

# The Authority of Institutions to Prevent Corruption in Indonesia

<sup>1</sup>Ramdhan Kasim, <sup>2</sup>Yusrianto Kadir, <sup>3</sup>Patawari, <sup>4</sup>Mohammad Arif, <sup>5</sup>Hardianto Djanggih

**Abstract---** *The formation of the Corruption Eradication Commission (KPK) aims to facilitate and accelerate the eradication of corruption in Indonesia. Law No. 30 of 2002 concerning the Corruption Eradication Commission gives a very broad authority so that the KPK is called a "superbody" institution that has 5 tasks and 29 extraordinary powers. However, part of the authority is now limited so it is feared that the role of the KPK in eradicating corruption in Indonesia will stagnate. After Law No. 30 of 2002 was revised into Law No. 19 of 2019 concerning the Corruption Eradication Commission, the Corruption Eradication Commission is a state institution in the executive power cluster that is independent and free from the influence of any power and the Corruption Eradication Commission (KPK) employee is a state civil apparatus (ASN) as referred to in the legislation concerning the State civil apparatus. Before the revision, the KPK was independent and the KPK employees were recruited independently and became permanent KPK employees. After the revision, the KPK can stop the investigation and prosecution of Corruption cases and the KPK no longer has the authority to appoint and dismiss Investigators as Investigators at the KPK. All KPK activities are supervised by the Supervisory Board so that the wiretapping is carried out after obtaining written permission from the Supervisory Board.*

**Keywords---** *Role, Corruption Eradication Commission, Eradication, Corruption, Indonesia.*

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## I. INTRODUCTION

In the early days of the independence of the Republic of Indonesia, the spirit of eradicating corruption had begun to be echoed. This is marked by the establishment of several corruption eradication institutions with a number of special powers so as to facilitate the eradication of corruption in Indonesia. During the Old Order administration, the government issued Government Regulation in Lieu of Law Number 24 of 1960 concerning the Investigation, Prosecution and Examination of Corruption. Based on these regulations, the government launched "Operation Budhi", to investigate various corruption cases that occurred in the body of the Indonesian Armed Forces, State-Owned Enterprises (SOEs) and other bureaucrats (Hart, 2001).

During the New Order government, the limitation of corruption was increasingly intense. This can be seen with the formation of several institutions, such as the Corruption Eradication Team (TPK) in 1967, Commission Four in 1970, the Anti-Corruption Commission (KAK) in 1970, and in 1977, the New Order government launched Operation Control (OPSTIB) against corruption in Indonesia. However, after the reform of the new order ended, the

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<sup>1</sup>Fakulty of Law, Universitas Gorontalo, Gorontalo, Indonesia. Email: ramdhankasim@gmail.com

<sup>2</sup>Fakulty of Law, Universitas Gorontalo, Gorontalo, Indonesia. Email: yusrikadir@gmail.com

<sup>3</sup>Faculty of Law, Universitas Indonesia Timur, Indonesia. Email: patawari@uit.ac.id

<sup>4</sup>Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia. Email: moh.arif.fh@umi.ac.id

<sup>5</sup>Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia. Email: hardianto.djanggih@umi.ac.id

government formed after the reformation formed several corruption eradication institutions, such as the Joint Team for Corruption Eradication (TGPTPK). This team is under Attorney General Marzuki Darusman. TGPTPK was formed as a temporary institution until the formation of the Corruption Eradication Commission which was mandated by Law No.31 of 1999 concerning eradicating corruption. Unfortunately, TGPTPK consisting of prosecutors, police and community representatives did not have support (Suraji, 2008).

During the Megawati Soekarno Putri era as President of the Unitary State of the Republic of Indonesia, the government formed the Corruption Eradication Commission (KPK) based on Law Number 30 of 2002 (Sudarmanto, 2009). The "superbody" commission, which has 5 duties and 29 extraordinary powers, is led by Taufiqurahman Ruki, Sirajudin Rasul, Amien Sunaryadi, Erry Riyana Harjapamengkas and Tumpak Hatorang. Not even one year ago, the KPK has received 1,452 reports of alleged corruption cases from the public (Mudzakkir, 2011). The first case handled by the KPK and successfully submitted to the Corruption Court was the case of the Governor of Aceh, Abdullah Puteh (Nay, 2014).

In addition, major corruption cases that have been handled by the KPK include corruption that occurs in the General Election Commission (KPU). The results of the KPK's investigation and investigation succeeded in sending the KPU chairman and members as well as several KPU General Secretariat employees to prison. Although it often draws criticism from various groups, but what has been done by the KPK more or less provides hope for the efforts to resolve several cases of corruption in Indonesia (Ifrani, 2017).

However, the role of the KPK in eradicating corruption in Indonesia began to be disrupted after Law Number 30 of 2002 as the basis for the formation of the KPK was revised and changed to Law of the Republic of Indonesia Number 19 of 2019 concerning the Corruption Eradication Commission. The authority of the KPK which is very broad and strategic in eradicating corruption in Indonesia is starting to be limited so that many people, especially anti-corruption activists or activists, are worried that the eradication of corruption in Indonesia will run slowly. Therefore, this study will analyze the role of the KPK in eradicating Corruption in Indonesia before and after the revision of Law Number 30 of 2002 concerning Corruption Eradication Commission.

## **II. METHOD**

This research is legalistic, doctrinal or normative. According to Rowe, normative research aims to find, explain, assess, analyze and systematically state facts, principles, concepts, theories, laws so as to find new knowledge and ideas to be suggested as a change or renewal. (Rowe, 2009). In this study, all documents, references, facts, theories, doctrines and laws that are related to the role of the Corruption Eradication Commission (KPK) will be examined in eradicating corruption in Indonesia.

There are several approaches that can be used in research that is legalistic or normative, including the statute approach, the historical history, the concept approach to the case analysis approach and the comparative approach to the law (comparative approach) (Diantha, 2017). However, this study only uses a statute approach with the aim of analyzing the extent of the role of the Corruption Eradication Commission (KPK) in eradicating

corruption in Indonesia before and after Law Number 30 of 2002 was revised to Law of the Republic of Indonesia Number 19 of 2019 concerning the Corruption Eradication Commission.

### **III. LITERATURE REVIEW**

One of the auxiliary organs and auxiliary organs formed in the reform era in Indonesia is the Corruption Eradication Commission (KPK). This institution was formed as one part of the corruption eradication agenda which is one of the most important agendas in improving governance in Indonesia. Historically, the KPK was born from an assumption that law enforcement carried out by the Police and the Prosecutors' Office did not work effectively. The KPK is a commission in Indonesia formed in 2003 to tackle, tackle and eradicate corruption in Indonesia. This commission was established based on the Law of the Republic of Indonesia Number 30 of 2002 concerning the Corruption Eradication Commission. In order to achieve optimal public services for the community, the government deems it necessary to form a new institution (Atmasasmita, 2002).

The existence of this commission refers to the Independent Commission Against Corruption (ICAC) established by the Hong Kong government in 1974. The KPK is a special commission whose establishment is mandated by the provisions of Article 43 of Law Number 31 of 1999 concerning Eradication of Corruption. Based on this mandate by the government, Law No. 30/2002 on the Corruption Eradication Commission was issued, with the aim of increasing the effectiveness and effectiveness of efforts to eradicate corruption. (Mohede, 2012).

The KPK can be categorized as a special body that is given judicial authority such as the Police and the Prosecutors' Office to investigate, investigate and prosecute cases, particularly corruption cases. The KPK is not entirely ad hoc, because according to the United Nations Convention Against Corruption (Article 6) which has been ratified by Indonesia, some are permanent and some are temporary. The KPK's permanent authority is the authority to prevent corruption while the KPK's temporary authority is repressive actions, such as investigation and especially prosecution.

The formation of the Corruption Eradication Commission is also assumed by the assumption that Corruption is an extraordinary crime (extraordinary crime) so that the handling must be done in an extraordinary way too (Lopa, 2001). The police and the Attorney General's Office, which had been expected to be able to handle corruption cases, turned out to be ineffective. Even the two institutions are considered to have entered the vortex or part of the corruption crime network itself. For this reason, the Corruption Eradication Commission (KPK) was formed, in response to the infertility of law enforcement officials in the handling of corruption that occurred so far in Indonesia..

When compared with the authority of the Police and Attorney General's Office in eradicating corruption, the KPK's authority is indeed broader. The duties and authority of the Corruption Eradication Commission are contained in Article 6-14 of Chapter II of Law No. 30 of 2002 concerning the Corruption Eradication Commission. According to the provisions of Article 6 of Law No.30 of 2002 concerning the Corruption Eradication Commission, the KPK has the following tasks:

- a. Coordination with agencies authorized to conduct Corruption Eradication (TPK);
- b. Supervision of agencies authorized to eradicate Corruption (TPK);
- c. Investigating, Investigating and Prosecuting Corruption (TPK);
- d. Take steps to prevent Corruption (TPK);
- e. Monitor the implementation of the State Government.

In Article 11 of Law Number 30 Year 2002, the KPK is also given the authority to carry out investigations, investigations and prosecutions of corrupt acts that:

1. Involving law enforcers, state administrators and other people who are related to corruption acts committed by law enforcement officials and state administrators;
2. Getting attention and unsettling the community; and or
3. Concerning state losses of at least Rp1,000,000,000 (one billion rupiah).

In handling cases, the KPK is given the authority to shorten the bureaucracy and the prosecution. So the KPK takes at the same time two roles namely the task of the Police and the Prosecutors' Office which has been powerless in fighting corruption. Besides that in Article 8 paragraph (1) of Law No. 30 of 2002, the Corruption Eradication Commission was given the authority to conduct surveillance, research, or study of agencies that carry out their duties and authority related to corruption eradication and agencies that carry out public services.

Furthermore, the KPK takes over corruption cases that are being handled by the police or prosecutors if:

1. Community reports regarding corruption are not followed up;
2. The process of handling corruption acts there is no progress / protracted / delayed without reason that can be accounted for;
3. The handling of criminal acts of corruption is intended to protect the actual perpetrators of corruption;
4. The handling of criminal acts of corruption contains elements of corruption;
5. There are obstacles to handling corruption due to interference from the executive, judicial or legislative branches;
6. Other conditions which, according to the police or prosecutors' considerations, handle corruption, are difficult to carry out properly and can be accounted for.

To combat criminal acts of corruption which are categorized as ordinary ordinary crimes (extra ordinary crime), the KPK is given additional authority that is not possessed by other institutions, namely:

1. Tapping and recording the conversation;
2. Ordering the relevant agencies to prohibit someone from traveling abroad;
3. Requesting information from banks or other financial institutions about the financial condition of the suspect or defendant under investigation;
4. Ordering banks or other financial institutions to block accounts suspected of having been the result of corruption belonging to a suspect, defendant, or other related party;
5. Request wealth and taxation data of the suspect or defendant from the relevant agencies;

6. Temporarily suspend a financial transaction, trade transaction, and other agreement or temporarily revoke licenses, licenses and concessions carried out or owned by a suspect or defendant allegedly based on sufficient initial evidence related to the criminal act of corruption that is being investigated;
7. Request assistance from Indonesian Interpol or other state law enforcement agencies to search, arrest and confiscate evidence abroad;
8. Request the assistance of the police or other relevant agencies to make arrests, detention, search and seizure in corruption cases that are being handled.

Unlike the anticorruption teams that were formed earlier, the KPK's authority was considered to be very broad so that this institution was dubbed as a super body agency. This is evident in Article 12 of Law No. 30 of 2002 stipulates that KPK investigators have the authority to intercept or record conversations, order related institutions to prohibit someone from traveling abroad, request information from banks or other financial institutions about the financial condition of the suspect or defendant under investigation, order the bank or other financial institutions to block accounts suspected of being the result of corruption belonging to the suspect, defendant, or other related parties, requesting assets or taxation data of the suspect or defendant from the relevant agencies.

Based on Article 12 letter c of Law No. 30 of 2002, the KPK institution has the authority to order the leaders or superiors of corruption suspects to suspend suspects from their positions. Likewise with the examination of state officials or officials involved with alleged corruption, the authority to order the President to authorize investigations and investigations. This authority was once used by the KPK in examining cases of alleged corruption in MI-2 helicopter purchases worth Rp. 12 billion involving the Governor of Nanggroe Aceh Darussalam (NAD) Abdullah Puteh (Harun, 2005).

Another KPK authority that is considered special compared to the authority of police and prosecutors is that the KPK can handle cases that occurred before the formation of the KPK institution itself. This is seen in the case of the Governor of Nanggroe Aceh Darussalam (NAD) Abdullah Puteh with Bram Manoppo. Bram Manoppo was named in the 1999 case along with the Governor of NAD, Abdullah Puteh. Puteh's case occurred before the enactment of Law No. 30 of 2002 concerning the KPK, so with the Constitutional Court's decision the KPK should not have the authority to handle the Puteh case. However, the KPK dared to handle the case by violating the laws and regulations and the principle of criminal law that the handling of criminal cases must not be retroactive (non-retroactive).

Based on these facts, Bram Manopo filed a judicial review suit against Law No. 30 of 2002 which became the basis for the establishment of the KPK to the Constitutional Court (MK). The lawsuit began to be heard by the Constitutional Court at the end of November 2004. In his group, Bram Manopo questioned Article 68 of the KPK law which according to him applied the retrocative principle. The article was considered by Bram Manopo to be in conflict with Article 28 I paragraph (1) of the 1945 Constitution. This lawsuit by Bram Manopo resulted in the Constitutional Court's decision which many considered as controversial. (Achmad, 2013).

The authority which is considered the most controversial is that the KPK can handle money laundering cases related to corruption cases that are being handled (Ceas, 1998). Money laundering is an act committed by a

legal subject where the money originates from the proceeds of crime whose origins are hidden or disguised. There are many criminal acts originating from Money Laundering, based on Article 2 of Law No. 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes, corruption is a crime originating from the most important or frequent money laundering in Indonesia.

In Law No. 8 of 2010 concerning the Prevention and Eradication of Criminal Acts on Money Laundering, the KPK is given the authority to investigate money laundering. This is expressly stated in Article 74, namely "the investigation of a crime of money laundering is carried out by an investigator of an original crime in accordance with the provisions of the procedural law and the provisions of the legislation, unless otherwise stipulated in this law". Likewise, the explanation of Article 74 which states what is meant by "investigators of criminal offenses" is officials from institutions which by law are given the authority to conduct investigations, namely the Republic of Indonesia National Police, Attorney's Office, Corruption Eradication Commission (KPK), National Narcotics Agency (BNN), as well as the Directorate General of Customs and Excise, Ministry of Finance of the Republic of Indonesia.

The original criminal investigator can carry out an investigation of the crime of money laundering if the preliminary evidence is found to be sufficient for the occurrence of the crime of money laundering when conducting an investigation of the original criminal act according to his authority. The KPK's authority to prosecute is not explicitly stated as the authority to carry out investigations, although this does not mean that the KPK has no authority to prosecute Money Laundering. In Article 51 paragraph (1) of Law No. 30 of 2002 concerning the Corruption Eradication Commission stated that the prosecutor is a public prosecutor at the Corruption Eradication Commission appointed and dismissed by the Corruption Eradication Commission (KPK). Article 38 Paragraph (1) also affirms the authority of the Corruption Eradication Commission, namely "all authorities relating to investigations, investigations and prosecutions as stipulated in Law No. 8 of 1981 concerning Criminal Procedure Laws also apply to investigators, investigators and public prosecutors at the Corruption Eradication Commission".

In Article 6 letter a of Law No. 46 of 2009 concerning Corruption Crimes Court also stipulates that "Corruption Criminal Court as referred to in Article 5 has the authority to examine, try and decide cases of money laundering that originate from corrupt acts" By accepting demands from the KPK prosecutor on corruption cases and TPPU, although it is not specifically regulated by the authority to prosecute the KPK, the Corruption Court is prohibited from rejecting the case as regulated in Article 10 paragraph (1) of Law Number 48 Year 2009 Regarding Judicial Power that: "The court is prohibited from refusing to examine, hear, and decide on a case. submitted under the pretext that the law does not exist or is unclear, but it is obligatory to examine and try it. "

In this article the corruption court has recognized the authority of the Corruption Eradication Commission (KPK) in prosecuting cases of money laundering (TPPU). Seen from an example of the case of Wa Ode Nurhayanti when the KPK prosecuted the DPR Budget Board. In this case the Corruption Eradication Commission (KPK) has the authority to prosecute money laundering criminal cases where the crime was originally a corruption. If based on the principle of simple justice, quick costs are low so if the investigation is united, then the Public Prosecutor can

cumulatively indict between the original criminal act and the crime of money laundering and submit it together to the court "(Effendy, 2012).

However, in practice there are a number of authorities held by the KPK that still experience a number of obstacles. For example, the KPK's authority to request information from banks or other financial institutions about the financial condition of a suspect or defendant under investigation experiences a number of obstacles. Fortunately, the Supreme Court issued fatwa No. KMA / 694/R.45/XII/2004 concerning granting health insurance to the KPK to be able to open banking secrets related to the case being handled. The Fatwa of the Supreme Court at the same time answered the letter of the Governor of Bank Indonesia No. 6/2 / GBI / DHk / Rahasia requesting legal considerations from the Supreme Court concerning the authority of the KPK that can override regulations on banking secrets.

Many consider that it is time for the KPK Law to be revised based on the spirit of improvement and accelerating corruption eradication. The polemic revision invited pros and cons to the anti-corruption public. They considered that the KPK's revision was aimed at weakening the KPK itself. However, the magnitude of the urge to reject the revision of the KPK Law did not discourage the government to revise the KPK Law.

In 2019, the KPK Law was revised and passed by the government. The revised KPK Law, namely Law No. 19 of 2019 on changes to Law No. 30 of 2002 concerning the Corruption Eradication Commission was repeatedly rejected by anti-corruption activists, academics, and the community because the preparation process did not involve the community and elements of the KPK leadership itself. The drafting of the KPK Law revision seemed to be rushed and forced to remember that the Indonesian Republic's term of office would end in 2019 and be replaced by a newly elected DPR RI member. The good intentions of the DPR RI to revise the KPK Law are questionable, the amendment to the law strengthens the KPK or actually weakens the KPK institution. When looking at some of the provisions contained in the KPK Law after being revised many people judge it actually weakens the KPK both from the aspect of prevention and action against criminal acts of corruption.

The KPK considers that there are 26 articles that have the potential to weaken the KPK's institutions in carrying out their duties. KPK Spokesman, Febri Diansyah said that the 26 points were considered to potentially weaken the KPK because it reduced a number of basic authorities in carrying out the task of eradicating corruption that had previously been owned by the KPK based on Law No. 30 of 2002. A number of points deemed to weaken the KPK include the existence of the KPK Supervisory Board, reduced investigative and prosecution authority and a number of technical procedures that are considered to complicate the prosecution process (Ramadhan, 2019).

There are several points which are considered controversy and it is suspected that many parties weakened the KPK institutions in carrying out the task of eradicating corruption in Indonesia, including:

#### **1. KPK is placed as a state institution under the executive branch.**

Before it was revised it was determined that the KPK was a state institution that in carrying out its duties and authorities was independent and free from the influence of any power. However, after the revision, it is

regulated that the KPK is a state institution within the executive power group which in carrying out its duties and authorities is independent and free from the influence of any power.

## **2. Position of KPK Staff.**

Before being revised, Article 1 paragraph 5 stipulates that KPK employees are recruited independently and become permanent employees. However, after being revised, KPK employees are the state civil apparatus (ASN) as referred to in the legislation concerning the state civil apparatus. That is, based on Article 1 Number 1 of Law No. 5 of 2014 concerning State Civil Apparatus determines that ASN consists of civil servants (PNS) and government employees with an employment agreement (PPPK). The age limit for civil servants is 35 years, whereas above that age, they are appointed as P3K. This means that most of the KPK employees who are permanent employees will become P3K, including independent investigators, such as the KPK senior investigator Novel Baswedan.

## **3. Tapping Authority.**

Before it was revised it was determined that in carrying out the tasks of investigation, investigation and prosecution as referred to in Article 6 Letter c, the Corruption Eradication Commission is authorized to: a. tapping and recording conversations. However, after being revised the wiretapping is regulated in Article 12B (1) which determines that the wiretapping as referred to in Article 12 Paragraph (1) is carried out after obtaining written permission from the Supervisory Board. (2) To obtain a permit as referred to in paragraph (1) is carried out based on a written request from the leadership of the Corruption Eradication Commission. (3) The Supervisory Board may give written permission to the request referred to in paragraph (2) no later than 1 x 24 (one time twenty-four) hours from the time the request is submitted. (4) In the event that the head of the Corruption Eradication Commission gets written permission from the Supervisory Board as referred to in paragraph (3), the wiretapping is carried out no later than 6 (six) months from the date written permission is received and can be extended 1 (one) time for the same period. Article 12C (1) determines that investigators and investigators report ongoing wiretapping as referred to in Article 12 Paragraph (1) to the leadership of the Corruption Eradication Commission on a regular basis. (2) Tapping as referred to in Article 12 Paragraph (1) which has been completed must be accountable to the leadership of the Corruption Eradication Commission and the Supervisory Board no later than 14 (fourteen) working days from the date the wiretapping was completed. Furthermore, Article 12D (1) determines that the results of wiretapping as referred to in Article 12 Paragraph (1) are confidential and only for the benefit of the judiciary in the Eradication of Corruption.

## **4. Termination of Investigation and Prosecution.**

Before being revised, Article 40 stipulates that the KPK is not authorized to issue warrants for investigations and prosecutions in corruption cases. However, after being revised, Article 40 stipulates that (1) the Corruption Eradication Commission has the authority to stop investigations and prosecutions of cases of Corruption Crimes for which investigations and prosecutions have not been completed within a maximum period of 1 (one) year; (2) The termination of an investigation and prosecution as referred to in paragraph (1) must be reported to the Supervisory Board no later than 1 (one) week from the issuance of the order to stop the investigation and



prosecution; (3) Termination of the investigation and prosecution as referred to in paragraph (1) must be announced by the Corruption Eradication Commission to the public; (4) The termination of the investigation and prosecution as referred to in paragraph (2) may be revoked by the Chairperson of the Corruption Eradication Commission if new evidence is found that can invalidate the reason for terminating the investigation and prosecution, or based on pretrial decisions as referred to in statutory regulations.

#### **5. KPK Investigators.**

In Article 45 prior to the revision, it was determined that the Investigator was the Investigator at the Corruption Eradication Commission appointed and dismissed by the Corruption Eradication Commission. However, after being revised the Corruption Eradication Commission Investigators can come from the National Police of the Republic of Indonesia, the Attorney General's Office of the Republic of Indonesia, investigators of civil servants who are given special authority by the Act, and investigators on the Corruption Eradication Commission.

#### **6. Establish a Board of Trustees.**

Article 37 prior to revision determines that as referred to in Article 36, an Advisory Team and employees assigned to the Corruption Eradication Commission are established. However, after being revised in CHAPTER V a Supervisory Board was formed. In Article 37A (1) it is determined that in order to oversee the implementation of the duties and authority of the Corruption Eradication Commission a Supervisory Board is formed as referred to in Article 21 Paragraph (1) Letter a. (2) The Supervisory Board as referred to in Paragraph (1) is a non-structural institution which in carrying out its duties and authorities is independent. (3) Members of the Supervisory Board are 5 (five) people. (4) Members of the Supervisory Board as referred to in paragraph (2) hold office for 4 (four) years and may be re-elected to the same office for only 1 (one) term of office.

Article 37B (1) The Supervisory Board is tasked with: a. supervise the implementation of the duties and authority of the Corruption Eradication Commission; b. give permission or not give permission for wiretapping, search and / or confiscation; c. compile and establish a code of ethics for the leadership and employees of the Corruption Eradication Commission; d. convening hearings to examine suspected violations of the code of ethics by the leaders and employees of the Corruption Eradication Commission; e. evaluating the performance of the leaders and employees of the Corruption Eradication Commission periodically 1 (one) time in 1 (one) year; and f. receive and follow up on reports from the public regarding the alleged violation of the code of ethics by the Chair and Employees of the Corruption Eradication Commission or violations of the provisions in this Law. (2) The Supervisory Board makes reports on the implementation of tasks periodically 1 (one) time in 1 (one) year. (3) The report referred to in paragraph (2) shall be submitted to the President of the Republic of Indonesia and the House of Representatives of the Republic of Indonesia.

Article 37D Conditions to become a member of the Supervisory Board g. a minimum age of 55 (fifty-five) years; h. least educated S1 (bachelor degree); i. preferably experienced as law enforcers for a minimum of 15 (fifteen) years; Article 37E (1) The Chairperson and Members of the Supervisory Board as referred to in Article 37A are elected by the House of Representatives of the Republic of Indonesia based on the nominees proposed by the

President of the Republic of Indonesia. (2) In appointing the chairman and members of the Supervisory Board as referred to in paragraph (1), the President of the Republic of Indonesia forms a selection committee. (3) The selection committee referred to in paragraph (2) consists of elements of the Central Government and elements of society.

Responding to the changes in the KPK Law, Padjadjaran University Professor Romli Atmasasmita believes that the revision of the KPK law is not a weakening form but an improvement to the corruption eradication strategy. The revision of the KPK Law to strengthen, and reinforce the direction of the corruption eradication strategy carried out by the KPK formed in the reform era. Establish a Supervisory Board body to keep investigators and KPK leaders working professionally in accordance with the spirit of eradicating corruption and existing legislation (Kementerian Hukum dan Hak Asasi Manusia RI, 2019).

Many other legal experts disagree with these views. If corruption in Indonesia is considered an extraordinary crime, then the method of overcoming the crime is carried out in extraordinary ways as well. Therefore, one of the efforts that must be done by the government is to strengthen the KPK by giving more and broader authority compared to other law enforcers. According to Rukmini, it must be understood that corruption in Indonesia is not the same as corruption in other countries. Corruption in Indonesia occurred so massively from the lowest levels of government to the highest levels of government, both in the executive, legislative and judicial circles. In addition, corruption in Indonesia does not only involve the government but also involves the Indonesian National Army, the Republic of Indonesia Police and the private sector. Therefore, many legal experts agree that corruption in Indonesia can be categorized as an extraordinary crime (Rukmini, 2010).

Eddy Hiariej said that corruption was classified as an extraordinary crime, not only because of the mode, systemic and organized, but corruption was categorized as an extraordinary crime because the consequences were parallel and damaged the entire life system of the nation and state both in economic, political, social- culture, and even to the moral and mental damage to society (Hiariej, 2012). When viewed from the aspect of victims (victims), the victims of corruption are the state and the people, because with the crime of corruption, the country's finances and economy are reduced and disrupted. More than that, the victims are economically weak or politically vulnerable people. Poor people become unable to make a decent living and their children cannot get a proper education (Alkostar, 2013).

Efforts to eradicate corruption carried out normally or conventionally have proven to be ineffective due to many obstacles. This is due to the fact that the corruption virus not only attacks the executive and legislative bodies, but also attacks the judiciary carried out by judges, prosecutors and the police as law enforcement institutions, therefore an extraordinary method of law enforcement is needed to eradicate corruption, one of which give extraordinary authority to the KPK as a special and independent institution in eradicating corruption (Sen, 1999). If the authority of the Corruption Eradication Commission is the same as that of other law enforcers both in terms of prevention and action, then it is better that the Corruption Eradication Commission be removed and the authority to eradicate corruption be returned to the Republic of Indonesia Police and Attorney General's institutions.

## IV. CONCLUSION

The handling of corruption in Indonesia cannot be done by ordinary measures by mobilizing existing law enforcement institutions. The entire potential of this country must be mobilized to eradicate corruption, because corruption in Indonesia is an extraordinary crime that is systematic, organized, transnational, and multidimensional. Therefore, the eradication of corruption must be in an extraordinary way (extraordinary measure), that is with progressive law enforcement and a strong passion to eradicate corruption. Therefore, the government established the Corruption Eradication Commission as a special institution that has broad authority in combating corruption in Indonesia.

In carrying out their duties, the KPK is often accused of committing human rights violations by carrying out legal actions that exceed the authority given by the law. Therefore, the authority of the existing KPK is limited by revising Act Number 30 of 2002 to Act Number 19 of 2019 concerning the Corruption Eradication Commission. Before Law No. 30/2002 on the Corruption Eradication Commission was revised, the KPK was a state institution that was independent and free. However, after revision the KPK is a state institution within the executive power cluster that is independent and free from the influence of any power. In addition, before the revision, the KPK has the authority to conduct wiretapping and record conversations, after the revised wiretapping is carried out after obtaining written permission from the Supervisory Board.

Before being revised, the KPK had no authority to issue a warrant to stop the investigation and prosecution in corruption cases. However, after being revised, the KPK has the authority to stop investigations and prosecutions of cases of Corruption Crime whose investigations and prosecutions have not been completed within a maximum period of 1 (one) year. In addition, prior to the revision, it was determined that the Investigator was an Investigator at the Corruption Eradication Commission appointed and dismissed by the Corruption Eradication Commission. However, after being revised by the Corruption Eradication Commission Investigators, they could come from the Indonesian National Police, the Attorney General's Office of the Republic of Indonesia, civil servant investigators who were given special authority by the Act, and Corruption Eradication Commission investigators.

KPK's authority which received much attention and criticism from anti-corruption activists and activists was the position and recruitment of KPK employees and the formation of the KPK Supervisory Board. Before being revised, KPK employees were recruited independently and became permanent employees. However, after being revised, KPK employees are the state civil apparatus (ASN) as referred to in the legislation concerning the state civil apparatus. In addition, before it was revised, the KPK only had an Advisory Team and employees on the Corruption Eradication Commission. However, after being revised, a Supervisory Board was formed.

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