

Compromising and Repositioning the Meaning of Corruptors as Thieves in Applying the Provisions of Shara' into the Modern Era Context

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Abstract: The debates on the application of Islamic criminal law in various Muslim-majority countries are still ongoing. This is because these countries still adhere to a positive legal system. This phenomenon has spread to many things including implementing the punishment of cutting off the hands of corruptors as is the punishment for thieves in the provisions of Islamic criminal law. One of the obstacles, in this case, is due to differences of opinion on the use of the term "thief" to be applied to "corruptor". This article aims to analyze the punishment provisions for thieves as regulated in Surah al-Maidah verse 38 to be applied to perpetrators of corruption. This article is the result of qualitative research with a linguistic approach. The primary data source in this study is the Qur'an, whereas, the secondary data sources are articles, books, and other relevant documents. Data were collected through a literature study method which was then processed, analyzed, and concluded. This study found that the crime of corruption, seen from a linguistic perspective, has the same meaning as thievery; the perpetrator, therefore, can be sentenced to the same punishment (cutting off the hand). The punishment here is the most severe type that can be imposed on perpetrators of corruption, considering that the impact it causes is heavier and wider than the impact that arises in the crime of thievery. Certainly, this punishment is applied if it has met all the elements and legal requirements and is applied in a very strict manner.

Keywords: corruptors, hand cutting punishment, Islamic criminal law, thieves

Abstrak: Perdebatan mengenai penerapan hukum pidana Islam di pelbagai negara mayoritas Muslim masih terjadi. Hal ini dikarenakan negara-negara tersebut masih menganut sistem hukum positif. Fenomena ini merambat ke banyak hal termasuk untuk menerapkan hukuman potong tangan bagi koruptor seperti halnya hukuman untuk pencuri dalam hukum pidana Islam. Hambatan yang timbul dalam hal ini salah satunya dikarenakan adanya perbedaan pendapat tentang penggunaan istilah pencuri untuk diterapkan kepada para koruptor. Artikel ini bertujuan untuk menganalisis ketentuan hukuman bagi pencuri sebagaimana diatur dalam surah al-Maidah ayat 38 untuk kemudian diterapkan kepada pelaku korupsi. Artikel ini

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merupakan hasil penelitian kualitatif dengan pendekatan kebahasaan. Sumber data primernya adalah Alquran, sedangkan sumber data sekunder berupa artikel, buku, dan dokumen lain yang relevan. Data dikumpulkan melalui metode studi literatur yang kemudian diolah, dianalisis, dan dibuat kesimpulan. Penelitian ini menemukan bahwa kejahatan korupsi, dilihat dari perspektif kebahasaan, memiliki kesamaan makna dengan pencurian karenanya pelaku dapat dijatuhi hukuman yang sama (potong tangan). Hukuman potong tangan di sini merupakan jenis hukuman terberat yang dapat dijatuhkan kepada pelaku korupsi, mengingat dampak yang ditimbulkannya lebih berat dan lebih luas dibanding dengan dampak yang timbul dalam kejahatan pencurian. Tentu saja, pidana ini diterapkan jika telah memenuhi semua unsur dan persyaratan hukum, serta diterapkan dengan cara yang sangat ketat.

Keywords: koruptor, hukuman potong tangan, hukum pidana Islam, pencuri

Introduction

The results of a survey released by the Political & Economic Risk Consultancy (PERC) in 2010 showed that Indonesia ranked first as the most corrupt country with a score of 9.07 out of 10. This figure increased from 7.69 points the previous year. The survey results were then reinforced by Transparency International (TI) research in 2014, which explained that Indonesia's World Corruption Perception Index was ranked 107 out of 175 countries.¹ This means that Indonesia, which is said to be one of the stars of emerging markets, is the most corrupt country out of 16 investment destinations in the Asia Pacific. The survey also showed that corruption may impact various levels of political leadership, including the business environment.

It is undeniable that the crime of corruption has eroded state finances in no small amount. The state budget, which should be used to realize the welfare of the people in general, has been cut in such a way and used to fulfill personal, family, or group interests. This tendency not only occurs at the central/elite government level but also spreads to provinces and districts and even to the lowest level of government, namely the RT level. In short, corruption has become a common fraudulent phenomenon and often occurs in developing countries, including Indonesia.²

¹ Slamet Haryadi, 'Reinterpretasi Tindak Pidana Korupsi Suap oleh Penegak Hukum dalam Perspektif Hukum Islam', *Al-'Adalah*, 12.1 (2015): 541–552, doi:10.24042/adalah.v12i1.233.

² Mery Marliani and Yulius Jogi, 'Persepsi Pengaruh Fraud Triangle Terhadap Pencurian Kas', *Business Accounting Review*, 3.2 (2015): 21–30.

Various punishments for corruptors have been applied to handle corruption cases, but this seems to have less of a deterrent effect,³ since Indonesia is currently ranked 96th out of 180 countries in the world in the corruption perception index.⁴ This index measures public perception of corruption in countries around the world which includes various services and legal certainty.⁵

The extensive losses caused by this corruption for the state and society have made the government and several anti-corruption community components seek various ways to suppress the development of corruption cases. The methods include synchronization of legislation or regulatory arrangements, human resource development, and government digitalization. Among the community itself, voices have emerged to give heavy punishment to the perpetrators, confiscate all their assets, and make them as poor as possible. However, these efforts have not shown significant results so far. This is what then prompted some people to turn to Islamic criminal law and try to find alternative solutions to it.

Unfortunately, efforts to implement Islamic criminal law (*jinayah/ 'iqâbah*) in Indonesia are not easy and must take a narrow and winding path.⁶ This is not only because Indonesia is not a religious state (Islam) but also because this country adheres to a conventional criminal law system (positive law) whose philosophical basis is very different from that of Islamic law. Apart from that, Islamic law does not regulate the crime of corruption. This legal system only regulates one form of crime, namely taking other people's property, called *al-sarq* (thievery).⁷ The term *al-sarq* is explicitly mentioned in Surah al-Maidah: 38 which also

³ Firqah Annajiyah Mansyuroh, 'Hukum Potong Tangan Bagi Koruptor (Kajian Ahkam Surah al-Maidah Ayat 38)', *Dialogia*, 17.1 (2019): 41–60, doi:10.21154/dialogia.v17i1.1407.

⁴ Komisi Pemberantasan Korupsi, 'Indeks Persepsi Korupsi 2017, Skor Indonesia di Angka 37', *Berita KPK*, 2018 <[https://www.kpk.go.id/id/berita/berita-kpk/229-indeks-persepsi-korupsi-2017-skor-indonesia-di->](https://www.kpk.go.id/id/berita/berita-kpk/229-indeks-persepsi-korupsi-2017-skor-indonesia-di-).

⁵ Amiziduhu Mendrofa, 'Politik Hukum Pemberantasan Korupsi di Era Reformasi; Konsep dan Regulasi', *LITIGASI*, 16.1 (2016): 2805–34, doi:10.23969/litigasi.v16i1.54.

⁶ Doli Witro, 'Ulama and Umara in Government of Indonesia: A Review Relations of Religion and State', *Madania*, 24.2 (2020): 135–144, doi:10.29300/madania.v24i2.3778.

⁷ Tahta Alfina'Alimatul Millah, 'Korupsi dalam Perspektif al-Qur'an', *Syariati: Jurnal Studi al-Qur'an dan Hukum*, 2.2 (2016): 197–212, doi:10.32699/syariati.v2i02.1129.

determines the punishment for perpetrators in the form of amputation of hands.⁸

Various studies on corruption have been conducted by intellectual figures, both from academic and non-academic circles.⁹ The researchers are interested in studying the idea of implementing the law of cutting off hands for corruptors, which is analogous to another form of thievery.¹⁰ Some of them even proposed a joint project to formulate a more effective criminal law in combating the crime of corruption that has spread to all corners of the country.¹¹

One example is the research conducted by Miftahur Rohmah who analyzed the punishment for corruptors through an interpretation study of Surah al-Maidah: 38-40 from the perspective of T.M. Hasby Ash-Shiddieqy. Another similar study is the study conducted by Firqah Annajiyah Mansyuroh who also studied the law of cutting off hands for corruptors which was analyzed through a study of Surah al-Maidah verse 38.¹² Likewise, the research of Bukhâri Abdul Somad discussed the values of *maslahah* in the law of cutting off hands through the perspective of *hadîth abkâm*.¹³

The next study was conducted by Muhammad Fajri who analyzed the interpretation of Surah al-Maidah: 38 using the semiotic approach of Michale Riffaterre.¹⁴ Apart from that, there are also other studies such as those conducted by A.M. Ismatullah who compared the thoughts

⁸ Saenal Wahid, 'Hukuman Terhadap Koruptor dalam Perspektif Hukum Islam', *Jurnal Bidang Hukum Islam: Bustanul Fuqaha*, 2.2 (2021): 181–192, doi:10.36701/bustanul.v2i2.336.

⁹ Sulaiman Abdullah, *Sumber Hukum Islam* (Jakarta: Sinar Grafika, 2004), p. 186.

¹⁰ Miftahur Rohmah and M. Riyan Hidayat, 'Hukuman Koruptor Perspektif T.M Hasbi Ash-Shiddieqy (Studi Analisis dalam Tafsir al-Qur'anul Majid al-Nur QS. al-Maidah [5]: 38-40)', *Jurnal Pappasang*, 3.2 (2021): 85–102, doi:10.46870/jiat.v3i2.60.

¹¹ Muhamad Izazi Nurjaman and Doli Witro, 'The Relevance of the Theory of Legal Change According to Ibnu Qayyim al-Jauziyyah in Legal Products by Fatwa DSN-MUI Indonesia', *El-Mashlahah*, 11.2 (2021): 164–186, doi:10.23971/elma.v11i2.3181.

¹² Mansyuroh.

¹³ Bukhâri Abdul Somad, 'Nilai-Nilai Maslahah dalam Hukum Potong Tangan: Analisis Kritis Perspektif Hadis Ahkam', *Madania: Jurnal Kajian Keislaman*, 19.1 (2015): 69–83, doi:10.29300/madania.v19i1.24.

¹⁴ Muhammad Fajri, 'Interpretasi Surah al-Maidah Ayat 38 Analisis Semiotika Michale Riffaterre', *AL ITQAN: Jurnal Studi al-Qur'an*, 6.2 (2020): 73–92, doi:10.47454/itqan.v6i2.67.

of Indonesian commentators, namely M. Hasbi Ash-Shiddieqi and M. Quraish Shihab on the punishment of cutting off hands, adultery, and the hijab.¹⁵ There is also research with the same theme but reviewing it from a different perspective such as that conducted by Mery Marliani and Yulius Jogi who analyzed the influence of the fraud triangle on the embezzlement of company assets based on three factors, namely: pressure, opportunity and rationalization.¹⁶

This study also looks at the concept of corruption in the context of classical and modern fiqh within the framework of *fiqh jinayah* (Islamic criminal law). The author did this because the terms, definitions, and criminal threats of corruption crimes are not yet clear so efforts to eradicate corruption in Indonesia are hampered. This study, examining the same topic and legal basis, differs from previous studies. The difference lies in the use of a linguistic approach as an entry point in analyzing the main problem. This kind of approach, as far as the author has traced, has never been done by previous researchers.

Research Method

This research is classified as qualitative research using a linguistic approach.¹⁷ The type of data is qualitative data characterized by its main purpose, namely to explain the case through understanding the meaning and symptoms that underlie it.¹⁸ This type of research is suitable for examining the reasoning process in the context of social reality, using an objective approach and a phenomenological paradigm.

The data sources used in this study consist of primary and secondary sources. Primary data sources refer to data obtained through analyzing

¹⁵ A.M. Ismatulloh, 'Ayat-Ayat Hukum dalam Pemikiran Mufasir Indonesia (Studi Komparatif Penafsiran M. Hasbi Ash-Shiddieqi dan M. Quraish Shihab)', *Fenomena*, 6.2 (2014): 277–292, doi:10.21093/fj.v6i2.555.

¹⁶ Marliani and Jogi.

¹⁷ Wahyudin Darmalaksana, *Metode Penelitian Kualitatif Studi Pustaka dan Studi Lapangan* (Bandung: Pre-Print Digital Library UIN Sunan Gunung Djati, 2020), pp. 1-6.

¹⁸ Ramdani Wahyu Sururie and others, 'Co-Parenting Model in Resolving Child Custody Disputes in Urban Muslim Families', *Petita: Jurnal Kajian Ilmu Hukum dan Syariah*, 9.1 (2024): 250–268, doi:10.22373/petita.v9i1.277.

primary literature and information collected directly by researchers from sources, without involving intermediaries.¹⁹ These sources assess the harmony between text and reality through scientific studies.²⁰ The primary data source in this study is the Holy book of the Qur'an, particularly Surah al-Maidah: 38, which is then analyzed using a linguistic approach, whereas the secondary data sources in this research are in the form of articles, books, and other research documents that are relevant to the theme being studied.²¹ Data were collected using a literature study method which was then processed, presented, and analyzed to obtain conclusions.²²

This study uses linguistic (*lughawiyyah*) reasoning, namely a linguistic analysis method to provide explanations of the meaning of the text of the Qur'an and al-Hadîth (Sunnah). This reasoning uses *qawâid al-lughat*, namely the rules formulated by language experts and adopted by Islamic law experts to understand the meaning of the lafadh (text).²³ With a linguistic approach, the intent of the text regarding a legal act can be clarified so that a legal act can be easily identified, classified as what legal act it is, to what extent its impact, and what form of punishment should be given.

¹⁹ Noeng Muhadjir, *Metodologi Penelitian Kualitatif* (Yogyakarta: Rake Sarasin, 1998), p. 2.

²⁰ Moh. Nazir, *Metode Penelitian Cetatakan Ke-3* (Bogor: Ghalia Indonesia, 1988), pp. 120-129.

²¹ Shinta Azzahra Sudrajat, Arzam Arzam, and Doli Witro, 'Legal Protection in Labor Dispute Settlement Through Industrial Relations Mechanism', *Khazanah Hukum*, 4.1 (2022): 1-9, doi:10.15575/kh.v4i1.17027; Doli Witro, 'State Islamic University Students' Perceptions of Israel-Affiliated Products: A Study After the Fatwa of Indonesia Ulema Council No. 83 of 2023 Concerning the Law on Support for the Palestinian Struggle', *Al-Manahij: Jurnal Kajian Hukum Islam*, 18.1 (2024): 145-160, doi:10.24090/mnh.v18i1.10554; Khairuddin and others, 'Belo Bellen as Compulsory Delivery in Aceh Singkil Wedding; 'Urf and Islamic Law Anthropology Review', *Al-Ihkam: Jurnal Hukum dan Pranata Sosial*, 19.2 (2024): 151-173, doi:10.19105/al-lhkam.v19i1.10222; Darti Busni and others, 'Implementation of the Hybrid Contract Concept in Multiservice Ijarah Financing as a Financing Alternative Health Service in the Covid-19 Pandemic', *JURIS (Jurnal Ilmiah Syariah)*, 21.1 (2022): 11-25, doi:10.31958/juris.v21i1.5173.

²² Matthew B. Miles, A. Michael Huberman, and Johnny Saldaña, *Qualitative Data Analysis: A Methods Sourcebook* (California: SAGE Publications, Inc., 2014), pp. 31-34; Doli Witro, Betria Zarpina Yanti, and Mhd. Rasidin, 'Mental Revolution to Increase Economic Independence and Nation's Competitiveness of Surah Ar-Ra'd Verse 11 Perspective', *Jurnal Studi Ilmu-Ilmu al-Qur'an dan Hadis*, 21.2 (2020): 431-447, doi:10.14421/qh.2020.2102-10.

²³ Somad.

Results and Discussion

Thievery in the Qur'an

Muslims are prohibited from obtaining wealth through unlawful means or in ways that do not follow the principles of Islamic teachings such as: stealing, robbing, cheating, embezzling other people's property, committing usury, and so on. These acts are explicitly stated in several verses of the Qur'an, one of which is Q.S. al-Maidah verses 38²⁴ which regulate the crime of thievery.

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ
وَاللَّهُ عَزِيزٌ حَكِيمٌ

Meaning: "[As for] the male and female thief, cut off their hands (as) recompense for what they have earned and as a punishment from Allah. And Allah is All-Mighty, All-Wise."

This prohibition is in line with the principles of Islam which are the guidelines for life for Muslims and apply throughout time and place (*sâlih likulli zamân wa makân*).²⁵ This is because Islamic law (sharia) was revealed to provide the greatest possible benefit to humanity in realizing welfare and avoiding harm and injustice.²⁶ This goal is reflected in the *maqâshid al-sharia* which includes the protection of five aspects of human needs, namely religion, reason, soul, descendants, and property.²⁷

The word *وَالسَّارِقُ* in Surah al-Maidah verse 38 is quite clear, namely a person who takes other people's valuable property in a place where they are kept secretly.²⁸ In addition, the verse above states firmly that the punishment that must be imposed on perpetrators of thievery, both men and women, is cutting off their hands. The threat of punishment

²⁴ Somad.

²⁵ Ismatulloh.

²⁶ Asa'ari Asa'ari and others, 'Urgensi Pemahaman Terhadap *Maqâshid al-Syari'ah* dan Perubahan Sosial dalam *Istinbâth al-Abkâm*', *De Jure: Jurnal Hukum dan Syar'iah*, 13.2 (2021): 222–39, doi:10.18860/j-fsh.v13i2.13818.

²⁷ Doli Witro, 'Maqâshid Syari'ah as a Filter of Hoax Through al-Quran Perspective', *Jurnal Ilmiah al-Syir'ah*, 18.2 (2020): 187–200, doi:10.30984/jis.v18i2.1133.

²⁸ Amir Syarifuddin, *Ushul Fiqh, Jilid II* (Banten: Logos Wacana Ilmu, 2008), p. 13.

with this meaning is clear, namely based on the verse *فَأَقْطَعُوا أَيْدِيَهُمَا* *جَزَاءَ بِمَا كَسَبَا*. The problem now, however, is that the word *السَّارِقُ* in the Arabic dictionary has various meanings, it could mean thief, robber, kidnapper, fraudster, pickpocket, or hijacker, each of which has a level of excess or deficiency compared to the original meaning of the word thief itself.²⁹ This diversity of meanings may cause confusion as to whether the sanction of cutting off the hand should be applied to all of these meanings.

Imam Abû Hanîfah did not include the meaning of pickpocketing in the category of thievery because the elements of thievery are not the same as pickpocketing. Imam Abû Hanîfah also did not include the meaning of *nabasy* (grave thief) in stealing because *nabasy* is not essentially stealing. Meanwhile, Abû Yûsuf, Imam Mâlik, Imam Shâfi'i, and Ahmad bin Hanbal stated that pickpocket and *nabasy* are the acts of thievery because the elements of thievery are available in the two.³⁰ Kidnapping, plagiarism, and piracy also cannot be categorized as thievery because in plagiarism, imitation, and piracy there is no element of taking from the storage, although the goods that are imitated, plagiarized, or hijacked remain in their storage place.

Differences of opinion also arise in interpreting the words "*qata'* (cut)" and "*yad* (hand)". The majority of scholars interpret cutting off the hand as being separated from the body, but this opinion is disputed by contemporary scholars, meaning that the thief does not have to have his hand cut off. This difference is influenced by the development of the times because, in the perspective of modern law, physical punishment in the form of cutting off the hand may be seen as very harsh even though it should be done to protect and respect the rights of every person to the property they own.³¹

²⁹ Tim Kashiko, *Kamus Lengkap Bahasa Arab-Indonesia* (Surabaya: Kashiko, 2000), p. 259.

³⁰ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

³¹ Salma Salma, 'Kedudukan Lafaz dalam Kajian Usul dan Pengaruhnya Terhadap Hukuman Potong Tangan', *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan*, 13.1 (2013): 85–104, doi:10.18326/ijtihad.v13i1.85-104.

Furthermore, it should be emphasized here that the punishment of cutting off the hands of thieves cannot be applied every time there is a case of thievery. This is because, in Islamic legal procedures, it is determined that to impose a punishment, several elements and certain conditions must first be met, including 1. The perpetrator is capable; (2) There is an intention or element of intent; (3) The goods taken are entirely the property of another person; (4). They are hidden in storage (5) It was done secretly (6) In a normal situation (not in an emergency).

The application of the above elements can be explained as follows:

1. The perpetrator is capable

The meaning of capable is that the thief is an adult, physically and mentally healthy, has a perfect mind, and knows the ins and outs of stealing. Thus, stealing is not included in people who are crazy, drunk, physically and mentally not healthy, etc. The disability, however, does not become a barrier to committing thievery as a person having one hand, blind, deaf, and other types of disabilities may still have the ability to steal.

Wahbah Musthafâ al-Zuhaili emphasized that the punishment of cutting off a thief's hand can be imposed if the perpetrator is an adult, not a child, not a madman, not under orders or being forced by someone else, not a guest and not a household servant. In addition, the item stolen has reached the *nishâb* according to the Shari'a, namely one gold dinar according to Imam Hanâfi and a quarter of a dinar according to the Jumhur ulama. Then the items stolen have a use or value and the thievery is certain.³²

2. There is an intention or element of intent

An intentional act is carried out under normal circumstances, meaning that the perpetrator is not asleep, drunk, or experiencing memory problems, not under orders or coercion by another person, and is supported by previous intentions or plans. Thus, it is not included in the category of stealing if the act is carried out unintentionally,

³² Taufik Warman Mahfuzh, 'Studi Metodologi Kitab *al-Tafsîr al-Wasîth* Karya Wahbah Mustafâ al-Zuhaili', *Jurnal Studi Agama dan Masyarakat*, 4.2 (2010): 144–145.

while drunk, mistakenly, or under duress, even though the act violates the law. Nor does it fall into the category of stealing for crazy persons because for them there is no law.

In terms of purpose, intentional acts can be divided into two, namely intentional for good and for evil. Intentional for good is permissible and intentional for evil is forbidden. Intentional stealing for good, for example, is stealing enemy weapons, stealing drugs to be handed over to the police, and so on. Intentional stealing for evil, for example, stealing other people's property to please oneself harming others, and damaging public order.

3. The item taken is entirely the property of another person

This element must be fulfilled that the item is entirely the property of another person and the perpetrator has no rights to ownership of the item. Thus, it is not included in the definition of thievery if the act is carried out by a party who has the right to the property taken. For example, if a wife who lives with her husband then takes her husband's money stored in their house, then the wife's actions are not included in the case of thievery which must be punished by cutting off the hand.³³

4. Taken from storage

The meaning of the phrase taken from storage is that the stolen property has been stored properly by its owner and the owner knows where the property is stored. The thief takes the stored property and the owner does not know that his property has been taken secretly by the thief. Thus, it is not included in the category of stealing if the property is taken openly, such as an object that falls from its owner in the middle of the road and is then taken by someone else. It is also not included in the category of stealing if you take property in the middle of the wilderness where the owner is unknown.

5. Done secretly

Taking someone else's property secretly means that the property is taken without the owner's knowledge. Taking that is done openly

³³ Ahmad Zaini Dahlan, *Al-Râghib al-Ashfahâni, al-Mufrâdât Fî Gharîb al-Qur'ân* (Depok: Pustaka Khazanah Fawaid, 2017), pp. 226-227.

such as mugging, or robbery cannot be classified as thievery, even though these acts are equally oriented towards taking over someone else's property through means that are not permitted by law. Such acts are classified as other crimes subject to heavier penalties.

The question is what if the taking of property is done using hypnosis? This mode can still be interpreted as "secretly" considering that the property owner does not know or is not aware that he has lost his property. In other words, even though the hypnosis is done openly in front of the victim, it can still be interpreted as "secretly" because the perpetrator of the thievery takes cover behind his hypnosis and the victim does not know or realize that his property has been transferred to someone else. The same understanding also applies to pickpocketing because the perpetrator does his actions skillfully and openly when the victim is off guard.

6. Done in normal situations (not in emergencies)

This principle was once used by the Caliph 'Umar bin Khattâb who did not punish cutting off the hands of thieves during a famine. This policy was then followed by his son, Ibn 'Umar, who also did not punish cutting off the hands of thieves who were starving or when the danger of famine was threatening the local population. In the view of Caliph 'Umar bin Khattâb, followed by his son Ibn 'Umar, the benefits expected to arise from the imposition of punishment to provide a deterrent effect will not be realized if society is in misery due to famine. The consideration of Caliph 'Umar bin Khattâb who eliminated the hadd punishment because it was based on the benefit and freedom to practice religion, was then considered valid and became a reference for the fuqaha who came after him.³⁴ This means that to impose legal sanctions on a criminal act, it is also necessary to pay attention to and consider the social conditions/situations that underlie the occurrence of the unlawful act.³⁵

³⁴ Amir Syarifuddin, *Ushul Fiqh, Jilid 2* (Banten: Logos Wacana Ilmu, 2008), p. 292.

³⁵ Rahmad Setyawan and others, 'Contemporary Ijtihad Deconstruction in the Supreme Court: Wasiat Wajibah as an Alternative for Non-Muslim Heirs in Indonesia', *Jurnal Ilmiah*

The discussion above only covers theft related to physical property, whereas today, theft cases have developed not only related to physical property but have reached non-physical property in the form of digital crimes often called cybercrime.³⁶ This type of crime is diverse, ranging from theft of personal data, forgery, piracy, and other crimes rampant due to weak systems,³⁷ including crimes in the digital world regulated in the Electronic Information and Transactions Law. These crimes require separate studies to determine whether the perpetrators can be punished by having their hands cut off or not.

Corruption in Indonesian and Islamic Criminal Law

The term corruption comes from the Latin *corruptio* or *corruptus* which has various meanings, namely the act of damaging or destroying. *Corruptio* is also interpreted as rottenness, ugliness, depravity, dishonesty, immorality, deviation from holiness, and insulting or slanderous words or statements. The word *corruptio* then entered English as corruption or in Dutch as *corruptie*. The word *corruptie* in Dutch entered the Indonesian treasury as corruption. According to the Big Indonesian Dictionary (KBBI), corruption is the misappropriation or misuse of state money (companies, organizations, foundations, and so on) for personal gain or other people.³⁸ Syaiful Ilmi defines corruption as committing fraud by breaking the law for personal welfare.³⁹ Meanwhile, Wicipto Setiadi

al-Syir'ah, 22.1 (2024): 25–40, doi:10.30984/jis.v22i1.2968. See also Laras Shesa. "Keterjaminan Kedudukan Dzau' Arham dalam Kewarisan Islam Melalui Wasiat Wajibah." *Al-Istinbath: Jurnal Hukum Islam*, 3.2 (2018): 145-166.

³⁶ Andi Aco Agus and Riskawati Riskawati, 'Penanganan Kasus Cybercrime di Kota Makassar (Studi Pada Kantor Kepolisian Resort Kota Besar Makassar)', *Jurnal Supremasi*, 11.1 (2016): 20–29, doi:10.26858/supremasi.v11i1.3023.

³⁷ Rudi Natamiharja, 'A Case Study on Facebook Data Theft in Indonesia', *Fiat Justitia: Jurnal Ilmu Hukum*, 12.3 (2018): 206–223, doi:10.25041/fiatjustitia.v12no3.1312; Darmawan Napitupulu, 'Kajian Peran Cyber Law dalam Memperkuat Keamanan Sistem Informasi Nasional', *Deviance Jurnal Kriminologi*, 1.1 (2017): 100–113, doi:10.36080/djk.595; Brisilia Tumulun, 'Upaya Penanggulangan Kejahatan Komputer dalam Sistem Elektronik Menurut Pasal 30 Undang-Undang Nomor 11 Tahun 2008', *Jurnal Lex Et Societatis*, 6.2 (2008): 249–262, doi:10.35796/les.v6i2.19950; Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

³⁸ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

³⁹ Syaiful Ilmi, 'Melacak Term Korupsi dalam al-Qur'an Sebagai Epistemologi Perumusan Fikih Antikorupsi', *Jurnal Khatulistiwa - Journal of Islamic Studies*, 1.1 (2011): 1–14, doi:10.24260/khatulistiwa.v1i1.175.

defines corruption as an unlawful act of taking something such as money or property that does not belong to him, intentionally and secretly to enrich himself.⁴⁰

In Indonesia, the handling of corruption is regulated in several laws and regulations, particularly Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption⁴¹ which was later amended by Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption. The definition most often quoted in laws and regulations in Indonesia is: "*Behavior that deviates from the official duties of a state office because of the benefits of status or money that concerns a person (individual, close family, own group) or violates the rules for implementing several personal behaviors*".⁴²

This definition is then described in the law above in 13 Articles that explain in detail the actions that can be subject to imprisonment for corruption.⁴³ Based on these Articles, 33 types of actions can be formulated and then categorized into 7 groups, namely: first; Corruption related to harming state finances, second; Corruption related to bribery, third; Corruption related to embezzlement in office, fourth; Corruption related to extortion, fifth; Corruption relates to fraudulent acts, sixth; Corruption related to conflicts of interest in procurement, and seventh; Corruption related to gratification.⁴⁴

Furthermore, Law Number 20 of 2001 regulates several forms of punishment that can be imposed on the perpetrator based on the form of the act and the consequences arising from the act. The lowest punishment contained in the law is a minimum of 1 year in prison and a maximum

⁴⁰ Wicipto Setiadi, 'Korupsi di Indonesia Penyebab, Hambatan, Solusi dan Regulasi', *Jurnal Legislasi Indonesia*, 15.3 (2018): 249–262, doi:10.54629/jli.v15i3.234.

⁴¹ M. Yasin al Arif, 'Institutional Design of the Corruption Eradication Commission (KPK) Post-Constitutional Court Decisions Number 70/PUU-XVII/2019 and Number 79/PUU-VII/2019', *As-Siyasi: Journal of Constitutional Law*, 3.1 (2023): 64–87.

⁴² Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

⁴³ Law of the Republic of Indonesia Number 20 of 2001 concerning the Eradication of Corruption.

⁴⁴ Law of the Republic of Indonesia Number 20 of 2001.

of life imprisonment (with or without additional fines), or it can also be in the form of the death penalty if the crime is committed under certain circumstances.⁴⁵

In Islamic Law, the term corruption was not known at all during the time of the Prophet Muhammad and his companions. At that time, only the term *ghulul* was known, namely a violation of the law committed by someone related to property entrusted to him.⁴⁶ The crime of *ghulul* is prohibited by sharia, both in the Qur'an and the Hadith. In the Qur'an, *ghulul* is seen on the one hand as a form of betrayal of trust,⁴⁷ and on the other hand, is categorized as an act of consuming property wrongfully.⁴⁸

Islamic Law does not regulate specifically the *jarimah ghulul*, either in terms of its form or legal sanctions. Thus, *jarimah ghulul* is included in *jarimah ta'zir*, which is a *jarimah* that is not mentioned in detail in the Qur'an and Al-Hadith, both in terms of the form of *jarimah* and its *uqubat* (Legal Sanction).⁴⁹ *Jarimah ta'zir* consists of sinful acts that are not subject to *had* (main punishment) and are not subject to *kifarat* (substitute punishment). Thus, everything is left to the discretion of the judge or ruler to assess it.⁵⁰

Analogizing the Meaning of Corruptors as Thieves

Classical and contemporary scholars fail to find a suitable name to apply to the crime of corruption. Therefore, the term corruption among scholars can have various meanings such as: *ghulul*, *risywah*, *mukhâharah* and *ghasab*, *sariqah*, *intikhâb* and *ahlu sukh*.⁵¹ The term corruption close to Islamic studies is *ikhtilâs*, *ghulul*, *risywah*, and *al-fasad*. In the absence of concrete and standard terms for criminal acts of corruption, there are no definite provisions that can be used as a basis for judges to apply a law.

⁴⁵ *Ibid.*, Article 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 12A, 12B See also Criminal Code (KUHP) of Indonesia Article 603, 604.

⁴⁶ M. Darin Arif Mu'allifin, 'Problematika dan Pemberantasan Korupsi di Indonesia', *Ahkam: Jurnal Hukum Islam*, 3.2 (2015): 311–325, doi:10.21274/ahkam.2015.3.2.311-325.

⁴⁷ Q.S. Ali Imran (3) 161.

⁴⁸ Q.S. al-Baqarah (2) 188.

⁴⁹ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

⁵⁰ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

⁵¹ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

On the other hand, the fuqaha had formulated a legal theory called *nazhâriyyah al-hudûd* that can be used to determine the level of punishment (maximum or minimum) imposed on the perpetrator of thievery. This theory was initiated by Muhammad Syahrur who stated that legal provisions that only have an upper limit or maximum limit (*al-hadd al-'alâ*) apply to certain criminal cases such as Q.S. al-Maidah verse 38 regarding thievery, Q.S. al-Isra' (17): 33, Q.S. al-Baqarah (2):178 and Q.S. al-Nisa' (4): 92 regarding murder.

Concerning thievery, this theory states that the punishment of cutting off the hand is the most severe (maximum) punishment for a thief, so there is still room for *ijtihâd* to give a lower or lighter punishment than the punishment of cutting off the hand. This means that the imposition of punishment on a thief can be adjusted to the objective reality that develops in society, customary values, or other legal policies that can be used as considerations in punishing within the limits of how thieves are given heavy punishments and within the limits of how thieves are given light punishments.⁵²

In Islamic criminal law, the punishment that can be imposed on *al-mafâsid* (the perpetrator of damage) is by the level of *al-fasad* (damage) committed, which can be in the form of a fine, dismissal, imprisonment, amputation of hands, and even the death penalty. These forms of punishment are returned to the *waliyul amri* (judge) to carry out his *ijtihâd*.⁵³

After being analyzed, the perpetrators of corruption can be categorized as perpetrators of the crime of *al-hirâbah*, namely people who cause earth damage and are included in those who fight Allah SWT and His Messenger. Therefore, the threat of punishment can be in the form of being crucified having their hands and feet cut off in a crisscross manner, or being exiled far from the country.⁵⁴ This is because the *al-fasad* (damage) caused is very broad and severe.

⁵² Imam Syaukani, *Rekonstruksi Epistemologi Hukum Islam Indonesia* (Depok: PT Raja Grafindo Persada, 2006), p. 144.

⁵³ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

⁵⁴ QS: al-Maidah (5): 33.

The type of *'uqûbat* (punishment) in the verse above is broadly called *ta'zîr*. However, as mentioned in the evidence on corruption, it can be understood that there are many types of *'uqûbat* in the form of *ta'zîr*. It also depends on the mistake and kind of *al-fasad* that is committed. Regarding this *'uqûbat* (punishment), it is also necessary to examine how the perpetrators do it and to what terms their actions are determined. Only then can their punishment be decided.

Furthermore, corruption is carried out by someone who is given a mandate or trust to manage finances but then misappropriates it for personal gain. Corruptors are usually referred to by the public as white-collar thieves, because the main element of theft, namely falsely taking property, is very prominent in this crime.

Viewed from the perspective of Islamic Criminal Law, corruption cannot be categorized as a *jarîmah hudûd*,⁵⁵ that require the perpetrator's hand to be cut off. Such an obstacle, however, does not necessarily mean that corruption is fine and the perpetrator is free from legal charges. On the contrary, a judge can impose a severe punishment in the form of *ta'zîr* so that the perpetrator is deterred, as long as the judge has courage and faith. The punishment of cutting off a hand can also be interpreted figuratively, meaning to paralyze his power.⁵⁶ This means that legal sanctions against perpetrators of corruption can be in the form of imprisonment and fines, being included in the list of disgraced people, being dismissed, or even being sentenced to death.⁵⁷ even though the death penalty is considered unconstitutional.⁵⁸

⁵⁵ Crimes which forms of action and their legal punishments have been determined in the Qur'an or Hadith.

⁵⁶ Nursyamsudin Ridwan, 'Metodologi Hukum Muhammad Shahrur: Tafsir *Hadd* Pencurian dalam Q.S. al- Ma'idah (5): 38', *Mahkamah: Jurnal Kajian Hukum Islam*, 1.2 (2016), doi:10.24235/mahkamah.v1i2.1302. See also Syamsul Wathani, Habib Ismail, and Akhmad Mughzi Abdillah. "Reconstruction of Women's Fiqh: An Analysis of Muhammad Shahrur's Contemporary Reading in a Hermeneutic Perspective." *J. Islamic L.* 3 (2022): 159.

⁵⁷ Arini Indika Arifin, 'Tindak Pidana Korupsi Menurut Perspektif Hukum Pidana Islam', *Lex et Societatis*, 3.1 (2015): 72–82, doi:10.35796/les.v3i1.7072.

⁵⁸ Muhammad Afdhal Askar, 'Pidana Mati Bagi Pelaku Tindak Pidana Korupsi Menurut Sistem Hukum di Indonesia', *JURIS (Jurnal Ilmiah Syariah)*, 18.1 (2019): 77–90, doi:10.31958/juris.v18i1.1410.

Furthermore, as previously explained, corruption is included in the category of *ta'zîr* crimes whose forms of punishment refer to *ta'zîr* crimes in general. However, there may be new forms of punishment that have never been formulated before, ranging from the maximum to the minimum, depending on the judge's considerations in seeing the magnitude of the consequences and the benefits for the general public.⁵⁹

Thieves can only take part of the victim's property, but corruptors can take all the property in fantastic amounts. This means that the level of profit for corruptors is much greater than that of thieves. Thieves are not too difficult to identify, while corruptors are very difficult to detect because they are the internal object of their corruption. In terms of victims, thieves have very few victims, while corruptors have many victims, even the state can become a victim. Seeing the damage caused by corruptors, the sanctions for corruptors should be heavier than for thieves. If we look at the levels of punishment in al-Maidah verse 33 literally, then the most appropriate level of law for corruptors is the death penalty or crucifixion. There are three types of criminal acts, namely extortion (*al-maksu*), pickpocketing (*al-ikhthilâs*), and snatching (*al-intihâb*), all three of which are correlated with criminal acts of corruption and fall into the category of *ta'zîr* crimes.⁶⁰

Limiting the meaning of the wording of the verses of the Qur'an does not mean restricting the laws contained therein. Everyone is allowed to express the meaning of the Qur'an because after all humans are semiotic creatures (who always interpret) while the Qur'an was revealed for all humans so that interpretation of it is not a monopoly (of one individual) *mujtahid* or a group of schools and certain groups. Moreover, conditions have changed and Islam is currently faced with various new forces triggered by the extraordinary development of human thought in many aspects, so there is no reason not to review the opinions of "classical scholars to be aligned with the conditions of contemporary society."⁶¹

⁵⁹ Syarifuddin, *Ushul Fiqh, Jilid II*, p. 14.

⁶⁰ M. Nurul Irfan, 'Jarimah al-Maksu, al-Ikhtilâs dan al-Intihâb dalam Hukum Pidana Islam', *Al-Adalah*, 11.2 (2013): 173–186, doi:10.24042/adalah.v11i2.258.

⁶¹ Ahmad Syukri Saleh, *Metodologi Tafsir al-Qur'an Kontemporer dalam Pandangan Fazlur Rahman* (Jambi: Sulthan Thaha Press, 2007), p. 3.

In the author's opinion, there is no confusion because the meaning of *وَالسَّارِقُ* is general ('*am*). As long as the general meaning can be *takhsish* (specificated or specified), the general meaning becomes *zanny* (weak). However, the general meaning can no longer be *takhsish*, so the general meaning remains *qath'y* (strong).⁶² In the verse above, the meaning of *وَالسَّارِقُ* can still be interpreted. This means that the meaning that has been practiced is the meaning of *وَالسَّارِقُ* which is defined by scholars as thievery or the act of taking someone else's property that is not their right in a secret way, taken from a storage place, the perpetrator is conscious and the victim is not pleased with the loss of his property.

Therefore, the above definition can also be different from other definitions. However, one thing that must be remembered is that the narrowing or limitation of meaning in the legal realm greatly influences legal provisions or products. Especially those related to unlawful acts, the narrowing or limiting of the meaning of the law can change the classification of the type of legal act that is violated. As a result, it will lead to punishment given to those who violate the law.

Law in the general sense is needed when there is a legal interest for humans.⁶³ In other words, things not included in human interests will not be regulated by law. Law is important in social life. This is where the essential difference in the understanding of law and sharia begins. In Islamic law, a provision to a case is not merely seen as law, but also contains other demands, namely realizing justice.⁶⁴

On the other hand, the judicial institution, besides a legal institution, can also be grouped as a social institution useful in supporting law enforcement and justice by referring to applicable laws.⁶⁵ Therefore, it becomes a dilemma if the Muslim community cannot implement Islamic criminal law. Moreover, it is appropriate for the law to be enforced among the majority community. Law must not only be understood but must

⁶² Syarifuddin, *Ushul Fiqh, Jilid II*, p. 77.

⁶³ Nurjaman and Witro.

⁶⁴ Eddi Rudiana, *Hukum Islam di Indonesia: Pemikiran dan Praktek* (Bandung: PT Remaja Rosdakarya, 1994), p. 156.

⁶⁵ Jaih Mubarak, *Peradilan Agama di Indonesia* (Bandung: Pustaka Bani Quraisy, 2004), p. 3.

also be obeyed by Muslims as the truth. If the existing punishment is less able to create a deterrent effect for the perpetrators, this may be because, in addition to conventional criminal law being poorly understood by the Muslim community, the sanctions given are also quite light so that the deterrent effect expected by law enforcement cannot be realized.

Regarding the difference in definition between a thief and a corruptor, the author can state that in principle the two terms are different. The author's opinion is based on the interpretation of *وَالسَّارِقُ* which has been *takhshîsh* with surah al-Maidah: 38 which explains that the law of cutting off hands is classified as one of the punishments for rioters, troublemakers, and perpetrators of destruction. In Surah al-Maidah verse 38, there is a permissibility for the level of rioters, troublemakers, and perpetrators of destruction according to the impact caused. If this verse is *takhshîsh*, then the law of cutting off hands is only specific to thieves because thieves are rioters, troublemakers, and perpetrators of destruction in society.

The pronunciation in the syara text indicates a certain meaning as long as there is no other evidence that changes its meaning. So if there is a possibility of another meaning that is not based on evidence, then the *qath'y* in it is not affected.⁶⁶ This means that the punishment for corruptors must be heavier than for thieves because the impact of corruption is greater than for thieves. Therefore, the meaning of *يُقْتَلُوا* (killed or crucified) in Surah al-Maidah verse 38 is more appropriate to be applied to corruptors.

Creating a tiered exception law when the established law is applied instantly in cases of theft and corruption to subjects involved, while they are not ready to accept the law will cause greater harm.⁶⁷ Exceptional laws need to be created in the *istihsân* method, namely the *ijtihâd* method in the form of legal exceptions in certain cases to avoid greater harm.⁶⁸ From a legal perspective, corruptors are classified as extraordinary crimes

⁶⁶ Rachmat Syafe'i, *Ilmu Ushul Fiqih* (Bandung: Pustaka Setia, 2007), p. 188.

⁶⁷ Satria Effendi M. Zen, *Yurisprudensi Peradilan Agama Ditinjau dari Segi Fiqh* (Jakarta: Chasindo, 1999), p. 43.

⁶⁸ See Ahmad Syukri Saleh, *Metodologi Hukum Islam Progresif : Reformulasi Istihsân Ibn Taimiyyah* (Jakarta: Gaung Persada Press, 2007).

because of their broad impacts, while thieves are classified as ordinary. Therefore, although there are similarities in terms of actions, in terms of legal nature they are still different.

Corruption can also be considered thievery because of its subtle nature in carrying out its actions. In this case, theft or corruption can also be carried out using increasingly advanced technology. Technology can be a bridge for criminal acts that can harm many people. On the other hand, it can facilitate all the access needed, besides that, it can also be a place to enrich the thieves by using the conveniences offered by these advances. Thus, technology can be the side of a coin between providing welfare for all humans and being an advantage for those who abuse it.⁶⁹ Modern society with all the problems it faces requires adjustment to various things that are closely related to the many factors that follow it. Confusion, anxiety, and difficulty in dealing with existing problems make someone do something to survive even by committing social deviations.

Various needs that must be met make someone think hard so that these needs can be met. This ultimately encourages someone to commit deviant acts even though it has to harm the people around them. The lifestyle that is a person's standard in the modern world will not be fulfilled just like that, even though he has wealth.⁷⁰

Stealing is part of a criminal act that is carried out secretly. However, in its development, the meaning of *sâriq* according to the creation of meaning can also be interpreted as corruption. In this case, corruption is an act to enrich oneself through unjustified means, such as embezzlement. In this case, corruption has several characteristics, is generally carried out by more than one person, and has a secretive nature. Corruption can invite fraud against the public or the wider community, is a betrayal of trust, and is done intentionally.⁷¹

⁶⁹ Muhammad Hasan Rumlus and Hanif Hartadi, 'Kebijakan Penanggulangan Pencurian Data Pribadi dalam Media Elektronik', *Jurnal HAM*, 11.2 (2020): 285–299 (p. 286), doi:10.30641/ham.2020.11.285-299.

⁷⁰ Tresna Maulana, 'Pengaruh Umur, Pendidikan, Pendapatan dan Jumlah Tanggungan Keluarga Terhadap Tingkat Kejahatan Pencurian dengan Pendekatan Ekonomi (Studi Kasus: Narapidana di LP Klas 1 Kedungpane Kota Semarang)' (Universitas Diponegoro, 2014), p. 1.

⁷¹ A. Jajang W. Mahri and others, *Ekonomi Pembangunan Islam* (Departemen Ekonomi dan Keuangan Syariah - Bank Indonesia, 2021), p. 83.

According to Wahbah Zuhaily, punishment must be enforced for the sake of creating common welfare. In implementing the legal sanction, of course, it is also necessary to consider the value of the stolen goods so that a fair sanction can be enforced. As emphasized by Fazlur Rahman, the main idea of the prohibition of theft is to cut off the ability of thieves and simultaneously avoid thievery when their economic needs have been met.⁷²

To impose severe punishment on corruptors, strong guts or courage are needed. This is because in general corruptors are people who have power and a mass base, sometimes even supported by armed forces. Not infrequently they also have the press and people who are loyal to them. Without enough guts, all corruption cases will certainly not be resolved. Strong conviction is needed because corruptors may also bribe judges.⁷³

When viewed from the perspective of the elements of corruption, it can be classified as an act of theft in general, namely stealing. However, specifically, corruption has its meaning, the consequence of which is a specific form of punishment for thieves like corruptors. This is implemented so that corruptors realize that their actions are a betrayal of the state and have threatened the integrity, credibility, and existence of the state. Including in terms of sin, corruption is a greater sin than stealing, because corruption is not only a crime of property but also contains elements of strengthening trust.⁷⁴ Thieves and corruptors have something in common, namely carrying out actions prohibited by law by deliberately taking over other people's property secretly. It's just different in the level of danger, influence, and scope. Thieves endanger people or other parties in a limited way, while corruptors endanger people or other parties quite widely, even endangering the state.

⁷² Ismatulloh, p. 279.

⁷³ Abdulahanaa Abdulahanaa, 'Penerapan Asas Pembuktian Terbalik Terhadap Kasus Pidana Korupsi dalam Perspektif Hukum Islam', *Al-Manabij*, 7.2 (2013): 291–304, doi:10.24090/mnh.v7i2.570.

⁷⁴ Abu Bakar Adanan Siregar, 'Korupsi (Melacak Term-Term Korupsi dalam al-Qur'an)', *Ihya al-Arabiyah: Jurnal Pendidikan Bahasa dan Sastra Arab*, 3.2 (2017): 98–115, doi:10.30821/ihya.v3i2.1327.

Conclusion

Based on the linguistic approach, the term corruptor can be compared to a thief as mentioned in Surah al-Maidah verse 38 in terms of intentionally taking property that is not his right. However, although there are similarities in terms of actions with thieves when viewed from a legal perspective, corruption is classified as an extraordinary crime because of its broad impact so it needs to be punished accordingly. In this context, the punishment for theft in the form of a hand-cut-off sentence can be applied to perpetrators of corruption if the judge considers that the defendant's actions have met the requirements and elements of the law which is valid. Of course, the judge needs to draw comprehensive considerations and be very careful before deciding that the perpetrator deserves to receive a hand-cut sentence.

Author Contributions

Helmina Helmina is responsible for seeking funding sources, administration, and financial reporting. Abdul Helim also participates in seeking funding, administration, and translation into English. Muh Zaitun Ardi also participates in seeking funds, administration, and translation. Doli Witro is responsible for conceptualizing, developing methodology, maintaining data accuracy, and writing the Initial Draft. Darti Busni is responsible for editing, perfecting the final draft, and implementing the publication process through OJS.

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