

Problems with the Authority of Institutions Handling Corruption Crimes: Challenges and Obstacles in Realizing Peace, Justice, and Strong Institutions in Indonesia

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ABSTRACT

The handling of corruption crimes has become a scourge in Indonesia's law enforcement system. Corruption crimes are extraordinary crimes that must be dealt with through special procedures in separate legal proceedings. In 2002, the government established the Corruption Eradication Commission through Law No. 30 of 2002 on the Corruption Eradication Commission. However, over time, other institutions such as the Attorney General's Office and the Police also gained authority in prosecuting corruption. This has led to legal uncertainty in the prosecution of corruption crimes and has the potential to create overlapping authorities. Meanwhile, Point 16 of the SDGs states that there should be strong state institutions in terms of law enforcement. The research method used is normative juridical with a legislative and conceptual approach. The results and discussion show that the a quo condition of corruption enforcement institutions is still held by three institutions, namely the Corruption Eradication Commission (KPK), the Attorney General's Office of the Republic of Indonesia, and the Indonesian National Police. All three have their own legal basis through Law No. 19 of 2019 concerning Amendments to Law No. 30 of 2002, Law No. 16 of 2004 concerning the Attorney General's Office and its amendments, and Law No. 2 of 2002 concerning the Indonesian National Police and its amendments, all of which grant authority to prosecute criminal acts of corruption. Therefore, the solution to this problem is to abolish the KPK and strengthen the authority of the Attorney General's Office of the Republic of Indonesia because the essential function of the KPK's establishment has been carried out until now, namely as a trigger in the enforcement of criminal acts of corruption in Indonesia, so that its existence is considered irrelevant at this time. This is also in line with point 16 of the SDGs, which requires the strengthening of law enforcement agencies to support the enforcement of the SDGs in Indonesia.

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1. INTRODUCTION

As a country based on the rule of law that fundamentally adopts the principle of *rechtsstaat*, Indonesia places the supremacy of law as the main pillar in all aspects of state administration, where every action of the government and citizens must be based on applicable laws and regulations (Handayani & others, 2016). The constitution, in this case the 1945 Constitution of the Republic of Indonesia, explicitly guarantees a series of fundamental rights and freedoms for every citizen, including the freedom of association, assembly, and expression, as well as the right to a decent life and equal protection under the law (Simatupang, 2021). These guarantees are not merely a formality, but rather the essence of the social contract between the state and its people, which aims to create a just, prosperous, and civilized society. The concept of the rule of law requires a balance between state power, which is strictly regulated by law, and individual freedom, which is protected from arbitrary intervention. Thus, every citizen basically has complete freedom to engage in activities and pursue their welfare, as long as these activities do not violate the rights of others or mutually agreed legal norms. This principle is the foundation for democratic national and state life, where power is not absolutely centralized, but rather distributed and controlled.

Although individual freedom is constitutionally guaranteed, it is not unlimited, but must be subject to restrictions imposed in the greater interest of public order and the protection of the rights of others. Article 28J paragraph (2) of the 1945 Constitution of the Republic of Indonesia is the main legal basis for these restrictions, which explicitly states that in exercising their rights and freedoms, every person must comply with the restrictions established by law (Adhari, Sitabuana, & Srihandayani, 2021). These restrictions have a noble purpose, which is solely to guarantee the recognition and respect for the rights and freedoms of others, and to fulfill fair demands in accordance with moral considerations, religious values, security, and public order in a democratic society. Thus, when an individual or group commits an act that harms the public interest, such as a criminal act of corruption, the state has full legitimacy to restrict their freedom through law enforcement (Hasan, 2020). Criminal acts of corruption, as extraordinary crimes, clearly violate the social and economic rights of the wider community, so that their handling becomes a strong justification for the state to apply strict legal instruments.

In Indonesia's law enforcement architecture, the Indonesian National Police (Polri) holds authority as one of the main pillars in handling criminal acts of corruption, particularly at the investigation and inquiry stages. Based on Law Number 2 of 2002 concerning the Indonesian National Police and the Criminal Procedure Code (KUHAP) (Ilmiyah, 2020), the Polri has a mandate to carry out a series of pro-justice actions against any suspected criminal acts, including corruption. This authority includes essential actions such as receiving reports, summoning witnesses, carrying out arrests, conducting detentions, and conducting searches and seizures of evidence. In the context of corruption, special units within the Indonesian National Police, such as the Directorate of Corruption Crimes (Dittipidkor) at the Criminal Investigation Agency (Bareskrim) level, are at the forefront of handling cases reported by the public or discovered through internal investigations (Rae, 2020). The Indonesian National Police's authority is general in nature and covers the entire spectrum of corruption crimes, ranging from small-scale cases at the regional level to more complex cases, making it one of the first law enforcement institutions that the public can access to report suspected corruption.

The Attorney General's Office of the Republic of Indonesia plays a unique and highly strategic role in the Indonesian criminal justice system, as it has dual authority in both the investigation and prosecution of corruption crimes. Based on Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office, this institution not only acts as the sole public prosecutor that brings cases to court, but is also given the authority to conduct its own investigations into certain criminal acts, including corruption (Solin, Hafsah, & Siregar, 2024; Yusni, 2020). The investigative authority of the Attorney General's Office, which is exercised by units such as the Deputy Attorney General for Special Crimes (Jampidsus), enables it to handle corruption cases independently from start to finish, especially cases that cause large-scale losses to state finances (Chang, Liang, & Wang, 2024). In addition, the Attorney General's Office also functions as the executor of court decisions that have

permanent legal force, ensuring that convicted corruptors serve their sentences and that assets resulting from corruption are confiscated by the state. The Attorney General's Office's central role in the prosecution phase makes it the final filter before a corruption case is brought to court, where prosecutors must ensure that the evidence gathered by investigators (both from the National Police and the Attorney General's Office itself) is strong and sufficient.

The Corruption Eradication Commission (KPK) was established as a specialized body with extraordinary powers to handle corruption crimes that are highly complex and attract public attention. Based on Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 (Parama & Al-Fatih, 2021), the KPK's authority is focused on cases involving law enforcement officials, state administrators, and other persons related to corruption committed by both, as well as cases involving state losses of at least Rp 1 billion. The KPK has a trigger mechanism function, which means it can encourage other law enforcement agencies to work more effectively, as well as a supervisory and coordinating function over the police and the attorney general's office. In addition to investigation and inquiry, the KPK is also given independent prosecution authority, which allows it to oversee cases from the beginning to the court's decision (Putra, 2019). Other special powers, such as conducting wiretapping and requesting account blocking, are designed to uncover organized and systemic corruption cases that are difficult for conventional law enforcement agencies to reach.

The existence of three institutions, the Police, the Attorney General's Office, and the KPK, which all have inherent authority to investigate corruption crimes, creates a significant potential for overlapping jurisdiction. Although the law has attempted to limit the KPK's focus to certain cases, in practice there is often tug-of-war and institutional competition in handling a case, a phenomenon often referred to as "Cicak vs. Buaya" (Gecko vs. Crocodile). The lack of clarity in the norms governing the coordination mechanism and the rigid division of authority between these institutions often leads to inefficient law enforcement and weakens overall efforts to eradicate corruption (Adlina, Erliyani, & Suprpto, 2022). This institutional ambiguity is evident when there are differences in interpretation regarding when a case should be taken over by the KPK or when supervision should be carried out, which ultimately hinders the speed and effectiveness of case handling (Sengkeh, 2021). This problem creates a fragmented law enforcement landscape, where sectoral egos between institutions have the potential to override the common goal of eradicating corruption completely.

Sustainable Development Goal (SDG) 16 explicitly targets the realization of "Peaceful, Just, and Inclusive Societies" supported by "Effective, Accountable, and Inclusive Institutions at All Levels." According to the global framework and its adaptation by Bappenas in Indonesia, this goal not only addresses the reduction of violence, but fundamentally demands the rule of law, equal access to justice for all, and the development of public institutions that are free from corruption and bribery. The indicators of success for this goal specifically measure the effectiveness of judicial institutions, government transparency, and public participation in decision-making. Strong institutions in the context of SDG Point 16 are institutions that not only have clear authority but also work synergistically, transparently, and accountably to the public they serve, thereby providing legal certainty and a sense of justice to the community (Sekretariat SDGs DKI Jakarta, 2023; SONIA, 2023).

The problem of overlapping authority between the police, the attorney general's office, and the Corruption Eradication Commission (KPK) is diametrically opposed to the ideals contained in SDG Point 16. The ambiguity of norms and institutional competition directly weakens the effectiveness of law enforcement institutions, which are the main pillars of strong institutions. Instead of working synergistically to provide legal certainty, the existing fragmentation creates uncertainty and can undermine public trust in the judicial system as a whole. This condition does not reflect the principles of justice and the rule of law that are at the core of SDG 16, because the handling of corruption becomes vulnerable to political intervention and sectoral ego, rather than being based purely on impartial law enforcement. Thus, as long as this issue of authority remains unresolved through a harmonious and integrated institutional design, the realization of effective and accountable institutions to eradicate corruption will remain a major challenge for Indonesia.

Based on the comprehensive background of the problem, this study formulates a series of fundamental research questions for further analysis. First, what is the current condition of institutions handling corruption crimes in Indonesia? Second, how can the institutions handling corruption be redesigned to fulfill peace, justice, and strong institutions? Through an in-depth analysis of these three questions, this study aims to offer an institutional reform model that can strengthen efforts to eradicate corruption in a systemic and sustainable manner.

2. METHODS

The research method used in this study is normative juridical with a legislative approach, comparative approach, and conceptual approach (Marzuki, 2017). Normative juridical research is research that focuses on the analysis of secondary data on the issues raised in the study, specifically on legislation (Nasution, 2008). The legislative approach is important in examining the applicable legal provisions, especially at the national level. The regulations used in this study are Law No. 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia and its amendments, Law No. 2 of 2002 concerning the Indonesian National Police and its amendments, and Law No. 30 of 2002 concerning the Corruption Eradication Commission and its amendments. Then, the conceptual approach is focused on looking at issues with doctrines that exist in legal science. The doctrines used are state institutional doctrines, legal regulation theories, especially the Stufenbau theory, and other relevant theories. The comparative approach is used to look at issues in other countries, especially those with similar legal provisions.

3. FINDINGS AND DISCUSSION

3.1 The Status Quo of Institutions Handling Corruption Crimes in Indonesia

In Indonesia's constitutional architecture, understanding the concept of state institutions is fundamental to mapping the authority to handle corruption, which is broadly divided into non-ministerial government agencies (LPNK) and non-structural state agencies (Iswandi & Prasetyoningsih, 2020; PAN-RB, 2021), better known as state auxiliary agencies. LPNKs such as the Police and the Attorney General's Office are part of the executive branch, which is under and directly responsible to the President, carrying out general government functions in the field of law enforcement in accordance with the constitution. In contrast, non-structural institutions such as the Corruption Eradication Commission (KPK) are formed based on specific and urgent needs, often with greater independence and special authority that exceeds that of conventional institutions in order to achieve certain objectives, in this case the eradication of corruption. This fundamental difference is often blurred in a dynamic presidential system, where a head of government tends to form new ministries or institutions as a manifestation of political vision or to respond to high public expectations on an issue. The establishment of these new institutions, although intended to improve effectiveness, sometimes creates overlapping jurisdictions and fragmentation of authority that should be harmoniously integrated (Fitryantica, 2019). This tendency also reflects how the executive branch seeks to consolidate control over strategic state functions, including criminal law enforcement. As a result, instead of creating synergy, the institutional landscape becomes an arena of competition between institutions, each clinging to its formal legal legitimacy. Ultimately, the conceptual distinction between structural executive institutions and independent institutions is crucial in analyzing the effectiveness and potential for conflict in handling corruption in Indonesia. This underscores the inherent challenges in institutional design, which must balance the need for specialization and independence with the imperative of coordination and unity of command in a presidential system.

The authority of the Indonesian National Police in handling corruption crimes is firmly rooted in Law No. 2 of 2002 on the Indonesian National Police, which fundamentally positions the Indonesian National Police as the primary investigator and examiner for all types of general crimes (Sukarnita & Surata, 2021). Based on this general mandate or *lex generalis*, the Polri inherently has jurisdiction to

carry out a series of pro-justice actions in corruption cases, from receiving reports, conducting investigations to uncover criminal acts, to conducting inquiries by gathering sufficient evidence. The Corruption Crimes Directorate (Dittipidkor) under the Criminal Investigation Agency (Bareskrim) of the Indonesian National Police is the spearhead of this institution, which is specifically designed to handle complex corruption cases spread across Indonesia's jurisdiction. An in-depth legal analysis shows that the Indonesian National Police's authority is original and unlimited, unless there are other laws and regulations that specifically (*lex specialis*) grant this authority to other institutions under certain conditions (Irfani, 2020). The hierarchical and widespread organizational structure of the Indonesian National Police, from the central level to the sub-district level, gives it a geographical reach that other anti-corruption institutions do not have. However, in practice, the effectiveness of the Polri's handling of corruption is often challenged by public perception and the potential for intervention, given its position under the executive branch. Therefore, the role of the Polri in combating corruption remains a key pillar of the criminal justice system, particularly in handling cases that do not meet the criteria for handling by the KPK. Juridically, the investigative authority of the Polri is the foundation of the criminal law enforcement system in Indonesia, which ensures that there are no legal loopholes in the prosecution of any alleged corruption. Ultimately, the existence of this authority confirms the central position of the Polri in the national anti-corruption architecture, even though it must share the stage with other institutions that have more specific mandates.

The Attorney General's Office of the Republic of Indonesia holds a unique and strategic position in the eradication of corruption, where its authority is comprehensively regulated in Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia (as amended by Law Number 11 of 2021). Unlike the National Police, whose functions are limited to investigation and inquiry, the Attorney General's Office has dual authority, namely as an investigator and sole public prosecutor for certain criminal acts of corruption, which gives it control from upstream to downstream in the criminal justice process (Pramudita & Sari, 2024). This investigative authority is explicitly granted by law, allowing the Deputy Attorney General for Special Crimes (Jampidsus) and his staff to directly lead the investigation process for significant corruption cases. A deeper legal analysis reveals that this dualism of functions is designed to create a more integrated and efficient case handling mechanism, minimizing the potential for back-and-forth exchanges of case files between investigators and prosecutors. The Attorney General's Office can proactively conduct investigations without having to wait for case files to be transferred from other investigative institutions, which theoretically speeds up the law enforcement process. This authority is also reinforced by the Attorney General's Office's right to prosecute all corruption cases, including those investigated by the National Police and the Corruption Eradication Commission (KPK), affirming its role as *dominus litis* or controller of criminal cases. Historically, the Attorney General's Office has handled many major corruption cases long before the KPK was formed, making it an institution with long historical experience in this field. However, like other institutions, the Attorney General's Office has not escaped public scrutiny regarding its independence and accountability in exercising its considerable authority (Yusni, 2020). The position of the Attorney General as part of the government cabinet often raises questions about potential conflicts of interest in handling cases involving political actors. Therefore, despite having a very strong legal basis, the optimization of the Attorney General's Office's role in eradicating corruption is highly dependent on the integrity and institutional independence of its officials.

The Corruption Eradication Commission (KPK) was born out of the spirit of Reformasi as an independent state institution specifically designed to spearhead the fight against systemic and rampant corruption. The KPK's authority is regulated in Law No. 30 of 2002, which was later revised into Law No. 19 of 2019, which mandates it as a trigger mechanism with a very broad function, covering coordination, supervision, investigation, inquiry, and prosecution at the same time. Fundamentally, the KPK adheres to the principle of *lex specialis derogat legi generali*, which means that the provisions in the KPK Law have legal force that overrides the provisions in general criminal procedure law when handling corruption cases. This institution is given jurisdiction to handle criminal acts of corruption

involving law enforcement officials, state administrators, and other persons related to criminal acts of corruption committed by law enforcement officials or state administrators (Rafii & Nurfaedah, 2024). In addition, the KPK also has the authority to handle cases involving state losses of at least one billion rupiah, making it an institution that focuses on large-scale or grand corruption. A legal analysis of its existence shows that the KPK is designed as a “superbody” that not only takes action but also prevents corruption through the registration and examination of State Officials' Wealth Reports (LHKPN) and conducts studies on the state administration system. Supervisory authority is one of its most crucial features, whereby the KPK can take over investigations or prosecutions being handled by the police or the Attorney General's Office if they are deemed to be slow or suspected of being fabricated. These extraordinary powers, such as conducting wiretapping without court permission (prior to the revision of the law), are designed to uncover corruption crimes that are often carried out secretly and in an organized manner (Sengkeh, 2021). Therefore, the KPK's position in the constellation of law enforcement agencies in Indonesia is as the front line that is expected to provide a shock effect and restore public trust. Ultimately, the existence of the KPK reflects the state's recognition that eradicating corruption requires an unusual approach and an institution with extraordinary power and independence.

One of the most central and sensitive powers of the Corruption Eradication Commission is its coordination and supervisory function over agencies authorized to combat other criminal acts of corruption, namely the police and the attorney general's office. This authority is explicitly regulated in the law establishing the KPK, which legitimizes the KPK to act as a coordinator and supervisor to ensure that corruption cases are handled effectively, efficiently, and free from interference. In its coordination function, the KPK is tasked with directing and synergizing anti-corruption efforts between institutions to prevent overlapping case handling or even unhealthy competition. Meanwhile, the supervisory function gives the KPK the power to monitor, review, or even take over ongoing investigations or prosecutions by the Police or the Attorney General's Office if there are indications of a lack of seriousness, protracted proceedings, or attempts to protect the perpetrators. An in-depth legal analysis of this authority shows that it is an instrument of internal checks and balances among law enforcement agencies themselves, designed to address corruption within the apparatus. The authority to take over cases is the ultimate manifestation of the supervisory function, which legally places the KPK in a superior position under certain conditions that have been limited by law. Theoretically, the implementation of this authority aims to ensure that no report or allegation of corruption is left unresolved without a legally justifiable reason. However, in practice, it is this supervisory and takeover authority that is often the main source of institutional friction and tension between the KPK and the National Police and the Attorney General's Office. The successful implementation of this function is highly dependent on clear communication mechanisms and objective criteria regarding when a case should be supervised or taken over. Thus, supervisory and coordination authority is a double-edged sword: on the one hand, it is the key to the effectiveness and accountability of corruption eradication; on the other hand, it is the epicenter of potential institutional conflict (Kobesi, Pekuwali, & Tadeus, 2019).

Each law enforcement agency in Indonesia is equipped with different legal instruments and special authorities, reflecting their respective mandates and focus in combating this extraordinary crime. The police and the attorney general's office, in carrying out their investigative functions, are essentially subject to the provisions of the Criminal Procedure Code (KUHAP) as *lex generalis*, which regulates in detail the formal procedures for criminal law enforcement. However, since its inception, the Corruption Eradication Commission has been granted various special powers that deviate from the KUHAP, such as the authority to conduct wiretapping, order account blocking, and request banking information and data on suspects' assets without going through complicated procedures. These special powers were granted with the justification that corruption is an extraordinary crime that cannot be eradicated using ordinary measures (Marbun, Sitompul, Halawa, Pasa, & Purba, 2020; Siswanto, 2013). Legal analysis shows that the granting of these special powers is a breakthrough in criminal procedure

law that aims to penetrate the secrecy and complexity of transactions that often surround modern corruption crimes. Although Law No. 19 of 2019 has revised some of these powers, for example by requiring the Supervisory Board's permission for wiretapping, the essence of the KPK's special powers remains as the main distinguishing feature from other institutions. On the other hand, the Attorney General's Office also has equally strategic powers, namely the ability to conduct direct investigations into alleged state financial losses through civil or administrative mechanisms, which provides flexibility in efforts to recover state assets. Meanwhile, the main strength of the National Police lies in its human resources and massive intelligence network spread across the country, which is very effective in tracking assets and perpetrators. The combination of these various legal instruments and special authorities should create a comprehensive and multi-layered system for combating corruption. However, these differences in instruments can also trigger institutional jealousy and debates about the proportionality and accountability of the use of extraordinary powers (Muhammad, 2019).

The architecture of corruption eradication in Indonesia is *de jure* built on the foundation of tripartite synergy between the Police, the Attorney General's Office, and the Corruption Eradication Commission, in which each institution has complementary but sometimes overlapping roles. The police act as general investigators with the widest reach, the Attorney General's Office acts as a special investigator and sole public prosecutor, while the KPK functions as a special institution with superbody authority that focuses on large and strategic cases. The relationship between the three is governed by the legal principle of *lex specialis derogat legi generali*, which theoretically places the KPK Law as a special law that supersedes general laws (the Criminal Procedure Code and other institutional laws) in matters that are specifically regulated. This principle is the legal basis for the KPK to take over cases or use its special powers that are not possessed by the National Police or the Attorney General's Office. Careful legal analysis shows that this design is intended to create a strong system, where the weaknesses of one institution can be covered by the strengths of another. For example, if the National Police or the Attorney General's Office encounters a deadlock in handling a case involving a high-ranking official, the KPK can step in to take over and resolve it with its independent authority. However, in reality, the application of the *lex specialis* principle does not always run smoothly and is often a source of debate over legal interpretation between institutions. The boundaries regarding when a case meets the criteria of "attracting public attention and causing unrest" or when its handling is considered "protracted" are often subjective and open to multiple interpretations. As a result, instead of being an integrating principle, *lex specialis* sometimes becomes a pretext for asserting institutional superiority. The status quo shows that although this tripartite legal framework is ideal on paper, its implementation is highly dependent on political will, sectoral egos, and harmonious communication between institutional leaders. Therefore, synthesizing the roles of these three institutions remains an ongoing task in order to achieve integrated and effective corruption eradication (Hasan, 2020).

The status quo of corruption law enforcement in Indonesia is heavily influenced by a tug of war between existing institutions, particularly between the Corruption Eradication Commission (KPK), the National Police, and the Attorney General's Office. This conflict is not new and has manifested itself in various events that are known to the public, such as the "Cicak vs. Buaya" case, which clearly showed the open feud between the KPK and the National Police. This tug of war often stems from the existence of a grey area in the laws and regulations that govern the demarcation of each institution's jurisdiction in an unclear and incomplete manner. Each institution tends to interpret articles regarding authority, coordination, and supervision in accordance with its own interests and priorities, which in turn triggers competition in handling certain cases, especially those that are strategic or receive widespread media attention. The fact that all three institutions have investigative authority inherently creates the potential for overlap in the handling of the same cases. The issue becomes even more complicated when the mechanism of supervision and case takeover by the KPK is interpreted as a form of distrust or delegitimization of the competence of the National Police and the Attorney General's Office. Strong sectoral egos among law enforcement officials further exacerbate the situation, turning professional competition into counterproductive personal or institutional conflicts. As a result, the energy and

resources that should be focused on fighting corruptors are instead drained by internal feuds between law enforcement agencies. This phenomenon not only hinders the pace of corruption case prosecution, but also seriously erodes public trust in the state's seriousness in eradicating corruption. Ultimately, this tug-of-war over authority reflects the failure of institutional design to create a truly synergistic and integrated working mechanism that prioritizes common goals over sectoral supremacy (Cahyono, Iftitah, Hidayatullah, Yuliastuti, & Susetiyo, 2023).

Overlapping and conflicting jurisdictions that often occur between corruption-handling institutions inherently contain the potential for formal disputes over authority between state institutions (SKLN). Such disputes arise when two or more state institutions feel that they both have authority or even shift authority to each other based on different interpretations of the laws and regulations that form their legal basis. The Indonesian Constitution has anticipated this potential for conflict by providing a legal solution through the role of the Constitutional Court (MK), as mandated in Article 24C paragraph (1) of the 1945 Constitution of the Republic of Indonesia. This article explicitly states that one of the powers of the Constitutional Court is to settle disputes over the authority of state institutions whose powers are granted by the Constitution. The police, the attorney general's office, and the KPK, as state institutions whose powers are derived from the constitution and further regulated by law, can theoretically become disputing parties before the Constitutional Court. For example, if there is an absolute deadlock in which the KPK and the Attorney General's Office both insist on having primary investigative rights over a strategic corruption case, one of the parties can file an SKLN petition with the Constitutional Court. The Constitutional Court's decision in such a dispute will be final and binding, providing an authoritative interpretation of the demarcation of powers that should apply. The existence of this mechanism is a constitutional safety valve to prevent inter-institutional conflicts from dragging on and paralyzing law enforcement. However, the process of submitting disputes to the Constitutional Court is often considered a last resort that is political and can exacerbate conflicts, so institutions tend to avoid it. Nevertheless, this potential confirms that Indonesia's constitutional legal framework has provided a final forum for resolving jurisdictional issues in corruption eradication. It also underlines the importance of clarity in legal norms to minimize the possibility of disputes that must be resolved at the court level (Simamora, 2016).

Institutional fragmentation and the constant tug-of-war over authority in handling corruption cases in Indonesia create conditions that are far from ideal when viewed from the perspective of legal theory. Classical theory states that the law must be able to realize three basic values, namely certainty, justice, and utility, but the current situation shows a deficit in the first two values. The absence of legal certainty is the most obvious implication, where the public, those seeking justice, and even law enforcement officials themselves are often faced with confusion about which institution actually has the most authority and responsibility for handling a case (Syafri & Hartati, 2020). This uncertainty opens the door for perpetrators of corruption to exploit conflicts between institutions as a strategy to delay, obstruct, or even stop the legal process against them. Furthermore, this situation directly undermines the sense of legal justice for the wider community, which desires firm, impartial, and efficient law enforcement. When state institutions are busy fighting over the limelight and authority, the substance of law enforcement to recover state losses and punish criminals is neglected. The collective energy of the nation, which should be devoted to substantive eradication of corruption, is instead drained by procedural drama and unnecessary institutional competition. Ultimately, this status quo creates a paradox, in which the large number of anti-corruption agencies does not necessarily result in more effective eradication of corruption (Oktava & Amalia, 2019). This serves as a critical reminder that without regulatory harmonization, clear division of authority, and a commitment to synergy, the noble goal of achieving justice and legal certainty in eradicating corruption will remain a difficult ideal to achieve. Comprehensive legal and institutional reform is imperative to end this anomaly and return law enforcement to its proper track.

3.2. Institutional Redesign for Handling Corruption Crimes in Fulfilling Peace, Justice, and Strong Institutions

The current institutional conditions for handling corruption crimes in Indonesia are fundamentally far from ideal, marked by acute structural fragmentation between the three main institutions: the Police, the Attorney General's Office, and the Corruption Eradication Commission (KPK). The current institutional architecture, although initially designed to create synergy and mutual control mechanisms, has in practice given rise to serious overlapping investigative powers. This overlap normatively creates a gray area of jurisdiction, where the same corruption case has the potential to be handled by more than one institution simultaneously (Arfiani, Syofyan, Delyarahmi, & others, 2023). This phenomenon not only causes inefficiency in the allocation of state resources, but also opens loopholes for suspected perpetrators of corruption to exploit procedural conflicts between institutions as a defense strategy. Institutional competition, often triggered by sectoral egos, has transformed the landscape of law enforcement into an arena of competition rather than harmonious collaboration. This condition is inherently contrary to the principle of an integrated criminal justice system, which requires a linear and coherent case handling process. The weak demarcation of authority in legislation is the root cause of the friction between institutions that continues to recur over time. Ultimately, the current tripartite structure demonstrates more dysfunction than optimal function in systematically eradicating corruption. This situation clearly shows that the existing institutional design has failed to create solid and integrated law enforcement coordination (Indasyah & others, 2023). This proves that adding more institutions without a mature integration design actually weakens the main objective of law enforcement itself.

More profoundly, the overlapping authorities between the KPK, the Attorney General's Office, and the Police have become a chronic disease that undermines the effectiveness of corruption eradication in Indonesia. Each institution has a strong legal basis for conducting investigations, with the Police based on the Criminal Procedure Code and the Police Law, the Attorney General's Office based on the Attorney General's Office Law, and the KPK based on its own *lex specialis* law. This dualism and even tripartism of investigative authority often triggers competition over strategic cases with high publicity value. The KPK's supervisory and coordinating authority, which was intended to be a solution, has in many cases become a source of new conflict because it is often interpreted as a form of intervention by other institutions. As a result, instead of synergy, what emerges is suspicion and reluctance to cooperate sincerely among law enforcement officials. This problem is exacerbated by the absence of an authoritative clearing house institution or mechanism that can determine which institution is most appropriate to handle a case from the outset. This causes law enforcement to be reactive and poorly planned, often depending on which agency initiates legal proceedings first. This less than ideal situation ultimately harms the greater public interest, as law enforcement agencies are divided between fighting corruption and competing with other state institutions (Tjandra, 2013). The absence of procedural legal certainty directly undermines the principles of good governance. The result of all this is a system of corruption law enforcement that is costly, slow, and prone to counterproductive internal conflicts.

When reflected upon further, the less than ideal real conditions in corruption law enforcement are a reflection of larger problems in Indonesia's post-reform constitutional system. The enthusiasm to eradicate corruption quickly has led to the establishment of new institutions, such as the KPK, as state auxiliary agencies without being accompanied by a grand design for the overall reform of law enforcement institutions. As a result, these new institutions exist alongside the old institutions without a clear roadmap for integration, creating a patchwork institutional ecosystem (Munck, 2016). Our constitutional system tends to be permissive towards the formation of ad hoc institutions to respond to specific issues, but often neglects to formulate mechanisms for coordination and relations between these institutions. The large number of authorized institutions shows symptoms of "institutional obesity," where the state has too many organs with similar functions that ultimately weaken each other. In constitutional practice, the independence of an institution is often interpreted as isolation or

superiority, rather than functional autonomy within a systemic framework (Corputty, 2020). This causes these institutions to operate in their own orbits, losing sight of their shared vision as a unified state apparatus. Strong presidentialism also provides space for the head of government to influence the dynamics between these institutions in accordance with his political agenda, which sometimes actually exacerbates competition. The current system shows more characteristics of fragmentation of law enforcement power, rather than a healthy division of power as mandated by the constitution (Ariana & Setyadi, 2023). Fundamentally, the root of the problem lies in the inconsistency of legal policy in structuring an efficient and effective state institutional architecture. This condition is proof that partial reforms without a systemic vision will only result in new anomalies in state governance.

The rivalry between law enforcement agencies has had a real and detrimental impact on the spirit of the Indonesian legal system, far beyond mere administrative issues. The feud that is often played out in the public arena, as summarized in the term “Cicak vs. Buaya” (Gecko vs. Crocodile), has significantly eroded public trust in law enforcement institutions as a whole. This situation has created a perception among the public that state officials are more concerned with protecting their own institutions than protecting the interests of the state from the threat of corruption. The collective energy of the nation, which should be devoted to building an integrity system, is instead being drained by managing unproductive internal conflicts and tensions (Sangalang, 2012). Furthermore, this situation provides a strategic advantage for corruptors and their networks, who can exploit divisions among law enforcement agencies to weaken the process of evidence gathering and prosecution. This disharmony also hinders international cooperation in combating corruption, as other countries become uncertain about which institution represents Indonesia's central authority. Instead of demonstrating strength, the multitude of institutions projects an image of weakness and internal chaos to the world (Maramis, 2015). Law enforcement becomes unpredictable, as the fate of a case may depend on which institution happens to be handling it, rather than on the strength of the evidence alone. Substantively, justice is the main victim because the judicial process is colored more by institutional rivalry than by the search for material truth. Ultimately, this reality shows that the state is fighting against itself in its efforts to eradicate corruption. The failure to consolidate law enforcement powers under a single effective command is the biggest failure in the war against corruption to date.

In this context that Sustainable Development Goal (SDG) 16, Peace, Justice, and Strong Institutions, must be placed as the normative foundation and main vision in redesigning the anti-corruption institutional architecture in Indonesia. SDG 16 explicitly targets the reduction of corruption and bribery in all its forms, as well as the development of effective, accountable, and transparent institutions at all levels (Disemadi & Wardhana, 2020). The enforcement of this goal is very important because it makes us realize that “resilient institutions” are not a matter of quantity, but rather a matter of quality, coherence, and systemic effectiveness. Legal substance, in the form of anti-corruption laws and regulations that are already quite strong, can never be optimally enforced if the legal structure that implements them is fragile and fragmented. Therefore, to fulfill the mandate of SDG 16, Indonesia must have the courage to conduct a fundamental evaluation of the current institutional structure. Creating a robust institution means building a system that is free from overlap, has a clear chain of accountability, and is capable of working in an integrated manner (Prajias, Harahap, & Prayuti, 2021). This effort is not only a matter of fulfilling international commitments, but is also an absolute prerequisite for realizing the goal of a constitutional state as enshrined in the constitution. Substantive justice for the victims of corruption, namely all Indonesian people, can only be achieved if the law enforcement machinery works without the obstacle of internal conflict. SDG 16 provides us with a moral compass and a clear framework for escaping the trap of institutional fragmentation. Institutional redesign oriented towards achieving SDG 16 targets will ensure that reforms are truly aimed at strengthening the rule of law, rather than simply shifting or relocating problems.

Based on an analysis of the unfavorable conditions and adhering to the vision of SDG 16, institutional redesign through the consolidation of corruption enforcement functions is a rational option that urgently needs to be seriously considered. This idea is based on the need to end dualism

and overlapping authorities by integrating enforcement functions under one institution with strong constitutional legitimacy. Within this framework, careful consideration is needed to reevaluate the existence of the KPK, especially if we return to the original spirit of its formation, which was more positioned as a trigger mechanism to reform the police and the attorney general's office. After more than two decades, this role as a catalyst can be said to have borne fruit in increasing awareness and capacity, so now is the time to move on to a more mature and integrated system. Therefore, a bold step such as abolishing or merging the KPK and transferring its authority needs to be studied in depth, not to weaken, but to strengthen the eradication of corruption in a permanent system. The extraordinary powers that the KPK has had, such as wiretapping, account blocking, and other pro-justice instruments, must be transferred to strengthen the Attorney General's Office of the Republic of Indonesia. This strengthening will transform the Attorney General's Office into the only superbody institution fully responsible for resolving corruption cases, from investigation to execution. The Attorney General's Office's position as *dominus litis* or the main controller of the prosecution process gives it a natural advantage to become the center of this single enforcement system. Thus, the case handling process will be shorter, clearer, and more accountable, as there will only be one institution responsible. This step will end the era of institutional competition and start a new chapter of more focused and systemic corruption eradication.

The maximization of the idea of institutional unification under the Attorney General's Office can be comprehensively analyzed through Lawrence M. Friedman's legal system theory framework, which divides the legal system into three components: structure, substance, and legal culture. First, in terms of legal structure, the abolition of the KPK and the radical strengthening of the Attorney General's Office will streamline the bloated and fragmented structure into a single, lean, and efficient model, thereby eliminating the main source of institutional conflict. Second, in terms of legal substance, the transfer of special powers such as wiretapping to the Attorney General's Office will ensure that substantive legal rules on corruption eradication can be implemented with the sharpest instruments without procedural jurisdictional debates. Legal substance becomes easier to enforce when the structure is clear and unambiguous, ensuring that legal processes run quickly and provide certainty. Third, and most crucially, is the impact on legal culture. By ending the drama of inter-institutional feuding, the legal culture among officials will shift from competition to focused professionalism, while among the public, trust in the judicial system will be rebuilt. The understanding that the KPK's fundamental and historical position is only as a catalyst is a logical justification for this institutional evolution, signaling that Indonesia's legal system has moved towards maturity. This redesign does not mean denying the KPK's services, but rather placing it honorably in history as a catalyst that has successfully pushed the system to the next stage. Thus, the strengthened Attorney General's Office model represents the optimization of Friedman's three components of the legal system. This model creates a coherent structure that is capable of effectively executing the substance of the law and ultimately building a legal culture that is both ethical and trusted by the public. This is the most logical path to achieving truly robust institutions in line with the mandate of SDG 16.

4. CONCLUSION

The institutional architecture for combating corruption in Indonesia is currently in an unfavorable condition due to structural fragmentation and overlapping authorities between three main institutions: the Police, the Attorney General's Office, and the Corruption Eradication Commission (KPK). Although all three have a strong legal basis, the existence of three institutions with similar investigative powers has created institutional rivalry, inefficiency, and legal uncertainty. This phenomenon, which often manifests itself as open conflicts such as "Cicak vs. Buaya" (Gecko vs. Crocodile), erodes public trust and hinders the effectiveness of law enforcement. This condition is essentially a reflection of post-1998 constitutional reforms that tended to form ad hoc institutions without an integrated grand design, thus failing to realize the legal objectives of justice and certainty.

As a solution, an institutional redesign based on the spirit of SDG 16: Peace, Justice, and Strong Institutions is proposed. The main proposal is to consolidate the function of combating corruption by reevaluating the role of the KPK, which is essentially a trigger mechanism or stimulating institution. Considering this historical role, the rational option is to dissolve the KPK and transfer its specific powers—such as wiretapping—to strengthen the Indonesian Attorney General's Office. Thus, the Attorney General's Office will become the sole superbody responsible for the entire process from start to finish. According to Friedman's legal system theory, this step will improve the structure (making it singular and efficient), maximize the execution of legal substance, and build a new legal culture that is professional and trusted by the public.

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