

Judge Considerations of the Corruption Decision of Social Aid for Covid-19 Disaster Mitigation From the Perspective of Anti-Corruption Principles

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Submission	Abstract
Track: Received: September 9, 2022	Purpose of the study (Tujuan): The purpose of this study is to analyze the judge's judgment on the corruption decision of the social aid for COVID-19 disaster mitigation from the perspective of anti-corruption principles.
Final Revision: 15 October 2022	Methodology (Metodologi): This research method employed normative research, sourced from primary legal materials, secondary legal materials, and non-legal materials.
Available online: 31 October 2022	Results (Temuan): anti-corruption principles which include accountability, transparency, fairness, policy, and policy control, are to prevent external factors causing corruption. Regarding the COVID-19 disaster mitigation, early prevention and disaster mitigation are required as a series of efforts to reduce disaster risk, through both physical development and awareness and capacity building to encounter the threat of disasters. One of which is through social aid to the community due to the impact of the COVID-19 pandemic. Based on the review of the judge's decision No.29/Pid-Sus/TPK/2021/PN Jkt. Pst, what incriminated the defendant who was sentenced to 12 years in prison is a crime of corruption undertaken when the country combated the disaster emergency of the COVID-19 pandemic and the fact that the defendant was a state official who is supposed to be a good role model. Meanwhile, the mitigating factor is that the defendant has suffered enough due to the insults he received from the community even though the defendant is not necessarily guilty. Thus, this has hurt the sense of justice in society.
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Learning from the corruption case of social aid during the pandemic, judges considered that a leader should not violate the principles of anti-corruption morality so that the integrity of the anti-corruption leadership does not match expectations.

Applications of this study (Kegunaan): It is to give law enforcers insight on what types of judicial decisions may hurt society's trust and sense of justice. It is to give a non-exemplary case of judicial decisions that failed to provide a deterrent effect to criminal actors.

Novelty/ Originality of this study: It provides an analysis on the judge's judgment on the corruption decision of the social aid for COVID-19 disaster mitigation from the perspective of anti-corruption principles.

Keywords: Anti-Corruption Principles, Covid-19 Disaster Mitigation

INTRODUCTION

A pandemic is the spread of a disease across the territory of countries and is a large-scale epidemic. For instance, Black Death, Spanish, Asian, Hong Kong Flu, HIV/AIDS, Smallpox, Cholera, Dengue Fever, Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (MERS), Avian Influenza (H7N9), Swine Flu (H1N1), *Ebola*, and *Zika* are a series of cases due to viruses that have attacked throughout the global history of epidemic and pandemic cases (Idris & Muttaqin, 2021). Those were caused by an unhealthy environment (Absori et al., 2020). In late 2019 and early 2020, more than 160 countries across the globe were devastated by the impact of the *Coronavirus Disease 2019* (COVID-19) pandemic, a disease caused by the type of COVID-19. It was first reported in Wuhan China on December 31, 2019 and widely spread throughout the world, including Indonesia.

The research team from Harvard mentioned the possibility of the virus detected in Wuhan in August 2019. The argument was based on the results of the analysis of photos tracked via air traffic satellites in the range of hospitals in Wuhan City (Wardiono et al., 2021).

COVID-19 is currently the biggest enemy for countries throughout the world, including Indonesia (Nugroho et al., 2021). The number of increasing cases of COVID-19 continues to grow, some were reported recovered but not a few were reported died. The World Health Organization (WHO) on March 11, 2020 officially declared COVID-19 as a global pandemic (Muti'ah & Anwar, 2021).

In response to this situation, the Indonesian government issued various policies related to disaster mitigation to reduce the occurrence of risks (Nugroho, Haq, & Erwin, 2020). The policy was issued by President Joko Widodo to accelerate the handling of COVID-19. For instance, on March 13, 2020, Presidential Decree Number 7 of 2020 concerning the Task Force for the Acceleration in COVID-19 Handling was issued as amended by Presidential Decree Number 9 of 2020 concerning Amendments to Presidential Decree Number 7 of 2020.

This Presidential Decree regulates the synergy between ministries. In the institutions and regional governments, governors, regents, and mayors were designated as Chair of the Task Force for the Acceleration in COVID-19 Handling in their respective regions to set the policies by considering the policies of the central government (Nursalim, 2021, pp. 46–62). Furthermore, on March 31, 2020 the President signed Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions (*Pembatasan Sosial Berskala Besar*, hereinafter referred to as PSBB) in the Acceleration in COVID-19 Handling. According to the Government Regulation, local governments can implement PSBB to restrict the mobility of people and goods for a particular province or district/city with the approval of the Minister of Health.

On April 13, 2020, the president again issued Presidential Decree Number 12 of 2020 concerning the Determination of Non-Natural Disasters for the Spread of COVID-19 as a National Disaster. Following this Presidential Decree, governors, regents, and mayors shall pay attention to the policies of the central government in setting policies in their respective regions (Nursalim, 2021, p. 26).

Based on Law Number 24 of 2007 concerning Disaster Management on the provisions of Article 1 point 3, non-natural disasters are disasters caused by non-natural events or series of events including technology failures, failures of modernization, epidemics, and outbreaks (The Republic of Indonesia's Government, 2007). The government and the National Disaster Management Agency are asked to coordinate with local governments to carry out disaster management by issuing social distancing and physical distancing policies (Dirkareshza, Azura, & Pradana, 2021, pp. 46–55).

Policies for handling the COVID-19 pandemic are simultaneously performed throughout the Republic of Indonesia as mandated by the President to maintain the coordination between the central government and regional governments. The government ensure public disclosure of factual information to track the chain of spread of the COVID-19, guarantee the people

especially the lower middle class to be able to fulfill their needs, and make certain the people's right to life not to reduce the dignity of the community (according to the mandate of the 1945 Constitution). Therefore, the public's roles in caring for, reminding, and helping each other in mitigating the COVID-19 pandemic are required (Setyanugraha, 2021, p. 63).

The rapid spread of the COVID-19 affected several sectors, including tourism, transportation, manufacturing, finance, public services, and other sectors, reducing or temporarily cutting off their activities. This certainly leads to a huge impact on the country's economy, on both macro and micro scales. The widespread of COVID-19 to most areas of Indonesia becomes another aggravating factor.

The high disbursement of COVID-19 funds has become a warning for the Corruption Eradication Commission (*Komisi Pemberantasan Korupsi*, hereinafter referred to as KPK) to prevent irresponsible officials. Based on the information from the Chairperson of KPK, there are four points potentially prone to corruption, namely: the procurement of goods/services, philanthropic corruption or third-party donations, the process of refocusing and reallocating the COVID-19 budget from the State Budget and the Regional Budget, and the implementation of social aid or social safety nets by the central and regional governments.

The vulnerable points predicted by the KPK became a reality following the arrest of the Minister of Social Affairs Juliari Batubara (hereinafter referred to as JB), the Commitment Making Officer (PPK) of the Social Aid of the Ministry of Social Affairs, and three other people from the private sector. In a statement by the KPK officer, the Minister of Social Affairs was arrested in a bribery case from the procurement of social aid for handling COVID-19 in the form of basic food packages for the poor with a value of around Rp. 5.9 trillion with a total of 272 contracts carried out in two periods (Soren & Saleh, 2022).

Corruption is an extraordinary crime. This is reasonable because acts of corruption have a serious adverse impact that causes not only the harm of the state's finances but also losses to the people's economy, especially when it is undertaken in a country declaring the COVID-19 pandemic state of emergency (Leasa, 2020, pp. 73–88), which is extremely ironic.

For this reason, anyone committing this heinous act must be severely punished and be given more aggravated punishment by considering the situation in an emergency. Corruption is a criminal act whose punishment is regulated in the provisions of Law 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended in Law Number 20 of 2001 which definitely violates the principles of anti-corruption morality.

Departing from the above-mentioned description, this study examines the judge's considerations in the decision on corruption in the social aid of COVID-19 mitigation from the perspective of anti-corruption principles as a moral principle and leadership integrity that must be upheld by state officials.

RESEARCH METHODS

The research method used in this research was normative juridical. Normative juridical research is library law research carried out by collecting primary, secondary, and non-legal materials (Nugroho, Haryani, & Farkhani, 2020, p. 43). Thus, this writing is also considered library research. The research is juridically based on a philosophical approach to the principles and legal rules related to corruption, such as Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Corruption Crimes.

RESULTS AND DISCUSSION

1. Concept of Corruption

Based on some literature, the term corruption comes from English *corrupt* derived from a combination of two Latin words: *com* meaning together and *rumpere* meaning broken. The word corruption also comes from the Latin *corruptio* from the verb *corrumpere* which means rotten, damaged, shaken, distorted, and bribed. It can also be interpreted as an act of dishonesty or fraud committed because of receiving (Siregar & Mukhlis, 2020, pp. 103–111).

The World Bank defines it by stating that “Corruption involves officials’ behavior in the public and private sectors, in which they improperly and unlawfully enrich themselves and/or those close to them, or induce others to do so, by misusing their position.”. This means corruption involved some employees of both the public and private sectors and they unlawfully enrich themselves and/or those close to them, or persuade others to do so, by abusing their authority (Khoirudin, 2022, pp. 82–95).

The concept of corruption according to Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning Corruption Crimes is any person unlawfully committing an act of enriching himself or another person or a corporation that can harm state finances or the state economy. Collusion is the existence of consensus or cooperation against the law between state administrators and other parties that harm other people, society, and the state.

Nepotism is any act of organizing the state against the law that benefits the common interests of his family and or cronies above the interests of the community, nation, and state. Considering these definitions, it can be concluded that corruption is a deviant social act which is consciously done against the law to enrich oneself or a group that can harm the lives of many people and the state (Hidayat, Malik, & Suwarti, 2022, pp. 799–812).

There are various forms of corruption. According to Suradi in Wijayanti (Wijayanti, 2018, pp. 100–111), corruption as an act against the law to enrich oneself or others includes: (1) bribery, (2) conflicts of interest, (3) economic extortion, and (4) illegal gratuities. Meanwhile, according to Hussain Alatas in Muhammad Nurdin (Nurdin, 2014, p. 64), the forms of corruption include bribery, extortion, and nepotism.

Bribery is a criminal act in which a person is given a gift with the intention to change his behavior in such a way that is contrary to his duties and responsibilities, for instance, bribery in judicial institutions, in the procurement of goods, and in educational institutions etc.

Extortion means the use of threats of violence or destructive information to persuade someone to cooperate. In this case, the officeholder can become either a blackmailer or a victim of extortion.

There are several reasons why someone commits acts of corruption. According to Ilham Gunawan in Marwan Mas (Mas, 2014), the driving factors for the occurrence of corruption in Indonesia are as follows:

- a. Political factors are closely related to power, and people in the office tend to abuse their positions. As stated by Lord Acton, "Power tends to corrupt, but absolute power corrupts absolutely" which means power tends to corrupt and absolute power causes absolute corruption.
- b. Juridical factors are related to the law, such as weak sanctions for corruptors, and thus the law is unable to provide a deterrent effect. Punishment sanctions involve two aspects, namely judges can be wrong in making decisions and sanctions can be weak based on the articles and paragraphs of the statutory rules and regulations.
- c. Cultural factors are the factors in which corruption is a feudal relic and then creates a conflict of loyalty between obligations to the family and obligations to the state. This relates to the one's personality which includes the mental and morals possessed by a person.

2. Principles of Anti-Corruption

Education is carried out in an effort to prevent rampant anti-corruption actions. According to Muhammad Nurdin (Nurdin, 2014, p. 67), the following are anti-corruption principles that must be enforced to prevent corruption:

a. Accountability

This principle is fundamentally intended to make all policies and steps carried out by an institution perfectly accounted for. The agendas that must be followed are reporting and accountability mechanisms. With regard to evaluation, it is essential to determine the impacts and benefits for the community or users, both direct impacts and long-term benefits from a project/activity/program.

b. Transparency

It is a principle that requires all policy processes to be carried out openly, so all forms of deviation can be publicly known. Transparency is the entrance and control of an institutional structure.

c. Fairness

Fairness is an anti-corruption principle that emphasizes propriety or fairness. The principle of fairness is actually aimed at preventing the manipulation of the budget in a project/activity/program.

Based on the above-mentioned regarding anti-corruption principles, there are five critical points to avoid violating fairness, especially in budgeting, namely being comprehensive, disciplined, flexible, predictable, honest, and informative.

3. Disaster Mitigation Law

Based on Law Number 24 of 2007 concerning Disaster Management, mitigation or reduction is a series of efforts to reduce disaster risk, both through physical development and awareness and capacity building to face disaster threats. Mitigation activities can be divided into two: physical and non-physical.

The law on disaster management mitigation has substantially provided a new dimension to the pattern and system of disaster management in Indonesia after the enactment of Law Number 24 of 2007. The new dimensions established based on legal politics for disaster management include (Nugroho, Haq, et al., 2020, p. 65):

- a. Disaster management as a comprehensive and proactive effort begins with disaster risk reduction, emergency response, rehabilitation, and reconstruction;
- b. Disaster management as a joint effort is undertaken by stakeholders with complementary roles and functions; and
- c. Disaster management as part of the development process aims to create resilience to disasters.

Based on these provisions, it shows that Law 24 of 2007 has experienced a paradigm shift. Disaster management emphasizes not only all aspects of emergency response, but also all aspects of disaster management including mitigation in pre-disaster, emergency response during disasters, rehabilitation, and reconstruction in the aftermath of a disaster (Nugroho, Haq, et al., 2020, p. 65).

4. Study of Judges' Decisions on Corruption Cases of COVID-19 Mitigation Social Aid from the Perspective of Anti-Corruption Principles

The government has issued a number of policies and anticipatory measures, both at the central, provincial, district, and city governments in an effort to overcome the COVID-19 pandemic (Ariyanto, 2020, pp. 37–57). The steps taken by the government are the issuance of Government Regulation in Lieu of Law Number 1 of 2020 concerning State Financial Policy and Financial System Stability for Handling the COVID-19 Pandemic which was signed by President Jokowi on March 31, 2020. Then the government also issued Law Number 2 of 2020 concerning State Financial Policy and Financial System Stability for Handling the COVID-19 pandemic. They are intended to provide protection for people's lives seriously threatened by the spread of COVID-19, both from the aspect of life safety due to health and safety threats, and social and economic life community in efforts to mitigate the COVID-19 pandemic (Einstein, Helmi, & Hamzy, 2020, pp. 595–612).

The number of funds to handle COVID-19 must be right on target according to its allocation. Government officials in both the central and local governments who are mandated to manage these funds must be conscientiously and must not abuse their authority to make them well-allocated right on target. Otherwise, there is a threat of criminal penalties for the misuse of funds in a disaster situation, as is happening now, with a public health emergency and a national disaster status due to the COVID-19 pandemic (Noerkaisar, 2021, pp. 83–104).

The perpetrators of corruption crimes, most of whom are officials, show that this crime is not an ordinary crime (*conventional crime/blue-collar crime*) but it is included in the category of white-collar crime in the public sector and involves parties holding public power and government officials so that it is called a crime position (*occupational crime*).

Likewise, the perpetrators of corruption in the COVID-19 social aid are public officials of the Ministry of Social Affairs, JB, in the Decision of No.29/Pid-Sus-TPK/2021/PN Jkt. PS. (Oetari & Mahmud, 2021, pp. 96–103).

After approximately a four-month trial process, the Judge considered that the defendant JB was legally and convincingly proven to have committed a criminal act of corruption together according to the first alternative indictment, namely Article 12 letter b in conjunction with Article 18 or Article 11 in conjunction with Article 18. Eradication of Criminal Acts of Corruption in Article 55 paragraph (1) of the 1st Criminal Code is in conjunction with Article 64 paragraph (1) of the 1st Criminal Code.

In Judge's Decision No.29/Pid-Sus-TPK/2021/PN Jkt. Pst, the defendant JB was sentenced to 12 years in prison, a fine of IDR 500,000,000, and the revocation of political rights for 4 years after serving his main criminal period. In addition to the basic crime, the KPK prosecutor demanded that the defendant JB be sentenced to pay compensation of IDR 14.5 billion.

The sentence imposed to the former Minister of Social Affairs JB is deemed insufficient for justice for the community, especially those who are victims regardless of judge's subjectivity in making the decision. As long as the mitigating circumstances still exist, the judge still has to consider it, yet it should also be noted that generally law has three main objectives: justice, legal certainty, and legal benefits (Oetari & Mahmud, 2021, pp. 96–103).

The independence of judges in examining their judicial authority is not absolute because the task of judges is to uphold law and justice based on Pancasila and the 1945 Constitution. Thus, their decisions reflect the sense of justice of the Indonesian people adhering to Pancasila, not subjective justice which is according to the judge's understanding or will solely for the achievement of formal procedural justice. However, in practice, the judge will find it difficult to accommodate the three aforementioned legal objectives. A judge must consider where to direct the decision, whether closer to certainty or justice, as the principle of judicial independence is tested in doing justice (Mulkan, 2021, pp. 305–319).

The judicial discovery of law, according to Sudikno Mertokusumo, is a process of law formation by judges or other legal officers (Supena, 2022, pp. 427–435). The discovery of law for realizing the decisions is substantive justice because it is in line with the idea of progressive law enforcement which can be an alternative for law enforcers to present substantive justice with progressive steps and to break through the rigidity of written rule-breaking laws (Mahmud, Syawali, & Amrulloh, 2021, pp. 227–250).

Based on the author's study of justice for the public or socio-cultural legal interest, the Central Jakarta District Court Judge, in considering Decision No. 29/Pid.Sus- TPK/2021/JKT, shows that the decision still does not consider and fulfill the justice that the community aspires to, especially for those who are directly affected by the corruption of the social aid for COVID-19 by defendant JB.

Judges in making legal discoveries and considering these decisions tend to only focus on unlawful acts committed by the defendant and on his punishment. They are not taking into account the consequences of the criminal acts for the community and the state experiencing the losses. In this regard, one of the mitigating factors done by the judges on the criminal decision is "That the defendant has suffered enough because he received insults from the community even though the defendant is not yet necessarily guilty."

The community's response to insults is based on the principle of justice which says that a fair decision answers the will of the community, so the public insults response to the defendant is a reasonable response to show disappointment with the government which corrupts social aid whose purpose is to help the community in the midst COVID-19. In addition, the community's response is an anti-corruption attitude which is the right thing to help reduce corruption in Indonesia.

The judge in imposing Decision No.29/Pid-Sus/TPK/2021/PN Jkt. Pst. has not fulfilled the principle of justice for the community, especially those who are victims of the social aid for COVID-19. In his consideration, the Judge did not accommodate the losses experienced by the community, instead, the public's disappointed response to the perpetrators of corruption was used as an excuse to reduce the victim's sentence. The judge's lack of effort in realizing substantive justice can also be observed in the mitigating reasons in the decision. One of which is that the defendant is considered to have suffered enough because he has been abused and sentenced by the community even though the defendant JB is not yet necessarily found guilty.

Based on the author's analysis, the decision will automatically move away from legal certainty when a decision leads to justice. To make this happen, the judge must require the law enforcement process not only to carry out laws and regulations, but also to accommodate the legal will of the community. It is known as the idea of progressive law enforcement that is pro-people and pro-justice, as Satjipto Raharjo argued (Sumirat, 2021, pp. 86–100).

Moreover, this corruption case of social aid is detrimental to the community and is dealing with state financial losses. The judge of the Central Jakarta District Court in his decision did not consider the losses received by the community and the state, even in the case of calculating the amount of state financial losses from corruption crimes committed by the defendant at a slow pace even though this social aid corruption has proven to be very influential in state financial losses. If we look at the bribery practice by the defendant, it directly affects the quality and price of the social assistance package itself.

In fact, based on a study by the Financial and Development Supervisory Agency (BPKP), the potential financial loss to the state from social assistance corruption could reach IDR 2 trillion. Furthermore, in the verdict, the defendant JB is required to pay compensation in the amount of IDR 14,597,450,000.00 (fourteen billion five hundred ninety-seven million four hundred and fifty thousand rupiah). If unpaid not later than 1 (one) month after this case has permanent legal force, the convict's property is confiscated to cover the loss to the state and if the property is not sufficient to pay the replacement money, it is replaced with a prison sentence of 2 (two) years.

A painful reality, it turns out that the COVID-19 pandemic period played a role in generating corrupt officials who should prioritize anti-corruption principles. There are so many greedy traits that exist in people who have the trust and responsibility in big affairs and the lack of sense of crisis and the corrupt behavior of public officials in managing the government during the pandemic.

The crime of corruption which is an extraordinary crime and serious crime essentially is an extraordinary crime within the scope of criminal law. It is an extraordinary crime because the crime of corruption is systematic and carried out with a modus operandi that is difficult to prove; moreover, the corruption crime is always related to power and authority and is detrimental to state finances which will also harm the lives of many people (Marbun, Sitompul, Halawa, Pasa, & Purba, 2020, pp. 234–243).

Currently, amid the spread of COVID-19, corruption takes place. State administrators should carry out the mandate entrusted to them to carry out their duties and authority in order to create prosperity for all Indonesian people. The performance of state officials is certainly needed amid the spread of the COVID-19 pandemic (COVID-19 disaster mitigation). In contrast, the former Minister of Social Affairs JB committed crimes of corruption in the meantime.

The judge's decision drew pros and cons in various circles and was considered unreasonable. In this case, the judge could actually sentence the defendant to a life sentence in accordance with Article 2 paragraph (2) of the Anti-Corruption Law because the defendant had committed a criminal act of corruption in social aid. That being the case, the crime was undertaken in a difficult circumstance faced by the country in a state of emergency during the COVID-19 pandemic. The panel of judges considered several reasons to relieve the defendant JB, namely because the defendant had suffered enough of being reviled, cursed, humiliated by the community and had been convicted before a court decision had permanent legal force.

The legal culture of anti-corruption principles is changing the mental and moral of the apparatus in charge of administering and managing state finances, increasing and perfecting national bureaucratic reform from the center to the regions, and strengthening the culture of anti-corruption principles in the community (Hastono, Benuf, Priyono, & Pujirahayu, 2021, pp. 230–237).

Based on the above case, the judge considered that these methods must adhere to anti-corruption moral principles which are the basis for determining what is good and bad and when it is associated with law enforcement against corruption. The anti-corruption moral principle becomes the basis for enforcing the law against corruption crimes in Indonesia, especially in the midst of the COVID-19 pandemic.

The implementation of the COVID-19 disaster mitigation should be carried out based on the principle of social solidarity. The handling, prevention, and control of the COVID-19 pandemic shall be carried out thoroughly/holistically in all elements of both the bureaucracy and be supported by consistent community participation. The existence of social facts will foster collective awareness in the community. Thus, this collective awareness also develops along with the progress and the conditions in society.

The COVID-19 pandemic should be a moment that unites people, builds a new awareness (new normal), and creates a meaningful way of taking action. Mutual dependence that builds

collective solidarity, cooperation, trust, and mutual need through interaction should be an act of social repetition. Solidarity is referred to as the closeness of the community in efforts to mitigate the COVID-19 disaster. As a result, it can run effectively and efficiently as an effort to prevent the spread of COVID-19 in an integrated, effective, and efficient manner.

Thus, efforts to build public trust through social solidarity are very pivotal to overcome the COVID-19 disaster in the midst of the pandemic.

Considering the aforementioned description, it can be explained that there is a common thread between the principle of anti-corruption as a moral value of state officials and the implementation of anti-corruption principles in the Indonesian legal system in an attempt to eradicate corruption during the COVID-19 pandemic. The moral value of social solidarity should be built particularly when the state is in a health emergency. Efforts to mitigate the COVID-19 pandemic shall be prioritized instead of having corruption mentality that is detrimental to the state and people.

A common thread is found in the consideration of the judge's decision Decision No.29/Pid-Sus-TPK/2021/PN Jkt. Pst regarding the crime of corruption in social aid committed by the former Minister of Social Affairs JB. Individual morality is the source of all thoughts and all behavior for each of these individuals in their daily lives in Indonesian society. If the principle of individual morality is good, the individual's thoughts and behavior will also be good accordingly. Inversely, the bad individual morality will result in bad effect. Individual morality will impact on the social role of each individual in the society, nation, and state. The individual having good moral principles will carry out his social role well. Social roles include the role of a person in government such as a minister. The principle of morality will affect the successful implementation of anti-corruption principles in the legal system in Indonesia to prevent corruption during the COVID-19 pandemic.

CONCLUSION

Based on the judge's consideration in the corruption case, the former Minister of Social Affairs, JB, proved that during the COVID-19 pandemic, he had the potential to produce leaders adhering to principles of anti-corruption morality. Fundamentally, the priority in leading is bringing benefits for the people as a form of government obligation to be consistently present for them. As the principle of "*Salus Populi Suprema Lex Esto*" highlights people's safety as the highest law, the government must be responsible for the health and safety rights of all people.

In addition, the COVID-19 pandemic should be used as a momentum to foster mutual concern for each other (social solidarity) in the context of realizing the COVID-19 disaster mitigation law. It should not be betrayed by state officials corrupting social aid that should purposely be addressed to the people affected by the COVID-19 pandemic. Whereas, principles of anti-corruption must be enforced by state officials. The judge in imposing Decision No.29/Pid-Sus/TPK/2021/PN Jkt. Pst. has not fulfilled the principle of justice for the community, especially those who are victims of the COVID-19. In his consideration, the judge did not accommodate the elements of losses suffered by the community and the public's disappointed response to the perpetrators of the criminal act of corruption was instead used as an excuse to reduce the defendant's sentence.

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