

THE ACT OF MATCH-FIXING AS A CRIMINAL ACT OF BRIBERY IN A SOCCER MATCH

Noor Millawati¹ dan Emilia Rusdiana²

¹Faculty of Law, State University of Surabaya, Surabaya, Indonesia, noormillawati.20139@mhs.unesa.ac.id

²Faculty of Law, State University of Surabaya, Surabaya, Indonesia, emmiliarusdiana@unesa.ac.id

Abstract

Soccer is one of the most popular and sought-after sports among the public. With the development of the times, soccer has also been used as a business industry with various forms of violations, one of them is match fixing. There are no specific regulations governing bribery for match fixing in soccer matches, so Law Number 11 of 1980 concerning Criminal Acts of Bribery is used to resolve this issue. The purpose of this study is to determine the application of Article 2 of Law Number 11 of 1980 concerning Criminal Acts of Bribery to the practice of match fixing in soccer and legal reforms to Law Number 11 of 1980 concerning Criminal Acts of Bribery in combating the practice of match fixing in soccer. This study uses a normative juridical method. The results of the study show that the application of Article 2 of Law Number 11 of 1980 concerning Criminal Acts of Bribery still has many weaknesses, so that the regulation is not yet effective in preventing match-fixing. Therefore, it is necessary to update the law through the establishment of specific criminal norms that explicitly prohibit bribery for match-fixing in soccer matches.

Keywords: *match-fixing, bribery crime, legal reconstruction.*

A. INTRODUCTION

Soccer is one of the most popular and sought-after sports among the public. Almost every country in the world makes football one of the one way to attract attention from other countries, as is the case with other countries Indonesia. Based on the results of a survey by the Indonesian Survey Institute (LSI), nearly 160 million Indonesian people love football (Rikin 2023)

Along with its development, football is not only used as a sports and entertainment facilities. In European countries, football is also a field business industry. The increasing enthusiasm of the Indonesian people for football, resulting in the emergence of various parties to make football a business which benefits themselves, by ignoring the values of sportsmanship and sports professionalism (Wiratama 2023).

The practice of violations in football matches in Indonesia is very diverse, one of them is the practice of match fixing. According to FIFA (*Federation International The Football Association*), *match fixing* is the arrangement football matches to gain material and immaterial benefits because the results of the match meet the demands of certain individuals or groups in worldwide. Match fixing is also known as match fixing involves two things. First, match fixing is done by deliberately changing the score match results to gain personal material benefits provided by one or more parties

participating in betting or gambling. Second, match fixing is done for reasons unrelated to betting or gambling. However, this is done to gain financial gain for the club itself, such as gaining promotion in a league by bribing players opponents, match officials, or club officials (Huggins 2020).

In Indonesia, those who commit match fixing will receive administrative sanctions as regulated in Article 72 of the 2023 PSSI Disciplinary Code. These sanctions include suspension, fines, lifetime bans from playing football, degradation, and return of awards. Although there are already rules that regulates the prohibition of match-fixing actions, but in fact it still occurs there are many match-fixing violations in football matches. This match fixing even enters the realm of positive law or criminal law in Indonesia.

In the field of sports, Indonesia previously had the National Sports System Law Number 3 of 2005, which was later revoked and replaced by Law Number 11 of 2022 concerning Sports. However, this law does not contain provisions regarding the practice of match-fixing bribery in matches. The use of this sports law is ineffective in addressing the problem of match-fixing because it does not specifically regulate the prohibition of match-fixing in matches (Silalahi, 2020). Therefore, in handling cases of match-fixing bribery in soccer matches, law enforcement uses Law Number 11 of 1980 concerning the Crime of Bribery. Based on this background, two problem formulations are formulated: how to apply Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery to the practice of match-fixing in soccer matches and how to update the law to Law Number 11 of 1980 concerning the Crime of Bribery in overcoming the practice of match-fixing in soccer matches.

This is important to study because there is no positive legal regulation that specifically regulates the act of match-fixing bribery in football matches, and the weak implementation of existing rules for perpetrators of match-fixing in football matches, so there is a need for legal updates to the existing rules. The purpose of this study is to determine the application of Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery to the practice of match-fixing in football matches and to analyze legal updates to Law Number 11 of 1980 concerning the Crime of Bribery in overcoming the practice of match-fixing in football matches.

This study differs from previous research. According to Devarina Aurellia's research, match-fixing is punishable under the classification of gambling crimes as regulated in Article 303 bis of the Indonesian Criminal Code and bribery crimes as regulated in Law No. 11 of 1980 concerning Bribery. Furthermore, the sanctions stipulated in the FIBA Code of Conduct also apply to the general public who watch matches (Aurellia 2023). Meanwhile, based on research conducted by Muhammad Ridwan Azizi, the parties who can be charged under the bribery law are managers and officials of football organizations (PSSI officials), while match officials who can be charged are the referee commission, linesmen, and players. Positive Indonesian law to address the practice of match fixing in football matches is Article 55 of the Criminal Code and Law Number 11 of 1980 concerning the Crime of Bribery (Azizi 2020). Research conducted by Vicko Taniady et al. found that match-fixing regulations in Indonesia are still weak compared to Australia and Germany. Australia already has

specific regulations to address match-fixing, namely the *National Policy on Match Fixing in Sport* which was ratified in 2011. Germany, on the other hand, has amended *The Germany Criminal Code* and established the “*Together against match fixing – don’t fix the game*” program (Taniady et al. 2022).

B. RESEARCH METHOD

The research method used in this study is normative juridical with a statutory approach and a case approach. The legal materials used are primary legal materials, secondary legal materials, and non-legal materials. Primary legal materials consist of the Criminal Code, Law Number 11 of 1980 concerning the Crime of Bribery, Law Number 11 of 2022 concerning Sports, the PSSI Disciplinary Code of 2023, and the FIFA Disciplinary Code of 2023. Secondary legal materials include legal books or journals, the views of legal experts (doctrines) related to the problem being studied, while non-legal materials used are language dictionaries. The legal material collection techniques used are document studies and literature studies. The legal materials obtained are analyzed prescriptively.

C. RESULTS AND DISCUSSION

1. Application of Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery to the Practice of Match Fixing in Soccer Match

Match fixing is an act that influences or changes the course of a match, carried out in various ways to gain benefits, whether financial or other benefits, which are contrary to the code of sports ethics and the principles of sportsmanship that are upheld in football (Waditra, Susanti, and Setiawan 2021). One common method of match-fixing is bribery. These include players, referees, match officials, and other parties involved in the football match.

The crime of match-fixing bribery that occurs in soccer matches has a different form and elements from the crime of bribery regulated in the Corruption Law. The perpetrators of the crime of bribery in the Corruption Law are state officials or civil servants, and the bribery committed directly harms the state's finances. Therefore, the act of match-fixing bribery in soccer matches does not refer to the Corruption Law, but rather to Law Number 11 of 1980 concerning the Crime of Bribery.

In Law Number 11 of 1980 concerning the Crime of Bribery, the act of match-fixing bribery is regulated in Article 2 and Article 3.

Article 2 states that "Anyone who gives or promises something to someone with the intention of persuading that person to do something or not do something in his/her duties, which is contrary to his/her authority or obligations concerning the public interest, shall be punished for giving a bribe and shall be punished by imprisonment for a maximum of 5 (five) years and a maximum fine of Rp. 15,000,000 (fifteen million rupiah)."

Article 3 also states that "Anyone who accepts something or a promise, while he/she knows or should reasonably suspect that the gift or promise is intended to induce him/her to do something or not do something in his/her duties, which is contrary to his/her authority or obligations concerning the public interest,

shall be punished for accepting a bribe and shall be punished by imprisonment for a maximum of 3 (three) years or a maximum fine of Rp. 15,000,000 (fifteen million rupiah)."

The elements contained in Article 2, when related to the crime of match-fixing bribery, can be described as follows:

- a) The element of "whoever." This element relates to the legal subjects involved, including players, club owners, referees, match officials, coaches, and the general public.
- b) The element of "giving or promising something to someone." This element is defined as the act of giving something to someone with a promise to give something back. In cases of bribery in football matches, the bribe generally consists of money or goods.
- c) The element "with the intention of persuading the person to do or not do something in his/her duties" is defined as a gift made with the aim of getting another person to do or not do what must be done according to the giver's request. In this case, something done is related to the recipient's work. For example, if someone gives something to a referee, the referee will act as judge in a match according to the giver's wishes, which will certainly benefit the giver.
- d) The element "contrary to his authority or obligation" means that the recipient's actions are inconsistent with and contradict the responsibilities and authority stipulated in the code of ethics of the profession or organization in which he works. For example, giving the item to a player who is supposed to be playing for his club but instead plays for the opposing team is a clear violation of the PSSI code of ethics and regulations.
- e) The element of "concerning the public interest" means that the act has an impact on the public interest. In this case, the public should be able to watch a fair football match, but what happens on the field is controlled by irresponsible parties.

The description of the elements of Article 3 is also the same as Article 2, the only difference is the legal subject. Article 2's legal subject is the bribe giver, while Article 3's legal subject is the bribe recipient. Match-fixing involves two parties: the bribe giver and the bribe recipient. This indicates that bribery is the underlying act of match-fixing. Philosophically, the legal interests inherent in bribery and match-fixing can be identified as a crime based on the concept of *mala in se*, because the act is wrong (Rusdiana, Majdid, and Istiqomah 2025). One of the cases of match-fixing bribery that occurred in Indonesia was the match-fixing action carried out by the defendant Vigit Waluyo in the soccer match between PSS Sleman VS Madura FC on November 6, 2018 at Maguwoharjo Stadium. Vigit Waluyo's actions have been decided in decision Number 43/Pid.sus/2024/PN Smn.

Based on the explanation above, it can be said that Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery can be applied to the practice of match fixing in football matches if the act fulfills the elements of a criminal act as

regulated in the article. In the context of match fixing in football matches, Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery can be imposed on parties who give or promise money, facilities, or certain benefits to referees, players, coaches, or match officials with the aim of influencing the course of the match or the final result of the match.

However, the application of Article 2 of Law Number 11 of 1980 concerning the Crime of Bribery to the practice of match fixing has several weaknesses, including: First, the formulation of general and multi-interpretable norms, where Article 2 does not clearly state the rules regarding the practice of match fixing or criminal acts in the world of sport, so that its interpretation is very dependent on the legal understanding of the authorities; Second, the difficulty of proving the element of public interest. In the implementation of the law, the aspect of public interest is often a weakness in the proof process. This is because not all law enforcement officers have the same view that football matches are categorized as public interest, especially if the match is not held directly by the government; Third, the threat of punishment in Law Number 11 of 1980 concerning the Crime of Bribery is relatively lighter when compared to the consequences that occur due to match fixing, both in terms of public trust, the sports industry, and economic losses. This can have an impact on the low deterrent effect on perpetrators of match fixing bribery; Fourth, current match-fixing is often carried out in a structured manner, involving multiple countries and encompassing international gambling networks. However, Article 2 of the law does not yet specifically cover planned and systematic crimes in the context of contemporary sports. Fifth, in its implementation, those involved in match-fixing are usually first punished by the football federation or sports organization. This creates uncertainty or confusion in the application of criminal law if there is no clear coordination between authorities and sports organizations.

2. Legal Updates to Law Number 11 of 1980 concerning the Crime of Bribery in Overcoming the Practice of Match Fixing in Soccer Match

Indonesia does not yet have a specific regulation governing bribery and match-fixing in soccer matches. Therefore, in resolving issues related to match-fixing bribery, only reference is made to Law Number 11 of 1980 concerning the Crime of Bribery. However, this law only regulates the giving or receiving of a reward or promise to carry out an act contrary to one's responsibilities and authority related to match-fixing. However, match-fixing is not limited to the giving or receiving of promises; it can also involve other actions such as those providing facilities for the perpetrator, intermediaries, and the distribution of internal information.

Legal reconstruction is an unavoidable necessity to achieve legal certainty and justice, particularly in the case of match-fixing in soccer matches. Current regulations, both the Criminal Code and Law No. 11 of 2022 concerning Sports, fail to provide clear and specific legal provisions regarding match-fixing. This lack of norms results in legal uncertainty, which in criminal law theory is considered a structural flaw in the criminal justice system (Fadhlan 2025).

Match-fixing in soccer matches constitutes a structured and organized form of sports fraud, with significant consequences for society, the sports sector, and public trust. While such acts are punishable under Articles 2 and 3 of Law Number 11 of 1980 concerning Bribery, several shortcomings in the norm necessitate legal reforms to more effectively address this issue. Therefore, legal reform is needed to adapt legal procedures in sports to the characteristics of contemporary sports crimes and to enhance protection of the integrity of sports competitions.

Legal updates to Law No. 11 of 1980 concerning Bribery can be implemented in several ways, namely: First, establishing specific norms regarding crimes in sports. This reform can be carried out by adding specific provisions regarding crimes in the world of sports to the Indonesian criminal law system, particularly regarding manipulation of match results. This can also include specific elements such as the relationship between manipulation of match results and gambling, illegal betting, and international networks. Second, strengthening criminal and additional sanctions. Legal reforms in this regard can include increasing the main penalties (longer prison terms and larger fines), prohibitions from playing a role in sports activities for a certain period, and revocation of the right to organize and participate in sports competitions. Third, coordinating with other anti-corruption regulations. This is because Law No. 11 of 1980 concerning Bribery is quite old and does not cover the development of corruption issues involving various sectors, including sports. Implementing regulations are also needed that connect law enforcement, sports organizations, anti-doping agencies, and national anti-corruption agencies to strengthen collaboration between various parties in addressing existing problems. Finally, more structured criminal regulations. Match-fixing is often linked to illegal gambling and international criminal networks. Therefore, legal reform is needed to incorporate provisions related to organized crime, money laundering, and illegal gambling into the context of match-fixing.

D. CLOSING

Conclusion

Based on the discussion outlined above, the following conclusions can be drawn:

1. Article 2 of Law No. 11 of 1980 can be applied to any party who provides or promises money, facilities, or certain benefits to referees, players, coaches, or match officials with the aim of influencing the course of a match or its outcome. However, in practice, the application of Article 2 still has several weaknesses, including the formulation of general and multi-interpretable norms, the difficulty of proving the public interest element, relatively light and disproportionate criminal penalties, the lack of accommodations related to the characteristics of contemporary sports crimes, and overlapping criminal law regulations with sports disciplinary sanctions.
2. Legal updates to Law No. 11 of 1980 concerning Bribery Crimes can be implemented by establishing specific criminal norms that explicitly prohibit match-fixing in sports matches, increasing criminal penalties and additional sanctions, coordinating with other anti-corruption regulations, and providing a more structured criminal code.

Recommendations

Based on the discussion outlined above, the researcher offers the following recommendations:

1. The Indonesian government needs to update or even create new policies related to criminal acts in soccer matches and other sports, such as bribery and gambling.
2. The government needs to create new policies specifically regulating match-fixing in sports matches in Indonesia so that match fixing can be prevented and addressed.

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