

The Role of the Corruption Eradication Commission and Obstacles in Combating Corruption Crimes

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Abstract

Corruption is an extraordinary crime that has wide-ranging impacts on legal stability, the economy, and public trust. Law enforcement agencies play a strategic role in efforts to eradicate corruption through their functions of investigation, inquiry, prosecution, and execution of court decisions. However, in practice, these efforts face various complex challenges. The research problems in this study include: (a) how law enforcement agencies perform their role in combating corruption (b) what obstacles are encountered in its implementation. The research method used is normative juridical research with statutory and conceptual approaches. The results of the study indicate that law enforcement agencies have carried out their roles in accordance with the authority granted by law; however, they still face obstacles such as political intervention, weak integrity among law enforcement officials, limited resources, and low levels of coordination among law enforcement institutions. Therefore, it is necessary to strengthen independence, professionalism and an effective supervisory system.

Keywords: Law Enforcement Agencies; Corruption Eradication; Corruption Crime.

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Introduction

Corruption is a critical problem with far-reaching impacts, as it hampers the development process, damages social structures, and weakens public trust in state institutions. In Indonesia, corruption crimes have continued to develop and become deeply entrenched from the reform era to the present, thereby requiring comprehensive, consistent, and sustainable eradication strategies. To effectively combat corruption practices in Indonesia, law enforcement officers with high competence, strong integrity, a commitment to honesty, and professional conduct are required [1]. In this context, law enforcement institutions such as the police, the prosecution service, and the Corruption Eradication Commission hold a highly strategic position in enforcing the law and ensuring the realization of justice. Their responsibilities are not limited to taking action against perpetrators, but also include efforts in prevention, supervision, and public education. Moreover, synergy and coordination among law enforcement agencies are key factors in building a transparent, effective, and integrity-based legal system in order to achieve clean and accountable governance.

The role of law enforcement officials in efforts to eradicate corruption encompasses various strategic functions, ranging from the stages of investigation, inquiry, prosecution, to the implementation of an objective and fair judicial process, so that every perpetrator of corruption can be held accountable in accordance with the applicable laws and regulations. Therefore, the success of corruption eradication largely depends on the quality of law enforcement officials who possess adequate technical competence, uphold honesty and integrity, and carry out their duties professionally, in order to effectively uncover and handle corruption cases at all levels of government. Legal sanctions against perpetrators of corruption under Indonesia's positive law include imprisonment, fines, and the restitution of state losses, while from the perspective of Islamic law, perpetrators of corruption are subject to punishments that emphasize justice and the restoration of the rights of those who have been harmed [2].

Although various efforts have been undertaken, law enforcement against corruption crimes in Indonesia still faces a range of complex challenges. The law enforcement system has not yet functioned optimally due to weak coordination among law enforcement institutions, resulting in case handling that is often ineffective. In addition, political interest interventions affect the independence of law enforcement officials in processing corruption cases, particularly those involving government officials or political elites. The law enforcement system continues to face several challenges, such as ineffective inter-agency coordination, political influence, and public attitudes that tend to be permissive toward corruption. Consequently, corruption eradication requires a comprehensive approach through institutional reform, strengthening transparency and accountability, and fostering a better legal culture through education and public participation [3].

Another equally important factor is the persistence of a culture of tolerance toward corrupt practices within society, which results in low social pressure on perpetrators. These various obstacles contribute to delays in case resolution and the less-than-optimal eradication of corruption, both in major cases and in cases involving dimensions of power. Another challenge faced by law enforcement officials is public distrust of the legal system and the integrity of law enforcement institutions. Low public trust makes people reluctant to report corruption cases or to actively participate in the anti-corruption process. This ultimately narrows the space for public participation as a form of social oversight in curbing corrupt practices. In addition, the enforcement of anti-corruption laws is also influenced by the technical capacity of law enforcement officials themselves.

In addition to institutional factors, the effectiveness of law enforcement against corruption crimes is also strongly influenced by the technical capabilities of law enforcement officials. In complex cases, such as money laundering derived from corruption, law enforcement officers often face difficulties in proving the offense and in tracing and recovering criminal assets that are concealed through various methods, including across regions or through overseas bank accounts [4]. Limitations in the use of supporting technologies and the shortage of human

resources with specialized expertise also constitute serious obstacles, resulting in the handling of corruption cases not yet being carried out optimally.

The Corruption Eradication Commission (Komisi Pemberantasan Korupsi/KPK), as an independent institution, plays a highly strategic role in efforts to eradicate corruption in Indonesia, particularly in handling cases involving public officials and law enforcement personnel. The Corruption Eradication Commission is endowed with broad authority in investigation and prosecution, yet it continues to face various challenges, including limitations in public outreach and inter-agency cooperation [5]. With its extensive powers to conduct inquiry, investigation, and prosecution, the KPK is expected to serve as the frontline institution in enforcing the law firmly and fairly. Nevertheless, in practice, the KPK still encounters numerous challenges, especially with regard to the effectiveness of its prevention strategies and coordination with other law enforcement agencies. This condition demonstrates that corruption eradication cannot be carried out in a partial manner, but rather requires cross-sectoral support, shared commitment, and strong inter-agency synergy to create an effective and sustainable anticorruption system.

Therefore, the eradication of corruption crimes requires strategies that do not focus solely on law enforcement measures, but also on reforming the legal system, enhancing the capacity and integrity of law enforcement officials, and empowering broad public participation. A strong legal system accompanied by consistent enforcement will be able to strengthen public trust and effectively suppress corrupt practices. Accordingly, the researcher formulates the following research questions: (a) What is the role of the Corruption Eradication Commission in combating corruption crimes? (b) What obstacles are faced by the Corruption Eradication Commission in eradicating corruption crimes? Understanding the various challenges encountered by law enforcement officials in combating corruption is essential in order to identify appropriate and sustainable solutions.

Research Methodology

This study employs a normative juridical legal research method with a statutory approach, a conceptual approach, and a case approach. The research aims to analyze the role of law enforcement officials as well as the obstacles they face in eradicating corruption crimes. The data used consist of secondary data, comprising primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include the Law on the Eradication of Corruption Crimes, the Criminal Procedure Code, as well as regulations related to the authority of law enforcement agencies such as the police, the prosecution service, and the Corruption Eradication Commission. Secondary legal materials consist of books, scientific journals, research findings, and the opinions of legal scholars relevant to the research topic. Data collection was conducted through library research, while data analysis was carried out qualitatively using a descriptive-analytical method to obtain systematic and comprehensive conclusions.

Results The Role of the Corruption Eradication Commission in Combating Corruption Crimes

Law enforcement officials hold a highly strategic position in efforts to eradicate corruption crimes, as they are the institutions granted the authority to trace, process, and hold accountable corrupt acts through legal mechanisms. These responsibilities encompass the stages of inquiry and investigation, the conduct of prosecution, as well as the examination and adjudication of cases in court. The entire series of duties must be carried out professionally, independently, and in accordance with applicable law. The primary juridical basis for law enforcement officials in handling corruption cases is Law Number 31 of 1999 on the Eradication of Corruption Crimes, which was subsequently amended by Law Number 20 of 2001. Law Number 20 of 2001 on the Eradication of Corruption Crimes has faced various issues, including

legal challenges to the authority of anti-corruption institutions, the lack of attention from the legislative body in discussing related draft legislation, and the elimination of the concept of substantive unlawfulness in corruption cases by the Constitutional Court [6]. These regulations provide a clear and firm legal framework for taking action against any corrupt acts that cause losses to state finances. Prosecutors play a dominant role in the eradication of corruption, both as investigators and as public prosecutors, resulting in corruption cases being largely handled through criminal law mechanisms. However, there remains ongoing debate regarding the authority of prosecutors to act as investigators in corruption crimes, a debate that has existed since the enactment of the Criminal Code and has continued through the period prior to the establishment of the Corruption Eradication Commission (KPK) up to the present day [7].

Law enforcement in the eradication of corruption crimes is not the responsibility of a single institution, but rather requires synergy among law enforcement agencies such as the Police, the Prosecutor's Office, and the Corruption Eradication Commission (KPK). The KPK was established as a special institution vested with the authority to conduct inquiry, investigation, and prosecution of corruption cases, while also functioning to coordinate interagency efforts in order to enhance the effectiveness of corruption case handling [8]. The Corruption Eradication Commission (Komisi Pemberantasan Korupsi/KPK) was established as an independent state institution tasked specifically with eradicating corruption in Indonesia pursuant to Law Number 30 of 2002 on the Corruption Eradication Commission, which was later amended by Law Number 19 of 2019 [9]. This law was enacted to address the weaknesses of conventional law enforcement institutions, such as the police and the prosecution service, in tackling corruption as an extraordinary crime. The legal basis for the establishment of the KPK is explicitly stated in the KPK Law, which provides that the institution was formed to enhance the effectiveness and efficiency of corruption eradication efforts and to operate independently, free from the influence of any form of power.

One of the main roles of the KPK is to carry out corruption prevention measures. The KPK undertakes prevention efforts through, among others, the formulation of anti-corruption strategies, public policy advocacy, anti-corruption education, and reporting systems that promote transparency in government. This is emphasized in Article 6 of the KPK Law, which states that the KPK is tasked with implementing preventive measures to ensure that corruption crimes do not occur [10]. In an article by Sosiawan, it is explained that prevention is critically important because corruption is a highly systematic crime that requires an extraordinary approach [11].

One of the strengths of the KPK that distinguishes it from other institutions is its authority to independently conduct inquiry, investigation, and prosecution of corruption crimes. Based on the KPK Law, the institution is vested with authority over three key aspects of criminal procedural law, namely securing evidence, determining suspects, and bringing cases before the court. In addition to carrying out the function of law enforcement, the Corruption Eradication Commission (KPK) also has a strategic role in monitoring the administration of government to prevent corrupt practices. This task includes supervision of the state administrative system, local governance, and the quality of public services. Through this supervision, the KPK seeks to identify and improve gaps or weaknesses in the system that have the potential to be abused by irresponsible parties. This role emphasizes that efforts to eradicate corruption do not only focus on handling cases after they occur, but are also directed at improving the system as a whole so that it is preventive, sustainable, and able to prevent corruption from the early stages.

The role of the Corruption Eradication Commission (KPK) continues to hold a highly important position within Indonesia's legal system. Efforts to eradicate corruption will be more effective when supported by strong cooperation between the KPK and other law enforcement agencies, as well as active participation from civil society. Public involvement through reporting and oversight mechanisms further strengthens the preventive measures implemented by the KPK. Such synergy not only enhances the effectiveness of corruption case handling but also

contributes to maintaining transparency, accountability, and public trust in law enforcement and governance.

Obstacles Faced by the Corruption Eradication Commission in Combating Corruption Crimes

The efforts to eradicate corruption carried out by the Corruption Eradication Commission (KPK) cannot be separated from various structural and institutional obstacles that affect its performance. One of the most significant challenges is the overlapping of authority among law enforcement agencies. This condition often causes coordination between the KPK, the police, and the prosecution service to function less effectively. Moreover, differences in authority have the potential to trigger conflicts of interest and disputes in the handling and enforcement of corruption cases. Ultimately, this weakens the consistency and speed of case handling. The Corruption Eradication Commission faces various obstacles in combating corruption, including law enforcement barriers, internal and external conflicts, overlapping authority among law enforcement agencies, indications of institutional weakening through revisions to the KPK Law, political interest intervention, and the still low level of public participation in efforts to prevent and eradicate corruption crimes [12]. In addition, political intervention constitutes a serious obstacle to the performance of the KPK. Pressure from political elites and holders of power often arises when the KPK handles corruption cases involving high-ranking state officials. In international legal studies, it is noted that political pressure can limit the operational space of anti-corruption institutions and reduce their independence in taking action against strategic cases [13].

Another obstacle is regulatory changes that are considered to have weakened the authority of the KPK, particularly following the revision of the KPK Law. These regulatory changes have resulted in a reduction of the KPK's authority in conducting wiretapping and prosecution, thereby hindering the effectiveness of the KPK's work in uncovering corruption crimes in a swift and comprehensive manner [14]. The Corruption Eradication Commission also faces obstacles in the form of limited human resources. The number of investigators and prosecutors is not proportional to the large volume of reported corruption cases, causing the case-handling process to proceed more slowly. Research by Randongkir et al. indicates that limitations in human resources and funding constitute significant internal factors that hinder the optimization of the KPK's performance. Therefore, the KPK must continue to adapt to contemporary social, political, and economic dynamics in order to achieve its objectives more effectively [15].

In addition to internal factors, resistance from corruption networks also constitutes a major challenge. Strong and well-organized corruption networks often employ various strategies to obstruct legal processes, including repeated legal maneuvers and the creation of negative public opinion against the KPK. International studies emphasize that resistance from elites and corruption networks is a common challenge faced by anti-corruption institutions in developing countries.

Another obstacle in efforts to eradicate corruption is the still weak synergy among state institutions, particularly in the area of prevention. The working relationships between the Corruption Eradication Commission (KPK) and various government institutions have not been optimally integrated, causing anti-corruption prevention policies to be implemented neither comprehensively nor sustainably. As a result, the preventive measures that have been designed often operate in a partial manner and lack mutual support. Insufficient inter-agency coordination has a direct impact on the low effectiveness of the national corruption prevention system, making the goal of building clean and good governance difficult to achieve to its fullest extent.

In general, the various obstacles faced by the Corruption Eradication Commission in efforts to combat corruption crimes stem from legal, political, institutional, and resource-related aspects. This condition indicates that the success of corruption eradication cannot rely solely on

the strength of legal authority. It also requires genuine political support, a stable and noncontradictory regulatory framework, and a shared commitment among state institutions. In addition, active public involvement is a crucial factor to ensure that anti-corruption efforts can be carried out effectively, in an integrated manner, and sustainably over the long term.

Conclusion

The conclusion provides an answer to the problem raised in the introduction. In scientific articles on research results, what is meant by conclusion is a formulation or answer to a research question based on the results of the research presented in a concise manner. The conclusion is presented in the form of paragraphs. In the scientific article of the study results, the conclusions are formulated based on the results of the problem-solving analysis. The conclusion is presented in the form of paragraphs. At the end of the conclusion, it is necessary to write the implications and development of the findings. The Corruption Eradication Commission (Komisi Pemberantasan Korupsi/KPK) plays a strategic role in combating corruption crimes through professional, independent, and law-based enforcement.

These efforts require synergy among the Police, the Prosecutor's Office, and the KPK as a special institution authorized to carry out prevention, enforcement, and oversight. The role of the KPK is crucial in strengthening the effectiveness of corruption eradication in a systematic, preventive, and sustainable manner. However, corruption eradication efforts undertaken by the KPK continue to face numerous obstacles, such as overlapping authority, pressure from those in power, regulatory changes that weaken the KPK's role, limited personnel, and a lack of interagency cooperation. These conditions are further exacerbated by resistance from corruption perpetrators and low levels of public participation, resulting in corruption eradication efforts that have not yet operated optimally. The effectiveness of corruption eradication is highly dependent on strengthening the independence of the KPK, clarifying its authority, and enhancing synergy among law enforcement agencies. This study emphasizes the need for regulatory reform, increased institutional capacity, and support for public participation so that anti-corruption efforts can be carried out more optimally and sustainably.

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