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Law Enforcement Against Perpetrators Participating in Corruption Crimes in Higher Education Institutions in Indonesia

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Abstract: The purpose of this study is to examine how law enforcement applies to perpetrators who participate (medepleger) in criminal acts of corruption. This study uses a normative juridical legal research method with a case approach in the Tanjungkarang District Court Decision Number 1/Pid.Sus-TPK/ 2023/PN.Tjk and analyzed using evaluative methods. The results of the study conclude that law enforcement against criminal acts of corruption carried out jointly must be carried out fairly and effectively, taking into account the unity of intention and cooperation between the perpetrators. It is hoped that the results of this analysis can contribute to the development of criminal law studies, especially in handling corruption cases involving many parties.

Keyword: Corruption, Participation (Medepleger), Normative Jurisdiction, Legal Accountability, Supreme Court.

INTRODUCTION

Corruption remains a serious problem both now and in the future, this is because it affects the lives of many countries in general and for Indonesia in particular. It is important to understand that corrupt perpetrators cannot commit crimes alone, they move systematically with the main actors and aides. Although there have been great efforts from the government and the community to tackle corruption, the level of corruption continues to increase, making Indonesia one of the most corrupt countries in Southeast Asia. Data from Transparency International shows that Indonesia's Corruption Perception Index in 2020 reached a score of 39 out of 100, placing Indonesia in 102 out of 192 most corrupt countries in the world according to Indonesia Corruption Watch (Suyatmiko, 2021).

In terms of legal norms, corruption crimes are regulated in Law No. 31 of 1999 concerning the Eradication of Corruption, which was later revised into Law No. 20 of 2001. The norm regulates special criminal laws related to corruption in Indonesia, including additional penalties such as the payment of compensation funds in the amount of corrupt wealth and the closure of business legal entities in accordance with Article 18 paragraph (1). (Adami, 2018).

Meanwhile, when looking at a broader perspective, corruption is not solely a result of culture but rather a result of the spread of corruption among businessmen, bureaucrats, and

people from various economic levels. This phenomenon has permeated so deeply in daily life that corruption has become a topic that is often discussed, strengthening people's habits towards the word. Corruption committed in groups can be sanctioned in accordance with Article 55 of the Criminal Code which regulates participation in criminal acts, with the classification of perpetrators including pleger, doen pleger, medepleger, and uitlokker (Ramadhan, Muhammad Fadhil Andika, 2021).

The application of the doctrine of participation in Article 55 of the Criminal Code is often inconsistent, especially in corruption cases, where some cases show inconsistencies between the decision of the panel of judges and the concept of the doctrine of participation, especially in determining the role of the perpetrator in the criminal act, so a more in-depth explanation is needed regarding the role of each perpetrator to maintain the clarity of the indictment and lawsuit (Arfhan, Harry, Mohd Din, 2019). The fundamental difference between participating in committing and assisting in committing a crime lies in the awareness of cooperation and common goals in the commission of crimes, where the perpetrators participate in having an active role and purpose in the crime, while the perpetrators who help only aim to help the main perpetrators achieve their goals without having their own goals. Although it has been regulated in the relevant regulations, these differences are still often seen, especially in the case of corruption (Adami, 2018). In corruption cases, there is often a debate in the determination of punishment between direct and indirect makers, where the judge must ascertain both parties and consider the public prosecutor's demands to impose a criminal sentence. This can lead to errors in determining the role of the perpetrator, resulting in debates on the conditions for determining the action to participate, and potentially errors in law enforcement and in the imposition of punishment, so clearer regulations are needed to ensure fair and consistent application of the law (Ramadhan, Muhammad Fadhil Andika, 2021).

Participation according to the Criminal Code is regulated in Article 55 and Article 56 of the Criminal Code. Based on these articles, participation is divided into two major divisions, namely the maker and the helper. JE Sahetapy explained that in order to properly apply the elements of Article 55 paragraph 1 to 1 of the Criminal Code, it is important to outline the role of each perpetrator in the crime so that the charges and lawsuits do not become vague and unclear (Sitompul, 2019).

In this study, the author will focus more on the division of makers (Article 55) in analyzing the crime of corruption. Article 55 explains that the maker or perpetrator of a criminal act (Plegger) is a person who directly commits an act that meets the elements of a crime and is responsible for the crime, while the person who orders to commit a crime (Doenpleger) is a person who instructs others to commit a criminal act, with different criteria and legal consequences between the two. While Medepleger is an individual who conspires with another person to commit a criminal act jointly according to a previous agreement, with three important characteristics: involving two or more people, carrying out physical cooperation in the commission of a crime, and the cooperation is planned in advance, then in the role of an advocate (uitlokker) is a person who encourages other individuals to commit a criminal act, where the individual is encouraged to fulfill his recommendations because he is affected by the efforts made by the organizers, in accordance with Article 55 paragraph (1) 2 of the Criminal Code.

The importance of the construction of the judge's decision in corruption cases can be seen from the difficulty in determining the role of each perpetrator, especially in joint actions that are not always clearly divided. In the context of the doctrine of participation, it is necessary to describe who meets the formulation of the offense and how the criminal liability is divided fairly among all perpetrators. However, in legal practice, the task of investigators, public prosecutors, and judges to uncover the role of perpetrators is often not easy, especially related to the limitations of the doctrine of inclusion in Indonesia's positive law which is not

in line with the 2003 UNCAC. Article 27 paragraph 1 of the convention emphasizes the need for each state to adopt legislative measures to determine the role of aides or inducers in a crime, including corruption, so that the construction of the actual criminal event can be clearly understood (Garnasih, 2009).

This study will examine the Tanjungkarang District Court Decision Number 1/Pid.Sus-TPK/2023/PN.Tjk, where the defendant Karomani was charged with an Alternative Charge for corruption, including violating Article 5 numbers 4 and 6 of Law Number 28 of 1999 concerning the Administration of a Clean and Free State from Corruption, Collusion, and Nepotism, as well as Article 12 letter b Jo Article 18 U) Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Jo Article 55 Paragraph (1) 1 of the Criminal Code Jo Article 65 paragraph (1) of the Criminal Code. In the indictment, Karomani, as the Rector of the University of Lampung, allegedly received prize money of Rp3,430,000,000.00 in the period from January to July 2022 from various places and parties mentioned, including colleagues and their private homes.

The application of Article 55 against Karomani in the case is based on the fact that there was a criminal act with the defendants Heryandi, Asep Sukohar, Budi Sutomo, Muhammad Basri, and Mualimin who accepted the names of prospective new students who were willing to give a certain amount of money to be approved. They collected money of Rp3,430,000,000.00 which came from parents or representatives of prospective new students of several faculties at the University of Lampung. This action is considered related to the power or authority of Karomani as the Rector of the University of Lampung and Heryandi as Vice Chancellor I and the Person in Charge of Accepting UNILA MABA Candidates in 2022, which can affect the entry of prospective new students through the SBMPTN or SMMPTN Pathway.

Based on the background that the author has explained above, the formulation of the problem in writing this article will raise the problem of the Crime of Corruption committed together. As for the clarity, the author will convey the following:

1. How Law Enforcement Against Perpetrators Participating in Corruption Crimes?
2. Is the Tanjungkarang District Court Decision Number 1/Pid.Sus-TPK/2023/PN.Tjk in accordance with applicable rules?

METHOD

This study uses a normative juridical approach. Where the analysis used is concept analysis, analysis of laws and regulations, and case analysis. This research collects primary legal materials in the form of the Criminal Code, the Criminal Code, Law Number 31 of 1999 which was updated with Law Number 20 of 2001 concerning Corruption Eradication, Law Number 1 of 2023 concerning the Criminal Code, and other related regulations. As for secondary legal materials from books and scientific journals that examine the concept of medepleger in the crime of corruption. All of these legal materials are then analyzed and presented by qualitative analysis methods.

RESULTS AND DISCUSSION

Law Enforcement Against Perpetrators of Participating Acts (Medepleger) in Corruption Crimes

Citizens have the responsibility to obey the law, including the criminal code, which provides for prohibitions with the threat of punishment for those who intentionally or unintentionally violate them, ultimately causing suffering in the form of punishment as a consequence of violation of those legal norms (Prasetyo, 2016). The application of laws involving the granting of sanctions to violators of the rules is an inseparable part of the concept of law enforcement, with the imposition of punishment on perpetrators of acts that

violate criminal law norms is considered the last step to improve human behavior, including in the context of perpetrators of corruption crimes (Lamintang, 2016).

Law enforcement is an effort to harmonize the values in the law with attitudes and actions to create, maintain, and maintain peace in life, involving law makers, implementers, and the community to realize legal goals in the context of an environment influenced by non-legal factors. Law enforcement against perpetrators of corruption crimes must be based on the enforcement of existing laws and regulations, which began with the Military Ruler Regulation and continued until the latest Corruption Law after the reforms, underwent an evolution in dealing with previous weaknesses and showed increasing attention from the state (Nelson, 2020).

The settlement of corruption cases involving *deelnemers* requires law enforcement to qualify the perpetrator as the main perpetrator (*pleger*), who orders the perpetrator to do (*doen pleger*), participates (*medepleger*), advocates (*uitlokker*), or helpers (*medeplichtige*), even though the law does not provide definitive criteria, so interpretation depends on the opinions of experts (Prasetiono, Y., Arifin, Z., 2022). Law enforcement against perpetrators participating in criminal acts always refers to the Criminal Code, including in the Corruption Law after the reform for corruption cases in Indonesia.

The *medepleger* arrangement in the doctrine of inclusion extends criminal responsibility to people involved in a criminal act, even if they do not commit a criminal act directly. This inclusion is regulated in Article 55 and Article 56 of the Criminal Code, which covers situations where two or more persons cooperate to commit a criminal offence. In the case of corruption, Article 15 of Law No. 20 of 2001 is also relevant, stipulating that attempts, aides, and malicious conspiracies are punished in the same way as the main perpetrators (Ramadhan, Muhammad Fadhil Andika, 2022). However, this arrangement is considered inadequate because there are still difficulties in determining the role of each participating party, so clear implementation guidelines are needed.

All law enforcement against perpetrators of participating in criminal acts, including corruption, still refers to the Criminal Code and the Corruption Law adapted after the reform. The theory of "participating in doing" is characterized by requiring a joint act between the main actor and the participating actor, in contrast to other participation theories that involve orders or directions from the main actor (Arfhan, Harry, Mohd Din, 2019).

Although the law does not provide specific limits, the concept of a person participating (*medepleger*) in Indonesian law, which is explained in the *Memorie van Toelichting* (MvT) as a person who deliberately participates in or participates in an act, has become a concern in law enforcement in Indonesia even though it has not been expressly regulated in laws and regulations (Prasetiono, Y., Arifin, Z., 2022). Therefore, legal certainty in terms of perpetrators participating in corruption crimes in Indonesia is an approach that must see how this becomes a legal problem that can be imposed on the perpetrators.

According to Muhammad Ainul Syamsu in his analysis of the Central Jakarta District Court's decision Number 1361/PID. B/2005/PN. JKT. PST regarding Munir's murder, the court identified "joint acts" by participating in committing criminal acts, where some perpetrators can not commit criminal acts directly or only facilitate the implementation of criminal acts, although in principle the Criminal Code only regulates a single offense, but in some cases regulates offenses committed by several people such as convergence offenses and absolute participation (Syamsu, Muhammad Ainul, 2015). Participating in an event does not always require the perpetrator of a criminal act to fulfill all the formulas of the delik.

In the Conception of the Criminal Code, participation is seen as an expansion of criminal liability, where the elaboration of "conscious cooperation" as the intention to cooperate becomes the basis for each person's accountability to others, so that the perpetrator of the criminal act is held accountable for the actions committed by others and the consequences arising from it, so that cooperation in participating in doing is only considered

significant when based on knowledge of the purpose and participants cooperation (Syamsu, Muhammad Ainul, 2015). It can be concluded that ideally, the perpetrator of the crime of corruption who consciously participates in the act of violating the law, can be fully punished like the main perpetrator, but this depends on the decision of the judge because the judicial power is considered part of the judiciary according to the doctrine of law in Indonesia.

Judges' decisions, as a manifestation of public expectations for justice, utility, and legal certainty, are the result of a long process in implementing and enforcing the law, which is stated orally or in writing by the judge in order to end or resolve a case or dispute (Margono, 2019 p 57). In the context of legal certainty, it is important for judges to consider that corruption crimes are not possible without the help of those involved, although the principle of legalism affirms that law enforcement must be based on legitimate rules, emphasizing the need for the principle of legal certainty and legality in punishing those involved in corruption crimes with the same deliberations and verdicts as the main perpetrators (Sitompul, 2019).

Analysis of the Tanjungkarang District Court Decision Number 1/Pid.Sus-TPK/2023/PN.Tjk

Corruption involves the abuse of power by public officials for personal gain from the state's finances (Arifin, Ridwan, 2019). The Panel of Judges considered that Karomani as the defendant, who is the Rector of the University of Lampung (UNILA) in the 2019-2023 term of office, had met the qualifications as a "civil servant" or "state administrator" in accordance with the definition stipulated in the laws and regulations. This is supported by the evidence presented in the trial, including the Decree of the Minister of Education and Culture of the Republic of Indonesia Number 134149/MPK/RHS/KP/2019. Therefore, the Panel of Judges considers that this element has been fulfilled in this case.

Chronology of Matters

This case began with an alleged corruption crime involving the defendant, Prof. Dr. H. Karomani, M.Si, who served as the Rector of the University of Lampung. The defendant is suspected of receiving a sum of money illegally related to the admission of new students through the Independent Selection for State University Entrance (SMMPTN).

Chronology of Matters.

1. Receipt of Unauthorized Money
 - a. The defendant received Rp1,000,000,000 (one billion rupiah) from Ahmad Fauzi for the payment of deposits related to new student admissions on June 26, 2022.
 - b. In addition, the defendant also received money of Rp150,000,000 (one hundred and fifty million rupiah) and SGD 100 (100 pieces) from the witness Sulpakar in 2020. The money was handed over by a friend of the witness Sulpakar at the defendant's office and then found in the closet of the defendant's house when it was confiscated by the KPK.
2. New Student Admission Process
 - a. Witness Budi Sutomo, who was also involved in the process of accepting new students, received Rp100,000,000 (one hundred million rupiah) from the defendant on the grounds of donation.
 - b. From July to September, which is the period of new student admissions, the defendant and witness Budi Sutomo received various donations from donors that were used for the purposes of the foundation.
3. Submission of Money

Witness Budi Sutomo instructed his driver to take Rp250,000,000 (two hundred and fifty million rupiah) from the witness in the parking lot of Bank BNI UNILA. The money

was then handed over to the witness driver, Budi Sutomo, without further notice to the defendant.

Legal Process

The case was then brought to court with the defendant charged with corruption. The Tanjung Karang District Court in its decision stated that the defendants were legally and convincingly proven to have committed the crime of corruption together, in accordance with Article 55 paragraph (1) 1 of the Criminal Code and Article 12B of Law Number 31 of 1999 concerning the Eradication of Corruption.

Legal Considerations

Considerations related to the corruption crime committed by Karomani, that the Defendant, who is the Rector of the University of Lampung (UNILA) in the 2019-2023 period, has the authority to determine the graduation status of new students through the SBMPTN and SMMPTN routes. The facts submitted show that the Defendant and several witnesses who are also the Defendant in other decisions, received money either directly or indirectly from parents or representatives of prospective new students, either through the SBMPTN and SMMPTN routes, by involving parties outside the structure of the student admission committee. Therefore, the element of receiving money related to the graduation of new students has been proven in this case.

The Panel of Judges considered that the Defendant, together with the witness Heryandi and the witness Muhammad Basri, were involved in a close cooperation and were consciously carried out in realizing the common goal related to the admission of new students and the receipt of a sum of money. The defendant as the Rector of UNILA has the authority to determine the exam participants and accommodate the deposit of prospective new students, while the witness Heryandi as Vice Chancellor I is responsible for the structure of the new student admission committee. The defendant asked for technical assistance to the witness Helmy Fitriawan in the process of selecting candidates for "Affirmation Participants" and the use of the graduation application system. In addition, they are also involved in the receipt of money related to the admission of new students, involving parties outside the committee structure. Thus, the act is an inseparable unit of acts, and the whole act constitutes an element of participation or *deelneming* in realizing the criminal act, as stated in the Decision of H.R. June 29, 1936, 1936 No. 1047.

The Panel of Judges considered that the element of "*deelneming*" in Article 55 Paragraph (1) 1 of the Criminal Code had been fulfilled in this case. The defendant, as the Rector of UNILA for the 2019-2023 period, is the main perpetrator (*dader/pleger*), while the witness Heryandi and the witness Muhammad Basri participated (*mededader/medepleger*) in the criminal incident that occurred. Based on the facts of the trial, the role of the Defendant, witness Heryandi, witness Muhammad Basri, and even witness Helmy Fitriawan, witness Mualimin, witness Budi Sutomo, and witness Asep Sukohar, have strengthened evidence related to the crime of accepting bribes related to the admission of new UNILA students from 2020 to 2022.

To fulfill the elements of Article 55 paragraph (1) 1 of the Criminal Code, the role of each perpetrator in the criminal act must be explained so that the charges and charges do not become vague and unclear. The relationship between the act of approving the deposit of prospective new students and receiving money has a clear causality because of the role of each perpetrator, even though their actions are different. The concept of participation in the crime does not only involve getting to know each other, but involves a series of acts that lead to a unity.

Each perpetrator has a role in realizing the crime, and if they are interrelated and have planned clearly, then their respective roles will be assessed. (Projodikoro, 2015). In terms of

new student admissions, the receipt of money does not have to be received directly by the recipient, the most important thing is the actions carried out by the related parties. If someone is told to open a system that determines student graduation, they can be held accountable as a participant.

Although their respective roles are not identical, as long as their goals are the same, they can be considered as joint actions in a new student admission system. If there are parties who do not receive money but participate in determining graduation, they can also be held accountable because without their role, the student will not graduate. All parties involved in the new student admission process are in one system, so they are related to each other.

The judge must impose a penalty within the set range, but has the discretion to determine the amount of the penalty based on aggravating and mitigating circumstances, while avoiding excessive legal rigidity or deviation in order to maintain legal certainty (Kumampung, 2018). The Panel of Judges in the case that the author studied, examined several criminal statutes according to Simons, which include *eenvoudige cummulatiestelsel*, *absorptiestelsel*, *bepaalde cummulatiestelsel*, *verschepingstelsel*, and *zuivere cummulatiestelsel*, which are used depending on the realist concursus that occurs (Articles 65 to 70 of the Criminal Code).

The elements in the combination of several acts must be seen as separate acts and each of which is a crime threatened with the main punishment of the same kind. According to R. Soesilo, in cases where a person is prosecuted for several crimes, only one sentence is imposed if the punishment for each crime of the same kind, with the sentence not exceeding the maximum penalty for the most serious crime plus one-third. (Lukman, 2020)

Based on the evidence of the elements of the indictment, it was concluded that there had been more than one corruption offense in the form of accepting bribes committed by the Defendant, witness Heryandi, and witness Muhammad Basri. The first act involves accepting deposits from prospective new students and receiving fees related to the admission of new students at the University of Lampung through the SBMPTN route in 2020, 2021, and 2022. The second act is similar to the first, but through the SMMPTN route, it also occurs in the same time span.

The purpose of law is to provide maximum benefits and happiness for the community and achieve the goals that have been set. (Wicaksono, 2021). The application of the penal system as a criminal punishment system that determines the way punishment is given in Karomani corruption, is the implementation of legal goals to achieve the benefits and happiness of the community and maintain legal certainty.

Amar Verdict

The following is the verdict and sentence handed down, that the Defendant Karomani was legally and convincingly proven guilty of participating in the crime of corruption, so that the Defendant Karomani was sentenced:

1. Prison Sentence: 10 years in prison
2. Fine: IDR 400,000,000.00 with the condition that if not paid, it will be replaced with imprisonment for 4 months.
3. Additional Penalty: Payment of compensation of Rp8,075,000,000.00 and SGD10,000.00.

Amar pointed out that the punishment imposed includes imprisonment, fines, and payment of compensation, with additional provisions if the compensation is not paid.

Amar's verdict in this case includes several important points related to evidence and the sentence imposed on the defendant. The following is a summary of the verdict:

1. Return of Evidence: Evidence that is still needed in other cases is returned to the Public Prosecutor for use in the case.
2. Confiscation of Evidence: Evidence that is the result of a criminal act and has economic value is confiscated for the state. The proceeds of this confiscation are calculated as the

payment of compensation for the defendant. If there is an excess of the value of the replacement money that must be paid by the defendant, then the excess is returned to the defendant.

3. Return of Evidence to the Original Owner: Evidence confiscated from witnesses and not related to the criminal act committed by the defendant is returned to the original owner.

This decision shows that the court does not only focus on criminal punishment, but also on the fair management of evidence in accordance with applicable law.

Analysis of the Verdict

Participation (medepleger) in corruption crimes is regulated in Article 55 paragraph (1) 1 of the Criminal Code (KUHP). This article states that those who participate in committing criminal acts can be subject to the same punishment as the main perpetrator. In the context of corruption, this means that every individual who contributes to acts of corruption, either directly or indirectly, can be considered guilty and sentenced accordingly.

In the decision Number: 1/Pid.Sus-TPK/2023/PN Tjk, the court ruled that the defendants were legally and convincingly proven to have committed the crime of corruption jointly (medepleger). The court considered that the defendant's actions met the elements stipulated in Article 55 paragraph (1) 1 of the Criminal Code, namely the existence of cooperation and unity of intention in committing the crime of corruption.

Corruption crimes are not only committed by one person, but can involve many people who participate in it. This also happens in cases of corruption in higher education institutions in Indonesia. Several court decisions show the involvement of parties other than the main perpetrator in the crime.

In a similar case, it can be seen that in decision No.38/Pid.Sus-TPK/2022/PN.Jkt.Pst, a rector of a private university was sentenced to 5 years in prison for being proven to have accepted bribes related to new student admissions. However, in his decision, the judge also sentenced the head of the academic administration section who assisted in the crime. He was declared a medepleger and sentenced to 3 years in prison.

According to Article 55 paragraph (1) of the Criminal Code, medepleger is those who do, who order to do, and participate in committing acts. In the context of corruption in universities, the parties involved can be administrative staff, treasurers, lecturers, or other structural officials who deliberately help or are involved in the crime (Chazawi, 2016). Sanctions for medeplegers in corruption crimes in higher education can be lighter than the main perpetrators, depending on their role and involvement. But in principle, they can also be subject to the same Article as the main perpetrator, such as Articles 5, 6, or 11 of the Corruption Crime Law.

Decisions like these confirm that corruption in higher education is not always committed by one person alone, but can involve a syndicate of other parties. For this reason, judges need to pay close attention to the involvement of each party in order to obtain a fair verdict and in accordance with their role.

1. Justice in Evidence Management

The Court decided to return the evidence that is still needed in other cases to the Public Prosecutor. This indicates that the court seeks to ensure that all evidence is used effectively in the ongoing legal process. Fair and appropriate management of evidence is essential in law enforcement, as it can affect the outcome of various related cases.

2. Confiscation and Return of Evidence

Evidence that is the result of a criminal act is confiscated for the state and is taken into account as a payment of compensation for the defendant. This is an important step to ensure that the proceeds of the crime are not enjoyed by the perpetrator. In addition, the return of evidence to the original owner that was not related to the crime shows the court's efforts to protect the rights of innocent individuals.

3. Punishment Imposed

The sentence imposed on the defendant Karomani was in the form of 10 years in prison and a fine of Rp400,000,000.00 with an additional penalty in the form of payment of compensation of Rp8,075,000,000.00 and SGD10,000.00. This sentence reflects the seriousness of the courts in handling corruption cases, which are serious crimes with far-reaching impacts on society and institutions.

4. Application of Article 55 paragraph 1 to 1 of the Criminal Code

The application of Article 55 paragraph 1 to 1 of the Criminal Code shows that this act of corruption is carried out jointly, which requires factual proof that the act is a unit with the main perpetrator. This shows the complexity in proving corruption cases, where the involvement of several parties must be clearly and convincingly proven.

5. Educational and Academic Moral Aspects

This case also highlights the importance of the principles of honesty and justice in higher education. Acts of corruption in the admission of new students undermine academic integrity and injure the basic principles of education that should prioritize morality and justice.

The court's decision in this case shows serious efforts in law enforcement against corruption crimes, with severe punishments and fair management of evidence. This reflects a commitment to maintaining integrity and justice in the education system and government in Indonesia. However, challenges in proving and applying the law remain, which require cooperation between various parties to ensure justice is upheld

CONCLUSION

Law enforcement, which includes sanctioning violators of the rules, is an integral part of the concept of law enforcement to improve human behavior, including in the context of perpetrators of corruption crimes. Law enforcement aims to align the values in the law with attitudes and actions, involving law makers, implementers, and the community to create, maintain, and maintain peace of life. Law enforcement against perpetrators participating in corruption crimes is based on existing laws and regulations, including the Corruption Crime Law, with increased attention from the state after the reform. Although the concept of people participating in Indonesian law has not been expressly regulated in the legislation, it is important to understand that legal certainty in the case of perpetrators participating in corruption crimes is an approach that must be considered in law enforcement. The theory of "participation in doing" has its own characteristics that distinguish it from other participation theories. Ideally, perpetrators who participate in corruption crimes who are aware of participating in unlawful acts can be fully punished like the main perpetrators, but this decision depends on the decision of the judge, which is part of the judiciary according to legal doctrine in Indonesia. The judge's decision is the result of a long process in implementing and enforcing the law, which is important for legal certainty and community justice. Law enforcement against corruption crimes, including against those who participate, must be based on the principles of legal certainty and legality, with the same delicacies and verdicts as the main perpetrators.

The Panel of Judges affirmed that Karomani, as the Rector of the University of Lampung (UNILA) in the 2019-2023 period, meets the qualifications as a "civil servant" or "state administrator" according to the definition stipulated in laws and regulations, including the Decree of the Minister of Education and Culture of the Republic of Indonesia Number 134149/MPK/RHS/KP/2019. In this case, the Defendant has the authority to determine the graduation status of new students through the SBMPTN and SMMPTN routes, and the facts submitted show that the Defendant and several witnesses who are also the Defendants in other decisions, received money either directly or indirectly from parents or representatives of prospective new students, either through the SBMPTN and SMMPTN routes, by involving

parties outside the structure of the student admission committee. The Panel of Judges also found that the Defendant, together with the witness Heryandi and the witness Muhammad Basri, were involved in a close cooperation and were consciously carried out in realizing the common goal related to the admission of new students and the receipt of a sum of money. Thus, the Panel of Judges considers that the element of "participation" in Article 55 Paragraph (1) 1 of the Criminal Code has been fulfilled in this case, where the Defendant is the main perpetrator (dader/pleger), while the witness Heryandi and the witness Muhammad Basri participated (mededader/medepleger) in the criminal incident that occurred. The indictment also proves that there has been more than one corruption offense in the form of accepting bribes committed by the Defendant, witness Heryandi, and witness Muhammad Basri, both through the SBMPTN and SMMPTN channels, in the same time frame.

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