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THE POSITION OF REPLACEMENT MONEY AS A PRINCIPAL CRIMINAL IN CORRUPTION CRIMES THAT DAMAGE STATE FINANCIES

Kedudukan Penggantian Uang Sebagai Pelaku Utama Dalam Tindak Pidana Korupsi Yang Merugikan Keuangan Negara

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Abstract
Prosecutors face difficulties when enforcing the criminal penalty of replacing money for corruption, mainly because there are no clear guidelines on the minimum amount needed and it is challenging to trace the assets of those convicted. These hurdles impede the successful recovery of state losses. This research uses a normative-empirical approach, with primary and secondary data sources. The enforcement of substitute money payments for corruption is guided by Article 18 of Law Number 31 of 1999 on the Eradication of Corruption, and payments are processed through the issuance of: Payment Bills; Declarations of Ability to Pay; Payment Receipts; Submission Letters; and delivery of the substitute money to the affected institution. If the convict fails to disclose or surrender their assets, asset tracking and searches are conducted, leading to freezing, confiscation, or auctioning of the assets. Obstacles in the implementation arise from legal factors, such as the lack of regulations on the Prosecutor's discretion to extend payment deadlines; the conversion of subsidiary imprisonment if full payment is not made; and the determination of the amount of substitute money for claims purposes. Facility-related challenges include a lack of technology for tracking convicted persons' assets and the depreciation of the value of confiscated goods. Cultural challenges include low legal awareness among convicts and their families, who often fail to report their assets honestly. Public challenges arise from the lack of awareness that recovering corrupt proceeds is a joint responsibility of law enforcement and the community. Public involvement in monitoring corrupt convicts' assets is essential to prevent the concealment or transfer of these assets. Future criminal law policies need to involve government changes to current laws or creation of new regulations on prosecutorial discretion in extending payment deadlines, converting subsidiary imprisonment for incomplete payments, increasing prison terms in prosecutions, and identifying and confiscating suspects' assets early in the investigation phase.

INTRODUCTION

The phenomenon of corruption reporting in Indonesia has become a central issue, even now more popular than any other issue emerging in the country. Corruption has become so ingrained in society that it has damaged the very foundations of life and hindered the achievement of public welfare (Poernomo, 1984). In Indonesia, corruption is prevalent and entrenched, leading to the inappropriation of public funds by the government and significant infringement of the population's social and economic rights. Resignation to the corruption scourge in Indonesia as a societal ill has perpetuated its inflation into a commodity that interdicts any core values.

Law enforcement is intricately linked to legal statutes and institutions for enforcing the law (Sakroni et al., 2024). The legislative aspect deals with the laws themselves, while the operational aspect involves various enforcement agencies such as the Indonesian National Police, the Indonesian Attorney General's Office, the Courts, and Correctional Institutions, as well as the Corruption Eradication Commission (KPK).

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Corruption is a serious issue that has negative impacts on the financial stability and economic well-being of the state (Eddy O.S. Hiariej, 2013). In Indonesia, efforts to address corruption have been ongoing for a long time and have involved the implementation of multiple laws and the establishment of specialized task forces aimed at eliminating corrupt practices. However, corruption remains rampant and pervasive. As corruption persists, citizens lose their fundamental rights to live in prosperity (Levi, 2004).

Corruption is deemed a severe offense, necessitating unconventional measures to eliminate it completely (Mulkan et al., 2023). Therefore, nations around the world have agreed to work together to combat corruption, especially transnational corruption. One of the nations that has endorsed the United Nations Convention Against Corruption (UNCAC) is Indonesia, which officially approved the convention with the passing of Law Number 7 in 2006. Consequently, Indonesia is morally, politically, and legally bound to implement the UNCAC. The results of the UNCAC implementation review will serve as an action plan for Indonesia to improve several sectors, particularly regulation. For example, clauses preventing corruption can be added to laws in the financial and banking sectors. “At the very least, we have a legal framework since this review is conducted by the UN.”

The imposition of fines instead of imprisonment for criminals was established for the first time in Government Regulation as an Alternative to Law (Perppu) Number 24 of 1960 concerning the Handling, Prosecution, and Scrutiny of Corruption Offenses. The implementation of this tool was extended in Law Number 3 of 1971 and Law Number 31 of 1999 concerning the eradication of corruption crimes. These laws were modified by Law Number 20 of 2001, which specifies that the seizure of assets may be enforced as an extra penalty in corruption trials, in conjunction with the punishments outlined in the Indonesian Criminal Code (KUHP).

There are various factors leading to delays in carrying out substitute money payments, including the absence of clear regulations governing such payments. This lack of guidelines contributes to misunderstandings and irregularities in the application process. As it stands, the existing legislation, specifically Law Number 31 of 1999 modified by Law Number 20 of 2001, addresses substitute money penalties only in a single article, namely Article 18, which includes three key points: first, how to calculate the amount of substitute money; second, the deadline for the payment of substitute money; and third, the potential outcomes of not paying the replacement funds.

The issue of substitute money in corruption cases has received little attention in the literature. The complexity arises from the incomplete set of regulations surrounding this matter. One issue is the application of Law No. 31 of 1999 as amended by Law No. 20 of 2001, which remains problematic due to the lack of detailed regulations on the procedure for courts handling corruption cases in terms of returning embezzled state funds. It is known that Law No. 31 of 1999, as amended by Law No. 20 of 2001, provides only a few provisions on special procedures for combating corruption, alongside the procedural law regulated in the Criminal Procedure Code (KUHAP).

Given that Law No. 31 of 1999 as amended by Law No. 20 of 2001 does not regulate what happens if substitute money cannot be paid in full, it is unfair, according to Assegaf, for the convicted person’s heirs to be held responsible for paying the substitute money (Dja’far, 1983). Substitute money is assessed by the court based on the corrupt proceeds and should not be inherited. He believes that a conventional calculation of prison terms for convicted persons with unpaid substitute money should be conducted. If a criminal can only cover half of the monetary damages incurred by the state, the remaining amount can be converted into extra time behind bars.

The judge may take into account the defendant's ability to reimburse the state when determining the sentence, which can lead to a potential reduction in the severity of the punishment. Nevertheless, judges have not adopted the practice of imposing penalties lower than the specified minimum set forth in the legal amendments of Law No. 20 of 2001 on combating corruption offenses, which was originally outlined in Law No. 31 of 1999. Subsidiary imprisonment for unpaid substitute money is only given when the convict is completely unable to pay. Based on the background explained, the issues to be discussed are:

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1. What significance does the alternative monetary punishment hold in cases of corruption that have a negative impact on the state's financial resources?
2. What are the potential legal frameworks for implementing alternative financial penalties in cases of corruption that impact the government's fiscal wellbeing in the future?

METHOD

The methodology employed in this study is normative legal analysis. Normative research (Marzuki, 2013) in this study is employed to find laws and principles that can be applied to deal with legal matters concerning the recovery of state funds lost due to corruption. This study utilizes two different research methods: the Statute Approach and the Conceptual Approach.

RESULT AND DISCUSSION

Substitute Money in Corruption Crimes

State finances are the lifeblood of a nation's development and are critical to the sustainability of its economy, both now and in the future (Marzuki, 2013). When officials abuse their power to benefit themselves or a corporation, ultimately leading to financial losses for the state, a recovery effort is initiated.

State financial loss refers to the reduction of the state's wealth caused by the misuse of authority or opportunities or facilities available to someone due to their position and role (Marzuki, 2013). Financial losses for the state can happen in two phases: when funds are supposed to be received by the state treasury, and when funds are spent from the treasury (Maghfira et al., 2022). During the phase of funds entering the treasury, losses can occur due to tax evasion, penalties, reimbursement of state losses, and illegal trade. At the stage where funds leave the treasury, losses occur due to mark-ups, corruption, the execution of activities that do not align with the program, and others. Violating government regulations that fall under its jurisdiction can cause damage to the economy of the state (Arsyad, 2017).

There are two ways to resolve state financial losses or return state funds recognized in criminal law, namely:

1. Prosecution Under General Criminal Law

The state financial losses are not treated as a budget's deficit which can be considered an offense in accordance with the Indonesian Criminal Code (KUHP) wherein crimes such as theft, robbery, misappropriation, and falsification are included. Merely repaying the loss or undergoing disciplining does not per se settle the issue of state financial loss which qualifies as a crime in general jurisprudence.

2. Prosecution Based on Special Criminal Law

In situations where state financial losses involve characteristics of specific criminal offenses outlined in various laws such as Law Number 31 of 1999 and Law Number 20 of 2001 relating to the eradication of corruption, Law Number 28 of 1999 concerning the establishment of a transparent government free from corruption, collusion, and nepotism, and Law Number 5 of 1955 regarding economic crimes, it is required that the leader of the department or department detail the existence of these criminal aspects within their official documentation. The case will only be transferred to the Prosecutor's Office after instructions are received from the Minister c.q. the Head of the Legal and Public Relations Bureau (Arsyad, 2017).

The reimbursement of state financial deficits is governed by four prevalent strategies, outlined as follows:

1. Seizure of Movable Property

In Article 18, Section (1), subsection a of Law No. 31 of 1999 and Law No. 20 of 2001 on Eradication of Corruption outlines the processes in relation to seizure of personal property. Application of this measure is invoked in case where the respondent in the case refuses to comply with court's order to compensate the losses.

2. Payment of Substitute Money

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In Indonesia's previous anti-corruption statutes, the initial provision regarding substitute payments was introduced in Law Number 3 of 1971. As per this legislation, the amount of substitute money required to be paid was mandated to correspond to the sum stolen through corrupt practices. A weakness in Law Number 3 of 1971 regarding substitute money was that it did not specify a deadline for payment. This flaw was addressed in Law Number 31 of 1999, which introduced a maximum deadline for the payment of substitute money.

The regulation of substitute payments is now governed by Article 18, paragraph (1), subletter b of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 regarding the Prevention of Corruption Offenses. As defined by the Great Dictionary of the Indonesian Language (KBBI), a fine is characterized as a penalty that entails the payment of money as a result of infractions of regulations, statutes, and the like.

Provisions Regarding the Regulation of Substitute Money Penalty as an Additional Criminal Sanction in Corruption Crimes

The justification for implementing a substitute monetary penalty is to recoup the financial damages incurred by the government due to corrupt practices. According to the legal interpretation of the term corruption, impeding the monetary health of the state is a vice which can also present itself in the form of conduct. The term "harm" is indicative of causing a depletion in the state's monetary reserves. Consequently, the notion of "harming the state's finances" pertains to the erosion or diminishment of the state's wealth.

A substitute money penalty essentially requires a person who has harmed another (in this case, the state) to pay an amount of money or property to the harmed party. In corruption cases, the imposition of a financial penalty as an alternative form of punishment should be viewed as an integral component of the legal proceedings for individuals found guilty of breaking the law, particularly in instances of corruption. In order to gain a more comprehensive comprehension, it is essential to reconsider the overarching principles behind the imposition of penalties.

The types of punishment are outlined in Article 10 of the Indonesian Criminal Code (KUHP). These types of punishment also apply to offenses listed outside the KUHP, unless otherwise stipulated (Article 103). Punishments are divided into principal and additional categories. In principle, additional punishments are only imposed if a principal punishment is handed down. The types of punishment are as follows:

1. Principal Punishments include: death penalty, imprisonment, detention, fines, confinement
2. Additional Punishments include: revocation of certain rights, seizure of specific property, public announcement of the court's verdict (Hamzah, 2005).

In the Law on the Eradication of Corruption Crimes (UU PTPK), sanctions include the death penalty. Corruption law is a form of special criminal law, meaning it is specifically designed to address certain groups (e.g., military personnel) or certain actions (e.g., corruption crimes). The general principle is that special criminal law takes precedence over general criminal law, in line with the legal maxim lex specialis as outlined in Article 63, paragraph (2) of the KUHP.

The substitute money penalty is an additional sanction, regulated in Article 18, paragraph (1) of the UU PTPK. There are several differences between principal and additional punishments, including:

1. Imposing a principal punishment is mandatory or imperative, whereas imposing an additional punishment is optional. If a defendant is proven guilty beyond a reasonable doubt, the judge must impose a principal punishment based on the type and maximum limit defined in the relevant criminal provisions.
2. A principal punishment may be imposed independently, but an additional punishment must be imposed alongside a principal punishment.
3. When a principal punishment is imposed, once it reaches legal finality, it must be executed (executie). Additional punishments, however, do not necessarily require execution. For instance, a primary penalty must be enforced unless it is subject to certain conditions, as

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outlined in Article 14a, and provided these conditions remain unbreached. Moreover, supplementary penalties, such as the public dissemination of a court decision, do not necessitate the same level of enforcement.

4. A primary penalty is not able to be enforced in conjunction with other penalties, while an extra penalty may be. Nonetheless, this principle may be exempted under specific regulations, such as the UU PTPK.

While the substitute money penalty carries noble intentions, the regulations concerning it remain unclear. Both Law No. 3 of 1971, which only addresses substitute money in a single article (Article 34, letter c), and its successor, Law No. 31 of 1999 (as amended by Law No. 20 of 2001, Article 18), provide minimal regulation. This lack of clarity has led to various issues, including difficulties in determining the amount of the substitute money penalty that can be imposed on a defendant.

Calculating State Losses and Management of Substitute Money

As a result of the stage of determining the punishment by the legislator is not well planned, the second problem arises, namely the stage of imposing punishment by the authorized body. As mentioned above, the lack of clarity regarding this arrangement has implications for the increasingly difficult task of judges in determining how much restitution should be determined.

Execution of Substitute Money Penalty

The procedures for enforcing court rulings are typically outlined in Chapter XIX of the Criminal Procedure Code. Execution can only be implemented once the verdict has final legal validity. The prosecutor is responsible for carrying out the execution, as detailed in Article 1 point 6 in conjunction with Article 270 of the Criminal Procedure Code and Article 30 paragraph (1) letter b of the Prosecutor's Office Law. Penalty for payment of restitution is not regulated in KUHAP, which is one of the specificities of PTPK.

The prosecutor cannot extend the time limit for the convict to pay the restitution like the fine punishment stipulated in Article 273 (2) of KUHAP. Penalty for payment of restitution and fine have different characteristics, it can be seen that restitution is an additional punishment while fine is the main punishment.

Execution of the Substitute Money Penalty in Corruption Crimes According to Article 18 of Law Number 31 of 1999 Jo. Law Number 20 of 2001 on the Amendment of Law Number 31 of 1999 on the Eradication of Corruption Crimes

1. Arrangement on Payment of Restitution as an Additional Criminal Sanction in the Crime of Corruption

The issue of corruption has actually become a classic problem and is often discussed in various discussions. Especially if it is related to how efforts should be made by the government in order to hunt down wealth or assets owned by perpetrators of corruption (asset recovery) both currently and in the past, as an efforts to streamline the process of recovering state financial losses or enhancing the state economy are underway. One of the methods being considered is implementing restitution as an added punitive measure for those involved in corruption.

Effective law enforcement against perpetrators of corruption should be able to fulfill two objectives. First, so that those who engage in corrupt practices can face appropriate and just punishments that align with the severity of their offenses. In fact, because corruption is a very bad, despicable and detrimental act, especially When corruption occurs during an economic crisis or a period of economic growth, the individuals involved should face the harshest possible punishment. Secondly, in order to promptly recover the financial damages incurred by the state due to corrupt activities, one possible solution is to enforce extra criminal consequences, such as requiring payment for restitution.

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The Prosecutor executes court decisions that have permanent legal force, including the Criminal Payment of Money in Lieu, in accordance with his authority. This is a provision outlined in Article 1 paragraph (6) letter a of KUHAP, "Prosecutors are officials authorized by law to act as Public Prosecutors and execute court decisions that have obtained permanent legal force" jo. Article 1 paragraph (6) letter b, namely "Public prosecutors are prosecutors authorized by law to conduct prosecutions and implement judges' decisions". According to Article 270 of KUHAP, the Prosecutor is responsible for enforcing court decisions that have become final and binding.

The convicted person or the convicted person's family (representative party) to subsequently submit the payment of restitution that has been charged and determined the amount in the court decision to the executing prosecutor within a period not exceeding 1 (one) month, this justification aligns with the provisions outlined in Article 18 section (2) of Law Number 31 of 1999. After the obligation to pay restitution is fulfilled by the convicted person or the family of the convicted person (the party representing the convicted person) and has been submitted to the Prosecutor, then the Prosecutor makes a Statement of Ability to Pay Fines / Restitution (D-2) signed by the defendant / lawyer / family of the defendant and Receipt of Payment of Fines / Restitution (D-3) signed by the Head of the Special Crime Section. The purpose of making a Receipt of Payment of Fines/Institution is so that the payment of compensation paid by the defendant or the party representing him has evidence and legal force.

The replacement money that has been received by the Prosecutor, then submitted to the Special Treasurer (Treasurer of Revenue) of the District Attorney within 1 x 24 (one time twenty-four) hours by making a Minutes of Submission of Fines / Replacement Money / Case Costs. Then the Special Treasurer (Revenue Treasurer) deposits the fine/substitute/case fee through BRI. After the Prosecutor (through the Special Treasurer of the Prosecutor's Office) deposits the replacement money, then the The Bank issues a Payment Confirmation Deposit Letter (SSBP) to the Prosecutor as proof of the replacement money submission, which is then archived by the Prosecutor's Office with the help of the Special Treasurer or Treasurer. A copy of the SSBP is sent to the Attorney General's Office and the Minister of Finance by the State Treasury Service Office (KPPN).

CONCLUSION

Several things can be concluded from the problems and discussion above, as follows: (1) The enforcement of laws against corrupt activities in the legal system set forth by Law Number 31 of 1999 and Law Number 20 of 2001 is not reaching its full potential and requires significant enhancements, especially in terms of law enforcement. Furthermore, it is important to highlight certain aspects of the law, particularly in relation to the interpretation of Section 4 of Law Number 31 of 1999, which is presented as follows: *"In the event that the perpetrator of the criminal act of corruption as referred to in Article 2 and Article 3 has fulfilled the elements of the article in question, then the return of state financial losses or the state economy, does not eliminate the punishment against the perpetrator of the criminal act." "The return of state financial losses or the state economy is only one of the mitigating factors."*

Why is it essential to focus on restitution in cases of corruption that impact state finances? Repaying what was taken through corrupt means is one method of remedying state corruption. Ensuring that criminals pay restitution aligns with broader goals, such as promoting public welfare and safeguarding the interests of the public. Therefore, the additional punishment of restitution payment must be withdrawn from corruption convicts in order to create public welfare. Considering restitution as an added penalty in corruption cases should be viewed as a step towards holding those involved in corruption accountable and is an impoverishment effort against perpetrators of corruption so that this will deter corruptors and prevent other potential perpetrators from committing corruption crimes.

(2) Concerning the legal framework of restitution penalties for corruption offenses that damage the financial interests of the state in upcoming times, namely by optimizing the payment of restitution, changes and / or improvements in policies in handling corruption cases are needed, the

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formulation of arrangements for the return of state financial losses. In reality, compensating for damages does not safeguard the economic interests of the community that diminish until a legal decision is made. The payment for damages is solely dependent on the sum acquired by the accused through dishonest means, the concept of comparability / proportionality of restitution can be applied with a Jurimetric approach. As a professional in law enforcement, the author aims to incorporate the findings of this research into future legal decisions concerning restitution penalties for corruption offenses that damage the state's finances, the decision to be applied regarding the proportionality of restitution in order to change the restitution penalty which was previously an additional penalty into a main penalty in the Anti-Corruption Law.

(3) In order for the prosecutor not to encounter difficulties in finding the property of the convicted person or the heirs, the possibility of arrears of restitution is very large, carrying out the suspect's property income and confiscation is essential during the investigation.

(4) When dealing with corruption cases, it is important for the Public Prosecutor to gather precise details about the suspect's assets and wealth, as well as information about their family and associates. This will enable the recovery of any state financial losses and ensure that the criminal charges brought against the suspect are not in vain. The search for accurate information on the property of suspects or defendants of corruption, their families, or related parties, is one of the important steps that the Public Prosecutor needs to step in to ensure that the state financial losses caused by corruption are promptly recovered.

REFERENCES

Arsyad, J. H. (2017). Corruption in the perspective of HAN (State administration law). *Jakarta, Sinar Graphic*.

Dja'far, H. A. (1983). Jurnalistik Masa Kini. *Ghalia Indonesia, Jakarta*.

Eddy O.S. Hiariej. (2013). Menyoal Putusan Pengadilan Tindak Pidana Korupsi. *Masalah-Masalah Hukum*, *42*(1).

Hamzah, A. (2005). *Asas-Asas Hukum Pidana, Cetakan Pertama, Yarsif Watampone*. Jakarta.

Levi, M. (2004). Tracing and Recovering the Proceeds of Crime, Cardiff University. *Wales, WK Tolisi Georgia*.

Maghfira, A., Putri, A. G., Listianto, A. N., Putri, G., & Astuti, A. P. (2022). Presentation of the Financial Statements of Non-Profit Entities Based on ISAK 35 at the Hati Gembira Indonesia Foundation. *Marginal : Journal Of Management, Accounting, General Finance And International Economic Issues*, *1*(4). https://doi.org/10.55047/marginal.v1i4.233

Marzuki, P. M. (2013). *Penelitian Hukum*. Kencana.

Mulkan, H., Okprianti, R., Aprita, S., & Pratama, F. R. (2023). Violation of Ethics by Public Officials in Relation to Corruption Cases. *Policy, Law, Notary, and Regulatory Issues*, *3*(1), 28–36. https://doi.org/10.55047/polri.v3i1.896

Poernomo, B. (1984). *Pertumbuhan hukum penyimpangan di luar kodifikasi hukum pidana*. Bina Aksara.

Sakroni, S., Subardhini, M., & Riyadi, S. (2024). Pelaku Bullying Ditinjau Dari Perspektif Teori Identitas Sosial Sebuah Systematic Review Literature. *Santhet (Jurnal Sejarah Pendidikan Dan Humaniora)*, *8*(1), 1042–1051. https://doi.org/10.36526/santhet.v8i1.3926