



Rethinking Anti-Corruption Law Enforcement in Indonesia: A Critical Analysis of the Tom Lembong Case

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Abstract: Corruption remains a persistent and deeply rooted challenge within Indonesia's legal and economic frameworks. It typically manifests through the intentional misuse of authority for personal or collective gain, often leading to substantial state financial losses. This study highlights the case of Thomas Trikasih Lembong (Tom Lembong), who allegedly issued a sugar import permit without following proper procedural protocols, particularly bypassing coordination meetings—an act that resulted in state losses exceeding IDR 578 billion. Despite occurring in 2016, significant delays in legal action—where one suspect was only apprehended in late 2024 and another in early 2025—underscore critical deficiencies in Indonesia's legal enforcement mechanisms. Utilizing a normative juridical approach grounded in secondary data and analyzed through descriptive-analytical methods, this research demonstrates the urgency of reforming law enforcement practices. The prolonged impunity in high-profile corruption cases not only hampers justice but also erodes public trust in the rule of law. Therefore, systemic strengthening of Indonesia's legal apparatus is imperative to ensure accountability and prevent future misuse of authority.

Keywords: Anti-Corruption; Indonesia; Law Enforcement; Tom Lembong.

1. Introduction

Corruption has actually been around for a long time, especially since humans first learned about administrative management. In most corruption cases published by the media, corruption is often inseparable from power, bureaucracy, or government (Ariani et al., 2024). The criminal justice system in Indonesia, like many other countries, faces the challenge of effectively addressing crime while ensuring justice for victims and rehabilitation for offenders (Priyana et al., 2023). Corruption is a widespread yet often ambiguous issue that, to varying degrees, affects every country globally. It represents a form of illegal conduct that, despite its harmful nature, tends to generate minimal public outrage and can even evolve into an accepted system within society. The social costs of corruption are extremely high and manifest in various aspects of life. One significant impact is the distortion of market competition, where the selection of contractors is not based on merit but on corrupt agreements. As a result, competence and quality become secondary considerations, as competitive processes fail to reward the most qualified individuals. Instead, opportunities are granted to those with close ties to those in power or those who are simply more skilled in navigating corrupt practices (Marino, 2025).

Corruption in Indonesia has threatened all aspects of social, national, and state life (Putra & Linda, 2022). The impact of corruption is also reflected in the misallocation of resources, which are diverted from their intended purpose for the public good and instead exploited for unlawful personal gain. An individual will be vulnerable to other individuals who have corrupt traits (Anjam et al., 2024). This inefficiency not only results in wasted resources but also disrupts economic freedom by distorting free competition and meritocracy, which are fundamental to any economic democracy. Reducing or eliminating the cost of corruption is a crucial objective for society, as it contributes to

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balancing public finances and enhancing the quality of government spending. Currently, corruption crimes are rampant, now corruption is not only on a government scale, but has also invaded other sectors (Ananda Bintang Puspita Pertiwi, 2025).

Corruption remains a widespread issue that affects countries across the globe, transcending national borders. It is a challenge faced by post-communist nations transitioning to democracy and market economies, but it also persists in North America, Western Europe—including EU member states—as well as in Asia and South America. The root causes of corruption appear to be deeply embedded in human nature, potentially driven by greed, ambition, and the pursuit of power. However, corruption is not merely a psychological trait. Instead, various institutional factors, such as poor governance, lack of transparency, ineffective decision-making processes, inefficiencies, and resource scarcity, contribute to its persistence (Schultz & Harutyunyan, 2015).

Corruption is the misuse of authority or power for personal gain, whether committed by government officials or individuals in the private sector. Transparency International (TI) defines corruption as the abuse of entrusted power for self-enrichment. It functions as a societal parasite, akin to a cancer that hinders economic, social, and political progress (Suramin, 2021). This phenomenon poses a major global challenge, with developing countries being the most affected. Forms of corruption include bribery, abuse of office, conflicts of interest, embezzlement of public funds, and economic manipulation. Corruption is a significant barrier to sustainable economic growth, morality, and justice, as it weakens society and undermines the rule of law. Additionally, corruption impedes national development and affects economic stability, peace, and global order. Numerous studies, including those cited in various sources, consistently indicate that corruption fundamentally damages economic, political, and social development. One of the biggest problems we face today in our country has to do with political corruption, because in the political framework, moral decisions and dilemmas have transcendental importance, impacting the well-being of all citizens (Jacobs-Ardines et al., 2018). The legal political approach in eradicating corruption greatly determines the direction, content, and effectiveness of criminal law policies, especially in handling cases involving high-level political actors. In this context, the independence of law enforcement agencies is a crucial element, because elite corruption is often at the heart of power relations. It is also a key factor contributing to global poverty, with a particularly high prevalence in South Asia (Ahmed et al., 2025). Corruption is not a new issue in Indonesia's legal and economic landscape. This act involves the deliberate misuse of authority for personal or collective gain, often resulting in significant financial losses for the state. Such misconduct is typically committed by individuals holding positions of power, leading to substantial harm (Zumairoh et al., 2024).

Among the various criminal acts in Indonesia, one that most often attracts public attention is the arrest of officials or individuals involved in acts of corruption (Falielian et al., 2025). The weakness of Indonesia's legal system is evidenced by the case of Thomas Trikasih Lembong, also known as Tom Lembong, who issued sugar import permits in a non-transparent manner without conducting coordination meetings, causing losses exceeding 578 billion rupiahs. Although the case occurred in 2016, one perpetrator was only apprehended at the end of 2024, while another was just recently captured in early 2025 (Fadhli et al., 2022). Tom Lembong was charged with issuing import permits without going through proper procedures and working with a number of businessmen to control sugar prices in the market. In addition, Tom is suspected of issuing Import Acknowledgement Letters or GKM Import Approvals to several companies without inter-ministerial coordination meetings and without recommendations from the Ministry of Industry. The fact that this case caused enormous losses and remained unresolved for years underscores the fragility of Indonesia's legal enforcement. Strengthening legal enforcement is urgently needed. Criminal law enforcement is very much needed as the purpose of criminal law is to provide protection to individuals, society and the state from corrupt acts that are certainly detrimental to state finances.

The difference between the inter-ministerial coordination procedure and the practice of granting sugar import permits reflects structural weaknesses in the economic legal system in Indonesia. This condition is a serious challenge in enforcing economic criminal law, because law enforcement is not yet completely free from the influence of executive power and political interests. The licensing system is still vulnerable to collusion and political-economic intervention. In addition, there are no firm criminal sanctions for violations of economic policies that have a wide impact, such as imports carried out without a valid legal basis. Therefore, this case shows the urgency of institutional reform and regulatory harmonization in order to strengthen the effectiveness of economic criminal law enforcement in Indonesia. The delay in handling the Tom Lembong case reflects a systemic failure in early detection of corruption in the trade sector, marked by weak internal supervision, unresponsiveness of external supervisory institutions, and regulatory complexity that is exploited opportunistically. This is an indicator that Indonesia's anti-corruption system is still reactive, not preventive, and demands structural reform in more transparent and accountable public policy governance.

The purpose of this study is to measure the extent to which legal enforcement in Indonesia is enforced in the context of criminal acts of corruption which have become one of the main problems for the sustainability of this nation, especially in the case that ensnared Tom Lembong, which is considered one of the big cases because it ensnared a former minister in Indonesia with a case handling that is considered long and has quite high political attention

2. Materials and Methods

Research as a scientific means for the development of science and technology, so that the research methodology applied must always be adjusted to the developing science (Soekanto, 2020). This study uses a normative legal method. This research can also be called doctrinal research which aims to study the principles, rules, and legal doctrines in order to solve legal problems or provide new interpretations. The effectiveness of norms in cases of procedural violations that cause state losses can be assessed from the criteria of compliance, enforceability, clarity, relevance, and capacity of implementing institutions. In the doctrine of state administrative law, such violations are a form of non-compliance with the principle of legality and AUPB, which can have legal implications both administratively and criminally. The research approach used is the regulatory approach and the case approach which are useful for analyzing the doctrine and legal principles related to corruption liability in Indonesian criminal law. Data for this study were obtained from secondary sources which are usually obtained from library materials. Secondary data has three types of legal materials, namely: primary legal materials in the form of Indonesian regulations, secondary legal materials in the form of academic articles from research journals, Indonesian scientific publications, law books, and credible bold sources, and tertiary legal materials in the form of encyclopedias and legal interpretations. The data collected is then analyzed qualitatively by reviewing, qualitative analysis of secondary data must be structured through the stages of collecting relevant data, normative-practical comparative analysis, identifying patterns of deviation, and formulating recommendations. The main objective is to uncover gaps between legal texts, policy implementation, and law enforcement responses, which are often the root of the problem in cases of corruption or abuse of authority. Categorizing, and synthesizing information to gain insight and provide solutions to identify legal problems.

3. Results and Discussion

This case began with an inter-ministerial coordination meeting on May 12, 2015. In the meeting, it was concluded that Indonesia had a fairly large sugar surplus. Despite the surplus, TWN applied for a permit to import 105,000 tons of raw sugar in the same year. In response, the Minister of Trade at that time, Thomas Trikasih Lembong or commonly called Tom Lembong, granted an import permit to PT Angels Product. This decision al-

lowed the company not only to import raw sugar, but also to process Raw Crystal Sugar (GKM) into White Crystal Sugar (GKP). This permit was formalized through an import approval letter dated October 12, 2015 (Puspapertiwi & Pratiwi, 2025).

Importing raw crystal sugar without adequate regulatory supervision raises concerns. Abdul Qodar, Director of Investigation at the Attorney General's Office's Jampid-sus, stated that the import was carried out without the necessary coordination with related government agencies. Furthermore, it was carried out without obtaining a recommendation from the Ministry of Industry, which plays a crucial role in assessing domestic sugar needs. The weakness of this legal process is considered to violate standard operating procedures designed to ensure the stability and transparency of the commodity market. Following this controversial import, the Ministry of Economy held a coordination meeting on December 28, 2015. The agenda of this meeting was to discuss the potential shortage of white crystal sugar of 200,000 tons in the period January-April 2016. Conflicting information between previous surplus claims and discussions of the shortage then highlighted inconsistencies in data and decision-making processes surrounding Indonesia's sugar imports.

In an interview in 2025, Abdul Qodar revealed that Tom Lembong had been summoned by the Attorney General's Office for questioning four times, namely on October 8, October 16, October 22, and October 29, 2024. On that date, Lembong was officially named a suspect in the case. The investigation into the sugar import corruption case intensified on January 20, 2025, when the Attorney General's Office announced nine additional suspects. They were named as suspects along with former Minister of Trade Thomas Trikasih Lembong. The suspects include prominent business figures such as TWN, President Director of PT Angels Product; WN, President Director of PT Andalan Furnindo; and HS, President Director of PT Sentra Usahatama Jaya. Other suspects are IS, President Director of PT Medan Sugar Industry; TTSEP, Director of PT Makasar Tene; HAT, Director of PT Duta Sugar Internasional; and ASB, President Director of PT Kebun Tebu Mas. In addition, HFH, President Director of PT Berkah Manis Makmur, and ES, Director of PT Permata Dunia Sukses Utama were also named as suspects.

The charges are based on Article 2 paragraph 1 stating that anyone who unlawfully commits an act of enriching themselves or another person or a corporation that is detrimental to state finances or the state economy, shall be punished with life imprisonment or imprisonment for a minimum of 4 years and a maximum of 20 years and Article 3 regulates the abuse of authority, opportunity, or means of office that can be detrimental to state finances or the state economy. Anyone who commits such acts with the intention of benefiting themselves, others, or a corporation, shall be punished with life imprisonment or imprisonment for a minimum of 2 years and a maximum of 20 years in conjunction with Article 18 of Law of the Republic of Indonesia Number 31 of 1999 concerning Criminal Acts of Corruption as amended by Law Number 20 of 2001 in conjunction with Article 55 paragraph 1 point 1 of the Criminal Code. These legal provisions relate to criminal acts of corruption that harm state finances and abuse of authority. Of the nine suspects named, seven were immediately detained by the authorities. The Indonesian system uses an ad hoc structure and ad hoc judges, which creates certain vulnerabilities in ensuring the independence of judges in resolving corruption cases (Fauzi, 2023), especially in cases that are full of politics.

The following are the details of their detention: TWN was detained for 20 days at the Salemba Attorney General's Office Detention Center. WN was also detained for 20 days at the Salemba District Attorney's Office, South Jakarta. HS and IS faced similar detention in the same place. TSEP was detained at the Salemba Attorney General's Office, South Jakarta, while HFA and ES were detained at the Salemba District Attorney's Office, South Jakarta. Meanwhile, two suspects, HAT and ASB, did not appear as summoned and were designated as fugitives by the investigation team.

In a follow-up interview with Kompas.com, Abdul Qodar confirmed that seven out of the nine suspects were already in custody, while the remaining two continued to evade arrest. He emphasized the ongoing efforts to track down and apprehend these in-

dividuals. The investigation revealed significant financial losses to the state due to the corruption surrounding the sugar import. According to calculations conducted by the Financial and Development Supervisory Agency (BPKP), the total loss amounted to an astonishing Rp 578,105,411,622.47 (approximately 578 billion rupiahs). Abdul Qodar highlighted the meticulous process involved in determining this figure. Initially, the estimated loss was around 400 billion rupiahs, but as the investigation progressed and additional data became available, the amount was revised upward.

Abdul explained, "Regarding the financial losses to the state, I have previously stated that when we named suspects, it was certain that there were financial losses to the state. Investigators can't name suspects without finding evidence of state financial losses. We obtained the loss figures during a session with BPKP, and it was recorded in the minutes of the results. We are confident that after our review with BPKP, we found that the loss was around 400 billion rupiahs. As the investigation continued and investigators updated data, and BPKP carried out calculations, it turned out that the loss exceeded 400 billion. Now, this is fixed, real, and confirmed. Based on the calculations conducted by BPKP, the financial loss is Rp. 578,105,411,622.47."

The ramifications of this corruption scandal extend beyond immediate financial losses. Public trust in regulatory processes and government accountability has been severely undermined. Observers and legal experts have emphasized the need for stronger measures to prevent similar instances in the future. Recommendations include the adoption of transparent and data-driven decision-making frameworks, enhanced oversight mechanisms for commodity import approvals, and stringent enforcement of anti-corruption laws. Moreover, this case has sparked a broader discussion on the role of corporate governance and the responsibilities of private sector actors in maintaining ethical business practices. Analysts have pointed out that corporate leaders must be held accountable for their participation in corrupt practices, which often result in significant economic and social consequences. The delay in law enforcement in the Tom Lembong case shows the fragility of our legal structure in dealing with corruption disguised as policy, the absence of analytical instruments and institutional courage to take action against policies that are detrimental to the state, and the need for reform of the law enforcement approach so that it is not only focused on bribery and gratification, but also on deviations from public policy that have a systemic impact.

The ongoing legal proceedings and efforts to recover state financial losses are seen as pivotal steps toward restoring public trust and strengthening the nation's regulatory framework for commodity imports. The government's resolve in pursuing this case has been met with cautious optimism, as stakeholders await further developments and potential reforms aimed at preventing corruption in Indonesia's vital economic sectors. Indonesia needs special regulations or rules that have legal force and have special rules regarding the mechanism for confiscating assets and wealth suspected of being obtained from the proceeds of criminal acts of corruption (Zainudin Hasan et al., 2025). Corruption and anti-corruption efforts are intertwined with political and economic concerns. From an economic and political perspective, as the government strives to enhance its governance capabilities, it becomes crucial to consider the costs of anti-corruption supervision and the losses incurred from corruption (Zhang et al., 2023). For developing countries, the impact of corruption will be very significant, meaning that the impact can be felt very widely by society (Spyromitros & Panagiotidis, 2022).

Eradicating corruption is an ongoing process that requires long-term commitment. Eradicating corruption includes drafting regulations, enforcing fair laws, educating the public about the negative impacts of corruption, and establishing special institutions to handle corruption issues. In addition, transparency, accountability, and public participation are important components of these efforts. Corruption can damage the economy, burn down government institutions, and harm society as a whole. Therefore, efforts to eradicate corruption must continue without stopping. The public must also have the right to file lawsuits in corruption cases. The state is obliged to provide compensation to citizens who suffer losses due to corrupt practices. In addition, the private sector must be

given the authority to seek settlement through civil lawsuits as part of efforts to eradicate corruption. Corruption must be considered an extraordinary crime that requires extraordinary efforts to eradicate it (Klitgaard & Ronald Maclean-Abaroa H.Lindsey Parris, 2005).

The politics of criminal law policy in efforts to eradicate corruption consists of two main aspects, namely penal policy and non-penal policy. In terms of non-penal or preventive efforts, it can be in the form of anti-corruption education at various levels to prevent early on the massive dangers of corruption. Other policies are penal policies or can be equated with repressive efforts, these efforts involve formal law enforcers such as the police, prosecutors, judiciary, the Indonesian anti-corruption agency (KPK) In the context of the KPK, there has been no conformity between the formal independence aspect and the implementation according to de facto independence. The institutional design of the KPK, which is formally very independent, has not been able to make the KPK truly independent in its implementation (Rizki Ramadani et al., 2018) and others in enforcing criminal acts of corruption. (Yustia & Arifin, 2023) In addition, efforts to eradicate corruption must also involve bureaucratic reform to facilitate public services and hold public officials accountable for their actions. The enforcement of corruption crimes carried out by the Corruption Eradication Committee (KPK) has found problems regarding human rights in determining someone as a suspect in a corruption crime (Setiadi et al., 2025). In the case that ensnared Tom Lembong, of course, penal policy efforts need to be carried out in order to maintain the dignity of the Indonesian state which is fighting against all forms of corruption.

However, these efforts will never achieve optimal results if they are only carried out by the government without involving the community. In developed countries, the implementation of e-government is in the transaction and transformation phase which makes its impact effective in eradicating corruption. In developing countries, e-government has only reached the information and interaction phase so it is not yet effective enough to eradicate corruption (Setyobudi & Setyaningrum, 2019). In addition, strategy is also very important in eradicating corruption. Corruption can be reduced if there is a separation of powers, checks and balances, transparency, a well-functioning judicial system, and a clear definition of roles, responsibilities, rules, and limitations. Corruption tends to be unlikely in a democratic culture filled with competition and a strong control system, where employees, customers, and supervisors have the right to access information and submit complaints. In contrast, corruption thrives in environments with overlapping and complex regulations, where officials wield significant and unchecked authority (Pope, 2008).

4. Conclusions

This study highlights systemic weaknesses in Indonesia's governance and legal enforcement that enable high-level corruption, as illustrated by the sugar import permit case involving Thomas Trikasih Lembong. The lack of procedural compliance and delayed legal action reflect broader issues of poor transparency, weak oversight, and ineffective institutional coordination. To address these challenges, legal reform must be accompanied by a stronger culture of accountability, public participation, independent monitoring, and strict enforcement. Future research should focus on evaluating the effectiveness of oversight mechanisms in preventing corruption, particularly in executive licensing processes. The effectiveness of law enforcement agencies in handling major corruption involving the private sector and public officials can be assessed from the rapid response, case handling ratio, legal completeness, courage to touch elite actors, openness of the process, coordination between institutions, protection of reporters, recovery of state losses, and public perception. These indicators can be used for institutional performance audits, evaluation of anti-corruption policies, and academic analysis or research on economic criminal law. This policy design is based on empirical and legal findings that weak procedural supervision and cross-ministerial coordination opens up loopholes for policy corruption. Therefore, legal reform solutions must be system-based,

prevention-oriented, and strengthened by technological transparency and strong legal protection.

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