Kosmik Hukum

Faculty of Law - Universitas Muhammadiyah Purwokerto
Volume 26 Issue 1, January 2026

Print ISSN: 1411-9781 | Print E-ISSN: 2655-9242
Homepage: https://jurnalnasional.ump.ac.id/index.php/KOSMIK/index

Mens Rea and *Causal Nexus* in Public Procurement Corruption: Reconstructing Anti-Corruption Frameworks in ASEAN

Triana Dewi Seroja[1]✉, **Ruetaitip Chansrakaeo**[2], **Emiliya Febriyani**[3], **Rufinus Hotmaulana Hutauruk**[4], **Abdurrakhman Alhakim**[5]

[1,3,4,5] Faculty of Law, Universitas Internasional Batam, Indonesia
[2] Valaya Alongkorn Rajabhat University under the Royal Patronage, Thailand

Corresponding: seroja@uib.ac.id

Received: 2025-07-04 | **Accepted:** 2026-01-25 | **Published:** 2026-01-30

Abstract

Public procurement corruption is one of the most prevalent forms of corruption, with one of the most dangerous and potentially catastrophic impacts on public interests. Despite the continuous efforts to battle corrupt in Indonesia, Malaysia, and Thailand, the three countries are still haunted by the possibility of public procurement corruption, which can significantly stunt their economic growth and overall prosperity. Employing the normative legal research method, this study aims to assess the legal implications of corruption in public procurement and make a case for the acknowledgement of aggravating factors in the relevant criminalization. For this objective, this study analyzes elements of *mens rea* and *causal nexus* in the countries' relevant anti-corruption frameworks. Analysis conclusively reveals that the three countries are not equipped to tie *mens rea* and *causal nexus* due to the lack of distinction between them in the relevant frameworks. The study therefore recommends possible amendment by adding a provision that would enable a dual-layered culpability approach, tying *mens rea* and the actual evidence of corrupt act to the knowledge of possible harm that the perpetrators have, to potentially build a case for a stronger punishment, or provide better normative foundation for future legal developments with the explicit acknowledgement of the broader harms caused by public procurement corruption. The significance of this study lies in its effort to increase the awareness on corruption, particularly by assessing the impacts of public procurement corruption and the mental state behind it, to ultimately make the legal case for harsher punishments against this enduring crime that has stunted growth in Indonesia, Malaysia, and Thailand.

Keywords: Anti-Corruption; *Causal Nexus*; Corruption; *Mens Rea*; Public Procurement Corruption

I. Introduction

Corruption has long been an issue that has stunted developments and stifled growth of many sectors in many countries around the world.[1] In the case of rapidly growing economies like Indonesia, Malaysia, and Thailand, corruption can not only disrupt the trajectory of economic

[1] Klaus Gründler and Niklas Potrafke, "Corruption and Economic Growth: New Empirical Evidence," *European Journal of Political Economy* 60 (2019): 1–14, https://doi.org/https://doi.org/10.1016/j.ejpoleco.2019.08.001.

growth,[2] but also prolong the broader inequalities and injustices that are present in their societies.[3] Worse, corruption in the public sector disproportionately affects the realm of public procurement,[4] which is a key aspect of development that can overwhelmingly affect not only the economy and the lives of the relevant communities.[5] Instead of ensuring prosperity and accelerating growth, public procurements that are ridden with corruption can backfire and threaten public interests, with risks stemming from safety, spending efficiency, and infrastructure failures that can even cause casualties.[6] This is the unfortunate reality of the crime of corruptions, as it continues to happen while adopting many mechanisms to avoid detection, all for the benefits of corrupt officials and other relevant stakeholders.[7]

Corruption itself is an egregious violation of integrity,[8] which in the case of the public sector represents a fundamental betrayal of public trust.[9] In turn, this can create growing public distrust towards the government, risking even broader and perhaps even existential issue such as political instability, among other serious issues.[10] Consequently, corruption thrives under the lack of public awareness, particularly in the general population, as it leaves more room for corrupt officials to do their corrupt maneuvers.[11] In the context of public procurement, the issue of corruption necessitates a comprehensive analysis of the very foundation of criminal provisions that govern the fight against corruption. More importantly, the overreliance on state financial doctrine may not be a sustainable legal approach of the three countries who want to strengthen their grip on this white-collar crime.[12] Analysis of *mens rea* and *causal nexus* can offer significant insights in understanding the adequacy of the relevant anti-corruption framework, particularly in assessing whether or not the three countries have a solid criminalization normative structure than can be further developed to support harsher punishments. As these criminalization aspects of corruption are closely intertwined, clearly delineating *mens rea* from *causal nexus*, at least from a normative standpoint, can provide a clearer view of what to look for in anti-corruption campaigns to properly punish the perpetrators who have fundamentally violated the utilitarian value of public procurements.

---

2 Anisah Alfada, "Corruption and Economic Growth in ASEAN Member Countries," *Economics and Finance in Indonesia* 65, no. 2 (December 2019): 111–31, https://doi.org/10.47291/efi.v65i2.628.

3 Azwar Iskandar, "Does Less Corruption Reduce Income Inequality in Indonesia?," *Jurnal Tata Kelola Dan Akuntabilitas Keuangan Negara* 4, no. 2 (December 2018): 167–86, https://doi.org/10.28986/jtaken.v4i2.193.

4 Imelda Suardi et al., "Procurement Governance in Reducing Corruption in the Indonesian Public Sector: A Mixed Method Approach," *Cogent Business & Management* 11, no. 1 (December 2024): 1–26, https://doi.org/10.1080/23311975.2024.2393744.

5 Mutangili Solomon Kyalo, "Public Procurement as Economic Development Tool in African Nations," *Journal of Procurement & Supply Chain* 8, no. 3 (November 2024): 48–59, https://doi.org/10.53819/81018102t2447.

6 Robert Mukobi, "Corruption in Public Procurement and Its Implication on Public Service Delivery and Development in Uganda," *Rule of Law and Anti-Corruption Center Journal* 2024, no. 1 (2024): 1–15, https://doi.org/10.70139/rolacc.2024.1.1.

7 Emiliya Febriyani, Elza Syarief, and Triana Dewi Seroja, "Pemanfaatan Artificial Intelligence Dalam Deteksi Dan Pencegahan Tindak Pidana Pencucian Uang: Potensi Dan Tantangan Hukum?," *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 13, no. 4 (January 2, 2025): 877–98, https://doi.org/10.24843/JMHU.2024.v13.i04.p10.

8 Emile Kolthoff, "Integrity Violations, White-Collar Crime, and Violations of Human Rights: Revealing the Connection," *Public Integrity* 18, no. 4 (October 2016): 396–418, https://doi.org/10.1080/10999922.2016.1172933.

9 Paul Heywood and Rebecca Dobson, "Clean but Compromised: Corruption in the UK Public Administration," *DPCE Online* 38, no. 1 (April 2019): 414–31, https://doi.org/10.57660/dpceonline.2019.673.

10 Tshilidzi Munzhelele, "The Relationship Between Corruption, Inflation, Political Instability and Exchange Rate Volatility in South Africa," *International Journal of Economics and Business Administration* XII, no. 4 (January 2024): 72–86, https://doi.org/10.35808/ijeba/861.

11 Augustino Sanduo et al., "Perancangan Video Edukasi Dan Penyuluhan Terkait Integritas Dan Gerakan Anti Korupsi Di Sekolah Kasih Maitreya Selatpanjang," *Prosiding National Conference for Community Service Project (NaCosPro)* 4, no. 1 (2022): 45–50, https://journal.uib.ac.id/index.php/nacospro/article/view/6913.

12 Daffa Ladro Kusworo and Titi Anggraini, "Extensive Interpretation of State Financial Losses in Tin Sector Corruption: A Comparative Study of Emerging Economies," *Integritas: Jurnal Antikorupsi* 10, no. 2 (February 2025): 173–86, https://doi.org/10.32697/integritas.v10i2.1280.

Indonesia's government dedicated around IDR 300 trillion on public procurement in 2023, which prompted the country's anti-corruption body to heighten the alertness and the effort to eradicate corruption.[13] This financial commitment shows a fertile ground of corruption, especially because country that has been severely stunted by corruption in the public sector. Much like its neighbor, Malaysia is also struggling with corruption, particularly in the realm of public procurement, as analysis from GAN Integrity noted Malaysia's public procurement as high risk for businesses, due to the country's track record of corruption as exposed in the case of 1MDB, which resulted in approximately more than USD 3 billion funds misappropriated.[14] In Thailand, villagers found a serious amount of public procurement corruption in 2021, after finding disproportionate amounts of funds being given by the government for many public properties that were far cheaper than the documented funds used for those properties. This instance raised a serious concern over the country's problem of public procurement corruption, particularly because the country spends over $13 billion in public procurement annually.[15]

Corruption itself has remained a serious issue in Indonesia, Malaysia, and Thailand. Indonesia has consistently been rated as a country with a relatively low score of Corruption Perception Index (CPI), with data from Transparency International in 2024 showing Indonesia with the CPI score of 37, which ranks the country at 99th, well below neighboring countries like Malaysia and Singapore.[16] Malaysia, despite the continuous struggle in battling corruption, has yielded more results as the country's CPI for 2024 is 50, putting Malaysia in the 54th rank and in 2nd position among ASEAN members, behind only Singapore who sits well at the 3rd position globally and the 1st among ASEAN members.[17] Thailand also continuously struggles with corruption as the country ranks the lowest out of the three countries in CPI, with the score of xx, ranking the country at 37th.[18]

Corruption has long been cited within the literature as one of the biggest reasons for public procurement problems, as noted by a study conducted by Wiliams-Elegbe (2018).[19] The study also noted the shortcomings of relying on the normative framework and the overall enforcement, suggesting that civil movements and broader participation of the public may be needed to bring substantial changes to the anti-corruption landscape in the realm of public procurement, which is a key part of a country's development. Additionally, a study carried out by Ferwerda, Delanu, and Unger (2017) noted transparency as the most important aspects in ensuring a cleaner cycle of public procurement.[20] Other than the lack of transparency, manipulation is also noted as one of the most common themes among the red flags identified in public procurement corruption data that were analyzed by the study. These are in line with the findings noted by a study done by

---

13 Dodi Hardinata, Yenisrida Yenisrida, and Hendra Depriansyah Putra, "Case Analysis of Public Procurement Management In Indonesia for The Period of 2023," *Dinasti International Journal of Economics, Finance & Accounting* 5, no. 6 (January 2025): 5865–76, https://doi.org/10.38035/dijefa.v5i6.3631.

14 GAN Integrity, "Malaysia Country Risk Report," GAN Integrity, November 2020.

15 Open Contracting Partnership, "The Power of Procurement Data: How One Villager Unveiled a Corruption Scandal," Open Contracting Partnership, June 2024.

16 Wawan Suyatmiko, "Korupsi, Demokrasi, Dan Krisis Lingkungan: Corruption Perception Index 2024" (Jakarta, February 2025).

17 Muhammad Mohan, "Corruption Perception Index 2024: Malaysia" (Petaling Jaya, February 2025).

18 Suyatmiko, "Korupsi, Demokrasi, Dan Krisis Lingkungan: Corruption Perception Index 2024."

19 Sope Williams-Elegbe, "Systemic Corruption and Public Procurement in Developing Countries: Are There Any Solutions?," *Journal of Public Procurement* 18, no. 2 (January 2018): 131–47, https://doi.org/10.1108/JOPP-06-2018-009.

20 Joras Ferwerda, Ioana Deleanu, and Brigitte Unger, "Corruption in Public Procurement: Finding the Right Indicators," *European Journal on Criminal Policy and Research* 23, no. 2 (2017): 245–67, https://doi.org/10.1007/s10610-016-9312-3.

Mahuwi and Israel (2024), which also touted transparency as a key factor in promoting public procurements free of corruption.[21]

Furthermore, a study conducted by Hassan (2025) established the links between corruption in the realm of public procurement and the erosion of public service quality, which ultimately damages the broader public interests.[22] The findings expanded the damages that corruption does in the context of public procurement from mostly only about procurement efficiency, further highlighting the need for a robust transparent framework to assess public procurement processes. Moreover, a study conducted by Rejeb et al. (2024) analyzed the literature development around the topic of public procurement and found corruption to be a significant portion of it.[23] The study also noticed a recent shift from predominantly corruption-focused to more complex issues like green procurement and innovation. However, it is important to note that this shift may not necessarily indicate a positive change as these two aspects can require even more financial commitment, creating even more fertile grounds for corruption in the realm of public procurement.

From the literature review analysis, it is apparent that there is still a significant gap in assessing the adequacy of normative framework in establishing the connection between *mens rea* and *causation nexus*, which can help build a case for a harsher set of punishments and potentially support the foundation of future legal developments without the need for overwhelmingly radical amendments. This is precisely the gap that this study is trying to fill, with the main goal of establishing added weight of criminality. The core novelty of this study is its reconstruction of corruption criminalization by introducing a dual-layered culpability theoretical framework, separating *mens rea* from *causation nexus* in the context of public procurement corruption, and then connecting them to establish a higher set of harsher punishments. However, it is important to note that this study is not without certain limitations, particularly from its methodology, which focuses on extracting legal norms and scrutinizing their adequacy from the theoretical standpoint, without relying on quantitative data. Nevertheless, this study contributes to the ongoing fight to eradicate corruption by offering a practical roadmap for legal reform for these developed nations, through the introduction of a more robust standard for measuring the actual damage caused to public interests.

II. Research Problems

This study addresses three critical research problems. First, it investigates the associated risks of corruption that may arise within the implementation of smart city initiatives, particularly in the context of increased technological integration and public-private partnerships. Second, it evaluates the adequacy of the existing legal framework in effectively preventing, detecting, and prosecuting corruption in the rapidly evolving digital governance landscape. Third, it explores the formulation of a proposed model for legal reforms aimed at strengthening anti-corruption mechanisms and ensuring transparency, accountability, and good governance in smart city development.

---

[21] Leticia Mahuwi and Baraka Israel, "Promoting Transparency and Accountability towards Anti-Corruption in Pharmaceutical Procurement System: Does e-Procurement Play a Significant Role?," *Management Matters* 21, no. 1 (January 2024): 20–37, https://doi.org/10.1108/MANM-07-2023-0027.

[22] Hayatullah Boladale Hassan, "Public Procurement Practices, Corruption Perception, and Service Delivery in the EU: An Empirical Analysis of Financial Accountability and Predictive Roles," *Journal of Accounting, Ethics & Public Policy, JAEPP* 26, no. 2 SE-Articles (July 2025): 82, https://doi.org/10.60154/jaepp.2025.v26n2p82.

[23] Abderahman Rejeb et al., "Public Procurement Research: A Bibliometric Analysis," *International Journal of Public Sector Management* 37, no. 2 (January 2024): 183–214, https://doi.org/10.1108/IJPSM-07-2022-0157.

III. Research Methods

This study employs the normative legal research method, emphasizing the focus of analysis on the relevant legal norms found in the normative frameworks that govern the topic of the analysis.[24] The analysis done through this method typically involves the utilization of secondary data in the form of primary law sources, to then be dissected through the Black Letter Law analysis to create a legal lens into the legal topic.[25] This methodology is suitable for this study as it enables a deep analysis into the underlying nuances behind normative structures and their implications to the legal topic at hand, which are essential in assessing the adequacy of the normative architecture.[26] Additionally, the study is also supported by the comparative approach, to conduct the necessary comparative analysis of the normative findings, for the purpose of identifying the relevant commonalities and differences, along with the patterns of normative development,[27] particularly in the region of Southeast Asia. Data for this study are gathered through the technique of literature review and analyzed descriptively. Primary law sources used in this study are taken from Indonesia, Malaysia, and Thailand. Indonesia's anti-corruption legal framework consists of Law No. 31 of 1999 on Eradication of Criminal Acts of Corruption, Law No. 20 of 2001 on Amendment to Law No. 31 of 1999 on Corruption Eradication, Law No. 30 of 2002 on The Corruption Eradication Commission, Government Regulation in lieu of Law No. 1 of 2015 on Amendments to Law No. 30 of 2002 on The Corruption Eradication Commission, and Law No. 19 of 2019 on the Second Amendment to Law No. 30 of 2002 on The Corruption Eradication Commission. Malaysia's primary anti-corruption legislation is governed by the Malaysian Anti-Corruption Commission Act 2009. Thailand relies on the Organic Act on Anti-Corruption B.E 2561 (2018) as its main framework for tackling corruption.

IV. Result and Discussion

1. *Mens Rea* of Public Procurement Corruption and Its *Causation Nexus*

Corruption in public procurement continues to be a problem that many developing countries have to face.[28] This problem is more relevant as many developing countries are ambitious to move up the ladder and eventually become developed, escaping the precarious struggle of the middle-income trap.[29] Public procurement can help maintain the rate of economic growth while also attracting more domestic and foreign investments.[30] Public procurement can also symbolize government's commitment to certain aspects of development, which raises the confidence of investors and the general public, fueling even more business and development

[24] Hari Sutra Disemadi, "Lenses of Legal Research: A Descriptive Essay on Legal Research Methodologies," *Journal of Judicial Review* 24, no. 2 (2022): 289–304, https://doi.org/10.37253/jjr.v24i2.7280.

[25] David Tan, "Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum," *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 8, no. 5 (2021): 2463–78, https://jurnal.um-tapsel.ac.id/index.php/nusantara/article/view/5601.

[26] Sanne Taekema, "Theoretical and Normative Frameworks for Legal Research: Putting Theory into Practice," *Law and Method* first-view (February 2018): 1–17, https://doi.org/10.5553/REM/.000031.

[27] Tunggul Ansari Setia Negara, "Normative Legal Research in Indonesia: Its Originis and Approaches," *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (February 2023): 1–9, https://doi.org/10.22219/aclj.v4i1.24855.

[28] Williams-Elegbe, "Systemic Corruption and Public Procurement in Developing Countries: Are There Any Solutions?"

[29] Adnan Naseemullah, "The International Political Economy of the Middle-Income Trap," *The Journal of Development Studies* 58, no. 10 (October 2022): 2154–71, https://doi.org/10.1080/00220388.2022.2096440.

[30] Maurizio Caserta et al., "Too Big to Be Efficient? The Role of Size in Public Procurement Performance," *Economic Analysis and Policy* 86 (2025): 2049–69, https://doi.org/https://doi.org/10.1016/j.eap.2025.05.036.

growth.[31] These aspects essentially position public procurement as a critical catalyst for national development and economic transformation.

Unfortunately, due to the substantial amount of funds often committed for public procurement purposes, many government officials are tempted to use these funds for their own personal benefits. Corruption within the context of public procurement still remains one of the most frequent forms of corruption precisely because of this,[32] along with the fact that public procurement processes often involve complex bureaucratic layers and substantial discretionary powers that create numerous opportunities for corrupt officials.[33] Furthermore, the effort to detect, let alone prosecute this egregious crime against the public interest, can be difficult and often times arduous.[34] This is mostly because of the systemic nature of corruption, which in itself essentially symbolizes a systemic rot of integrity within the government.[35] Due to the existing checks and balances within the government, corrupt officials often join hands in architecting a corruption scheme to bypass certain checkpoints that were made to prevent public funds from being misappropriated.[36]

From the philosophical standpoint, corruption in public procurement is often tied to the breach of social contract, at least in how social contract is defined by Rousseau and Locke. [37] However, perspective from the theory of utilitarianism can also offer useful insights for this legal topic, especially according to how it was established by Jeremy Bentham.[38] Under utilitarian theory, corruption in public procurement represents a fundamental misallocation of resources that undermines the greatest good for the greatest number of people, as public funds intended for societal benefit are diverted for personal gain. From this standpoint, the views on the implications of corruption revolve around the emphasis that the harm extends beyond the immediate financial loss to encompass the broader social welfare implications, including reduced public trust, inefficient resource distribution, and compromised public services. Therefore, the *causal nexus* functions not merely as a procedural link, but as the quantifiable measure of the public harm. Moreover, the utilitarian perspective can also be utilized to establish a stark contrast of utilitarian purposes of public procurement purposes, especially when public procurements end up causing infrastructure failures that can actually cause serious harm to the people.

Therefore, an argument can be made that in ensuring a proper criminalization of public procurement corruption, a legal system would need to assess how *mens rea* and causation nexus

---

31 Olga Chiappinelli, Leonardo M Giuffrida, and Giancarlo Spagnolo, "Public Procurement as an Innovation Policy: Where Do We Stand?," *International Journal of Industrial Organization* 100 (2025): 1–20, https://doi.org/https://doi.org/10.1016/j.ijindorg.2025.103157.

32 Deta Nova, Kgs. M Sobri, and Abdul Nadjib, "Analysis of Corruption Prevention Forms and Policies in Goods and Services Procurement: E-Procurement as a Solution," *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)* 7, no. 3 (November 2024): 7755–75, https://doi.org/10.31538/iijse.v7i3.5848.

33 John Bennett and Matthew D. Rablen, "Bribery, Hold-up, and Bureaucratic Structure," *Economic Inquiry* 59, no. 3 (July 2021): 880–903, https://doi.org/10.1111/ecin.12985.

34 Hepnu Nur Prihatmanto, Mas Dadang Enjat Munajat, and Ira Irawati, "Detecting the Corruption Pattern and Measuring the Corruption Detection Pace at the Indonesian Village Level," *Jurnal Tata Kelola Dan Akuntabilitas Keuangan Negara* 9, no. 2 (December 2023): 289–308, https://doi.org/10.28986/jtaken.v9i2.1361.

35 Ivan Langr, "Public Procurement in the Systemic Corruption Environment: Evidence from the Czech Republic," *NISPAcee Journal of Public Administration and Policy* 11, no. 2 (December 2018): 53–79, https://doi.org/10.2478/nispa-2018-0013.

36 Luciano Da Ros and Matthew M. Taylor, "Checks and Balances: The Concept and Its Implications for Corruption," *Revista Direito GV* 17, no. 2 (2021): 1–30, https://doi.org/10.1590/2317-6172202120.

37 Simon Aondohemba Shaapera, "Evaluating the Social Contract Theoretical Ideas of Jean Jacques Rousseau: An Analytical Perspective on the State and Relevance to Contemporary Society," *African Journal of Political Science and International Relations* 9, no. 2 (February 2015): 36–41, https://doi.org/10.5897/AJPSIR2013.0613.

38 Yosia Hetharie, Isis Ikhwansyah, and Ema Rahmawati, "Legal Empowerment of Indonesian Micro Small Medium Enterprises in the Digital Era: A Comparing with China," *Jurnal IUS Kajian Hukum Dan Keadilan* 13, no. 2 (July 2025): 326–45, https://doi.org/10.29303/ius.v13i2.1688.

are affecting the criminality of public procurement corruption schemes. *Mens rea* is often defined as the particular mental state provided for in the definition of an offense, which reflects the conscious choices made in relation to the criminal intent.[39] *Causal nexus* represents the underlying connecting mechanisms that establish genuine causational relationships between phenomena, distinguishing it from mere correlative associations. As Provan (2021) demonstrates, *causal nexus* identifies the structural factors that serve as the actual linking elements between actions and their consequences.[40] Theoretically, this serves as the bridge between abstract criminality and concrete utilitarian loss. It transforms the breach of duty into a measurable deficit in public welfare, which Bentham's framework requires for the proportionality of punishment. Albeit different in nature, these two elements of criminality significantly affect each other. Integrating this connection into the relevant provisions criminalizing public procurement corruptions can help construct a comprehensive understanding the true nature of the crime and how it can significantly damage public interests.

Often times, perhaps counterintuitively, clearly establishing the lines that differentiate them as a part of the mental framework behind the criminality of public procurement corruption, can help strengthen the evidentiary foundation for prosecution while simultaneously justifying enhanced penalties. By delineating *mens rea* as the deliberate intent to misappropriate public funds from the causation nexus that establishes the direct link between corrupt actions and societal harm, legal frameworks can more precisely calibrate punishment severity based on both the perpetrator's culpability and the measurable damage to public welfare. This is even more important when the systemic nature of corruption is taken into account, as it may reflect the elements of criminality in many cases of public procurement corruption, throughout key sectors. When tied to the utilitarian purpose of public procurements and the role of government officials as facilitators of societal development, the establishment of *mens rea* can showcase that corruption within the public sector, particularly in the context of public procurement, is an inherently sinister act of opportunism, with little to no deniability regarding the impact of such crime.

This analytical separation can be utilized through the normative lens to construct a comprehensive mental framework that definitively establishes the dual-layered culpability of corrupt officials in public procurement schemes. By clearly delineating *mens rea* from causation nexus normatively, courts can demonstrate that perpetrators possess not only deliberate criminal intent but also full awareness of the societal harm their actions will inflict upon the public they are sworn to serve. Not only that, it also reveals that corrupt officials consciously choose to betray the utilitarian purposes of public procurement, which according to Bentham is about maximizing collective welfare through efficient resource allocation.[41] This lens exposes how corrupt officials deliberately reject their role as stewards of public utility in favor of individual gain, knowing that their actions will diminish the greatest good for the greatest number. Below is the mind map of the analytical framework regarding this.

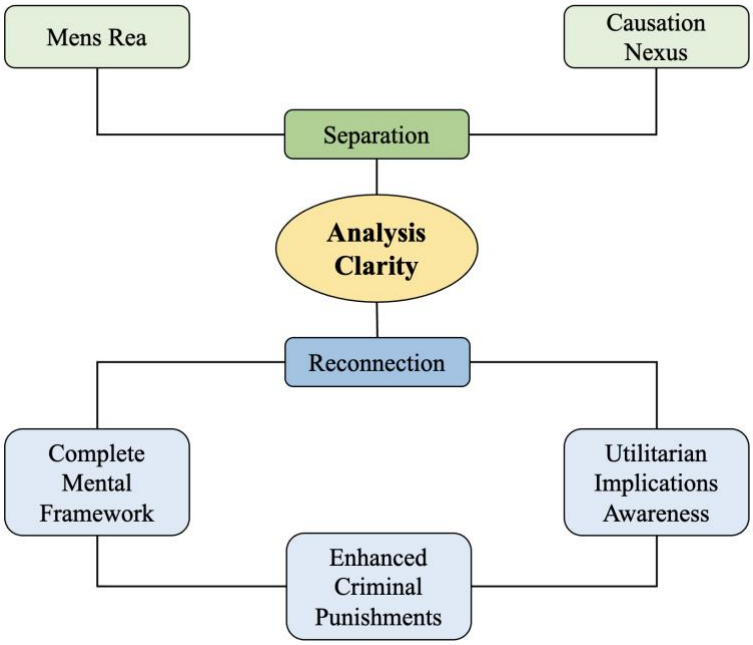
---

[39] Marcia Baron, "Negligence, Mens Rea, and What We Want the Element of Mens Rea to Provide," *Criminal Law and Philosophy* 14, no. 1 (April 2020): 69–89, https://doi.org/10.1007/s11572-019-09509-5.

[40] Jack Provan, "Crime After Conflict," *Contemporary Challenges: The Global Crime, Justice and Security Journal* 2 (October 2021): 227–43, https://doi.org/10.2218/ccj.v2.5400.

[41] Hend Hanafy, "Bentham: Punishment and the Utilitarian Use of Persons as Means," *Journal of Bentham Studies* 19, no. 1 (2021): 1–23, https://doi.org/10.14324/111.2045-757X.048. Marie Manikis, "The Principle of Proportionality in Sentencing: A Dynamic Evolution and Multiplication of Conceptions," *Osgoode Hall Law Journal* 59, no. 3 (October 2022): 587–628, https://doi.org/10.60082/2817-5069.3812.

Figure 1. Analytical Framework Mind Map



Source: Author's illustrations

This mind map highlights the theoretical progression for establishing a dual-layered culpability framework in public procurement corruption cases. The framework systematically separates *mens rea* from causation nexus to achieve analytical clarity, then strategically reconnects these elements through a complete mental framework that demonstrates the perpetrator's awareness of both their criminal purpose and its consequences, alongside their awareness regarding negative utilitarian implications on public interests. This analytical framework establishes the intellectual foundation necessary to justify enhanced criminal punishments calibrated to both individual culpability and measurable damage to societal interests, particularly through the lens of utilitarianism. It can serve as an added lens to equip the normative analysis for a more focused direction to ensure consistency in analysis.

2. Assessment of Anti-Corruption Frameworks

The Indonesia is governed by a number of relevant laws against corruption practices. The country does not explicitly limit corruption to only corruption schemes that happen in the public sector, but the provisions within the relevant framework consistently only refers to the corrupt acts that are done by government officials, which creates a distinct and focused normative approach, totally separate from the private sector. The anti-corruption frameworks of Indonesia include Law No. 31 of 1999 on Eradication of Criminal Acts of Corruption and Law No. 20 of 2001 on Amendment to Law No. 31 of 1999 on Corruption Eradication.[42] Specifically for the anti-corruption commission, the country relies on Law No. 30 of 2002 on The Corruption Eradication Commission, Government Regulation in lieu of Law No. 1 of 2015 on Amendments to Law No.

[42] Syifa Azzahra, Irsyad Aleksa Zulkarnain, and Nazwan Aulia, "Analisis UU Tipikor Dalam Penanggulangan Tindak Pidana Korupsi Di Indonesia," *QOSIM: Jurnal Pendidikan Sosial & Humaniora* 3, no. 2 (May 2025): 835–41, https://doi.org/10.61104/jq.v3i2.1150.

30 of 2002 on The Corruption Eradication Commission, and Law No. 19 of 2019 on the Second Amendment to Law No. 30 of 2002 on The Corruption Eradication Commission.

Indonesia's anti-corruption framework is unfortunately unequipped for the implementation of the proposed dual-layered culpability framework that separates *mens rea* from *causal nexus* in public procurement corruption cases. Article 2 exemplifies this structural deficiency through its explicit adoption of formal offense principles by criminalizing any person who "unlawfully enriches themselves or others or a corporation in a manner that can harm state finances or the state economy," with the critical limitation embedded in its official explanation, which categorically states that "the existence of a corruption offense is sufficient with the fulfillment of the elements of acts that have been formulated, not with the occurrence of consequences." This provision enables easier prosecution for public procurement corruption as it completely ignores the value of establishing *causal nexus.* Moreover, the provision's use of the modal verb "can" before the phrase "harm state finances" reinforces this formal approach by eliminating any requirement to demonstrate actual harm.

This formal offense approach pervades the entire anti-corruption framework through pattern that is also identified across Articles 3, 5 through 12, each of which adopts similar structural limitations that preclude the establishment of *causal nexus* as an independent criminalization element. Article 3's Focus on abuse of authority in official positions mirrors Article 2's formal structure by criminalizing acts that "can harm state finances or the state economy," with its explanation explicitly referencing the same formal offense interpretation established in Article 2's commentary. Furthermore, Articles 5 through 12, which address various forms of bribery, embezzlement, and official misconduct most relevant to public procurement corruption, consistently utilizes the same format by focusing exclusively on the completion of prohibited acts without connecting them to any *causal nexus*. This systematic approach creates a normative environment where the law's primary concern centers on the mere performance of corrupt behaviors, further reinforcing the overreliance on the doctrine of state financial loss.

For Malaysia, the main source of primary law that governs the fight against corruption is the Malaysian Anti-Corruption Commission Act 2009.[43] The Act also reflects similar impediment as found in the previous analysis regarding the Indonesian framework. Section 16 governs the foundational corruption offence most applicable to public procurement contexts by criminalizing anyone who "corruptly solicits or receives or agrees to receive" or "corruptly gives, promises or offers" any form of gratification, as an inducement to or a reward for, or otherwise on account of" specified actions. This formal offense approach becomes even more explicit in Section 17, which addresses corruption by agents and criminalizes the acceptance of gratification "as an inducement or a reward for doing or forbearing to do" certain acts, establishing the legal framework's primary concern with the mere occurrence of corrupt transactions rather than their broader societal impacts or the establishment of genuine causational relationships between corrupt actions and public harm. From the purely *mens rea* perspective, Malaysia's framework displays a more comprehensive understanding of the importance of establishing mental state for corruption, but the same gap of *causal nexus* remains a barrier that can prevent the utilization of dual-layered culpability framework.

The criminalization structure in Malaysia's anti-corruption framework also does not support the utilization of dual-layered culpability framework, as it is embedded with

[43] Tinuk Dwi Cahyani, Muhamad Helmi Md Said, and Muhamad Sayuti Hassan, "A Comparison between Indonesian and Malaysian Anti-Corruption Laws," *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* 10, no. 2 (2023): 275–99, https://doi.org/10.22304/pjih.v10n2.a7.

"notwithstanding" clauses that explicitly eliminate any requirement to establish causal connections between corrupt acts and their consequences, which effectively codifies the separation of criminal liability from measurable harm. Section 19 strengthens the pattern of this approach by stating that corruption offenses are committed "notwithstanding that" the accused "did not have the power, right or opportunity" to perform the intended act, "accepted the gratification without intending" to perform it, "did not in fact" perform it, or that "the act, favor or disfavor was not in relation to his principal's affairs or business." This explicit statutory language is reinforced throughout Sections 21 and 22, which contain identical "notwithstanding" formulations that systematically disconnect criminal liability from actual performance, intent to perform, or even the relevance of the corrupt act to the official's duties. Furthermore, the provision regarding the use of office or position for gratification in Section 23 establishes a presumptive framework where officers are "presumed, until the contrary is proved, to use his office or position for any gratification" when making decisions in matters where they have an interest, creating a formal offense structure that operates independently of any demonstrable harm to public interests or institutional integrity.

For Thailand, the main framework in tackling the crime of corruption is the Organic Act on Anti-Corruption B.E 2561 (2018).[44] The Act presents the most explicit structural barrier against the dual-layered culpability framework among the other two countries analyzed previously. This is evident in Section 173, which governs the primary corruption provision applicable to public procurement schemes, presents the most fundamental barrier as it criminalizes public officials who "request, accept, or agree to accept any assets or other benefits for himself or herself or other person in order to act or omit an act in position, regardless of whether such act is legitimate or illegitimate towards the duty." This provision explicitly and directly eliminates any consideration of actual consequences or harm to public interests. This normative trend is further reinforced by the Act's definition of "corruption" as governed in Section 4, which puts a great emphasis on "the performance or omission of a particular act in office or in the course of official duty" with intent to acquire "undue advantage."

This systemic normative elimination of *causal nexus* requirements extends throughout the Act's substantive provisions through explicit statutory language that disconnects criminal liability from any requirement to prove actual consequences, which positions Thailand as the country with the most comprehensive formal offence normative architecture among the three countries. Section 174 dives deeper into the *mens rea*, by criminalizing officials who perform acts "with the intention to obtain the assets or other benefits which he or she requests, accepts, or agrees to accept before taking office." The Thai framework also criminalizes the giving of benefits through Section 176, which prohibits the act "with an intent to induce such person to wrongfully perform, not perform or delay the performance of any duty," further relying solely on *mens rea*. Interestingly, Section 172 contrasts this approach by criminalizing officials who "perform or omit to perform an act in the position or duties or abuse power in the position or duties to cause damages against any person," which requires proof of actual harm to a specific victim rather than focusing solely on the corrupt exchange itself. However, this provision cannot necessarily be utilized in the case of public procurement corruption, due to the fact that the provision is

[44] Thepnarit Phipimai and Suksamai Sutthibodee, "The Implementation of Conspiracy in the Organic Act on Anti-Corruption B.E. 2561," *Ph.D. in Social Sciences Journal* 13, no. 2 (August 2023): 326–40.

fundamentally tied to the *mens rea* of "to cause damages against any person", which constitutes general malice, rather than the more specific corrupt mental state.[45]

3. Further Implications and Future Recommendations

The main implication from Indonesia is that the country's framework fundamentally compromises the theoretical foundation upon which the dual-layered culpability framework depends on its enhanced punishment justification. Under this idealized framework, courts would be expected to demonstrate both the deliberate criminal intent and full awareness of the societal harm their actions will inflict, which would enable more justifications for harsher punishments. Unfortunately, Indonesia's formal offense approach systematically eliminates the evidentiary foundation necessary for such demonstrations by legally defining corruption offenses as complete upon the mere performance of prohibited acts, irrespective of whether those acts generate measurable harm to state finances, economic systems, or broader public interests. There is an argument to be made, however, that this system was made to facilitate easier prosecution of corrupt officials.[46] However, the main argument against this is not in support of an idealized provision that requires both, but rather a provision that fundamentally supports the establishment of *mens rea* and proof of actual corrupt act, that is also supported by another provision that would enable the acknowledgement of harm, to firmly establish a dual-layered culpability approach.

Similar implications are also found in the case of Malaysia, as the country's formal offense architecture extend far beyond procedural considerations, which keeps the country away from possibly utilizing a dual-layered culpability approach. The prevalent use of "notwithstanding" provisions throughout the Malaysian framework acknowledges the crime of public procurement corruption based only on the mere exchange or agreement to exchange gratification. Therefore, in the case of public procurement corruption resulting in collapsed infrastructure or public safety systems, or any kind of significant economic disruption caused by delay of the procurement processes, the Malaysian legal system has no way to tie those damages to the crime of corruption itself as consequential harms that enhance the elements of criminality.

Thailand is also found to have similar implications, caused by perhaps the most direct and explicit provisions, when compared to the previous two countries. The Act's repeated use of phrases like "regardless of whether such act is legitimate or illegitimate towards the duty" creates a structural limitation to apply the dual-layered culpability approach. The Thai framework makes no possible way to separate *mens rea* from *causal nexus*, as it explicitly defines corruption offenses as complete upon the formation of corrupt intent and agreement, irrespective of whether those agreements generate any measurable harm to the utilitarian purposes of public procurement or broader public interests. Despite

Looking back on the analysis, it is apparent that none of the three countries facilitates the use of dual-layered culpability approach, which as explained before could provide a comprehensive measurement standards for criminal punishment sentencing. However, it is imperative to be duly noted that this study is not necessarily looking at this approach as an inseparable, but unfortunately lacking, part of the relevant provisions discussed. Rather, the

---

[45] Kamsi Kamsi et al., "Intentionally Changing Everything: Deliberate Constructing in Corruption Case," *Lex Scientia Law Review* 7, no. 2 (November 2023): 449–88, https://doi.org/10.15294/lesrev.v7i2.59866.

[46] Edita Gruodytė and Ugnė Urbšytė, "Criminalization of the Promise and Offer to Give or Accept a Bribe as a Completed Criminal Offense: Compliance with the *Ultima Ratio* Principle," *Baltic Journal of Law & Politics* 14, no. 2 (December 2021): 123–41, https://doi.org/10.2478/bjlp-2021-0013.

angle of this study opens the possibility of a separate criminalization provisions that can facilitate the acknowledgement of causation nexus, which allows an even better case-building for the relevant prosecutions. This is because the existing framework, despite the identified specific gap, still offers a key advantage for the criminalization of public procurement corruptions, as it simplifies the establishment of a crime.

The main recommendation that this study suggests for all three countries is to amend their relevant legal frameworks by adding a provision that explicitly specifies not only the kind of harms that a corruption scheme can have, but also ties it to the establishment of *mens rea* from the existing provisions. Theoretically, this amendment functions not by replacing the current laws, but by establishing a hybrid liability structure where the existing formal offense captures the sinister opportunism of the intent, while the new provision captures the utilitarian deficit. This creates a separate yet normatively tied together bundle of provisions, that can possibly extend the length that a prosecution within an anti-corruption campaign would go for. It ensures that the legal system retains the ease of prosecution for conduct-based crimes while simultaneously equipping it with a material accountability mechanism to punish the actual destruction of public welfare. Specifically for Thailand, the country can utilize the existing model within its anti-corruption framework, found within Section 172, or simply modify it to remove the normative barrier that seemingly keeps the provision outside of the corruption context. With these recommendations, the three countries can apply the dual-layered culpability to deepen the investigation and prosecution of public procurement corruption and possibly deterring future corruption schemes. These recommendations are built with the emphasis on the implementation of anti-corruption law from a static assessment of conduct to a dynamic evaluation of the materialization of risk, rooted in the broader implementation of the utilitarian legal theory, allowing the punishment to scale according to the actual damage caused. With these recommendations, it is hoped that improvements for the substance and structure of the law, which can significantly affect legal culture,[47] can ultimately increase the result of anti-corruption campaigns.

V. Conclusion

Analysis conclusively finds the corruption in public procurement continues to pose a significant challenge for many developing countries, obstructing efforts to stimulate economic growth and attract both domestic and foreign investments. The complexity of the procurement process, coupled with the discretionary powers vested in public officials, creates an environment ripe for corruption. This issue is not only financial but also undermines public trust, social welfare, and development efforts. A crucial element in understanding the gravity of public procurement corruption is the interplay between *mens rea* (criminal intent) and the causation nexus, which highlights the tangible harm such actions inflict on public welfare. By establishing a clear connection between the intent to misuse public funds and the resulting damage to societal interests, a more comprehensive framework for criminalizing public procurement corruption can be developed.

The current anti-corruption frameworks in Indonesia, Malaysia, and Thailand demonstrate significant limitations in effectively addressing the full scope of public procurement corruption.

[47] Triana Dewi Seroja and Winda Fitri, "Implementasi Dan Implikasi Asas Kekhususan Sistematis Pada Tindak Pidana Telekomunikasi," *Journal of Law and Policy Transformation* 4, no. 2 (December 20, 2019): 104–22, https://doi.org/10.37253/jlpt.v4i2.662.

These frameworks focus primarily on formal offenses, which criminalize the act of corruption based on the performance of certain acts, often without the need to prove any actual harm or measurable consequence. This structural deficiency prevents the establishment of a dual-layered culpability framework, which would require both the intentional act of corruption and the resulting harm to be considered in determining the severity of punishment. The failure to integrate a *causal nexus* between corrupt actions and societal damage compromises the potential for more targeted and effective criminal justice responses. Despite the procedural ease provided by the current laws, they do not adequately address the broader implications of corruption, such as the long-term impact on public services, infrastructure, and economic stability.

Given these findings, the study recommends significant amendments to the existing legal frameworks in these countries. By introducing provisions that not only define the acts of corruption but also explicitly address the harms caused by such actions, a more holistic approach to anti-corruption can be established. This could involve a hybrid structure that retains the simplicity of the current system for prosecuting conduct-based offenses while also integrating a *causal nexus* to measure the material damage caused by corruption. For Thailand, specifically, this could be achieved by revising existing provisions to allow for the consideration of actual harm, thus bridging the gap between *mens rea* and the consequential harm caused by corruption in public procurement. This proposed reform would enhance the capacity of the legal systems to deter future corruption and more effectively punish those responsible for undermining public welfare.

References

Alfada, Anisah. "Corruption and Economic Growth in ASEAN Member Countries." *Economics and Finance in Indonesia* 65, no. 2 (December 2019). https://doi.org/10.47291/efi.v65i2.628.

Azzahra, Syifa, Irsyad Aleksa Zulkarnain, and Nazwan Aulia. "Analisis UU Tipikor Dalam Penanggulangan Tindak Pidana Korupsi Di Indonesia." *QOSIM: Jurnal Pendidikan Sosial & Humaniora* 3, no. 2 (May 2025). https://doi.org/10.61104/jq.v3i2.1150.

Baron, Marcia. "Negligence, *Mens Rea*, and What We Want the Element of *Mens Rea* to Provide." *Criminal Law and Philosophy* 14, no. 1 (April 2020). https://doi.org/10.1007/s11572-019-09509-5.

Bennett, John, and Matthew D. Rablen. "Bribery, Hold-up, and Bureaucratic Structure." *Economic Inquiry* 59, no. 3 (July 2021). https://doi.org/10.1111/ecin.12985.

Caserta, Maurizio, Livio Ferrante, Paolo Lorenzo Ferrara, and Stefania Fontana. "Too Big to Be Efficient? The Role of Size in Public Procurement Performance." *Economic Analysis and Policy* 86 (2025). https://doi.org/https://doi.org/10.1016/j.eap.2025.05.036.

Chiappinelli, Olga, Leonardo M Giuffrida, and Giancarlo Spagnolo. "Public Procurement as an Innovation Policy: Where Do We Stand?" *International Journal of Industrial Organization* 100 (2025). https://doi.org/https://doi.org/10.1016/j.ijindorg.2025.103157.

Disemadi, Hari Sutra. "Lenses of Legal Research: A Descriptive Essay on Legal Research Methodologies." *Journal of Judicial Review* 24, no. 2 (2022). https://doi.org/10.37253/jjr.v24i2.7280.

Dwi Cahyani, Tinuk, Muhamad Helmi Md Said, and Muhamad Sayuti Hassan. "A Comparison between Indonesian and Malaysian Anti-Corruption Laws." *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)* 10, no. 2 (2023). https://doi.org/10.22304/pjih.v10n2.a7.

Febriyani, Emiliya, Elza Syarief, and Triana Dewi Seroja. "Pemanfaatan Artificial Intelligence

Dalam Deteksi Dan Pencegahan Tindak Pidana Pencucian Uang: Potensi Dan Tantangan Hukum?" *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)* 13, no. 4 (January 2, 2025). https://doi.org/10.24843/JMHU.2024.v13.i04.p10.

Ferwerda, Joras, Ioana Deleanu, and Brigitte Unger. "Corruption in Public Procurement: Finding the Right Indicators." *European Journal on Criminal Policy and Research* 23, no. 2 (2017). https://doi.org/10.1007/s10610-016-9312-3.

GAN Integrity. "Malaysia Country Risk Report." GAN Integrity, November 2020.

Gründler, Klaus, and Niklas Potrafke. "Corruption and Economic Growth: New Empirical Evidence." *European Journal of Political Economy* 60 (2019). https://doi.org/https://doi.org/10.1016/j.ejpoleco.2019.08.001.

Gruodytė, Edita, and Ugnė Urbšytė. "Criminalization of the Promise and Offer to Give or Accept a Bribe as a Completed Criminal Offense: Compliance with the *Ultima Ratio* Principle." *Baltic Journal of Law & Politics* 14, no. 2 (December 2021). https://doi.org/10.2478/bjlp-2021-0013.

Hanafy, Hend. "Bentham: Punishment and the Utilitarian Use of Persons as Means." *Journal of Bentham Studies* 19, no. 1 (2021). https://doi.org/10.14324/111.2045-757X.048.

Hardinata, Dodi, Yenisrida Yenisrida, and Hendra Depriansyah Putra. "Case Analysis of Public Procurement Management In Indonesia for The Period of 2023." *Dinasti International Journal of Economics, Finance & Accounting* 5, no. 6 (January 2025). https://doi.org/10.38035/dijefa.v5i6.3631.

Hassan, Hayatullah Boladale. "Public Procurement Practices, Corruption Perception, and Service Delivery in the EU: An Empirical Analysis of Financial Accountability and Predictive Roles." *Journal of Accounting, Ethics & Public Policy, JAEPP* 26, no. 2 SE-Articles (July 2025). https://doi.org/10.60154/jaepp.2025.v26n2p82.

Hetharie, Yosia, Isis Ikhwansyah, and Ema Rahmawati. "Legal Empowerment of Indonesian Micro Small Medium Enterprises in the Digital Era: A Comparing with China." *Jurnal IUS Kajian Hukum Dan Keadilan* 13, no. 2 (July 2025). https://doi.org/10.29303/ius.v13i2.1688.

Heywood, Paul, and Rebecca Dobson. "Clean but Compromised: Corruption in the UK Public Administration." *DPCE Online* 38, no. 1 (April 2019). https://doi.org/10.57660/dpceonline.2019.673.

Iskandar, Azwar. "Does Less Corruption Reduce Income Inequality in Indonesia?" *Jurnal Tata Kelola Dan Akuntabilitas Keuangan Negara* 4, no. 2 (December 2018). https://doi.org/10.28986/jtaken.v4i2.193.

Kamsi, Kamsi, Very Julianto, Mu'tashim Billah, and Suud Sarim Karimullah. "Intentionally Changing Everything: Deliberate Constructing in Corruption Case." *Lex Scientia Law Review* 7, no. 2 (November 2023). https://doi.org/10.15294/lesrev.v7i2.59866.

Kolthoff, Emile. "Integrity Violations, White-Collar Crime, and Violations of Human Rights: Revealing the Connection." *Public Integrity* 18, no. 4 (October 2016). https://doi.org/10.1080/10999922.2016.1172933.

Kusworo, Daffa Ladro, and Titi Anggraini. "Extensive Interpretation of State Financial Losses in Tin Sector Corruption: A Comparative Study of Emerging Economies." *Integritas: Jurnal Antikorupsi* 10, no. 2 (February 2025). https://doi.org/10.32697/integritas.v10i2.1280.

Langr, Ivan. "Public Procurement in the Systemic Corruption Environment: Evidence from the Czech Republic." *NISPAcee Journal of Public Administration and Policy* 11, no. 2 (December 2018). https://doi.org/10.2478/nispa-2018-0013.

Mahuwi, Leticia, and Baraka Israel. "Promoting Transparency and Accountability towards Anti-Corruption in Pharmaceutical Procurement System: Does e-Procurement Play a Significant

Role?" *Management Matters* 21, no. 1 (January 2024). https://doi.org/10.1108/MANM-07-2023-0027.

Manikis, Marie. "The Principle of Proportionality in Sentencing: A Dynamic Evolution and Multiplication of Conceptions." *Osgoode Hall Law Journal* 59, no. 3 (October 2022). https://doi.org/10.60082/2817-5069.3812.

Mohan, Muhammad. "Corruption Perception Index 2024: Malaysia." Petaling Jaya, February 2025.

Mukobi, Robert. "Corruption in Public Procurement and Its Implication on Public Service Delivery and Development in Uganda." *Rule of Law and Anti-Corruption Center Journal* 2024, no. 1 (2024). https://doi.org/10.70139/rolacc.2024.1.1.

Munzhelele, Tshilidzi. "The Relationship Between Corruption, Inflation, Political Instability and Exchange Rate Volatility in South Africa." *International Journal of Economics and Business Administration* XII, no. 4 (January 2024). https://doi.org/10.35808/ijeba/861.

Naseemullah, Adnan. "The International Political Economy of the Middle-Income Trap." *The Journal of Development Studies* 58, no. 10 (October 2022). https://doi.org/10.1080/00220388.2022.2096440.

Negara, Tunggul Ansari Setia. "Normative Legal Research in Indonesia: Its Originis and Approaches." *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (February 2023). https://doi.org/10.22219/aclj.v4i1.24855.

Nova, Deta, Kgs. M Sobri, and Abdul Nadjib. "Analysis of Corruption Prevention Forms and Policies in Goods and Services Procurement: E-Procurement as a Solution." *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)* 7, no. 3 (November 2024). https://doi.org/10.31538/iijse.v7i3.5848.

Open Contracting Partnership. "The Power of Procurement Data: How One Villager Unveiled a Corruption Scandal." Open Contracting Partnership, June 2024.

Phipimai, Thepnarit, and Suksamai Sutthibodee. "The Implementation of Conspiracy in the Organic Act on Anti-Corruption B.E. 2561." *Ph.D. in Social Sciences Journal* 13, no. 2 (August 2023). https://so05.tci-thaijo.org/index.php/phdssj/article/view/260348

Prihatmanto, Hepnu Nur, Mas Dadang Enjat Munajat, and Ira Irawati. "Detecting the Corruption Pattern and Measuring the Corruption Detection Pace at the Indonesian Village Level." *Jurnal Tata Kelola Dan Akuntabilitas Keuangan Negara* 9, no. 2 (December 2023). https://doi.org/10.28986/jtaken.v9i2.1361.

Provan, Jack. "Crime After Conflict." *Contemporary Challenges: The Global Crime, Justice and Security Journal* 2 (October 2021). https://doi.org/10.2218/ccj.v2.5400.

Rejeb, Abderahman, Karim Rejeb, Andrea Appolloni, and Stefan Seuring. "Public Procurement Research: A Bibliometric Analysis." *International Journal of Public Sector Management* 37, no. 2 (January 2024). https://doi.org/10.1108/IJPSM-07-2022-0157.

Ros, Luciano Da, and Matthew M. Taylor. "Checks and Balances: The Concept and Its Implications for Corruption." *Revista Direito GV* 17, no. 2 (2021). https://doi.org/10.1590/2317-6172202120.

Sanduo, Augustino, Delvin Lim, Melvin Winata, Vennes Owen, Riswanto Riswanto, Triana Dewi Seroja, and Winsherly Tan. "Perancangan Video Edukasi Dan Penyuluhan Terkait Integritas Dan Gerakan Anti Korupsi Di Sekolah Kasih Maitreya Selatpanjang." *Prosiding National Conference for Community Service Project (NaCosPro)* 4, no. 1 (2022). https://journal.uib.ac.id/index.php/nacospro/article/view/6913.

Seroja, Triana Dewi, and Winda Fitri. "Implementasi Dan Implikasi Asas Kekhususan Sistematis

Pada Tindak Pidana Telekomunikasi." *Journal of Law and Policy Transformation* 4, no. 2 (December 20, 2019). https://doi.org/10.37253/jlpt.v4i2.662.

Shaapera, Simon Aondohemba. "Evaluating the Social Contract Theoretical Ideas of Jean Jacques Rousseau: An Analytical Perspective on the State and Relevance to Contemporary Society." *African Journal of Political Science and International Relations* 9, no. 2 (February 2015). https://doi.org/10.5897/AJPSIR2013.0613.

Solomon Kyalo, Mutangili. "Public Procurement as Economic Development Tool in African Nations." *Journal of Procurement & Supply Chain* 8, no. 3 (November 2024). https://doi.org/10.53819/81018102t2447.

Suardi, Imelda, Hilda Rossieta, Chaerul Djakman, and Vera Diyanty. "Procurement Governance in Reducing Corruption in the Indonesian Public Sector: A Mixed Method Approach." *Cogent Business & Management* 11, no. 1 (December 2024). https://doi.org/10.1080/23311975.2024.2393744.

Suyatmiko, Wawan. "Korupsi, Demokrasi, Dan Krisis Lingkungan: Corruption Perception Index 2024." Jakarta, February 2025.

Taekema, Sanne. "Theoretical and Normative Frameworks for Legal Research: Putting Theory into Practice." *Law and Method* first-view (February 2018). https://doi.org/10.5553/REM/.000031.

Tan, David. "Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum." *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 8, no. 5 (2021). https://jurnal.um-tapsel.ac.id/index.php/nusantara/article/view/5601.

Williams-Elegbe, Sope. "Systemic Corruption and Public Procurement in Developing Countries: Are There Any Solutions?" *Journal of Public Procurement* 18, no. 2 (January 2018). https://doi.org/10.1108/JOPP-06-2018-009.