



Jurisdictional Ambiguity over Corruption Crimes Committed by Military Personnel under Indonesia's New Criminal Law Framework

Ambiguitas Yurisdiksi Tindak Pidana Korupsi yang Dilakukan oleh Prajurit dalam Kerangka Hukum Pidana Nasional Baru

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Abstract: The enactment of Indonesia's National Criminal Code raises a new legal issue concerning the jurisdictional position of corruption crimes committed by military personnel. The problem lies in determining whether the competent court should be based on the offender's military status or on the special nature of corruption crimes, which involve state financial losses, abuse of public authority, institutional integrity, and public trust. This study uses normative juridical research with statutory, conceptual, and institutional approaches. The analysis examines the relationship between the National Criminal Code, anti-corruption legislation, military justice law, and selected court decisions involving corruption crimes committed by military personnel. The study finds that judicial practice still relies on military courts and connected-case mechanisms in handling such cases. However, these mechanisms have not fully resolved the ambiguity between offender-status-based jurisdiction and offense-based jurisdiction. This article argues that jurisdiction should be determined through a functional approach by considering the offender's status, the nature of the offense, the object of loss, the *lex specialis* principle, public accountability, and the institutional purpose of anti-corruption adjudication. Military courts should remain relevant for offenses directly related to military discipline and command, while corruption crimes that harm state finances and public integrity should retain their special character within the national criminal justice system.

Keywords: corruption crimes; jurisdictional ambiguity; military justice; military personnel; new criminal code.

DOI: 10.47006/ijlres.v%vi%i.29436

INTRODUCTION

The establishment of the National Criminal Code through Law Number 1 of 2023 can be read as part of the long process of reforming Indonesia's criminal law (Indonesia, 2023). The update is not solely related to the replacement of the criminal codification of colonial

legacies, but also to efforts to reorganize the direction, basis, and way of working of criminal law in Indonesian society that are constantly changing. Therefore, the National Criminal Code is not enough to be understood only as a collection of new criminal norms, but rather as a basic framework that will affect the relationship between the general rules of criminal law, special criminal provisions, and the judicial regime that has developed before. Butt's study shows that the new Criminal Code still raises debate about the extent to which the update truly reflects the process of indigenization and democratization of Indonesian criminal law (Butt, 2023, p. 192). Meanwhile, Faisal et al. place the reform of the Criminal Code as a paradigm shift that seeks to shift the criminal law from a colonial and punitive style to a system that is more in line with national values and contemporary justice needs (Faisal et al., 2024). In this context, the enactment of the National Criminal Code on January 2, 2026 is an important point to reassess how general criminal law interacts with the special criminal law regime, including corruption and military criminal law.

In the framework of the reform, corruption is one of the fields that shows a not simple relationship between criminal codification and the special criminal law regime. So far, the eradication of corruption has been built through special laws because corruption is seen as not only detrimental to state finances, but also to disrupt the integrity of public office and public trust in state administration. The inclusion of several formulations of corruption crimes into the National Criminal Code, especially through Articles 603 to 606, shows that there are efforts to codify some of the norms that were previously in the Law on the Eradication of Corruption. However, the codification does not necessarily remove the special character of corruption crimes. Bahar et al. point out that the inclusion of corruption offenses in the National Criminal Code actually raises a debate about the sustainability of the status of corruption as a *extraordinary crime* and the relationship between the Criminal Code as a general codification and the Corruption Law as a special instrument (Bahar et al., 2024, p. 696). Therefore, the position of corruption crimes in the National Criminal Code needs to be understood as a space for harmonization of norms, not just the transfer of articles from special laws into general criminal codification.

The special character of corruption lies in its impact that does not stop at state financial losses, but also touches the quality of governance, public trust, and the integrity of state institutions. Therefore, the eradication of corruption in Indonesia is not only built through the formulation of criminal offenses and threats, but also through the establishment of special institutions, including the Corruption Crimes Court. Law Number 46 of 2009 emphasizes that corruption has caused damage in various joints of the life of the community, nation, and state,

so that it requires extraordinary handling. In an institutional study, Schütte showed that the establishment of the Corruption Court changed the landscape of corruption eradication in Indonesia because all corruption cases were directed to be examined through the special forum (Schütte & Butt, 2013). Butt also placed the Corruption Court as part of a judicial reform strategy designed to address corruption in Indonesia's legal system (Butt, 2019). Thus, the specificity of corruption crimes lies not only in its criminal norms, but also in the judicial forum and the institutional objectives that accompany it.

After the position of corruption as a specific criminal act is understood, the next problem arises from the status of soldiers as legal subjects in the discipline regime and military courts. Law Number 31 of 1997 places the military court as a judicial environment that has authority over criminal cases committed by soldiers, so that the construction of jurisdiction from the beginning relies heavily on the status of the perpetrator as a member of the military. However, Law Number 34 of 2004 concerning the Indonesian National Army began to introduce a stricter distinction between violations of military criminal law and violations of general criminal law by soldiers. In Edy's study, military justice is still understood as part of the judicial power under the Supreme Court, but its institutional character cannot be separated from the need to maintain discipline, command, and the interests of military organizations (Edy, 2017). Thus, the position of the soldier as a perpetrator of a criminal act cannot be understood singularly, because he is at the same time a citizen subject to general criminal law and military personnel who are bound by a disciplinary regime and military jurisdiction.

The problem arises when soldiers commit corruption crimes. On the one hand, the perpetrator's status as a member of the military can attract cases to the jurisdiction of the military court based on a subject-based approach. On the other hand, corruption has the character of a special criminal act that has been examined through the Corruption Court based on a criminal offense-based approach. The tension between the two approaches creates ambiguity: whether the judicial forum should be determined by the military status of the perpetrator, or by the specific nature of the corruption that attacks state finances, the integrity of public office, and public trust. This ambiguity becomes increasingly important within the framework of the National Criminal Code because the codification of some corruption offenses does not necessarily eliminate the existence of a special regime for the eradication of corruption or a military justice regime. Therefore, corruption crimes committed by soldiers need to be placed as an issue of intersection between general criminal law, special criminal law, and military criminal law.

A number of studies have discussed the issue of military justice, general crimes by soldiers, and the authority of law enforcement agencies in corruption cases involving members of the TNI. Hastuti and Camelia, for example, highlight how Indonesia's military courts retain jurisdiction over soldiers who commit general crimes in comparison with other countries (Hastuti & Camelia, 2025). Sasmito then emphasized the importance of limiting military jurisdiction so as not to go beyond crimes that are truly military in nature (Sasmito, 2018, p. 17). Meanwhile, the latest study on the disharmony of the authority of the KPK and the TNI Puspom shows that corruption cases by soldiers still cause uncertainty, especially when the authority of investigations and judicial forums is determined by different legal bases (Zulmi et al., 2024). However, these studies have not specifically placed the ambiguity of the jurisdiction of corruption by soldiers in the context of the National Criminal Code as a new criminal law framework. It is this gap that needs to be analyzed further, especially to see whether the judicial forum should be determined by the military status of the perpetrator or by the special character of the crime of corruption as a crime against state finances and the integrity of public office.

Based on this background, this article places jurisdictional ambiguity as the main problem in handling corruption crimes committed by soldiers. This problem is not only related to the authorized judicial forum, but also to the basis for determining jurisdiction in the national criminal law system that is undergoing changes. Therefore, this article raises two main questions. First, how should corruption crimes committed by soldiers be positioned within the framework of the new national criminal law? Second, should the jurisdiction of the case be determined based on the perpetrator's status as a member of the military or based on the special character of the crime of corruption as a crime against state finances, the integrity of public office, and public trust?

This article uses normative juridical research methods with legislative, conceptual, and institutional approaches. The statutory approach is used to read the relationship between the National Criminal Code, the Law on the Eradication of Corruption Crimes, the Law on Corruption Crimes Courts, the Military Justice Law, and the TNI Law. The conceptual approach is used to explain the difference between jurisdiction based on the status of the perpetrator and the jurisdiction based on the type of criminal act, while the institutional approach is used to assess the objectives of the military justice and the Corruption Crimes Court in the criminal justice system. Through this approach, this article argues that the criminal acts of corruption committed by soldiers are not enough to be placed solely based on the military status of the perpetrator. The determination of the judicial forum must also

consider the special character of corruption crimes, the principle *of lex specialis*, the need for public accountability, and the institutional goals of corruption eradication within the framework of the new national criminal law.

RESULT AND DISCUSSION

Corruption Crimes Committed by Military Personnel within Indonesia's New Criminal Law Framework

In the new national criminal law framework, the crime of corruption committed by soldiers cannot be read only as a matter of transferring norms from special laws into the National Criminal Code. The problem is more complex because corruption remains in the special criminal law regime, while soldiers as perpetrators have a legal status tied to the military justice regime. The National Criminal Code does provide a general framework for Indonesian criminal law, but the existence of specific criminal provisions outside the Criminal Code still shows that the national criminal law system works through the relationship between general codification and sectoral regulation. In this context, Rahayu and Prakasa point out that although corruption cases are generally examined through the Corruption Court, the handling of corruption carried out by military members still involves the military law enforcement structure, including officials and officials within the military justice environment (Rahayu & Prakasa, 2022). Thus, the main issue in corruption cases by soldiers is not only the type of criminal act, but also how the status of the perpetrator's legal subject affects the forum and judicial mechanism.

The position of soldiers in the Indonesian criminal law system also shows that there is a different construction from civilians in general. Law Number 31 of 1997 establishes the military court as a separate judicial environment, while Law Number 34 of 2004 concerning the TNI places soldiers in a relationship between military discipline, command structure, and legal accountability. Mau et al. explained that the general criminal justice system and the military criminal justice system have different law enforcement tools; in the general system there are police, prosecutors, judges, advocates, and correctional institutions, while within the TNI there are military judges, military inspectors, military police, military legal advisors, and military correctional institutions (Mau et al., 2016). These structural differences show that military criminal law works not only as a material criminal law, but also as an institutional system that influences the process of investigation, prosecution, examination, and execution of judgments.

However, the military status of the perpetrator does not necessarily change the character of corruption crimes into internal military problems. Corruption that occurs in the military environment is often related to the use of the state budget, procurement of goods and services, management of soldiers' funds, or abuse of authority in office. Therefore, the object of disadvantage is not only military discipline or command, but also state finances, public accountability, and public trust. Liang and Perlo-Freeman noted that the risk of corruption in the Indonesian military sector is closely related to defense procurement, weak budget transparency, and limited monitoring and accountability mechanisms (“Corruption in the Indonesian Arms Business,” 2017). In the same vein, Rahayu and Prakasa emphasized the need for transparency in defense procurement data so that supervision of the procurement of goods and services in the defense sector can run more effectively (Rahayu & Prakasa, 2022). Thus, when a soldier commits corruption, the case cannot be qualified solely as an offense rooted in the military status of the perpetrator, since the dimensions of the loss and the legal interest at attack go beyond the internal interests of the military institution.

To clarify the issue, some corruption cases involving soldiers or military institutions can be mapped as follows. This table is not intended as an exhaustive list, but as a preliminary example to show the variations of judicial forums and the basis for jurisdictional determination in practice.

Table 1. Examples of Corruption Cases Involving Military Personnel

Case/Defendant	Status of the Offender	Corruption Object	Court Forum	Decision Number	Relevance to Jurisdictional Ambiguity
TNI Brigadier General Teddy Hernayadi	Active military officer	Procurement of Sukhoi aircraft equipment/spare parts	Military Justice	Decision of Dilmilti II Jakarta No. 23-K/PMT-II/AD/VII/2016; Decision of Dilmiltama No. 30-K/PMU/BDG/AD/XII/2016; Decision of the Supreme Court	It shows that corruption cases by active soldiers are still examined in the military justice environment, even though the classification of the cases is corruption.

				No. 363 K/MIL/2017	
TNI Brigadier General Yus Adi Kamrullah and Ni Putu Purnamasari	Military officer and civilian	Army Housing Compulsory Savings Fund (TWP AD)	Jakarta High Military Court II through connectivity cases	Decision of Dilmilti II Jakarta No. 21-K/PMT.II/AD/II/2022; Decision of the Supreme Court No. 407 K/MIL/2023	Showing the use of connectivity mechanisms when corruption cases involve military and civilian elements in a series of acts.
Colonel Czi (Ret.) Cori Wahyudi AHT and KGS M. Mansyur Said	Retired military officer and civilian	TWP AD funds for the procurement of land for soldiers' housing	Jakarta High Military Court II and Dilmiltama through connectivity cases	Decision of Dilmilti II Jakarta No. 44-K/Connectivity/PMT-II/AD/VIII/2022; Decision of Dilmiltama No. 32-K/PMU/BDG/AD/VII/2023	It shows that corruption cases with the configuration of military and civilian actors can be placed in a connectivity mechanism, not directly in the general Corruption Court forum.

Source: Processed by the authors from the Directory of Supreme Court Decisions, including Decision No. 23-K/PMT-II/AD/VII/2016, Decision No. 30-K/PMU/BDG/AD/XII/2016, Decision No. 21-K/PMT.II/AD/II/2022, Decision No. 44-K/Connectivity/PMT-II/AD/VIII/2022, and Decision No. 32-K/PMU/BDG/AD/VII/2023, as well as official information from the Prosecutor's Office concerning the TWP AD corruption case.

The mapping shows that the practice of resolving corruption cases involving soldiers has not fully moved based on a single pattern. In the Teddy Hernayadi case, the perpetrator's status as an active soldier is an important factor that places the case in the military justice environment. In the TWP AD case, the presence of civilian and military elements in a series of acts encourages the use of connectivity mechanisms. Naru and Prasetyo also show that the

connectivity justice system in TWP AD cases emerges as a mechanism to integrate legal processes when perpetrators come from military and civilian environments, although it still leaves coordination challenges and procedural differences between institutions (Naru & Prasetyo, 2025). This pattern shows that corruption by soldiers is in a hybrid jurisdiction: it is not a purely military offense, but it is also not always prosecuted like civilian corruption cases in general.

Thus, the first finding of this subchapter is that corruption crimes committed by soldiers must be positioned as a point of intersection between general criminal law, special criminal law, and military criminal law. The military status of the perpetrator is indeed relevant to determine the mechanism of the legal process, but it should not eliminate the special character of corruption crimes as crimes against state finances, the integrity of public office, and public trust. Therefore, the determination of the legal position of corruption cases by soldiers must be carried out functionally, by reading together the relationship between the National Criminal Code, the Corruption Law, the Corruption Court Law, the Military Justice Law, and the TNI Law.

Reconstructing Jurisdiction over Corruption Crimes Committed by Military Personnel

The ambiguity of jurisdiction in cases of corruption committed by soldiers is basically born from the meeting of two bases for determining judicial forums. The first basis is *subject-based jurisdiction*, that is, jurisdiction is determined based on the perpetrator's status as a soldier. The second basis is *offense-based jurisdiction*, that is, jurisdiction is determined based on the type and character of the criminal act committed. In corruption cases, the tension between the two becomes important because corruption is not only a criminal offense committed by a particular subject, but also a crime that attacks state finances, the integrity of public office, and public trust in state institutions (Decaux, 2006). Therefore, the judicial forum is not enough to be determined mechanically through the warrior status of the perpetrator, but needs to be read through the judicial function that is most in accordance with the character of the criminal act.

In comparative studies, military jurisdiction reform generally moves toward limiting the authority of military courts so that they do not overly penetrate the realm of general crimes. Kyle and Reiter show that military courts in democratic countries can compete directly with civilian courts if their authority is not clearly limited, so military justice reform is often part of strengthening *rule of law* (B. J. Kyle & Reiter, 2013). Another study by Kyle and Reiter also asserts that the expansion of military jurisdiction over non-military offenses could

weaken the principle of equality before the law and open up space for institutional impunity (B. Kyle & Reiter, 2011). In this context, cases of corruption by soldiers need to be placed with caution: the military judiciary remains relevant to maintain discipline and command, but it should not be the only forum just because the perpetrators are of military status.

This approach is in line with the view that military jurisdiction should be understood as a functional jurisdiction, not a personal jurisdiction that is automatically attached to every criminal act committed by a soldier. Cárdenas Poveda explains that military jurisdiction can be justified insofar as it serves to protect legitimate military interests, but it can turn into an instrument of impunity when used to attract cases that are actually more appropriate to be examined by ordinary courts (Cárdenas Poveda, 2013). Manacorda and Mariniello also point out that the main issues in the expansion of military jurisdiction are the guarantee of independence, impartiality, and the protection of the right to a fair trial (Manacorda & Mariniello, 2013). On that basis, corruption committed by soldiers cannot be treated as a military matter, especially if the object of their actions is the state budget, procurement of goods and services, or abuse of public authority.

In the Indonesian context, the problem becomes more complicated because corruption crimes already have a special judicial forum. Butt and Schütte point out that the Corruption Crimes Court was established in response to the need for specialized corruption handling and was once seen as an important instrument in judicial reform (Butt & Schütte, 2014, p. 607). However, the existence of such a special court does not always automatically determine the forum when the perpetrator comes from a military element. This is where the conceptual tension lies: if the forum is determined by the status of the perpetrator, the case tends to go to the military court; but if the forum is determined by the nature of the delicacy, corruption cases should be considered within the framework of the Corruption Court. Therefore, the problem is not simply to choose between the military court or the Corruption Court, but to determine the criteria for when the military status of the perpetrator must determine the jurisdiction and when the special character of corruption must be more dominant.

The practice of verdicts in corruption cases involving soldiers shows that the determination of forums has not always followed a consistent pattern. The Teddy Hernayadi case shows the dominance of the perpetrator's status-based approach because corruption cases in the procurement of defense equipment are still examined in the military justice environment. The cases of Yus Adi Kamrullah and Ni Putu Purnamasari, as well as the cases of Cori Wahyudi AHT and KGS M. Mansyur Said, show the use of the connectivity

mechanism because there is the involvement of military and civilian elements. This pattern shows that connectivity can be a procedural bridge, but it has not fully answered the conceptual problem of the main basis for determining jurisdiction in corruption cases by soldiers.

Table 2. Jurisdictional Resolution of Corruption Cases Involving Military Personnel

Decision Number	Court Forum Used	Basis of Jurisdiction	Final Decision/Outcome
Decision of Dilmilti II Jakarta No. 23-K/PMT-II/AD/VII/2016; Decision of Dilmiltama No. 30-K/PMU/BDG/AD/XII/2016; Decision of the Supreme Court No. 363 K/MIL/2017	Military Courts to the Cassation Level	The status of the perpetrator as an active soldier and military official	Teddy Hernayadi was declared proven to have committed a criminal act of corruption. This case is recorded to continue until the cassation level and has permanent legal force.
Decision of Dilmilti II Jakarta No. 21-K/PMT.II/AD/II/2022	Jakarta High Military Court II through connectivity mechanism	The involvement of military and civilian elements in a series of cases	Yus Adi Kamrullah and Ni Putu Purnamasari were examined in a connection case related to TWP AD funds.
Decision of Dilmilti II Jakarta No. 44-K/Connectivity/PMT-II/AD/VIII/2022; Decision of Dilmiltama No. 32-K/PMU/BDG/AD/VII/2023	Jakarta High Military Court II and Dilmiltama through a connectivity mechanism	The involvement of retired military and civilian officers, as well as the objects of cases related to TWP AD funds	Cori Wahyudi AHT and KGS M. Mansyur Said were examined in the connection case related to the management of TWP AD funds.

Source: *Processed by the authors from the Directory of Supreme Court Decisions, including Supreme Court Decision No. 363 K/MIL/2017, Dilmilti II Jakarta Decision No. 21-K/PMT.II/AD/II/2022, and Dilmilti II Jakarta Decision No. 44-K/Connectivity/PMT-II/AD/VIII/2022.*

From the table, it can be seen that the practice of resolving cases still tends to maintain the role of the military judiciary when there are elements of military actors. This approach can be understood from the need to maintain discipline, command structure, and the interests of military institutions. However, this approach becomes problematic when applied without distinguishing between pure military offenses and criminal acts of corruption. Vashakmadze emphasized that the military justice system can fundamentally differ between countries, but its primary legitimacy still depends on the military's functional needs, the guarantee of independence, and its conformity to fair judicial standards (Vashakmadze, 2018). Thus, the status of the soldier is relevant, but it does not necessarily specify that every criminal act committed by a soldier should be examined in a military forum. The Vashakmadze study is published by the DCAF and is often used as a reference in comparative studies of the military justice system.

Therefore, jurisdictional reconstruction needs to be built through a functional approach. First, if the act is a purely military offense that is directly related to military discipline, command, or operational interests, then the military court remains the appropriate forum. Second, if the act is a criminal act of corruption that harms the state's finances, abuses the authority of office, or is related to the procurement of public goods and services, then the special character of the crime of corruption must be the main consideration. Third, if the case involves military and civilian actors, the connectivity mechanism can be used, but the determination of the forum should not only follow the status of the perpetrator, but also assess the weight of the loss, the legal interests attacked, and the need for public accountability.

With this construction, jurisdiction is not rigidly placed in the choice between a military court or a Corruption Court. A judicial forum should be determined by assessing four elements: the status of the perpetrator, the nature of the crime, the object of the loss, and the institutional purpose of the judiciary. If corruption is committed in the management of the state budget, the procurement of defense, or the management of funds that concern the interests of soldiers and the state, then the forum used must be able to ensure transparency, accountability, recovery of losses, and evidentiary testing in accordance with the character of the crime of corruption. In this position, the military status of the perpetrator is still taken into

account, but it must not erase the special nature of corruption as a criminal act that requires a special handling mechanism.

The second finding of this subchapter is that jurisdiction over corruption crimes committed by soldiers should not be determined solely on the basis of soldier status. Judicial practice suggests the use of military justice and connectivity mechanisms, but both still require a clearer conceptual basis. A more appropriate approach is a functional approach that assesses whether the character of the crime of corruption, the object of loss, the principle of public accountability, and the goal of eradicating corruption are more dominant than the military status of the perpetrator. With this approach, the military judiciary is maintained for the sake of discipline and command, while corruption cases that attack state finances and the integrity of public office do not lose character, especially in the national criminal justice system.

CONCLUSION

Corruption crimes committed by military personnel reveal a jurisdictional tension within Indonesia's new criminal law framework. Although the National Criminal Code recodifies several corruption provisions, it does not eliminate the special character of corruption as a crime affecting state finances, public authority, and institutional integrity. At the same time, the military status of the offender remains relevant because military justice serves the interests of discipline and command. However, such status should not be the sole basis for determining jurisdiction. The examined cases show that military courts and connected-case mechanisms are still used, yet they do not fully resolve the conceptual boundary between subject-based and offense-based jurisdiction. Therefore, jurisdiction should be determined through a functional approach that considers the offender's status, the nature of the offense, the object of loss, the *lex specialis* principle, and public accountability. This approach allows military justice to remain applicable to military-related offenses while preserving the special treatment of corruption crimes within the national criminal justice system.

REFERENCE

- 1) Bahar, M. G. F., Firdaus, S. P., & Fairuza, H. H. (2024). Paradigm of Recodification of Corruption in Criminal Code Against its Designation as Extraordinary Crime. *Arena Hukum*, 17(3), 694–713. <https://doi.org/10.21776/ub.arenahukum2024.01703.10>
- 2) Butt, S. (2019). Indonesia's Anti-corruption Courts and the Persistence of Judicial Culture. In M. Crouch (Ed.), *The Politics of Court Reform: Judicial Change and Legal Culture in Indonesia* (pp. 151–173). Cambridge University Press. <https://doi.org/10.1017/9781108636131.007>
- 3) Butt, S. (2023). Indonesia's new Criminal Code: Indigenising and democratising Indonesian criminal law? *Griffith Law Review*, 32(2), 190–214. <https://doi.org/10.1080/10383441.2023.2243772>
- 4) Butt, S., & Schütte, S. A. (2014). Assessing judicial performance in Indonesia: The court for corruption crimes. *Crime, Law and Social Change*, 62(5), 603–619. <https://doi.org/10.1007/s10611-014-9547-1>
- 5) Cárdenas Poveda, M. (2013). Military jurisdiction: Functional warranty or impunity condition? <https://hdl.handle.net/10818/27744>
- 6) Corruption in the Indonesian arms business: Tentative steps towards an end to impunity. (2017). World Peace Foundation. Retrieved April 26, 2026, from <https://worldpeacefoundation.org/publication/corruption-in-the-indonesian-arms-business/>
- 7) Decaux, E. (2006). Draft Principles Governing the Administration of Justice Through Military Tribunals. United Nations Economic and Social Council. <https://hrlibrary.umn.edu/instreet/DecauxPrinciples.html>
- 8) Edy, S. S. (2017). INDEPENDENSI SISTEM PERADILAN MILITER DI INDONESIA (Studi Tentang Struktur Peradilan Militer). *Jurnal Hukum Dan Peradilan*, 6(1), 105. <https://doi.org/10.25216/jhp.6.1.2017.105-128>
- 9) Faisal, Yanto, A., Rahayu, D. P., Haryadi, D., Darmawan, A., & Manik, J. D. N. (2024). Genuine paradigm of criminal justice: Rethinking penal reform within Indonesia New Criminal Code. *Cogent Social Sciences*, 10(1), 2301634. <https://doi.org/10.1080/23311886.2023.2301634>

- 10) Hastuti, L., & Camelia, A. I. (2025). Indonesia's Military Reserve: Legislative, Ethical, and Operational Challenges. *Brawijaya Law Journal*, 12(2), 180–205. <https://doi.org/10.21776/ub.blj.2025.012.02.01>
- 11) Indonesia, P. P. (2023). Undang-undang (UU) Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana. Pemerintah Pusat. <https://peraturan.bpk.go.id/details/234935/uu-no-1-tahun-2023>
- 12) Kyle, B. J., & Reiter, A. G. (2013). Militarized Justice in New Democracies: Explaining the Process of Military Court Reform in Latin America. *Law & Society Review*, 47(2), 375–407. <https://doi.org/10.1111/lasr.12019>
- 13) Kyle, B., & Reiter, A. (2011). Dictating Justice: Human Rights and Military Courts in Latin America. *Armed Forces & Society*, 38(1), 27–48.
- 14) Manacorda, S., & Mariniello, T. (2013). Military Criminal Justice and Jurisdiction over Civilians: The First Lessons from Strasbourg (SSRN Scholarly Paper No. 2318443). Social Science Research Network. <https://papers.ssrn.com/abstract=2318443>
- 15) Mau, H. A., Sinaga, A. A., & Samiyati, M. A. (2016). Relationship of The Military Prosecutor General And The Attorney General in The Prosecution Function. *The Southeast Asia Law Journal*, 2(1), 46–55. <https://doi.org/10.31479/salj.v2i1.76>
- 16) Naru, M. T. A., & Prasetyo, B. (2025). Implementasi Sistem Peradilan Koneksitas Dalam Perkara Tindak Pidana Korupsi Di Badan Pengelola Tabungan Wajib Perumahan Angkatan Darat. *USRAH: Jurnal Hukum Keluarga Islam*, 6(1), 161–182. <https://doi.org/10.46773/usrah.v6i1.2119>
- 17) Rahayu, D., & Prakasa, S. U. W. (2022). Accountability of Military Members as Perpetrators of Corruption in Defense Equipment Procurement. *ACADEMOS Jurnal Hukum Dan Tataan Sosial*, 1(1). <https://doi.org/10.30651/aca.v1i1.14016>
- 18) Sasmito, J. (2018). Judicial Independence in the Enforcement of Military Crimes in the Indonesian Justice System. *Lex Publica*, 5(1), 16–22.
- 19) Schütte, S. A., & Butt, S. (2013). The Indonesian Court for Corruption Crimes: Circumventing judicial impropriety? (U4 Brief, Issue 5). U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute. <https://www.cmi.no/publications/file/4903-the-indonesian-court-for-corruption-crimes.pdf>

- 20) Vashakmadze, M. (2018). Understanding Military Justice. DCAF.
https://www.dcaf.ch/sites/default/files/publications/documents/Military-Justice_Practice-Note_eng.pdf
- 21) Zulmi, M. N., Hadiyantina, S., & Muktiono. (2024). Harmonization of the Authority to Investigate Indonesian National Army Personnel Who Commit Corruption. International Journal Of Humanities Education and Social Sciences (IJHESS), 4(2).
<https://doi.org/10.55227/ijhess.v4i2.1283>



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