The Indonesian Journal of
International Clinical Legal Education
https://journal.unnes.ac.id/journals/iccle/index
Vol. 8 Issue 3 (2026) 325-366
DOI: https://doi.org/10.15294/ijicle.v8i3.62405

ISSN: 2721-8368 (Online)

Submitted : August 9, 2026
Revised : September 24, 2026
Accepted : September 26, 2026
Published : October 1, 2026
Available Online : October 2, 2026

Dirty Broom Theory: A Conceptual Framework for Law Enforcement Integrity

Kurniawan Tri Wibowo

Universitas Amikom Purwokerto, Indonesia

✉ Corresponding email: kurniawan@amikompurwokerto.ac.id

Abstract

The integrity of law enforcement officials is fundamental to the effectiveness, fairness, and legitimacy of law enforcement. However, existing legal theories have not adequately conceptualized how integrity violations may contaminate legal procedures and undermine the legitimacy of judicial outcomes. This study aims to examine the normative relationship between official integrity and the legitimacy of law enforcement outcomes, formulate the Dirty Broom Theory as a conceptual framework, and assess its implications for law enforcement reform in Indonesia. This study employs normative legal research using statutory, conceptual, doctrinal, and comparative approaches. Primary and secondary legal materials, including legislation, jurisprudence, legal doctrines, and scholarly literature, are analyzed through systematic legal interpretation. The findings demonstrate that official integrity constitutes an essential condition for maintaining procedural fairness and substantive legitimacy in legal decision-making. The study

© 2026 Authors. This work is licensed under an Attribution-ShareAlike 4.0 International (CC BY SA 4.0). All writings published in this journal are personal views of the authors and do not represent the views of this journal and the author's affiliated institutions.

formulates the Dirty Broom Theory, premised on the proposition that "a dirty broom cannot produce clean justice." The theory explains that corruption, bribery, evidence manipulation, case fabrication, abuse of authority, conflicts of interest, and other integrity violations can contaminate the law enforcement process and compromise the legitimacy of its outcomes. Furthermore, the Chain of Integrity Principle conceptualizes criminal justice as an interconnected process in which integrity at each stage contributes to the legitimacy of the final decision. The theory provides a conceptual foundation for integrity-based law enforcement reform in Indonesia.

KEYWORDS
Dirty Broom Theory; Integrity of Law Enforcement Officials; Effectiveness of Law Enforcement; Chain of Integrity Principle.

Introduction

Law enforcement is the main instrument in realizing the state of law (*rechtstaat*) that guarantees legal certainty, justice, and benefits for society.[1] The entire legal system, no matter how good the norms formed, ultimately depends on the integrity of law enforcement officials as law enforcers in the field. Therefore, the quality of law enforcement is not only determined by the substance of the law and institutions, but also by the moral character and integrity of the individual who carries out the function of law enforcement refer to Philipus M Hadjon.[2] When law enforcement officials lose their integrity, the law is no longer an instrument of justice, but has turned into a tool of power that can be traded for certain interests.

[1] Khalisa Noer Afina, *Urgensi Penegakan Hukum Yang Berkeadilan Dalam Konteks Reformasi Indonesia*, 14, no. 10 (2025).

[2] Philipus M. Hadjon, *Integritas dalam Penyelenggaraan Pemerintahan* (Yogyakarta: Gadjah Mada University Press, 2017).

The phenomenon of corruption involving law enforcement officials is not a problem that only occurs in developing countries, but is a global problem that has been going on for decades. Various studies show that corruption in the judicial system has a much more destructive impact than corruption in other sectors of government because it directly undermines the legitimacy of the law and public trust in the state.[3] Corruption of law enforcement officials also creates conditions where people lose confidence that the law is able to provide fair protection to every citizen.

History records many cases that show how law enforcement officials are actually the main perpetrators of the crimes they are supposed to eradicate. One of the most famous examples is Joseph Miedzianowski, a member of the Chicago Police Department who is known as one of the most corrupt cops in the history of the United States. Instead of eradicating narcotics, he became part of an international drug trafficking network while still carrying out his duties as a policeman.[4] His position as a state apparatus is used to protect his own criminal activities so that the law loses its supervisory function.[5]

A similar case also occurred to David Mack and Rafael Pérez, members of *the Los Angeles Police Department*, who were proven to be involved in various serious crimes and had ties to the criminal group

---

[3] Esteban Eustaquio Flores Apaza et al., "Judicial Corruption and Public Trust Assessing the Effectiveness of Legal Ethics Reforms in Global Legal Systems," *Journal of Posthumanism* 5, no. 6 (2025): 3649–62, https://doi.org/10.63332/joph.v5i6.2499.

[4] Bartlomiej Kmiecik, "Understanding Changes in Corruption In The Chicago Police Department" (thesis, University of Illinois Chicago, 2016), https://indigo.uic.edu/articles/thesis/Understanding_Changes_in_Corruption_In_The_Chicago_Police_Department/10784141/1.

[5] Samuel R. Gross et al., "Race and Wrongful Convictions in the United States 2022," SSRN Scholarly Paper no. 4245863 (Social Science Research Network, September 23, 2022), https://doi.org/10.2139/ssrn.4245863.

The Bloods.[6] The Rampart scandal involving the two revealed the practice of case engineering, *planting evidence*, giving false testimony, abuse of power, and shooting without a valid legal basis. As a result of this practice, hundreds of criminal judgments were finally canceled because they were proven to be built on dishonest law enforcement processes and violated the principles *of due process of law*.[7]

In the Asian region, Lui Lok's name became a symbol of institutional corruption in the Hong Kong Police in the 1960s to the 1970s. As a high-ranking police official, he built an organized bribery system in almost all police structures so that corrupt practices turned into institutional culture. The illegal wealth he acquired reached hundreds of millions of dollars before finally fleeing to Canada. The case then became one of the main factors in the birth of Hong Kong's independent anti-corruption agency, namely *the Independent Commission Against Corruption*, which until now is known as the world's model of anti-corruption institutional reform.[8]

Integrity problems also do not only occur in police institutions, but also penetrate the judicial institutions. Thomas Porteous, a U.S. federal judge, was impeached and removed from office after being found guilty of accepting bribes and making false statements.[9] Similarly, Mark Ciavarella, a Pennsylvania judge, who took bribes in the infamous *Kids for Cash* scandal, which was to sentence children in order to obtain

---

[6] Mark Neocleous, "The Monster and the Police: Dexter to Hobbes," *Radical Philosophy*, no. 185 (2014), https://www.radicalphilosophy.com/article/the-monster-and-the-police.

[7] Paul J. Kaplan, "Looking Through the Gaps: A Critical Approach to the LAPD's Rampart Scandal," *Social Justice* 36, no. 1 (2009): 61–81.

[8] Ray Yep, "The Crusade against Corruption in Hong Kong in the 1970s: Governor MacLehose as a Zealous Reformer or Reluctant Hero?," *China Information* 27, no. 2 (2013): 197–221, https://doi.org/10.1177/0920203X13482244.

[9] Betsy Palmer, *The Role of the House of Representatives in Judicial Impeachment Proceedings: Procedure, Practice, and Data*, n.d.

financial benefits from private correctional institutions.[10] Even in 2025, Lydia Mugambe, a Ugandan judge, will be found guilty in the UK of abusing authority and exploiting victims, suggesting that abuse of judicial office remains a serious threat to the integrity of the modern justice system.[11]

These various cases show that the deviations of law enforcement officials are not just individual ethical violations, but can result in court decisions born from flawed processes. Case engineering, manipulation of evidence, criminalization, extortion, torture, bribery, and conflicts of interest result in a person being found guilty not because they actually committed a criminal act, but because the law enforcement process has been controlled by officials without integrity.[12] Such a condition raises fundamental questions about the moral validity and legal legitimacy of criminal decisions resulting from corrupt processes.

This issue is even more relevant when it is associated with various cases of *miscarriage of justice* in various countries, where convicts are only released after years of serving their sentences when it is proven that investigators manipulated evidence, prosecutors hid mitigating evidence, or judges accepted bribes in the trial process.[13] Normatively, the decision has permanent legal force (*inkracht*), but substantively it is born from a process that is contrary to the principle of justice. Thus, the question arises whether a criminal verdict still has legitimacy if the

---

[10] Emil Turković, "A New Function Of Prison Industry And Private Prisons In Developed Countries, And The Possibility Of Their Implementation In The Republic Of Serbia," *Facta Universitatis, Series: Law and Politics*, December 28, 2017, 347, https://doi.org/10.22190/FULP1704347T.

[11] "A UN Judge Convicted for Slavery: Power, Politics and Privilege," accessed August 6, 2026, https://www.justiceinfo.net/en/145273-un-judge-convicted-slavery-power-politics-privilege.html.

[12] Davey Rivers, "Official Misconduct in Exoneration Cases Prior to 1989," *Criminal Justice Sciences*, April 1, 2020, https://ir.library.illinoisstate.edu/urscjs/1.

[13] Cynthia Jones, "A Reason to Doubt: The Suppression of Evidence and the Inference of Innocence," *Scholarly Articles in Law Reviews & Journals* 100, no. 2 (2010), https://digitalcommons.wcl.american.edu/facsch_lawrev/916.

foundation of law enforcement is built through corrupt practices, case engineering, or abuse of power by law enforcement officials.

This reality shows that the success of law enforcement cannot be measured only by the number of cases that have been successfully processed or the severity of the crimes imposed. The effectiveness of law enforcement is actually determined by the quality of the integrity of the apparatus that carries out the entire process. Corrupt officials will produce corrupt legal processes, just as a dirty broom cannot produce clean floors. This simple analogy illustrates that a polluted instrument will never be able to produce a clean and fair output. Therefore, the integrity of the apparatus is the main prerequisite for the creation of legitimate law enforcement.[14]

Although various theories of law enforcement have been developed by experts, such as Lawrence M. Friedman's theory of the legal system, Soerjono Soekanto's theory of legal effectiveness, John Rawls' theory of justice, and the concept *of the rule of law*, there is no theoretical construction that explicitly explains the causal relationship between the integrity of law enforcement officials and the legitimacy of law enforcement results. Most theories still view the apparatus as one of the elements of the legal system, but have not explained how the moral damage of the apparatus can contaminate the overall legal product it produces. This conceptual void opens up space for the development of a new theory that is more oriented towards the dimension of the integrity of the apparatus as the main determinant of the effectiveness of law enforcement.

In this context, this article offers *the Dirty Broom Theory* as a new theoretical construction in the legal sciences. This theory departs from the premise that law enforcement officials are a "broom" used by the state to clean up violations of the law. The construction of the *Dirty*

[14] *Law Enforcement Ethics and Morality Contribution in Reducing the Culture of Corruption*, n.d., accessed August 6, 2026, https://ijssers.org/single-view/.

Broom Theory can also be distinguished from the professional ethical frameworks governing law enforcement officials in Indonesia. The Professional Code of Ethics of the Indonesian National Police, regulated under Regulation of the Chief of the Indonesian National Police No. 7 of 2022, establishes ethical standards concerning the conduct, responsibilities, and professional integrity of police officers, including state ethics, institutional ethics, social ethics, and personal ethics. Similarly, Prosecutor Regulation No. 4 of 2024 concerning the Code of Conduct for Prosecutors places integrity, professionalism, and wisdom as fundamental values governing prosecutorial conduct. These regulations demonstrate that Indonesian law already recognizes integrity as an essential requirement for legitimate law enforcement. However, their primary function is normative and disciplinary, namely establishing standards of conduct, identifying violations, and providing mechanisms for ethical accountability and sanctions.

The *Dirty Broom Theory* goes beyond this normative function by explaining the systemic consequences of integrity violations within the interconnected law enforcement process. A violation of professional ethics does not necessarily invalidate every legal action undertaken by an officer. Rather, the theory becomes relevant when a proven integrity violation has a causal relationship with the formation of evidence, factual findings, prosecutorial decisions, or other elements that materially influence the final outcome. In this sense, the theory introduces the concept of procedural contamination, whereby misconduct at one stage of law enforcement may affect the integrity of subsequent stages through the *Chain of Integrity Principle*. Thus, professional codes of ethics answer the question of how law enforcement officials ought to behave, whereas the *Dirty Broom Theory* explains how a material breach of that integrity may contaminate the legal process and potentially affect the substantive legitimacy of its outcome. This distinction constitutes an important theoretical basis for positioning the

Dirty Broom Theory as an explanatory framework rather than merely another formulation of professional ethics.

When a law enforcement officer becomes contaminated by corruption, bribery, case engineering, abuse of authority, conflicts of interest, or other ethical violations, the problem is not limited to the individual misconduct. Such contamination may affect the integrity of the procedures, the reliability of evidence, the fairness of decision-making, and ultimately the legitimacy of law enforcement outcomes. The distinctive contribution of the Dirty Broom Theory therefore lies not merely in stating that a "dirty broom" cannot produce a clean result, but in explaining how the institutional integrity of the broom must be continuously maintained throughout the law enforcement process. The theory proposes an integrity-preservation mechanism consisting of four interconnected elements: integrity-based recruitment and professional formation, continuous ethical supervision, prompt detection and accountability for integrity violations, and institutional correction when misconduct has contaminated a legal process. Under this framework, integrity is not treated as a fixed personal virtue but as an institutional condition that must be continuously protected, monitored, and restored. The Chain of Integrity Principle further establishes that each law enforcement actor constitutes a link in the criminal justice process; therefore, preserving the integrity of one link requires mechanisms capable of preventing contamination from being transmitted to subsequent stages.

The practical objective of the Dirty Broom Theory is consequently not simply to "clean" a dirty broom after misconduct occurs, but to establish an institutional system that prevents the broom from becoming dirty, detects contamination at an early stage, removes or sanctions proven misconduct through lawful procedures, and restores the integrity of any process affected by such contamination. In this sense, the theory extends beyond the common proposition that corrupt officials produce unjust outcomes by providing a normative framework

for preventing, detecting, correcting, and institutionalizing integrity within law enforcement.

This study uses a qualitative approach with the grounded theory method to construct Dirty Broom Theory as a new theory in law enforcement. Grounded Theory Research is a qualitative research method that uses a number of systematic procedures directed at developing action, interaction, or process-oriented theories based on data obtained from the field.[15] This approach was chosen because the research aims to conceptualize based on empirical data, not to test existing theories.

Qualitative research is descriptive and tends to use analysis with an inductive approach, which is departing from specific facts, concrete events and then drawing general conclusions.[16] The research was conducted inducively by placing the researcher as the main instrument that was open to various field findings regarding the integrity of law enforcement officials and the effectiveness of law enforcement. Thus, the categories and concepts that make up the theory are developed gradually based on the facts found during the research process.

A. The Concept of Law Enforcement Integrity in Influencing Law Enforcement Effectiveness

Integrity is the main foundation that determines the quality of law enforcement in a state of law. According to the *New Oxford American Dictionary* 2005, in the order in which it is used, integrity is "1) The quality of being honest and having strong moral principles; moral honesty; 2) Intact and undivided state; condition to be unified,

[15] Samuel R. Gross et al., "Race and Wrongful Convictions in the United States 2022," *SSRN Electronic Journal*, ahead of print, 2022, https://doi.org/10.2139/ssrn.4245863.

[16] Gross et al., "Race and Wrongful Convictions in the United States 2022," 2022.

not deformed, or healthy in construction.[17] Palanski and Yammarino argue that a person with integrity will exhibit behavior based on moral values.[18] The fact that integrity is part of the moral values that drive ethical leadership may support the assumption that a leader with integrity will be encouraged to engage in ethical behavior in an effort to influence followers.[19]

From a legal perspective, integrity is not only interpreted as personal honesty, but also includes consistency between moral values, legal obligations, professional code of ethics, and concrete actions taken by law enforcement officials in exercising their authority.[20] Integrity places law enforcement officials as subjects who are obliged to act independently, objectively, professionally, accountably, and free from all forms of conflicts of interest. Therefore, the effectiveness of law enforcement is not only determined by the quality of laws and regulations, but also depends on the moral quality of the officials who implement the law.

From the perspective of the legal system, the existence of law enforcement officials has a central position because the law is essentially an abstract norm and does not have the ability to work independently. A law, no matter how complete and ideal its formulation, will not be able to create justice if it is carried out by an apparatus that abuses its authority. On the contrary, officials who have high integrity are able to interpret legal norms objectively in accordance with the purpose of their

---

[17] "New Oxford American Dictionary - Oxford Reference," accessed August 6, 2026, https://www.oxfordreference.com/display/10.1093/acref/9780195392883.001.0001/acref-9780195392883.

[18] Michael E. Palanski and Francis J. Yammarino, "Integrity and Leadership:," *European Management Journal* 25, no. 3 (2007): 171–84, https://doi.org/10.1016/j.emj.2007.04.006.

[19] Deanne N. Den Hartog and Frank D. Belschak, "Work Engagement and Machiavellianism in the Ethical Leadership Process," *Journal of Business Ethics* 107, no. 1 (2012): 35–47, https://doi.org/10.1007/s10551-012-1296-4.

[20] Karin Lasthuizen et al., "How to Measure Integrity Violations: Towards a Validated Typology of Unethical Behavior," *Public Management Review* 13, no. 3 (2011): 383–408, https://doi.org/10.1080/14719037.2011.553267.

formation. Thus, law enforcement officials are the main link between the law as a norm and the law as a reality (*law in action*).[21] Public integrity and trust can be strengthened when law enforcement agencies act ethically and morally, making them a powerful means of combating corruption.[22]

The influence of the integrity of the apparatus on the effectiveness of law enforcement can first be seen from its ability to form an internal legal culture in law enforcement agencies. The integrity possessed by investigators, public prosecutors, judges, and correctional officers will create an organizational culture that upholds professionalism, honesty, and accountability. On the other hand, if the practice of bribery, gratuity, case engineering, or abuse of authority becomes a habit in an institution, then the organizational culture will shift to a permissive culture against violations of the law. In such conditions, the effectiveness of law enforcement is no longer determined by the quality of regulation, but by the internal culture that develops within the institution.[23]

The integrity of the apparatus also has a causal relationship with the formation of *public trust* in the legal system. Public trust is social capital that determines the level of voluntary legal *compliance*. When the public believes that the authorities act honestly, non-discriminatory, and free from personal interests, the public will view the law as an instrument of justice so that compliance arises not solely because of the

[21] Diya Ul Akmal, "Legal Ideals: Mewujudkan Perlindungan Hukum Dalam Kerangka Negara Hukum," *Esensi Hukum* 7, no. 1 (2025): 18–27, https://doi.org/10.35586/esensihukum.v7i1.417.

[22] *Law Enforcement Ethics and Morality Contribution in Reducing the Culture of Corruption.*

[23] Norlida Zakirai@Zakaria et al., "Does Organizational Culture Influence Police Integrity? A Scoping Review," *European Proceedings of Finance and Economics* Accelerating Transformation towards Sustainable and Resilient Business: Lessons Learned from the COVID-19 Crisis (August 2023), https://doi.org/10.15405/epfe.23081.66.

threat of sanctions, but because of the belief that the law is applied fairly. On the contrary, the low integrity of the apparatus will give birth to a crisis of trust (*mistrust* and *distrust*) which ultimately reduces the legitimacy of the law in the eyes of the public.[24]

The integrity of the apparatus functions as a controlling mechanism for the use of discretionary authority in the law enforcement process. Investigators, prosecutors, and judges basically have a wide discretion in determining various legal actions, ranging from the determination of suspects, detention, prosecution, to the imposition of verdicts. The discretion is an instrument that is needed so that the law can be applied flexibly according to the concrete circumstances of a case. However, without strong integrity, discretion has the potential to turn into a tool for abuse of power through the practice of extortion, criminalization, case engineering, manipulation of evidence, and discriminatory treatment of justice seekers.[25]

The magnitude of the influence of the integrity of the apparatus on the effectiveness of law enforcement has long been recognized in legal theory and practice. This is reflected in Taverne's famous adage: *"Give me good judges, prosecutors, and police officers, so that even if I am equipped with a bad criminal code, I will be able to perform my duties well."* The adage emphasized that the quality of law enforcement officials has a more decisive influence than the quality of legal norms alone. In other words, a less than perfect law can still produce justice if it is carried out

[24] Jonathan Jackson et al., "Corruption and Police Legitimacy in Lahore, Pakistan," SSRN Scholarly Paper no. 2421036 (Social Science Research Network, April 6, 2014), https://doi.org/10.2139/ssrn.2421036.

[25] Donny Widianto and Azis Budianto, *Reforming the Limits of Discretion and Strengthening the Police Code of Ethics in Achieving Justice in Law Enforcement | Jurnal Impresi Indonesia*, December 20, 2024, https://jii.rivierapublishing.id/index.php/jii/article/view/5731.

by an apparatus with integrity, while a good law will lose its meaning if it is applied by a corrupt apparatus.[26]

The *Corruption Perceptions Index* (CPI) 2025 was released on February 10, 2026, by Transparency International, including Transparency International Indonesia (TII), with the theme addressing corruption, civil liberties, and access to justice. The CPI assesses 182 countries and territories based on perceived levels of public-sector corruption, using a scale of 0–100, where 0 indicates a highly corrupt public sector and 100 indicates a very clean public sector. In the 2025 CPI, Indonesia recorded a score of 34, a decline of three points from 37 in 2024, and ranked 109th out of 182 countries.[27] This decline is relevant to the integrity of law enforcement because the effectiveness of a legal system depends not only on the quality of its legal norms and institutions but also on the integrity of the officials who implement them. [28] The Indonesian experience demonstrates this paradox through several cases involving law enforcement and anti-corruption officials. Former KPK Chairman Firli Bahuri, who was entrusted with leading an institution specifically established to combat corruption, was designated as a suspect in an alleged extortion case involving former Minister of Agriculture Syahrul Yasin Limpo. Similarly, former Deputy Attorney General for Special Crimes (Jampidsus) Febrie Adriansyah was designated as a suspect in several alleged corruption cases in 2026, although his legal process remains ongoing and therefore should not be characterized as a proven conviction. Earlier cases also include former National Police Traffic Corps Chief Djoko Susilo, who was convicted

---

[26] Anastasia Reni Widyastuti, "Disfungsionalisasi Birokrasi Sebagai Kendala Dalam Pemberantasan Korupsi," *Yustisia* 4, no. 3 (2015): 683–99, https://doi.org/10.20961/yustisia.v4i3.8700.

[27] "Corruption Perceptions Index," *Transparency International Indonesia*, January 24, 2025, https://ti.or.id/corruption-perceptions-index/.

[28] Dominikus Jawa et al., "Tantangan Dalam Penegakan Hukum Tindak Pidana Korupsi Di Indonesia," *JURNAL USM LAW REVIEW* 7, no. 2 (2024): 1006–17, https://doi.org/10.26623/julr.v7i2.9507.

in connection with corruption in the procurement of the Driving Simulator and money laundering, and former prosecutor Pinangki Sirna Malasari, who was convicted in a corruption case involving gratification and the attempted handling of the Djoko Tjandra case. These cases demonstrate that the problem of corruption may extend even to officials whose institutional mandate is to prevent, investigate, or prosecute corruption.

This empirical reality strengthens the central proposition of the Dirty Broom Theory: the weakness of a legal system does not lie solely in the substance of the law, but also in the integrity of the human actors who operate it. When law enforcement officials become involved in corruption, bribery, abuse of authority, conflicts of interest, or other integrity violations, the problem may extend beyond individual misconduct and potentially contaminate the procedures, evidence, discretionary decisions, and legitimacy of subsequent law enforcement outcomes. In this respect, the cases of Firli Bahuri, Febrie Adriansyah, Djoko Susilo, and Pinangki Sirna Malasari illustrate the paradox that those entrusted with maintaining the cleanliness of law enforcement may themselves become implicated in conduct that compromises institutional integrity. This condition reinforces the *Chain of Integrity Principle* proposed in this study, under which each law enforcement official constitutes a link in the criminal justice process; when the integrity of one link is compromised, the legitimacy of the subsequent process may also be affected. Thus, as formulated in the Dirty Broom Theory, a legal system cannot reliably produce legitimate and just outcomes merely through good legal norms if the officials entrusted with implementing those norms lack the integrity necessary to preserve the cleanliness of the law enforcement process.

Another empirical indicator can be seen from the trend of imposing criminal penalties on corrupt perpetrators. A study *by Indonesia Corruption Watch* shows that the average prison sentence

handed down to corrupt perpetrators is still below four years. The lightness of the verdict raises the perception that the judicial system has not been able to create a *deterrent effect* optimally.[29] In addition to being influenced by the evidentiary aspect, this condition also shows that integrity in the process of examination, prosecution, and trial is still a problem that needs serious attention in the reform of the law enforcement system.

The magnitude of the integrity problem of the apparatus is also reflected in the high number of ethical violations that occur in law enforcement institutions throughout 2025. Data shows that 689 members of the National Police were sanctioned with dismissal or severe disciplinary action due to abuse of authority and violations of the code of ethics. In the same period, 101 prosecutors were subject to disciplinary sanctions, including the removal of the head of the district attorney's office involved in bribery and extortion cases. Meanwhile, 85 judges received reprimands and ethical sanctions due to various violations, including allegations of accepting bribes in case management. This fact shows that integrity issues are still systemic so that they directly affect the quality of national law enforcement.[30]

The causal relationship between the integrity of the apparatus and the effectiveness of law enforcement gained a strong theoretical foundation through Lawrence M. Friedman's Legal System Theory. Friedman divides the legal system into three main components, namely *legal substance, legal structure, and legal culture*.[31] In this context, law

---

[29] Toba Sastrawan Manik and Sunarso Sunarso, "Death Penalty for Corruptors: Between the Human Rights and Challenges of Progress in Indonesian Law," *Fiat Justisia: Jurnal Ilmu Hukum* 14, no. 3 (2020): 233–46, https://doi.org/10.25041/fiatjustisia.v14no3.1773.

[30] "Efektivitas Penjatuhan Sanksi Terhadap Pelanggaran Kode Etik Profesi Polri | Indonesian Journal of Legality of Law," accessed August 6, 2026, https://journal.unibos.ac.id/ijlf/article/view/6222.

[31] Ade Maman Suherman, 2004.*Introduction to Comparative Legal Systems.* Raja Grafindo Persada, Jakarta. p. 11-13

enforcement officials are part of the *legal structure* that functions to implement the substance of the law. If the legal structure experiences an integrity deficit, the legal culture of the community will be affected through a decrease in the level of trust and compliance with the law. Thus, damage to the legal structure will result in the failure of the legal system as a whole in achieving the goals of justice, certainty, and legal utility.[32]

This connection is also strengthened by Soerjono Soekanto's Legal Effectiveness Theory which explains that the success of law enforcement is influenced by five factors, namely legal factors, law enforcement officials, facilities and infrastructure, society, and culture. Among these five factors, law enforcement officials occupy a very strategic position because they are the direct implementers of the entire law enforcement process. According to this theory, the apparatus is not only obliged to enforce the law, but must also be an example of legal compliance for the community.[33] Therefore, when the authorities commit corruption, accept bribes, or abuse their authority, the effectiveness of the law will decrease because the community loses the figure that should be the representation of justice.

This relationship is further emphasized through Robert Klitgaard's Corruption Theory which formulates that *Corruption = Monopoly + Discretion – Accountability*.[34] In the criminal justice system, law enforcement officials legally do have a monopoly of authority and

[32] "The Construction Law System and Purification of Limitation from Bawaslu's Authority | Mustakim | JURNAL AKTA," accessed August 6, 2026, https://jurnal.unissula.ac.id/index.php/akta/article/view/20645.

[33] M. Ainun Najib, "Menyoal Asas Equality Before the Law dalam Realitas Peradilan di Indonesia melalui Perspektif Hukum Islam," *Jurnal Humaya: Jurnal Hukum, Humaniora, Masyarakat, dan Budaya* 3, no. 2 (2023): 139–51, https://doi.org/10.33830/humaya.v3i2.5291.

[34] Gavin Goffe, "The Formula for Corruption in Construction," *Myers, Fletcher & Gordon*, January 11, 2022, https://myersfletcher.com/the-formula-for-corruption-in-construction/.

wide discretion in handling a case. However, if this authority is not balanced with adequate accountability and integrity, then discretion will turn into an opportunity for corruption and abuse of power. Thus, integrity is actually a balancing instrument that keeps state authority used in accordance with the objectives of the law and the principles of the state of law.[35]

This condition also shows that the success of law enforcement cannot be measured only by the number of cases resolved or the severity of the crimes imposed. A more substantial measure is whether the entire law enforcement process is carried out by officials who have high integrity so as to produce legitimate and fair decisions. This premise then became the conceptual basis for the development of *the Dirty Broom Theory*, which is a theory that departs from the assumption that law enforcement officials are a "broom" used by the state to clean up violations of the law. If the broom has been tainted by corruption, bribery, case engineering, or abuse of authority, then the results of law enforcement will also lose legitimacy and have the potential to give birth to injustice. Thus, the integrity of the apparatus not only affects the effectiveness of law enforcement, but is the main determinant that determines the cleanliness or dirtiness of the entire law enforcement system.

[35] Dory Reiling, *Technology for Justice. How Information Technology Can Support Judicial Reform | Scholarly Publications* (n.d.), accessed August 6, 2026, https://scholarlypublications.universiteitleiden.nl/handle/1887/21365.

B. Formulation of Dirty Broom Theory Construction as a Theoretical Framework in Law Enforcement

The study found that SI GETAK (Sistem Cegah dan Tangani Kekerasan) represents an innovative digital governance initiative

Law enforcement has so far been more understood as the process of implementing legal norms by law enforcement officials through the mechanism of investigation, investigation, prosecution, examination in court, and the implementation of court decisions.[36] Various theories of law enforcement place the apparatus as one of the important elements in the legal system, but have not specifically explained how the moral quality of the apparatus can determine the legitimacy of the results of law enforcement itself.[37] This conceptual void shows that the relationship between the integrity of the apparatus and the validity of law enforcement results still requires a more comprehensive theoretical construction.

Philosophically, *the Dirty Broom Theory* departs from a simple analogy that a broom is a tool to clean a place from dirt. The function of the broom can only be carried out if the broom is in clean condition and suitable for use. On the other hand, if the broom itself has been filled with mud, dust, or dirt, then every sweeping activity will actually spread new dirt throughout the cleaned surface.[38] The analogy illustrates

[36] Chairul Aman and Bustomi Bustomi, "Proceedings Before The Police, Prosecutor's Office, And Court," *Jurnal Abdisci* 3, no. 3 (2026): 306–19, https://doi.org/10.62885/abdisci.v3i3.774.

[37] A. Danardana and Vincentius Patria Setyawan, "KRIMINALISASI FENOMENA Penyimpangan Sosial Kumpul Kebo (Samenlaven) Dalam Perspektif Hukum Pidana," *Justitia et Pax* 38, no. 1 (2022), https://doi.org/10.24002/jep.v38i1.5713.

[38] "G. Aryadi and Sri Pudyatmoko, Penerapan Kumulasi Sanksi Eksternal Dalam Penegakan Hukum Pidana Korupsi Oleh Pejabat Pemerintahan Di Kabupaten Sleman | Refleksi Hukum: Jurnal Ilmu Hukum," accessed August 6, 2026, https://ejournal.uksw.edu/refleksihukum/article/view/2109.

that law enforcement officials are state instruments to clean up violations of the law, so that when the authorities lose integrity, the results of law enforcement produced have the potential to be polluted by abuse of authority.[39]

In the perspective of this theory, what is meant by *"dirty broom"* is not only the officials who commit corruption crimes, but every law enforcement officer who loses integrity. The loss of integrity is caused by accepting bribes, gratuities, fabricating cases, manipulating evidence, providing false information, discriminating against law enforcement, abusing discretion, having a conflict of interest, or committing ethical violations that affect the independence of legal decision-making.[40] Thus, the concept of "dirty" in this theory has not only a criminal dimension, but also an ethical, professional, and moral dimension that directly affects the objectivity of the law enforcement process.

General Hoegeng Iman Santoso did not use the name "Iman Santoso" because he felt that the name had a very heavy and sacred philosophical meaning. According to him, the name "Iman Santoso" means firm faith or sentosa until the end of life. He chose to use only the name "Hoegeng" during his life as a form of humility because he felt that he did not deserve to hold the title of perfect faith.[41] His full name was only listed in full on his grave after his death, as proof that he had succeeded in maintaining his faith and integrity.

---

[39] Nurindria Naharista Vidyapramatya, "Hilangnya Keadilan Dalam Penegakan Hukum Menurut Teori Diskriminasi," *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 2 (2020): 141–55, https://doi.org/10.20961/hpe.v8i2.49763.

[40] Karin Lasthuizen et al., "How to Measure Integrity Violations: Towards a Validated Typology of Unethical Behavior," *Public Management Review* 13, no. 3 (2011): 383–408, https://doi.org/10.1080/14719037.2011.553267.

[41] Nur Hidayati et al., "Jendral Hoegeng Imam Santoso: Kapolri Jujur, Disiplin dan Sederhana Sebagai Teladan Generasi Muda," *SWADESI: Jurnal Pendidikan Dan Ilmu Sejarah* 2, no. 1 (2021): 25–37, https://doi.org/10.26418/swadesi.v2i1.45819.

The main premise of *the Dirty Broom Theory* states that the lower the integrity of law enforcement officials, the lower the legitimacy of the law enforcement process it produces. The effectiveness of law enforcement is not only determined by the success of imposing criminal penalties on the perpetrators, but also determined by the cleanliness of the process that produces the verdict. Therefore, the legitimacy of a decision is not enough to be measured based on the fulfillment of formal procedures (*formal legality*), but must also meet the substantive *integrity* standards of all officials involved in the process. [42]

From a cultural perspective, there are 2 Javanese philosophies that are very closely related to the concept of integrity and dirty broom. The first is "*Self-Esteem from Lathi, Self-Esteem from Clothing.*" A person's self-esteem is determined by his speech, while the honor of birth is determined by his appearance. The philosophical meaning is that a person's value is determined by his integrity, not by his position. In the context of law enforcement, officers are respected not because of their uniforms or positions, but because of their integrity.

Second, "*If the shoe is dirty, the floor will not be clean.*" (If the broom is dirty, the page will never be clean). In the criminal justice system, law enforcement officials are the sweep of the state. If the broom is polluted by corruption, bribery, case engineering, or abuse of authority, then the justice it produces is no longer clean, but is also polluted by the integrity of the apparatus that enforces it.

The construction of dirty brooms has actually gained normative legitimacy in various modern legal systems. In Indonesia, for example, Article 318 letter b of Law Number 20 of 2025 concerning the Criminal Procedure Code provides the right to apply for a Review if the judge who handed down the criminal verdict is later proven to have received

[42] Wandi Subroto et al., "Dinamika Penegakan Hukum Di Indonesia: Antara Keadilan Substantif Dan Formalitas Prosedural," *Jurnal Abdimas Peradaban* 5, no. 1 (2024): 77–86, https://doi.org/10.54783/354f6340.

a gift or promise with the intention of influencing the verdict. This provision shows that Indonesian law recognizes a direct relationship between the integrity of judges and the legitimacy of criminal judgments. Decisions born from corrupt judges are seen as having lost some of their legal legitimacy so that the state opens a correction mechanism through extraordinary legal remedies.

The question is, can Article 318 letter b of Law Number 20 of 2025 concerning the Criminal Procedure Code be expanded not only to judges, but also to other law enforcers such as prosecutors and police who conduct case engineering?. In the face of such conditions, the law reform in Indonesia, Article 278 of the National Criminal Code (Criminal Code) which contains rules on the crime of perverting the judicial process. The perpetrator can be convicted for perverting the judicial process with a maximum prison sentence of 6 (six) years.

The interesting thing is, in Article 278 paragraph (3) of the Criminal Code, our national criminal law provides a burden, namely if the act as referred to in paragraph (2) results in a person:

a. who should have been guilty, found not guilty;
b. who should not have been guilty, found guilty; or
c. subject to a lighter or heavier article than it should be,
The penalty may be added to 1/3 (one-third) of the penalty as intended in paragraph (2).

In Article 278 paragraph (3) letter b of the Criminal Code, it is clearly stated that there is a burden of 1/3 (one-third) of the penalty for perpetrators, especially law enforcement apparatus who fabricate cases where a person who should not be guilty, is found guilty. Thus, it is clear that the law enforcement process must be carried out in a clean manner without engineering. If there is a fabrication and causes a person who should be innocent to be found guilty, then for the victim who experienced the injustice, it is appropriate that the phrase can also be expanded through Article 318 letter b of Law Number 20 of 2025

concerning the Criminal Procedure Code, or at least be the basis for new evidence/novum.

Similar principles are developing in different countries through different approaches. The United States legal system recognizes the Due Process Clause, which requires everyone to obtain a fair trial. In the decision in Tumey v. Ohio and Caperton v. A.T. Massey Coal Co., the United States Supreme Court affirmed that judges who have personal interests or potential bias have harmed the principle of *due process*, so the resulting judgment can be overturned.[43] Thus, the integrity of the apparatus is seen as not just an ethical issue, but a constitutional requirement for the legitimacy of the judicial process.

In the United Kingdom, the doctrine of Abuse of Process has developed, which gives the court the authority to stop criminal proceedings if state officials commit actions that damage the integrity of the judicial system, such as case engineering, manipulation of evidence, or abuse of authority.[44] Canada through the doctrine of the Integrity of the Justice System, Germany through the concept of *Besorgnis der Befangenheit*, as well as various European Court of Human Rights rulings also place the independence and integrity of the apparatus as an integral part of the right to a fair trial.[45] The overall development of comparative law shows that there is a universal tendency that the moral quality of the apparatus has a direct relationship with the legitimacy of the results of law enforcement.

This principle has been empirically proven through various judicial scandals in the world. The Rampart scandal in Los Angeles led

---

[43] Dmitry Bam, "Understanding Caperton: Judicial Disqualification Under the Due Process Clause," *McGeorge Law Review* 42 (January 2010): 65.

[44] "Zamir," *Regional Law Review*, n.d., accessed August 6, 2026, http://rlr.iup.rs/archives/year-2022/zamir/.

[45] Jeffery Couse, "Jackpot: The Hang-up Holding Back the Residual Category of Abuse of Process," *Manitoba Law Journal* 40, no. 3 (2017): 165–165, https://doi.org/10.29173/mlj993.

to more than a hundred criminal convictions being overturned after investigators were found to have tampered with evidence and given false testimony.[46] Similarly, the *Kids for Cash* scandal in Pennsylvania resulted in about four thousand rulings handed down by Judge Mark Ciavarella being overturned because it was proven that judges received bribes in sentencing children.[47] Both incidents show that the damage to the integrity of the apparatus does not stop at individual perpetrators, but pollutes the overall results of law enforcement that it produces.

The philosophical intuition underlying the Dirty Broom Theory may be briefly illustrated through the fictional character Harvey Dent in the Batman narrative. Dent is portrayed as an idealistic prosecutor whose moral integrity deteriorates following personal tragedy, transforming him into Two-Face.[48] The narrative provides a concise illustration of a broader legal principle: the legitimacy of law enforcement depends not only on the validity of legal norms but also on the integrity of the officials responsible for enforcing them. Once an institution's principal symbol of justice becomes implicated in the wrongdoing it is expected to prevent, public confidence in the legitimacy of the legal system may be undermined.[49] The fictional narrative therefore serves only as a philosophical illustration of the proposition that institutional legitimacy is inseparable from the integrity of law enforcement officials, while the substantive analysis of

[46] Gross et al., "Race and Wrongful Convictions in the United States 2022."

[47] Martin Guggenheim and Randy Hertz, "Selling Kids Short: How 'Rights for Kids' Turned Into 'Kids for Cash,'" *Temple Law Review* 88 (January 2016): 653.

[48] Krista Bonello Rutter Giappone, "Law as a Game of Chance: Rabelais' Bridlegoose and DC's Two-Face," *The Comics Grid: Journal of Comics Scholarship* 12, no. 1 (2022), https://doi.org/10.16995/cg.9387.

[49] "Navigating the Looking Glass: Severing the Lawyer's Head in Arkham Asylum: Griffith Law Review: Vol 24 , No 3 - Get Access," accessed August 6, 2026, https://www.tandfonline.com/doi/full/10.1080/10383441.2015.1119777.

this proposition rests on actual legal cases, doctrinal developments, and comparative criminal justice practice.[50]

The practical relevance of the Dirty Broom Theory can be further examined through the police reform undertaken in Georgia after the Rose Revolution. Georgia provides a particularly significant comparative case because its reform strategy addressed police corruption not merely through the punishment of individual officers, but through a comprehensive restructuring of the institution itself.[51] In 2004, the Georgian government dismissed approximately 16,000 traffic police officers and replaced the former traffic police structure with a new patrol police force.[52] The reform was accompanied by new recruitment, higher salaries, police academy reform, organizational restructuring, and measures designed to reduce opportunities for corrupt transactions. The World Bank documented that the reform replaced a system in which police positions could effectively be purchased and bribery had become institutionalized with a more competitive and transparent recruitment system.[53]

The Georgian experience is relevant to the Dirty Broom Theory because it demonstrates that institutional integrity cannot be restored solely through ethical exhortation. A law enforcement institution affected by systemic corruption requires both personnel cleansing and institutional reconstruction. The Georgian reform illustrates this dual

---

[50] Timothy D. Peters, "The Superhero 'Made Strange': A Christological Reading of Christopher Nolan's The Dark Knight," in *A Theological Jurisprudence of Speculative Cinema: Superheroes, Science Fictions and Fantasies of Modern Law*, ed. Timothy Peters (Edinburgh University Press, 2021), https://doi.org/10.3366/edinburgh/9781474424004.003.0004.

[51] Bolkvadze K. 2025. Corrupt or Repressive? How Political Competition Incentivizes Hybrid Regimes to Subvert Police in Distinct Ways. *Governance*. 38(3).doi:10.1111/gove.70030. [diunduh 2025 Nov]. Tersedia pada: https://doi.org/10.1111/gove.70030

[52] Кулиш AM, Myrhorod-Karpova VV, Kiselyova E, Kysil L, Isaieva N. 2024 Jan 15. Efficiency of labour duties performance by civil servants: world experience and prospects in Ukraine. *IDP Revista de Internet Derecho y Política*..doi:*10.7238/idp.v0i40.420870*.

[53] Salkhinashvili M, Giguashvili G. 2024 Jul 19. Brief legal and economic analysis of the corruption problem in Georgia. *InterConf*.:161–172.doi:*10.51582/interconf.19-20.07.2024.014*.

mechanism: officials associated with the old corrupt structure were removed, while a new institutional framework was constructed through recruitment reform, improved remuneration, professional training, organizational restructuring, and increased transparency. The reform therefore corresponds to the central proposition of the Dirty Broom Theory that a contaminated law enforcement process cannot reliably produce legitimate outcomes unless the institutional conditions producing that contamination are simultaneously addressed.

The significance of the Georgian case, however, should not be reduced to the proposition that mass dismissal of law enforcement officers is an appropriate model for Indonesia. The comparative value lies in the institutional mechanism rather than in the replication of a particular administrative measure. The Georgian experience indicates that integrity reform operates through the interaction of personnel integrity, institutional design, professional incentives, recruitment standards, training, transparency, and accountability. The World Bank's assessment also indicates that institutional and behavioral change cannot be assumed to follow automatically from structural or material reform, demonstrating the need to connect institutional restructuring with sustained professional standards and accountability mechanisms.[54]

This comparative experience allows the Dirty Broom Theory to be developed beyond the proposition that law enforcement officials must possess moral integrity. The theory may instead be understood as an institutional integrity framework consisting of two interconnected dimensions: cleansing and prevention. Cleansing concerns the identification, investigation, and lawful removal or sanctioning of officials whose proven misconduct has contaminated the administration of justice. Prevention concerns the reconstruction of institutional conditions that may facilitate recurring misconduct, including weaknesses in recruitment, supervision, remuneration, professional training, transparency, and accountability. The relationship may therefore be formulated as follows: institutional cleansing

[54] Aliyev H. 2025. The Effects of the Saakashvili Era Reforms on Informal Practices in the Republic of Georgia. *Social Science Open Access Repository (GESIS – Leibniz Institute for the Social Sciences)*. 6(1):19–33.doi:*10.58036/stss.v6i1.171*.

establishes the conditions for integrity, institutional prevention sustains that integrity, and sustained integrity supports procedural legitimacy.

The Georgian experience also demonstrates an important limitation of the Dirty Broom Theory. Institutional cleansing must itself remain subject to legality, due process, proportionality, and institutional checks and balances.[55] The removal of allegedly corrupt personnel cannot become an independent source of arbitrary power or political control over law enforcement institutions. The theory therefore does not justify indiscriminate dismissal or institutional purges. Its normative proposition is narrower: where an officer's misconduct is legally established and materially contaminates the law enforcement process, the state must possess lawful mechanisms for accountability, removal, correction, and institutional restoration.

The comparative lesson is consequently not that Georgia formally adopted the Dirty Broom Theory, but that the Georgian police reform provides an institutional example through which several of the theory's core propositions can be examined. The experience demonstrates that improving the integrity of law enforcement requires more than imposing ethical obligations upon individual officers. It requires an institutional architecture capable of preventing, detecting, correcting, and sanctioning integrity violations.[56] This comparative insight provides the basis for examining whether the existing codes of ethics governing Indonesian law enforcement officials contain sufficient mechanisms to operationalize the same integrity chain within Indonesia's own constitutional and legal framework.

Based on these normative, comparative, empirical, and philosophical foundations, *the Dirty Broom Theory* can be formulated into several theoretical propositions. First, the integrity of the apparatus is a fundamental prerequisite for the birth of legitimate law enforcement. Second, every form of abuse of the integrity of the

[55] Magaloni B. 2024. Challenges in creating humane and equitable policing: A focus on the Global South. *Criminology & Public Policy*. 23(1):3–25.doi:*10.1111/1745-9133.12661*.

[56] Hasibuan ESHES. 2025. Polemic on Polri Reform: Where Do You Want the Police To Be Directed? *Krtha Bhayangkara*. 19(3):842–852.doi:*10.31599/krtha.v19i3.4670*.

apparatus creates a contamination *effect* on the law enforcement process that it implements. Third, the level of legitimacy of criminal decisions is directly proportional to the level of integrity of the officials involved in all stages of the law enforcement process. Fourth, if it is proven that there is a causal relationship between the violation of the integrity of the apparatus and the birth of a verdict, the state is obliged to provide a correction mechanism through cancellation, re-examination, or extraordinary legal remedies to restore substantive justice.

On the basis of this proposition, the relationships between variables in *Dirty Broom Theory* can be formulated as follows:

Legal Integrity → Procedural Integrity → Decision Legitimacy → Effective Law Enforcement

Instead:

Corruption / Abuse of Power → Contaminated Process → Delegitimized Decision → Ineffective Law Enforcement

The model shows that the effectiveness of law enforcement is not a direct result of the existence of legal norms, but rather a consequence of the integrity of the apparatus that implements these norms. Integrity is an independent variable that affects the cleanliness of procedures, the legitimacy of decisions, public trust, and ultimately determines the effectiveness of the law enforcement system as a whole.

Based on this, *Dirty Broom Theory* offers a new perspective in law science that no longer places law enforcement officials only as the implementers of norms, but as a determining factor that determines the legitimacy of law enforcement results or not. This theory expands the paradigm of legal effectiveness by adding the dimension of the integrity of the apparatus as a source of substantive legitimacy, so that legal reform is no longer enough to focus on the formation of laws and regulations or institutional restructuring alone, but must start from

cleaning the integrity of law enforcement officials as the main "broom" used by the state to realize justice. It is in this perspective that the main postulate *of the Dirty Broom Theory* is born: *"A dirty broom cannot produce clean justice"*.

C. Relevance and Implications of the Application of Dirty Broom Theory for Law Enforcement System Reform

Dirty Broom Theory essentially not only offers an academic construction regarding the relationship between the integrity of the police and the effectiveness of law enforcement, but also provides a new paradigm for the reform of the criminal justice system. So far, legal reform in Indonesia has been more directed at regulatory changes, institutional restructuring, and improving the quality of human resources. In fact, various cases show that the fundamental problem lies in the integrity of law enforcement officials who carry out the entire law enforcement process. Therefore, it is not enough to reform the law enforcement system through norm reform, but must be accompanied by reform of the legitimacy of the apparatus that implements the norm.

In the context of positive Indonesian law, the idea of the relationship between the integrity of the apparatus and the legitimacy of the verdict has actually gained normative recognition through Article 318 paragraph (5) letter b of Law Number 20 of 2025 concerning the Criminal Procedure Code. This provision gives the convict the right to apply for a Review if the judge who handed down the verdict is proven to have received a gift or promise with the intention of influencing the criminal verdict. The arrangement shows that the lawmakers recognize the causal relationship between the corruption of judges and the flawed legitimacy of court decisions. Thus, Indonesian law has accepted the principle that the integrity of the apparatus can be the basis for correcting decisions that have permanent legal force.

The arrangement still has conceptual limitations because it only places the judge as the only subject who can cause a defect in the legitimacy of the verdict through a violation of integrity. In fact, the law enforcement process does not start in the courtroom, but from the stage of investigation, investigation, prosecution, to proof in court. All of these stages are an integrated *criminal justice system* that determines each other. If one of the stages has been tainted by corrupt practices or abuse of authority, then the potential for injustice has actually emerged long before the judge makes a decision.

These limitations show that there is a normative *gap* in the Review system in Indonesia. The Criminal Code has provided protection if judges are proven to be corrupt, but has not provided the same mechanism if integrity violations are committed by investigators or public prosecutors. As a result, there is a possibility of the birth of a criminal verdict that formally fulfills all trial procedures, but is substantively built on the investigation or prosecution process that has been contaminated by corruption, bribery, extortion, case engineering, manipulation of evidence, or abuse of authority. Such a condition creates a paradox between legal certainty and substantive justice.

The paradox can be explained through hypothetical illustrations. For example, a Deputy Attorney General for General Crimes handles a case that then ends in a guilty verdict against the defendant. Years later, the official was found guilty based on a court decision that had permanent legal force because he was proven to have received bribes, extorted money, or abused authority in handling the case. On the other hand, the verdict against the defendant still has permanent legal force because the judge was not proven to have committed an offense as referred to in Article 318 paragraph (5) letter b of the Criminal Code. Such a situation shows that there is an inequality in legal protection because the system only corrects the corruption of judges, but has not

provided clear legal consequences for prosecutor corruption that directly affects the evidentiary process in court.

The same problem can also occur at the investigation stage. Investigators are the parties who determine the initial direction of a case through the search for evidence, examination of witnesses, confiscation of evidence, determination of suspects, and the preparation of case files. If in the future the investigator is proven to have received bribes to fabricate evidence, force witnesses to provide certain information, eliminate mitigating evidence, or criminalize someone, then the entire investigation process has actually lost its integrity. However, as long as the judge is not proven to have received bribes, the criminal verdict against the defendant is still considered valid according to the applicable legal system. This situation shows that the formal legitimacy of a decision is not necessarily identical to its substantive legitimacy.

In the perspective of Dirty Broom Theory, this condition shows that integrity contamination is chain contamination. The criminal justice system is a series of interrelated processes, so that the damage to integrity at one stage will affect the quality of the next stage. An investigation built through fabricated evidence will result in a defective indictment. A defective indictment will affect the scope of evidence at trial, this is even the basis for the burden of Article 278 paragraph (3) of the Criminal Code letter b, where a person who is tried should not be guilty, but is found guilty.

Evidence that rests on facts that have been manipulated can ultimately result in a verdict that is formally correct, but substantively does not reflect justice. Thus, the judge is not always the main source of injustice, but is often the only party to decide based on facts that have been contaminated since the beginning of the process. On this basis, Dirty Broom Theory proposes a prostulate to expand the principles adopted by Article 318 paragraph (5) b of the Criminal Code. If the current law only recognizes the concept of judicial contamination, then

this theory introduces the concept of procedural contamination, which is a state when the integrity of one of the law enforcement officials at each stage of the process has been polluted so that it affects the objectivity of the law enforcement process as a whole. Thus, the source of contamination does not only come from judges, but can also come from investigators, public prosecutors, and even other officials who have a significant influence on the formation of evidence and the evidentiary process.

The Chain of Integrity Principle also has practical significance for legal practice and professional legal ethics because the integrity of the criminal justice process cannot be maintained solely through the conduct of state law enforcement officials. Lawyers, prosecutors, judges, and other law enforcement practitioners occupy different positions within the legal process, but each has an ethical responsibility to prevent procedural contamination. Lawyers are expected to represent clients diligently and loyally without fabricating evidence, misleading the court, obstructing justice, or exploiting procedural mechanisms for improper purposes. Prosecutors, as representatives of the public interest, must exercise prosecutorial discretion objectively, disclose relevant information, assess evidence impartially, and refrain from pursuing cases for personal, political, or institutional interests. Judges must preserve independence, impartiality, and neutrality by deciding cases exclusively on the basis of law and evidence while avoiding conflicts of interest and any external influence.

Law enforcement practitioners, particularly investigators, must collect and evaluate evidence objectively, respect procedural safeguards, and avoid coercion, fabrication, manipulation, or selective treatment. Under the Chain of Integrity Principle, these professional duties are not isolated ethical obligations but interconnected safeguards: a lawyer's ethical breach may distort the evidentiary contest, prosecutorial misconduct may transmit that distortion into the indictment, investigative misconduct may contaminate the factual foundation of the case, and judicial misconduct may convert such contamination into an

illegitimate decision. Accordingly, professional legal ethics should be understood as an operational mechanism for maintaining integrity across the entire legal process, so that the legitimacy of the final decision depends not only on judicial integrity but also on the ethical integrity of every professional actor who contributes to its formation.

However, the Dirty Broom Theory does not argue that every officer who is later proven to have committed a criminal act must cause all cases he has handled to be automatically canceled like the fictional Batman story in the Dent Act. Such an approach has the potential to create new legal uncertainty. Therefore, this theory requires a causal nexus between the violation of the integrity of the apparatus and the decision rendered. This means that it must be proven that corruption, bribery, case engineering, falsification of evidence, concealment of mitigating evidence, or other forms of abuse of authority have a real influence on the birth of criminal decisions. Thus, the basis for cancellation is not the status of the apparatus as a perpetrator of corruption, but the impact of the corruption on the validity of the evidentiary process.

This concept is in line with the development of comparative law in various countries that develop the doctrine of tainted proceedings, abuse of process, and due process of law. These doctrines basically place the integrity of the process as the main condition for the legitimacy of the decision. If the process has been tainted by the actions of dishonest state officials, then the state is obliged to provide a mechanism to restore justice through the annulment of the verdict, re-examination, or retrial. Thus, the Dirty Broom Theory does not contradict the principles of modern law, but rather expands its application more systematically to all stages of the criminal justice system.

The practical implication of this theory is the need for a reform of the criminal procedure law that no longer limits the grounds for Review to only the corruption of judges. In the future, lawmakers need

to consider the regulation that a Review can also be filed if there is a decision with permanent legal force that states that the investigator or public prosecutor committed the crime of corruption, bribery, extortion, case engineering, falsification of evidence, or other forms of abuse of authority that are proven to have a causal relationship with the case decided. Such an arrangement will strengthen the protection of the rights of convicts without compromising the principle of legal certainty, since the mechanism only applies to cases that are truly contaminated by violations of the integrity of the authorities.

The Dirty Broom Theory emphasizes that reform of the law enforcement system is not enough to be carried out through regulatory reform or improvement of the professionalism of the apparatus, but must be accompanied by the establishment of a legal mechanism that is able to correct all decisions born from processes that have lost integrity. This theory expands the meaning of justice from just justice of outcome to justice of process. This is because the right verdict is not only determined by the right or wrong verdict, but also by the cleanliness of the entire process that gives birth to it. Thus, Dirty Broom Theory offers a paradigm that the legitimacy of law enforcement is not only determined by who decides, but by whoever builds the process towards the decision. If one of the chain of processes has been tainted by an abuse of integrity that affects the final outcome, then substantive justice demands a mechanism to retest the legitimacy of the decision.

Conclusion

The integrity of law enforcement officials is a fundamental prerequisite for the effectiveness and legitimacy of law enforcement. The effectiveness of the law is not only determined by the quality of laws and regulations, but also by the morality, independence, and professionalism of the officials who carry out the judicial process. The decline in the

integrity of the apparatus will reduce public trust, contaminate the law enforcement process, and have implications for the loss of legitimacy of decisions. This research formulates the Dirty Broom Theory as a new theoretical construction based on the postulate "A Dirty Broom Cannot Produce Clean Justice." This theory asserts that law enforcement officials involved in corruption, bribery, case engineering, evidence manipulation, or abuse of authority will contaminate the law enforcement process (procedural contamination), so that the resulting verdict has the potential to lose substantive legitimacy even if it formally meets legal procedures.

The application of Dirty Broom Theory is relevant as the basis for reforming the law enforcement system in Indonesia. The provisions in Article 318 paragraph (5) b of the Criminal Procedure Code only provide a mechanism for review of decisions influenced by judicial corruption, but have not yet reached investigators and public prosecutors who also have a decisive role in the formation of cases. Therefore, this study offers the Chain of Integrity Principle, which is the principle that the legitimacy of criminal judgments depends on the preservation of integrity in each chain of the criminal justice system. If there is a causal relationship between the violation of the integrity of the apparatus and the birth of a criminal verdict, then there must be a legal mechanism to re-test the legitimacy of the verdict in order to ensure substantive justice.

References

Afina, Khalisa Noer. *Urgensi Penegakan Hukum Yang Berkeadilan Dalam Konteks Reformasi Indonesia.* 14, no. 10 (2025).

Akmal, Diya Ul. "Legal Ideals: Mewujudkan Perlindungan Hukum Dalam Kerangka Negara Hukum." *Esensi Hukum* 7, no. 1 (2025): 18–27. https://doi.org/10.35586/esensihukum.v7i1.417.

Aman, Chairul, and Bustomi Bustomi. "Proceedings Before The Police, Prosecutor's Office, And Court." *Jurnal Abdisci* 3, no. 3 (2026): 306–19. https://doi.org/10.62885/abdisci.v3i3.774.

Apaza, Esteban Eustaquio Flores, Manuel Choccelahua Huincho, Job Josue Perez Villanueva, et al. "Judicial Corruption and Public Trust Assessing the Effectiveness of Legal Ethics Reforms in Global Legal Systems." *Journal of Posthumanism* 5, no. 6 (2025): 3649–62. https://doi.org/10.63332/joph.v5i6.2499.

Aryadi, G. dan Y.Sri Pudyatmoko ,"Penerapan Kumulasi Sanksi Eksternal Dalam Penegakan Hukum Pidana Korupsi Oleh Pejabat Pemerintahan Di Kabupaten Sleman | Refleksi Hukum: Jurnal Ilmu Hukum." Accessed August 6, 2026. https://ejournal.uksw.edu/refleksihukum/article/view/2109.

Arvitto, Rafi Satrya. "Implikasi Hukum Deepfake: Telaah Terhadap UU ITE Dan UU PDP." *Jurnal Ilmiah Hukum Dan Hak Asasi Manusia* 4, no. 2 (2025): 73–82. https://doi.org/10.35912/jihham.v4i2.3937.

Bam, Dmitry. "Understanding Caperton: Judicial Disqualification Under the Due Process Clause." *McGeorge Law Review* 42 (January 2010): 65.

"Corruption Perceptions Index." *Transparency International Indonesia*, January 24, 2025. https://ti.or.id/corruption-perceptions-index/.

Couse, Jeffery. "Jackpot: The Hang-up Holding Back the Residual Category of Abuse of Process." *Manitoba Law Journal* 40, no. 3 (2017): 165–165. https://doi.org/10.29173/mlj993.

Danardana, A., and Vincentius Patria Setyawan. "Kriminalisasi Fenomena Penyimpangan Sosial Kumpul Kebo (Samenlaven) Dalam Perspektif Hukum Pidana." *Justitia et Pax* 38, no. 1 (2022). https://doi.org/10.24002/jep.v38i1.5713.

Den Hartog, Deanne N., and Frank D. Belschak. "Work Engagement and Machiavellianism in the Ethical Leadership Process." *Journal of Business Ethics* 107, no. 1 (2012): 35–47. https://doi.org/10.1007/s10551-012-1296-4.

"Efektivitas Penjatuhan Sanksi Terhadap Pelanggaran Kode Etik Profesi Polri | Indonesian Journal of Legality of Law." Accessed August 6, 2026. https://journal.unibos.ac.id/ijlf/article/view/6222.

Giappone, Krista Bonello Rutter. "Law as a Game of Chance: Rabelais' Bridlegoose and DC's Two-Face." *The Comics Grid: Journal of Comics Scholarship* 12, no. 1 (2022). https://doi.org/10.16995/cg.9387.

Goffe, Gavin. "The Formula for Corruption in Construction." *Myers, Fletcher & Gordon*, January 11, 2022. https://myersfletcher.com/the-formula-for-corruption-in-construction/.

Gross, Samuel R., Maurice Possley, Ken Otterbourg, Klara Stephens, Jessica Paredes, and Barbara O'Brien. "Race and Wrongful Convictions in the United States 2022." *SSRN Electronic Journal*, ahead of print, 2022. https://doi.org/10.2139/ssrn.4245863.

Gross, Samuel R., Maurice Possley, Ken Otterbourg, Klara Stephens, Jessica Paredes, and Barbara O'Brien. "Race and Wrongful Convictions in the United States 2022." SSRN Scholarly Paper No. 4245863. Social Science Research Network, September 23, 2022. https://doi.org/10.2139/ssrn.4245863.

Guggenheim, Martin, and Randy Hertz. "Selling Kids Short: How 'Rights for Kids' Turned Into 'Kids for Cash.'" *Temple Law Review* 88 (January 2016): 653.

Hadjon, Philipus M. *Integritas dalam Penyelenggaraan Pemerintahan*. Yogyakarta: Gadjah Mada University Press, 2017.

Hidayati, Nur, Anny Wahyuni, and Budi Purnomo. "Jendral Hoegeng Imam Santoso: Kapolri Jujur, Disiplin Dan Sederhana Sebagai Teladan Generasi Muda." *Swadesi: Jurnal Pendidikan Dan Ilmu Sejarah* 2, no. 1 (2021): 25–37. https://doi.org/10.26418/swadesi.v2i1.45819.

Jackson, Jonathan, Muhammad Asif, Ben Bradford, and Muhammad Zakar. "Corruption and Police Legitimacy in Lahore, Pakistan." SSRN Scholarly Paper No. 2421036. Social Science Research Network, April 6, 2014. https://doi.org/10.2139/ssrn.2421036.

Jawa, Dominikus, Parningotan Malau, and Ciptono Ciptono. "Tantangan Dalam Penegakan Hukum Tindak Pidana Korupsi Di Indonesia." *JURNAL USM LAW REVIEW* 7, no. 2 (2024): 1006–17. https://doi.org/10.26623/julr.v7i2.9507.

Jones, Cynthia. "A Reason to Doubt: The Suppression of Evidence and the Inference of Innocence." *Scholarly Articles in Law Reviews & Journals* 100, no. 2 (2010). https://digitalcommons.wcl.american.edu/facsch_lawrev/916.

Kaplan, Paul J. "Looking Through the Gaps: A Critical Approach to the LAPD's Rampart Scandal." *Social Justice* 36, no. 1 (2009): 61–81.

Kmiecik, Bartlomiej. "Understanding Changes in Corruption In The Chicago Police Department." Thesis, University of Illinois Chicago, 2016. https://indigo.uic.edu/articles/thesis/Understanding_Changes_in_Corruption_In_The_Chicago_Police_Department/10784141/1.

Lasthuizen, Karin, Leo Huberts, and Leonie Heres. "How to Measure Integrity Violations: Towards a Validated Typology of Unethical

Behavior." *Public Management Review* 13, no. 3 (2011): 383–408. https://doi.org/10.1080/14719037.2011.553267.

Lasthuizen, Karin, Leo Huberts, and Leonie Heres. "How to Measure Integrity Violations: Towards a Validated Typology of Unethical Behavior." *Public Management Review* 13, no. 3 (2011): 383–408. https://doi.org/10.1080/14719037.2011.553267.

Law Enforcement Ethics and Morality Contribution in Reducing the Culture of Corruption. n.d. Accessed August 6, 2026. https://ijssers.org/single-view/.

M. Ainun Najib. "Menyoal Asas Equality Before the Law dalam Realitas Peradilan di Indonesia melalui Perspektif Hukum Islam." *Jurnal Humaya: Jurnal Hukum, Humaniora, Masyarakat, dan Budaya* 3, no. 2 (2023): 139–51. https://doi.org/10.33830/humaya.v3i2.5291.

Manik, Toba Sastrawan, and Sunarso Sunarso. "Death Penalty for Corruptors: Between the Human Rights and Challenges of Progress in Indonesian Law." *Fiat Justisia: Jurnal Ilmu Hukum* 14, no. 3 (2020): 233–46. https://doi.org/10.25041/fiatjustisia.v14no3.1773.

"Navigating the Looking Glass: Severing the Lawyer's Head in Arkham Asylum: Griffith Law Review: Vol 24 , No 3 - Get Access." Accessed August 6, 2026. https://www.tandfonline.com/doi/full/10.1080/10383441.2015.1119777.

Neocleous, Mark. "The Monster and the Police: Dexter to Hobbes." *Radical Philosophy*, no. 185 (2014). https://www.radicalphilosophy.com/article/the-monster-and-the-police.

"New Oxford American Dictionary - Oxford Reference." Accessed August 6, 2026. https://www.oxfordreference.com/display/10.1093/acref/9780195392883.001.0001/acref-9780195392883.

Palanski, Michael E., and Francis J. Yammarino. "Integrity and Leadership:" *European Management Journal* 25, no. 3 (2007): 171–84. https://doi.org/10.1016/j.emj.2007.04.006.

Palmer, Betsy. *The Role of the House of Representatives in Judicial Impeachment Proceedings: Procedure, Practice, and Data*. n.d.

Peters, Timothy D. "The Superhero 'Made Strange': A Christological Reading of Christopher Nolan's The Dark Knight." In *A Theological Jurisprudence of Speculative Cinema: Superheroes, Science Fictions and Fantasies of Modern Law*, edited by Timothy Peters. Edinburgh University Press, 2021. https://doi.org/10.3366/edinburgh/9781474424004.003.0004.

Reiling, Dory. *Technology for Justice. How Information Technology Can Support Judicial Reform | Scholarly Publications*. n.d. Accessed August 6, 2026. https://scholarlypublications.universiteitleiden.nl/handle/1887/21365.

Rivers, Davey. "Official Misconduct in Exoneration Cases Prior to 1989." *Criminal Justice Sciences*, April 1, 2020. https://ir.library.illinoisstate.edu/urscjs/1.

Subroto, Wandi, Sunarko, Martanti Endah Lestari, and Rahmawati. "Dinamika Penegakan Hukum Di Indonesia: Antara Keadilan Substantif Dan Formalitas Prosedural." *Jurnal Abdimas Peradaban* 5, no. 1 (2024): 77–86. https://doi.org/10.54783/354f6340.

"The Construction Law System and Purification of Limitation from Bawaslu's Authority | Mustakim | JURNAL AKTA." Accessed August 6, 2026. https://jurnal.unissula.ac.id/index.php/akta/article/view/20645.

Turković, Emil. "A New Function Of Prison Industry And Private Prisons In Developed Countries, And The Possibility Of Their Implementation In The Republic Of Serbia." *Facta Universitatis, Series: Law and Politics*, December 28, 2017, 347. https://doi.org/10.22190/FULP1704347T.

Vidyapramatya, Nurindria Naharista. "Hilangnya Keadilan Dalam Penegakan Hukum Menurut Teori Diskriminasi." *Jurnal Hukum Dan Pembangunan Ekonomi* 8, no. 2 (2020): 141–55. https://doi.org/10.20961/hpe.v8i2.49763.

Widianto, Donny, and Azis Budianto. *Reforming the Limits of Discretion and Strengthening the Police Code of Ethics in Achieving Justice in Law Enforcement | Jurnal Impresi Indonesia*. December 20, 2024. https://jii.rivierapublishing.id/index.php/jii/article/view/5731.

Widyastuti, Anastasia Reni. "Disfungsionalisasi Birokrasi Sebagai Kendala Dalam Pemberantasan Korupsi." *Yustisia* 4, no. 3 (2015): 683–99. https://doi.org/10.20961/yustisia.v4i3.8700.

Yep, Ray. "The Crusade against Corruption in Hong Kong in the 1970s: Governor MacLehose as a Zealous Reformer or Reluctant Hero?" *China Information* 27, no. 2 (2013): 197–221. https://doi.org/10.1177/0920203X13482244.

Zakirai@Zakaria, Norlida, Idris Osman, Shereen Noranee, and Siti Norashikin Bashirun. "Does Organizational Culture Influence Police Integrity? A Scoping Review." *European Proceedings of Finance and Economics* Accelerating Transformation towards Sustainable and Resilient Business: Lessons Learned from the

COVID-19 Crisis (August 2023). https://doi.org/10.15405/epfe.23081.66.

"Zamir." *Regional Law Review*, n.d. Accessed August 6, 2026. http://rlr.iup.rs/archives/year-2022/zamir/.

***

Acknowledgment
The authors wish to express their sincere appreciation to all parties whose encouragement, cooperation, and support contributed to the successful completion of this research and the preparation of this manuscript. The completion of this study was made possible by a collaborative academic environment that fostered constructive discussions, critical reflection, and continuous intellectual engagement at every stage of the research process.

Funding Information
None.

Conflicting Interest Statement
The authors state that there is no conflict of interest in the publication of this article.

Generative AI Statement
During the preparation of this manuscript, I used an artificial intelligence (AI) assisted writing tool to support language refinement, grammar correction, and readability improvement. All AI-generated outputs were carefully reviewed, edited, and verified by the author to ensure their accuracy, originality, and academic integrity. The author takes full responsibility for the final content of this manuscript. The AI tool was used solely as a supportive instrument and is not credited as an author.

Ethics Approval and Consent
Not applicable.

This manuscript does not contain any identifiable personal information and does not involve human participants or animal subjects.