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The Ideal Strategy for Eradicating Criminal Acts of Corruption in Realizing Effective Law Enforcement in Indonesia

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Abstract

Corruption is a criminal act that has a broad impact on state finances, the quality of public services, public trust, and the sustainability of development. This study aims to analyze the obstacles in eradicating corruption in Indonesia and formulate legal strategies that can strengthen the effectiveness of corruption prevention and prosecution. The study uses a normative juridical approach by examining relevant laws and regulations and literature. The analysis is based on the 1945 Constitution of the Republic of Indonesia, Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption, and supporting provisions for corruption eradication. The results of the study indicate that corruption eradication faces structural, cultural, instrumental, and managerial obstacles. Therefore, the eradication strategy needs to combine law enforcement, system improvement, anti-corruption education, transparency, institutional strengthening, public participation, whistleblower protection, inter-institutional cooperation, and continuous monitoring so that eradication efforts are consistent and oriented towards the public interest and are able to build a culture of integrity in the administration of government and social life in a sustainable manner nationally.

Keywords

Corruption Eradication; Criminal Acts of Corruption; Effective Law Enforcement; Indonesia; Legal Strategy.

1. Introduction

Corruption is a legal and governmental issue that has a far-reaching impact on the lives of Indonesians. Its existence is not only related to state financial losses but also to the declining quality of public services, weakening public trust, disrupting development, and diminishing the legitimacy of state institutions. These conditions make eradicating corruption an inseparable necessity from efforts to realize a state based on the rule of law oriented towards justice and public welfare. Corruption can thrive in various sectors and involve parties with different positions and authorities, so its handling requires systematic and consistent policies. This complexity demonstrates that eradicating corruption is not sufficient by simply imposing punishment after a crime has occurred but must also be directed at preventing the various conditions that allow corruption to flourish (Atmoko & Syauket, 2022).

Indonesia has established various legal and institutional instruments as part of its efforts to eradicate corruption. The presence of the Police, the Prosecutor's Office, the Corruption Eradication Commission (KPK), the Financial Transaction Reports and Analysis Center (PPATK), and other supporting institutions demonstrates the state's commitment to combating corruption. However, the existence of regulations and law enforcement agencies has not automatically eliminated corrupt practices. Various issues remain related to inter-institutional coordination, the effectiveness of oversight, the quality of officers, and the implementation of the law in practice. Muhtar (2019) explains that corruption eradication is closely related to legal politics because it requires policy harmonization and effective relationships between various law enforcement institutions. Therefore, the success of corruption eradication depends not only on the existence of regulations but also on how those regulations are implemented by authorized institutions.

Another problem lies in the various factors that hinder law enforcement. Barriers to corruption eradication can arise from institutional structures, societal culture, legal instruments, and governance. Weak oversight and coordination can open up space for irregularities, while a permissive culture toward corrupt practices can make such actions viewed as commonplace. Wiranti and Arifin (2020) point out that law enforcement against corruption in Indonesia still faces various challenges that prevent its eradication from being optimal. Karunia (2022), using Lawrence M. Friedman's theoretical perspective, also positions legal structure, legal substance, and legal culture as interrelated elements in determining the success of law enforcement. Therefore, corruption eradication strategies must consider all of these elements in an integrated manner.

The impact of corruption also demonstrates that this issue cannot be understood solely as a violation of criminal provisions. Corruption can disrupt the economy, increase inequality, reduce the quality of public services, and undermine public trust in the government. In the long term, ongoing corrupt practices can create a social environment that is permissive of dishonesty. Sofyanoor (2022) emphasized the crucial role of state administrative law in supporting corruption eradication, particularly through orderly governance and strengthening oversight mechanisms. Meanwhile, Suyanto (2018) emphasized the importance of the existence of anti-corruption institutions in strengthening efforts to eradicate criminal acts of corruption. This demonstrates that the eradication approach must involve both criminal aspects and improvements in governance.

Anti-corruption strategies also need to be directed at striking a balance between repressive and preventive measures. Prosecution against perpetrators is still necessary to provide legal certainty and accountability, but this approach will not be sufficient if the causes of corruption are not addressed. Safira (2017) views law as an instrument that can be used to shape social change, therefore, anti-corruption legal policies need to be directed at creating behaviors of society and state officials with greater integrity. Anti-corruption education, transparency, information disclosure, strengthened oversight, and community involvement are essential in building a sustainable prevention system. Pohan (2018) also points out that strengthening anti-corruption institutions needs to be accompanied by learning from corruption eradication practices in various countries so that the implemented strategies can be developed more effectively.

Based on this description, a strategy is needed that not only emphasizes increasing or tightening criminal sanctions, but also improves the system that allows corruption to occur. This strategy must include strengthening regulations, professionalizing law enforcement officers, improving institutions, increasing transparency, public participation, anti-corruption education, and ongoing supervision. Wardani and Wahyuningsih (2017) show that criminal formulation policies have a crucial role in determining the direction of corruption eradication, while Sosiawan and Indonesia (2019) emphasize the role of the Corruption Eradication Commission (KPK) in the prevention and eradication aspects. Based on these problems, this study discusses two research questions: (1) What are the obstacles that influence the eradication of criminal acts of corruption in Indonesia? and (2) What is the ideal strategy that can be implemented to increase the effectiveness of corruption eradication in Indonesia?

2. Methods

This research employs a normative legal research method (normative juridical), a research approach that places legal norms as the primary object of study. This approach is used to examine legal provisions related to the eradication of criminal acts of corruption and to examine various legal concepts and ideas relevant to the research problem. The legal materials used consist of primary legal materials in the form of laws and regulations governing the eradication of criminal acts of corruption, as well as secondary legal materials in the form of books, scientific journals, and research results related to the object of study.

The legal materials were collected through a literature review, identifying, and reviewing various relevant legal sources. The obtained legal materials were then grouped based on their relevance to the problem formulation. Qualitative analysis was conducted by linking normative provisions to the concept of corruption eradication, obstacles to law enforcement, and applicable prevention and enforcement strategies. The results of the analysis were then compiled descriptively and analytically to obtain a picture of the issues surrounding corruption eradication and to formulate strategies that could support more effective law enforcement.

3. Results and Discussion

3.1 Obstacles to Eradicating Criminal Acts of Corruption in Indonesia

The eradication of corruption in Indonesia still faces various obstacles that prevent law enforcement from being optimal. These obstacles are not only related to the ability of law enforcement officers to handle cases, but also stem from institutional structures, legal culture, legal instruments, and governance. Structurally, problems can be seen in weak inter-agency coordination, sectoral egos, suboptimal oversight, and internal control mechanisms that are unable to prevent irregularities from occurring early on. These conditions indicate that corruption eradication cannot simply rely on the existence of law enforcement agencies, but requires inter-institutional integration so that each stage of prevention and enforcement can be carried out effectively. Muhtar (2019) explains that harmonization between law enforcement agencies is a crucial part of building an effective legal policy for eradicating corruption.

Without proper coordination, the authority held by each agency can actually lead to overlapping or delay case handling. A similar issue also relates to the quality of oversight of government administration. Weak oversight creates room for abuse of authority, especially when accountability mechanisms are not implemented consistently. From a legal system perspective, the effectiveness of corruption eradication is influenced by the relationship between legal structure, legal substance, and legal culture. Karunia (2022) points out that the issue of corruption law enforcement cannot be separated from these three elements, as weaknesses in any one element can impact the entire system. Therefore, structural barriers must be understood as systemic issues requiring comprehensive reform, not simply increasing the number of enforcement actions.

In addition to structural barriers, corruption eradication also faces instrumental obstacles related to regulations and their implementation. Law No. 31 of 1999, as amended by Law No. 20 of 2001, provides a legal basis for handling various forms of corruption, but in practice, problems persist in the application of norms, the provision of evidence, and the coordination of authority. Wiranti and Arifin (2020) explain that law enforcement for corruption still faces various challenges that prevent the eradication process from being fully effective.

Difficulties in obtaining evidence, the complexity of cases, and the existence of relationships between perpetrators and certain parties can prolong the case handling process. On the other hand, cultural barriers are also a problem that cannot be ignored. A permissive attitude towards corrupt practices, the habit of allowing minor violations, and a weak role model from leaders can create an environment that does not support a culture of integrity. If society and officials consider certain practices as normal, legal norms will lose their deterrent power. Safira (2017) views law as a means of social change that can be used to shape societal behavior. Therefore, successful corruption eradication requires a shift in legal culture so that the public is not only aware of the prohibition of corruption but also has the courage to reject and report such practices.

The next obstacle stems from management aspects, particularly the quality of human resources, recruitment systems, professionalism of officials, the provision of rewards and sanctions, and follow-up on monitoring results. If the management system is not built in a transparent and accountable manner, corruption eradication efforts will continue to face the risk of abuse of authority. Sofyanoor (2022) emphasized that state administrative law plays a role in preventing abuse of authority through oversight and good governance. Therefore, obstacles to corruption eradication are fundamentally interconnected between weaknesses in structure, regulations, culture, and management. This situation demonstrates that eradication strategies must be directed at simultaneously improving the system so that enforcement does not work alone without strong prevention support.

3.2 Ideal Strategy to Increase the Effectiveness of Eradicating Corruption in Indonesia

Based on these various obstacles, the strategy to eradicate corruption needs to be directed at comprehensive system improvement and institutional strengthening. The strategy cannot simply focus on arresting and punishing perpetrators; it must also reduce opportunities for corruption. System reform can be implemented through increased transparency, strengthened internal and external oversight, simplified public service procedures, and the use of technology to minimize the potential for abuse of authority. Muhtar (2019) places harmonization of law enforcement agencies as a crucial part of the legal policy of eradicating corruption because good coordination is necessary to avoid conflicts of authority and ensure effective case handling. Institutional strengthening also needs to be accompanied by increased professionalism of law enforcement officers through an objective recruitment system, competency development, and the consistent application of rewards and sanctions.

The Corruption Eradication Commission (KPK), the Police, and the Prosecutor's Office (Polri), need to carry out their respective functions with clear coordination so that prevention and prosecution can support each other. Sosiawan and Indonesia (2019) demonstrate the importance of the KPK's role in carrying out its corruption prevention and eradication functions, thus strengthening anti-corruption institutions needs to be positioned as part of a sustainable strategy. Improving the public service system is also crucial because the simpler, more transparent, and more digitized a service is, the less likely it is to have unauthorized transactions between officials and the public. Therefore, institutional reform must be directed at creating a governance system that can detect irregularities early and provide certainty in the law enforcement process.

The next strategy needs to strengthen prevention through anti-corruption education and the development of a culture of integrity. Education should not only be provided to officials or students, but should be developed from the family environment, school, university, and workplace. Anti-corruption education can foster an understanding of honesty, responsibility, caring, courage, and a rejection of various forms of deviation. Safira (2017) explains that the law can function as a means of social change, so corruption eradication needs to be directed not only at imposing sanctions but also at changing community behavior. In this context, anti-corruption campaigns, information transparency, and the involvement of the media and community organizations can be used to build social control over government administration.

Pohan (2018) points out that the existence of anti-corruption institutions needs to be supported by a supervisory system and institutional conditions that can adapt to the needs of corruption eradication. Public participation also needs to be strengthened through easily accessible complaint mechanisms, protection for whistleblowers, and assurances that reports will be followed up professionally. The public must be positioned as part of the oversight system, not merely as recipients of public services. Furthermore, transparency of information regarding budget management, procurement of goods and services, and the wealth of state officials can reduce the opportunities for corruption. Atmoko and Syauket (2022) emphasize that the impact of corruption is so widespread that eradication efforts require measures that go beyond repression. Therefore, prevention through education, transparency, and public participation must go hand in hand with law enforcement.

In terms of enforcement, eradicating corruption still requires a firm, professional, and consistent legal process. Enforcement must be carried out through the stages of receiving reports, verification, investigation, prosecution, court hearings, and implementing decisions. Consistency at each stage is crucial to ensure that the law applies regardless of the perpetrator's social status or position. Wardani and Wahyuningsih (2017) point out that criminal law policies against corruption perpetrators are part of an effort to provide a legal response to crimes that have serious impacts on the state. However, enforcement must remain part of a broader strategy because punishing perpetrators does not automatically eliminate the causes of corruption. Improvements to the legal system are also necessary to reduce overlapping regulations, clarify institutional authority, and improve the ability of officials to handle increasingly complex cases.

The use of information technology can support the monitoring process, detect suspicious transactions, manage public complaints, and ensure transparency of government data. Furthermore, inter-institutional and international cooperation are necessary when corruption involves the transfer of assets, cross-border transactions, or perpetrators located in different jurisdictions. Suyanto (2018) emphasized the importance of anti-corruption institutions in carrying out their eradication functions, while Pohan (2018) showed that the effectiveness of anti-corruption institutions is also influenced by institutional design and legal system support. Therefore, enforcement must be carried out professionally and supported by adequate technology, coordination, and legal instruments.

Ultimately, the effectiveness of corruption eradication strategies needs to be measured through continuous monitoring and evaluation. Evaluation is necessary to determine whether implemented policies are truly capable of reducing opportunities for corruption, increasing compliance, strengthening the integrity of the apparatus, and increasing public trust in law enforcement. Oversight is also necessary for the implementation of recommendations for improvement so that audit results do not stop at administrative reports. Sofyanoor (2022) places supervision and administrative governance as crucial elements in preventing abuse of authority, so that monitoring results must be followed by clear corrective actions. Furthermore, coordination between law enforcement agencies, oversight bodies, the government, the media, academics, and civil society needs to be strengthened so that corruption eradication does not proceed in isolation.

The ideal eradication model should combine penal and non-penal approaches. The penal approach is necessary to provide certainty and a deterrent effect on perpetrators, while the non-penal approach is aimed at eliminating social, economic, political, cultural, and institutional factors that open up opportunities for corruption. Karunia (2022) points out that the effectiveness of law enforcement is closely related to the structure, substance, and culture of the law. Therefore, the success of corruption eradication cannot be measured solely by the number of cases successfully processed, but also by the system's ability to prevent new cases from arising. The ideal strategy ultimately requires building a transparent government, professional and independent law enforcement agencies, an active public oversight, and a legal culture that rejects corruption. This integrated approach is a crucial foundation for building a consistent, sustainable, and public-interest-oriented corruption eradication program.

4. Conclusion

The eradication of corruption in Indonesia still faces various challenges that prevent law enforcement from fully meeting public expectations. These obstacles stem not only from law enforcement but also from structural, cultural, instrumental, and managerial factors. Structural obstacles are evident in weak inter-institutional coordination, sectoral egos, and suboptimal oversight. Cultural obstacles are reflected in the persistence of permissive attitudes toward corrupt practices and weak role models in building integrity. Instrumental obstacles, meanwhile, relate to the application of regulations, the complexity of evidence, and various issues in law enforcement. From a management perspective, the quality of human resources, the professionalism of officials, the oversight system, and the reward and sanction mechanisms also influence the effectiveness of corruption eradication. These obstacles demonstrate that corruption is a systemic problem that cannot be resolved solely through criminal prosecution.

The ideal strategy for eradicating corruption requires an integrated approach through both penal and non-penal approaches. Improvements to the governance system should be directed at increasing transparency, strengthening oversight, simplifying public services, digitizing, and enhancing coordination between law enforcement agencies. At the same time, prevention efforts need to be strengthened through anti-corruption education, developing a culture of integrity, promoting information transparency, and increasing public participation. Action against perpetrators must remain firm, professional, and consistent, based on the principle of equality before the law. The public must also be given adequate space to conduct oversight through complaint mechanisms, providing protection for whistleblowers, and involving the media and civil society organizations. All of these strategies require ongoing monitoring and evaluation to determine the effectiveness of implemented policies and to correct them if they fail to achieve their objectives. Therefore, eradicating corruption is not solely focused on punishing perpetrators, but also aimed at improving the system, preventing corruption, building a legal culture of integrity, and increasing public trust in state institutions and law enforcement.

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The data that support the findings of this study are available from the corresponding author upon reasonable request.