

The Politics of Law Enforcement of Corruption in Indonesia in the Criminal Justice System

Ni Nyoman Putri Buana Ariani Saraswati, Jihan Rafiq, Andi Rangga Perdana, Ridwan Arifin, Sang Ayu Putu Rahayu

Faculty of Law, Universitas Negeri Semarang, Indonesia

Abstract

This study critically examines the intricate nexus between law enforcement and political influences in the context of anti-corruption efforts within Indonesia's criminal justice system. The research navigates the multifaceted landscape of how corruption cases are handled, investigated, and prosecuted, aiming to unravel the subtle dynamics that shape outcomes. Beyond a mere exploration of statutory frameworks, the study delves into the complex interplay between legal processes and political considerations, shedding light on the political dimensions embedded in the enforcement of anti-corruption measures. In Indonesia, where corruption has been a persistent societal challenge, understanding the politics of law enforcement is paramount. The analysis encompasses the roles played by diverse actors, including law enforcement agencies, the judiciary, and

political entities. The research adopts a multidisciplinary approach, integrating legal analysis and insights from political science to provide a holistic understanding of the complexities involved. Beyond a descriptive account of legal provisions, the study investigates how political considerations may impact the prioritization, investigation, and prosecution of corruption cases. The findings of this research hold significance for policymakers, legal practitioners, and scholars alike, offering insights that may inform potential reforms and strategies to strengthen the nation's resolve in combatting corruption. By fostering a nuanced understanding of the politics entwined with law enforcement, the study contributes to broader conversations on achieving transparency, accountability, and justice within Indonesia's anti-corruption framework.

Keywords

Legal Politics, Law Enforcement Direction, Criminal Justice System, Corruption

I. Introduction

Corruption has emerged as a pervasive and concerning phenomenon globally. This criminal malpractice, characterized by the misuse of power or position for personal gain, inflicts harm not only on individuals but also detrimentally impacts societal well-being and the overall integrity of the state. Of particular significance is the observed adverse correlation between corruption and economic growth, wherein corruption can exert a direct and inhibitory influence on economic development. The metaphorical

portrayal of corruption as a "*sand on the wheels*" underscores its obstructive role in impeding the smooth functioning of the economy.

The negative repercussions of corruption extend beyond immediate individual consequences to encompass broader socio-economic implications. Consequently, addressing corruption becomes imperative not merely for the preservation of ethical standards but also for fostering sustainable economic growth. It is noteworthy that the impact of anti-corruption measures on economic growth is nuanced, with short-term interventions often yielding limited results. Conversely, a more sustained and comprehensive approach is deemed essential to effectively mitigate the corrosive effects of corruption on the economic landscape. In light of this, recognizing corruption as a systemic challenge necessitates a commitment to long-term strategies that extend beyond immediate regulatory responses. This perspective underscores the intricate relationship between corruption and economic growth, emphasizing the need for multifaceted, enduring interventions to successfully mitigate the adverse impact of corruption on national economies.¹

State losses due to corruption cases in 2022 reached Rp. 20.9 trillion based on the Indonesia Corruption Watch (ICW) report.

¹ Joko Waluyo, "Analisis Hubungan Kausalitas Antara Korupsi, Pertumbuhan Ekonomi, dan Kemiskinan: Suatu Studi Lintas Negara." *Buletin Ekonomi* 8, no. 2 (2012): 159-169; Lucia Maison Putri, and Mike Triani. "Analisis Hubungan Korupsi, Demokrasi Dan Pertumbuhan Ekonomi di Indonesia." *Jurnal Kajian Ekonomi dan Pembangunan* 3, no. 1 (2021): 17-24; Rasdi Rasdi, et al. "When students fight corruption: A portrait of anti-corruption education for elementary school students." *The Indonesian Journal of International Clinical Legal Education* 3, no. 1 (2021): 111-124.

Even so, this figure is still better than in 2021 where state losses due to corruption cases have reached IDR 62.93 trillion. The increase in the value of state losses reached 10.91% compared to the previous year (2020) of IDR 56.74 trillion.² State losses can have a major impact on economic growth in a country. Other impacts can be seen from the high prices of public services and services, poverty, or the emergence of limited health and education facilities. Nowadays one can easily find out the level of corruption in a country through the Corruption Perception Index. This can also be the result of investors being hesitant to enter countries that have high levels of corruption. *The multiplier effect* of low investment levels one of them results in slow economic growth³. Corruption not only has an impact on economic growth but also contributes to the death of people's work ethic, the decline of *human capital*, the collapse of morals, morals, integrity, and religiosity of the nation. In addition, corruption also has an impact on the development process and democratization because it has reduced public trust in the political process through *money politics*. Misuse of decision-making in public policy and lack of public accountability and disregard for the *rule of law* are also the result of corruption.⁴

² Dimas Bayu, "Kerugian Negara Akibat Korupsi Capai Rp 62,93 Triliun pada 2021", *Online*, retrieved from <https://dataindonesia.id/varia/detail/kerugian-negara-akibat-korupsi-capai-rp6293-triliun-pada-2021>

³ Eddy Cahyono Sugoarto, "Investasi dan Indonesia Maju", *Sekretariat Negara*, retrieved from https://www.setneg.go.id/baca/index/investasi_dan_indonesia_maju

⁴ Ibnu Santoso, *Memburu Tikus-Tikus Otonom*. (Yogyakarta: Gava Media, 2011).

Corruption is the most crucial problem and one of the categories of extraordinary crimes faced by the Indonesian people today. As a criminal act categorized as *an extra ordinary crime*, corruption has tremendous destructive power and damages the joints of the life of a state and nation. Corruption requires the improvement and development of law enforcement in efforts to prevent and eradicate it because this crime will continue to transform, develop and be transnational.⁵ In the midst of National Development efforts in various fields, people's aspirations to eradicate corruption and various other forms of deviation are increasing. Law enforcement in Indonesia has always been an interesting object to be studied both during the Old Order, New Order and the current era commonly called the Reformation Era. In the current reform era, the realization of *good governance*, among others, must be supported by law enforcement against criminal acts of corruption.⁶

⁵ Wina Wina, "Indonesia Dorong Peningkatan Kualitas SDM KPK", *Kementerian Luar Negeri*, retrieved from (<https://kemlu.go.id/vienna/id/news/12011/indonesia-dorong-peningkatan-kualitas-sdm-kpk>)

⁶ Nur M. Kasim, "Politik Hukum Pemberantasan Tindak Pidana Korupsi di Indonesia." *Jurnal Inovasi* 5, no. 1 (2008): 1-11. *See also* Indah Sri Utari, and Ridwan Arifin. "Law Enforcement and Legal Reform in Indonesia and Global Context: How the Law Responds to Community Development?." *Journal of Law and Legal Reform* 1, no. 1 (2020): 1-4; Ridwan Arifin, Siti Faridah, and Mohammad Naefi. "Misdemeanor of Corruption within the Scope of International Law and the Legal Consequences." *Journal of Indonesian Legal Studies* 4, no. 2 (2019): 299-314; Ridwan Arifin, Rodiyah Rodiyah, and Fitria Puspita. "A Comparative Analysis of Indonesia's KPK and Hong Kong ICAC in Eradicating Corruption." *Jambe Law Journal* 2, no. 2 (2019): 163-179; Julyatika Fitriyaningrum, and Ridwan Arifin. "The Regulatory Model for Eradication Corruption in Infrastructure Funding." *Varia Justicia* 15, no. 1 (2019): 36-42.

The birth of various laws regulating the eradication of corruption was in practice influenced by political conditions at the time the law was born. The function and role of law are strongly influenced and intervened by political forces, because in practice law is born as a reflection of the political configuration behind it, in other words, politics determines the work of law. Legal politics itself according to Mahfud MD is a legal policy or official line (policy) about the law that will be enforced both by making new laws and by replacing old laws, in order to achieve state goals.⁷ This means that the law is positioned as a tool to achieve state goals, as well as Legal Politics in law enforcement of criminal acts of corruption.

Law enforcement against corruption is very different from other crimes, including because of the many institutions authorized to carry out judicial proceedings against corruption crimes. Such conditions are a logical consequence of the predicate placed on the crime as *an extra ordinary crime*. The impact of corruption can be seen from the occurrence of various kinds of disasters according to Nyoman United Putra Jaya that the negative consequences of corruption are very damaging to the order of life of the nation, even corruption is a deprivation of economic rights and social rights of the Indonesian people⁸.

Corruption comes from the Latin word *Corruption* from the verb *corrumpere* which means rotten, broken, shaken, shaken, and twisted. Literally, corruption is a reflection of the behavior of state officials, both civil servants and political, who illegally and

⁷ Mahfud MD., *Politik Hukum Indonesia*. (Jakarta: Raja Grafindo Persada, 2009).

⁸ Mochammad Abdul Wahid, "Penegakan Hukum Tindak Pidana Korupsi Oleh KPK", *Maksigama Jurnal Hukum* 9, no. 1 (2015): 104-121.

unnaturally want to enrich themselves by abusing their power that has been entrusted to them.⁹ If you talk about corruption, you will indeed find such a reality because corruption involves moral aspects, the nature of rotten circumstances, positions due to gifts, economic and political factors, and the placement of families or groups into the service under the power of their office.¹⁰

Indonesia itself regulates corruption in Law Number 31 of 1999 *jo.* Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption. Indonesia is the country that has the highest Corruption Perception Index score among countries in the Southeast Asian Region.¹¹ The types of criminal acts of corruption that are commonly carried out in Indonesia are closely related to bribery, procurement of goods and services, misuse of budgets either by government employees or private parties. This highlights the importance of strong and efficient law enforcement in tackling corruption. Indonesia still needs improvements in terms of prevention and eradication of corruption.¹²

Based on the background of the problems described above, the purpose of this paper is to know: (1) the political direction of law enforcement in corruption in Indonesia, (2) challenges and

⁹ Andjeng Pratiwi, and Ridwan Arifin. "Penegakan Hukum Korupsi Politik di Indonesia Permasalahan dan Isu-Isu Kontemporer." *Jurnal Hukum Mimbar Justitia* 5.2 (2019): 144-163.

¹⁰ Suherry Suherry. "Politik Pemberantasan Korupsi di Indonesia." *Otoritas: Jurnal Ilmu Pemerintahan* 7, no. 1 (2017): 46-53.

¹¹ Muhammad Fajar, and Zul Azhar. "Indeks Persepsi Korupsi dan Pembangunan Manusia Terhadap Pertumbuhan Ekonomi di Negara-Negara Asia Tenggara." *Jurnal Ecogen* 1, no. 3 (2019): 681-690.

¹² Jefirstson Richset Riwukore, et al. "Strategi Pencegahan Dan Pemberantasan Korupsi di Pemerintah Kota Kupang, Provinsi Nusa Tenggara Timur." *Jurnal Masalah-Masalah Sosial* 11, no. 2 (2020): 229-242.

obstacles to law enforcement in cases of corruption in Indonesia, (3) government efforts in maximizing law enforcement in corruption crimes in Indonesia.

II. Method

This study adopts a qualitative research approach to comprehensively understand the phenomena associated with the research subject. Employing various natural methods within specific contextual settings, this qualitative approach aims to provide a nuanced exploration of the intricacies inherent in the subject matter. The utilization of diverse natural methods allows for a rich and in-depth analysis, enabling a more holistic interpretation of the phenomena under investigation within their specific natural contexts.¹³

Normative juridical research is the type of research used in this study that places law as a system of norms.¹⁴ There is a normative word that is the keyword of this study, namely research that examines norms without having to go into the field directly.¹⁵ This research has a focus that is in line with the formulation of the problem and the objectives of the study, namely first, the political direction of law enforcement in corruption crimes in Indonesia. Second, challenges and obstacles to law enforcement in cases of

¹³ Eko Mudiyanto, *Metode Penelitian Kualitatif (Teori dan Aplikasi Disertasi Contoh Proposal)*. (Yogyakarta: Yogyakarta Press, 2020).

¹⁴ Bambang Sunggono, *Metode Penelitian Hukum*. (Jakarta: Raja Grafindo Persada, 2016).

¹⁵ Sholahuddin Al-Fatih, *Perkembangan Metode Penelitian Hukum di Indonesia*, (Malang: UMM Press, 2023).

corruption in Indonesia. Third, the government's efforts to maximize law enforcement on corruption crimes in Indonesia.

This type of normative juridical research focuses on written studies, namely using secondary data. Available reports or documentation are forms of secondary data.¹⁶ The legal materials used by the Author to obtain accurate data are primary, secondary, and tertiary legal materials as explained below:

- 1) Primary Legal Material, legal material that has binding legal force. The primary legal materials in this study are as follows:
 - a. Law No. 31 of 1999 *jo.* Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption;
 - b. Law Number 1 of 1946 concerning the Regulation of Criminal Law (Criminal Code);
 - c. Law Number 1 of 2023 concerning the Criminal Code;
- 2) Secondary Legal Material consists of materials that explain related to primary legal material. Secondary legal materials included in this study are journals, scientific papers, book literature, and other research results related to the Politics of Law Enforcement of Corruption in Indonesia in the *Criminal Justice System*.
- 3) Tertiary Law Materials, these legal materials provide guidance for primary and secondary legal materials such as encyclopedias, Big Indonesian Dictionaries (KBBI), legal dictionaries, and so on.

This research uses data collection techniques carried out by literature studies on various legal materials such as primary,

¹⁶ Saifuddin Azwar, *Metode Penelitian*. (Yogyakarta: Puataka Pelajar, 2014).

secondary, or tertiary legal materials.¹⁷ Library *research* conducted by the author to obtain various data needed in this study. Technical analysis of various literature sources is used to make these observations. These sources include laws, books, research results, journals, news, articles, information from the internet, and other sources.

Data analysis is carried out with a qualitative analysis approach, namely by observing various data obtained and linking each data obtained with legal provisions and principles related to problems using normative tools, namely legal interpretation and construction and then analyzed using qualitative methods so that conclusions can be drawn. The way that is done by organizing data, sorting data, obtaining what is important and learned, and making conclusions about results is the definition of data analysis.

III. The Politics of Law Enforcement for Corruption Cases in Indonesia

Law enforcement is an object that is always interesting to be studied at various times, especially in law enforcement of criminal acts of corruption. Indonesia itself pays more attention to tackling criminal acts of corruption, especially in law enforcement. This is because many institutions are authorized to conduct judicial proceedings against cases of criminal acts of corruption. Corruption is a criminal act included in extra *ordinary crimes* that can damage various aspects of life in a nation and country. Nyoman United Putra Jaya stated that the criminal act of

¹⁷ Mukti Fajar and Yulianto Achmad, *Dualisme Penelitian Hukum Normatif & Empiris*. (Yogyakarta: Pustaka Pelajar, 2010).

corruption has negative consequences that can damage the order of life of the nation, and can even deprive the social and economic rights of the Indonesian people.¹⁸

In political policy, law enforcement of criminal acts of corruption can be carried out through 2 (two) approaches, namely the penal approach (applying criminal law) and the non-penal approach (approach outside the criminal law). The use of criminal law in regulating society through laws and regulations is essentially part of the policy step.¹⁹ The implementation of criminal law policies by penal means (criminal) can be carried out through the formulation stage (legislative policy), application (judicial/judicial policy), execution (executive/administrative policy).²⁰

Criminal law enforcement in eradicating corruption needs to be considered, considering that there is no definitive, single, and simple answer in answering the cause of corruption arising and growing massively in a country. Corruption is likened to a malignant disease that is acute in nature, so that it can destroy the country's economy slowly and surely. Corruption is inherent in various areas of people's lives which makes it difficult to eradicate.²¹ Efforts to eradicate corruption in Indonesia are currently based on the following laws and regulations:

1) Law Number 28 of 1999 concerning the Implementation of

¹⁸ Nyoman Serikat Putra Jaya, *Beberapa Pemikiran ke Arah Pengembangan Hukum Pidana*. (Bandung: Citra Aditya Bakti, 2008).

¹⁹ M. Nanda Setiawan, et al. "Politik Hukum Pidana Mati dalam Pemberantasan Tindak Pidana Korupsi di Indonesia." *Jurnal Politik dan Pemerintahan Daerah* 4, no. 2 (2022): 252-262.

²⁰ Barda Nawawie Arief, *Kebijakan Hukum Pidana, Bunga Rampai*. (Jakarta: Kencana, 2011).

²¹ Agus Wibowo, et al, *Pengetahuan Dasar Antikorupsi dan Integritas*. (Bandung: CV Media Sains Indonesia, 2022).

- a Clean and Free State of Corruption, Collusion, and Nepotism (KKN);
- 2) Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption;
 - 3) Law Number 1 of 2023 concerning the Criminal Code.

The nature of legal politics is permanent (long-term) and some are periodic. Permanent legal politics such as the application of the principle of judicial review; populist economy; a balance between legal certainty, justice, and expediency; replacement of colonial laws with national laws; control of natural resources by the state; independence of judicial power; and so on. Based on this, it can be seen that several principles contained in the Constitution of the Republic of Indonesia Year 1945 (UUD NRI 1945) apply as legal politics. It is necessary to increase various efforts to prevent and eradicate corruption to realize a just, prosperous, and prosperous Indonesian society. The important role of state organizers is to realize the ideals of the nation's struggle. This is expressly stated in the explanation of the 1945 NRI Constitution which reads that it is very important in government and in terms of the life of the country is the spirit of state organizers and government leaders.²²

Law Number 31 of 1999 concerning the Eradication of Corruption aims to replace Law Number 3 of 1971 concerning the Eradication of Corruption Crimes, which is expected to be able to anticipate and fulfill the development of community law

²² Stefanus Wahyu MJ, et al. "Peran Politik Hukum dalam Pemberantasan Tindak Pidana Korupsi di Indonesia." *Wijayakusuma Law Review* 5, no. 1 (2023): 8-13.

growth in order to prevent and effectively eradicate any form of corruption that harms the country's finances or economy. After Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, changes emerged as outlined in Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption. This change has the following reasons:²³

- 1) There are various interpretations or interpretations that develop in the community, especially regarding Law Number 31 of 1999. This is because article 44 of the Law states that Law Number 3 of 1971 concerning the Eradication of Corruption Criminal Acts has been declared no longer valid since Law Number 31 of 1999 was promulgated, so that there is a presumption of a legal vacuum to process Corruption Crimes that occurred before the enactment of Law Number 31 of 1999.
- 2) Corruption in Indonesia occurs systematically and widely, so that it not only harms state finances but also violates the social and economic rights of the wider community. Therefore, the eradication of corruption needs to be done in an extraordinary way. The eradication of corruption must be carried out in a special way, among others by applying a reverse proof system, namely the evidence charged to the accused.
- 3) To achieve legal certainty, eliminate diversity of interpretations, and fair treatment in eradicating Criminal Acts of Corruption, it is necessary to amend Law Number 31 of 1999 concerning the Eradication of Criminal Acts of

²³ Wahyu MJ, et al.

Corruption.

In the context of anti-corruption law politics, the birth of the KPK in 2002 was a form of affirmative and responsive reform demands. The state carried out a massive constitutional formulation by introducing independent supporting state institutions (state *auxiliary bodies*). The KPK is one of the supporting institutions whose position as per Law Number 30 of 2002 concerning the Corruption Eradication Commission (KPK) is independent which is not bound by interference and co-optation of power. The existence of supporting state institutions is a necessity for a state in supporting the main state institutions whose authority appears in the constitution. The KPK is present as a supporting state institution for the implementation of anti-corruption law enforcement that moves independently and also as a *trigger mechanism*.²⁴

Law Number 30 of 2002 concerning the KPK authorizes the KPK to coordinate and supervise the executive area, the authority to investigate, investigate and prosecute the judiciary, prevent and monitor the exercise of power. Of course, the independence of the KPK must be strengthened by a good legal political commitment to its legitimacy process. The crime of corruption as an extraordinary crime *that lives through the power structure* (white collar crime) *must be eradicated through extraordinary means* (extraordinary measures).²⁵

Meanwhile, in terms of law enforcement, it began with the establishment of the Joint Team for the Eradication of Corruption

²⁴ Moh. Fadhil, "Komisi Pemberantasan Korupsi, Politik Hukum Antikorupsi dan Delegitimasi Pemberantasan Korupsi." *Al Abkam* 15, no. 2 (2019): 7-36.

²⁵ Fadhil, pp. 15-16.

Crimes (TGPTPK) under the auspices of the Attorney General's Office and the State Official Wealth Audit Commission (KPKPN). TGPTPK and KPKPN are embryos born from an anti-corruption legal political regime until finally merged into the KPK institution as the most perfect and powerful form of eradicating corruption in Indonesia.²⁶

In 2002 there was a demand for an independent supporting institution in the process of eradicating corruption as the basis for the establishment of the KPK. Sihombing raised an important point of urgency for the birth of the KPK. First, the work of previous institutions has not been maximized because they have not been able to break through systematic and organized *crime*. Second, institutional or subordinate dependencies under executive power cause existing institutions to be unable to dismantle the movement of corruption crimes due to submission to power relations. Third, the inability of existing institutions in the transition process to a democratic government and clean from corruption due to external conflicts and internal institutional conflicts. Fourth, influenced by constitutional developments in the world which began to develop the concept of *independent state auxiliary organs (independent regulatory boards) which are given the authority to carry out activities equivalent to the power of the trias politica* both authority in the executive field and authority in the judicial field. Fifth, the emergence of international pressure for transitional countries to establish anti-corruption institutions as a prerequisite for democratic governance.²⁷

²⁶ Fadhil, pp. 17-18.

²⁷ Eka NAM Sihombing, *Hukum Kelembagaan Negara*. (Yogyakarta: Ruas Media, 2018).

Currently, the KPK Law has been updated with the issuance of Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission. The passing of this law drew a lot of criticism. This is because in formal juridical terms, the reformulation process of the KPK Law is considered procedural defects as in Law Number 12 of 2011 as amended in Law Number 13 of 2022 concerning the Establishment of Laws and Regulations. Based on the results of a study by the Center for Law and Policy Studies (PSHK) that the KPK Law during the reformulation period was not included in the list of the 2019 National Legislation Program (Prolegnas 2019) which had been agreed between Parliament and the Government. This situation can be justified that the legislative power has violated the provisions of Article 45 paragraph (1) of the Law on the Establishment of Laws and Regulations which states that the draft law submitted by the DPD to the DPR is prepared based on the Prolegnas.²⁸

In addition to legal reforms in regulating the KPK in 2019, the politics of enforcing corruption crimes also began to reap pros and cons when Law Number 1 of 2023 concerning the Criminal Code was born. Legal researcher from *Indonesia Corruption Watch* (ICW) named Kurnia Ramadhana views the hope that corrupt public can be punished with severe sanctions hampered by the new Criminal Code. This is because the political direction of state law in combating corruption is seen as increasingly backward. Most of the formulations of articles in Law Number 31 of 1999 concerning

²⁸ Moh. Fadhil, "Komisi Pemberantasan Korupsi, Politik Hukum Antikorupsi dan Delegitimasi Pemberantasan Korupsi."

the Eradication of Corruption Criminal Acts that are drawn into its regulations in the Criminal Code have the potential to erode corruption eradication work. There are 4 (four) ICW records regarding this matter which contain the following:²⁹

- 1) Loss of the specificity of the criminal act of corruption. By withdrawing corruption offenses into the Criminal Code, it eliminates the specificity of corruption crimes into general crimes. As a result, corruption is no longer an *extraordinary crime*. While in practice, corruption crimes often use a complicated mode of operation, developing, and the impact is detrimental to the wider community. ICW believes that the formulation of norms governing corruption is still contemporary, dynamic, and can adjust the development of these crimes in society. Moreover, Indonesia as a party to the UN Convention against corruption still has not criminalized a number of recommendations in it.
- 2) Second, duplication of articles on *core crimes* regulated in Law Number 1 of 2023 with the Tipikor Law. For example, in Article 603 of Law Number 1 of 2023 which replaces Article 2 of the Tipikor Law. The problem that occurs is that Article 603 of Law Number 1 of 2023 reduces the minimum criminal threat to 2 years and a minimum fine of Rp. 10 million. Meanwhile, in Article 2 of Law Number 31 of 1999, the threat is a minimum of 4 years and a minimum fine of Rp. 200 million. The minimum reduction in corporal crime occurred in at least a number of articles of the Criminal Code.

²⁹ Rofiq Hidayat, "4 Catatan ICW terhadap Pasal Korupsi dalam KUHP Baru", *Hukum Online*, 2022. Retrieved from <https://www.hukumonline.com/berita/a/4-catatan-icw-terhadap-pasal-korupsi-dalam-kuhp-baru-lt639c1f8a49404/?page=all>

However, there are some articles that raise the minimum for corporal crime. Like Article 604 of Law Number 1 of 2023, which originally threatened the shortest 1 year to 2 years. According to him, the low threat of punishment for criminals in the new Criminal Code has made the anti-corruption agenda regress. Based on ICW records, throughout 2021 from 1. 282 corruption cases, the average prison sentence is only 3 years and 5 months.

- 3) Does not include additional criminal provisions in the form of payment of substitute money. As a result, it further undermines the spirit of returning assets resulting from crime. ICW noted the trend of the 2021 verdict, out of the total state losses of IDR 62.9 trillion, substitute money only reached IDR 1.4 trillion. Meanwhile, a number of important regulations such as the Draft Law on Asset Forfeiture have never been included in the Priority National Legislation Program.³⁰
- 4) Potentially hinder the investigation process of corruption cases. According to ICW, the Explanation to Article 603 of Law Number 1 of 2023 states that "what is meant by

³⁰ See also Ridwan Arifin, "Analisis Hukum Internasional dalam Perampasan Aset di Negara Kawasan Asia Tenggara Berdasarkan United Nations Convention Against Corruption (UNCAC) dan ASEAN Mutual Legal Assistance Treaty (AMLAT)." *Jurnal Penelitian Hukum Gadjah Mada* 3, no. 1 (2016): 37-55; Arifin, Ridwan, Indah Sri Utari, and Herry Subondo. "Upaya Pengembalian Aset Korupsi Yang Berada di Luar Negeri (Asset Recovery) Dalam Penegakan Hukum Pemberantasan Korupsi di Indonesia." *IJCLS (Indonesian Journal of Criminal Law Studies)* 1, no. 1 (2017): 105-137; Ridwan Arifin, "Empowering International Cooperation's Role in The Follow of Assets of Corruption's Result." *Indonesian Journal of International Law* 11, no. 3 (2013): 414-422.

'harming state finances' is based on the results of the examination of the state financial audit institution". ICW believes that the definition directs the authorities referred to only the Audit Board (BPK). Meanwhile, the public knows that the results of calculating state losses by the CPC often take a long time, thus hampering the process of determining suspects by law enforcement.

The political direction of corruption enforcement in Indonesia does require a deeper study. On the other hand, public participation in the eradication of corruption can collectively be encouraged with political support from the ruler. Taking a political stance in the eradication of corruption is to view corrupt behavior as a common enemy because the negative impacts and losses due to corruption have endangered the survival of the country. The political system that is carried out is very influential in handling slumps, because deterioration is not only a lawful side effect but is very important for the political order, because it is difficult to separate efforts to eradicate deterioration from the structuring of political order related to legitimate government.³¹

IV. Challenges and Obstacles in Law Enforcement in Corruption Cases in Indonesia

Corruption cases are a complex phenomenon that causes many causes and effects. Corruption is seen as a very serious form of

³¹ Adde Pramana Putra, and Elfrida Ratnawati. "Politik Hukum dalam Pembaharuan Hukum Pemberantasan Tindak Pidana Korupsi." *Jurnal Cahaya Mandalika* 3, no. 2 (2023): 585-597.

problem because it can endanger the security of the state as well as society.³² In Marwan Efendy's view as Tjandra Sridjaja Pradjonggo, corruption in addition to being referred to as extraordinary crimes or *extra ordinary* crimes can also be seen as transnational crimes because corruption cases have penetrated various aspects of life in society.³³ Corruption in Indonesia has threatened all aspects of life in society. In addition, corruption causes material losses to state finances. If we look and observe corruption in Indonesia today, we can see that in the field of law the handling of corruption crimes shows negative results. In this case, the main issue is *power-driven* law enforcement, which is exacerbated by the fact that some perpetrators of corruption crimes are also those who hold power in institutions and have relationships with the ruler.³⁴ This makes it a form of challenge to law enforcement in cases of corruption in Indonesia.

Various efforts that have been made in law enforcement in corruption crimes in Indonesia are not easy things, there are still obstacles in law enforcement in corruption crimes. Obstacles in law enforcement of corruption cases are as follows:³⁵

a) Structural obstacles, are obstacles derived from the practices

³² Yenni Wiranti, and Ridwan Arifin. "Tantangan dan Permasalahan Penegakan Hukum Tindak Pidana Korupsi di Indonesia." *Kosmik Hukum* 20, no. 1 (2020): 45-55.

³³ Ribut Baidi, "Peluang dan Tantangan Penegakan Hukum dalam Pemberantasan Tindak Pidana Korupsi." *Hukum Pidana dan Pembangunan Hukum* 1, no. 2 (2019).

³⁴ Nandha Risky Putra, and Rosa Linda. "Korupsi di Indonesia: Tantangan perubahan sosial." *Integritas: Jurnal Antikorupsi* 8, no. 1 (2022): 13-24.

³⁵ Salma Napisa, and Hafizh Yustio. "Korupsi di Indonesia (Penyebab, Bahaya, Hambatan dan Upaya Pemberantasan, Serta Regulasi) Kajian Literatur Manajemen Pendidikan dan Ilmu Sosial." *Jurnal Manajemen Pendidikan dan Ilmu Sosial* 2, no. 2 (2021): 564-579.

of state administration and also government that cause law enforcement in cases of corruption in Indonesia not to run properly.

- b) Cultural barriers, are obstacles in law enforcement in corruption crimes in Indonesia that originate from bad habits that develop in life in society.
- c) Instrumental obstacles, are obstacles in law enforcement in corruption crimes in Indonesia originating from the lack of complete supporting instruments in the form of laws and regulations that cause law enforcement in cases of corruption crimes not to run properly, namely overlapping laws and regulations.
- d) Management obstacles are obstacles stemming from the neglect of principles that are implemented fairly and transparently which causes law enforcement in cases of corruption to not run properly. For example, there is weak coordination between supervisory officials and between supervisory officials and law enforcement officials.

Based on the various obstacles that occur in the eradication of corruption in Indonesia as written above, various corruption eradication strategies have emerged in Indonesia to overcome these obstacles. Corruption can be tackled through criminal law commonly known as *criminal policy* such as:

1. Criminal law application policy;
2. Prevention without punishment policy;
3. Policies to influence public views on crime and punishment through mass media (influencing views of society on crime and punishment through mass media) or other media such as counseling, education, and so on.

V. Government Efforts in Maximizing Law Enforcement on Corruption in Indonesia

The Indonesian government from the beginning basically has a commitment in efforts to prevent and eradicate corruption. Various steps have been taken by the government through policies in the field of laws and regulations related to corruption prevention. In the strategy of eradicating criminal acts, corruption cannot be done only by applying criminal and criminal law. Instead, it can be done as follows: 1) Establishment of Anti-Corruption Institutions; 2) Corruption Prevention in the public sector; 3) Social prevention and community empowerment; 4) Making various legal instruments that support the prevention and eradication of corruption; 5) Monitoring and evaluation; and 6) International cooperation.³⁶ Other corruption eradication strategies carried out in Indonesia are as follows:³⁷

- 1) First, there are system improvement steps. Many systems implemented in Indonesia provide opportunities for criminal acts of corruption. A good system can minimize the occurrence of criminal acts of corruption, so system improvements are needed, including:
 - a. encourage transparency of state administrators, as the KPK does to receive LHKPN (State Administrator Property Report) reporting and gratuities.

³⁶ Marcella Elwina Simanjuntak, *Upaya Pemberantasan Korupsi*. (Jakarta: Kemenrisetdikti, 2018), pp. 90-100

³⁷ Farida Pahlevi, "Pemberantasan Korupsi di Indonesia Perspektif Legal System Lawrence M. Friedmen." *El-Dusturie: Jurnal Hukum dan Perundang-undangan* 1, no. 1 (2022): 23-42

- b. Provide recommendations to relevant ministries and agencies to take corrective measures.
 - c. Modernize public services with online and integrated surveillance systems to make them more transparent and effective.
- 2) Second, there are educational and campaign steps. Education and campaigns are anti-corruption education learning strategies with the aim of raising public awareness about the impact of corruption, inviting the public to be involved in the anti-corruption movement, and building anti-corruption behavior and culture. Not only for college students and the general public, but from early childhood, kindergarten, and elementary school.
- 3) Third, there are repressive measures. This repressive move is an attempt by law enforcement to bring corruptors to justice. Some cases of corruption can be revealed from public complaints. The existence of information in corruption cases is very important for the KPK to follow up. The stages carried out are: a) Handling of public complaint reports (KPK conducts a verification and review process); b) Investigation; c) Investigation; d) Prosecution; e) Execution.

Indonesia has made great efforts in eradicating corruption in various ways in various areas of life. The hope to be achieved is that the criminal act of corruption is eradicated not only in the scope that is already known or visible but to the roots. Sincerity, responsibility and optimism from various parties involved in efforts to eradicate corruption are expected to be able to implement the predetermined strategy. Improvement and definite

movement are highly recommended in eradicating corruption in Indonesia.³⁸

VI. Efforts to Apply Criminal Law and Outside the Criminal Law in the Eradication of Corruption

In essence, crime reduction policies (including corruption) can be carried out through two approaches, namely the penal approach (the application of criminal law) and the nonpenal approach (an approach outside the criminal law). This is motivated by the fact that crime is a social problem and a humanitarian problem. Therefore, crime reduction efforts can not only rely on the application of criminal law alone, but also look at non-legal factors. Through the penal approach (application of criminal law), in general, criminal law politics is an effort to determine in which direction the future enforcement of Indonesian criminal law will be by looking at its current enforcement. It is also concerned with the conceptualization of criminal law that is best to apply. Sudarto further revealed that carrying out criminal law politics means holding elections in order to achieve the best results of criminal legislation by fulfilling the requirements of justice and usefulness.

³⁹

The non-penal approach is a crime prevention approach without using means of punishment (prevention without

³⁸ Pahlevi.

³⁹ Jamin Ginting, "Eksistensi Komisi Pemberantasan Korupsi (KPK) Terhadap Pemberantasan Korupsi di Indonesia". *Jurnal Law Review* 9, mo. 1 (2009).

punishment), which includes community mental health planning, national mental health, child welfare and social workers and child welfare, as well as the use of civil law and administrative law (administrative and civil law).⁴⁰ The pattern of corruption crimes points to immoral, unethical, and/or unlawful behavior or actions for personal interests and/or groups that harm state finances, so to eradicate the criminal act of corruption, in addition to optimizing criminal law, must also use civil law means. Civil proceedings are carried out in the return of state financial losses using civil forfeiture instruments.

The civil forfeiture model is a model that uses reversal of the burden of proof. This model is a model that focuses on lawsuits against assets, not pursuing perpetrators (suspects). In principle, civil forfeiture is "the right of the state to return to the state for the welfare of the people". The successful use of civil forfeiture in developed countries can be used as a discourse for Indonesia because civil forfeiture can provide advantages in the judicial process and to pursue the assets of corruptors. In principle, civil forfeiture is "the right of the state to return to the state for the welfare of the people".⁴¹

A. Establishment of Special Court for Corruption

The Corruption Criminal Court (hereinafter as Tipikor Court) is one of the special post-reform courts that is expected to become a

⁴⁰ Mahmud Mulyadi, "Penanggulangan Tindak Pidana Korupsi dalam Perspektif Criminal Policy Corruption Reduction in Criminal Policy Perspective." *Jurnal Legislasi Indonesia* 8, no. 2 (2018): 217-238.

⁴¹ Mulyadi.

model of an independent, quality, fair, and modern judiciary. This court was originally regulated in Law No. 30 of 2002 concerning the Corruption Eradication Commission, with special adjudicating authority in criminal cases whose prosecution was carried out by the KPK.

However, in 2006, two years after the establishment of the Tipikor Court, the legal basis of the Tipikor Court was declared contrary to the constitution by the Constitutional Court (MK) through its decision No. 012-016-019/PUU-IV/2006. The judgment stated that because the authority of the Tipikor Court was only limited to trying Tipikor cases whose prosecution was carried out by the KPK, there had been a dualism in handling corruption cases. Furthermore, the Constitutional Court held that this could result in differences in treatment between corruption defendants examined in the Tipikor Court and the District Court. The Constitutional Court then gave three years for the government and parliament to improve legislation related to the Tipikor Court. In response to the Constitutional Court ruling, the government and the DPR drafted the Corruption Court Bill which was later passed into Law No. 46 of 2009 concerning the Corruption Court.

There were several changes in the establishment of the Tipikor Court, namely:⁴²

1. The Criminal Court is a special court within the general judiciary of the Court
2. Tipikor as a special court is regulated in Article 2: The Corruption Court is a special court within the General Court.

⁴² Moch. Abd. Wachid, "Penegakan Hukum Tindak Pidana Korupsi Oleh KPK".

3. The Corruption Court is authorized to try and decide cases of corruption and money laundering whose crimes originate from the Corruption Act.
4. The Tipikor Court is the only court that examines, tries, and decides cases of criminal acts of corruption.

In addition, there are a few more fundamental differences from the previous arrangements. These differences are, 1) the addition and expansion of authority, 2) the composition of the assembly, 3) the deadline for examination, and 4) the affirmation of the organization of the Criminal Court with the following explanation.⁴³

1. Addition and Expansion of the Authority of the Tipikor Court regulated in Law 46 of 2009 has expanded its authority to two aspects, namely from the aspect of the institution that conducts the prosecution, and the aspect of the types of criminal acts that can be prosecuted. Law 46 of 2009 stipulates that the Tipikor Court no longer only adjudicates cases whose prosecution is carried out by the Public Prosecutor from the KPK, but also by the Public Prosecutor from the Prosecutor's Office. Thus, the dualism of the authority of the court authorized to try cases of tipikor ceases to exist. As a consequence of this, all cases were tried in the Tipikor Court, with one exception, namely cases committed by members of the military.³¹ In addition, if previously the Tipikor Court was only authorized to try tipikor cases, in this Law added the authority to try money laundering cases on the condition that the original criminal act of the money

⁴³ Asril Asril, et.al. *Pengadilan Tindak Pidana Korupsi di Indonesia Pasca-2009: Antara Harapan dan Kenyataan*. (Jakarta: The East-West Center, 2021).

laundering case was a criminal act of corruption.

2. The composition of the Panel of Judges of the Tipikor Court as stipulated in Law 46/2009 still maintains the composition of the panel of judges consisting of career judges and ad hoc judges. However, the number and composition no longer have to consist of five judges, but can consist of only three judges. The law also eliminates the requirement for the composition of ad hoc judges with a majority. The number and composition of the panel of judges of the case by law is submitted to the Chief Justice or the Chief Justice of the Supreme Court.
3. Examination Deadlines The trial deadline in Law 46/2006 is set longer than in the KPK Law, which is a maximum of 120 days in the first instance, 60 days for the appeal level, and 120 days for the cassation level and 60 days for judicial review.³²
4. Affirmation of the Organization of the Criminal Court In this Law on the Criminal Court, the composition of the court organization is regulated, consisting of leaders, judges and clerks. What is meant by the chairman here is the chairman and deputy chairman of the court. However, although this law regulates the organizational structure of the court, the positions mentioned are officials in the district court where the Criminal Court is located, or *ex officio*.

Law No. 46 of 2009 does not mention the purpose of establishing a Tipikor court, except to respond to Constitutional Court Decision No. 012-016-019/PUU-IV/2006. Law No. 46 of 2009 is thus an effort to carry out the mandate of the 2006 Constitutional Court Decision and Law No. 4 of 2009 concerning Judicial Power that special courts can only be established by separate laws. In addition, this law also aims to end the dualism of

authority to prosecute cases of criminal acts of corruption, becoming centralized only in the Tipikor Court.

It can be concluded that the objectives of the establishment of the special court are as follows: 1) Provide solutions to respond to public dissatisfaction with the performance of conventional courts through the establishment of a special court 2) Increase the efficiency and effectiveness of law enforcement against corruption crimes 3) Provide legal certainty in handling corruption cases by ending the dualism of authority to try corruption cases.

B. Law Enforcement of Corruption Crimes by the Corruption Eradication Commission

Various extraordinary legal instruments have been issued, including the mandate of Law Number 31 of 1999 as amended by Law Number 20 of 2001 Article 43 paragraph (1) which mandates that within 2 (two) years from the entry into force of this law, a Corruption Eradication Commission is established. The legal structure in the corruption eradication legal system in the form of the Corruption Eradication Commission is one of the extraordinary legal instruments in efforts to eradicate criminal acts of corruption.

Responding to the mandate of Article 27 of Law 31 of 1999 concerning the Eradication of Corruption Crimes, the Gus Dur government has issued Government Regulation Number 19 of 2000 concerning the Joint Team for the Eradication of Corruption Crimes. The Government Regulation gives broad authority to investigators as stipulated in Article 11 paragraph (5)

which specifies that investigators are also authorized to ask for information about the suspect's finances at the bank, ask the bank to block the suspect's account, open/check/confiscate letters and shipments by post, telecommunications, or other tools related to corruption, wiretapping, proposing a ban, and recommend to the suspect's superior for the suspect's temporary dismissal from his post.

The responsiveness of legislation related to efforts to eradicate corruption in reality has encountered various kinds of obstacles both in substance such as the non-regulation of transitional rules in Law Number 31 of 1999 which raises various interpretations. The indecisiveness of the regulation of transitional rules in the Law is used by those who want the *status quo* not to prosecute perpetrators of corruption crimes committed during Law Number 3 of 1971, whereas if examined further in legal science, especially criminal law, there is a principle that says *lex specialis derogat legi generale*, this principle says that rules of a specific nature override provisions of a general nature. Article 1 paragraph (2) of the Criminal Code stipulates that in the event of a change in legislation after a criminal act has occurred, the law that most benefits / relieves the accused is used. Based on this provision, there is no reason not to prosecute perpetrators of corruption crimes committed when Law Number 3 of 1971 was still in force. Therefore, efforts to dispute the absence of transitional rules in Law Number 31 of 1999 show a tug-of-war between those who firmly intend to eradicate corruption and those who want the *status quo* in this transition era.

At the same time, based on Article 53 of Law Number 30 of 2002 concerning the Corruption Eradication Commission, a Corruption Court was established within the General Court and

for the time being, a Corruption Court was established at the Central Jakarta District Court whose jurisdiction covers the territory of the Republic of Indonesia. The KPK and the Corruption Court have made a breakthrough in law enforcement against corruption crimes and succeeded in making the perpetrators of corruption crimes deterrent because no corruption cases are tried by corruption courts free from the law. The existence of these two institutions also made state officials feel afraid when dealing with the KPK.⁴⁴

Corruption eradication policies must also be supported by the principles of good governance and the principles of sustainable development. This can be done through steps or conditions:⁴⁵

1. Check against executive and legislative and judicial powers.
2. A clear line of accountability between political leaders, the bureaucracy and the people.
3. An open political system involving an active civil society
4. An impartial legal system, criminal justice and public order that uphold fundamental political and civil rights, protect personal security and provide consistent, transparent rules for transactions necessary in modern economic and social development.
5. A professional, competent, capable and honest public service that works within an accountable framework and governs with rules and in the principle of merit and prioritizes the public interest.
6. Capacity to implement fiscal plans, expenditures, economic

⁴⁴ M Moch. Abd. Wachid, "Penegakan Hukum Tindak Pidana Korupsi Oleh KPK".

⁴⁵ Andi Hamzah, *Pemberantasan Korupsi Melalui Hukum Pidana Nasional dan Internasional*. (Jakarta: PT Raja Grafindo Persada, 2005).

management, financial accountability systems and evaluation of public sector activities.

7. Attention not only to central government institutions and processes but also to the attributes and capacities of subnational and local government authorities and to matters of political transfer and administrative decentralization; and
8. Any effective anti-corruption strategy must recognize the link between corruption, ethics, good governance and sustainable development.

VII. Conclusion

This study underscores the imperative for a more nuanced exploration of the political dimensions influencing corruption enforcement in Indonesia. Concurrently, it highlights the potential for fostering collective public engagement in anti-corruption initiatives through political endorsement. The political framework employed plays a pivotal role in addressing instances of corruption, as the eradication of such malfeasance is not only a legal necessity but also holds significant ramifications for the broader political order. Efforts to combat corruption are intricately woven into the fabric of political structuring, posing challenges in disentangling anti-corruption endeavors from the broader framework of legitimizing government actions.

Despite considerable efforts in Indonesia's legal landscape to address corruption, challenges persist in the enforcement of anti-corruption measures. These challenges include structural, curricular, instrumental, and management obstacles. In response to these impediments, a variety of corruption eradication strategies

have emerged in Indonesia. These strategies encompass criminal law approaches, commonly referred to as criminal policies, which include criminal law application policies, prevention-focused strategies devoid of punitive measures, and policies designed to shape public perceptions of crime and punishment through mass media or other communication channels, such as counseling and education.

This research posits that a comprehensive understanding of the intricate interplay between political dynamics and corruption enforcement is essential for devising effective strategies. Furthermore, it underscores the pivotal role of political support in mobilizing public engagement for the collective eradication of corruption. In light of persistent challenges, the study advocates for a holistic approach that integrates legal, preventive, and public awareness measures as essential components of successful corruption eradication strategies in Indonesia.

VIII. References

- Al-Fatih, Sholahuddin. *Perkembangan Metode Penelitian Hukum di Indonesia.*, (Malang: UMM Press, 2023).
- Arief, Barda Nawawie. *Kebijakan Hukum Pidana, Bunga Rampai.* (Jakarta: Kencana, 2011).
- Arifin, Ridwan, Indah Sri Utari, and Herry Subondo. "Upaya Pengembalian Aset Korupsi Yang Berada di Luar Negeri (Asset Recovery) Dalam Penegakan Hukum Pemberantasan Korupsi di Indonesia." *IJCLS (Indonesian Journal of Criminal Law Studies)* 1, no. 1 (2017): 105-137.
- Arifin, Ridwan, Rodiyah Rodiyah, and Fitria Puspita. "A Comparative Analysis of Indonesia's KPK and Hong Kong

- ICAC in Eradicating Corruption." *Jambe Law Journal* 2, no. 2 (2019): 163-179.
- Arifin, Ridwan, Siti Faridah, and Mohammad Naefi. "Misdemeanor of Corruption within the Scope of International Law and the Legal Consequences." *Journal of Indonesian Legal Studies* 4, no. 2 (2019): 299-314.
- Arifin, Ridwan. "Analisis Hukum Internasional dalam Perampasan Aset di Negara Kawasan Asia Tenggara Berdasarkan United Nations Convention Against Corruption (UNCAC) dan ASEAN Mutual Legal Assistance Treaty (AMLAT)." *Jurnal Penelitian Hukum Gadjah Mada* 3, no. 1 (2016): 37-55.
- Arifin, Ridwan. "Empowering International Cooperation's Role in The Follow of Assets of Corruption's Result." *Indonesian Journal of International Law* 11, no. 3 (2013): 414-422.
- Asril, Asril, et.al. *Pengadilan Tindak Pidana Korupsi di Indonesia Pasca-2009: Antara Harapan dan Kenyataan*. (Jakarta: The East-West Center, 2021).
- Azwar, Saifuddin. *Metode Penelitian*. (Yogyakarta: Puataka Pelajar, 2014).
- Baidi, Ribut. "Peluang dan Tantangan Penegakan Hukum dalam Pemberantasan Tindak Pidana Korupsi." *Hukum Pidana dan Pembangunan Hukum* 1, no. 2 (2019).
- Bayu, Dimas. "Kerugian Negara Akibat Korupsi Capai Rp 62,93 Triliun pada 2021", *Online*, retrieved from <https://dataindonesia.id/varia/detail/kerugian-negara-akibat-korupsi-capai-rp6293-triliun-pada-2021>
- Fadhil, Moh. "Komisi Pemberantasan Korupsi, Politik Hukum Antikorupsi dan Delegitimasi Pemberantasan Korupsi." *Al Ahkam* 15, no. 2 (2019): 7-36.
- Fajar, Muhammad, and Zul Azhar. "Indeks Persepsi Korupsi dan Pembangunan Manusia Terhadap Pertumbuhan Ekonomi di Negara-Negara Asia Tenggara." *Jurnal Ecogen* 1, no. 3 (2019): 681-690.

- Fajar, Mukti, and Yulianto Achmad, *Dualisme Penelitian Hukum Normatif & Empiris*. (Yogyakarta: Pustaka Pelajar, 2010).
- Fitriyaningrum, Julyatika, and Ridwan Arifin. "The Regulatory Model for Eradication Corruption in Infrastructure Funding." *Varia Justicia* 15, no. 1 (2019): 36-42.
- Ginting, Jamin. "Eksistensi Komisi Pemberantasan Korupsi (KPK) Terhadap Pemberantasan Korupsi di Indoensia". *Jurnal Law Review* 9, mo. 1 (2009).
- Hamzah, Andi. *Pemberantasan Korupsi Melalui Hukum Pidana Nasional dan Internasional*. (Jakarta: PT Raja Grafindo Persada, 2005).
- Hidayat, Rofiq. "4 Catatan ICW terhadap Pasal Korupsi dalam KUHP Baru", *Hukum Online*, 2022. Retrieved from <https://www.hukumonline.com/berita/a/4-catatan-icw-terhadap-pasal-korupsi-dalam-kuhp-baru-lt639c1f8a49404/?page=all>
- Jaya, Nyoman Serikat Putra. *Beberapa Pemikiran ke Arah Pengembangan Hukum Pidana*. (Bandung: Citra Aditya Bakti, 2008).
- Kasim, Nur M. "Politik Hukum Pemberantasan Tindak Pidana Korupsi di Indonesia." *Jurnal Inovasi* 5, no. 1 (2008): 1-11.
- Mahfud MD., *Politik Hukum Indonesia*. (Jakarta: Raja Grafindo Persada, 2009).
- Mudiyanto, Eko. *Metode Penelitian Kualitatif (Teori dan Aplikasi Disertasi Contoh Proposal)*. (Yogyakarta: Yogyakarta Press, 2020).
- Mulyadi, Mahmud. "Penanggulangan Tindak Pidana Korupsi dalam Perspektif Criminal Policy Corruption Reduction in Criminal Policy Perspective." *Jurnal Legislasi Indonesia* 8, no. 2 (2018): 217-238.
- Napisa, Salma, and Hafizh Yustio. "Korupsi di Indonesia (Penyebab, Bahaya, Hambatan dan Upaya Pemberantasan, Serta Regulasi) Kajian Literatur Manajemen Pendidikan dan

- Ilmu Sosial." *Jurnal Manajemen Pendidikan dan Ilmu Sosial* 2, no. 2 (2021): 564-579.
- Pahlevi, Farida "Pemberantasan Korupsi di Indonesia Perspektif Legal System Lawrence M. Friedmen." *El-Dusturie: Jurnal Hukum dan Perundang-undangan* 1, no. 1 (2022): 23-42
- Pratiwi, Andjeng, and Ridwan Arifin. "Penegakan Hukum Korupsi Politik di Indonesia Permasalahan dan Isu-Isu Kontemporer." *Jurnal Hukum Mimbar Justitia* 5.2 (2019): 144-163.
- Putra, Adde Pramana, and Elfrida Ratnawati. "Politik Hukum dalam Pembaharuan Hukum Pemberantasan Tindak Pidana Korupsi." *Jurnal Cahaya Mandalika* 3, no. 2 (2023): 585-597.
- Putra, Nandha Risky, and Rosa Linda. "Korupsi di Indonesia: Tantangan perubahan sosial." *Integritas: Jurnal Antikorupsi* 8, no. 1 (2022): 13-24.
- Putri, Lucia Maison, and Mike Triani. "Analisis Hubungan Korupsi, Demokrasi Dan Pertumbuhan Ekonomi di Indonesia." *Jurnal Kajian Ekonomi dan Pembangunan* 3, no. 1 (2021): 17-24.
- Rasdi, Rasdi, et al. "When students fight corruption: A portrait of anti-corruption education for elementary school students." *The Indonesian Journal of International Clinical Legal Education* 3, no. 1 (2021): 111-124.
- Riwukore, Jefirstson Richset, et al. "Strategi Pencegahan Dan Pemberantasan Korupsi di Pemerintah Kota Kupang, Provinsi Nusa Tenggara Timur." *Jurnal Masalah-Masalah Sosial* 11, no. 2 (2020): 229-242.
- Santoso, Ibnu. *Memburu Tikus-Tikus Otonom*. (Yogyakarta: Gava Media, 2011).
- Setiawan, M. Nanda, et al. "Politik Hukum Pidana Mati dalam Pemberantasan Tindak Pidana Korupsi di Indonesia." *Jurnal Politik dan Pemerintahan Daerah* 4, no. 2 (2022): 252-262.

- Sihombing, Eka NAM. *Hukum Kelembagaan Negara*. (Yogyakarta: Ruas Media, 2018).
- Simanjuntak, Marcella Elwina. *Upaya Pemberantasan Korupsi*. (Jakarta: Kemenrisetdikti, 2018), pp. 90-100
- Sugoarto, Eddy Cahyono. "Investasi dan Indonesia Maju", *Sekretariat Negara*, retrieved from https://www.setneg.go.id/baca/index/investasi_dan_indonesia_maju
- Suherry, Suherry. "Politik Pemberantasan Korupsi di Indonesia." *Otoritas: Jurnal Ilmu Pemerintahan* 7, no. 1 (2017): 46-53.
- Sunggono, Bambang. *Metode Penelitian Hukum*. (Jakarta: Raja Grafindo Persada, 2016).
- Utari, Indah Sri, and Ridwan Arifin. "Law Enforcement and Legal Reform in Indonesia and Global Context: How the Law Responds to Community Development?." *Journal of Law and Legal Reform* 1, no. 1 (2020): 1-4.
- Wahid, Mochammad Abdul. "Penegakan Hukum Tindak Pidana Korupsi Oleh KPK", *Maksigama Jurnal Hukum* 9, no. 1 (2015): 104-121.
- Wahyu MJ, Stefanus, et al. "Peran Politik Hukum dalam Pemberantasan Tindak Pidana Korupsi di Indonesia." *Wijayakusuma Law Review* 5, no. 1 (2023): 8-13.
- Waluyo, Joko. "Analisis Hubungan Kausalitas Antara Korupsi, Pertumbuhan Ekonomi, dan Kemiskinan: Suatu Studi Lintas Negara." *Buletin Ekonomi* 8, no. 2 (2012): 159-169.
- Wibowo, Agus, et al, *Pengetahuan Dasar Antikorupsi dan Integritas*. (Bandung: CV Media Sains Indonesia, 2022).
- Wina, Wina. "Indonesia Dorong Peningkatan Kualitas SDM KPK", *Kementerian Luar Negeri*, retrieved from (<https://kemlu.go.id/vienna/id/news/12011/indonesia-dorong-peningkatan-kualitas-sdm-kpk>)

Wiranti, Yenni, and Ridwan Arifin. "Tantangan dan Permasalahan Penegakan Hukum Tindak Pidana Korupsi di Indonesia." *Kosmik Hukum* 20, no. 1 (2020): 45-55.

Acknowledgment

None

Funding Information

This research funded by Universitas Negeri Semarang (UNNES)

Conflicting Interest Statement

None

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.