Scientific Research Publishing

Beijing Law Review, 2023, 14, 1954-1984
https://www.scirp.org/journal/blr
ISSN Online: 2159-4635
ISSN Print: 2159-4627

Law as Commander in Chief in the Era of Reform in Indonesia: A Critical Study of Corruption Prevention and Enforcement

Hasbullah Hasbullah

Faculty of Law, Universitas Pancasila, Jakarta, Indonesia
Email: hasbullah@univpancasila.ac.id

How to cite this paper: Hasbullah, H. (2023). Law as Commander in Chief in the Era of Reform in Indonesia: A Critical Study of Corruption Prevention and Enforcement. *Beijing Law Review, 14,* 1954-1984.
https://doi.org/10.4236/blr.2023.144108

Received: October 30, 2023
Accepted: December 5, 2023
Published: December 8, 2023

Copyright © 2023 by author(s) and Scientific Research Publishing Inc.
This work is licensed under the Creative Commons Attribution-NonCommercial International License (CC BY-NC 4.0).
http://creativecommons.org/licenses/by-nc/4.0/

Open Access

Abstract

This research aims to investigate and critically analyze the issue of corruption which tends to increase in the reform era. From the various cases that occurred, corruption was carried out by unscrupulous officials in various institutions in Indonesia, legislative institutions, executive institutions, judicial institutions and law enforcement institutions. The research method used is normative law, examining library materials or secondary data originating from primary legal materials in the form of scientific contributions published in academic research databases. The findings of this research conclude that extraordinary efforts are needed to answer various legal problems related to cases of criminal acts of corruption, including prevention and legal action through strategies to improve organizational culture. The organizational culture in question is implementing good government/organizational governance, including accountability, integrity, progressive and professionalism in law enforcement agencies. It is hoped that this can start from the recruitment and education/training process, covering aspects of attitudes, values and correct perspective in carrying out the task of enforcing the law for the sake of realizing social justice and legal reform in the Indonesian legal system is a necessity. It is hoped that this scientific contribution will be used by the government, legislature and other stakeholders to minimize the problem of rampant corruption committed by unscrupulous officials from various institutions in Indonesia.

Keywords

The Era of Reform, Corruption, Unscrupulous Officials, Good Governance, Law as Commander in Chief, Indonesia

1. Introduction

At this time, the hottest issue regarding law that has emerged is that corruption cases tend to increase in the Reformation era in Indonesia, especially by individuals from legislative institutions, executive institutions, judicial institutions, and individual law enforcement agencies. According to Rahman (2022), corruption carried out by individuals from various institutions occurs both at the central government ministry/institution level and also at the provincial government and district/city government levels. The perpetrators of corruption are employees or government officials who occupy strategic positions (Pusat Edukasi Antikorupsi, 2022a). For example, the detention of the secretary of the Supreme Court (*Mahkamah Agung* or MA) of the Republic of Indonesia, Hasbi Hasan by the Corruption Eradication Commission, who is suspected of being involved in handling civil or criminal causation cases related to the Intidana Savings and Loans Cooperative, and also previously the former secretary of the Supreme Court, Nurhadi, in 2020 was sentenced to 6 (six) years in prison because he was revealed to have received a bribe of Rp. 49 billion for processing cases at the Supreme Court (Kompas, 2023: p. 13).

The general situation of corruption in Indonesia can be seen starting from policies that are not pro the anti-corruption agenda, not implementing the principles of good governance, widespread conflicts of interest, transnational politics, to the use of legal instruments as a tool to repress critical voices (Indonesia Corruption Watch, 2023). According to Indonesia Corruption Watch (2023), the government cannot guarantee a safe space for public participation, including: 1) The potential for drafting legal instruments that are not participatory, transparent and accountable can be used as a tool by the state to justify a crime, especially when the regulations do not prioritize the public interest; and 2) From these regulations, allegations of abuse of power and corruption that arise will be normalized as if these actions were normal because the provisions already exist in statutory regulations. Therefore, there is a need to consolidate community movements to strengthen check and balance mechanisms so that government governance can run ideally. Corruption in Indonesia is considered to be approaching its absolute lowest point both at the local and global levels because it has involved unscrupulous Supreme Court (MA) secretaries in the form of bribery cases that occurred at the Supreme Court (MA) related to efforts to influence causation decisions (Wahyu, 2023). The incident involving the arrest of the secretary of the Supreme Court, which is essentially a law enforcement agency which is expected to be the last line of defense seeking justice in Indonesia, has been injured by the unscrupulous secretary of the Supreme Court.

This is an indication that more extraordinary efforts are needed in handling corruption in Indonesia (Rahman, 2022). This is increasingly confirmed by the results of a survey, namely the Corruption Perception Index or CPI (*Indeks Persepsi Korupsi* or IPK) released by Transparency International. The IPK has

ranked 180 countries in the world based on the level of public perception or opinion regarding corruption that occurs in public and political positions (Pusat Edukasi Antikorupsi, 2022b). According to Transparency International in Takeprofit.org (2023), the CPI (IPK) in Indonesia will fall to 34 index points in 2022, namely to a maximum level of 40 index points and a minimum of 17 index points. The CPI (IPK) uses a scale of 0 (high corruption) to 100 (low corruption), and the higher the perceived value of corruption in a country means the lower the corruption that occurs in that country (Pusat Edukasi Antikorupsi, 2022c). In this context, legal reform and law enforcement in Indonesia has become a very important and strategic agenda so that extraordinary efforts are needed to minimize the problem of rampant corruption, namely realizing the law as commander in chief. Cicero in Soekanto (1986) states that where there is society there is the law (*Ubi Societas Ibi Ius*). This statement implies that the law functions as a rule or norm in society. The law should be used as a barometer regarding behavior that is considered appropriate, especially related to corrupt behavior.

Scholarly Community Encyclopedia (2023) defines law as a system of rules created and enforced through social institutions or government to regulate behaviour related to handling crime, business agreements and social relations (Collins Dictionaries, 2023). The rule of law will have great and valuable instrumental value if and to the extent that the legal system is used to achieve morally valuable goals (Murphy, 2005). According to Fuller (1969) in Murphy (2005) Laws must be general, specifying rules prohibiting or permitting behaviour of certain kinds as follows: (1) Laws must be widely promulgated, or publicly accessible; (2) Laws must be clear, citizens should be able to identify what the laws prohibit, permit, or require. Laws must be non-contradictory; (3) Laws must not ask the impossible, and Nor should laws change frequently; the demands laws make on citizens should remain relatively constant; and (4) Finally, there should be congruence between what written statutes declare and how officials enforce those statutes. In this context, the national legal system paradigm is needed to reform the national and state order in order to realize good governance, and this should be encouraged, which is the essence of the birth of reform in Indonesia. Reformation in Indonesia began in 1998, to be precise on May 21 1998 which was marked by a national event led by students on all campuses in various regions in Indonesia regarding the multidimensional crisis which was the main reason (Museum Kepresidenan, 2020). Indonesia's multidimensional crisis occurred triggered by economic difficulties, social pressure and political instability (Huxley, 2002). At the start of reform in 1998, a replacement of national leadership was inevitable. President Soeharto resigned after being in power from 1967 to 1998 and was replaced by the vice president at that time, B. J. Habibie (Andryanto, 2022). The echoes of reform that were being hammered at first resounded throughout the country but gradually tended to become more dim and discordant over a period of 25 years. This condition is increasingly exacerbated by the rise in corruption cases like mushrooms in the rainy season.

Legal problems in Indonesia in the reform era have become very counterproductive, one of which is the problem of corruption which has caused misery to the Indonesian people (Wijaya et al., 2013: p. 3). Corruption is a serious obstacle to Indonesia's development and eradicating corruption has become a top priority in the reform era (UNODC, 2023). Cases of criminal acts of corruption that occur in Indonesia have implications for reducing public trust in public institutions (The Department for International Development, 2015). What is even more ironic is that legal problems related to criminal acts of corruption in the reform era in Indonesia were carried out by unscrupulous leaders, both from the executive, legislative and judiciary. This proves that the mindset of the leaders involved in legal cases related to criminal acts of corruption has deviated far from the goals of reform. Some of the problems related to criminal acts of corruption in Indonesia are carried out by unscrupulous leaders both in the legislative branch, in the executive branch and in the judiciary as follows:

1) The number of legislative members involved in corruption cases, the People's Representative Council of the Republic of Indonesia (DPR RI), and the Regional People's Representative Council (DPRD) is 319 people (Ni'am, 2022).

2) 79 employees of ministries/non-ministerial government agencies/state agencies, 14 heads of non-ministerial government agencies/state agencies, and 14 officials of state-owned enterprises (BUMN) (Santika, 2023), and throughout 2010-June 2018 no less than 163 mayors and regents and their deputies, as well as 23 governors, have been named as corruption suspects by law enforcement officials (Zabar, 2022; Ni'am, 2022) and based on data from the Era of President Megawati to the Era of President Jokowi there are 13 (thirteen) Ministers involved in corruption cases (Putri, 2023a; Restu, 2023).

3) Judges and judicial officers are also often arrested by the Corruption Eradication Commission (KPK) for being involved in corruption (Ministry of Law and Human Rights of the Republic of Indonesia, Directorate General of Legislation, 2023). Then, throughout 2022, the Supreme Court of the Republic of Indonesia imposed heavy and light sanctions on 271 judges and court officials (Kompas, 2023). Meanwhile, other law enforcers involved in legal matters involving corruption include 16 lawyers, 11 prosecutors and 4 police officers (Ni'am, 2022).

Based on these various descriptions, it can be interpreted that the reform era has been harmed by unscrupulous leaders and also by law enforcers with unlawful behaviour in the form of criminal acts of corruption. This indication is reinforced by the results of the Transparency International survey which shows that in Indonesia in 2022 the CPI (IPK) scale will still be high, namely from 38 points to 34 points. Then efforts to enforce anti-corruption laws which carry a maximum penalty of imprisonment and courts immediately confiscate assets for public officials at all levels of government who are legally proven to have received gratuities, all of which are strictly enforced. Therefore, it is hoped that legal reform and law enforcement efforts in the context of the Indonesian legal

system will be carried out consistently and continuously in line with developments in science and technology in the 4.0 era. The legal system in question is a law that is structured according to a pattern which aims to help understand the social rules that form the legal system.

Thus, extraordinary efforts are needed to answer various legal problems related to corruption cases committed by individual leaders and law enforcement officers in Indonesia. This is very important to answer through prevention, enforcement and legal reform efforts in the Indonesian legal system. Therefore, the executive, legislature and judiciary are expected to be able to build a culture of openness and transparency based on digital services and artificial intelligence. This is very important to realize good state governance through internal and external control systems, as well as encouraging the involvement of civil society in preventing and eradicating corruption in the Indonesian legal system. This article is entitled: "*Law as Commander in Chief in the Era of Reform in Indonesia: A Critical Study of Corruption Prevention and Action*". The researcher tries to emphasize the formulation of this research problem as follows: 1) How is the review of the legal system in Indonesia?; 2) What and how are the legal challenges in Indonesia?; and 3) How to realize the law as a commander in the reform era in Indonesia. This article sequentially discusses the legal system in Indonesia, legal challenges in Indonesia, and the law as commander in chief in Indonesia. Furthermore, this article ends with conclusions and suggestions as described in Figure 1.

2. Literature Review

According to Thomas Aquinas in Suramin (2021), law based on iustum (justice) is a product of absolute reason, and iustitia legal (legal justice) refers to obedience to the law. Laws determine what people, businesses and government organizations are allowed to do (Devadiya, 2022). According to Devadiya (2022),

Figure 1. Realizing law as commander in chief in the reform era in Indonesia: prevention and enforcement of corruption crimes.

law based on justice is the basis of all laws, and the enforcement of national laws that are fair and equitable must be a common goal for all governments including equality of rights, justice, goodness, dignity, morality and ethics. Welianto (2020) states Law is a system composed of a number of parts, each of which is also a system called a subsystem. Law as a social system structure is based on congruent generalizations of normative behavioural expectations (Mattheis, 2012). According to Mattheis (2012), law is differentiated and self-determined operationally and normative closed, there is passivization of law, which means that law is determined by the law itself and not by political arbitrariness. Meanwhile, the law as a system is where the law contains rules about civil behavior determined by the highest power in a country, commanding what is right and prohibiting what is wrong (Blackstone, 1847) based on legal norms to establish standards of behaviour (Zenon, 2023), and sources and grounds must be adhered to (Sihombing, 2016).

Then, what is meant by legal norms are applicable standards, rules or guidelines (Nandy, 2021a) made by state authorities whose contents are binding on everyone and whose implementation can be maintained with all coercion by state instruments (Deliarnoor, 2020). According to Cejie (2022), the law is used as a tool to limit not only individuals but also institutions and governments, and everyone is considered equal before the law, and legal codes and processes must be disclosed to the public. Therefore, the rule of law requires that legal norms provide legal certainty, and justice, and play an important role determined by the legislative body (Cohubicol, 2019). According to Article 20A of the 1945 Constitution, the People's Representative Council (DPR) holds the highest power to form legislation. In other words, the DPR as a legislative institution has the highest power and authority to form laws that have been discussed with the President (Nandy, 2021b). Primary legislation is formed and ratified by the legislative body (The National Archives, 2011) which contains binding, direct and additional relationships, rights and obligations and is made based on the freedom of the state to carry out reasonable objectives in a reasonable manner (Bigelow et al., 1905).

Murphy (2005) states that the rule of law limits the use of power illegally or outside the law as follows: 1) When a society governs by law, there are clear rules that articulate appropriate behavior for citizens and officials; 2) Such rules ideally determine the particular contours that political relations will take; and 3) When the requirements of the rule of law are respected, the political relations structured by the legal system constitutionally express the moral values of reciprocity and respect for autonomy. Referring to this view, the moral values of the Indonesian legal system can be interpreted as existing in the fourth paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia. According to the fourth paragraph of the Preamble to the 1945 Constitution, the State of the Republic of Indonesia is the sovereignty of the people based on one Almighty God, just and civilized humanity, Indonesian unity and democracy, guided by

wisdom in deliberation/representation, and by realizing social justice for all people of Indonesia. In this case, the fourth paragraph of the 1945 Constitution can be interpreted as a source of legal and moral ideals, a source of motivation and inspiration for struggle and determination to be upheld by the Indonesian people, both at the national and international levels.

3. Materials and Methodology

The research method used in this research is normative law, legal research carried out by examining library materials (Hammer, 2016), and/or secondary data (Soekanto & Mamuji, 2013: p. 13). The type of data used is secondary data originating from primary legal materials and secondary legal materials. Primary legal materials, namely legal materials consisting of statutory regulations. These include statutory regulations such as the 1945 Constitution of Indonesia, Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission and its implementing regulations. Meanwhile, secondary legal materials, namely legal materials consisting of books, legal journals, opinions of scholars (doctrine), legal cases, jurisprudence, and the results of recent symposiums, which relate to research problems (Ibrahim, 2006). Data was obtained through literature study, including through internet searches (online research). The data analysis technique used is by reducing, classifying and analyzing it juridically in order to interpret the legal position and function as commander in the system of national and state life in the reform era in Indonesia, with a qualitative approach (Erwinsyahbana & dan Ramlan, 2017).

4. Discussion

4.1. Overview of the Legal System in Indonesia

The legal system in a country (*ius constitutum*) cannot be separated from the legal history and culture of a nation due to the existence of a legal basis in the present and future which forms the legal system of the country (Martitah, 2013). The legal system is defined as a set of attitudes that are deeply rooted and historically conditioned regarding the nature of law, legal rules in society and political ideology, organization and implementation of the legal system (Aditya & dan Yulistyaputri, 2019). Referring to various literature's related to the history of the system, the legal system that applied in the archipelago (Indonesia) before the Dutch East Indies colonial rule which began in the 16th century was the customary law system. At that time, indigenous kingdoms ruled the archipelago independently and had their own customary legal systems (Putri, 2023b). Customary law (*adatrecht*) was used scientifically for the first time in 1893 to name the law that applied to indigenous groups (original Indonesian citizens) which did not originate from the legislation of the Dutch East Indies Government (Henry Arianto & dan Lisasih, n.d.).

Customary law is the law that is built through tradition, generally in an un-

written form that applies in society and is implemented and obeyed by the people (the living law) without having to go through a formal promulgation procedure (Harijati et al., 2018). Putri (2023b) states that the customary law system has characteristics, including: 1) The customary law system applies separately according to the territory of each kingdom, and 2) The customary law system, both written and unwritten, is a traditional rule in the form of norms. According to Situmeang (2023), customary crimes that are still adhered to Indonesian society and can not be separated from each other, because where there is a society there is a law. The law talks about mistakes, legal accountability and sanctions that must be enforced for the sake of upholding the law itself (Situmeang, 2023). According to van Vollenhoven in Harijati et al. (2018), the uniqueness or specializes of customary law, including the customary law of life, growth and development that is internalized and implemented by the Indonesian people, is a set of regulations whose form is not written in regulations or statutory law. Customary law can function to regulate behavior, social life, and determine and bind because it has sanctions (Harijati et al., 2018).

The application of customary law is the provisions of article 6 of the Basic Agrarian Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles (*Undang-Undang Pokok Agraria Nomor 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria* or UUPA No. 5/1960), which states that the agrarian law that applies to earth, water and space is customary law, as long as it does not conflict with national and state interests, which are based on national unity, with Indonesian socialism and with the regulations contained in this law and with other laws and regulations, everything by paying attention to elements based on religious law According to Putri (2023b), the history of the Indonesian legal system is as follows:

1) The period of Dutch colonial rule—Indonesian law is based on the 1915 *Wetboek van Strafrecht voor Nederlandsch-Indie* which is a change and adjustment from the 1881 Wetboek van Strafrecht voor Nederlandsch-Indie, and this *Wetboek van Strafrecht voor Nederlandsch-Indie* 1915 is declared to apply throughout the Dutch East Indies starting January 1, 1918 based on the announcement of the King of the Netherlands on 15 October 1915, and since then Indonesia as a Dutch East Indies colonial colony has implemented the Dutch Criminal Code (*Kitab Undang-Undang Hukum Pidana* or KUHPidana);

2) Japanese Army Occupation Period—The Japanese army entered the Dutch East Indies territory on March 8, 1942, replacing the Dutch occupation of Indonesia, and lasted approximately three years, the Japanese colonization had little effect on the rules of criminal law in Indonesia. However, the Japanese military government issued *Osamu Seirei* Number 1 of 1942, and Article 3 of this regulation stated that all government bodies and their powers, laws and regulations from the previous government were still recognized as valid for the time being, as long as they did not conflict with the military government. In this case, *the Wetboek van Strafrecht voor Nederlandsch-Indie* 1915 legacy from the Netherlands still applies in addition to the criminal regulations of the Japanese gov-

ernment; And;

3) Period of Indonesian independence—On August 18, 1945, the Indonesian government enacted the 1945 Constitution (*Undang-Undang Dasar Tahun 1945* or UUD 1945) as the highest source of law. According to Article II of the Transitional Rules of the 1945 Constitution, regulates that all existing state bodies and regulations are still in effect, as long as new ones have not been implemented then the 1915 *Wetboek van Strafrecht voor Nederlandsch-Indie* and Japanese government regulations are declared to still be in effect. Then, on 26 February, 1946, the Indonesian government issued Law Number 1 of 1946 concerning Criminal Law Regulations (UU No. 1/1946), among other things regulating the following: 1) Revoking the enactment of the criminal law issued by the Japanese government; 2) Revoke all criminal law regulations issued by the Supreme Commander of the Dutch East Indies Army. The criminal law regulations that apply in Indonesia are regulations issued by the Dutch East Indies government in 1915; 3) Changing the name *Wetboek van Strafrecht voor Nederlandsch-Indie to Wetboek van Strafrecht*, and subsequently translating into the Criminal Code (KUHPidana); 4) Revoke or amend several articles of the Criminal Code; 5) Containing several new criminal acts; and 6) Determine that this Law applies to the islands of Java and Madura starting from 26 February 1946.

According to Welianto (2020), the legal system in Indonesia adheres to the Continental European legal system or Civil Law. Referring to the history and politics of law, legal sources and law enforcement systems, the Civil Law system has the following characteristics: 1) Derived from the codification of law in force in the Roman empire during the reign of Emperor Justinian; 2) *Corpus Juris Civilis*, a collection of various legal rules that existed before Justinian's time, was used as a basic principle in the formulation and codification of law in European countries; 3) He main principle is that the law has binding force. Because it is a regulation in the form of a law which is arranged systematically in codification; 4) The aim of law is legal certainty, and the famous adage, there is no law other than statute; 5) Judges are not free to create new laws. Because judges only apply and interpret existing regulations based on the authority they have. The judge's decision is not generally binding but only binding on the parties involved; 6) The main source of law is laws established by the legislative body; and 7) Initially law was only classified into two, namely public law (constitutional law, state administrative law, criminal law) and private law (civil law and commercial law).

As time goes by, the formation of applicable laws and regulations related to the Indonesian legal system is influenced by the customary law system and the Islamic law system and there are sub-systems of civil law, criminal law and constitutional law (Welianto, 2020). This view is in line with Aditya and dan Yulistyaputri (2019) who state that as a legal state, Indonesia adheres to three legal systems that live and develop in society, namely the Civil Law system, the customary law system and the Islamic legal system, where these three legal systems complement each other, harmonious and romantic as described in **Figure 2** as follows.

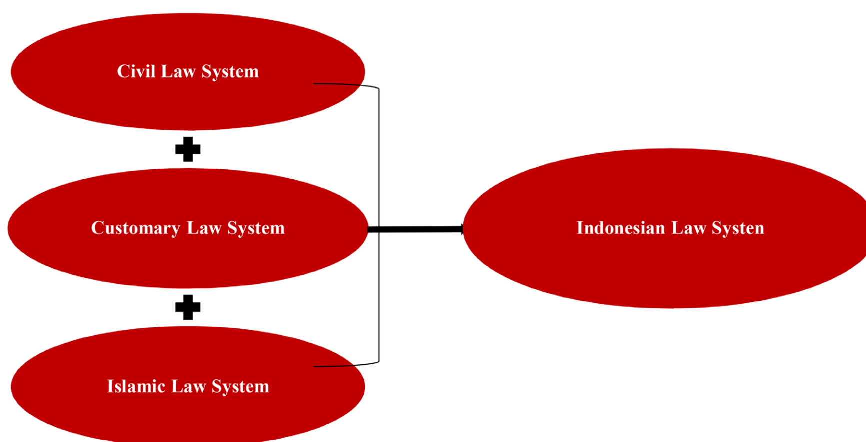

Figure 2. Indonesian legal system.

Referring to **Figure 1**, the influence of civil law in the Indonesian legal system is that it prioritizes written law in its legal systematic which is a legacy of Roman tradition. Meanwhile, the influence of customary law which originates from traditional values and is born from the customary needs of the Indonesian people in the Indonesian legal system is regulated in the 1945 Constitution. According to Article 18B paragraph (2) of the 1945 Constitution, the state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated in law. Customary law is used to resolve disputes in society while Islamic law resolves conflicts between Muslims at the personal level and family problems (Cammack & Feener, 2012).

According to Rafiq (2000), Islamic law is regulations taken from revelation and formulated in four products of legal thought (fiqh, fatwa, court decisions, and laws) which are guided and enforced by Muslims in Indonesia. The influence of Islamic law originates from divine revelation which prioritizes religious moral values. In the Indonesian legal system, the influence of Islamic law is reflected in various regulations, including Islamic civil law, for example, marriage law and inheritance law. According to Samin (2008), Islam provides guidance regarding the rules for acquiring property, carried out in moral ways and in accordance with Islamic law as follows: 1) Do not cheat, do not use usury, do not betray; 2) Do not embezzle other people's property; and 3) No stealing, no cheating in measures and scales, no corruption, and so on according to Murphy (2005), legal rules establish a series of requirements that legislators must respect if they wish to govern legally. Galligan (2006) states that as a rule of recognition, law is a social fact that aims to help understand the social rules that form a legal system in the following two ways: 1) Law functions as the ultimate rule that connects rules to form a system because it identifies conditions under which new rules are created and provides a basis for determining whether a social rule is a legal rule; and 2) The law authorizes specific regulations as laws because any law

created that meets the rules of recognition acquires a binding quality that requires officials to act in accordance with those rules.

According to The Third New International Dictionary from Merriam-Webster (1990), the law is a binding custom or practice of a community in the form of rules or ways of behaviour or actions determined or officially recognized as binding by the highest controlling authority or made mandatory by sanctions (as a decree, rescript, order, ordinance, law, resolution, rule, judicial decision, or usage) made, recognized, or enforced by a controlling authority. Judging from the juridical aspect, law in Indonesia is based on the fourth paragraph of the Preamble to the 1945 Constitution. This is stated in Paragraph IV (Fourth) of the Preamble to the 1945 Constitution. According to the fourth paragraph of the Preamble to the 1945 Constitution, in order to form an Indonesian State Government that protects the entire Indonesian nation and all of Indonesia's blood and to promote general welfare, educate the life of the nation, and participate in implementing world order based on independence, eternal peace and social justice, it was drafted Indonesian National Independence is contained in the Constitution of the State of Indonesia, which was formed in the structure of the Republic of Indonesia which is the sovereignty of the people based on the belief in the Almighty God, just and civilized humanity, Indonesian unity and democracy, guided by the wisdom of deliberation/Representatives, as well as by realizing social justice for all Indonesian people. According to Harruma (2022), the Preamble to the 1945 Constitution contains the following meanings:

1) Noble ideals and a statement of the spirit of Pancasila Philosophy as the culmination of the nation's determination to be independent;

2) The source of legal and moral ideals that the Indonesian people wish to uphold, both at the national and international levels; and

3) A source of motivation and inspiration for the struggle and determination of the Indonesian people.

The legal system adopted by the Indonesian State must include the five aspects listed in the fourth paragraph of the Preamble to the 1945 Constitution, and Pancasila Philosophy is the ideology of the Indonesian nation. In order to realize the Preamble to the 1945 Constitution, Indonesia has a legal basis for eradicating criminal acts of corruption which serves as a guide and basis for prevention and action, including in various regulations and legislation. According to the Pusat Edukasi Antikorupsi (2022c), the legal basis for eradicating criminal acts of corruption in Indonesia has been declared no longer valid but has been replaced and perfected by other laws as follows.

Since the enactment of Law No. 3/1971 and several other legal bases as described in **Table 1**, it was originally hoped that it would be able to minimize corruption in Indonesia. However, in reality, the practice of corruption, collusion and nepotism (*Korupsi*, *Kolusi*, *dan Nepotisme* or KKN) tends to become increasingly widespread in various government institutions/agencies and in law enforcement agencies both during the New Order era and in subsequent

Table 1. Legal basis for eradicating corruption crimes in Indonesia.

No.	Legal Basis for Eradicating Corruption Crimes in Indonesia	Description
1	Law Number 3 of 1971 concerning Eradication of Corruption Crimes (*Undang-Undang Nomor 3 Tahun 1971 tentang Pemberantasan Tindak Pidana Korupsi* or UU No. 3/1971)	This law was issued during the New Order era during the leadership of the 2nd President of the Republic of Indonesia, Soeharto, who was in power from 1967 to 21 May 1998. According to Law No. 3/1971, the definition of corruption is an act that is detrimental to state finances with the aim of benefiting oneself or other people This law regulates a maximum sentence of life imprisonment and a maximum fine of IDR 30 million for all offences categorized as corruption. Then, Law No. 3/1971 was declared no longer valid after being replaced by Law Number 31 of 1999 concerning the Eradication of Corruption Crimes. (*Undang-undang Nomor 31 Tahun 1999 tentang Pemberantasan Tindak Pidana Korupsi* or UU No 11/1999).
2	Law Number 28 of 1999 concerning the Administration of a State that is Clean and Free of Corruption, Collusion and Nepotism (*Undang-Undang Nomor 28 tahun 1999 tentang Penyelenggaraan Negara yang Bersih dan Bebas Korupsi, Kolusi dan Nepotisme atau KKN* or UU No. 28/1999)	After the collapse of the New Order regime, replaced by the Reformation era, Law No. 28/1999 was formed in the era of the 3rd President of the Republic of Indonesia, Bacharuddin Jusuf Habibie, who was in power from 21 May 1998 to 20 October 1999). Law No. 28/1999 was formed as a commitment to eradicate corruption after the overthrow of the New Order regime. According to Law No. 28/1999, the definition of corruption, collusion and nepotism, are all disgraceful acts for state administrators. The law also regulates the establishment of an Audit Commission, an independent institution tasked with examining the assets of state officials and former state officials to prevent corrupt practices. At the same time, the Business Competition Supervisory Commission (*Komisi Pengawas Persaingan Usaha* or KPPU) and the *Ombudsman* were formed.
3	Decree of the People's Consultative Assembly of the Republic of Indonesia Number (*Ketetapan Majelis Permusyawaratan Rakyat Republik Indonesia Nomor XI/MPR/1998 tentang Penyelenggara Negara yang Bersih dan Bebas Korupsi, Kolusi dan Nepotisme atau KKN* or TAP MPR No XI/MPR/1998)	In the era of the government of the 3rd President of the Republic of Indonesia, Abdurrahman Wahid, who was in power from 20 October 1999 to 23 July 2001, determined that TAP MPR No. people's conscience so that development reform can be successful, one of which is by carrying out the functions and duties of state administrators well and responsibly, without corruption. TAP MPR No., State Officials' Wealth Audit Commission and several others.
4	Government Regulation No. 71 of 2000 concerning Procedures for Implementing Community Participation and Giving Awards in the Prevention and Eradication of Corruption Crimes (*Peraturan Pemerintah No 71 tahun 2000 tentang Tata Cara Pelaksanaan Peran Serta Masyarakat dan Pemberian Penghargaan dalam Pencegahan dan Pemberantasan Tindak Pidana Korupsi* or PP No. 71/2000)	Through this regulation, the government wants to invite the public to help eradicate criminal acts of corruption. The role of the public as regulated in this regulation is to seek, obtain, provide data or information about criminal acts of corruption. The public is also encouraged to submit suggestions and opinions to prevent and eradicate corruption. These community rights are protected and followed up in case investigations by law enforcement. For their participation, the community will also receive awards from the government which are also regulated in this PP No 71/2000.

Continued

5	Law Number 20 of 2001 in conjunction with Law No. 31/1999 concerning the Eradication of Corruption Crimes in conjunction with Law No. 31/1999) (*Undang-Undang Nomor 20 tahun 2001 jo UU No. 31/1999 tentang Pemberantasan Tindak Pidana Korupsi* or UU No 20/2001 jo UU No. 31/1999).	In the era of the government of the 4th President of the Republic of Indonesia, Megawati Soekarnoputri, who was in power from 23 2001 to 20 October 2004, established Law No. 20/2001 in conjunction with Law No. 31/1999. This law has become the legal basis for eradicating criminal acts of corruption in the country and explains that corruption is an act against the law with the intention of enriching oneself, or others, or which results in harm to the state or the country's economy. The definition of corruption is explained in 13 articles in the law. This. Based on these articles, corruption is mapped into 30 forms, which are further grouped into 7 types, namely embezzlement in office, extortion, gratification, bribery, conflicts of interest in procurement, fraudulent acts, and state financial losses.
6	Law Number 30 of 2002 concerning the Corruption Eradication Commission (*Undang-Undang Nomor 30 tahun 2002 tentang Komisi Pemberantasan Tindak Pidana Korupsi* or UU No. 30/2002).	Law No. 30 of 2002 concerning the Corruption Eradication Commission was the trigger for the birth of the KPK during the Presidency of Megawati Soekarno Putri. At that time, the Prosecutor's Office and the Police were considered ineffective in eradicating criminal acts of corruption, so it was deemed necessary to have a special institution to do so. In accordance with the mandate of this law, the Corruption Eradication Committee (*Komisi Pemberantasan Korupsi* or KPK) was formed with the aim of increasing the efficiency and effectiveness of efforts to eradicate criminal acts of corruption. In carrying out its duties and authority, the Corruption Eradication Commission is independent and free from the influence of any power. This law was then refined with a revision of the Corruption Eradication Commission Law in 2019 with the issuance of Law No. 19 of 2019. The 2019 Law regulates increasing synergy between the Corruption Eradication Committee, the police and the prosecutor's office for handling corruption cases.
7	Law Number 15 of 2002 concerning the Crime of Money Laundering (*Undang-Undang Nomor 15 tahun 2002 tentang Tindak Pidana Pencucian Uang* or UU No. 2002)	Money laundering is one way for corruptors to hide or eliminate evidence of criminal acts of corruption. This law regulates the handling of cases and reporting of money laundering and suspicious financial transactions as a form of effort to eradicate corruption. This law was also introduced for the first time by the Financial Transaction Reports and Analysis Center (*Pusat Pelaporan dan Analisis Transaksi Keuangan* or PPATK) which coordinates the implementation of efforts to prevent and eradicate money laundering crimes in Indonesia.
8	Presidential Regulation Number 54 of 2018 concerning the National Strategy for Preventing Corruption or National Strategy for Corruption Prevention (*Peraturan Presiden Nomor 54 tahun 2018 tentang Strategi Nasional Pencegahan Korupsi atau Stranas PK* or PERPRES No. 54/2018).	In the era of the government of the 7th President of the Republic of Indonesia, Joko Widodo, who has been in power since October 24 2014, this Presidential Decree has been determined as a replacement for Presidential Decree No. 55 of 2012 concerning the National Strategy for the Prevention and Eradication of Corruption in the Long Term for 2012-2025 and the Medium Term for 2012-2014, which is considered no longer appropriate to the development of corruption prevention needs. The PK National Strategy contained in this Presidential Decree is a national policy direction that contains the focus and targets for preventing corruption which is used as a reference for ministries, institutions, regional governments and other stakeholders in implementing corruption prevention actions in Indonesia. Meanwhile, the Corruption Prevention Action (PK Action) is an explanation of the focus and targets of the National PK Strategy in the form of programs and activities. There are three focuses in the PK National Strategy, namely Licensing and Commerce, State Finance, and Law Enforcement and Bureaucratic Democracy

Continued

9	Presidential Regulation Number 102 of 2020 concerning the Implementation of Supervision for the Eradication of Corruption Crimes (*Peraturan Presiden Nomor 102 tahun 2020 tentang tentang Pelaksanaan Supervisi Pemberantasan Tindak Pidana Korupsi* or PERPRES No 102/2020).	Published by President Joko Widodo, regulating the supervision of the Corruption Eradication Commission (KPK) over agencies authorized to eradicate criminal acts of corruption, namely the National Police of the Republic of Indonesia and the Prosecutor's Office of the Republic of Indonesia. This Presidential Decree also regulates the authority of the Corruption Eradication Committee (KPK) to take over criminal corruption cases that are being handled by the National Police and the Prosecutor's Office. This presidential decree is said to be part of efforts to strengthen the KPK's performance in eradicating corruption.
10	Regulation of the Minister of Research, Technology and Higher Education of the Republic of Indonesia ti Number 33 of 2019 concerning Obligations for Providing Anti-Corruption Education in Higher Education (Peraturan Menteri Riset, Teknologi dan Pendidikan Tinggi Republik Indonesia ti Nomor 33 Tahun 2019 tentang Kewajiban Penyelenggaraan Pendidikan Anti Korupsi /PAK di Perguruan Tinggi or PERMENRISTEKDIKTI No. 33/2019).	The Minister of Research, Technology and Higher Education issued Permenristekdikti No 33/2019 regarding regulations for implementing anti-corruption education (PAK) in universities, public and private through PAK courses at every level, both diploma and undergraduate as an effort to prevent corruption for the younger generation.

Source: Pusat Edukasi Antikorupsi (2022c) (processed).

governments (Pusat Edukasi Antikorupsi, 2022c). Various kinds of improvements have been made here and there so that Law No. 3/1971 was declared no longer valid and replaced by Law Number 31 of 1999 concerning the Eradication of Corruption Crimes or Law No. 31/1999 (Pusat Edukasi Antikorupsi, 2022c). In the post-reform government era, there are several legal bases related to the eradication of criminal acts of corruption, including TAP MPR No. 31/1999, UU No. 30/2002, PERPRES No. 54/2018, PERPRES No. 102/2020, and PERMENRISTEKDIKTI No. 33/2019. The implications of rampant corruption in the reform era in Indonesia tend to reduce the level of public trust in efforts to prevent and eradicate corruption. Therefore, at this time and in the future it is hoped that efforts to prevent and eradicate corruption must be carried out in an extraordinary and sustainable manner, and a repressive legal approach to perpetrators of corruption should be carried out. This is a mandate from article 4 of TAP MPR No. 31/1999, President Soeharto continued to pay attention to the principle of presumption of innocence and human rights.

However, ironically, this legal basis tends not to be able to answer the demands of the people's conscience so in the era of reform, corruption should not have a place. Therefore, more extraordinary legal reform is needed regarding the prevention and legal action against KKN perpetrators in Indonesia. On the other hand, it is very necessary to implement good governance practices and optimize information and communication technology in all lines of institutions/institutions in Indonesia. The consistent and continuous application of the principles of good governance in government institutions/institutions and legal institutions is

aimed at the following assets of state administrators in order to create an apparatus that is free from elements of KKN.

Based on the various descriptions above, it can be interpreted that the Indonesian legal system is a legal system that lives and develops in society, consisting of a civil law system, a customary law system and an Islamic legal system. Therefore, these three legal systems can actually be harmonized with each other as a reference in the formation of regulations and laws and used as policy guidelines in efforts to prevent and enforce laws related to criminal acts of corruption. In this case, several factors that influence anti-corruption in Indonesia are as follows:

1) Strengthening aspects of legislation through legal reform, namely implementing a reverse evidence system in evidence at trial. The application of the reverse evidence system is very important considering that its application in the Corruption Eradication Law is different from the evidence system in criminal procedural law in Indonesia (Soekanto & Mamudji, 2013). Then, the sanctions imposed must be severe, the application of sanctions consistent and not indiscriminate, and weak in the field of evaluation and revision;

2) Changing the value mindset in society that corruption is a disgraceful act and a sin because it violates religious law. This can be done more optimally by increasing the anti-corruption subject curriculum by the Government and teaching it from basic education to university level;

3) Improve the correct accountability system through attention to the efficient use of existing resources to encourage a more conducive organizational situation. This can be done through the implementation of management control systems in organizations both in government organizations and private organizations based on Information and Communication Technology (ICT) to support operational and administrative activities of organizations in terms of decision-making processes, communication and interaction activities between stakeholders, and process optimization, and resources (Indrajit, 2011).

4) Increase the leadership's exemplary attitude because leadership positions in formal and informal institutions have an important influence on their members. If a leader commits corruption, it is possible for his members to take the same risk.

5) Build the right organizational culture because this has a big influence on its members. If an organization is managed well, an organizational culture can trigger a conducive situation in the organization's living environment.

Furthermore, the legal system in Indonesia is expected to influence anti-corruption in Indonesia because the main characteristics of the legal system in Indonesia can be interpreted as follows:

1) Its nature is coercive and binding. This means that legal rules must be obeyed by everyone, while binding means they apply to everyone;

2) Contains commands and/or prohibitions (imperative). This means that legal rules are binding and force individuals to obey the commands and prohibitions contained in the law;

3) Regulate human behavior. This means that law is a regulation that regulates human behaviour in social interactions in society, regulations are made by official bodies (legislative institutions, both the People's Representative Council of the Republic of Indonesia or the DPR RI at the central level, and the Regional People's Representative Council or DPRD at the regional level). Province/Regency/City. In this case, the law as a regulation is coercive, and the sanctions for violations are strict;

4) Protective. This means that there is protection and guarantee of legal certainty from the government for the community regarding the rights of citizens as well as sanctions or punishments for those who violate them.

Then, in reality, the majority of the population in Indonesia adheres to Islam, which allows Islamic law to become an important part, as well as customary law. Acts of corruption in the context of Islam are the same as acts that destroy the order of life whose perpetrators are categorized as committing *Jinayat al-kubra* or major sins (Syah et al., 1992: p. 227). Islam views corruption as a heinous act. Acts of corruption in the context of Islam are the same as facades namely acts that destroy the order of life whose perpetrators are categorized as committing *Jinayaat al-kubra* (major sin). This means that corruption in Islam is an act of violating Islamic sharia, Islamic laws or regulations which regulate all aspects of Muslim life, and also contain solutions to problems throughout life. Meanwhile, customary law is the traditional law of society which is the embodiment of a real-life need and is a way of viewing life which as a whole constitutes the culture of the community where the customary law applies (Syamsarul, 2019). According to Syamsarul (2019), the application of values in customary law can prevent corruption in Indonesia, for example, "*sasi*" customary law in Southeast Maluku, and "*paboya*" customary law in the Palu area, Central Sulawesi.

Thus, the 1945 Constitution as the highest constitution which contains normative rules in the legal hierarchy in the Indonesian legal system is influenced by the Civil Law system, customary law system and legal system. The influence of these three legal systems on the Indonesian legal system can be interpreted as the spirit of and the ideals of the Indonesian nation in realizing a legal state to provide justice and prosperity to the people in the form of the rule of law. The values contained in the civil law system, Islamic law and customary law in Indonesia can be used in the formation and renewal of laws which are expected to fill the legal gaps in the legal system in terms of efforts to prevent and enforce laws related to criminal acts of corruption in Indonesia. Therefore, legal reform should focus on the interests of the nation and state as stated in the fourth paragraph of the Preamble to the 1945 Constitution, and Pancasila is the ideology of the Indonesian nation. This is a legal challenge in Indonesia to make a breakthrough in the form of legal reform related to efforts to prevent and prosecute criminal acts of corruption.

4.2. Legal Challenges in Indonesia

The legal system is complex, and navigating it can be a challenge for individuals

and organizations (Forrester, 2023). According to Colquitt (2001) in Forrester (2023), there are various types of law, including criminal law, civil law, administrative law, and international law. Then, experts in Forrester (2023) stated that each area of law has a unique set of rules and regulations that regulate certain aspects of society as follows:

1) Criminal law is the most well-known area of law, because it deals with crimes such as murder, theft and assault. The aim of criminal law is to prevent individuals from engaging in illegal behaviour and to punish those who do, and punishments can range from fines and community service to prison sentences or even the death penalty, depending on the severity of the crime (Gámez-Guadix & Calvete, 2016).

2) Civil law, on the other hand, deals with legal disputes between individuals or organizations, and this can include contractual disputes, property rights, and personal injury claims. The purpose of civil law is to resolve contract disputes, property rights, and personal injury claims fairly and provide compensation to those who have been harmed (Hobfoll, 1989).

3) Administrative law regulates the actions of government agencies and departments. This includes regulations and rules that are put in place to ensure that government agencies act in the public interest. Administrative law provides a framework for individuals or organizations to challenge government decisions if they believe that the decisions are unfair or unlawful (Kross et al., 2021).

4) International law is a set of rules and regulations that govern relations between countries. This includes treaties, treaties, and conventions designed to promote cooperation and resolve disputes between countries), and is very important in promoting global stability and preventing conflict between countries (Leggett, 2003).

Referring to Law of the Republic of Indonesia Number 14 of 1985 concerning the Supreme Court (UU No. 14/1985) the Supreme Court is as follows: 1) The Supreme State Court, the Supreme Court is a causation court whose task is to foster uniformity in the application of law through decisions causation and judicial review ensure that all laws and regulations throughout the territory of the Republic of Indonesia are applied fairly, precisely and correctly; 2) In addition to its duties as the Court of Causation, the Supreme Court has the authority to examine and decide at the first and final level regarding all disputes regarding the authority to adjudicate, and requests for review of court decisions that have obtained permanent legal force (Articles 28, 29, 30, 33 and 34 of Law No. 14/1985); and 3) Closely related to the judicial function is the right to judicial review, namely the authority to materially examine/assess legal regulations under the Law regarding whether regulation in terms of its content (material) conflicts with regulations from a higher level (Article 31 Law No. 14/1985).

Utari & Arifin (2020) stated that the dynamics of legal cases and their resolution give the impression that society is developing very quickly and unpredictably, while the law is lagging behind. Martin (2012) states that legal cases related to criminal acts of corruption in Indonesia are most likely facilitated by a num-

ber of factors as follows: 1) A large amount of public resources originating from natural resources; 2) Personal interests and politically connected networks; 3) Low paid civil servants; 4) Low regulatory quality; 5) Weak judicial independence; and 6) Regional officials are given broad discretionary powers and resources without accountability and appropriate law enforcement mechanisms. Then, Transparency International in Graycar & Sidebottom (2012) defines corruption as the abuse of entrusted power for personal gain. According to Eigen (1998) in Sanville (1999), to a certain extent corruption not only threatens the environment, human rights, democratic institutions, basic rights and freedoms but also hinders development and worsens the poverty of millions of people throughout the world.

Eigen (1998) in Sanville (1999) states that the impact of corruption if allowed to continue will: infect and create irrational governments, governments that are driven by greed, not by determination to meet the needs of the people, and disrupt development in the private sector; In some cases it is very apparent that the law has not been able to respond quickly and precisely to developments occurring in society, even though on the one hand legal certainty is one of the things that society really needs. Utari & Arifin (2020) state that law can have implications for the credibility of rule makers, rule implementer and the communities affected by the rules themselves. According to Huxley (2002), Indonesia's various challenges, including problems of national cohesion, cultural diversity and the lack of direct pre-colonial antecedents, have long forced leaders to work hard to foster a sense of national identity. For example, the perception of the general public in Indonesia regarding the law ratification process is often biased, contradictory, and focused on the interests of certain parties such as state elites and high-social-status groups (Lerman & Weaver, 2014).

According to Lerman & Weaver (2014), this is not in accordance with the principles of justice and the function of law in all contexts of democratic countries and legal education in the 21st century. Then, the problem of corruption in the legal system has become a very important issue, especially since the implementation of reforms in Indonesia in 1998. Corruption in Indonesia has entered an acute area or can be said to be at a very low point (Suramin, 2021), and has a big impact on development economy due to high levels of distortion and inefficiency (Sari & Rahardjo, 2019). According to Dreher and Herzfeld (2005) in Sari and Rahardjo (2019), the impact of corruption is as follows:

1) Negative impact on economic growth, GDP per capita levels, investment, international trade and price stability;

2) Impacts in the public sector in the form of distortion, diversion of public investment to community projects that receive more bribes, reduction in the quality of government services and infrastructure, as well as increasing pressure on the government budget;

3) Corruption reduces compliance with building safety, environmental, or other regulatory requirements; and

4) In the private sector, corruption increases costs due to losses from illegal

levies and management costs in negotiations with corrupt officials. These distortions and inefficiencies ultimately lead to misallocation of resources and stunted growth.

Suramin (2021) states that corruption cases are a form of resistance to the law carried out by some members of society or a small number of certain members of society who take refuge behind power or authority for their personal interests at the expense of state finances. According to Klitgaard (2001), corruption is behaviour that deviates from the duties of a state official because of personal gain of status or money (individual, close family, own group); or breaking the rules to implement some personal behaviour. Pope (2023) defines corruption as the abuse of trusted power for personal gain which includes the following elements: 1) Abuse of power; 2) Entrusted powers (both in the public sector and in the private sector); and 3) Personal gain does not always mean only the person who abuses power, but also family members and friends. Graycar and Sidebottom (2012) explain that corruption is a type of fraud that has a pattern that can provide opportunities to commit other fraud due to social and technological changes. Dion (2010) states that things related to corruption are ineffective law enforcement, lack of capital standards and codes of ethics, and weakness. Meanwhile, The Association of Certified Fraud Examiners (2019) states that acts of corruption are acts that conflict with a person's actual obligations or rights.

According to Abdullahi & Mansor (2018), most employees in government agencies commit fraud driven by financial pressure, opportunities to commit fraud, and as if there is assumption that fraudulent behaviour is normal in their work environment. This is caused by the lack of implementation of the principle of transparency in government/company governance so fraud occurs that corruption is most often carried out (Sobis, 2016). According to Butt (2016), legal issues related to criminal acts of corruption have become a controversial debate in terms of the application of law in Indonesia. According to Hellman et al. (2000), state capture corruption is an inappropriate influence over the formation of laws and policies, in contrast to administrative corruption, where inappropriate influence is exerted over the implementation of laws and policies, namely at a later stage in the policy process. The state captors were businessmen, soon to be known as oligarchs, who bought influence over policy formation through direct bribery or promises of favors, using personal relationships with individuals and parties who held political power (Hellman et al., 2000).

Based on the various descriptions above, legal reform is needed in an effort to form the Indonesian legal system. This aims to face challenges related to legal issues in general, and specifically legal issues related to criminal acts of corruption. Therefore, legal reform is a challenge for the government and legislature so this agenda becomes a very important and strategic issue. Legal reform is expected to become a strong commitment and be carried out immediately by the government and legislature, especially in the context of preventing and enforcing laws related to criminal acts of corruption.

Thus, the formation of regulations and laws is a very special agenda in the

context of realizing the law as commander in chief in Indonesia. Therefore, the challenge for the government and legislature as well as other stakeholders is to be able to support the position of law as commander in chief in Indonesia, especially in terms of the formation of laws and policies, and should also abandon disgraceful acts such as state capture corruption. In the end, efforts to reform the law and apply the principles of government/corporate governance are the main and mandatory factors in realizing the law as commander in chief in Indonesia.

4.3. Law as Commander in Chief in Indonesia

The legal system and legal challenges are very important and strategic issues in the current era of reform, especially related to efforts to realize the law as commander in chief in Indonesia. Baumeister et al. (1998) state that law is a system of rules and regulations that is enforced through social and government institutions. Therefore, law is the functioning backbone of society and provides a framework for resolving disputes, maintaining order, and protecting individual rights (Baumeister et al., 1998). Thus, the legal system and legal challenges are very necessary to encourage law as commander in the context of preventing and enforcing criminal acts of corruption in the reform era in Indonesia.

4.3.1. Prevention

In Indonesia, the 1945 Constitution (UUD 1945) is the basis for the highest legal rules which aim to realize people's welfare as mandated by the fourth paragraph of the Preamble to the 1945 Constitution (Argawati, 2021). In the fourth amendment (amendment) to the 1945 Constitution in 2002, the concept of the rule of law (*Rechtsstaat*) which was previously only contained in the Explanation of the 1945 Constitution. The fourth amendment to the 1945 Constitution stated firmly that the Indonesian state is a rule of law (Article 1 paragraph 3 of the 1945 Constitution). According to Asshiddiqie (n.d.: pp. 1-17), ideally, the person who should be the commander-in-chief in the dynamics of state life in the concept of a rule of law is the law, not the state's politics or economy. The form of law is a norm which is the product of a centre of power which has the authority to create and apply the law (Santoso, 2016). According to Asshiddiqie (n.d.: pp. 1-17), the principle of the rule of law is the rule of law, not of man. This means that what is called government is essentially the law as a system, not individual individuals who only act as puppets for the scenario of the system that regulates it (Asshiddiqie, n.d.: pp. 1-17).

According to De-Silanes (2002), legal reform will be successful if the principles of good governance generally held in the international community need to be translated into the local political and judicial realities of each country. Lon Fuller (1969) in Murphy (2005) & Nursadi (2008) state that in general there are eight principles of legality related to the essence of the rule of law as follows:

1) Laws must be general and establish rules that prohibit or permit certain behaviour—This means that laws must not just be ad hoc decisions;

2) Laws must also be widely promulgated, or publicly accessible—This means

that regulations that have been made must be made public to ensure citizens know what the law requires;

3) The law must be prospective—This means that there must be no regulations that apply retroactively so that they can be used as guidelines for behaviour, they can also be used as guidelines aimed at the future;

4) The law must be clear, and citizens must be able to identify what is prohibited, permitted or required by law—This means that these regulations must be prepared in a formula that is easy to understand and understood by all;

5) Laws must be non-contradictory, one law cannot prohibit what another law permits—That is, a system must not conflict with one another;

6) The law must not require the impossible—This means that regulations must not contain demands that exceed what can be done;

7) Laws should also not change frequently; legal demands on citizens must remain relatively constant—That is, there must be no habit of changing established regulations;

8) There must be harmony between what written laws state and how officials enforce those laws.—This means that judges should not interpret laws based on their personal preferences and police should only arrest individuals they believe have acted illegally.

Furthermore, efforts to prevent corruption can be further optimized for the younger generation in Indonesia. According to Minister of Research, Technology and Higher Education Regulation Number 33 of 2019, state and private universities must provide anti-corruption education courses at every level, both diploma and undergraduate. Apart from taking the form of courses, PAK can also be realized in the form of Student Affairs or study activities, such as co-curricular, extracurricular, or in student affairs units in the form of Study Centers and Study Centers. PAK teaching activities must be reported periodically to the Ministry through the Director General of Learning and Student Affairs (Minister of Research, Technology and Higher Education Regulation Number 33 of 2019).

4.3.2. Enforcement

According to Utari & Arifin (2020), law enforcement is. the process of efforts to enforce or function legal norms that apply and have been regulated as guidelines for behaviour in traffic or legal relations in the life of society and the state. In other words, the process of law enforcement cannot be separated from the form of law as a legal system that serves the interests of society and the nation and the state and law is for humans, not humans for law (Utari & Arifin, 2020). According to Syamsuddin (2008), law enforcement institutions in Indonesia are the police, judges, prosecutors, and advocates/lawyers as well as the Corruption Eradication Commission (Pratama, 2020). The role and authority of law enforcement agencies is needed to enforce legal rules in order to realize the law as commander in chief in Indonesia. According to Viswandro in Pratama (2020), the legal basis, role and authority/duties of law enforcement agencies in Indonesia can be described as in **Table 2** below.

Table 2. Legal basis, role and authority/tasks of law enforcement agencies in Indonesia.

No	Law Enforcement Agencies	Legal Basis	Role	Authority/Duties
1	POLRI or National Police of the Republic of Indonesia (POLRI or *Kepolisian Negara Republik Indonesia*)	Law of the Republic of Indonesia Number 2 of 2002 concerning the National Police of the Republic of Indonesia (*Undang-Undang Republik Indonesia Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia* or UU No. 2/2002)	The police are the front guard in the law enforcement process in Indonesia. The police are one of the legal instruments tasked with maintaining public order, maintaining security and protecting the community. The police play a role as investigators in law enforcement related to criminal acts.	The authority of the POLRI includes the following 1) Carry out arrests, detention, searches and confiscations. 2) Prohibit anyone from leaving or entering the crime scene for investigation purposes. 3) Bring and present people to investigators in the context of an investigation. 4) Tell the suspected person to stop and ask and check their personal identification. 5) Summon people to be heard and examined as suspects or witnesses. 6) Submit case files to the public prosecutor.
2	Prosecutor's Office of the Republic of Indonesia (*Kejaksaan Republik Indonesia*)	Law of the Republic of Indonesia Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia (*Undang-Undang Republik Indonesia Nomor 16 Tahun 2004 tentang Kejaksaan Republik Indonesia* or UU No. 16/2004)	In the law enforcement process, prosecutors are required to uphold the supremacy of the law, uphold human rights, eradicate corruption, collusion and nepotism (*korupsi*, *kolusi*, *dan nepotisme* or KKN), as well as protect public interests.	The authority of the prosecutor's office is grouped into three areas in accordance with Law of the Republic of Indonesia Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, as follows: 1) Criminal sector The authority of the prosecutor in the criminal sector, namely: Carrying out prosecutions Carrying out judge's determinations and court decisions which have permanent legal force. Supervise the implementation of conditional criminal decisions, supervised criminal decisions, and conditional release decisions. Carrying out investigations into certain criminal acts based on law. Complete certain case files and carry out additional examinations before finally submitting them to court. 2) Civil and state administration sector In the civil and state administration sector, the prosecutor with special powers can act, both inside and outside the court for and on behalf of the state or government. 3) In the field of public order and peace. The authority of the prosecutor in the field of public order and peace, namely: Increasing public legal awareness. Securing law enforcement policies. Research and development of law and criminal statistics.

Continued

3	Judge	Law of the Republic of Indonesia Number 48 of 2009 concerning Judicial Powe (*Undang-Undang Republik Indonesia Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman* or UU No. 48/2009)	Judges themselves are classified into three types, namely: 1) Judges on the Supreme Court are called Supreme Court Justices. 2) Judges in judicial bodies under the Supreme Court (general court, religious court, military court). 3) Judges on the Constitutional Court are called Constitutional Judges	The authority of the Judge includes the following 1) Judges serve in the realm of justice. In the law enforcement process, the judge's role is to adjudicate. 2) Adjudicating is a series of actions by judges to accept, examine and decide legal cases based on the principles of freedom, honesty and impartiality. 3) The adjudication process is carried out based on the provisions of the law. 4) In the process of administering justice, judges are given independent powers. This means that judges must not be influenced by other powers in deciding cases
4	Advocate	Law of the Republic of Indonesia Number 18 of 2003 concerning Advocates (*Undang-Undang Republik Indonesia Nomor 18 Tahun 2003 tentang Advokat* or UU No. 18/2003).	An advocate is a party whose profession is to provide legal services such as legal consultation, legal assistance, exercising power of attorney, representing, assisting, taking legal action, and defending. The provision of legal services is carried out both inside and outside the court.	The main duties of an advocate in the law enforcement process are: 1) Providing services to people who are seeking justice. 2) This includes efforts to empower the community to be aware of their fundamental rights before the law.
5	Corruption Eradication Commission (*Komisi Pemberantasan Korupsi* or KPK)	Law of the Republic of Indonesia Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission (*Undang-Undang Republik Indonesia Nomor 19 Tahun 2019 tentang Perubahan Kedua atas Undang-Undang Nomor 30 Tahun 2002 tentang Komisi Pemberantasan Tindak Pidana Korupsi* or UU No. 19/2019)	The Corruption Eradication Commission (KPK) is an independent state institution tasked with eradicating corruption in a professional, intensive and sustainable manner. Being independent means that the KPK in carrying out its duties and authority is free from any other power. Then, in carrying out its duties, the Corruption Eradication Committee is guided by five principles, namely legal certainty, openness, accountability, public interest and proportionality.	The duties of the Corruption Eradication Committee in terms of law enforcement for criminal acts of corruption are: 1) Coordination with agencies authorized to eradicate criminal acts of corruption. 2) Supervision of agencies authorized to eradicate criminal acts of corruption. 3) Carrying out inquiries, investigations and prosecutions of criminal acts of corruption. 4) Carry out measures to prevent criminal acts of corruption. 5) Monitoring the administration of state government

Source: Viswandro in Pratama (2020) and from various sources (processed).

Furthermore, a strategy to improve the organizational culture for law enforcers in Indonesia is very necessary, especially in terms of prevention and law enforcement in Indonesia. Efforts that can be made are through streng-

thening attitudes, values, correct perspectives and authority in carrying out the task of enforcing the law for law enforcers in Indonesia in order to realize the welfare of society. Then, it is hoped that this effort will improve the performance of law enforcement agencies. According to experts, understanding related to attitudes, values, correct perspective, and authority can be interpreted as follows:

1) Attitude is a verbal expression as behaviour in the form of a mental position regarding feelings or emotions regarding facts or circumstances (Chaiklin, 2011). Therefore, attitude is considered very important and has been proven to be a stronger determinant for measuring a person's social behaviour (Krosnick, 1989);

2) Values, are a means to achieve goals, and have universal intrinsic values that values are recognized as a driving force in ethical decision-making (McCombs School of Business, The University of Texas at Austin, 2023);

3) Correct Perspective is interpretive, behavior includes views, and understanding about something about the relative importance of things to convey an impression in a certain way (Hughes, 2005);

4) Authority is the formal power possessed by the organizing body and/or officials or other state administrators to act and make decisions based on their authority which must be accountable and tested by both legal norms and legal principles (Tumuhulawa & Moonti, 2021).

Referring to various expert opinions, a strategy to improve the organizational culture for law enforcers in Indonesia is very necessary. Hibnu Nugroho in Katriana (2023) stated that law enforcement is needed by prioritizing accountability, integrity, progressivity and professionalism in order to realize justice in society (Utari & Arifin, 2020). Law enforcement accountability refers to practical guidance based on statutory regulations that reflect the spirit and content of the law with a special focus on human rights principles, and is easily accessible to the public (UNODC, 2011). Meanwhile, the definition of law enforcement integrity is exercising power and using discretion with the highest standards of competence, justice and honesty (Australian Government, 2023).

Then, the progressiveness of law enforcement can be interpreted as the authority to use force to achieve legitimate law enforcement objectives owned by law enforcement officers, must follow the legislative framework, combined with guidance and training (UNHR, 2022). Furthermore, a professional law enforcer can be defined as a professional law enforcer who has dedication, hard work and mental fortitude and has skills in accordance with job requirements (Shults, 2013). These four elements, namely accountability, integrity, progressivity and professionalism, are key factors that every law enforcement officer should have and have. This is expected to encourage and improve the performance of law enforcement agencies so that the law as commander in chief in Indonesia is expected to be realized. The following is a description related to the performance of law enforcement agencies as in **Figure 3** below.

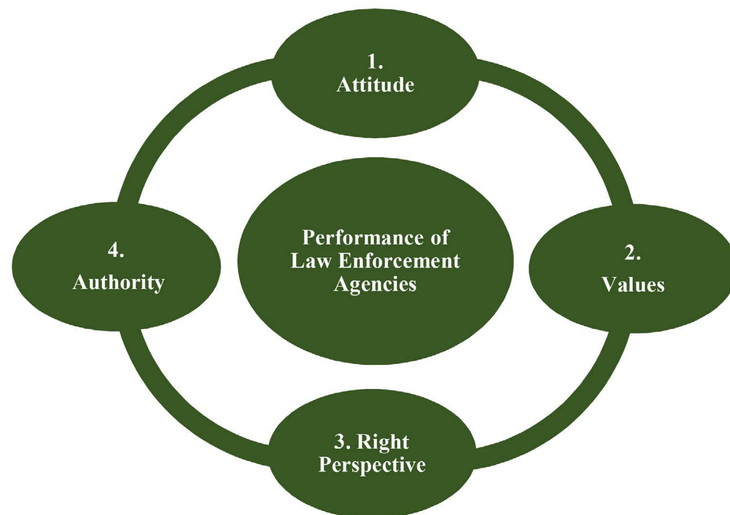

Figure 3. Strategy for improving organizational culture for law enforcers in Indonesia.

Based on the various explanations above, the 1945 Constitution is the highest legal norm in the Indonesian Legal system which binds members of groups in society to serve as a guide for behavior. The 1945 Constitution is a unified series of legal regulations which are arranged in an orderly manner according to its principles, there are no legal regulations which conflict with other legal regulations to achieve a goal, of sustainable development. Therefore, it is hoped that the process of recruitment, education and setting a code of ethics as a basis for behaviour in carrying out the profession as a law enforcement officer can be optimized to improve and improve the performance of law enforcement institutions/institutions in Indonesia. This can be done through efforts to improve organizational culture where law enforcers are expected to have the correct attitudes, values and perspectives in carrying out the task of enforcing the law for the sake of realizing the welfare of society.

Thus, it is hoped that legal reform and law enforcement can be implemented by law enforcement officers as regulated and stipulated by regulations and legislation related to their roles and authority/duties consistently and with integrity. The integrity of law enforcers is a very critical agenda in the context of law enforcement in Indonesia by prioritizing accountability, integrity, progressiveness and professionalism. In this case, law enforcers are expected to have a moral responsibility to uphold the authority of the law, namely upholding justice. Efforts to build and implement organizational culture in law enforcement agencies/institutions are mandatory. Therefore, it is hoped that legal reform and law enforcement which aims to build consensus to realize long-term national development can be realized.

5. Conclusion

The Indonesian legal system in the reform era in Indonesia tends to attract criticism rather than praise, and various criticisms are directed regarding law en-

forcement, legal awareness and legal quality. This condition occurs because the noble goals of reform have been undermined by leaders from both the legislative, executive and judicial circles with their disgraceful behaviour and the rampant cases of criminal acts of corruption that have occurred. The phenomenon of criminal acts of corruption in Indonesia tends to be carried out by government officials, politicians and law enforcers as well as state-owned and private companies, which has implications for Indonesia's legitimacy. Indonesia is currently starting to prepare to enter the political year, a national celebration related to the 2024 general elections (*Pemilu*).

The 2024 elections will be very important and strategic in order to answer the essential question, namely that the law should be implemented in a commander-in-chief manner in Indonesia by the executive leadership (President and Vice President, Governor, and Regent/Mayor and their deputies), as well as the legislative leadership. (DPR RI, DPD RI, Provincial DPRD, and Regency/City DPRD), the leaders who will be elected are expected to have the character of Pancasila Philosophy, leaders who have basic values consisting of the values of the Almighty God, just and civilized human values, the value of Indonesian unity, the value of democracy led by wisdom in deliberation/representation, and the value of social justice for all Indonesian people.

In this way, it is hoped that the elected leaders who have the Pancasila Philosophy character will be able to make policies based on good government/corporate governance so that it will have implications for supporting the people as stated in the fourth paragraph of the Preamble to the 1945 Constitution. On the other hand, extraordinary efforts are necessary and are very necessary to answer various legal issues related to criminal cases of corruption in Indonesia. Therefore, prevention efforts and legal action are very necessary through strategies to improve organizational culture by implementing good governance/organization, as well as legal reform in the Indonesian legal system.

Acknowledgements

Thank you to Pancasila University for giving me the opportunity to carry out the Tri Dharma of Higher Education so that I can complete this research. And lastly, thank you to my colleagues in the Faculty of Law, Universitas Pancaila, Jakarta who have always provided constructive support.

Conflicts of Interest

The author declares no conflicts of interest, financial or otherwise, regarding the publication of this article.

References

Abdullahi, R., & Mansor, N. (2018). Fraud Prevention Initiatives in the Nigerian Public Sector: Understanding the Relationship of Fraud Incidences and the Elements of Fraud Triangle Theory. *Journal of Financial Crime, 25,* 527-544. https://doi.org/10.1108/JFC-02-2015-0008

Aditya, Z. F., & dan Yulistyaputri, R. (2019). Romantisme Sistem Hukum Di Indonesia: Kajian Atas Kontribusi Hukum Adat Dan Hukum Islam Terhadap Pembangunan Hukum Di Indonesia. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional, 8,* 37-54. https://doi.org/10.33331/rechtsvinding.v8i1.305

Andryanto, S. D. (2022). *Pidato Lengkap Presiden Soeharto Mengundurkan Diri, Setelah 32 Tahun Berkuasa*. https://nasional.tempo.co

Argawati, U. (2021). *Wakil Ketua MK: Indonesia, Negara Hukum Berdasar UUD 1945*. https://www.mkri.id

Asshiddiqie, J. (n.d.). *Gagasan Negara Hukum Indonesia*. https://www.pn-gunungsitoli.go.id

Australian Government (2023). *The Australian Commission for Law Enforcement Integrity*. https://www.nacc.gov.au/australian-commission-law-enforcement-integrity

Baumeister, R. F., Bratslavsky, E., Muraven, M., & Tice, D. M. (1998). Ego Depletion: Is the Active Self a Limited Resource? *Journal of Personality and Social Psychology, 74,* 1252-1265. https://doi.org/10.1037/0022-3514.74.5.1252

Bigelow, M. M., Pound, R., & Cook, W. W. (1905). *Definition of Law*. Columbia Law Review V5, Kessinger Publishing LLC. https://doi.org/10.2307/1109712

Blackstone, S. W. (1847). *Commentaries on the Laws of England in Four Books* (Vol. 1). The Online Library of Liberty, A Project of Liberty Fund, Inc. https://files.libertyfund.org/files/2140/Blackstone_1387-01_EBk_v6.0.pdf

Butt, S. (2016). Between Control and Appeasement: Religion in Five Constitutional Court Decisions. In T. Lindsey, & H. Pausacker (Eds.), *Religion, Law and Intolerance in Indonesia* (1st ed., pp. 42-67). Routledge. https://www.taylorfrancis.com

Cammack, M. E., & Feener, R. M. (2012). The Islamic Legal System in Indonesia. *Pacific Rim Law & Policy Journal, 21,* 13-42. https://digitalcommons.law.uw.edu/wilj/vol21/iss1/5

Cejie, K. (2022). Rule of Law: A Fundamental Concept without a Coherent Meaning, European. *Journal of Comparative Law and Governance, 9,* 287-320. https://doi.org/10.1163/22134514-bja10036

Chaiklin, H. (2011). Attitudes, Behavior, and Social Practice. *The Journal of Sociology & Social Welfare, 38,* Article 3, 3-53. https://doi.org/10.15453/0191-5096.3583

Cohubicol (2019). *Legal Norm*. https://publications.cohubicol.com

Collins Dictionaries (2023). *Definition of 'Law'*. https://www.collinsdictionary.com

Deliarnoor, N. A. (2020). *Sistem Hukum Indonesia*. Cetakan ke 2, Penebit Universitas Terbuka.

De-Silanes, F. L. (2002). The Politics of Legal Reform. *Economia, 2,* 91-152. https://doi.org/10.1353/eco.2002.0001

Devadiya, S. (2022). *Difference between Law and Justice*. The Edu Law. https://portal.theedulaw.com/SingleArticle?title=difference-between-law-and-justice

Dion, M. (2010). What Is Corruption Corrupting? A Philosophical Viewpoint. *Journal of Money Laundering Control, 13,* 45-54. https://doi.org/10.1108/13685201011010209

Erwinsyahbana, T., & dan Ramlan, R. (2017). .Penelitian Kualitatip Bidang Ilmu Hukum Dalam Perspektif Filsafat Konstruktivis. *Borneo Law Review, 1,* 1-19.

Forrester, G. (2023). Commentary: Understanding the Importance of Legal Systems. *International Journal of Law and Legal Studies, 11,* 1-2. https://www.internationalscholarsjournals.com

Galligan, D. J. (2006). Law as a System of Rules. In *Law in Modern Society* (pp. 84-102).

Oxford Academic. https://doi.org/10.1093/acprof:oso/9780199291830.003.0006

Gámez-Guadix, M., & Calvete, E. (2016). Assessing the Relationship between Mindful Awareness and Problematic Internet Use among Adolescents. *Mindfulness, 7,* 1281-1288. https://doi.org/10.1007/s12671-016-0566-0

Graycar, A., & Sidebottom, A. (2012). Corruption and Control: A Corruption Reduction Approach. *Journal of Financial Crime, 19,* 384-399. https://doi.org/10.1108/13590791211266377

Hammer, L. M. (2016). *A Foucauldian Approach to International Law: Descriptive Thoughts for Normative Issues.* Routledge.

Harijati, S., Poespasari, E. D., Soelistyowati, Kurniawan, E. J. A., Widowati, C., & dan Moechtar, O. (2018). *Buku Ajar Hukum Adat*. Cetakan ke-1, Prenadamedia Group.

Harruma, I. (2022). *Makna Alinea Keempat Pembukaan UUD 1945*. https://nasional.kompas.com

Hellman, J. S., Jones, G., & Kaufmann, D. (2000). *Seize the State, Seize the Day—State Capture, Corruption, and Influence in Transition* (pp. 1-37). Policy Research Working Paper 2444, The World Bank Institute Governance, Regulation, and Finance Division and Europe and Central Asia Region Public Sector Group and European Bank of Reconstruction and Development Office of the Chief Economist. https://documents1.worldbank.org https://doi.org/10.1596/1813-9450-2444

Henry Arianto, H., & dan Lisasih, N. Y. (n.d.). *Bab II Sejarah Hukum Adat*. https://lms-paralel.esaunggul.ac.id

Hobfoll, S. E. (1989). Conservation of Resources: A New Attempt at Conceptualizing Stress. *American Psychologist, 44,* 513–524. https://doi.org/10.1037/0003-066X.44.3.513

Hughes, I. A. (2005). A Perspective on Perspectives. *Archives of Disease in Childhood, 90,* 771-775.

Huxley, T. (2002). Chapter 2 Managing Separatism. *The Adelphi Papers, 42,* 29-53. https://doi.org/10.1080/05679320208682844

Ibrahim, J. (2006). *Teori dan Penelitian Hukum Normatif.* Bayumedia Publishing.

Indonesia Corruption Watch (2023). *Outlook 2023: Kemunduran Demokrasi dan Runtuhnya Agenda Antikorupsi—Refleksi dan Tantangan Pemberantasan Korupsi*. https://antikorupsi.org/id

Indrajit, R. E. (2011). *Peranan Teknologi Informasi dan Internet*. Andi Offest.

Katriana, S. (2023). *Indonesia to Face Tough Challenges for Law Enforcement in 2023: Expert*. https://en.antaranews.com

Klitgaard, R. (2001). *Eradicating Corruption*. Obor Indonesia Foundation.

Kompas (2023). *Pemberantasan Korups: Halim Agung Non Aktif Sudrajat Diyakini Nikmati Suap.* Dalam Politik dan Hulum Kompas, Rabu 31 Mei 2023 hal.2.

Krosnick, J. A. (1989). Attitude Importance and Attitude Accessibility. *Personality and Social Psychology Bulletin, 15,* 297-308. https://doi.org/10.1177/0146167289153002

Kross, E., Verduyn, P., Sheppes, G., Costello, C. K., Jonides, J., & Ybarra, O. (2021). Social Media and Well-Being: Pitfalls, Progress, and Next Steps. *Trends in Cognitive Sciences, 25,* 55-66. https://doi.org/10.1016/j.tics.2020.10.005

Leggett, M. (2003). Interactive States: Cinema and Digital Media. *Convergence, 9,* 27-35. https://doi.org/10.1177/135485650300900403

Lerman, A. E., & Weaver, V. M. (2014). *Arresting Citizenship: The Democratic Conse-*

quences of American Crime Control. University of Chicago Press. https://doi.org/10.7208/chicago/9780226137971.001.0001

Martin, M. (2012). *Causes of Corruption in Indonesia*. Transparency International, No. 338, 1-11. https://knowledgehub.transparency.org

Martitah, M. (2013). Reformasi Paradigma Hukum Di Indonesia Dalam perspektif Sejarah. *Paramita: Historical Studies Journal, 23,* 179-192.

Mattheis, C. (2012). The System Theory of Niklas Luhmann and the Constitutionalization of the World Society. *Goettingen Journal of International Law, 4,* 625-647.

McCombs School of Business, The University of Texas at Austin (2023). *Ethics Unwrapped*. https://ethicsunwrapped.utexas.edu

Murphy, C. (2005). Lon Fuller and the Moral Value of the Rule of Law. *Law and Philosophy, 24,* 239-262. https://doi.org/10.1007/s10982-004-7990-3

Museum Kepresidenan (2020). *Presiden Soeharto menyatakan berhenti dari Jabatan Presiden Republik Indonesia pada tanggal 21 Mei 1998*. https://kebudayaan.kemdikbud.go.id

Nandy (2021a). *Contoh Norma Hukum: Pengertian, Sanksi, Pelanggaran Norma Hukum*. https://www.gramedia.com

Nandy (2021b). *Kekuasaan Legislatif Adalah: Pengertian dan Fungsi Lembaganya*. https://www.gramedia.com

Ni'am, S. (2022). *Sejak KPK Berdiri, 1.479 Jadi Tersangka, 319 di Antaranya Anggota DPR-DPRD*. https://nasional.kompas.com

Nursadi, H. (2008). *Sistem Hukum Indonesia*. Edisi Kedua Cetakan pertama, Penerbit Universitas Terbuka Departemen Pendidikan Nasional.

Pope, J. (2003). *Strategy to Eradicate Corruption Elements of the National Integrity System*. Obor Indonesia Foundation.

Pratama, C. D. (2020). *Peran Lembaga Penegak Hukum di Indonesia*. https://www.kompas.com

Pusat Edukasi Antikorupsi (2022a). *Kenapa Masih Banyak yang Korupsi? Ini Penyebabnya!* https://aclc.kpk.go.id

Pusat Edukasi Antikorupsi (2022b). *Indeks Persepsi Korupsi*. https://aclc.kpk.go.id

Pusat Edukasi Antikorupsi (2022c). *Kenali Dasar Hukum Pemberantasan Tindak Pidana Korupsi di Indonesia*. https://aclc.kpk.go.id

Putri, A. M. H. (2023a). *Daftar Menteri Tersandung Korupsi, Era Jokowi Terbanyak?* https://www.cnbcindonesia.com

Putri, D. L. (2023b). *Sejarah Hukum Pidana di Indonesia, dari Sebelum Penjajahan hingga Berlakunya KUHP Warisan Belanda*. https://www.kompas.com

Rafiq, A. (2000). *Hukum Islam di Indonesia*. PT. Raja Grafindo.

Rahman, H. (2022). Reformasi Birokrasi: Korupsi Dalam Birokrasi Indonesia. *Jurnal Ilmiah Administrasi Pemerintahan Daerah, 14,* 135-161.

Restu, I. (2023). *Daftar 13 Menteri Tersangkut Korupsi di Era Megawati-Jokowi*. CNBC Indonesia. https://www.cnbcindonesia.com

Samin, S. (2008). *Pidana Islam dalam Politik Hukum Indonesia*. Kholam.

Santika, E. F. (2023). .*Pegawai Pemda hingga Aparat Penegak Hukum, Ini Jabatan Aktor Korupsi pada 2022*. https://databoks.katadata.co.id

Santoso, L. (2016). . Perbandingan Sistem Civil Law Dan Hukum Islam Serta Interaksinya Dalam Sisten Hukum Indonesia. *Istinbath*: *Jurnal Hukum, 13,* 189-222.

Sanville, J. B. (1999). Book Review: Mind and Society: THE PSYCHOANALYTIC MYSTIC. By Michael Eigen. Binghamton, NY: ESF, 1998, 224 pp., $29.95. *Journal of the American Psychoanalytic Association, 47,* 929-934. https://doi.org/10.1177/00030651990470031601

Sari, V. K., & Rahardjo, M. (2019). Corruption and Its Effects on The Economy and Public Sectors. *Journal of Applied Economics in Developing Countries, 4,* 48-53.

Scholarly Community Encyclopedia (2023). *Law*. https://encyclopedia.pub/entry/31221

Shults, C. J. F. (2013). *What Does It Mean for an Officer to Act Professionally?* https://www.police1.com

Sihombing, E. N. A. M. (2016). Menyoal Ketentuan Usul Pindah Pegawai Negeri Sipil Di Lingkungan Pemerintah Daerah Kabupaten Nias Barat. *Jurnal Penelitian Hukum De Jure, 16,* 95-104. https://doi.org/10.30641/dejure.2016.V16.95-104

Situmeang, S. M. T. (2023). The Legal Position of Customary Criminal Sanctions for the Baduy Community in Indonesian Legal Politics. *Proceeding of International Conference on Business, Economics, Social Sciences, and Humanities, 3,* 848-860.

Sobis, M. D. V. I. (2016). Increasing Transparency Is Not Always the Panacea: An Overview of Alternative Paths to Curb Corruption in the Public Sector. *International Journal of Public Sector Management, 29,* 255-270. https://doi.org/10.1108/IJPSM-11-2015-0197

Soekanto, S. (1986). *Mengenal Sosiologi Hukum*. Alumni.

Soekanto, S., & Mamuji, S. (2013). *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Raja Grafindo Persada.

Suramin, S. (2021). Indonesian Anti-Corruption Law Enforcement: Current Problems and Challenges. *Journal of Law and Legal Reform, 2,* 225-242. https://doi.org/10.15294/jllr.v2i2.46612

Syah, I. M., Muhammad, I., Burr, J. R., Goldinger, M. B., & dan Victor, C. (1992). *Filsafat Hukum Islam*. Bumi Aksara.

Syamsarul (2019). *Pencegahan Korupsi Dengan Penerapan Nilai Hukum Adat*. https://www.boyyendratamin.com/2015/10/pencegahan-korupsi-dengan-penerapan.html

Syamsuddin, A. (2008). *Integritas Penegak Hukum: Hakim, Jaksa, Polisi, dan Pengacara*. Penerbit Buku Kompas.

Take-profit.org (2023). *Indonesia Corruption Index and Rank*. https://take-profit.org

The Association of Certified Fraud Examiners (2019). *Online Self-Study: Introduction to Bribery and Corruption.* Association of Certified Fraud Examiners. https://www.acfe.com

The Department for International Development (2015). *Why Corruption Matters: Understanding Causes, Effects and How to Address Them.* Evidence Paper on Corruption. https://assets.publishing.service.gov.uk/media/5a7f86f2e5274a2e87db6625/corruption-evidence-paper-why-corruption-matters.pdf

The National Archives (2011). *Understanding Legislation*. https://www.legislation.gov.uk

The Third New International Dictionary from Merriam-Webster (1990). *Webster's Basic English Dictionary*. Merriam Webster Inc.

Tumuhulawa, A., & Moonti, R. M. (2021). The Authority of Government Officials in Delegating and Mandating. *Unnes Law Journal, 7,* 47-60.

UNHR (United Nations Human Rights) (2022). *Administration of Justice and Law Enforcement*. https://www.ohchr.org

UNODC (United Nations Office on Drugs and Crime) (2011). *Handbook on Police Accountability, Oversight and Integrity: Criminal Justice Handbook Series.* https://www.unodc.org

UNODC (United Nations Office on Drugs and Crime) (2023). *Indonesia: Anti-Corruption*. https://www.unodc.org

Utari, I. S., & Arifin, R. (2020). Law Enforcement and Legal Reform in Indonesia and Global Context: How the Law Responds to Community Development? *Journal of Law and Legal Reform, 1,* 1-4. https://doi.org/10.15294/jllr.v1i1.35772

Wahyu, Y. (2023). *Beban Agung Mahkamah Agung*. https://www.kompas.id

Welianto, A. (2020). *Sistem Hukum di Indonesia*. https://www.kompas.com

Wijaya, J. B., Rumadan, I., & dan Suhardin (2013). *Makna "Sifat Melawan Hukum" Dalam Perkara Pidana Korupsi (Kajian Tentang Putusan Mahkamah Agung RI Tahun 2005-2011) Laporan Penelitian*. Pusat Penelitian Dan Pengembangan Mahkamah Agung. https://bldk.mahkamahagung.go.id

Zabar, T. (2022). *Korupsi Kepala Daerah*. https://antikorupsi.org/id

Zenon, B. (2023). Norms, Legal. In *Routledge Encyclopedia of Philosophy*. Routledge.

Appendix

Ketetapan Majelis Permusyawaratan Rakyat Republik Indonesia Nomor XI/MPR/1998 tentang Penyelenggara Negara yang Bersih dan Bebas. KKN.

Undang Nomor 31 Tahun 1999 tentang Pemberantasan Tindak Pidana Korupsi.

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Undang-Undang Nomor 1 Tahun 1946 tentang Peraturan Hukum Pidana.

Undang-Undang Nomor 3 Tahun 1971 tentang Pemberantasan Tindak Pidana Korupsi.

Undang-Undang Pokok Agraria Nomor 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria.

Undang-Undang Republik Indonesia Nomor 16 Tahun 2004 tentang Kejaksaan Republik Indonesia.

Undang-Undang Republik Indonesia Nomor 18 Tahun 2003 tentang Advokat.

Undang-Undang Republik Indonesia Nomor 19 Tahun 2019 tentang Perubahan Kedua atas Undang-Undang Nomor 30 Tahun 2002 tentang Komisi Pemberantasan Tindak Pidana Korupsi.

Undang-Undang Republik Indonesia Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia.

Undang-Undang Republik Indonesia Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman.

Undang-Undang Republik Indonesia Nomor 14 Tahun 1985 tentang Mahkamah Agung.