

*Research Article*

**Optimization of Criminal Justice in Identifying Corruption Patterns in Government Administration and Development in Maluku**

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**ABSTRACT**

Maluku Province, with its archipelagic characteristics, experiences the impact of corruption in nearly all its regencies and cities, where government officials often collaborate with private entities in corrupt practices. This study aims to discuss the optimization of the criminal justice system in identifying corruption patterns in government administration and development in Maluku Province. The research employs an empirical approach. The findings reveal five distinct corruption patterns in government administration and development in Maluku Province, jointly perpetrated by regional government officials and private actors. These patterns include land price manipulation, contract price inflation, overpayments, tax fraud, and fictitious activities. The study concludes that optimizing the role of the criminal justice system in identifying corruption patterns requires strengthening the institutional capacity of the Indonesian National Police (Polri) in its duties as a recipient of reports, investigator, and examiner of corruption cases. Moving forward, a more intensive coordination among all state institutions involved in criminal justice is necessary to support the government in addressing the growing issue of corruption.

**Keywords: Institutional Strengthening; Criminal Justice; Corruption Patterns; Government; Development**

**A. INTRODUCTION**

Government administration and all affairs carried out within it are crucial for the sustainability of a nation (Budiyono, Muhtadi, & Firmansyah, 2015). These affairs do not operate automatically but are managed by human resources, commonly known as government apparatus (Muin, 2015). This highlights the critical role of each government official in serving their country. Government officials are entrusted with a mandate and responsibility by the state and its people to manage governmental affairs according to their respective duties and functions.

It is an obligation for every government official to fulfill the trust placed in them with integrity and accountability (Laksana, Supriyono, & Sarwono, 2015). It becomes a severe issue when government officials or bureaucrats engage in behavior that deviates from the duties and authority outlined in legal regulations, as this can hinder the proper functioning of government administration (Fathya, 2018). Therefore, under no circumstances should acts of corruption be tolerated, as they directly impact a nation's development and obstruct the achievement of

public welfare (Suprihanto, Utama, & Cahyaningtyas, 2023).

In general, there is no explicit definition of corruption in legislation. However, Article 2 of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 on the Second Amendment to Law Number 31 of 1999 on the Eradication of Corruption (hereinafter referred to as the Corruption Eradication Law) implies that corruption includes any act committed—knowingly or unknowingly—by any individual that violates the law with the intent to enrich oneself, cronies, groups, other individuals, corporations, or institutions, resulting in financial or economic losses to the state. This regulation explains that corruption manifests through the misuse of resources, power, or authority, including facilities and tools, based on the authority vested in an individual to serve personal, familial, or group interests. Corrupt individuals can come from all sectors, including politics, bureaucracy, and the economy, engaging in similar offenses (Setiyono, 2017).

Corruption committed by government officials refers to acts carried out by public employees or officials who prioritize personal gain and satisfaction by unlawfully acquiring public funds or state assets and using them to fulfill personal desires (Kurniawan & Pujiyono, 2018). Corruption has become one of the biggest challenges in this country, posing a major threat to Indonesian society due to its extensive financial

and social impact. Undeniably, corruption has become a deeply ingrained problem that is difficult to eradicate in Indonesia (Setiawan & Jesaja, 2022).

Corruption is the misuse or embezzlement of government or state funds (including those of corporations, organizations, foundations, and others) for personal or third-party interests. According to Transparency International (TI), corruption is defined as an act committed by public officials, whether politicians or civil servants, who illegally and unfairly enrich themselves by abusing the power entrusted to them by the public. The World Bank defines corruption as the misuse of public office for personal gain. From a legal perspective, under Law Number 20 of 2001, corruption refers to acts committed by individuals or groups who intentionally and unlawfully enrich themselves, others, or corporations, causing financial losses to the state or harming the national economy (Danil & Kurniawan, 2017).

Corruption occurs not only at the national level but also at the regional level. It is committed by government officials, council members, and local leaders, including governors, regents/mayors, and officials at the district/city level. Corruption is a serious issue because it threatens national and public security, hinders social, economic, and political development, and even undermines democratic values and ethics, as long-term corruption has become ingrained in

society (Hiarie, 2020). Furthermore, corruption poses a significant threat to public morality. As corruption-related crimes continue to rise, they create a desperate economic environment that can drive individuals to commit further criminal acts, including corruption itself (Santoso, 2021).

When discussing corruption, one inevitably encounters such realities, as corruption involves moral aspects, dishonesty, official positions within government institutions or apparatus, abuse of power for personal gain, economic and political factors, and nepotism—placing family members or specific groups in positions under one's authority. Thus, in a literal sense, the term "corruption" has a very broad meaning (Saifuddin, 2017):

1. Corruption: The act of embezzlement or misappropriation (of state or corporate funds, among others) for personal or third-party interests.
2. Corruption: Decay; dishonesty; a tendency to misuse entrusted resources or funds; being susceptible to bribery (using one's power for personal gain).

The phenomenon of corruption in Indonesia continues to expand daily. Both the number of cases and the financial losses suffered by the state are increasing. The factors contributing to corruption not only influence officials in power but have also become ingrained as habitual behaviors within society at large (Asyharuddin, Arifani, & Herlina, 2022).

Regarding the phenomenon of corruption in Indonesia, the law enforcement process begins with an initial phase called an investigation (Pardede, 2020). The investigative stage is carried out by law enforcement agencies, particularly the police, when there is suspicion of corruption. Their role is to conduct investigations and inquiries. According to Article 1, Point 5 of the Indonesian Code of Criminal Procedure (KUHAP), "Investigation is a series of actions undertaken by an investigator to seek and identify an event suspected as a criminal offense to determine whether a formal inquiry can proceed according to the procedures set forth in this law." Meanwhile, Article 1, Point 2 of KUHAP defines inquiry as "a series of actions conducted by an investigator, in accordance with the law, to gather evidence and identify suspects."

In combating corruption, the police operate based on the fundamental principles outlined in the Indonesian Code of Criminal Procedure (KUHAP), which aims to establish an integrated criminal justice system (SPPT). This requires conducting honest investigations that uphold justice, ensuring selective and non-discriminatory enforcement (Bima & Ramadani, 2020). As a law enforcement institution responsible for investigating corruption cases, the police must play an optimal role in identifying corruption patterns (Nugroho, 2021).

Normatively, corruption occurs due to two dynamics: first, corruption that benefits the

perpetrators while being shielded by existing regulations, and second, corruption that directly violates laws for personal enrichment. Setiyono (2017) argues that personal motivations also drive corruption. Some individuals commit corruption to evade tax penalties, while politicians or officials may engage in corrupt acts due to fears about financial insecurity upon retirement—such as concerns about pensions, severance funds, standard-of-living allowances, loan repayments, or education costs.

A flawed system influences individuals to engage in corruption by providing opportunities arising from their authority, such as decentralization and regional autonomy in managing regional budgets (APBD), overseeing local enterprises, granting permits, and more. This defective system results from the lack of accountability and transparency in public budget management, coupled with weak law enforcement at the regional level. The Financial and Development Supervisory Agency states that beyond individual and systemic (organizational) weaknesses, the most dangerous factor is the permissive attitude of society toward both personal and organizational misconduct (Setiyono, 2017).

The success of a region is, among other factors, indicated by a low level of corruption. A corruption-free region demonstrates the seriousness of the local government in administering governance and maintaining

economic stability (Chandranegara, Bakhri, & Umara, 2020). However, local governments frequently encounter corruption-related challenges. One such case occurred in the Maluku provincial government, where its archipelagic characteristics did not shield it from corruption. Many officials at the regency and municipal levels were implicated as perpetrators, often in collaboration with private entities. Notably, in recent years, the Maluku Regional Police's Public Relations Head reported that as of April 2019, 95 civil servants (ASN) from the Tual City Government, along with several village heads, were being investigated for alleged corruption involving the city's rice reserves from 2016 to 2017 (Kompas.com, 2019).

Building on the problem outlined above and comparing it with previous research, three prior studies share similarities with this research. The first study focuses on the legal enforcement challenges of corruption in village funds in Riau Province (Manihuruk, 2021). The second study discusses anti-corruption policies in Indonesia (Risnain, 2014). The third examines the sentencing of corruption offenders for abuse of power, exploring both the penalization process and the legal considerations underlying such decisions (Santoso, 2021). Additionally, international research has addressed the role of specialized courts in handling corruption cases (Saragih & Berlian, 2018), as well as a

comparative approach to anti-corruption efforts through empirical analysis (Mispansyah, 2018).

Based on a comparison with previous studies, no research has specifically addressed the issues examined in this study. This research uniquely focuses on optimizing the criminal justice system in identifying corruption patterns within governance and development in Maluku. Therefore, this study presents novel insights and is crucial to be conducted.

## **B. RESEARCH METHOD**

This study is an empirical legal research conducted by examining primary legal data and supported by primary legal materials (Soekanto, 2014). The primary legal data used in this research consists of observational findings, while the legal materials include legislation that provides explanations regarding primary legal sources, which encompass scholarly opinions, legal literature, law dictionaries, encyclopedias, and other references (Ariawan, 2013).

The legal material collection techniques used in this study involve observation and library research on primary data and legal materials, including primary and secondary legal sources. The legal material analysis employed in this research is qualitative descriptive analysis (Sulaiman, 2018).

## **C. RESULTS AND DISCUSSION**

### **1. General Overview of Corruption Patterns in Maluku Province**

Indonesia is a constitutional state based on Pancasila and the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945). It is also a democratic country that upholds the philosophy of governance by the people, for the people, and of the people. Based on this philosophical foundation (Adawiyah & Rozah, 2020), the Indonesian government must ensure that all citizens receive equal treatment under the law and that their rights to justice are upheld in its application.

Law plays a crucial role in societal life, not only in Indonesia but in all countries worldwide, each implementing their own legal systems (Lailam & Anggia, 2023), whether written or derived from cultural and everyday practices. However, not all legal violations or criminal offenses are inherently immoral acts. For example, driving a four-wheeled vehicle without wearing a seatbelt is a violation but not necessarily an unethical act. Therefore, from a societal perspective, the presence of law is not solely for imposing punishments but also for ensuring public order and stability in social life (Atmoko & Syauket, 2022).

Corruption resembles a vicious cycle that has deeply infiltrated the economic system, political system, and law enforcement system. Despite extensive anti-corruption campaigns, an

increasing number of corruption cases continue to emerge, implicating officials from regional to national government levels. The Indonesian government has made significant efforts to combat corruption through legal frameworks, including laws specifically designed to address the issue. However, the general public still perceives that the country needs a more effective remedy to eradicate the deeply rooted problem of corruption in Indonesia (Efendi, Susanti & Suwardi, 2024).

From a legal perspective, the definition and types of corruption crimes are regulated in 30 articles of the Anti-Corruption Law (UU Tipikor). The definition of corruption is not limited to acts that violate the law or abuse authority resulting in financial or economic losses to the state. It also includes acts such as embezzlement of state funds, document forgery to divert public money, and other forms of misconduct by state officials that harm individuals or society. Corruption crimes also encompass bribery, both active (actieve omkoping) and passive (passieve omkoping), as well as gratification, extortion (knevelarij, extortion), and involvement in procurement, contracting, or supply activities when the official in

question holds a relevant position, such as Budget Manager, Budget User, Budget User Proxy, or Commitment-Making Officer. Even if an act does not directly harm the state's finances or economy, or an individual or society, the law still classifies it as a corruption offense (Narindrani, 2020).

Several corruption cases that have occurred in Indonesia in general, and in Maluku Province in particular, indicate that the government and judicial institutions must be prepared and committed to anticipating and responding to the increasing number of corruption cases in Maluku Province, which continues to rise significantly. Therefore, the strategy for handling these cases must be carefully considered, taking into account not only the interests of law enforcement but also regional conditions, where weather factors can sometimes have an impact. However, there is no alternative but to remain committed to prosecuting law violators. The table below illustrates various patterns of corruption, along with different motives and modus operandi that frequently change according to the needs of the offenders.

**Table 1**  
**Corruption Patterns That Occur in Maluku Province**

No	Behavior Patterns	Modus Operandi Actions	Identification Case	Information
1	Land Price Manipulation	a. The person in charge of the activity/committee along with close friends bought a plot of land	The perpetrators deliberately misused the procedures and methods	Almost all cases were found in the

		for development purposes at a high price from the community but paid cheaply.	for purchasing goods/services by not paying attention to the Taxable Object Sales Value (NJOP) set by the government.	Regency/City
		b. The person in charge of the activity/committee pays compensation for the location, if the land is known to be land acquired from the community or village.		
2	Contract price is too high	a. Procurement of goods/services directly, and not through tender procedures. b. The perpetrator carried out a "mark up" or price increase from the standard in the budget plan that had been made.	a. List of needs and procurement of goods/services according to the needs of an agency; b. Tender minutes and auction procedures exist; c. A list of unit prices for the required items is provided. d. Rationalization of consulting services.	same as above
3	Overpayment	a. Excess payment for volume of work; b. Procurement of goods/services exceeds the amount to be paid;	a. Evidence of physical completion of the project with payment stages; b. The ratio of procurement of goods/services to the amount of funds used	In the districts of Kep Aru, Buru, SBT and SBB
4	Fictitious Activity Payments	a. Expenditures for payment of activities that cannot be accounted for; b. Full activity payment for uncompleted work; c. Payment for work or purchase of goods that is not carried out, but bookkeeping is done;	a. Proof/receipt of payment is not in accordance with the budget plan; b. Proof of payment per terms according to contract with physical evidence of activity; c. Proof of payment for purchased goods; d. Proof of procurement of goods;	Almost found in all districts/cities
5	Manipulation of official travel	a. Creating a fictitious SPPD b. Add/reduce data related to business trips (such as distance	a. Allocation of travel expenses according to budget;	Cases in Buru Regency and Amb City

		and time)	b. Proof of SPPD and official travel plans made	
6	Auction/tender	a. The winning candidate has been determined from the start (collusion and nepotism) b. Does not require a deposit from auction participants; c. Notify the available funding ceiling; d. Define fictitious participants.	a. Tender minutes; b. There is a relationship between the tender winner and the person responsible for the activity/committee; c. Tender procedures and mechanisms	same as above
7	Cash Deficit	a. Borrowing money for activities for personal use; b. Taking project money by forging signatures c. Create a double opening	a. Proof of use of money according to the treasurer's records b. Use of notes/memo that do not correspond to the available budget.	same as above
8	Commission money	a. Making a verbal promise to receive a commission of a certain percentage of funds deposited in a bank or other financial institution; b. Associate commission	a. Note/proof of commission recipient if any; b. The relationship between the commission and the implementation of activities.	same as above
9	Use of state money	a. The interest on activity funds is deposited and not handed over to the state treasury; b. Embezzlement of profits from cooperation; c. Embezzlement of proceeds from receivables.	a. Proof of bank deposit of actual activity fund allocation; b. Evidence of embezzlement of joint profit funds if there is an agreement for that purpose;	same as above
10	Document forgery	Adding/reducing data in proof of expenditure/receivables receipt	Material elements of Article 378 of the Criminal Code concerning forgery;	same as above
11	Use of Funds not in accordance with provisions	a. Funds are borrowed outside of official purposes; b. Assets are rented, operational funds are included in the routine budget.	Evidence such as irrational official memos/notices;	same as above
12	Illegal Levies	a. Request a quota from the selected partner; b. Retribution without official documents, bribery for a matter;	a. Proof of receipt (if the partner prepares it); b. Witnesses of victims who suffered losses.	same as above



13	Delay in payments to partners	a. Partner bills are not paid immediately, but are kept for several months in a personal account to earn deposit interest.	Same as point 10	same as above
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**(Source of data: Observation at Financial and Development Supervisory Agency of Maluku Province)**

Based on the data presented above, it becomes clear that the modus operandi and patterns of corruption occurring in Maluku Province are highly diverse. At least 13 (thirteen) different patterns of corruption have been identified. This is evidenced by data obtained from the Aru Islands Police, the Tual District Prosecutor's Office, and the Ambon District Court, which show a continuous increase in cases with various motives and modus operandi, though still aligning with the 13 (thirteen) identified patterns.

Analyzing these corruption patterns, it can be concluded that reducing opportunities for corruption—ranging from decision-making officials to lower-level society—requires a handling

strategy tailored to regional needs. This is particularly crucial in cases involving village fund management, where investigators often face difficulties in following up on such cases, despite strong indications of financial losses to the state or the national economy based on preliminary calculations.

However, a major challenge in handling corruption cases involving village funds lies in the ongoing monitoring and coordination with the Government Internal Supervisory Apparatus (APIP). Recommendations can only be issued by the Regent or Mayor once the findings have exceeded the established authority limits.

**Table 2**  
**Corruption Patterns Found in District Police Kepulauan Aru and Tual District Prosecutor's Office**

No	Behavior Patterns	Modus Operandi Actions	Identification Case	Information
1	2	3	4	5
1.	Land price manipulation	<p>a. The person in charge of the activity/committee and their cronies bought land for development purposes at a high price from the community and paid a low price.</p> <p>b. The person in charge of the activity/committee, local government officials pay</p>	<p>1. The mechanisms and procedures carried out by the Land Acquisition Preparation Team for Development in the Public Interest are in accordance with the mechanisms by taking into account the NJOP.</p> <p>2. The Tual City Government Land Acquisition Preparation Team for the 2016 Fiscal Year</p>	Tual City

		<p>compensation for the location when it is not necessary due to possible land acquisition.</p>	<p>carried out land acquisition without using <b>PUBLIC APPRAISALS</b>, namely individuals who carry out independent and professional assessments who have received an assessment practice permit from the Minister of Finance and have received a license from the land agency to calculate the value/price of the procurement object (Vide Article 1 point 11 of Law No. 2/2012 concerning Land Acquisition for Development in the Public Interest and Presidential Regulation 148/2015 concerning the Fourth Amendment to Presidential Regulation No. 71/2012 concerning the Implementation of Land Acquisition for Development in the Public Interest, in conjunction with Article 121 paragraph (4).</p>	
2.	<p>Payment for Physical Project Activities but not carried out by Partners aka Fictitious Assistance Payments.</p>	<p>a. Expenditure on payments for activities that cannot be accounted for; b. Full payment for activities as per the Terms for unfinished work; c. Payment for work or purchase of goods that is not carried out, but bookkeeping is done;</p>	<p>- Proof/notice of payment that is not in accordance with the budget; - Proof of payment per/term according to the contract with physical evidence of activity; - Proof of payment for purchased goods; - Proof of procurement of goods; - Incorrect financial accountability reports.</p>	Tual City
3.	<p>Mark Up Physical Work</p>	<p>a. Physical work was completed according to contract but there was price inflation. b. Price according to contract value in RAB c. Payment for activities</p>	<p>- Proof of payment in the form of a note or receipt is subject to price inflation. - Proof of payment per/term according to the contract with physical evidence of activity; - Proof of payment for goods</p>	Tual City

		according to the work terms or progress	purchased at marked up prices; - Incorrect financial accountability reports.	
4.	Auction/tender	<p>a. The winning candidates have been determined from the start (collusion and nepotism) by the ULP and POKJA.</p> <p>b. Does not require a deposit from auction participants;</p> <p>c. Notify the available funding ceiling;</p> <p>d. Determine fictitious participants to participate in the auction by including the Auction Document.</p> <p>e. The auction process with the LPSE System is controlled by one Contractor alone but collaborates with the ULP.</p> <p>f. There is a project monopoly by a contractor/partner using many companies.</p>	<p>- LPSE in Southeast Maluku Regency</p> <p>- Tender minutes;</p> <p>- The relationship between the tender winner and the person responsible for the activity/committee;</p> <p>- The tender procedure and mechanism are in accordance with the procedure but the ULP and POKJA won the Partner based on manipulation at the Technical EVALUATION, Price and Administrative Evaluation stages as a condition for canceling the offer.</p>	Southeast Maluku Regency
	Cash Deficit, There are activities in the DPA but the accountability is not in accordance with reality	<p>a. Borrowing money for activities for personal use;</p> <p>b. Taking project money by forging signatures</p> <p>c. Making double entry bookkeeping</p>	<p>a. Proof of use of money according to the treasurer's records</p> <p>b. Use of notes/memo that do not correspond to the available budget.</p> <p>c. Financial accountability (LPJ) does not correspond to reality, there is fiction, mark up.</p>	Tual City
6.	Use of Funds not in accordance with provisions	<p>a. Funds are loaned for/outside of official purposes;</p> <p>b. Assets are rented, operational funds are included in the routine budget.</p>	Evidence such as irrational official memos/notices; Usually the Compliance Audit is from BPK, but has been re-scheduled in STS in accordance with the provisions.	Tual City and Southeast Maluku Regency

**(Source of data: Observation at District Police Kepulauan Aru, Dobo City and Tual District  
Prosecutor's Office, Maluku Province)**

From Table 2, as outlined above, and compared to Table 1, which has been previously analyzed, it can be observed that corruption patterns in various regions, particularly in Tual and Dobo, tend to be similar. The primary difference lies in the *modus operandi*, which varies depending on the specific case. Therefore, it can be concluded that, in general, corruption patterns occurring in different regions share common characteristics.

Corruption cases that have occurred within the Maluku Provincial Government can be categorized into several identifiable patterns as follows:

1. Manipulation of Land Prices – The *modus operandi* involves project committees or responsible officials purchasing land for development at inflated prices from the community, despite the fact that the land was either donated or acquired according to standard pricing regulations. The case identification reveals that perpetrators abuse the land acquisition procedures and deliberately manipulate the taxable property value (NJOP).
2. Inflated Contract Prices – This involves direct procurement of goods without following proper bidding or tender procedures, alongside budget inflation (“mark-up”) in expenditure plans. Identified cases include fabricated tender documents, falsified bidding processes, simulated consultancy agreements, and procurement lists tailored to create an illusion of legitimate needs.
3. Excessive Payments for Work Completed – The *modus operandi* involves payments exceeding the actual volume of work completed, as well as procurement payments exceeding the necessary amount. Case identification includes discrepancies between physical project completion reports, payment stages, and the ratio between procurement costs and allocated funds.
4. Extortion or Tax Manipulation – This case frequently involves collusion between taxpayers and tax officials to avoid excess tax assessments and the issuance of fraudulent tax invoices to evade tax obligations. Identified cases include irregularities in tax invoices and discrepancies in tax objects and liabilities.
5. Payments for Fictitious Activities – The *modus operandi* includes disbursement of funds for activities that cannot be accounted for, full payments for incomplete projects, and payments for undelivered goods. Identified cases involve inconsistencies between payment receipts and budget allocations, discrepancies between installment payments and actual physical work, as well as fraudulent

documentation of procurement and goods acquisition.

## **2. Efforts to Mitigate Corruption Patterns in the Maluku Provincial Government Through the Criminal Justice System**

Indonesia Corruption Watch (ICW) views corruption in villages as one of the major issues, particularly concerning village budgets. This problem arises due to the substantial funds allocated to villages, yet their implementation at the village level often lacks transparency, participation, and accountability in political, development, and financial management. ICW has been monitoring corruption in villages, and based on the data released by ICW, corruption-related crimes (*tipikor*) in villages have shown a continuous upward trend.

This trend has also been studied by Yusrianto Kadir and Roy Marthen Moonti in 2018, who concluded that corruption related to village governance in Indonesia continues to rise, particularly in cases of village fund misappropriation (Kadir & Moonti, 2018).

Social change, as part of a planned national development process by the government, aims to improve the lives of the Indonesian people. Enhancements in social, economic, political, and other sectors are carried out to achieve social justice and public welfare. The government implements programs as an extension of public policy, involving all levels of the bureaucratic apparatus, supported by public

participation and various social organizations. Public participation plays a positive role in improving the quality of life in a proportional and socially just manner. The Indonesian government mobilizes its entire bureaucratic institutions and personnel to drive social change and achieve these national aspirations. Legal factors, particularly legislation, serve as the foundation for the implementation of all programs. Both internal and external factors contribute to the dynamic role of society in executing development programs (Soemanto, Sudarto & Sudarsana, 2014).

One of the functions of criminal law is to define and prohibit specific actions (Yuherawan, 2013). This is known as a rule of conduct, which is predetermined and directed at society to deter certain behaviors under the threat of criminal sanctions. Additionally, the law maintains stability (*status quo*) while simultaneously adapting to societal changes. Criminal law, in particular, is designed to uphold order and protect both public and private interests (Alviolita & Arief, 2019). Society identifies key interests that require formal control mechanisms. Consequently, the law must legally empower the state to enforce it. Law serves as an official system of social control, which may be applied when other forms of social control prove ineffective (Muhaimin, 2019).

The rampant occurrence of corruption, particularly among state officials, has reinforced negative stereotypes and stigmatization in society. The essence of the legal maxim *Culpa*

*poena par esto* (let the punishment fit the crime) has strayed far from the legal reforms that demand law enforcement officers to uphold justice and ensure equal treatment under the law (*equality before the law*) (Drani, 2020). The growing public demand for the government's seriousness in combating corruption in Indonesia has become increasingly evident, especially with the surge in media reports implicating certain law enforcement officers in unethical conduct and abuse of power. At the same time, counterclaims have emerged, alleging that such accusations are fabricated or are part of criminalization efforts orchestrated by other law enforcement officials in collaboration with certain individuals aiming to tarnish the reputation of legal institutions. Regardless of who is right or wrong, the issue of corruption eradication has become a dominant topic in both print and electronic media today (Drani, 2020).

Corruption is an act of enriching oneself, one's family, group, or corporation by violating regulations, norms, and human rights through the exploitation of economic, political, socio-cultural, and environmental resources while maximizing existing resources such as positions, networks, and power.

From an individual perspective, corruption is influenced by human greed, weak moral integrity, inadequate income, urgent financial needs, a consumptive lifestyle, laziness, and the lack of religious values in daily life. Poor systems

emerge due to a lack of exemplary leadership, the absence of a proper organizational culture, inadequate accountability mechanisms in government institutions, weak management control systems, and a tendency to cover up corruption within organizations.

This condition worsens when it aligns with societal values that facilitate corrupt behavior, such as:

1. A society that values individuals based solely on social status or wealth. This leads to a lack of concern regarding the origins of wealth, even when obtained through corruption.
2. A public perception that corruption primarily harms the state rather than the people, failing to recognize that corruption directly reduces development budgets.
3. A belief that combating corruption is solely the responsibility of law enforcement or the government, thus disregarding the need for public participation.
4. A weak societal stance on regulations affecting their own groups, including poorly formulated laws, ineffective dissemination of legal regulations, lenient legal sanctions, law enforcement driven by self-interest, and weak monitoring and evaluation of law implementation.

Discussing corruption-related crimes inevitably involves moral aspects, unethical practices, abuse of power for personal gain, economic and political factors, and nepotism in

government positions. Thus, the term "corruption" has a broad meaning. Corrupt behavior is primarily driven by several factors, including economic pressures, environmental influences, weak law enforcement, and a lack of anti-corruption awareness among the public (Suherry, 2017).

Corrupt behavior is inherently deviant, destructive, and contradictory to values of truth, morality, and ethics. The diverse patterns of corruption in Maluku Province have prompted the provincial government to implement countermeasures. Various measures have been taken to combat corruption, including repressive actions. Many still believe that corruption can only be tackled through repressive measures, as they are perceived as a deterrent against corrupt practices. However, current social, economic, and political conditions have allowed corruption to spread massively, systematically, and structurally across various sectors, including government institutions, state-owned enterprises, regional-owned enterprises, banking and financial services, and other areas of society (Drani, 2020).

Efforts by the criminal justice system (POLRI) to address corruption patterns within the Maluku Provincial Government must consider cultural characteristics and require systemic reforms in substance, structure, and culture. It is essential to recognize that the administrative management approach through the Government Internal Supervisory Apparatus (APIP),

particularly concerning the misuse of village funds and/or village fund allocations, is a non-judicial approach. As a result, it does not fully resolve corruption issues through the judicial enforcement process. Therefore, enhanced coordination is necessary to assist the government in tackling the rising cases of corruption.

Managing corruption cases through administrative and oversight approaches carries inherent risks, including strategic, financial, and operational risks. A more comprehensive and integrated approach is needed to ensure effective law enforcement and sustainable corruption eradication.

#### **D. CONCLUSION**

Based on the discussion in this study, it can be concluded that optimizing the criminal justice system in identifying corruption patterns in government administration and development in Maluku Province requires strengthening the institutional capacity of the National Police (POLRI) in its role as the recipient of reports, investigator, and examiner of corruption crimes. Moving forward, more intensive coordination must be established among all state institutions related to the criminal justice system to assist the government in addressing the increasing number of corruption cases effectively.

## REFERENCES

### JOURNALS

- Adawiyah, Robiatul., & Rozah, Umi. (2020). Indonesia's Criminal Justice System with Pancasila Perspective as an Open Justice System. *Law Reform*, Vol.16, (No.2), pp.149-162. <https://doi.org/10.14710/lr.v16i2.33783>
- Alviolita, Fifink Praiseda., & Arief, Barda Nawawi. (2019). Kebijakan Formulasi Tentang Perumusan Tindak Pidana Pencemaran Nama Baik Dalam Pembaharuan Hukum Pidana Di Indonesia. *Law Reform*, Vol.15, (No.1),pp.130-148. <https://doi.org/10.14710/lr.v15i1.23359>.
- Ariawan, I Gusti K. (2013). Metode Penelitian Hukum Normatif. *Kertha Widya*, Vol.1, (No.1),pp.21-30. <https://doi.org/10.37637/kw.v1i1.419>.
- Asyharuddin, Muhammad., Arfiani, Nur., & Herlina, Lita. (2022). Berkembangnya Budaya Korupsi di Tengah Masyarakat Melalui Kebiasaan Salam Tempel. *Jurnal De Jure*, Vol.14,(No.1),pp.1–20. <https://doi.org/10.36277/jurnaldejure.v14i2.721>.
- Atmoko, Dwi., & Syauket, Amalia. (2022). Penegakan Hukum Terhadap Tindak Pidana Korupsi Ditinjau dari Perspektif Dampak Serta Upaya Pemberantasan. *Binamulia Hukum*, Vol.11, (No.12), pp.177–191. <https://doi.org/10.37893/jbh.v11i2.732>.
- Bima, Muh Rinaldy., & Ramadani, Rizki. (2020). Position of Supervisory Board Organ and Its Implications for the Institutional Corruption Eradication Commission. *Law Reform*, Vol.16,(No.2),pp.179-197. <https://doi.org/10.14710/lr.v16i2.33770>
- Budiyono, Budiyono., Muhtadi., Muhtadi., & Firmansyah, Ade Arif. (2015). Dekonstruksi Urusan Pemerintahan Konkuren dalam Undang-Undang Pemerintahan Daerah. *Kanun: Jurnal Ilmu Hukum*, Vol.17, (No.3), pp.419-432. <https://jurnal.usk.ac.id/kanun/article/view/6077/5007>.
- Chandranegara, Ibnu Sina., Bakhri, Syaiful., & Umara, Nanda Sahputra. (2020). Optimalisasi Pembatasan Dana Kampanye Pemilihan Umum Kepala Daerah Sebagai Pencegahan Investasi Politik Yang Koruptif. *Mimbar Hukum*, Vol.32, (No.1), pp.30-54. <https://doi.org/10.22146/jmh.47512>.
- Danil, Elwi., & Kurniawan, Iwan. (2017). Optimizing Confiscation of Assets in Accelerating the Eradication of Corruption. *Hasanudin Law Review*, Vol.3, (No.1), pp.67-76.<http://dx.doi.org/10.20956/halrev.v3i1.717>.
- Drani, Fuzi N. (2020). Penyelesaian Korupsi dengan menggunakan Restoratif Justice. *Jurnal Penelitian Hukum De Jure*, Vol.20, (No.4),pp.605-617. <http://dx.doi.org/10.30641/dejure.2020.V20>.



- 605-617
- Efendi, A'an., Susanti, Dyah Ochtorina., & Suwardi, Suwardi. (2024). Kerugian Bisnis Persero: Business Judgment Rule Versus Delik Korupsi. *Jurnal Pembangunan Hukum Indonesia*, Vol.6, (No.2), pp.193-209. <https://doi.org/10.14710/jphi.v6i2.193-209>
- Fathya, Vita N. (2018). Upaya Reformasi Birokrasi melalui Area Perubahan Mental Aparatur untuk Memberantas Praktik Pungutan Liar yang dilakukan oleh PNS. *Gosmogov; Jurnal Ilmu Pemerintahan*, Vol.4,(No.1),pp.38–57. <https://doi.org/https://doi.org/10.24198/cosmogov.v4i1.14462>
- Hiarie, Eddy O.S. (2020). Memahami 'Trading in Influence' Dalam Kerangka UNCAC Sebagai Instrumen Pemberantasan Korupsi Di Indonesia. *Jurnal Hukum Pidana dan Kriminologi*,Vol.1,(No.1), pp.59-72. <https://doi.org/10.51370/jhpk.v1i1.6>.
- Kadir, Yusrianto., & Moonti, Roy Marthen. (2018). Pencegahan Korupsi Dalam Pengelolaan Dana Desa. *Jurnal UIS: Kajian Hukum Dan Keadilan*,Vol.6,(No.3),pp.430–442. <https://doi.org/10.29303/ius.v6i3.583>
- Kurniawan, Muhammad Rezza., & Pujiyono, Pujiyono. (2018). Modus Operandi Korupsi Pengadaan Barang dan Jasa Pemerintah oleh PNS. *Law Reform*, Vol.14, (No.1), pp. 115-131. <https://doi.org/10.14710/lr.v14i1.20241>
- Lailam, Tanto., & Anggia, Putri. (2023). The Indonesian Constitutional Court Approaches the Proportionality Principle to the Cases Involving Competing Rights. *Law Reform*, Vol.19, (No.2), pp.110-127. <https://doi.org/10.14710/lr.v19i1.54087>
- Laksana, Agung Wara., Supriyono, Bambang., & Sarwono, Sarwono. (2015). Pelimpahan Wewenang Bupati Kepada Camat Dalam Penyelenggaraan Urusan Pemerintahan Daerah. *Jurnal Ilmu Sosial dan Ilmu Politik*, Vol.4,(No.3),pp.506-517. <https://doi.org/10.33366/jisip.v4i3.134>.
- Manihuruk, Tri Novita S. (2021). Problematika Penegakan Hukum Tindak Pidana Korupsi Dana Desa di Provinsi Riau. *Jurnal Wawasan Yuridika*, Vol.5, (No.2), pp.290-314. <https://doi.org/10.25072/jwy.v5i2.389>.
- Mispansyah, M. (2018). A Comparison Approach in Corruption Eradication: An Empirical Examination. *Hasanudin Law Review*, Vol.4,(No.2),pp.219-232. <http://dx.doi.org/10.20956/halrev.v4i2.1077>
- Muhaimin, M. (2019). Restoratif Justice Dalam Penyelesaian Tindak Pidana Ringan. *Jurnal Penelitian Hukum De Jure*, Vol.19, (No.2),pp.185–206. <http://dx.doi.org/10.30641/dejure.2019.V19.185-206>.
- Muin, F. (2015). Otonomi Daerah Dalam Persepektif Pembagian Urusan Pemerintah-Pemerintah Daerah Dan

- Keuangan Daerah. *Fiat Justisia: Jurnal Ilmu Hukum*, Vol.8, (No.1), pp.69-79. <https://doi.org/10.25041/fiatjustisia.v8no1.288>.
- Narindrani, F. (2020). Penyelesaian Korupsi Dengan Menggunakan Restoratif Justice. *Jurnal Penelitian Hukum De Jure*, Vol.20, (No.4), pp.605–617. <http://dx.doi.org/10.30641/dejure.2020.V20.605-617>.
- Nugroho, Khrisna Lintang S. (2021). Criminal Law Policy of Justice Collaborator in Corruption Crime Case. *Law Reform*, Vol.17, (No.1), pp.24-35. <https://doi.org/10.14710/lr.v17i1.37550>
- Pardede, M. (2020). Aspek Hukum Pemberantasan Tindak Pidana Korupsi Oleh Korporasi Dalam Bidang Perpajakan. *Jurnal De Jure*, Vol.20, (No.3), pp.335-362. <http://dx.doi.org/10.30641/dejure.2020.V20.335-362>
- Risnain, M. (2014). Kesiambungan Politik Hukum Pemberantasan Korupsi. *Jurnal Rechtsvinding*, Vol.3, (No.3), pp.311-327. <http://dx.doi.org/10.33331/rechtsvinding.v3i3.28>
- Saifuddin, B. (2017). Dampak Dan Upaya Pemberantasan Tindak Pidana Korupsi Di Indonesia. *Jurnal Warta*, Vol.52, (No.2), pp.1–15. <https://doi.org/10.46576/wdw.v0i52.259>
- Santoso, Purwadi J. (2021). Pemidanaan Terhadap Pelaku Tindak Pidana Korupsi Penyalahgunaan Wewenang. *Jurnal Juristic*, Vol.2, (No.1), pp.40-52. <http://dx.doi.org/10.35973/jrs.v2i01.2126>.
- Saragih, Yasmirah Mandasari., & Berlian, Berlian. (2018). The Enforcement Of The 2009 Law Number 46 On Corruption Court: The Role Of Special Corruption Court. *Sriwijaya Law Review*, Vol.2, (No.2), pp.193-202. <http://dx.doi.org/10.28946/slrev.Vol2.Iss2.69> pp193-202
- Setiawan, Irfan., & Jesaja, Christin Pratami. (2022). Analisis Perilaku Korupsi Aparatur Pemerintah Di Indonesia (Studi pada Pengelolaan Bantuan Sosial Di Era Pandemi Covid-19. *Jurnal Media Birokrasi*, Vol.4, (No.2), pp.33-50. <https://doi.org/10.33701/jmb.v4i2.2744>
- Setiyono, B. (2017). Understanding corruption at local level post decentralization: Evidence from four case studies. *Politika: Jurnal Ilmu Politik*, Vol.8, (No.1), pp.27–62. <https://doi.org/10.14710/politika.8.1.2017.27-62>.
- Soemanto, RB., Sudarto, Sudarto., & Sudarsana, Sudarsana. (2014). Pemahaman Masyarakat Terhadap Korupsi. *Yustisia Jurnal Hukum*, Vol.3, (No.1), pp.80–88. <https://doi.org/10.20961/yustisia.v3i1.10124>
- Suherry, S. (2017). Politik Pemberantasan Korupsi di Indonesia. *Jurnal Ilmu Pemerintahan*, Vol.7, (No.1), pp.46–53.

<https://doi.org/https://doi.org/10.26618/ojip.v7i1.417>

Sulaiman, S. (2018). Paradigma dalam Penelitian Hukum. *Kanun Jurnal Ilmu Hukum*, Vol.20, (No.2),pp.255-272.

<https://doi.org/10.24815/kanun.v20i2.10076>

Suprihanto, Eko., Utama, Yos Johan., & Cahyaningtyas, Irma. (2023). Reformulasi Pemberantasan Korupsi di Indonesia: Perspektif Kepolisian Menghadapi Korupsi Sebagai Ancaman Perang Proksi. *Jurnal Pembangunan Hukum Indonesia*, Vol.5, (No.1),pp.204-219.<https://doi.org/10.14710/jphi.v5i1.204-219>.

Yuherawan, Deni SB. (2014). Ketiadaan Fungsi Asas Legalitas Dalam Hukum Pidana Untuk Melindungi Kepentingan Korban. *Arena Hukum*, Vol.6, (No.1), pp.22–36. <https://doi.org/10.21776/ub.arenahukum.2013.00601.2>

## BOOK

Soekanto, S. (2014). *Pengantar Penelitian Hukum*. Jakarta: Penerbit Universitas Indonesia.

## ONLINE SOURCES

Kompas.com. (2019). Kasus Korupsi Beras, 95 ASN dan Aparat Desa di Tual Maluku Diperiksa Polisi. Retrieved from

<https://regional.kompas.com/read/2019/04/08/17430201/kasus-korupsi-beras-95-asn-dan-aparat-desa-di-tual-maluku-diperiksa-polisi>.

## OBSERVATIONS

Observation at District Police Kepulauan Aru, Dobo City and Tual District Prosecutor's Office, Maluku Province.

Observation at Financial and Development Supervisory Agency of Maluku Province