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FINANCIAL LOSSES FROM CORRUPT PRACTICES: COMPARATIVE ANALYSIS OF THE REPUBLIC OF INDONESIA AND THE KINGDOM OF SAUDI ARABIA

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ABSTRACT
For almost twenty-five years, pure economic loss claims have been the focus of intensive tort law debate, with varying views on whether the court should grant or reject them. There is only financial or economic loss when a third party suffers pure economic harm as a result of carelessness. This article will provide fascinating instances of Indonesia's utter financial devastation.. This essay will also address a number of disagreements regarding the concept and relevance of pure economic loss. The foresee ability principle, absolute vs. relative rights, the floodgates, the floodgates in conjecture, and geography are frequently the topics of these disagreements. On the other hand, those who agree to pure economic loss claim that their loss will be lawfully limited or reimbursed within the scope of contract law. After that, a legal scholar's perspective on pure economic loss will be presented, along with an approach to law and economics. In conclusion, Indonesian legal experts—especially lawmakers and judges—need to recognize the possibility of pure economic loss and determine the limits of what the legal system in the nation will accept as pure economic loss. This comparative normative legal study compares the recovery of state losses caused by corruption in Saudi Arabia and Indonesia. This study provides confirmation for that.The current legal framework in Indonesia for the gathering and seizure of assets connected to corruption has to be revised in order to recover monetary losses to the state. Secondly, there is a need to reinforce the existing mechanisms in place to combat corruption in law enforcement, specifically the procedure for recouping state losses. Indonesia's corrupt asset recovery system is less successful than Saudi Arabia's, where corruptors may lose up to 70% of their money that is taken by the government. Third, while confiscating corrupt assets in Indonesia, the notion of unexplained riches must be used. This method permits the seizure of property owned by individuals whose worth greatly above their known income and who are unable to demonstrate through reverse engineering that they obtained the property lawfully.

KEY WORDS
Financial losses, corruption, effectiveness, Indonesia, Saudi Arabia.

Getting paid for monetary losses brought on by deliberate torts is not particularly difficult because the recovery is undeniable. However, there is disagreement among different countries about the victim's entitlement to compensation in cases where the tortfeasor is found to have been purely negligent and the victim's perceived damages are restricted to monetary loss (David, 2006). These instances are referred to as "pure economic loss" in many jurisdictions, and during the past few decades, attorneys, judges, legal experts, and lawmakers have dealt with what is perhaps one of the largest challenges to the growth of tort law (Andrew Burrows, 2004). Corruption is spreading throughout Indonesia like wildfire, threatening all sectors of the country's economy, including the government. The expansion of this illicit activity has a detrimental direct or indirect impact on the financial resources of the State as well as the welfare of its residents. The government needs to make every effort to prevent and address this issue. The legal definition of corruption is spelled out in detail in thirteen paragraphs of Law No. 31 of 1999, which was changed by Law No. 20 of 2001 (Hendi, 2015) for the purpose of eliminating corruption. These articles provide a detailed explanation of the specific actions that could result in criminal charges due to corruption. Thirty different sorts or categories of corrupt behavior are used in these articles to classify

corruption. State financial losses, bribery, embezzlement, extortion, fraudulent acts, and gratuities are among the thirty types of transgressions related to corruption (Saputra, Rian, 2021). When corruption is a part of serious crimes, it becomes one of the main problems preventing progress in many developing countries. The battle against corruption in countries like Indonesia and the Philippines has led to complex government (Jon ST Quah, 2019). Corruption in Indonesia continues to be ranked very high, with rates rising from the central to the regional levels. It is bad for the growth of the country's infrastructure as well as for the economy. Indonesia currently has significantly more structured and pervasive corruption. The increasing occurrence of corruption in Indonesia has posed a significant challenge to efforts made by law enforcement (M Agus Santoso, 1967). According to Indonesia Corruption Watch (ICW), there were 271 cases of corruption in 2023 compared to 169 in the first half of 2020.Despite fewer corruption cases, state losses in 2022 totaled IDR 18.1 trillion, up from IDR 8.04 trillion in the previous year. Both the total amount of money lost by the public as a result of corruption and its systematic character are rising in Indonesia. As a result, corruption becomes the main issue as a response to the absence of government support. A specific legal definition must be established before the state's financial loss may be calculated. State finance is defined as the rights and duties of the state evaluated in monetary terms as well as any money or goods used as state property in Article 1(1) of State Finance Law 17/2003.

As a consequence of willfully or negligently breaching the law, state and regional losses are defined as a real and specific (nyata dan pasti) amount of deficit of money, securities, and products (State Treasury Law 01/2004, Article 1(22). Therefore, the actual and concrete state financial losses must be calculated and demonstrated in order to be held legally liable. "Real and definite" is a term used by lawyers to indicate that something truly occurred (Thedorus, 2009). The definitions of these terms correspond to the clarification of Article 32(1) of the Corruption Eradication Law. Based on the conclusions of the accredited institutions, a loss has been determined to be the actual and definitive loss of public finances. Assessments and audits of state financial losses are carried out by the Badan Pemeriksa Keuangan (BPK), also known as the Supreme Audit Institution. Government Regulation 60/2008 on government internal control systems is another resource that the Financial and Development Supervisory Institution, also known as Badan Pengawas Keuangan dan Pembangunan (BPKP), can use to evaluate state losses. Presidential Regulation 192/2014 on BPKP expanded upon it, establishing it as one of the government's internal oversight mechanisms with the ability to independently determine state financial losses for the government's benefit. There is a duality between these entities as a result of the same authority to look into and evaluate state financial losses. The significance of the actual and definitive state financial losses is confused by the dualism of organizations that offer audit reports for state losses. Therefore, further deliberation is needed to determine which body possesses the stronger power to determine the presence of an exact and actual amount of state financial losses, as this forms the basis for a judicial investigation into possible corruption. It is evident that all Indonesian law enforcement agencies work very hard to transfer assets obtained by illicit means. All that has to be considered is the degree to which each law enforcement organization has made an effort to transfer the assets obtained through illicit means. It is vital to ascertain the success of these endeavors and the value of the assets that have been successfully recovered.

MATERIALS AND METHODS OF RESEARCH

Normative legal research, which incorporates statutory, conceptual, and comparative legal viewpoints, is the research approach used in this paper. Saudi Arabia is regarded as a legal model because of its recent success in collecting riches obtained via corrupt criminal conduct (Jamal Wiwoho, 2023).The chosen method for acquiring data for this study is the document study methodology (Rian Saputra, 2023). Among the legal resources that were used in this study were Law Number 31 of 1999 about the eradication of corruption, Law Number 20 of 2001 about amendments to Law Number 31 of 1999 about the eradication of

corruption, Law Number 8 of 2010 about the prevention and eradication of money laundering, and Saudi Arabia's Royal Order No. A/44.

RESULTS and DISCUSSION

Position of Indonesian Law on the Problem of Pure Economic Loss and Expected Future Action. Moral turpitude is a contributing factor to corruption and a threat to public order. Weak procedures in the various bureaucratic sectors at this time are also a contributing factor. For example, national and international entrepreneurs have mostly complained about the several linkages they still need to go through in order to secure a permit or credit facility. Bribery and corruption flourish as a result of this condition. A person's ability to uphold moral integrity is necessary to enhance the system. Corruption was a widespread occurrence during the Old Order, New Order, and Reform Order periods. It was also a popular topic of discourse among politicians in those earlier eras. In short, the process of corrupt regeneration proceeds quite quickly. There are always stronger and more developed generations of heirs. The rationale of "being in line with procedures" has led to the acceptance of corruption as normal. Instead of feeling embarrassed or afraid, corruptors brazenly display their corrupt outcomes. The public is no longer served by politicians. Political parties have evolved into a venue for advancing individual ambition and money rather than a means of defending the interests of the people. Be aware of the increased action uncontrolled corruption will bring an impact that is not limited to losses State and the national economy but also in the life of the nation and state. Corrupt practices, on the other hand, can jeopardize the stability and security of the State and society, endangering the social, political, and economic development of society, and even destroy the values of democracy and morality of the nation because they can also criminalize corruption.

Similar to illnesses, corruption in Indonesia has developed into three distinct phases: systemic, endemic, and elite. In the context of elites and officials, corruption continues to be a common societal illness in the elitist stage. When corruption reaches an endemic level, it affects the entire community. Then, when corruption reaches a critical point and becomes systemic, every person within the system develops a same illness. It's probable that corruption has spread throughout the country to a systemic level. Because corruption violates the rights of the social and economic communities, it is now considered an unusual crime (extra-ordinary crime) and cannot be categorized as an ordinary crime. Therefore, in an attempt to abolish it, “extra-ordinary crimes” must be committed rather than those that can be done “normally” In Ermansjah Djaja, Abdullah Hehamahua made the following argument: “Corruption in Indonesia is already considered an extraordinary crime because it has destroyed not only the state’s finances and economic potential, but also its socio-cultural, moral, political, legal, and national security arrangements. As a result, the eradication pattern cannot be implemented partially or exclusively by one organization. He needs to be done thoroughly and collaboratively by law enforcement, community organizations, and private citizens.

To do that, we need to understand the specifics of Indonesian map corruption as well as its primary cause. Like a doctor, you need to be more certain about the patient's diagnosis before administering therapy or treatment. The right diagnosis will enable the therapy to be implemented. But if the diagnosis was incorrect, the prescribed therapy not only didn't work, it made the patient's condition worse. Consequently, there is also the issue of corruption in Indonesia.Andre Tunc (2016) asserts that civil liability, especially in the context of tort law, compensates for losses that would have occurred in the event that there had been no tort. Several viewpoints on enhancing the efficacy of legislation are offered by the fields of law and economics (Mauro Bussani, 2003). From this perspective, regulations might serve as incentives for those who must abide by them, but if they prohibited a certain behavior, everyone would have an incentive to abstain from it. Damages in pure economic loss instances should be based on the societal losses that the actors generate in order to give them the right incentives to stop losses. The victim's personal losses frequently outweigh the losses to society in situations involving pure economic loss. There may be redistribution

rather than a loss of wealth if the victim's private losses are (partially) offset by private gains elsewhere. For example, if a power cable was carelessly destroyed and prevented firm A from producing, firm B might be able to make and sell more goods that are alternatives to those of firm A. This is recognized as a significant justification in the legal and economics literature for not compensating for pure economic loss. Van Elizabeth (1991).

"However, it is not always true that social losses do not occur in situations of pure economic loss," assert Shafer and Otto. First, customers may lose their additional purchasing power if business B's products aren't exact duplicates. When services are used in place of products, this issue gets worse (Saldi Isra, 2017). Because tort law entails significant tertiary costs, Rizzo argues that claims involving pure economic loss should be handled under contract law (Simon Butt, 2014). Finally, Dari-Mattiacci argues that the true cause of the problem of pure economic loss is the fact that the injured party's actions result in both positive and negative externalities. Including those on their own does not provide performers the proper drive. Rather than being inefficient, overcapacity is a preventive measure that parties may take to minimize or avoid the sheer economic loss, according to Dari-Mattiacci. Injured parties should receive appropriate treatment and activity incentives, while victims and other parties should have incentives to maintain optimal overcapacity. To do this, liability must be disentangled so that the third parties are allowed to keep their benefits, the injurer is liable for pure economic loss but is compensated for those benefits, and the victim is not compensated for pure economic loss but is compensated for third parties' benefits. No traditional tort law could achieve this result (Jamal Wiwoho, 2023).

Despite all of the concerns, pure economic harm will still be rewarded if the obligation is not unnecessarily extended. As the aforementioned rejection makes clear, the objection against unnecessarily protracted liability forms the basis for all of the denials with regard to pure economic loss. Although the phrase has not been formally recognized, pure economic loss has been accepted by an Indonesian court in a particular case. Since Indonesia adopted civil law, the country's main source of legislation is the law itself. However, as was already established, there is no mention of pure economic loss under Indonesian law. Therefore, it is appropriate and suitable to civil law system, if Indonesia set more relevant law and regulations that regulates which pure economic loss is allowed, as not every pure economic loss case create overextended liability. Furthermore, law and economics perspective is not applicable in Indonesia, as for the law and economics the approach shall be case by cases basis, and it is contrary to the Indonesia civil law system. To solve this issue, every legislature in Indonesia shall recognize the danger of pure economic loss, and consider this issue when they enacted new law. Therefore, there is no provisions under Indonesia law that put Defendant in overextended liabilities. From Judge perspective, it is advisable if Indonesia Supreme Court enacted Indonesia Supreme Court Circular Letter or Supreme Court Regulation to regulates how far should civil liability extend under Indonesian law. Therefore such regulations or Circular letter can be reference for the Panel of Judges to adjudicate any pure economic loss cases.

The Indonesian State Assets Policy's Effectiveness in Recovering Losses. The legal phrase for the compelled seizure of assets or property that the government believes has a substantial connection to a criminal act is asset forfeiture. Three different types of asset forfeiture have been established by common law nations, most notably the United States: civil forfeiture, administrative forfeiture, and criminal forfeiture (Jowon, 2023). Criminal forfeiture is the process of seizing assets through the criminal justice system; it occurs concurrently with the determination of the defendant's guilt or innocence in relation to a particular offense. Through administrative forfeiture, a kind of asset forfeiture, the state can seize assets without the help of legal authorities. A lawsuit brought against an asset rather than the offending individual is known as civil forfeiture. This makes it possible for the authorities to seize assets even while the criminal case against the individual is still pending. Compared to criminal forfeiture, civil forfeiture is easier to implement and more profitable for the state because it has fewer requirements (Taryn, 2017).

Indonesia should adopt the civil forfeiture strategy because it quickly seizes assets deemed to be linked to illicit conduct and reverses the burden of proof. Moreover, the goal of

the civil forfeiture case is the asset, not the subject of an investigation or criminal accusation (Gang Xu, 2021). This makes it possible for the state to seize property even when the perpetrator has long died away or has not been charged. This strategy appears to have been implemented later and goes by a new name: non-conviction-based asset forfeiture, or "asset forfeiture without conviction" in Indonesian (Anupriya, 2021). It is frequently abbreviated as NCB asset forfeiture. One of the most important concepts in the fight to eradicate crimes that harm the state's finances and economy is asset seizure without conviction. It entails taking back property from people who are said to have obtained it via illegal means that jeopardize the state's finances or economy. These criminal offenses might stem from corrupt activities, illegal logging, drugrelated crimes, customs and excise violations, and money laundering. Mardjono Reksodiputro explains that asset forfeiture can be executed through three distinct methods: a. Criminal forfeiture. This process is generally referred to as forfeiture when specific things are confiscated if they are determined to be tools used by the defendant to commit a crime. Once a legally binding criminal decision is made, the state takes ownership of the confiscated goods. b. Administrative forfeiture refers to the process by which the government seizes property without the need for a court order. This forfeiture is contractual, meaning that the executive (government) is legally empowered to confiscate specific items without the need for a trial. As an illustration, actions related to customs and excise. c. Seizure of assets by the government. Civil forfeiture also referred to as the confiscation of goods that are unclaimed due to war or abandoned (weiskamer), was previously known by this name.

This graph demonstrates that there is not a smaller nor equivalent loss linked to the value that is effectively restored. It is thought that the discrepancy stems from a weakness in the reparation process that can make jail an acceptable alternative. The small quantity of money that reparations produce is also influenced by a few additional factors. Since the amount of losses has not yet been made up by the reimbursed monies, there is a 281 discrepancy. As a result, much less money is being invested in the state than is being lost. This particular sentence elucidates that offering monetary recompense in addition to a secondary penalty is not synonymous with "following the money." This indicates a difference between the idea that was intended and the actual way that law enforcement is carried out. When the criminal is unable to pay back the state for the damages, the judge's decision to impose jail time and restitution is justifiable. Nevertheless, corruption courts might start to use this technique frequently. If physical punishment is substituted, then there is a good reason to be concerned about the potential loss of compensation to the state budget (Zhiyuan Guo, 2023). There are two things that contribute to the challenges experienced by criminals who are unable to make restitution. Firstly, the perpetrator owns insufficient funds or assets to satisfy the restitution sum fully. In addition, the perpetrator pretends to have no money or belongings to avoid the obligation of compensating, even though the assets have been sent abroad or given to someone else (Marco, 2014). The judge must ascertain the veracity of one of the two conditions through a comprehensive evidentiary process, as the legal ramifications of the two conditions differ greatly. In this context, the timeliness and accuracy of the public prosecutor in providing evidence of the guilty person's assetsare of utmost importance, as they will eventually define the convicted person's legal status in front of the judge (Tommaso, 2020).

The covert pursuit of financial gain is one criminal activity that fuels corruption. Since the proceeds of their crimes are what motivate convicted criminals, law enforcement organizations must devise a strategy to locate their assets. By quickly locating and seizing these assets, judges can effectively order those found guilty to pay restitution. If money is not paid, the prosecutor may put the seized items up for auction. As previously said, implementation challenges suggest that the current legislation's asset forfeiture and confiscation procedures are insufficient to compensate for and restore financial damages to the public. The existing procedures are not enough to address the need for law enforcement to deal with offenses related to corruption. The 1945 Constitution of the State of the Republic of Indonesia embodies the Republic of Indonesia's status as a unitary state in the form of a republic and as a state of law (Rechtstaat). The rule of law has the effect of making

everything based on the law, which establishes what is permissible and what is not. No matter who is a politician, a KPK leader, or an average citizen, everyone is treated equally in the eyes of the law in Indonesia. This is the fundamental tenet of law enforcement. If we do not act swiftly to prevent and remove crime, the crime itself will overwhelm us and ruin what is already there. Therefore, it is important that we enforce the law, especially when it comes to preventing it.

In fact, Indonesia should acknowledge corruption as a crime against which it can no longer be accepted. Every Indonesian acknowledges that millions of people have suffered as a result of corruption. Law No. 31 of 1999 on the Eradication of Corruption, as amended by Law No. 20 of 2001 on Amendment to Law No. 31 of 1999 on the Eradication of Corruption, is the law in Indonesia that governs the criminal act of corruption ("Corruption Law"). The same criminal sanctions that are applied to corrupt individuals also apply to those who aid in corrupt activities. Criminal threats against individuals involved in corrupt activities need reference to the basic criminal law rules found in the Criminal Code ("Criminal Code"). Participant in a criminal conduct is punishable as a criminal under Article 55, Paragraph (1) of the Criminal Code. As a result, in accordance with Article 55 Paragraph (1) of the Criminal Code, the individual who takes part in a criminal act of corruption faces the same punishment as the act's perpetrator. With the enactment of Law No. 28 of 1999 on the Implementation of Clean and Free State of KKN, Law No. 31 of 1999 jo Law No. 20 Year 2001 on the Eradication of Corruption, Law No. 30 of 2002 on the Corruption Eradication Commission, and, lastly, the ratification of the United Nations Convention against Corruption, 2003 (United Nations Convention against Corruption, 2003) with Law No. 7 of 2006, Indonesia's legislation regulating corruption is now better than it was previously. As per the 1999 Law No. 31 and the 2001 Law No. 20 on the Eradication of Corruption. It demonstrates the Indonesian government's ongoing efforts to enforce the rule of law and maintain justice. Because criminal corruption becomes intolerable over time and becomes more sophisticated in its methods, corruption can be accomplished.

The Effective Recovery of Losses under the Saudi Arabian State Asset Policy. "Al-fasâd," which is Arabic for "corrupt," describes the unlawful purchase of property. Still, this country uses the word "risywah" to describe the transgression of corruption. Sharia law, an Islamic legal system, is strictly enforced in Saudi Arabia. This nation, which is a monarchy, is among those that uphold Islamic law inside its borders. The hadith nabawi, which defines this sin, is closely related to the term "risywah," which is used to characterize the act of corruption (Peter Leasure, 2016). Bribery is essentially a tactic used to achieve a goal that is motivated by the idea of achieving the objective at whatever costs. "risywah" or "râsya" refers to a rope designed to draw water from a well. An ar-râshî is an individual who provides something, such as money, to another party. Ar-Râshi acts as an intermediary between the one offering a bribe and the person accepting the bribe. Al-murtasyî is the person who receives the bribe. In terminology, risywah is a concept that fiqh scholars have defined in many ways. One such definition, proposed by Muhammad Rawwas, describes risywah as providing something to someone to distort the truth, invalidating or justifying what is incorrect. b. Muhsin defines risywah as: "A gift given by an individual to a judge or others to secure legal certainty or fulfill their desires". According to Yusuf al-Qardhawî, risywah refers to providing something to a person in power or authority, intending to ensure their success by overcoming their opponents or influencing the outcome in a desirable manner. It may also involve prioritizing or delaying their business for personal gain (You-How Go, 2021).

Saudi Arabia still maintains that the death penalty is the harshest punishment available to those found guilty of crimes involving corruption. Since the Prophet Muhammad (peace be upon him) and Khulafau al-Rasyidin's leadership, the death penalty has been in place as a means of preserving human rights. The State of Saudi Arabia encounters difficulties in its eradication attempts, much like other states. The severity of these obstacles can differ, though. Fraud in the public sector is a cultural issue that confronts and prevents corruption and fraud, not a good thing. According to Naif Alsagr (2024), a participant believed that their responsibility extended to exposing illicit acts and foiling attempts to mislead or manipulate in both public and private spheres. People can express their opinions on corruption in Saudi

Arabia through this scenario. It's possible that not all workers or industries share these viewpoints. Instead of a broad survey that can ignore important issues of those directly affected, they offer insight into how corruption is seen in Saudi Arabia by people with intimate knowledge. No particular kinds or categories of corruption offenses have been found in Saudi Arabia, according to the literature assessment on jarîmah al-fasâd. Nonetheless, corruption still exists in Egypt; the precise form and style are not specified. Even said, corruption is still rampant in Saudi Arabia and is considered a religious sin; multiple crown princes have been linked to it.Corporations may face penalties of up to tenfold the bribe amount and be prohibited from engaging in procurement agreements. In Saudi Arabia, the legal repercussions for money laundering are severe. They include hefty fines of up to 7 million Riyals ($7.8 billion), imprisonment for a maximum of 15 years, travel restrictions for Saudi nationals, and deportation for non-Saudi nationals after serving their sentence. Individuals who engage in acts of harassment may face criminal consequences, including imprisonment for a period ranging from one month to one year, as well as fines ranging from 5,000 Riyals to 50,000 Riyals. It should be noted that under Sharia law or other relevant legislation, a more severe penalty may be imposed (Abdulaziz, 2023). The confiscation of illicit assets in Saudi Arabia is crucial to the government's anti-corruption campaign and efforts to reclaim unlawfully acquired governmental assets. The purpose of these measures is to enhance public trust, reinforce the integrity of the judicial system, and foster effective governance in the administration of public funds (Ali A Shash, 2018).

Saudi Arabia has issued executive directives and guidelines that define the process for forfeiting corrupt assets. These procedures involve tracking down assets that might have been obtained unlawfully, having the government seize them, and then giving them over to the state (J C Sharman, 2009). Saudi Arabia also adopts a global posture by cooperating with other countries to seize corrupt assets connected to global trade. This could entail sharing information, providing legal aid, and coordinating law enforcement initiatives across national borders. The Saudi government is dedicated to responsibly and transparently confiscating assets linked to corruption. This could involve disclosing details regarding seized assets and how they were put to good use for the benefit of society as a whole. As stipulated in the financial agreement, Saudi Arabia takes an average of 70% of the assets held by people suspected of wrongdoing in order to recover public assets from corruption. Furthermore, at the completion of the financial transactions, the crown prince, in his capacity as the anti-corruption commission's head, issues royal proclamations clearing corrupt individuals of all charges. This innovative strategy of eradicating corruption by the confiscation of corrupt persons' illicit wealth ought to be a template for Indonesia, which seeks to recoup public damages through the confiscation of suspects' assets.

CONCLUSION

Power is a factor in corruption because a ruler who possesses it may misuse it for the benefit of his friends, family, and personal interests. There is clear evidence that corruption in the public sector is always growing and thriving, giving public authorities the ability to repress or extort those who seek justice or who depend on government assistance. Corruption in Indonesia is already considered a destructive crime; it has destroyed the nation's sociocultural, moral, political, and legal foundations as well as its finances and economic potential. Despite this, national efforts to eradicate corruption through law enforcement justice now appear to require a great deal of struggle. Since corruption is a unique kind of criminal activity that differs from other types of crimes, any effort that needs to be made must also involve an exceptional and integrated system. Eradicating corruption is an extraordinary crime that requires extraordinary political will on the part of the President, who in his or her capacity as head of state, must play a key role in mobilizing and coordinating the role of the Police, Prosecutors, Courts, and KPK power. This will enable the practice of corruption, which includes bribery, price bubbles, gratuities, and other abuses of authority carried out by civil servants and/or state officials, both at the central and regional levels, to be curtailed through massive and integrated enforcement measures.

Although Indonesia has not acknowledged the reality of pure economic loss, its courts have awarded cases involving pure economic loss, which has been a contentious topic in the tort law discussion. Law and economics may offer an intriguing viewpoint on how to address issues involving pure economic loss, but because this method is pragmatic in nature and does not fit with Indonesia's civil law system, it may not be feasible to be implemented there. As a result, legislators, practitioners, and judges must acknowledge the risk of pure economic loss. Legislators must carefully consider this risk while crafting Indonesia's next legislation and refrain from including any clauses that would permit defendants to have excessive culpability. Furthermore, as the panel of judges has the authority to decide any matter involving only economic harm, the Supreme Court will establish new Supreme Court Circular Letters and/or Supreme Court Regulations to govern the extent of liability under Indonesian law. The results of this analysis clearly show that the existing legal framework in Indonesia for the confiscation and seizure of assets linked to corruption is inadequate for efficiently repairing and recouping the financial losses sustained by the government. The existing systems are still not up to par with the need for law enforcement to combat corruption, especially when it comes to making up for lost public revenue. In the meanwhile, Saudi Arabia's asset forfeiture policy for corruption charges has proven to be rather effective. A person suspected of corruption may have up to 70% of their assets seized by the Saudi Arabian government. In order to maximize the seizure of assets linked to corruption offenses in Indonesia, the unexplained wealth model approach should be used to regulate asset forfeiture. With the use of the reverse proof method, assets that belong to people whose worth is wildly out of proportion to their known sources of income and who are unable to produce proof that their assets were obtained lawfully and not through illegal means can be seized.

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