

Assessing Judicial Consistency in the Johnny G. Plate Case under Indonesia's New Criminal Code

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Abstract

This study departs from the problem of inconsistent sentencing rationality in corruption cases, particularly when judgments at the first instance, appeal, and cassation levels maintain the principal punishment but alter additional penalties. The legal issue examined is the consistency of judicial reasoning in the Johnny G. Plate case and its conformity with the objectives and sentencing guidelines under the new Indonesian Criminal Code. This study aims to analyze the consistency of judges' legal considerations across the trial, appellate, and cassation stages, and to assess whether the changes in the sentencing orders reflect the principles of proportionality, rationality, and accountability in punishment. The research employs normative legal research using statutory, case, and conceptual approaches. Primary legal materials consist of the Central Jakarta District Court decision, the Jakarta High Court decision, and the Supreme Court decision in the Johnny G. Plate case, as well as the Anti-Corruption Law, Supreme Court Regulation Number 1 of 2020, and Law Number 1 of 2023 on the Criminal Code. The legal materials are analyzed through a prescriptive qualitative method. The study finds that consistency in judicial decisions cannot be assessed solely from the stability of principal punishment, but must also be measured through the consistency of judicial reasoning in justifying changes to additional penalties from the perspective of sentencing under the new Criminal Code.

Keywords: *Consistency of Judgments; Sentencing; Corruption; New Criminal Code*

Introduction

From a legal perspective, corruption offenses in Indonesia are governed by Law Number 31 of 1999, as amended by Law Number 20 of 2001 on the Eradication of Corruption, which characterizes corruption as an extraordinary crime due to its substantial adverse effects on state finances, the national economy, and public trust in government (Krisnawati & Aji, 2025). This regulatory framework not only defines various forms of corruption offenses but also governs criminal liability, additional penalties, and the recovery of state financial losses as integral components of Indonesia's anti-corruption policy. In addition, sentencing in corruption cases is guided by Supreme Court Regulation Number 1 of 2020, which seeks to provide judges with standards for imposing sentences that are proportionate, consistent, and oriented toward legal certainty (Manihuruk et al., 2022). The Regulation establishes sentencing parameters based on the magnitude of state financial losses, the degree of culpability, the defendant's role, and the consequences of the corruption offense. These parameters are intended to minimize sentencing disparities in corruption cases.

Within the development of Indonesia's national criminal law, Law Number 1 of 2023 on the Criminal Code introduced explicit sentencing objectives and sentencing guidelines that emphasize a balance among justice, legal certainty, and social utility (Latifah & Hair, 2025). Under this framework, punishment is no longer understood solely as a means of retribution against offenders but is also directed toward preventing crime, restoring social balance, rehabilitating offenders, and protecting society. The New Criminal Code further provides guidance for judges in considering various factors before imposing a sentence, including the degree of culpability, the motive and purpose of the offense, the consequences caused, the personal circumstances of the offender, and the interests of victims and society (Muhammad Ramadhan & Dwi Oktavia Ariyanti, 2023).

In corruption cases, the application of sentencing guidelines is particularly important because differences in judicial assessment of these factors may result in sentencing disparities. Sentencing disparity should not merely be understood as a technical variation among judicial decisions; rather, it may become a serious obstacle to the effectiveness of corruption eradication when it is not supported

by objective and rational legal reasoning (Ardiansyah, 2017). Lalitasari et al. (2019) demonstrate that sentencing disparities in corruption cases may generate public dissatisfaction and undermine confidence in the judiciary. Pattiwael and Tahir (2021) similarly emphasize that corruption cases require sentencing guidelines capable of maintaining a proportionate relationship among state financial losses, offender culpability, and the severity of punishment. Andini and Nilasari (2021) further argue that sentencing guidelines for corruption offenders must continuously be evaluated to ensure their relevance to the broader anti-corruption agenda. Consistent with this view, Cahyani (2024) observes that minimizing sentencing disparities in corruption cases remains an urgent concern within Indonesia's criminal justice system.

The corruption case involving the 4G Base Transceiver Station (BTS) project of BAKTI Kominfo constitutes a significant object of study because it concerned a national digital infrastructure project intended to expand public access to telecommunications services across various regions of Indonesia (Palopo, 2023). In this case, law enforcement authorities and the Financial and Development Supervisory Agency (BPKP) determined that the state suffered financial losses amounting to IDR 8,032,084,133,795 (Palopo, 2023). These losses were attributed to expenditures for supporting studies, inflated prices, and payments for BTS infrastructure that had not yet been constructed. Given the magnitude of the losses, the case cannot be examined merely as a matter of proving corruption but must also be assessed as a sentencing issue requiring proportionality between the offender's culpability and the consequences caused (Pattiwael & Tahir, 2021). Within this context, the case of Johnny G. Plate is particularly significant because the defendant was a minister-level public official prosecuted for corruption committed jointly with other actors (Decision Number 1/PID.SUS-TPK/2024/PT DKI, 2024).

At the first-instance level, the Central Jakarta District Court adjudicated Johnny G. Plate through Decision Number 55/Pid.Sus-TPK/2023/PN Jkt.Pst dated 8 November 2023 (Decision Number 55/Pid.Sus-TPK/2023/PN Jkt.Pst, 2023). This decision constitutes the initial point for assessing sentencing consistency because it was at this stage that the defendant's culpability, role, and

initial sentencing justification were first formulated (Kovalaski & Rustamaji, 2023). At the appellate level, the Jakarta High Court accepted the appeal and modified the first-instance judgment only with respect to the amount of the additional penalty in the form of compensation payment (*uang pengganti*) and the duration of substitute imprisonment should the compensation remain unpaid. The appellate court maintained the fifteen-year term of imprisonment and the IDR 1 billion fine, while increasing the compensation payment to IDR 16.1 billion and USD 10,000, with five years of substitute imprisonment (Decision Number 1/PID.SUS-TPK/2024/PT DKI, 2024). At the cassation level, the Supreme Court rejected the applications filed by both the defendant and the public prosecutor, subject to certain modifications. The judgment consequently acquired final and binding legal force, making the case particularly appropriate for assessing the vertical consistency of judicial decisions (Decision Number 3448 K/Pid.Sus/2024, 2024).

The principal legal issue examined in this study is therefore no longer whether the defendant was guilty, but whether the sentencing considerations across different levels of the judiciary were formulated consistently and can be legally justified (Kovalaski & Rustamaji, 2023). This issue is particularly relevant because changes in the amount of compensation and the duration of substitute imprisonment demonstrate the significant role of judicial discretion in determining the ultimate penal burden imposed on the convicted person (Hastuti, 2021). Where such changes are not supported by consistent parameters, judicial decisions become difficult to evaluate in terms of proportionality, legal certainty, and the rationality of punishment (Hambali et al., 2021). Zuhrah et al. (2024) demonstrate that sentencing disparities in corruption cases are frequently influenced by differences in judicial interpretation of facts, statutory provisions, and the scope of judicial independence. Accordingly, this study examines the sentencing rationale at each judicial level rather than merely comparing the numerical severity of the penalties stated in the operative parts of the judgments (Cahyani, 2024).

From the perspective of positive law, the first analytical framework for assessing sentencing consistency in corruption cases is Supreme Court Regulation

Number 1 of 2020 concerning Sentencing Guidelines under Articles 2 and 3 of the Anti-Corruption Law (Supreme Court Regulation of the Republic of Indonesia Number 1 of 2020 concerning Sentencing Guidelines under the Anti-Corruption Law, 2020). The Regulation was adopted to provide guidance to judges in imposing sentences in corruption cases with comparable characteristics. Hambali et al. (2021) consider this Regulation an effort by the Supreme Court to address the previous absence of clear sentencing guidelines that had contributed to sentencing disparities. Pattiwael and Tahir (2021) likewise emphasize that sentencing guidelines are necessary to prevent the relationship among culpability, state financial losses, and sentencing severity from being determined solely by judicial intuition. Accordingly, the Johnny G. Plate case may initially be assessed through the principles of proportionality, transparency, and accountability embodied in Supreme Court Regulation Number 1 of 2020 (Andini & Nilasari, 2021).

However, the analysis conducted in this study is not limited to Supreme Court Regulation Number 1 of 2020, particularly because Indonesia entered a new phase of criminal law following the entry into force of the New Criminal Code on 2 January 2026. Article 51 of the New Criminal Code provides that sentencing is intended to prevent criminal offenses, rehabilitate and socially reintegrate offenders, resolve conflicts, restore social balance, and foster remorse (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023). Article 54 further requires judges to consider the form of culpability, motives, mental attitude, manner in which the offense was committed, socioeconomic circumstances, consequences for victims, forgiveness, and legal values living within society. Irmawanti and Arief (2021) emphasize that the previous Criminal Code did not expressly formulate sentencing objectives and guidelines. Similarly, Muksin (2023) views the provisions of the New Criminal Code as representing an important transition from a predominantly retributive sentencing framework toward a more purposive and measurable approach to punishment.

Because the judicial decisions in the Johnny G. Plate case were rendered between 2023 and 2024, the New Criminal Code is not employed in this study as

a retroactive legal basis for punishment. Instead, it serves as a normative perspective for evaluating the quality of sentencing reasoning against the standards that currently constitute Indonesia's national criminal law (Pratama & Daviska, 2025). According to Latifah and Hairi (2024), the sentencing guidelines contained in the New Criminal Code were designed to maintain an appropriate balance between judicial discretion and legal consistency. Supriadin (2024) situates these sentencing guidelines within a *purposive system*, under which punishment must be understood as an instrument for achieving the objectives of the criminal justice system. Conversely, Alief (2024) cautions that, without adequate sentencing guidelines, cases involving substantial state financial losses remain vulnerable to disparities that are difficult to justify. Assessing the Johnny G. Plate judgments through the perspective of the New Criminal Code is therefore important because the case lies at the intersection of large-scale corruption, national criminal law reform, and the need for more consistent sentencing standards (Ariyanti & Ramadhan, 2022).

Previous studies indicate that sentencing disparities in corruption cases continue to be influenced by broad judicial discretion, inconsistent application of sentencing guidelines, differences in assessing state financial losses, and various juridical and non-juridical factors. Syahrannuddin (2025) identifies a tendency toward relatively lenient sentences despite substantial state financial losses, while Jaya et al. (2024) emphasize the absence of uniform sentencing standards. Suparno et al. (2026) examine sentencing disparities through Gustav Radbruch's principles of justice, legal certainty, and utility, whereas Kurniawan (2025) highlights their implications for public confidence and the emergence of perceptions of *selective justice*. Lalitasari et al. (2019) focus more specifically on sentencing disparities among perpetrators of jointly committed corruption offenses, while Kovalaski and Rustamaji (2023) examine the consistency of judicial reasoning in two corruption cases in Bandung. Hastuti (2021) focuses on disparities concerning the recovery of state financial losses and substitute imprisonment, whereas Latifah and Hairi (2024) and Pratama and Daviska (2025) discuss the implications of the sentencing guidelines under the New Criminal

Code without specifically applying them to the complete sequence of Johnny G. Plate's judgments from the first-instance court to the cassation level.

Accordingly, previous studies have not comprehensively examined the vertical consistency of judicial reasoning and operative rulings within a single corruption case across all levels of adjudication, particularly by connecting the magnitude of state financial losses, the degree of culpability, the defendant's official position, principal penalties, additional penalties, and the underlying sentencing rationale. The novelty of this study therefore lies in its analysis of the vertical consistency of the Johnny G. Plate judgments from the first-instance court through the cassation stage in order to determine whether changes to, or continuity in, the operative rulings are consistent with the principle of proportionality, sentencing objectives, and the sentencing guidelines embodied in the New Criminal Code (Cahyani, 2024).

This study further employs Sentencing Theory, Sentencing Disparity Theory, Gustav Radbruch's Theory of Justice, and the Principle of Proportionality as complementary analytical frameworks for examining the consistency and rationality of punishment in the Johnny G. Plate case. Sentencing Theory is employed to evaluate the purposes of punishment from both a retributive perspective, which emphasizes punishment as a response to culpable wrongdoing, and a utilitarian perspective, which emphasizes crime prevention and broader social benefits. Herbert L. Packer, as cited by Ade Mahmud, distinguishes sentencing theory into the *retributive view* and the *utilitarian view*, making this framework relevant for assessing whether the sentence imposed reflects fair and proportionate sentencing objectives (Widana et al., 2024).

Sentencing Disparity Theory is used to examine differences in sentencing that may arise from broad judicial discretion, divergent interpretations, juridical and non-juridical considerations, and the inconsistent application of sentencing guidelines to cases with relatively similar characteristics (Apriani, 2025). This theory is particularly relevant for assessing whether modifications to the sentence at the first-instance, appellate, and cassation levels in the Johnny G. Plate case remain within legally justifiable boundaries. Gustav Radbruch's Theory of

Justice is further employed to examine the balance among justice, legal certainty, and utility, considering that a judicial decision must not only satisfy formal legality but also embody substantive justice and generate social benefits (Aimee et al., 2026). Meanwhile, the Principle of Proportionality is used to assess the correspondence between the severity of punishment and the offender's degree of culpability, the magnitude of state financial losses, the defendant's position as a public official, and the broader social consequences of the corruption offense. Under this principle, punishment must maintain a rational relationship with its legitimate objectives and must not exceed the level of culpability or the harm caused (Hidayat et al., 2026). These four theoretical frameworks are therefore employed in an integrated manner to determine whether changes and differences in sentencing in the Johnny G. Plate case reflect consistency, proportionality, legal certainty, justice, and the sentencing objectives underlying Indonesia's contemporary criminal law reform.

Theoretically, this study contributes to the scholarly discourse concerning the relationship among judicial consistency, sentencing proportionality, and the objectives of punishment within Indonesian criminal law (Muksin, 2023). Conceptually, it also seeks to bridge the specialized sentencing framework established under Supreme Court Regulation Number 1 of 2020 and the general sentencing framework introduced through the New Criminal Code (Alief, 2024). For judges, the findings may provide more concrete evaluative parameters for determining principal penalties, additional penalties, and substitute imprisonment in corruption cases (Pattiwael & Tahir, 2021). For public prosecutors and legal scholars, this study provides a framework for assessing whether modifications to judicial rulings remain within the boundaries of legally defensible rationality (Kovalaski & Rustamaji, 2023). Accordingly, this research carries significant practical relevance for the ongoing reform of corruption sentencing in Indonesia following the entry into force of the New Criminal Code on 2 January 2026 (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023).

Based on the foregoing background, the following research questions are formulated as the primary focus of this study: (1) To what extent are the judicial

considerations at the first-instance, appellate, and cassation levels in the Johnny G. Plate case consistent with the sentencing objectives and guidelines under the New Criminal Code?; (2) How relevant are the changes in the sentencing rulings in the Johnny G. Plate case to the principles of proportionality, rationality, and sentencing accountability from the perspective of the New Criminal Code?

Research Method

This study employs a normative legal research (doctrinal) method because the analysis focuses on written legal norms, including the New Criminal Code, the Criminal Procedure Code, and the Anti-Corruption Law, as well as judicial reasoning in the Johnny G. Plate case, rather than on the empirical behavior of the parties involved. The normative method is used to assess the conformity of judicial decisions with applicable legal norms and sentencing principles. This study is also prescriptive and applied in nature, as it not only describes the relevant legal framework but also evaluates judicial reasoning and formulates normative recommendations. The research adopts a combination of case, statutory, and conceptual approaches (Antony et al., 2026). The case approach is employed to examine in depth the sequence of judgments rendered at the first-instance, appellate, and cassation levels in the Johnny G. Plate case, particularly with regard to the consistency of judicial reasoning and changes in the sentencing rulings.

The statutory approach is used to interpret and relate the sentencing objectives, sentencing guidelines, and the principles of proportionality, rationality, and accountability under the New Criminal Code to the operative rulings and judicial considerations in the case. The conceptual approach is employed to elaborate on the concepts of sentencing objectives, sentencing guidelines, and the aforementioned principles as developed within criminal law doctrine. The legal materials consist of primary legal materials, including the three judicial decisions in the Johnny G. Plate case, the New Criminal Code, the Criminal Procedure Code, and the Anti-Corruption Law, as well as secondary legal materials, such as books and scholarly articles concerning normative legal research, judicial reasoning, and sentencing (Disemadi, 2022). The materials were

collected through library research and document study. The analysis applies descriptive qualitative legal analysis to explain the content of judicial reasoning and relevant sentencing norms, followed by deductive syllogistic reasoning. The major premise consists of sentencing objectives and guidelines, together with the principles of proportionality, rationality, and accountability, while the minor premise comprises the legal facts and judicial considerations contained in the relevant decisions. This analytical framework is used to assess the consistency and legal relevance of the sentencing judgments (Tan, 2021).

Results and Discussions

Consistency of Judicial Reasoning at the First-Instance, Appellate, and Cassation Levels in the Johnny G. Plate Case Based on the Sentencing Objectives and Guidelines of the New Criminal Code

Judicial consistency should not be reduced merely to the similarity of the sentences stated in the operative part of a judgment. In this study, consistency refers to the coherence of legal reasoning that systematically connects facts, culpability, and the severity of punishment across different levels of adjudication (Kovalaski & Rustamaji, 2023). Assessing vertical consistency therefore requires an examination of the underlying judicial reasoning rather than a mere comparison of final outcomes. The Johnny G. Plate case provides an appropriate object of analysis because the principal sentence remained unchanged, while the additional penalty was modified at the appellate level. This pattern demonstrates that the primary risk of inconsistency lies in the reasoning process rather than in the principal sentence itself. Supreme Court Regulation Number 1 of 2020 places accountability and proportionality at the core of a consistent sentencing approach (Hambali et al., 2021). Accordingly, an assessment of consistency must begin with the quality of the reasoning employed by each judicial panel. This framework is used to examine the sequence of judgments from Decision Number 55/Pid.Sus-TPK/2023/PN Jkt.Pst to Decision Number 3448 K/Pid.Sus/2024.

At the first-instance level, the Central Jakarta District Court constructed the defendant's culpability by characterizing him as a participant in the corruption involving the BAKTI Kominfo 4G BTS project (Decision Number 55/Pid.Sus-TPK/2023/PN Jkt.Pst, 2023). The court sentenced the defendant to fifteen years of imprisonment, imposed a fine of IDR 1 billion with six months of substitute detention, and ordered a compensation payment of IDR 15.5 billion. The first-instance reasoning constitutes the foundation of the sentencing analysis because it was at this stage that the defendant's role, mental attitude, and the consequences of his conduct were first legally formulated (Cahyani, 2024). The court considered the defendant's position as a minister to be an aggravating circumstance. This consideration is consistent with the logic of sentencing guidelines that correlate the severity of punishment with the degree of culpability and the consequences of the offense (Pattiwael & Tahir, 2021). However, the first-instance judgment did not fully establish the relationship between the amount of compensation imposed and the precise flow of funds personally received by the defendant. This analytical gap subsequently provided the basis for modification at the appellate level. The initial construction therefore constitutes the minor premise against which consistency at subsequent judicial levels must be assessed.

When the reasoning of the first-instance court is assessed against Article 51 of the New Criminal Code, its sentencing orientation appears to remain predominantly retributive. Article 51 provides that the objectives of sentencing include preventing criminal offenses, rehabilitating and socially reintegrating offenders, resolving conflicts, restoring social balance, and fostering remorse (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023). The fifteen-year prison sentence clearly emphasizes deterrence and the protection of society from serious criminal conduct. However, the objective of restoring social balance, which should also be reflected in the determination of compensation payments, was not expressly elaborated. The shift from a retributive paradigm toward a more purposive approach to punishment constitutes one of the principal orientations of the New Criminal Code (Muksin, 2023). Consistent judicial reasoning therefore requires the court to explain why

particular principal and additional penalties are imposed at specific levels of severity. Without a clear articulation of sentencing objectives, a judgment risks being perceived merely as an act of punishment rather than as an instrument of restoration. This constitutes an initial weakness in the chain of sentencing consistency.

Article 54 of the New Criminal Code provides a series of factors that judges must consider before imposing a sentence. These factors include the form of culpability, motive and purpose, mental attitude, manner in which the offense was committed, personal history, socioeconomic circumstances, conduct following the offense, and the effect of punishment on the offender's future (Law Number 1 of 2023 on the Criminal Code, 2023). The application of Article 54 requires judges to articulate these factors transparently so that the reasoning underlying the judgment can be objectively evaluated (Pratama, 2024). The first-instance judgment in this case addressed several of these factors, particularly the defendant's role and the consequences of his conduct. However, those considerations were not systematically structured as sentencing parameters. Consequently, the relationship between the relevant sentencing factors and the amount of compensation imposed was not fully ascertainable. Consistency under Article 54 requires an explicit connection among sentencing factors, findings of culpability, and the severity of the sentence. This standard becomes particularly important when assessing the modification of the sentencing ruling at the appellate level.

At the appellate level, the DKI Jakarta High Court maintained the fifteen-year term of imprisonment and the IDR 1 billion fine but modified the additional penalty (Decision Number 1/PID.SUS-TPK/2024/PT DKI, 2024). The compensation payment was increased to IDR 16.1 billion and USD 10,000, accompanied by five years of substitute imprisonment in the event of non-payment. The decision to maintain the principal sentence demonstrates continuity in the judicial assessment of the seriousness of the defendant's culpability. In contrast, the modification of the compensation payment reflects a reassessment of the amount of financial benefit personally enjoyed by the defendant. Such a modification is legally permissible insofar as it is supported by

clear and measurable reasoning (Hastuti, 2021). However, consistency requires the appellate court to explain the basis for the revised calculation and the reasons for correcting the amount determined at the first-instance level. Where the basis for such correction is not sufficiently elaborated, the modification may be perceived as an exercise of uncontrolled judicial discretion. It is at this stage that the vertical consistency of the case is subjected to its most rigorous examination.

A modification of an additional penalty without a corresponding change to the principal sentence does not automatically constitute inconsistency. Consistency may still be maintained where the appellate court demonstrates that the principal sentence reflects the degree of culpability, while the compensation payment serves the distinct function of recovering financial losses (Aryandi et al., 2025). This functional distinction is important because compensation payments principally serve an asset-recovery function rather than constituting punishment alone. Studies examining the imposition of compensation payments across different judicial levels demonstrate that the absence of a clear normative objective may result in inconsistent judicial reasoning (Ali & Tamsil, 2025). This finding is relevant to the Johnny G. Plate case because the modification of the compensation payment raises the same concern. Argumentative consistency requires the appellate court to clarify whether the revised amount was based on a demonstrably established flow of funds. Where the basis for correction is clearly established, the modification may strengthen the functional consistency of the judgment. Conversely, where such a basis is absent, the modification reflects an inconsistency in reasoning despite the unchanged principal sentence.

At the cassation level, the Supreme Court rejected the applications submitted by both the defendant and the public prosecutor, subject to certain modifications. The rejection indicates that the Supreme Court considered the construction of culpability and the severity of the principal punishment to be legally appropriate. The function of cassation is principally to review the application of law rather than to reassess facts independently. By rejecting the cassation applications, the Supreme Court confirmed the continuity of the assessment concerning the principal sentence from the first-instance to the appellate level. Nevertheless, any modification made at the cassation stage

requires an explanation regarding which aspects were corrected and the legal grounds underlying such correction. The consistency of cassation reasoning therefore depends on the Supreme Court's ability to connect such modifications with the relevant sentencing objectives and guidelines. Incomplete or erroneous judicial reasoning at the highest judicial level may have broader consequences for legal certainty (Rosmerry et al., 2026). Accordingly, the quality of the Supreme Court's reasoning determines whether the entire chain of judgments can genuinely be regarded as coherent.

When the three levels of adjudication are examined as an integrated judicial sequence, a divided pattern of consistency becomes apparent. The principal sentence demonstrates a relatively high degree of consistency because it was maintained at successive judicial levels on the basis of substantially the same assessment of culpability. By contrast, the additional penalty displays weaker consistency because its modification was not always accompanied by uniform calculation parameters (Zuhrah et al., 2024). This pattern confirms that judicial consistency cannot be assessed solely by reference to the principal sentence. It must also encompass the reasoning underlying additional penalties and substitute imprisonment. Supreme Court Regulation Number 1 of 2020 provides an analytical framework for such assessment through its classification of financial losses, culpability, and consequences (Manihuruk et al., 2022). However, this framework does not appear to have been explicitly applied to the determination of compensation payments throughout the sequence of judgments in this case. Consequently, the vertical consistency of the Johnny G. Plate case remains partial.

Supreme Court Regulation Number 1 of 2020 constitutes the first evaluative instrument because it was specifically designed to reduce sentencing disparities in corruption offenses under Articles 2 and 3 of the Anti-Corruption Law (Theresia et al., 2024). The Regulation requires judges to classify a case according to particular levels of financial loss and culpability before determining the applicable sentencing range. Consistent application of this framework should produce judgments whose reasoning can be traced transparently from categorization to the operative ruling. In the present case, such categorization is more readily identifiable in relation to the principal sentence but becomes less

apparent in the determination of additional penalties. The principal strength of Supreme Court Regulation Number 1 of 2020 lies in its ability to guide judicial decision-making transparently (Hariri Lubis & Nelson, 2024). If this framework were consistently applied to compensation payments, modifications at the appellate level would be more readily justified and evaluated. Consistency, therefore, does not require the absence of change; rather, it requires every modification to be explained through the application of consistent parameters. This standard has not been fully satisfied throughout the sequence of judgments.

The sentencing objectives established under the New Criminal Code add a deeper analytical dimension to the assessment of consistency. Article 51 requires judges to understand punishment as a means of achieving legitimate objectives rather than as an end in itself (Supriadin, 2024). This purposive approach requires a coherent relationship among sentencing objectives, relevant sentencing factors, and the operative ruling at every judicial level. In the Johnny G. Plate case, the objective of deterrence appears consistently reflected in the maintenance of the principal sentence throughout the judicial process. By contrast, the objective of restoring social balance appears less consistently articulated because the determination of compensation payments was not expressly connected to the same sentencing objective. The sentencing guidelines under the New Criminal Code are intended to maintain a balance between judicial discretion and legal consistency (Latifah & Hair, 2024). Such a balance can only be achieved where sentencing objectives are explicitly incorporated into judicial reasoning. Without such articulation, modifications to the operative ruling risk losing their normative connection to the purposes of punishment.

Sentencing Disparity Theory provides a useful framework for explaining why such a pattern may emerge. Sentencing disparities frequently arise from differences in judicial interpretation, non-judicial considerations, and the breadth of judicial discretion (Apriani, 2025). In a vertical context, disparity does not necessarily concern differences between separate cases but may also involve shifts in reasoning within the same case. The modification of the compensation payment at the appellate level illustrates such a shift. This modification constitutes an unjustifiable disparity where it is not supported by adequate

reasoning (Latifah & Hair, 2024). Conversely, it may constitute a legally justifiable disparity where the appellate court connects the modification to different or more accurately established evidence regarding the flow of funds. The assessment of consistency therefore depends on the quality of the legal justification rather than on the mere presence or absence of a modification. This framework distinguishes genuine inconsistency from a legitimate judicial correction.

A comprehensive reading of the judgments demonstrates that consistency in the Johnny G. Plate case is asymmetrical. With respect to the principal sentence, the degree of consistency is relatively high and corresponds with the deterrent objective provided under Article 51 of the New Criminal Code. In contrast, consistency concerning the additional penalty is relatively weak because the modifications were not explained through uniform sentencing parameters (Hastuti, 2021). This asymmetry confirms that consistency is fundamentally a matter of legal reasoning rather than merely the final outcome of adjudication. Consistent reasoning requires every modification to be connected to the relevant categories under Supreme Court Regulation Number 1 of 2020 and the sentencing objectives of the New Criminal Code. Inconsistent reasoning, by contrast, leaves modifications insufficiently supported by explanations that can be objectively evaluated. The judgments in this case fall between these two positions. Accordingly, their consistency must be assessed in a differentiated rather than absolute manner.

Based on the foregoing analysis, the first research question can be answered conclusively. Judicial reasoning at the first-instance, appellate, and cassation levels in the Johnny G. Plate case demonstrates consistency in relation to the principal sentence but remains weak in relation to the additional penalty. This weakness arises because modifications to the compensation payment and substitute imprisonment were not fully elaborated through uniform sentencing parameters. When assessed against the sentencing objectives under Article 51 and the sentencing guidelines under Article 54 of the New Criminal Code, the judgments do not fully connect modifications to the operative rulings with the objective of restoring social balance (Law of the Republic of Indonesia Number

1 of 2023 on the Criminal Code, 2023). When assessed against Supreme Court Regulation Number 1 of 2020, the judgments also fail to consistently apply sentencing classifications to additional penalties. These findings reinforce the proposition that vertical consistency must be evaluated on the basis of the coherence of judicial reasoning rather than merely the numerical similarity of the principal sentence. Thus, the vertical consistency demonstrated in this case is partial and leaves significant room for improvement in judicial reasoning.

Relevance of Changes in the Sentencing Ruling in the Johnny G. Plate Case to the Principles of Proportionality, Rationality, and Accountability under the New Criminal Code

The principle of proportionality requires a reasonable relationship between the severity of punishment, the degree of culpability, and the consequences of the offense. Proportionality rejects punishment that exceeds the offender's culpability while also rejecting excessively lenient punishment in cases involving serious harm (Hidayat et al., 2026). In the Johnny G. Plate case, state financial losses were determined to amount to IDR 8,032,084,133,795 (Palopo, 2023). This amount contrasts sharply with the compensation payment of only IDR 16.1 billion and USD 10,000 following the appellate decision. The substantial gap between the overall state financial loss and the compensation payment raises serious questions of proportionality. However, the proportionality of compensation must be assessed on the basis of the personal financial benefit obtained by the defendant rather than the total losses arising from the project (Aryandi et al., 2025). Because the corruption offense was committed jointly with several other actors, responsibility for asset recovery is distributed among multiple perpetrators. Accordingly, the proportionality of the modified ruling can only be properly assessed where the court clearly identifies and traces the relevant flow of funds.

Sentencing rationality requires a logical and legally ascertainable basis for every modification to the operative ruling. The increase in compensation from

IDR 15.5 billion to IDR 16.1 billion and USD 10,000 must therefore be supported by a calculation that can be objectively traced. A modification that lacks a clear explanation of its calculation weakens the rationality of the judgment, even where the modification is formally lawful (Suparno et al., 2026). Rationality also requires consistency between an unchanged principal sentence and a modified additional penalty. Where the principal sentence continues to reflect the same degree of culpability, any change to the compensation payment should derive from different or more accurately established factual findings rather than from an unexplained shift in judicial assessment. The imposition of five years of substitute imprisonment likewise requires a rational justification for its duration. Without such justification, the period of substitute imprisonment risks becoming an arbitrary figure disconnected from the purposes of sentencing. Rationality is therefore essential to prevent modifications to a sentencing ruling from appearing as an exercise of arbitrary judicial discretion.

Sentencing accountability requires judicial decisions to be capable of transparent justification before both the parties and the public. Supreme Court Regulation Number 1 of 2020 identifies accountability as one of the central pillars of a consistent sentencing framework (Hambali et al., 2021). Accountability is realized when judges transparently explain the legal basis, factual findings, and reasoning underlying the determination of punishment. In the Johnny G. Plate case, accountability concerning the principal sentence is relatively strong because the punishment was maintained on the basis of consistent reasoning. By contrast, accountability concerning the additional penalty requires further strengthening because modifications to the amount imposed demand transparent calculation. A lack of transparency regarding the basis of such modifications may foster perceptions of *selective justice* and undermine public confidence in the judiciary (Kurniawan, 2025). Accountability is therefore not merely a procedural formality but an essential requirement for the legitimacy of judicial decisions. It serves as a bridge between judicial rulings and public trust in the administration of justice.

The modification of the compensation payment in this case should also be understood in light of the dual function of additional penalties. Compensation serves both to recover state financial losses and to reinforce the principle that

offenders should not be permitted to retain the proceeds of crime (Pattiwael & Tahir, 2021). Where the restorative function is emphasized, the amount of compensation should correspond to the financial benefit proven to have been obtained by the defendant. Where the punitive function is emphasized, however, compensation risks overlapping with the principal sentence. The absence of a clearly articulated normative purpose for compensation has been shown to generate inconsistent judicial reasoning in practice (Ali & Tamsil, 2025). The Johnny G. Plate case presents a similar concern because the amount of compensation was modified without a sufficiently explicit explanation of its underlying function. Clarifying the legal function of compensation is therefore essential to ensuring proportionality. Without such clarification, the modified ruling lacks a coherent conceptual foundation.

The imposition of five years of substitute imprisonment raises a distinct issue of proportionality. This mechanism effectively allows the convicted person to serve an additional prison term instead of paying the compensation ordered by the court. Such an option may undermine the objective of recovering state financial losses (Aryandi et al., 2025). Where the convicted person chooses substitute imprisonment, the state may lose the opportunity to recover assets that should otherwise be restored. Proportionality therefore requires the duration of substitute imprisonment to be sufficiently severe so that it does not become a more advantageous alternative to fulfilling the compensation obligation. Rationality further requires the court to explain why a five-year term is considered appropriate as a substitute for compensation amounting to billions of rupiah. Accountability likewise requires these considerations to be made transparent to the public. These three principles ultimately converge on the same requirement: a comprehensive and reasoned explanation for the imposition of substitute imprisonment.

The New Criminal Code provides an analytical perspective that further strengthens the assessment of these three principles. Article 51 provides that sentencing is intended, among other purposes, to restore social balance and create a sense of security (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023). The restorative objective is highly relevant to the function

of compensation as an instrument for recovering state financial losses. Article 54 further requires judges to consider the consequences of the offense for society and the circumstances of the offender (Pratama, 2024). The impact of corruption in the 4G BTS project on telecommunications access in disadvantaged regions should therefore constitute an aggravating consideration in sentencing. From the perspective of the New Criminal Code, the court should connect the amount of compensation to both the objective of restoration and the broader social consequences of the offense. Such a connection would strengthen both the proportionality and rationality of the judgment. The New Criminal Code therefore provides a more comprehensive framework for evaluating modifications to sentencing rulings.

Gustav Radbruch's Theory of Justice provides a broader value-based framework for assessing modifications to the sentencing ruling. Radbruch emphasizes the need to balance justice, legal certainty, and utility (Cahyanda Putri Aimee et al., 2026). Legal certainty is achieved where a modification is based on clear and traceable legal grounds. Justice is realized where the severity of punishment is proportionate to the offender's culpability and the consequences of the offense. Utility is achieved where the judgment effectively contributes to the recovery of state financial losses and the prevention of similar corruption offenses. In the Johnny G. Plate case, tension arises between legal certainty and the public sense of justice due to the substantial disparity between the total state financial loss and the amount of compensation imposed. Radbruch's framework requires judges to move beyond formal legality and to consider substantive justice. From this perspective, modifications to the sentencing ruling must be assessed simultaneously against all three values.

Sentencing Theory also helps explain the relevance of modifications to the operative ruling in relation to the purposes of punishment. Punishment may be understood from a retributive perspective, which emphasizes punishment as a response to wrongdoing, and from a utilitarian perspective, which emphasizes social benefit and prevention (Luh Gusti Juliett Putri Widana, 2024). The fifteen-year principal sentence reflects a strong retributive dimension in response to a serious corruption offense. Compensation, by contrast, should reflect the

utilitarian dimension through the recovery of state financial losses. A modification to the amount of compensation is therefore relevant only insofar as it strengthens this utilitarian function. Where the modification does not enhance the restorative function, it loses its relevance to the broader objectives of sentencing. The New Criminal Code instead encourages the integration of both dimensions through a purposive approach to punishment (Supriadin, 2024). The relevance of the modified ruling therefore depends on its ability to integrate retribution with restoration.

The proportionality assessment must also consider the defendant's position as a minister-level public official. This position aggravates the degree of culpability because the defendant occupied a position of significant public trust (Krisnawati & Aji, 2025). A breach of public trust by a high-ranking official produces broader consequences than ordinary corruption. Proportionality requires this factor to be reflected in both the principal sentence and the additional penalty. The fifteen-year principal sentence may be regarded as adequately reflecting this aggravating circumstance. However, the relatively limited amount of compensation compared with the total state financial loss raises questions concerning the overall balance of the sentencing ruling. Overall proportionality can therefore only be achieved where the additional penalty also appropriately reflects the defendant's degree of responsibility. This assessment confirms that proportionality must be evaluated comprehensively rather than by examining each component of the sentence in isolation.

Ultimately, the relevance of a modified sentencing ruling depends on the quality of its justification rather than on the direction of the modification itself. An increase in compensation may be relevant where it is based on more accurate findings regarding the flow of funds (Hastuti, 2021). Conversely, a modification becomes less defensible where it merely adjusts the amount without adequately explaining its legal or factual basis. Rationality, proportionality, and accountability converge on the same requirement: transparency of reasoning. Unjustifiable disparity frequently emerges precisely from the absence of such transparency (Apriani, 2025). The Johnny G. Plate case demonstrates that a modification that is formally lawful may still require stronger substantive

justification. The strength of such justification determines whether the modification is genuinely consistent with the sentencing objectives of the New Criminal Code. Relevance, therefore, is fundamentally a matter of the quality of sentencing reasoning rather than merely the legal authority to modify a judgment.

Based on the foregoing analysis, several normative recommendations may be proposed to strengthen the principles of proportionality, rationality, and accountability. First, courts should explicitly connect the amount of compensation to the personal financial benefit proven to have been obtained by the defendant in order to preserve proportionality (Aryandi et al., 2025). Second, every modification to an additional penalty should be accompanied by a clear explanation of the underlying calculation so that its rationality can be objectively assessed. Third, the reasoning underlying substitute imprisonment should expressly prioritize the objective of recovering state financial losses so that the mechanism does not become a means of avoiding financial responsibility. Fourth, courts should explicitly incorporate the sentencing objectives under Article 51 and the sentencing factors under Article 54 of the New Criminal Code into their sentencing framework (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023). Fifth, the classifications established under Supreme Court Regulation Number 1 of 2020 should be applied consistently to both principal and additional penalties (Theresia et al., 2024). These recommendations would strengthen judicial accountability while simultaneously enhancing public confidence. In this way, modifications to a sentencing ruling may be understood as lawful, reasoned, and measurable judicial corrections.

Based on the foregoing discussion, the second research question can be answered conclusively. The modifications to the sentencing ruling in the Johnny G. Plate case are formally relevant but not yet fully substantively aligned with the principles of proportionality, rationality, and accountability. Their formal relevance arises from the fact that the modifications were made within the lawful authority of the appellate and cassation courts. Their limited substantive relevance, however, derives from the absence of sufficiently detailed explanations regarding the calculation of compensation and substitute imprisonment, as well

as the lack of a clearly articulated restorative objective (Ali & Tamsil, 2025). When assessed from the perspective of the New Criminal Code, the modifications do not yet fully connect the additional penalties with the objective of restoring social balance under Article 51 (Law of the Republic of Indonesia Number 1 of 2023 on the Criminal Code, 2023). Strengthening the justification on the basis of proportionality, rationality, and accountability is therefore a prerequisite for ensuring that modifications to a sentencing ruling carry genuine normative significance. This finding confirms that the relevance of a modified ruling ultimately rests on the quality of sentencing reasoning.

Conclusion

Based on the findings of this study, it can be concluded that the consistency of judicial reasoning in the Johnny G. Plate case at the first-instance, appellate, and cassation levels has not been fully achieved when assessed against the sentencing objectives and guidelines established under the New Criminal Code. A relatively consistent pattern can be observed in the principal penalties, particularly imprisonment and fines, which were maintained across the different levels of adjudication. This continuity indicates a broadly similar judicial assessment of the defendant's degree of culpability and the consequences arising from the corruption offense. However, such consistency is less evident in the imposition of additional penalties, particularly compensation payments and substitute imprisonment. Modifications made at the appellate and cassation levels were not always supported by sufficiently explicit reasoning connecting the basis of calculation, the purposes of sentencing, and the relevant sentencing factors required under Articles 51 and 54 of Law Number 1 of 2023 on the Criminal Code. Although the modifications to the sentencing rulings were made within the lawful authority of the appellate and cassation courts, the underlying reasoning has not yet fully reflected the substantive principles of proportionality, rationality, and sentencing accountability. Accordingly, this study emphasizes that sentencing consistency should not be assessed merely on the basis of whether a judgment remains unchanged or is modified. Rather, it must be evaluated through the coherence and continuity of the legal reasoning underlying each

component of the sentence. Such consistency is essential to ensure legal certainty, substantive justice, and social utility in the enforcement of anti-corruption law.

The findings of this study demonstrate the need to strengthen sentencing consistency in corruption cases through a more explicit application of the sentencing objectives and guidelines contained in Articles 51 and 54 of the New Criminal Code, together with Supreme Court Regulation Number 1 of 2020. Judges should provide more detailed reasoning when imposing additional penalties, particularly compensation payments and substitute imprisonment, and should clearly explain their relationship with the financial benefits obtained by the defendant, the extent of state financial losses, and the restorative objectives of sentencing. Accordingly, every modification to a sentencing ruling at the appellate or cassation level should not only satisfy formal legality but also be supported by reasoning that is rational, proportionate, and accountable. Strengthening these aspects would enhance legal certainty and reinforce public confidence in the Corruption Court and the broader administration of anti-corruption justice.

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Competing Interest

The authors declare that there are no competing interests.