

RECONSTRUCTION OF CORRUPTION PENALTY FOR THE ABUSE OF AUTHORITY BASED ON VALUE OF JUSTICE

Tirta Winata¹, Gunarto² & Sri Endah Wahyuningsih³

¹Doctorate of Law, Sultan Agung Islamic University, Semarang, Indonesia

^{2,3}Faculty of Law, Sultan Agung Islamic University, Semarang, Indonesia

ABSTRACT

*Application of criminal sanctions against perpetrators of corruption in Indonesia cause in justice, corruption is carried out with a certain purpose, misuse the authority, opportunity or means available to him because of his or her position as referred in Article 3 of the Corruption Eradication Act, the threat of minimum criminality in particular must be higher than the minimum criminal threat specifically in Article 2, in order to create a sense of justice. Reconstruction of criminal sanctions based on the value of justice in Article 3 of the Law on the Eradication of Criminal Acts of Corruption, namely: Every person who aims to benefit himself or another person or a corporation, misuses his authority, opportunity or means because of his position or her position that could harm the state's finances or the country's economy, sentenced to life imprisonment or imprisonment of **at least 5 (five) years** and a maximum of 20 (twenty) years and or a fine of at least Rp.50,000,000 (fifty million rupiah) and a maximum of Rp.1,000,000,000 (one billion rupiah).*

KEYWORDS: *Abuse of Authority, Corruption, Criminal Sanctions*

Article History

Received: 08 Oct 2018 | Revised: 15 Oct 2018 | Accepted: 30 Oct 2018
