

ABSTRACT

THE CONSPIRACY IN CORRUPTION

The conspiracy in Article 15 of the PTPK Act can't refer to the formulation of Article 88 of the Criminal Code. The criminal conspiracy in the PTPK Act is clearly regulated and law enforcement officials know the intended conspiracy concept but the absence of an explanation or the concept of conspiracy in the PTPK Act prevents law enforcement officials from using the provisions of Article 15 of the PTPK Act to prevent corruption. The Constitutional Court seeks to resolve the problem in the void of the concept of conspiracy in Article 15 of the PTPK Act but instead makes it difficult for law enforcement officials to apply the conspiracy as referred to in Article 15 of the PTPK Act.

The philosophy of conspiracy as a criminal in eradicating corruption is a corruption can disrupt the stability of the economy, politics and security of the country, as an effort to protect state finances and national development, corruption is an extraordinary crime, extraordinary efforts in prevention and eradication corruption and preventing corruption take precedence over eradication. State financial losses will increase if law enforcement fails to recover state financial losses while on the other hand the state has incurred costs to finance the enforcement process and the cost of living convicted of corruption. The concept of conspiracy in the PTPK Act as *ius constituendum* is conspiracy to corruption occurs if two or more people who have quality and interests, agree to commit corruption as referred to in Article 2, Article 3, Article 5, up to Article 13 of the PTPK Act.

Keywords: Corruption, Conspiracy, *Ius Constituendum*