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### **PhD Thesis Propositions**

Corporate Criminal Liability in Indonesia:  
Regulation, Implementation, and Comparison with the Netherlands

1. The recognition of corporations as the subject of criminal liability and punishment will always leave room for debate on matters of possibility and expediency. However, both Indonesia and the Netherlands took a very pragmatic approach to this and established criminal liability for corporations without a fundamental discussion on theoretical and practical objections. Together with only limited rules governing this topic, this left many questions to be answered by the judicial practice, which, subsequently, filled this vacuum.
2. A single stipulation in establishing the criminal liability of corporations within the criminal code and a strong role of the Court by creating criteria to establish the *actus reus* and *mens rea* of corporations are the most important lessons from the Netherlands.
3. The various systems within special Laws and the absence of regulation within the criminal code regarding the criminal liability of corporations are like 'weeds' eating away the main structure of the Indonesian criminal law system building.
4. The lack of procedural law in establishing the criminal liability of corporations is the reason behind the limited number of corporate crime cases in Indonesia. Actually, it is a matter of goodwill among the legal enforcers to cope with this problem.
5. An effective system of the criminal liability of corporations will be achieved when the law reforms on the *KUHP* and the *KUHAP* strongly consider accommodating the system that has been and will be developed in case law.
6. It is truly said that a corporation has no conscience; but, a corporation of conscientious men is a corporation with a conscience. (Thoreau, 1983)
7. The implementation of good corporate governance is an essential element to prevent corporations from committing illegal actions.
8. Nowadays, the most powerful corporations are no longer oil companies but data companies.
9. Mentioning all our social media accounts will become a compulsory requirement in official documents in the near future.
10. In the future, the existence of robots with artificial intelligence will trigger debate regarding its legal personality in society.
11. The criminal code is reflecting the moral value and legal culture of a country. As a multicultural country with more than 300 ethnic groups, if it takes a year to discuss the value accommodated in the draft of each group, Indonesia still has more than two centuries to go to finish the code. At least Indonesia has been through the first 50 years.