

POLITICAL DISENFRANCHISEMENT AS A MEANS OF COMBATING CORRUPTION

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DOI : <https://doi.org/10.21107/pamator.v17i1.24132>

Manuscript received 8th January 2024, Revised 21st February 2024, Published 4th April 2024

Abstract

The purpose of this study was to explore effective ways of determining the duration of political disenfranchisement of corruption convicts in Indonesia, with the aim that this punishment serves as an effective deterrent effect without violating human rights. The study also aims to analyze the long-term impact of political disenfranchisement of corruption convicts on democratic processes and their reintegration into post-detention society. This research is categorized as normative legal research and uses a philosophical and analytical approach that focuses on rational, critical analytical, and philosophical views on applicable legislation and legal theory. The research utilizes analytical descriptive methods to examine positive law enforcement practices related to these issues. Based on the severity of corruption cases and the rehabilitation potential of convicts, determining the duration of political disenfranchisement is crucial. Fair review and appeal mechanisms should be in place to support the social and political reintegration of ex-convicts. The study also emphasizes the importance of political disenfranchisement as part of a broader legal system to support healthy democracy, transparent governance, and inclusive societies.

Keywords: Political Disenfranchisement, Corruption, Human Rights, Democracy

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INTRODUCTION

The development of the eradication of corruption in Indonesia runs Tidal in the midst of the dominance of political interests and power. One of the agendas of the reform struggle carried out by the community is the elimination of the practice of corruption, collusion, and nepotism (KKN). The demand for the eradication of KKN has become increasingly intense since the resignation of Suharto from the position of Presidential Chair. Various demands from both students and other pro-reform movements demanded that former President Suharto and his cronies be immediately examined and tried for allegedly having practiced KKN during his time in power.¹

As we all know, corruption in Indonesia is not new and has been endemic for a very long time since the Suharto government from 1965 to 1997. The reform movement that overthrew Suharto's government during the New Order demanded, among other things, the enforcement of the rule of law and the eradication of corruption, collusion, and nepotism (KKN). The problem of corruption is the most actual and interesting legal issue that concerns the types of crimes that are complicated to deal with. One of the causes of the difficulty in combating corruption is the difficulty of proof, since the perpetrators of these crimes commit their crimes very neatly.²

Many efforts have been made to strengthen the eradication of corruption by creating, improving, and revising regulations on the eradication of corruption so that it seems that there is no gap for the release of corruptors from legal bondage. However, the success of a law to ensnare perpetrators of criminal acts is also very dependent on law enforcement officers as its implementers.³

The eradication of corruption, collusion, and nepotism in Indonesia today is experiencing various obstacles that are quite complex. Various efforts to implement strategies to combat corruption, collusion, and nepotism have been implemented, although they are not optimal. This is the case with the establishment of various laws and regulations and the KKN Eradication Commission. However, the level of KKN, especially corruption in Indonesia, has not changed significantly. Corruption has become a contagious disease in every state apparatus, from the lowest level to the highest level. Therefore, it is imperative to implement more comprehensive and holistic measures to combat corruption at all levels. The revocation of the right to vote and to be elected to public office against corruption is a progressive step taken by judges.

¹ Mohamad Hidayat Muhtar, 'Model Politik Hukum Pemberantasan Korupsi Di Indonesia Dalam Rangka Harmonisasi Lembaga Penegak Hukum', *Jambura Law Review*, 1.1 (2019), 68–93 <<https://doi.org/10.33756/jalrev.v1i1.1988>>.

² Dr Ruslan Renggong M.H S. H., *Hukum Pidana Khusus* (Jakarta: Prenada Media, 2017).

³ Is Kandar, 'Praktik Tindak Pidana Korupsi Dalam Peradilan Indonesia Dan Upaya Pencegahan Korupsi Oleh Penegak Hukum Di Indonesia', *Khazanah Multidisiplin*, 3.1 (2022), 64–81 <<https://scholar.archive.org/work/bu67w4bsavcrfhtldiolb3yahy/access/wayback/https://journal.uinsgd.ac.id/index.php/kl/article/download/17170/6893>> [accessed 8 January 2024].

This step strongly supports the prevention and eradication of corruption. Emphasize the time limit for revocation, particularly the right to vote, when imposing additional crimes in the form of revoking certain rights. This ensures a sense of justice and guarantees human rights for the convict. The time limit for revocation of certain rights has been regulated in Article 38, paragraph 1, of the Criminal Code (KUHP). One of the judges' decisions that impose additional penalties in the form of revocation of the right to vote and be elected to public office is Supreme Court decision number 537K/Pid.Sus/2014 for the former National Police Traffic Corps Inspector General (Irjen) Djoko Susilo, who was sentenced to 18 years in prison, a fine of 1 billion rupiah, the payment of replacement money of 32 billion rupiah, and punished with additional crimes in the form of revocation of certain rights to vote and be elected to public office.⁴

Political disenfranchisement, which is applied as an additional punishment to corrupt actors, theoretically aims to establish justice and prevent individuals proven to be corrupt from making public decisions in the future.⁵ However, in practice, the application of this punishment is often the subject of intense debate. One of the main problems is determining the deadline for political disenfranchisement. Too short, and the punishment may not have enough deterrent effect; too long, and it could be considered a violation of human rights. This creates a dilemma between the need to provide fair and proportionate punishment and the protection of the basic rights of the individual. In addition, there are questions about the effectiveness of political disenfranchisement in preventing corruption.

While this move could provide a strong message about the government's seriousness in tackling corruption, it is not always clear whether this directly reduces the incidence of corruption. Individual punishment alone cannot overcome corruption, as it is often a systemic problem. Political disenfranchisement also raised questions about the rehabilitation and reintegration of corruption convicts into society. Should they continue to be excluded from the democratic process, or should they have the opportunity to return as responsible members of society?. Finally, the execution of these sentences often depends on a fair and transparent justice system. A fair and unbiased process is essential to prevent the abuse or uneven application of political disenfranchisement, which could erode public confidence in the legal system. Overall, the implementation of political disenfranchisement for corruption convicts must be carried out carefully and within the framework of a strong and fair justice system, in order to effectively combat corruption. It requires a balance between effective sentencing and the protection of human rights, as well as serious consideration of the long-term implications for democracy and governance.

Based on description above, formulation of the problem are : (1) How to determine the appropriate duration for political disenfranchisement of corruption convicts so that the punishment is effective as a deterrent effect but does not violate human rights? and

⁴ Dina Fajar Indah, Haris Retno Susmiyati, and Rini Apriyani, 'Pencabutan Hak Politik Pelaku Tindak Pidana Korupsi Dalam Perspektif Hak Asasi Manusia', *Risalah Hukum*, 2020, 68–82 <<https://doi.org/10.30872/risalah.v16i2.285>>.

⁵ Suharso Suharso and Chrisna Bagus Edhita Praja, 'Pencabutan Hak Politik Terhadap Terpidana Korupsi Dalam Perspektif Hukum Tata Negara', 2016 <https://publikasiilmiah.ums.ac.id/bitstream/handle/11617/7699/Humanoria_28.pdf?sequence=1> [accessed 8 January 2024].

(2) What is the long-term impact of political disenfranchisement of corruption convicts on democratic processes and their reintegration into society after serving their sentences?

RESEARCH METHODS

This study is categorized as normative legal research because it is based on the issue or theme raised as a research topic. The research approach used is philosophical and analytical, which is research that focuses on a rational view, is critical, analytical, and philosophical, and ends with a conclusion that aims to produce new findings as an answer to the main problem that has been set.⁶ And will be analyzed with descriptive analytical methods, namely by describing the applicable legislation related to the theory of law and positive law enforcement practices related to the problem.⁷

In answering the first question, namely determining the appropriate duration for political disenfranchisement to be effective as a deterrent effect but not to violate human rights, this approach will help to examine the applicable legal and ethical principles. Through analytical descriptive methods, this study will describe in detail the relevant legislation as well as relate it to existing legal theories in order to obtain a broader understanding of the limits and implications of the application of these penalties. For the second question of the long-term impact of political disenfranchisement on democratic processes and reintegration, a philosophical and analytical approach will allow researchers to examine the social and political impacts of such punishment.

This includes considering how political disenfranchisement affects concepts of citizenship, participation in democracy, and other basic rights. This approach will also help in analyzing how these punishments interact with democratic values and social reintegration processes. Overall, the use of normative legal research methods with a philosophical and analytical approach will enrich this research with a deep theoretical perspective while allowing a sharp analysis of existing legal practice. This will result in findings that can provide insightful and meaningful answers to the problems faced.

RESULT AND DISCUSSION

Weighing the appropriate duration of political disenfranchisement for corruption convicts: a balance between the effectiveness of punishment and human rights

In discussing the concept of "weighing the appropriate duration in the political disenfranchisement of convicted corruption," it is important to start by understanding the essence of corruption itself. Corruption, in its broadest context, can be defined as the abuse of entrusted power for personal gain. This phenomenon includes various forms, ranging from bribery and nepotism to the misappropriation of public funds. Corruption not only undermines the values of justice and integrity in a society but also undermines

⁶ Ishaq, *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis, Serta Disertasi*, ALFABETA, Cv, 2017.

⁷ Peter Marzuki Mahmud, *Pengantar Ilmu Hukum Edisi Revisi* (Jakarta: Kencana Prenada Media Group, 2016).

the principles of democracy and good governance. The implications of corruption are vast, affecting the economy, social justice, and public trust in government institutions.⁸

Going further, the revocation of political rights for those convicted of corruption is one form of punishment applied in an effort to eradicate corruption. Political rights, which include the right to vote and be elected to public office, are one of the main pillars of a democracy.⁹ Revoking this right is considered a step that can deter those proven to have committed corruption. However, the question of the exact duration of this disenfranchisement becomes a complex and multifaceted topic. Political disenfranchisement, as a form of punishment, is considered to have the potential to have a deterrent effect on corruption perpetrators.

The loss of important political rights, such as the right to vote or be elected, constitutes significant social and political sanctions, contributing to the effectiveness of political disenfranchisement as a form of punishment. It can serve as a warning to other individuals about the serious consequences of acts of corruption, in the hope of reducing the incidence of corruption in the future.

However, political participation is recognized as a fundamental human right. An excessive period of political disenfranchisement could be seen as a violation of these rights. The determination of the exact duration should take into account the seriousness of the offense, the individual context of the corruption case, and the main purpose of the punishment, which is the rehabilitation of the offender and the prevention of future criminal acts. In balancing these two aspects, it is important to consider the effectiveness of punishment in the broader context of the criminal justice system. The punishment should be severe enough to show that acts of corruption are not tolerated and support the integrity of the political system and government.¹⁰ On the other hand, punishment must also be proportionate and not go beyond what is considered fair by human rights standards.¹¹ The determination of the exact duration should take into account the long-term impact of political disenfranchisement on convicted individuals, including its possible influence on the process of their rehabilitation and reintegration into society.

⁸ Ridwan Arifin and Noviana Dwi Utami, 'IMPLEMENTASI PENEGAKAN HUKUM ANTI KORUPSI PADA KASUS KORUPSI DAERAH', *LITIGASI*, 20.1 (2019) <<https://doi.org/10.23969/litigasi.v20i1.1353>>.

⁹ Aguinaldo Marbun, 'Kewenangan Penyadapan Oleh Komisi Pemberantasan Korupsi Berdasarkan Undang-Undang Nomor 19 Tahun 2019 Tentang Komisi Pemberantasan Tindak Pidana Korupsi Dalam Pemberantasan Tindak Pidana Korupsi', *Jurnal Perspektif Hukum*, 2.2 (2021), 230–46 <<https://doi.org/10.35447/jph.v2i2.412>>.

¹⁰ Muhammad Ardhi Razaq Abqa and others, *POLITIK HUKUM PEMILU* (JAMBI: PT. Sonpedia Publishing Indonesia, 2023) <https://www.researchgate.net/profile/Mohamad-Hidayat-Muhtar/publication/371735353_Penerbit/links/6492eb86b9ed6874a5c549fc/Penerbit.pdf> [accessed 8 January 2024].

¹¹ Tuti Khairani Harahap and others, 'PENGANTAR ILMU HUKUM', *Penerbit Tahta Media*, 2023 <<https://tahtamedia.co.id/index.php/issj/article/view/255>> [accessed 29 October 2023].

It is also necessary to take into account the mechanism of review and appeal in the application of this punishment.¹² Providing opportunities to review or adjust the duration of political disenfranchisement based on the behavior and rehabilitation of convicts could be an important step in maintaining a balance between the effectiveness of punishment and respect for human rights. Determining the appropriate duration for political disenfranchisement of corruption convicts involves not only considering the effectiveness of punishment in preventing corruption but also considering human rights aspects. Too short a duration may not sufficiently provide the expected deterrent effect, while too long a duration may be considered a violation of human rights, especially in the context of the right to participate in political and public life.

This challenge requires a comprehensive approach, in which the determination of duration must be based on an in-depth analysis of the social, political, and legal effects of such disenfranchisement. In analyzing the balance between the effectiveness of punishment and human rights in the context of determining the duration of political disenfranchisement for corruption convicts, we must pay attention to two main principles: prevention and proportionality. The effectiveness of punishment, especially in terms of deterrent effect, is a crucial aspect of combating corruption.

Political disenfranchisement aims to prevent corruption convicts from repeating their actions and sends a strong message to the public that corruption has serious consequences. The precautionary principle in criminal law expects punishment to reduce the incidence of corruption in the future. However, on the other hand, punishment must be proportionate and must not go beyond what is considered fair and humane, in accordance with human rights standards.¹³ The right to participate in political and public life is a fundamental human right.¹⁴ Too long a duration of political disenfranchisement can be considered a violation of this human right, given that it can limit a person's participation in democratic processes and public life.

To achieve this balance, the determination of the duration of political disenfranchisement must be based on a case-by-case analysis, considering factors such as the severity of corruption, the harm caused to society, and the history and background of the convict.¹⁵ In addition, it is necessary to have mechanisms in place to allow reconsideration of the duration of this disenfranchisement, depending on the behavior and

¹² Ibnu Sam Widodo and others, *Hukum Tata Negara* (Sada Kurnia Pustaka, 2023).

¹³ Supriyadi Arief, Mohamad Hidayat Muhtar, and Geofani Milthree Saragih, 'UPAYA PEMBELAAN DIRI DALAM PERSPEKTIF PERSAMAAN DI HADAPAN HUKUM', *Jurnal Yudisial*, 16.1 (2023), 25–47 <<https://doi.org/10.29123/jy.v16i1.475>>.

¹⁴ Iza Rumesten Rs and others, 'Protection of Human Rights Against the Environment in the Indonesian Legal System', *Journal of Law and Sustainable Development*, 11.10 (2023), e570–e570 <<https://doi.org/10.55908/sdgs.v11i10.570>>.

¹⁵ Ade Mahmud, *Pengembalian Aset Tindak Pidana Korupsi: Pendekatan Hukum Progresif* (Sinar Grafika (Bumi Aksara), 2021).

possible rehabilitation of the convict.¹⁶ This mechanism can be an appeal or judicial review after a certain period, which allows adjusting the sentence based on individual circumstances and the development of the case. Correspondingly, it is also worth considering how this political disenfranchisement can be integrated into the broader legal system and how this punishment will be applied consistently and fairly.

These considerations should take into account the specific conditions of each corruption case, including the severity, impact of corruption on society, and legal history of the perpetrator. On the other hand, there must be mechanisms to review and, if necessary, adjust the duration of this political disenfranchisement in order to remain relevant and fair in accordance with the development of law and society. The deterrent effect resulting from this disenfranchisement must be strong enough to assert that corruption is a serious violation of the principles of justice and integrity of society, as well as illustrate the state's commitment to fighting corruption.¹⁷ On the other hand, the duration of political disenfranchisement should not go beyond the limits considered fair and proportionate, given the human right to participate in political and public life. Case-by-case consideration becomes important in determining the appropriate duration, taking into account the seriousness of the offense, its impact on society, and the rehabilitation potential of the offender.

Review and appeal mechanisms must be available, allowing the adjustment of sentences based on changes in the situation or behavior of the convict, with the main objective of not only punishing but also supporting the rehabilitation process and reintegration of the offender into society. In this regard, the role of the criminal justice system is very important. There must be clear and consistent guidance lines in the application of these penalties to ensure that the decisions taken are fair and non-discriminatory. As part of the broader legal system, political disenfranchisement must align with principles of justice and good governance and support the long-term goals of strengthening democracy and clean and transparent governance.

Thus, the deprivation of political rights for those convicted of corruption is not only a matter of punishment but also a reflection of democratic values and human rights. As a step in the fight against corruption, the approach must be comprehensive, thoughtful, and sensitive to social and political dynamics, ensuring that justice is upheld while respecting the fundamental rights of each individual.

The long-term impact of political disenfranchisement of corruption convicts on democracy and the process of reintegration in society

Regulating the revocation of political rights against corruption convicts in various laws and regulations, including the Criminal Code (KUHP), is a step taken in an effort to eradicate corruption. These sanctions not only serve as punishment for individuals

¹⁶ MOHAMAD HIDAYAT MUHTAR et Al, 'HUMAN RIGHTS CONSTITUTION ON HEALTH PROTECTION OF INDONESIAN CITIZENS', *Russian Law Journal*, 11.2 (2023) <<https://doi.org/10.52783/rj.v11i2.520>>.

¹⁷ Yaris Adhial Fajrin and Ach Faisol Triwijaya, 'Pencegahan Korupsi Melalui Pencabutan Hak Politik Sebuah Telaah Dari Perspektif Pembaruan Hukum Pidana Indonesia', *Pandecta Research Law Journal*, 15.1 (2020), 53–63 <<https://doi.org/10.15294/pandecta.v15i1.18744>>.

involved in acts of corruption but also aim to maintain the integrity and public trust in the democratic system and governance.¹⁸ However, the long-term impact of this political disenfranchisement, both on the democratic process and on the reintegration of corruption convicts into society, requires an in-depth review. Political disenfranchisement, which includes the right to vote and be elected, significantly impacts the democratic process by reducing the political participation of a group of people. In addition, the impact on individuals who have served their sentences and the process of their reintegration into society is also an important consideration.

To fully understand the implications of political disenfranchisement of corruption convicts, both in the short and long term, it is necessary to review this process from multiple perspectives, including social, political, and legal. Political disenfranchisement of corruption convicts is an important issue in the discussion of human rights and the good governance of the country. The practice focuses on efforts to maintain integrity and public trust in the political system by eliminating the political rights of individuals found guilty of corruption.¹⁹ This policy aims to uphold the principles of accountability and transparency in government.

With the deprivation of political rights, individuals involved in corruption not only receive legal punishment but also lose the ability to participate in the political process, both as voters and as candidates for public office. It is considered important to prevent individuals involved in corruption from influencing public policy or using political office for personal gain.

However, this policy may also raise questions about proportionality and rehabilitation. There are concerns that political disenfranchisement could last too long or without an opportunity for the restoration of such rights, which might hinder the process of rehabilitation and reintegration of the individual into society. In some countries, the approach to political disenfranchisement of corruption convicts varies, depending on the severity of the Corruption Act and the applicable law. It is necessary to weigh the need to punish and prevent corruption with the individual's right to rehabilitation and participation in social and political life. In Europe, approaches to the political disenfranchisement of corruption convicts vary.

In countries such as Italy and France, local laws often set a period during which individuals found guilty of corruption cannot hold public office or participate in elections.²⁰ For example, Italian law provides for a ban on engaging in political affairs for those convicted of corruption, depending on the severity of the case. Meanwhile, in France, similar penalties can be imposed, on a legal basis that also takes into account the

¹⁸ Baumi Syaibatul Hamdi, 'Efektivitas Hukum Pencabutan Hak Dipilih Terhadap Koruptor Dalam Pemberantasan Korupsi', *Lex Renaissance*, 3.2 (2018), 245–62 <<https://doi.org/10.20885/JLR.vol3.iss2.art1>>.

¹⁹ Jonathan Purtle, 'Felon Disenfranchisement in the United States: A Health Equity Perspective', *American Journal of Public Health*, 103.4 (2013), 632–37 <<https://doi.org/10.2105/AJPH.2012.300933>>.

²⁰ Richard Lappin, 'THE RIGHT TO VOTE FOR NON-RESIDENT CITIZENS IN EUROPE', *International & Comparative Law Quarterly*, 65.4 (2016), 859–94 <<https://doi.org/10.1017/S0020589316000336>>.

severity and impact of such acts of corruption.²¹ These two countries show how the legal system in Europe often prioritizes honesty and transparency in politics.

Meanwhile, in Asia, the approach to political disenfranchisement can be different. In a country like Singapore, known for its strictness against corruption, the law provides for harsh sanctions for those involved in corruption, including the possibility of political disenfranchisement.²² Singapore implements strict laws as part of its comprehensive strategy against corruption, reflecting its government's philosophy of zero tolerance for corruption. On the other hand, a country like India has a legal framework that also provides for sanctions for corruption perpetrators, but the approach may vary more, depending on the specific context of the case.²³

In Indonesia, the revocation of political rights to corruption convicts illustrates the country's serious efforts in fighting corruption and maintaining the integrity of the political system. Indonesia, through the Constitutional Court decision No. 4/PUU/VII / 2009, has established political disenfranchisement as a constitutional additional punishment, with certain limitations. This is stated in Article 38 of the Criminal Code and in Article 18 paragraph (1) letter D of Law No. 31 of 1999 on the eradication of corruption. This political disenfranchisement includes not only the right to be elected but also the right to hold public office, given that the corruptor has abused his authority in previously held public office. Indonesia applies this punishment to keep corruptors away from political influence and power as part of their punishment.

This has a deterrent effect, which is very important considering the low conviction rate in corruption cases. Political disenfranchisement is expected to prevent corruption convicts from exploiting political positions for personal gain again. However, it also sets limits on the timing of political disenfranchisement, suggesting an attempt to strike a balance between punishment and rehabilitation opportunities. Former corruption convicts can regain their political rights after a specific period, determined by the type of punishment they received, as long as they honestly admit their deeds and have served their sentences well. In a broader context, Indonesia's approach to the political disenfranchisement of corruptors marks a significant step in anti-corruption efforts.

By implementing these additional penalties, Indonesia demonstrates its commitment to not only punish corruptors but also to prevent them from re-participating in political

²¹ Hanneke van Eijken and Jan Willem van Rossem, 'Prisoner Disenfranchisement and the Right to Vote in Elections to the European Parliament: Universal Suffrage Key to Unlocking Political Citizenship?: Court of Justice of the European Union Case C-650/13, Request for a Preliminary Ruling from the Tribunal d'instance de Bordeaux, Made by Decision of 7 November 2013, in the Proceedings in Thierry Delvigne v. Commune de Lesparre-Médoc and Préfet de La Gironde, 6 October 2015, ECLI:EU:C:2015:648', *European Constitutional Law Review*, 12.1 (2016), 114–32 <<https://doi.org/10.1017/S1574019616000079>>.

²² Weiyu Zhang, 'Political Disengagement Among Youth: A Comparison Between 2011 and 2020', *Frontiers in Psychology*, 13 (2022) <<https://www.frontiersin.org/articles/10.3389/fpsyg.2022.809432>> [accessed 8 January 2024].

²³ Jeanette Wolfley, 'Jim Crow, Indian Style: The Disenfranchisement of Native Americans', *American Indian Law Review*, 16 (1991), 167 <<https://heinonline.org/HOL/Page?handle=hein.journals/aind16&id=173&div=&collection=>>>.

activities that could open up opportunities for further corruption. This is an important step in building cleaner and more accountable governance, which will ultimately strengthen democracy and social justice in Indonesia. The political disenfranchisement of corruption convicts in Indonesia has a significant long-term impact on democracy and the process of reintegrating society.

Democratically, this step demonstrates the commitment of the state to ensuring that only individuals with integrity and responsibility participate in the political process. By limiting the access of corruptors to the political arena, political disenfranchisement strengthens transparency and accountability in government. It directly supports the principles of democracy, where trust and honor are the main foundations for those who serve the public.

However, on the other hand, there are fears that this deprivation of political rights could be an excessive punishment, especially if there is no clear mechanism for the rehabilitation and reintegration of corruption convicts into society. Permanently excluding former corruption convicts from political participation can create a continuing social stigma and hinder the reintegration process. Particularly in Indonesia, where community values are paramount, the social impact of this political disenfranchisement can be a serious obstacle for ex-convicts in reintegrating themselves into society. Furthermore, political disenfranchisement can have indirect consequences for the families and communities of corruption convicts.

This stigma affects not only the individual in question but also those around him, who may have to bear the brunt of such negative perceptions. In the long run, this can create a negative cycle that affects society as a whole. From a democratic perspective, it is also important to consider the balance between preventing corruption and maintaining inclusive political participation.

Although the revocation of political rights against corruptors is an important step to ensure political integrity, there must be mechanisms that allow individuals who have paid their debts to society to return to participate in public life. This is not only important from a human rights point of view but also to ensure that democracy remains dynamic and able to adapt to change. Therefore, Indonesia should be seen as incorporating political disenfranchisement into a broader strategy to combat corruption, which also includes education, prevention, and rehabilitation. To achieve positive long-term effects, there needs to be a balance between legal firmness and reintegration opportunities, thus promoting the construction of a healthier political system and a more inclusive society.

CONCLUSION

The revocation of political rights for corruption convicts in Indonesia is an important step in efforts to eradicate corruption and maintain the integrity of the democratic system. However, this policy requires a careful approach to ensure a balance between the effectiveness of punishment and human rights. The duration of political disenfranchisement must be determined, taking into account the severity of the case and the rehabilitation potential of the convict, so that the sentence administered is not only effective in providing a deterrent effect but also does not go beyond the limits of justice and humanity. Political disenfranchisement should not be a permanent barrier to the social and political reintegration of ex-convicts, and review and appeal mechanisms should exist

to ensure a fair process. Thus, political disenfranchisement of corruption convicts should be seen as part of a broader legal system that supports the goals of healthy democracy, transparent governance, and an inclusive society.

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