy prison sentence accompanied by a large fine and an additional penalty in the form of replacement money. Meanwhile, in the study of criminology, it uses the *Routine Activity Theory* (RAT) from Marcus Felson, namely crimes occur from three important elements, namely *motivated* offenders, *suitable* targets, and *the absence of capable guardians*. The motivation for the defendants' actions is to get money in an easy way by taking advantage of their status and position in committing this corruption crime.
2. The analysis of the criminological perspective on corruption crimes committed by the Indonesian Army as an effort to minimize the occurrence of corruption crimes in the military environment is that the panel of judges has imposed heavy criminal sanctions on the perpetrators. The imposition of heavy sanctions by judges on the perpetrators of corruption crimes is one of the efforts to minimize the occurrence of the same criminal acts. From the point of view of John Rawls's theory of justice, justice is fairness, or what he calls pure *procedural justice*. Every individual has the right to obtain justice, both in the form of equality and inequality over relative position. In this perspective, justice can be seen as a restoration of balance or as something proportional using a comprehensive and sustainable approach



## 5.2. Suggestion

The suggestions that the researcher can convey based on the description above and by paying attention to the main problems raised in this research are as follows: Judges should consider the motives of the perpetrators in committing corruption crimes that have aroused the sense of justice in the community, especially corruption that occurs within the TNI as a sanction. There needs to be comprehensive and layered supervision, especially in the financial sector that concerns the lives of many people as an effort to minimize the occurrence of corruption crimes within the TNI AD.

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