



# *The Concept of State Economic Loss in Corruption Crime Cases*

**Aji Rahmadi**

Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah, Indonesia  
Ir. Sutami Street, No. 36 Kentingan, Jebres, Surakarta, Jawa Tengah, Indonesia 57126  
[ajirahmadi@student.uns.ac.id](mailto:ajirahmadi@student.uns.ac.id)

**Lego Karjoko**

Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah, Indonesia  
Ir. Sutami Street, No. 36 Kentingan, Jebres, Surakarta, Jawa Tengah, Indonesia 57126  
[legokarioko@staff.uns.ac.id](mailto:legokarioko@staff.uns.ac.id)

**Hartiwiningsih Hartiwiningsih**

Faculty of Law, Universitas Sebelas Maret, Surakarta, Jawa Tengah, Indonesia  
Ir. Sutami Street, No. 36 Kentingan, Jebres, Surakarta, Jawa Tengah, Indonesia 57126  
[hartiwiningsih@staff.uns.ac.id](mailto:hartiwiningsih@staff.uns.ac.id)

**Abstract**—The categorization of corruption as an exceptional offense has significantly influenced legal proceedings in Indonesia. When prosecuting corruption cases, the focus is often on proving the financial damage to the state as outlined in Article 2(1) or Article 3 of Law No. 20 of 2001 on the Eradication of Corruption. This is particularly important in cases where the losses exceed 1 trillion rupiahs, and auditors are involved to help verify the extent of the losses. Recent instances have shown significant financial and economic losses incurred by the state. For instance, in the case of Drs. Irianto, the economic loss amounted to Rp1.646 trillion (Supreme et al. No. 4952 K/Pid.Sus/2021). Additionally, an illegal mining case involving PT—Timah revealed environmental damages totaling Rp271 trillion. The main legal obstacle arises from the inadequate enforcement of legal regulations pertaining to damage to the nation's economy as outlined in two Articles of the Anti-Corruption Law. Law enforcement officials are hesitant because these norms have an unclear formulation and encompass a wide range of concepts. The papers discuss the challenges related to defining state economic loss and using it in corruption trials. By employing a normative juridical approach, it was determined that in both verdicts, the inclusion of evidence pertaining to the state economy was accomplished by innovative and forward-thinking advancements. The acknowledgement of corruption as an exceptional offense requires increased efforts in prosecuting it, allowing for the establishment of the economic aspects of the state in cases involving substantial financial losses. Hence, the judge's deliberations, which include the inclusion of unlawful environmental exploitation as a manifestation of corruption, emphasize the need for legal revisions and the setting of unambiguous limits in laws.

**Keywords**— Corruption Crime; Judge's Decision; State Economic Loss.

## I. INTRODUCTION

Today's assessment and stigma of corruption are embarrassing and worrying for the Indonesian nation.[1] Corruption has become a significant obstacle to economic growth and national development. This phenomenon not only affects the country's image in the eyes of the world but also harms the economy and well-being of the people. Foreign investors are slowly moving away from Indonesia because they need help to survive the costly economic situation of corruption.[2] Furthermore, corruption undermines the nation's resilience and the dignity of Indonesia at the regional and international levels. The rise of uncontrolled corruption crimes is bringing disaster to the national economy and the lives of nations and nations. The pervasive and organized corruption violates both the social and monetary liberties of individuals. Therefore, corruption should be reclassified from a common offense to an extraordinary offense. Corruption offenses have a wide-ranging impact, not only resulting in financial losses for the state, but also causing economic, social, ecological, and other forms of harm.

It defines corruption as an extraordinary crime of significant influence in the law enforcement process, especially in connection with the proofing of elements harmful. [3] Article 2, paragraph (1), or Article 3 of Law No. 20 of 2001 on the Suppression of Criminal Acts of Corruption pertains to the financial status of the

government or the overall state economy. Investigators, public prosecutors, and judges are more likely to prove the elements of the state's financial loss than the harmful element of the country's economy because it is considered easier with the help of auditors in determining the state's financial loss. The main problem in implementing legal norms related to the harmful elements of the state's economy is the imperfection and doubt of the law enforcement apparatus in applying Articles 2 and 3 of the Tipikor Act due to the multiple interpretations of the formula and the broad concept of the elements detrimental to the country's economy. Therefore, this study will focus on the conception of the economic losses of the state in Articles 2 and 3 of the Criminal Code of Corruption, which need to be explained in detail, and the application of the harmful elements of the economy of the country in matters of corruption should be analyzed in depth.

In some ways, calculating losses in corruption crimes has begun to include the losses to the country's economy.[4] For example, in the Corruption Criminal Prosecution Court Judgment of the Central Court of Jakarta, No. 55/Pid.Sus-Tpk/2020/Pn.Jkt.Pst was confirmed by the Supreme Court of RI No. 4952 K/Ped.Sos/2021 on behalf of the defendant, Drs. In Irianto, the country's economic losses were estimated at Rs1,646 trillion. Other cases, such as the corruption of the Ambassador of Palma Group in the name of the accused Surya Darmadi, with a total amount of Rs 42 trillion, also accounted for the country's economic loss. The latest is the corruption alleged criminal case in the illegal mining of PT. Timah accounted for the loss of the living environment of Rs 271 trillion.

Although there have been advancements in considering the economic losses to the country when calculating corruption offenses, the enforcement of legal regulations pertaining to the detrimental aspects of the national economy outlined in Articles 2 and 3 of the Tipikor Act is still not fully optimized. The law enforcement system frequently hesitates to adopt this element because of its formula that can be interpreted in multiple ways and its premises that cover a wide range of areas. This study serves not only as an academic exercise, but also as a compelling call to action. The objective is to comprehensively analyze the notion of economic losses in the country and its relevance to corruption cases, with the ultimate aim of offering recommendations to strengthen law enforcement against corruption offenses in Indonesia.

## II. LITERATURE REVIEW

### A. *The Relevance of the State Economy to the Principles of National Economy in Article 33 of the 1945 Constitution*

Practically, the state's economic involvement in acts of corruption is typically described as a wide and abstract concept, in contrast to the aspect of financial losses incurred by the state.[5] Law Number 31 of 1999 defines the country's economy as a system that encompasses economic activities structured through partnerships rooted in family or community efforts, in accordance with government policies at both the federal and regional levels. The objective of this concept is to ensure that all citizens of Indonesia receive advantages, affluence, and well-being. Article 33 of the 1945 Constitution encompasses the fundamental tenets of the Indonesian national economy, encompassing various significant facets. The principle of kinship underscores the necessity of organizing the economy as a collective endeavor grounded in the notion of kindred. Secondly, the principle of state control asserts that the state should have authority over industries that are crucial for the functioning of the state and have a significant impact on the lives of a large number of individuals. Furthermore, natural resource management asserts that the state has authority over the earth, water, and natural resources found within it, and that these resources should be utilized in a manner that maximizes the welfare of the population. Furthermore, the principle of economic democracy underscores the necessity of structuring the national economy in accordance with the principles of economic democracy, which include unity, equitable efficiency, sustainability, environmental awareness, self-sufficiency, and maintaining a harmonious balance between progress and national economic cohesion.

The 1945 Constitution, under Article 33, Paragraphs (2) and (3), provides more detailed regulations on the state's authority over natural resources. Paragraph (2) asserts that the state should have control over key sectors of production that have significant impact on the lives of many individuals. On the other hand, Paragraph (3) highlights the importance of state control over the earth, water, and natural resources, with the aim of maximizing the well-being of the people. The ruling of the Constitutional Court in Decision Number 36/PUU-X/2012 underscores the requirement that the term "controlled by the state" should consistently be linked to the objective of "maximizing the welfare of the population." If these two sentences are not closely linked, the precise constitutional interpretation of state control may be compromised.[6] Efficient management of natural resources by the state is crucial for ensuring the well-being and success of the population. This decision emphasizes the importance of the state's responsibility in effectively and equitably managing natural resources for the overall well-being and prosperity of the people.

It is necessary to provide a detailed explanation of the notion of state economic loss as outlined in Article 2 and Article 3 of the Corruption Crime Law.[7] The country's economic losses encompass not only cash losses but also extend to encompass broader economic implications, including social and ecological consequences. The

assessment of state losses in various corruption cases has commenced, taking into account wider economic ramifications. In the Corruption Crime Court Decision at the Central Jakarta District Court number 55/Pid.Sus-Tpk/2020/Pn.Jkt.Pst, which was affirmed by the Indonesian Supreme Court, the financial damages suffered by the state were determined to be IDR 1.646 trillion. An in-depth analysis must be conducted on the use of factors that are harmful to the country's economy in corruption instances. Despite certain advancements in quantifying substantial damages, such as those affecting the state's economy, there is still need for improvement in the application of legal standards pertaining to this aspect. Law enforcement personnel frequently hesitate to utilize this element due to its ambiguous language and expansive notions.

Additional instances include the malfeasance of the Duta Palma Group and the illicit extraction of minerals by PT. The lead demonstrates the incorporation of the nation's economic damages into legal judgments. The Supreme Court's ruling in the Surya Darmadi case, which resulted in a total compensation of IDR 42 trillion and state economic losses amounting to IDR 39.75 trillion, demonstrates the applicability and necessity of incorporating the notion of state economic losses in the assessment of corruption's consequences. In order to enhance the effectiveness of law enforcement in combating corruption in Indonesia, it is imperative for the government to provide a more accurate and consistent interpretation and implementation of the provisions pertaining to the economic harm caused by corrupt practices, as outlined in Article 2 and Article 3 of the Corruption Law. Law enforcement officers can enhance their pursuit of justice and ensure comprehensive recognition and calculation of all losses stemming from corruption, including economic and social losses, by comprehending and implementing a more expansive understanding of state economic losses.

#### B. *Ecological Losses as State Economic Losses*

Corruption, an extraordinary crime, necessitates a distinct disclosure strategy and appropriate articles to ensnare the perpetrator.[8] The severity of its impact on society, the economy, and the environment is profound. In handling cases of criminal acts of corruption, one of the more advanced approaches is the application of elements of the state's economy in calculating penalties for perpetrators of corruption and ensnaring corporations as perpetrators of criminal acts. This approach aims to accumulate returns for state losses by considering the broad impact of corruption, including economic, social, and ecological aspects. According to the Extraordinary Crime Theory, corruption is a crime with a broad and significant impact on a country's social, economic, and political life.[9] These crimes undermine public trust in the government and the legal system, resulting in substantial economic losses. In this context, corruption cannot be considered an ordinary crime but requires extraordinary handling and a stricter legal approach. The Criminal Economic Theory posits that financial or accounting calculations alone cannot fully capture the losses resulting from criminal acts of corruption. This theory emphasizes the importance of considering broader impacts such as reductions in state revenues, declines in investment values, damage to infrastructure, and disruption of economic stability. This approach provides a more comprehensive picture of the losses suffered by the state due to criminal acts of corruption so that law enforcement can be more effective in recovering these losses. Ecological Loss Theory highlights the long-term impacts caused by corruption in the environmental sector. These ecological losses are often not immediately visible but have serious consequences, such as natural damage, natural disasters, and the loss of natural resources. This theory emphasizes the importance of considering ecological impacts when calculating losses resulting from criminal acts of corruption so law enforcement efforts can include restoring the affected environment.

The Economic and Ecological Corruption Handling Model is a comprehensive approach that integrates economic and ecological considerations in calculating losses resulting from criminal acts of corruption.[10] This model focuses on immediate financial losses and considers long-term losses that impact the ecosystem and environmental sustainability. This approach allows for the holistic and sustainable handling of corruption. The concept of returning state losses emphasizes the importance of accumulating returns on state losses through comprehensive calculations. Restitution of state losses should not only be based on the financial value lost but must also include the social and ecological losses that occurred. This concept aims to ensure that law enforcement against corrupt perpetrators can provide maximum deterrent effect and restore state losses. The Legal Approach to Ensnaring Corporations recognizes the role of corporations as perpetrators of criminal acts of corruption and emphasizes the importance of ensnaring corporations in law enforcement efforts. Thus, we can hold accountable individuals and business entities involved in corrupt practices. This approach aims to increase corporate accountability and responsibility for maintaining integrity and preventing criminal acts of corruption.

Corruption involving the environmental sector causes significant and long-term ecological losses. Although not immediately visible, these losses have severe and far-reaching impacts on environmental sustainability and human well-being—for example, ecosystem damage, natural disasters, and the loss of natural resources necessary for human life.[11] Therefore, in calculating losses resulting from criminal acts of corruption, it is essential to adopt a holistic approach and consider all aspects of the impact caused by the act of corruption. This approach ensures that law enforcement against corrupt perpetrators can provide maximum deterrent effect and recover losses suffered by the state and society more comprehensively.

### III. METHOD

This study utilizes the normative juridical approach. This approach seeks to thoroughly evaluate the concept of state economic losses and the proof of criminal actions of corruption that detrimentally impact the economy of the state.[12] This type of jurisprudence applies relevant legal rules within the domestic legal system. The normative juridical research approach involves examining pertinent laws, regulations, court rulings, and legal writings to comprehend and assess established legal principles, specifically those pertaining to financial harm to the state resulting from corrupt criminal activities. This research utilized legal sources such as Law No. 20 of 2001, which amends Law No. 31 of 1999, focusing on the eradication of corruption crimes. Additionally, scholarly works including books, journals, articles, and other scientific publications discussing corruption crimes and their impact on the state economy were consulted. Furthermore, official documents and reports, such as audit reports from the Financial Audit Agency (BPK) and investigation documents, were also considered as legal sources for this research. Analyzing legal sources in this research involves several methods. Firstly, normative analysis is used to examine statutory regulations and evaluate the provisions in Law No. 20 of 2001. Secondly, jurisprudence studies are conducted to analyze court decisions and gain insight into the application of the concept of state economic loss. Thirdly, literature studies are conducted to examine legal theories and concepts found in legal literature. Fourthly, conceptual approaches are employed to develop a deeper understanding of the concept of economic loss to the state. Lastly, legal reasoning is utilized to interpret data from various legal sources and construct coherent arguments regarding the application of law in cases of corruption that result in harm to the state's economy. This method aims to comprehensively comprehend the idea of economic damages to the state resulting from corruption-related offenses, as well as its application in the enforcement of Indonesian law.

### IV. RESULT AND DISCUSSION

#### A. *The concept of state economic loss in Article 2 and Article 3 of the Corruption Crime Law*

The Eradication of Corruption Crimes Law, also known as Law Number 31 of 1999 and revised by Law No. 20 of 2001, enforces strict measures to control the financial and economic damages inflicted upon the state as a result of corrupt activities. Our discussion will focus on Article 2 and Article 3, which outline the legal foundation for illegal conduct that cause harm to the state. According to Article 2 of Law No. 20 of 2001, individuals who engage in illegal activities that result in personal or third-party enrichment, thereby causing harm to the state's finances or economy, may be subject to harsh penalties, such as life imprisonment, a minimum of 4 years in prison, and a fine ranging from IDR 200 million to IDR 1 billion. Article 3 further stipulates that individuals who exploit their power or position to harm the state's finances or economy may face life imprisonment or a minimum of 1 year in prison, as well as a punishment ranging from IDR 50 million to IDR 1 billion.[13]

Articles 2 and 3 share many themes, notably focusing on the negative impact on public budget and the economy. State finances, as defined in the General Explanation of Law No. 31 of 1999, encompass all assets owned by the state, regardless of whether they are consolidated or not. This includes all components of state assets and their associated rights and duties:

1. Assume responsibility for, oversee, and ensure the accountability of state agency officials at both the central and regional levels.
2. Assume responsibility for the governance, administration, and oversight of state-owned and regional-owned enterprises, foundations, legal entities, and firms that involve state or third-party investments as per a contractual arrangement with the state.

State financial losses are not specifically defined under Law No. 31 of 1999 and Law No. 20 of 2001. Nevertheless, the elucidation of Article 32, paragraph 1, of Law No. 20 of 2001 offers some clarification. Actual state losses, as defined by the legislation, are quantifiable by the authorized agency or appointed public accountant. This concept provides clarity on the legal interpretation of state financial losses within the framework of corruption offenses.

In the previous Corruption Law, specifically Law No. 3 of 1971, the elements of the state's economy are explicitly outlined in the formulation and definition. The Elucidation to Article 1 subs. A of Law No. 3 of 1971 defines acts that are considered criminal violations of regulations issued by the government within its jurisdiction, as stated in MPRS Decree No. XXIII/MPRS/1966, which pertains to Policy Reform based on Economics, Finance, and Development Basis. The TAP MPRS Number XXIII/MPRS/1966, which pertains to the Renewal of Economic, Financial, and Development Policy, has been officially labeled as TAP MPR/MPRS.

This designation indicates that no other legal action is necessary, as the policy is either considered final, rescinded, or completed. As per the TAP MPR Number 1 of 2003, which deals with the evaluation of the decrees issued by the Temporary People's Consultative Assembly and the People's Consultative Assembly of the Republic of Indonesia between 1960 and 2002, this regulation addresses actions that harm the country's economy. This is stated in Article 1 Sub(a) of Law Number 3 of 1971, which focuses on combating corruption. The TAP MPRS Number XXIII/MPRS/1966, which pertains to the renewal of economic, financial, and development policies, is no longer considered the primary reference in terms of legal norms. Nevertheless, if the governing body responsible enacts the regulations in accordance with the authority granted by the TAP MPRS, they remain valid and have not been repealed or deemed legally ineffective. Therefore, the regulations pertaining to this issue remain applicable and can serve as a reliable source of reference.

Disruption or inability to implement an economic system that is organized as a partnership rooted in kinship or a self-sustaining community effort driven by government policies, both at the national and regional levels, as mandated by relevant laws and regulations with the goal of enhancing the well-being, prosperity, and welfare of all individuals. This definition employs an opposing view. While state economic losses arise in collaborations organized according to kinship principles or independent grassroots efforts according to policies of the government at both the central and regional levels, as stipulated by laws and regulations aimed at promoting the welfare and prosperity of all individuals? This will be hindered or rendered infeasible if corruption takes place inside the realm of the nation's fiscal interests, specifically as outlined below:

NO	STATE ECONOMIC INTERESTS	EXPLANATION
1	Corruption in the monetary sector	Such as fiscal, exchange rates and interest rates
2	Corruption related to production	Which has implications for the lives of many people, such as distribution of goods and services, sales, export-import
3	Corruption related to finance	Such as in terms of banking, loans, capital markets, insurance, investment and foreign investment

**Table 1.** Types of Corruption that Impact the Country's Economy

According to the General Explanation of Law no. 31 of 1999, state finances include all state assets in any form, whether separated or not, including all rights and obligations arising from that place, which are within:

1. Oversight, administration, and responsibility of state agency officials at both the central and regional levels;
2. Oversight, administration, and responsibility of state-owned enterprises (BUMN/BUMD), foundations, legal entities, and firms that involve state or third-party capital as per an agreement with the state.

Meanwhile, State Financial Losses based on Article 1 and Article 2 of Law Number 17 of 2003, state financial losses include:

1. The deprivation or diminishment of legal rights and responsibilities that have a monetary value, resulting from illegal actions:
  - a. The state's authority to levy taxes, mint currency, and extend loans;
  - b. The state's responsibility to deliver public services and settle debts to external parties;
  - c. State and regional income and expenses;
  - d. Assets owned by the state or regional entities, or managed by them or other entities, in the form of currency, securities, debts, goods, and rights that can be monetarily valued, including assets detached from state or regional enterprises.
2. Embezzlement refers to the loss or decrease of money or goods that can be seized by the state due to an illegal act.
  - a. The government controls the wealth of other parties when carrying out its obligations and serving public interests;
  - b. Other parties earn wealth with the help of government facilities.

There was a change in legal status. Initially, the element of loss to state finances or the state economy in the Corruption Law was a formal offense (potential loss). However, after Constitutional Court Decision No.

25/PUU-XIV/2016, it becomes a material offense (the loss must be accurate and definite in amount). State losses must be ascertained through transparent procedures and procedures, not based on assumptions, and calculated by the authorized agency or appointed public accountant. State financial losses and state economic losses are two different things.[14] Losses to the country's economy are still relevant in criminal acts of corruption because they are easy to prove without requiring specific experts.[15] The focus is on financial losses and economic, social, and ecological aspects. However, there is no apparent limit to the country's economic losses, causing legal uncertainty and potential abuse by law enforcement. Indonesia's legal framework has tried to treat corruption as an extraordinary crime with severe penalties.[16] However, implementation still needs to be simplified, mainly when calculating and proving losses to the country's economy. A more comprehensive and transparent approach is needed to ensure fairness and effectiveness in eradicating criminal acts of corruption and avoid multiple interpretations that can cause legal uncertainty.

#### *B. Application of Elements Harmful to the State's Economy in Corruption Cases*

The topic of causing damage to state finances or the state's economy is not explicitly addressed within the provisions of article 2 and article 3 of the Corruption Law. It is inherently alternate, implying that the fulfillment of one element allows for the fulfillment of that element.[17] However, if specific criteria are satisfied, both can be demonstrated without any contradiction. The execution of these features, which are harmful to the country's economy, has faced multiple challenges, greatly affecting the achievement of eliminating illegal acts of corruption in Indonesia. There are several factors that hinder progress, including: the existence of alternative definitions of state finances; the definition of state economy in UUPTPK is ambiguous, opaque, and subject to various interpretations, which makes it difficult for law enforcement officers to establish clear boundaries; The discrepancies lie in the interpretation of state financial or economic losses as either real losses or potential losses, as well as the lack of clarity on the responsible authority for assessing (auditing) state financial losses in cases of corrupt activities.

The costs incurred by the state due to criminal acts of corruption are typically limited to money losses, with little attention given to the broader economic losses suffered by the state.[18] Criminal actions of corruption have a multifaceted impact, encompassing not only money losses but also economic, social, ecological, and other forms of damage. The components of state detriment in criminal acts of corruption are confined to monetary losses and economic losses to the state. The case is exemplified by the Corruption Eradication Committee's ruling on Toni Gozaly, as stated in Supreme Court Decision No. 1164/K/Pid/1985, issued on 31 October 1986. The judge's rationale for convicting the defendant was based on his unauthorized construction in state-owned water areas, which prevented the state from utilizing and benefiting from them for public use. M. Baharudin Lopa concluded that the state incurred economic losses due to the defendant's violation of licensing regulations related to the usage of water areas. The defendant's conduct targeted state property, which the state utilized to advance its interests in the economic sector.

Recently, in the period from 2022 to 2023, there have been 2 (two) corruption cases which, apart from counting corruption cases with large amounts of losses, are not only calculated based on state financial losses but are also calculated based on the state's economy or it could be said that the state's economic losses are stated explicitly. Moreover, it is included in the judge's considerations in his decision. These 2 (two) cases include:

##### 1. Decision of the Corruption Court in the name of Drs. Irianto

In this decision, the judge has considered the loss to the country's economy through the perspective of economics, namely using the Gross Domestic Product (GDP) unit parameter related to the existence of an unprocedural mode of importing textiles and having a direct impact on the country's economy by calculating it by experts from the Faculty of Economics and Business by The panel of judges accepted the evidence by determining that the economic loss to the state, assessed economically, was IDR 1,646,216,880,000.00 (one trillion, six hundred and forty-six billion, two hundred and sixteen million, eight hundred and eighty thousand rupiah), for reasons including[19]:

- a. There was a surge in imports of the goods under investigation relative to national production.
- b. Energy that has an impact due to a surge in imports.
- c. The domestic market share has decreased.
- d. Decline in national production.
- e. Decline in industrial activity.

##### 2. Decision of the Corruption Court in the name of Surya Darmadi

In the judge's decision, the judge took into account the state's economic losses due to the actions of Defendant Surya Darmadi, who carried out oil palm plantation activities in forest areas, which caused damage that resulted in environmental losses in forest areas in Indragiri Hulu Regency, Riau Province, worth IDR 73,920,690,300,000.00 (seven thirty-three trillion nine hundred twenty billion six hundred ninety million three hundred thousand rupiah) minus PT. Kencana Amal Tani and PT Banyu Bening Utama, which have HGU Certificates, should not be the object of inspection so that the State Economic loss becomes IDR 39,751,177,520,000.00 (thirty-nine trillion seven hundred fifty-one billion one hundred

seventy-seven million five hundred and twenty thousand rupiahs). Considering that Defendant Surya Darmadi carries out a palm oil plantation business in a forest area through several of his companies in Indragiri Hulu Regency, Riau Province in a forest area, which has resulted in:

- a. Illegal land transfer has increased negative externality costs because environmental quality has decreased.
- b. The results of the identification of soil and water quality in plantation areas show a decline in environmental quality, which has an impact on changes in the nature faced by households and the business world in that location—the total cost of reducing environmental carrying capacity and environmental recovery costs for land converted to illegal use.
- c. Land transfer without permission means that the company's obligations regarding land transfer and palm oil plantation exploitation are not paid to the government. This problem impacts the loss of government revenues that the company should pay.
- d. Household income has declined around the plantation area because the company has not implemented smallholder palm oil at all. The loss of household income from the smallholder palm oil program is part of the illegal profits obtained by the company.

Whereas based on the legal facts contained in the two decisions above, the state's economic losses were obtained from:

1. The context of losses to the country's economy is too broad, and the parameters are unclear, so the judge considers whether the losses resulting from the perpetrator's actions directly impact the country's economy from an economic perspective.
2. The country's economic losses are seen from the perspective of ecological losses. The main thing that can result in an environmental loss being considered a state financial loss is that a corruptive action must cause the environmental loss. The corrupt actions referred to here are that these actions can be categorized as criminal acts of corruption as regulated in the Corruption Eradication Law and justify that the environment is included in the scope of state assets so that environmental losses become a form of state financial loss.

From the calculation of the country's economic losses, there is a difference of opinion that not all criminal acts can be included or categorized within the scope of criminal acts of corruption as per the legal considerations above if corruption cases only rely on calculating environmental losses as losses to the country's economy. The limits of criminal acts of corruption and ordinary criminal acts become blurred. As a result, all cases of violation of the law can end up becoming cases of corruption.[20] If this happens, it is as simple as someone throwing rubbish in a river and being threatened with a criminal act of corruption.

Nevertheless, the author considers it a significant advancement that the state typically disregards the idea of *lex specialist derogat lege* when estimating economic damages.[21] In the instance of Surya Darmadi, the unlawful act involved the violation of the Forestry Law, indicating that the perpetrator's acts were within the scope of the Forestry Law. Furthermore, the estimation of state economic losses was predicated upon the assessment of ecological harm. An act is classified as corruption when it results in a financial detriment to the state, and the impact on the state's economy is quantified. The notion of *lex specialis* systematic emerges when there is a need to further extend the concept of *lex specialist derogat lege*. This principle applies when many specialized criminal laws govern the same matter and cannot be easily reconciled, leading to difficulties in enforcing the law. The notion of *lex consumer derogat legi consummate* is the concept that one specific criminal legislation supersedes another specific criminal law. The application of the *lex consumer* is grounded on the factual evidence presented during the trial.

## V. CONCLUSION

From these two decisions, it is clear that the country's economic elements have become the court's focus, showing innovative steps in enforcing the law against corruption crimes. Given the perception as an extraordinary crime, extra efforts are needed to uncover cases that have a significant economic impact so that elements of the country's economy can be proven at the conference. The judge's decision to consider the illegal use of the environment as a criminal act of corruption underscores the need for clear legal reforms and firm boundaries in statutory regulations. This change marks a step forward in eradicating corruption and encouraging legal reform that is more effective and responsive to the challenges of the times.

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