

## **Harmonization of the Authority to Investigate Indonesian National Army Personnel Who Commit Corruption**

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### *Abstract*

This study aims to analyze the legal implications of disharmony of authority between the Corruption Eradication Commission (KPK) and the Indonesian National Army Military Police Center (Puspom TNI) in investigating corruption perpetrators from military personnel as well as the ideal formulation in the investigation of corruption cases from the perspective of the principle of equality before the law in the future. This research is normative juridical research that uses both the statutory and conceptual approaches. This study concludes two things. First, the resolution of the disharmony of authority between the KPK and Puspom TNI in the 2002 KPK Law, the Military Justice Law, and the TNI Law is that the legislators harmonize the regulatory material, submit a request for judicial review of the law in the Mahkamah Konstitusi, and apply the principle of *lex specialis derogat legi generalis*. Second, the ideal formulation for the future is to revise the Military Justice Law and the TNI Law, which specifically regulates TNI soldiers who commit military crimes only. If a soldier commits a corruption crime, the Corruption Court will resolve the case without distinguishing the perpetrator's military or civilian status.

**Keywords:** *Harmonization, Authority, Corruption, Investigation, Personnel.*

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## **INTRODUCTION**

Corruption is a form of crime that is very detrimental to state finances and impacts the decline of national development because it damages the country's economic conditions (Katimin, 2020). In August 2023, both print and social media in Indonesia reported the existence of a criminal act of corruption (tipikor) in the National Search and Rescue Agency (Basarnas). The chronology of this corruption case began when Basarnas held a tender for a procurement contract that included debris victim detection equipment, diving equipment, and underwater control machines. The corruption was in the form of transferring a sum of cash by the President Commissioner of PT MGCS, Mulsunadi Gunawan, the President Director of PT IGS, Marilya, and the President Director of PT KAU, Roni Aidil, as the winning company to Marshal Henri Alfiandi (HA) and Lieutenant Colonel Afri Budi Cahyanto (ABC) as the Head of Basarnas and an Administrative Staff. Then, the Corruption Eradication Commission (KPK) conducted Operation Tangkap Tangan (OTT) against the bribe recipient suspects, Marshal HA and Lieutenant Colonel ABC, in the parking lot of a bank at the Indonesian National Army (TNI) Headquarters Cilangkap, East Jakarta. After conducting the OTT, the KPK continued this case to the investigation process by naming suspects (Dirhantoro, 2023).

The TNI Military Police Center (Puspom TNI) did not accept the naming of corruption suspects Marshal HA and Lieutenant Colonel ABC, still active TNI officers by the KPK. Then, Puspom TNI and other legal instruments visited the KPK to ask for an explanation of the KPK's authority in naming corruption suspects from TNI personnel. Puspom TNI objected to KPK's decision because it was not its authority. The TNI considers that the KPK has taken authority in investigating and naming corruption suspects who are military personnel. Puspom TNI bases its authority on Article 69 paragraph (1) letter b of Law Number 31 of 1997 concerning Military Justice (Military Justice Law), which authorizes the investigation of TNI soldiers who commit

criminal acts. In addition, Puspom TNI, according to Article 9 point 1, also bases its authority on the fact that military courts are authorized to resolve criminal cases where the perpetrators are TNI soldiers.

In addition to the Military Justice Law, the authority to investigate TNI personnel involved in a criminal offense also exists in Law Number 34 of 2004 concerning the Indonesian National Army (TNI Law) Article 65 paragraph (2) that soldiers comply with the jurisdiction of military courts when violating military criminal law and comply with the jurisdiction of general courts when violating general criminal law. However, the applicability of Article 65 of the TNI Law has an exception in Article 74 paragraph (1) of the TNI Law, which determines that there must be an update to the Military Justice Law first. Then, if there is no renewal of the Military Justice Law, Article 74 paragraph (2) states that soldiers still comply with the Military Justice Law. Based on the provisions of Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Law as well as Article 65 paragraph (2) and Article 74 paragraphs (1) and (2) of the TNI Law, it regulates that investigators, in this case, Puspom TNI, have the authority to investigate TNI members who commit corruption.

In contrast to the authority of Puspom TNI, the KPK refers to Article 42 of Law Number 30 of 2002 concerning the Corruption Eradication Commission (KPK Law 2002) that the KPK has the authority to investigate perpetrators who commit corruption, both perpetrators who comply with the jurisdiction of military courts and general courts. Thus, there is a disharmony of authority between the KPK and the TNI, each of which has procedural law as the basis for law enforcement.

The disharmony of authority norms between the KPK and the TNI requires a concrete solution. This study is essential to analyze the problems of disharmony that occur to realize legal certainty regarding the body authorized to investigate corruption perpetrators from TNI members. Based on the search, no research discusses the disharmony of authority between Puspom TNI and KPK in investigating military personnel who commit corruption. Researchers found previous research by Yulinda Regina titled "The KPK's Authority to Investigate TNI Members Together with Civilians in Constituency" (Gaol et al., 2024). The study discusses the perspective of the theory of authority according to three figures, namely A. Hamid S. Attamimi, Bagir Manan, and I. C. van der Vlies, who concluded that the KPK has the authority by attribution derived from Article 42 of the KPK Law of 2002 to conduct investigations into corruption cases committed jointly by civilian and military actors. In addition, there is a need to harmonize the provisions of the 2002 KPK Law and its amendments regarding the coordination of the investigation of joint corruption cases between the Permanent Joint Team and the KPK. In contrast to these studies, researchers will conduct this research by analyzing the theory of legal certainty according to Nurhasan Ismail, the theory of authority according to Indroharto, and using the principle of equality before the law to analyze the problem.

## RESEARCH METHODS

This research uses a normative juridical research method with a descriptive-analytical nature by utilizing primary and secondary legal materials as research materials (Muhaimin, 2020). Legal materials are collected by reading and criticizing legal norms, law books, and law journals that correlate with research studies. The normative legal method is a method that aims to examine the law as a system of norms, which includes principles, standards, rules in laws and regulations, court decisions, agreements, and legal doctrine. In this study, researchers examine legal norms and harmonization between the authority of the KPK and Puspom TNI in investigating TNI members who commit acts of corruption. The hope for this normative research

is that it can contribute in the form of arguments, theories, or new concepts as solutions to problems. Researchers use a statutory approach and a conceptual approach. The statutory approach examines norm conflicts vertically between lower and higher regulations and horizontally between equivalent regulations. Meanwhile, the conceptual approach examines legal views and doctrines such as certainty theory, authority theory, and the principle of equality before the law. With this approach, researchers try to find the right legal concept to answer the disharmony problem between the KPK's authority and Puspom TNI in investigating military members who commit corruption.

## RESULT AND DISCUSSION

### **Legal Implications of Disharmony of Authority between KPK and TNI in Investigating Corruption Offenders from Military Personnel**

Indonesia is one country that finds it difficult to escape from corruption. Corrupt behavior in Indonesia has existed since the royal period, so corruption is one of the bad cultural heritages from the royal period (Dewi & Triadi, 2023). As we know, another term for corruption is white-collar crime. White-collar crime is a crime committed by people who have access to power (Sari & Ritonga, 2023). To this day, corruption is still ongoing, and there is even an assumption that corruption is normal. Indonesia itself has a special institution that plays a role in preventing and eradicating corruption, namely the KPK (Wachid, 2015).

In the dispute over the authority to investigate TNI personnel, according to Soegiyono, the causes of disharmony of authority include (Soegiyono, 2015):

- a. Officials who have the authority to formulate regulations in a certain period change due to restrictions on positions, transfer of duties, or due to changes;
- b. the existence of sectoral egos between institutions;
- c. weak coordination between institutions in the stages of drafting regulations;
- d. the lack of meaningful public participation in the process of drafting regulations;
- e. the absence of standard methods and measures for drafting regulations and
- f. the number of regulations that are too many/over-regulation.

The disharmony of authority between the KPK and Puspom TNI, each of which refers to its legislation, has impacts such as (Soegiyono, 2015):

- a. there are differences in interpretation in the implementation of legal norms;
- b. legal uncertainty arises;
- c. the implementation of regulations does not run effectively and efficiently; and
- d. the law does not function properly, meaning that the law cannot present behavioral guidelines to the community, the law fails to become a tool for social control and social change, and the law cannot be an instrument in resolving disputes.

So, if regulations cause conflict or disharmony, have no value or benefit, and do not realize legal certainty and a sense of justice. They must be declared contrary to the 1945 Constitution of the Republic of Indonesia (UUD NRI, 1945), which reflects societal values. Meanwhile, if laws do not lead to society's values, they must also be canceled. One of the reasons why there should be annulment is because the law is outdated and no longer relevant to the values that live in society (Lailam, 2014).

The implications of the disharmony in the authority to investigate TNI members who commit corruption between the KPK and Puspom TNI result in legal uncertainty about which institution can investigate corruption perpetrators. At the same time, legal certainty is one of the objectives of law besides justice and expediency (Sutrisno et al., 2020). Nurhasan Ismail requires that laws characterized by legal certainty must meet internal criteria, namely (Nur, 2023):

- 1) there is clarity of concept in regulations that contain a description of a particular action;
- 2) there is clarity of stratification or hierarchy of laws and regulations because this concerns the validity or invalidity of a norm. In addition, with the clarity of the stratification of norms, it can give birth to a certain regulation that comes from a higher regulation based on authority;
- 3) there is regulatory consistency, which means that the provisions in several laws and regulations have a certain subject relationship and do not contradict each other between one norm and another.

Based on the theory of legal certainty, according to Nurhasan Ismail, the researchers analyzed that first, it is necessary to regulate TNI members who commit corruption in the material of the Military Justice Law and the TNI Law. Second, about the clarity of the hierarchy of laws and regulations in Article 3 paragraph (4) letter a of the People's Consultative Assembly Decree Number VII/2000 concerning the Role of the TNI and Police of the Republic of Indonesia (TAP MPR Number VII/2000) stipulates that TNI personnel obey military justice when violating military law and obey the general court when violating general criminal law. If the general court is not running, TNI personnel obey the courts contained in the law.

Meanwhile, Article 9, point 1 of the Military Justice Law stipulates that the Military Court can try TNI soldiers who commit a crime. Article 65, paragraphs (2) and (3) of the TNI Law are in harmony with Article 3, paragraph (4) of TAP MPR Number VII/2000. However, the enactment of Article 65, paragraphs (2) and (3) of the TNI Law must first update the Military Justice Law by the provisions of Article 74, paragraphs (1) and (2). TNI personnel who commit any crime, including corruption, are still subject to the Military Justice Law if there is no renewal. Therefore, the provisions of the Military Justice Law and the TNI Law are not in harmony with the upper strata of regulations, namely TAP MPR Number VII/2000.

Third, legal norms are characterized by legal certainty when there is a regulation of a particular subject and harmonious regulations. A particular subject in this context is the legal subject of the TNI, which commits corruption. Normatively there is a conflict of norms between the 2002 KPK Law, the Military Justice Law, and the TNI Law. The authority of the KPK based on Article 42 of the 2002 KPK Law has contradicted the Puspom TNI referring to Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Law as well as Article 65 paragraph (2) and Article 74 paragraph (1) and (2) of the TNI Law. Moreover, Puspom TNI has also referred to these regulations whose regulatory material differs from Article 3 paragraph (4) of TAP MPR Number VII/2000. Therefore, based on the theory of legal certainty, according to Nurhasan Ismail, the dispute between the KPK and Puspom TNI, which bases the authority to investigate on their respective regulations, creates legal uncertainty.

The solution to the disharmony of norms for investigating perpetrators of corruption crimes originating from TNI personnel is First, the House of Representatives (DPR) and the Government (Pemerintah) should revise by amending or revoking the opposing articles in law, namely Article 69 paragraph (1) letter b of the Military Justice Law, Article 65 paragraph (2) and Article 74 paragraphs (1) and (2) of the TNI Law and Article 42 of the 2002 KPK Law. Second, by submitting a judicial review petition to the Mahkamah Konstitusi, namely Article 42 of the 2002 KPK Law, Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Law as well as Article 65 paragraph (2) and Article 74 paragraph (1) and (2) of the TNI Law against Article 28D paragraph (1) of the 1945 Constitution which regulates legal certainty. Then, the third is by applying *lex specialis derogat legi generalis principle*. Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Law is still too general because they only regulate "criminal acts." Meanwhile, Article 42 of the 2002 KPK Law specifically regulates "criminal acts of corruption". The phrase "criminal act of corruption" is more specific than the phrase

“criminal offense,” so TNI personnel and civilians who commit corruption together are the competence of the KPK.

Based on the point of view of the theory of authority according to Indroharto, the authority is divided into 3 (three) types, namely: attribution, delegation, and mandate (Munaf, 2016). Puspom TNI has the authority to investigate TNI soldiers who commit criminal offenses based on Article 69 paragraph (1) of the Military Justice Law. In addition to the Military Police, the Oditur and the Superior Authorized to Punish (Ankum) are also authorized to investigate soldiers. Meanwhile, the KPK obtained authority based on Article 42 of the 2002 KPK Law, which has the authority to investigate military personnel and civilians who commit corruption in a group. Both law enforcement agencies obtain authority by attribution. The authority of attribution refers to Article 12 paragraph (1) of Law Number 30 of 2014 concerning Government Administration (2014 AP Law), namely granting new authority to government agencies or officials originating from the 1945 Constitution or laws. So, Puspom TNI and KPK obtained the authority equally strong and derived from the law.

The 2014 AP Law regulates authority disputes and their resolution as found in Article 16. The terminology used in the law is authority dispute, not authority conflict. The 2014 AP Law defines an authority dispute as an overlap or lack of clarity between two government officials, resulting in a claim of exercise of authority. The resolution of the authority dispute lies with the superior government official by coordinating efforts to reach an agreement. When there is an agreement in coordination efforts, the consensus is binding on the parties to the dispute. However, when there is no agreement, the President resolves the dispute.

In this case, the President can resolve the dispute over the authority to investigate between the KPK and the TNI because both institutions are under the executive power. The position of the TNI refers to Article 3 of the TNI Law, which is under the authority of the President. Likewise, the position of the KPK after the revision of the 2002 KPK Law into the 2019 KPK Law, the legislators placed the institution in the realm of executive power, just like the Police and the Attorney General's Office (Mochtar, 2021).

### **Ideal Formulation of Investigation of Military Personnel Committing Corruption in the Future**

The principle of equality before the law determines the guarantee of equal treatment for everyone regardless of individual status (Amri & Anggono, 2023). Equal treatment before the law without distinction means that everyone has equal rights and obligations when dealing with the law, and there is no special treatment (*forum privilegium*). Even in the trial, when the judge deals with defendants of different social status, whether a person with the rank of general or an ordinary civilian, the judge must treat and listen equally according to the principle of *audi et al teram partem* (Panjaitan, 2018).

The criminal procedure law does not recognize the term *forum privilegium* or certain treatment for perpetrators of a criminal offense. When TNI personnel commit corruption, there should be no distinction between civilians committing general criminal offenses. The delegation of TNI soldiers who are corruption suspects from the KPK to the TNI Puspom raises concerns about impunity in the law enforcement process. Al A'raf said that the Military Justice Law could become an instrument of impunity for military soldiers who commit certain crimes. The Military Justice Law is a legal product left over from the New Order authoritarian government. Al A'raf also emphasized that the Military Justice Law's drafting process at the time was thick with the interests of President Soeharto's dictatorial regime and the military. The dominance of the army in the New Order regime made military justice a means to cover up TNI personnel who committed criminal offenses. In addition, according to Al A'raf, military courts lack trial transparency. Often, the public needs help understanding and knowing what the next law

enforcement process is. For example, if they have obtained a verdict at the first level, the public needs to learn at the appeal level or even the cassation level (A'raf, 2023).

Revising the Military Justice Law refers to the court's competence to hear the act, not the subject. Therefore, military courts should ideally try military criminal cases while general courts continue to try general criminal cases. The occurrence of corruption cases in Basarnas is the right time to improve regulations that cause disharmony of authority. The House of Representatives, the Government, and other relevant parties should discuss inputs and suggestions for revising the Military Justice Law.

A non-governmental organization (NGO) called the Civil Society Coalition for Security Sector Reform said that the push to revise the Military Justice Law stems from the fact that the regulation contains normative problems and problems in its application. Furthermore, the NGO Civil Society Coalition for Security Sector Reform also stated that active military personnel who commit criminal offenses are under the competence of military courts, which signifies the exclusivity of the TNI, so there is an assumption that TNI institutions are immune to the law (A'raf, 2023). If applying the *lex superiori derogate legi inferiori* principle, the Military Justice Law should not contradict TAP MPR VII/2000 because TAP MPR has a higher position than the Military Justice Law. So, if TNI members commit general crimes, they are included in the jurisdiction of the general court and not in the military court.

Indonesia adheres to the rule of law, whose elements include recognition of human rights, separation of powers, the principle of popular sovereignty, state administration based on laws and regulations, and state administrative courts (Siallagan, 2016). Recognition of human rights values, one of which is the recognition of equality before the law for every citizen. In the Universal Declaration of Human Rights (UDHR) 1948 Article 7, there is an affirmation: "All are equal before the law and are entitled without any discrimination to equal protection of the law ...." The anti-discrimination clause has three aspects: equality before the law, equal protection of the law, and protection against discrimination. Not only that, Article 27 paragraph (1) of the 1945 Constitution postulates that every citizen is equal in law and government. The phrase "every citizen" implies that the law does not recognize the exclusion of all considered equal individuals. The Government of the Republic of Indonesia has ratified the ratification of the International Covenant on Civil and Political Rights (ICCPR) through Law Number 12 of 2005. Article 14 of the covenant states that every individual is equal before the courts and judicial bodies that are competent, independent, and independent in fair and transparent trials.

Apart from being contained in the constitution of the Republic of Indonesia, the principle of equality before the law also exists in several laws, among others:

- a. Article 4 paragraph (1) of Law Number 48 of 2009 concerning Judicial Power (Judicial Power Law) reads that the court resolves cases based on the law by not treating everyone differently.
- b. Article 3 paragraph (2) of Law Number 39 of 1999 on Human Rights (Human Rights Law) states that every citizen has the right to recognition, guarantees, protection, fair legal treatment, and legal certainty and equality before the law.
- c. Article 6 paragraph (1) letter h of Law Number 12/2011 on the Formation of Legislation (UUP3 2011) states that the substance of regulations must reflect the principle of equality before the law and government. The article's explanation elaborates that every norm prohibits things that are treated differently in terms of ethnicity, religion, race, group, gender type, or social strata.

Article 89 (1) of the KUHAP further stipulates that when civilian and military perpetrators conspire to commit a crime, the General Court has the authority to try the case unless the Minister of Defense and the Minister of Law and Human Rights, by decision, agree to resolve the case under the jurisdiction of the Military Court. However, Article 16 of the Judicial Power Law notes

that the determination of the authority to hear connectivity cases has changed; which originally referred to the decisions of the Minister of Defense and the Minister of Law and Human Rights, but now has become the authority of the Chief Justice of the Mahkamah Agung. Article 89 (2) of the KUHAP then stipulates that the military police, the public prosecutor, and the investigator are members of a permanent team whose task is to conduct criminal investigations. Article 90 (1) of the KUHAP stipulates that in order to determine whether the court within the military justice system or the court within the general justice system will hear criminal cases as provided in Article 89 (1), the KUHAP has determined that there must be a joint investigation by the prosecutor, in this case the Deputy Prosecutor General for Military Crimes (Jampidmil), and the military prosecutor on the results of the investigation as conducted by the investigation team. Suppose the joint investigation shows a difference of opinion regarding which court has jurisdiction. In that case, the Jampidmil reports to the Attorney General, and the Military Prosecutor reports to the Oditur General of the TNI.

Article 91, paragraph (1) of the Criminal Procedure Code further stipulates that if the perpetrator of corruption causes harm to the public interest, the public court will resolve the case. However, Article 91, paragraph (2) of the Criminal Procedure Code stipulates that if the perpetrator of corruption causes damage to military interests, the military court will resolve the case. Jampidmil and the Military Tribunal have the authority to determine the location of the damage caused by corruption, regardless of whether the damage is in the public interest or the military interest. However, in the researcher's opinion, the location of these losses is in the public interest. The reason is that Marshal HA and Lieutenant Colonel ABC corrupted debris victim detection equipment, diving equipment, and underwater control robots that were not for the military's benefit. However, procuring these tools benefits the entire community experiencing a disaster, accident, tragedy, or situation that endangers the community. Therefore, regarding Article 91 paragraph (1) of KUHAP, the General Court is authorized to try Marshal HA and Lieutenant Colonel ABC. Furthermore, referring to Article 2 of Law No. 46 of 2009 on Corruption Courts (Corruption Court Law), the Corruption Court is a special court under the auspices of the General Court. The Corruption Court is the only court authorized to decide on corruption cases.

The opposite is true; that is, the investigation of corruption perpetrators is separate or divided. Puspom TNI is investigating Marshal HA and Lieutenant Colonel ABC, who are military personnel, while the KPK is investigating three alleged company executives who are civilians. Suppose TNI personnel commit a military crime as defined in the Military Criminal Code (KUHPM) and the Military Discipline Code (KUHDM). In that case, the resolution of the case is under the jurisdiction of the military court. However, the problem is that military courts try military crimes and investigate general crimes. As a special court different from religious, administrative, and even general courts, military courts should try only military crimes. The provisions, theft and larceny, are in Book II of KUHPM Articles 64 to 149. While military soldiers who commit misdemeanors or crimes of a general nature, the authority to try them is in the general court. These provisions aim to realize the principle of equality before the law and the principle of justice. The current reform era demands transparency, democratization, and equality, which also have implications for implementing the judicial process. The principle of equality before the law requires that no one be given preferential treatment in court (Parningotan, 2021).

Puspom TNI, in exercising its authority, only considers the criminal act of corruption in the procurement of goods at Basarnas based on the subject who is a TNI soldier. Regarding position, referring to Article 47 paragraph (2) of the TNI Law allows active military personnel to serve as head of Basarnas. However, the position does not correlate with the TNI's function of organizing national defense and security. Marshal HA and Lieutenant Colonel ABC abused their authority to increase their wealth for the position attached to them, resulting in losses to the state.

Therefore, the dominant nuance in this case is the act of corruption, not the status of the legal subject, who is a military member. In this context, the KPK Law of 2002 and the Anti-Corruption Court Law are more dominant than the Military Justice Law and the TNI Law.

Researchers offer an ideal formulation by materially revising Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Act by adding the word "military" after the phrase "criminal offense." The reason is that the military courts only focus on solving the cases of TNI soldiers who commit military crimes. Meanwhile, if TNI soldiers commit a general crime, including corruption, the general court will resolve it. Next, it is also necessary to revise the material of Article 74 paragraphs (1) and (2) of the TNI Law to become:

- (1) The provisions in Article 65 shall apply when the new Military Tribunal Law is enacted.
- (2) After the enactment of the new Military Justice Act, soldiers shall continue to be subject to the provisions of this Act and the Military Justice Act.

## CONCLUSION

The impact of the dispute over the authority to investigate between Puspom TNI and KPK has led to incompatibility in applying the law enforcement process, legal uncertainty arises, the implementation of regulations needs to be improved, and the law fails to become a tool for resolving disputes. Therefore, it is necessary to harmonize the norms of Article 42 of the 2002 KPK Law, Article 9 number 1 and Article 69 paragraph (1) letter b of the Military Justice Law, and Article 74 paragraphs (1) and (2) of the TNI Law to realize legal certainty. Then, according to the perspective of the theory of authority, the authority of Puspom TNI and KPK is the authority of attribution, both of which get authority from the law. However, the authority of Puspom TNI is too general because it investigates TNI soldiers who commit "criminal offenses," unlike the KPK, which specifically investigates TNI soldiers and civilians who commit corruption together. In this regard, the KPK should have more authority to investigate Marshal HA, Lieutenant Colonel ABC, and three other civilian perpetrators.

Indonesia is a state of law, one of whose characteristics is to recognize that everyone is equal before the law. The principle of equality before the law in this context means that there is no distinction between individuals who have military positions and civilians. When referring to Article 91 paragraph (1) of the Criminal Procedure Code, the burden of loss lies in the public interest because the perpetrator corrupts goods for the benefit of the general public affected by the disaster, so that normatively, the case settlement is in the jurisdiction of the general court, which in this context is the Corruption Court as the sole court authorized to decide corruption cases. The ideal formulation in the future is to change the substance of Article 9, number 1 of the Military Justice Law, by adding the word "military" after the phrase "criminal offense." In addition, by amending Article 74 paragraphs (1) and (2) of the TNI Law, in essence, TNI soldiers still comply with the Military Justice Law after the update, especially the updates to Article 9 number 1 and Article 69 paragraph (1).

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