Available online at JDR Website: http://journal.unublitar.ac.id/jdr

Journal Of Development Research, 7 (2), November 2023, Pages 221-228

DOI: https://doi.org/10.28926/jdr.v7i2.338

Authority of The KPK and The TNI in Corruption Cases Committed by The Military

Miftahur Rohman[(1)], Amrullah Iqbal Al Khasy[(2)], Aby Isnain Naafie Waasinas[(3)]

[(1)]Universitas Airlangga, Indonesia
[(2)]Peradin Lawyer, Indonesia

E-mail: [(1)]mftrohman2020@gmail.com, [(2)]amiqbal05@gmail.com, [(3)]abyisnain13@gmail.com

Received: 21 September 2023; Revised: 28 November 2023; Accepted: 30 November 2023

Abstract

Since the reform era, corruption has become a major concern in law enforcement in Indonesia. Corruption has permeated all fields and sectors, including social services and non-ministerial government agencies responsible for security. The recent arrest of the Head of Basarnas by the KPK has caused a stir among the public. The situation sparked public outrage after KPK leaders apologised for not coordinating with Puspom TNI following criticism from them. However, Law No. 19/2019 authorises the Corruption Eradication Commission (KPK) to prevent and eradicate corruption. Therefore, the question arises as to who is authorised to enforce the law against corruption committed by the Indonesian National Army (TNI). How is the process of forming connectivity between the KPK and the TNI in law enforcement against TNI corruption cases? This research uses a normative method with a statutory approach and a conceptual approach developed by identifying legal facts, collecting legal materials, and analysing and concluding them. The TNI is considered a legal subject of corruption offences in various legal provisions. Both the KPK and the TNI are trusted to carry out various law enforcement efforts against criminal acts of corruption committed by the TNI. However, it should be noted that the role of the KPK in corruption cases within the TNI is not clearly regulated, while the TNI is not clearly regulated in the procedure for handling special criminal cases such as corruption. so in this case it is very necessary to clearly regulate the authority and procedures of each related agency in handling corruption committed by the TNI.

Keywords: authority, connectivity, KPK, TNI

Introduction

Corruption and power are inseparable phenomena, corrupt behaviour arises from power and power is one of the means to commit corruption as Lord Acton said "power tends to corrupt, absolute power corrupts absolutely" power tends to corrupt, and absolute power also tends to corrupt absolutely as well (Badjuri 2011). Countries with absolute power can be addressed to countries that adhere to the autocratic system. Corrupt behaviour can also be found in some countries that follow the democratic system (Paranata 2022). Arvin Jaind in his paper entitled Corruption: A review states that corrupt behaviour is prone to occur in democratic countries. This is because public officials, bureaucrats, legislators and politicians tend to use the power mandated by the public for their personal interests and ignore the public interest (Jain 2001).

In Indonesia, corruption has occurred since the royal period. In fact, the VOC went bankrupt in the early 20th century due to corruption within the VOC. After the proclamation of independence, many Dutch officials returned to their homeland and their positions were replaced by natives who had been employees of the Dutch East Indies government and lived in a corrupt environment. This culture of corruption was inherited until the Old Order government. At the beginning of the New Order government, President Soeharto tried to eradicate corruption but was unsuccessful. In fact, President Soeharto

Table 1. Indonesia's corruption perception index in 2012-2022

himself collapsed due to corruption issues. Since the reform era, corruption eradication has become a central theme in law enforcement in Indonesia. Recently, corrupt behaviour in Indonesia has spread and infected the joints of state life, this behaviour runs in a structured and organised manner (White Collar Crime).

One measure of the level of corruption in various countries is seen from the corruption perception index (CPI) using a score of 0-100. A score of 0 indicates that the country's corruption rate is very high while a score of 100 indicates that the country is clean. Indonesia's corruption perception index in 2020-2021 score has increased 37-38 in 2022 Indonesia's score has decreased and is still below Malaysia with a score of 47 and Thailand score 36. The following is Indonesia's corruption perception index in 2012-2022 : (Show in table 1)

Bagir Mannan said that in a democracy there is no position or office holder that is not accountable. Therefore, in a democratic state system, it is made in such a way that every position in a state organ can be properly accounted for in accordance with the characteristics and system adopted (Susanto 2018). Including criminal offences committed by state organs such as the Indonesian Army (TNI).

After the head of Basarnas, Air Marshal Henri Alfiandi, was involved in a sting operation (OTT) by the Corruption Eradication Commission (KPK), the public was shocked because the Commander of the TNI Military Police Centre (Puspom) Air Marshal Agung Handoko condemned the KPK's OTT against the head of Basarnas because it was not previously coordinated with the TNI. So that indirectly the public considers a conflict of authority regarding which institution is more authorised to handle the Basarnas corruption case. Whereas Law No. 19 of 2019 concerning the Corruption Eradication Commission (KPK) is tasked with: Preventive actions so that no Corruption Crimes occur; Coordination with Agencies authorised to carry out Corruption Eradication and Agencies in charge of implementing public services; Monitor the implementation of state government; Supervision of agencies authorised to carry out Corruption Eradication; Investigation and prosecution of Corruption Crimes; and Actions to implement judges' determinations and court decisions that have obtained permanent legal force.

From the above problems, the formulation of the problem arises who is authorised to carry out law enforcement in corruption crimes committed by the TNI? Secondly, how is the process of the KPK and TNI connexity case in handling corruption crimes committed by TNI members?

Materials and Method

The research method used is a type of normative research with a statutory approach and conceptual approach (Marzuki 2017:133). which aims to analyse the juridical rules and concepts regarding the authority of the KPK and the TNI in enforcing the law on corruption committed by members of the TNI. The research procedure uses a gradual mechanism and steps as follows:

1. Identifying legal facts and eliminating inappropriate matters to establish the legal issue or problem to be discussed.
2. Collect legal and non-legal materials, both primary and secondary, which are deemed to have suitability.
3. Analyse legal issues or problem formulations based on the materials collected.
4. Carry out interpretation, systematisation, analysis and draw conclusions in the form of arguments that answer legal issues and finally provide prescriptions based on the arguments that have been built in the conclusion.

Results and Discussion

TNI as a legal subject of corruption offences

The crime of corruption consists of two syllables: criminal offence and corruption. The term criminal offence is also known in criminal literature as *strafbaar feit/delict* (Belanda) (Sumaryanto 2020:13). Criminal Act (Inggris) *Perbuatan Pidana/Tindak Pidana/Perbuatan Kriminal/Delik* (Indonesia) (Purwoleksono 2014:43). Theoretically, Jan Rammelink formulated criminal acts as human behaviour that is prohibited by law with the threat of punishment

(Remmelink 2014:86). Marshall formulated criminal offences as acts prohibited by law that aim to protect society and can be punished based on applicable legal procedures (Ali 2015:98). Van Hamel formulated criminal offences as human actions formulated in the law, against the law, which should be punished and committed with fault (Hamzah 2010:96). Pompe formulated criminal offence as a disturbance of legal order committed intentionally or unintentionally by the perpetrator and deserves punishment for the maintenance of legal order and the preservation of public interest (Lamintang 2013:182).

Jonkers formulate criminal offences with two definitions. A short definition; a criminal offence is an act that according to the law can be subject to criminal sanctions. Broad definition; a criminal offence is an intentional or unintentional act committed against the law by a person who can be held accountable (Jonkers 1987:135). Based on several formulations and concepts used about criminal offences, it is concluded that criminal offences are acts that are prohibited and threatened with punishment for those who commit them.

The term corruption itself comes from the Latin words "corruption", "*corruptuus*" and "*corruptie*", which refers to corrupt, rotten, dishonest behaviour associated with finance. The definition of corruption that is referred to by the majority is the definition of corruption referred to by the World Bank and UNDP: Corruption is the abuse of public office for private gain (Zelekha and Avnimelech 2023). According to Hermein HK, the term corruption comes from the Latin "corruptieia" which means bribery/seduction; bribery is giving something to someone so that the person can benefit.Seduction is something that makes someone deviate.Jhon M. Echols and Hassan Shadaly define corruption as literally meaning "*jahat*" or "*busuk*".

According to Baharudin Lopa, corruption is a criminal offence related to acts of bribery and manipulation as well as other acts that harm or can harm the state's finances or economy, and harm the welfare and interests of the people. (Maharso and Sujarwadi 2018:1) The final definition of corruption is found in Law number 31 of 1999 concerning corruption offences Jo. Law No. 20 of 2001 on the amendment of the Law on the Eradication of the Crime of Corruption (PTPK):

> "Acts of unlawfully enriching oneself or others that may harm the state's finances or economy. " or "an act that abuses the authority or opportunity or means available to him because of his position or position with the aim of benefiting himself or others which may harm the state finances or the state economy."

From the above definitions, there are keywords contained in the definition of corruption, namely; 1) unlawful acts that are prohibited and threatened with criminal sanctions 2) there is an effort to benefit by enriching oneself or others 3) and harming state finances 4) abuse of authority, opportunity or means mandated to him.

The laws and regulations that regulate corruption offences include Criminal Code (KUHP) The article in the Criminal Code that contain the criminal offence of corruption are article 209, 210, 215, 216,217,218,219,220, 423,425,435. Abuse of office is explained in Chapter XXVII KUHP. The article is still unclear about the cricvvme of corruption. Therefore, the The law appears as a lex specialis of the lex generalis of Law No. 3 of 1971 on the Crime of Corruption then Law No. 31 of 1999 on the Eradication of the Crime of Corruption (PTPK) which is then replaced with Law No. 20 of 2001 on (PTPK).

Basically, legal subjects are those who carry out rights and obligations in law. The classification of legal subjects is distinguished between humans (*natuurlijk person*) and legal entities (*rechtsperson*). These legal subjects will be considered capable of acting in legal traffic, although both based on the provisions of the law and in practice there are several exceptions. Referring to the basic concept of the field of civil law, there should be no classification of differential treatment of civil law subjects with criminal law subjects, especially in the context of perpetrators of corrupt criminal offences.

Article 2 of Law No. 31 Year 1999 jo. Law No. 20 of 2001 (PTPK):

> "Every person who unlawfully commits an act of enriching himself or herself or another person or a corporation that may harm the state finances or the state economy, shall be punished with life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a fine of at least Rp. 200,000,000,000.00 (two hundred million rupiahs) and a maximum of Rp. 1,000,000,000.00 (one billion rupiahs)").

Whereas in article 3 of Law No. 31 Year 1999 jo. Law No. 20 of 2001 concerning PTPK:

> "Every person who with the aim of benefiting himself or herself or another person or a corporation, abuses the authority, opportunity or means available to him or her because of his or her position or position which may harm the State finances or the State economy, shall be punished with life imprisonment or imprisonment for a minimum of 1 (one) year and a maximum of 20 (twenty) years and or a fine of at least Rp. 50,000,000.00, - (fifty million rupiah) and a maximum of Rp.1,000,000,000.00, - (one billion rupiah)."

In Law Number 31 Year 1999 jo. Law No. 20/2001 (UU PTPK) Based on the article above, the legal subjects are "every person" and "corporation". Nur Basuki Minarno states that the legal subjects regulated in article 2 paragraph (1) of the anti-corruption law only include every person and corporations in general, apart from public servants..(Ali and Yuherawan 2020:17) In article 3 (UU PTPK) the legal subject uses the phrase " everyone" However, even though it still uses the same phrase as Article 2 paragraph (1), the article is associated with the core offence used, namely abusing the authority, opportunity or means available to him because of his position or position. When talking about authority, of course what is meant is civil servants or organisers who are given the authority to carry out public legal actions. So it can be interpreted that Article 3 is an offence or criminal offence that can only be committed by civil servants or state administrators.

Is the TNI a public servant? Of course, to find out about public servants, you can refer to the definition of public servants which is regulated in Law No. 43 of 1999 concerning public servant.:

> "Public Servant is every citizen of the Republic of Indonesia who has fulfilled the prescribed requirements, appointed by an authorised official and assigned to a public office, or assigned to other state duties, and paid based on the prevailing laws and regulations."

Article 2 paragraph (1) further states that civil servants consist of::

a. Civil servants;
b. Member of the Indonesian National Army
c. Member of the Indonesian National Police.

Public servants are also regulated in Article 92 of the Criminal Code paragraph (3) stipulates that including public servants are all members of the Armed Forces (TNI). According to Soesilo, public servants also include people who get salaries from the State / Region.(Soesilo 1995:110) In the general provisions of the Anti-Corruption Law article 1 paragraph (2) states that public servants include:

a. Public servants as defined in the Civil Service Law;
b. Public servants as referred to in the Criminal Code;
c. Person who receives salary or wages from the state or regional finances;
d. Persons who receive salaries or wages from other corporations that use capital and facilities from the state or society.

And based on the Law on Public servants, and the Criminal Code and based on Government Regulation No. 18 of 1977 which was finally amended by PP No. 16 of 2019 concerning Salary Regulations for Members of the Indonesian National Army. The TNI receives salaries and benefits from the State and based on the laws and regulations above, the TNI is categorised as a legal subject regulated in Article 3 of UU PTPK.

The Authority of KPK and TNI in Corruption Law Enforcement.

The principle of formal criminal law in special criminal laws generally applies criminal procedural law derived from the Criminal Procedure Code unless specifically regulated in the relevant special criminal law legislation. Law No. 30 of 2002 on the Corruption Eradication Commission (PTPK) which later became the initiative for the formation of a special commission that handles the process of eradicating corruption as a law enforcer of corruption. In addition to the KPK, the Police and the Attorney General's Office are also given the authority to enforce the law related to corruption cases, this is based on Article 30 paragraph (1) of Law No. 16 of 2004 concerning the Attorney General's Office: "authorised to investigate certain crimes based on the law."

KPK is an independent institution that in carrying out its duties is free from the intervention of any power. Formally juridically, the KPK has the authority to handle corruption cases in any institution, including the military. This is explicitly explained in Articles 6 to 15 of Law Number 30 of 2022 concerning the KPK, so the KPK has the authority to process corruption in any institution, including the military. So actually what the KPK has done is in accordance with the KPK Law.

Table 2. Article 6 of the KPK Law

KPK Authority	Methods	Category
Coordination	• Coordinate investigations, inquiries and prosecutions. • Establish a reporting system. • Request information on PTPK reports from relevant agencies. • Hearings/meetings with relevant agencies.	-
Supervisi	• Supervision - Research - Review. • Takeover of Inquiry, Investigation, Prosecution.	-
Judicial	• Wiretapping & recording conversations • Order the relevant agencies to: a. Prohibit travelling abroad. b. Block accounts suspected of being the proceeds of corruption offences. c. Temporarily suspend from his/her position. d. Stopping financial transactions, trade, agreements, revocation of temporary licences, licences/concessions carried out/owned by suspects suspected of being related to criminal offences. under investigation based on sufficient preliminary evidence. • Requesting the assistance of Interpol Indonesia / Police / related agencies for the search, capture, confiscation of evidence abroad. Search and seizure in criminal offences being handled.	• Involving law enforcement officers (Apgakum) & state officials and related. • Troubling the community. • Minimum loss -1000,000,000 (One Billion Rupiah)
Prevention	• Registration & Examination of LHKPN. • Receiving reports and determining gratification status. • Anti-corruption education & PTPK socialisation	-
Monitoring	• Review of administrative management. • Suggested changes, • Report to the President/DPR.	-

Table 3. Military Police and Military Oditur

Authority (Ankum)	Authority Papera	Authority Oditur
1. Order the Investigator to conduct an Investigation; 2. Receive a report on the implementation of the Investigation; 3. Order forcible measures to be taken; 4. Extend detention as referred to in Article 78; 5. Receive or request a legal opinion from the Oditur on the settlement of a case; 6. Submit the case to the Court authorised to examine and try the case; 7. Determine the case to be resolved according to the Soldier Discipline Law; and 8. Closing the case in the interest of the law or in the public/military interest.	1. Determine a criminal case committed by a soldier of the Armed Forces. under his command 2. And Submit the case to the court authorised to examine and try;	1. Investigation 2. Prosecution 3. Additional examination a) Soldiers of the rank of Captain and below; b) Those referred to in Article 9 number 1 letter b and letter c whose Defendants "belong to the rank of "Captain and below"" c) those who under Article 9 number 1 letter d must be tried by a Military Court; 4. Execute the judgement/decision of a court of military justice or general court.

Some of the authorities possessed by the KPK as stipulated in Article 6 of the KPK Law : (show in Table 2.)

In addition to the KPK's authority based on the table above. KPK based on Article 42 of the KPK Law also has the authority to coordinate and control the investigation, investigation and prosecution of corruption crimes committed jointly by persons subject to military justice and general justice. Meanwhile, the TNI is not clearly regulated regarding the authority related to TNI members who commit special criminal offences (Corruption). Article 1 paragraph 7 and article 47 of Law No. 31 of 1997 concerning Military Justice provides a classification of the authority of each military law enforcement officer including Ankum, Papera, Military Police and Military Oditur with the following table 3:

The mechanisms of military justice are distinctive and highly disciplined and have a very demanding task. Military justice ensures due process for military personnel and the mechanisms in place must protect the civil rights of military personnel. The procedure for handling cases in military courts goes through several stages and is sequential. The first stage; is the investigation, which has the authority is the Superior Authorised to Punish (Ankum), Military Police, Military Oditur. The authority to investigate at Ankum is not carried out alone but is carried out by the Military Police / Oditur. Ankum and Papera have the authority to detain within the scope of Military Justice. The second stage; is the submission of cases that are authorised in this case is Papera and then the prosecution stage which is under the authority of the military Oditur who is responsible to the Oditur General juridically and to Papera operationally. The third stage is the examination in court. The fourth stage is the implementation of the court's decision (Arianto 2020).

The Military Criminal Code (KUHPM) does not only regulate criminal offences that are purely military crimes such as desertion, insubordination but also regulates general criminal offences as listed in the Criminal Code. And based on article 65 paragraph (2) of Law No. 34 of 2004 concerning the Indonesian Armed Forces (TNI) :

> Soldiers are subject to the power of military justice in the event of violations of military criminal law and are subject to the power of general justice in the event of violations of general criminal law regulated by law.Meanwhile, the state economy is an economic life that is structured as a joint effort based on the principle of family or independent community efforts based on government policies both at the central and regional levels in accordance with laws and regulations.

The crime of corruption is a special offence in which the process of examining, adjudicating and deciding is carried out in the Corruption Court within the General Court. In handling crimes, the procedure must be in line with the character of the crime itself. Procedures for handling extraordinary crimes are effective when applied to tackle extraordinary crimes and vice ver-

sa, procedures for handling ordinary crimes are only suitable for handling ordinary crimes. Given that the crime of corruption is an extraordinary crime, of course, its handling requires extraordinary methods that are accommodated in the legislation. Meanwhile, the authority to deal with corruption cases committed by the TNI is still not concretely regulated in the legislation. It is only in the regulations previously mentioned that military personnel are subject to the KUHPM if the offences committed are related to or related to the military and are subject to the general court if the offences committed are general criminal law offences (KUHP). Article 40 of Law No. 31/1999 on Military Courts includes the possibility that corruption cases can be submitted to military courts if there is sufficient reason. Thus, law enforcement officials regulated in the Law on Military Courts can make efforts to enforce corruption crimes committed by members of the military (TNI).

There are several jurisprudences related to corruption crimes committed by members of the Military such as the Decision of the Jakarta High Military Court II No. 21-K/PMT-II/AL/VIII/2017. In that case, Admiral Bambang Udoyo was charged with Article 12 letter b of Law No. 13 of 1999 concerning Corruption Crimes as amended by Law No. 20 of 2001 concerning Amendments to Law No. 31 of 1999 concerning the eradication of Corruption Crimes Jo. Article 55 paragraph (1) to 1 Jo. Article 64 paragraph (1) of the Criminal Code. And Supreme Court Decision No. 363 K / MIL / 2017. In that case Brigadier General Teddy Hernayadi was charged by the Military Oditur with violating Article 2 Paragraph (1) Jo. Article 18 of Law No. 31 of 1999 concerning Eradication of Corruption Crime Jo. Article 55 Paragraph (1) Ke-1 of the Criminal Code. In the consideration of the case of Brigadier General Teddy Hernayadi, the Supreme Court said that the military court adheres to the principle of personality which emphasises the subject of the perpetrator of the criminal act rather than emphasising the act alone. So that this is what makes the Military Court have the authority to try corruption cases committed by Military Members. Likewise, law enforcement officials who obey and comply with these formal regulations have the authority to investigate the prosecution of corruption crimes by means of connexity.

KPK-TNI Connectivity in Corruption Law Enforcement.

Historically, the Military Court was separated from the General Court after the enactment of Law No. 29 of 1954 on State Defence of the Republic of Indonesia on 6 September 1954. This is explicitly stated in Article 35 letter (a); The army has its own court and commanders have the right to submit cases. Furthermore, Article 35 letter (b) states that the composition and powers of the bodies involved in the administration of military justice in a broad sense, both material and formal criminal law, as well as military disciplinary law, shall be regulated by law.

Military justice procedures are regulated in Law No. 31 of 1977 on Military Justice. This law regulates the jurisdiction of military courts and the organisational structure and functions of military courts. Military procedural law in koneksitas as well as military administration. In Article 89 paragraph (1) of the Criminal Procedure Code (KUHAP), koneksitas cases are referred to as criminal offences committed jointly by those belonging to the general judicial system and the military judicial system. The handling of koneksitas cases in the Military Court is regulated in Article 198- Article 203.

Article 6 of Law No. 30 of 2022 on the KPK shows that concurrent efforts in eradicating corruption have become the authority of the KPK with the KPK's authority to coordinate with the competent agencies to eradicate corruption. However, Law No. 46 of 2009 on Corruption Courts related to connexity cases has not been clearly regulated like Law No. 31 of 1977 on Military Justice. Concomitant cases in military courts must go through a decree submitted to the Minister of Defence and Security approved by the Minister of Justice, which then Law No. 35 of 1999 concerning the Basic Principles of Judicial Power authorises the Chief Justice of the Supreme Court to determine the examination of concurrent cases.

There are several stages to determine which judicial environment will examine and try a koneksitas case. Firstly, there will be a joint examination of the results of the investigation by the investigating team (the High Prosecutor and the Military Advocate/High Military Advocate). Secondly, the results of the investigation will be outlined in a report signed by the investigating parties. Third, the results of the research are given to the parties Military Oditur - High Military Oditur -Oditur General. Prosecutor-High Prosecutor-General Prosecutor. Sometimes the results of joint research are in agreement and sometimes they

are not. If they do, they are reported to their superiors-the Military Prosecutor-High Military Prosecutor-General. Prosecutor-High Prosecutor-General Prosecutor. If the concurrence of opinion determines that the harm caused by the criminal offence is in the public interest, then the koneksitas case will be examined and tried by the general court environment with the Papera immediately making a decision on the submission of the case to the high military oditu/oditur and used as a basis for submitting the koneksitas case to the judge who is trying the district court. If the consensus of opinion determines that the competent authority is the military court with the disadvantage of military interests, the koneksitas case will be examined and tried in the military court by way of a request from the Oditur Jenderal to the Chief Justice of the Supreme Court to issue a decision and stipulation that the case be tried by the military court.

The composition of the panel of judges in koneksitas cases based on the judicial environment consisted of two types of panels. If the case is tried in the general court, the panel consists of three judges, with the presiding judge drawn from the district court and equal number of members drawn from the military and district courts. If the case is tried in the military court, the composition of the panel consists of a presiding judge drawn from the military court and an equal number of judges drawn from the military court and district court judges who are given the rank of titular and these judges are based on a proposal from the Minister of Justice and the Minister of Defence (Menhankam).

Conclusion

The term Corruption Crime is a series of unlawful acts prohibited by law that have an impact on state financial losses. TNI as a state milestone in carrying out the function of state duties in social and security based on the Law on Civil Service and the Explanation of the Criminal Code regarding State Officials includes military members and employees who are paid by the state including legal subjects who are subject to the law on criminal acts of corruption. In the Eradication of Corruption Crimes involving members of the Military/TNI. KPK and TNI, which are under the authority of the General Court and Military Court, both have the authority to carry out law enforcement efforts related to corruption crimes committed by the TNI. The TNI, which is subject to the Law No. 31 of 2009 concerning Military Courts, does not clearly state its authority in the law enforcement process for special crimes such as corruption, but it is clearly regulated regarding procedural law related to connexity cases. In contrast to the KPK, whose domain is to handle corruption crimes, Law No. 46 of 2009 concerning Corruption Courts does not regulate the procedural law related to the mechanism of connexity cases.

Suggestion

Based on the results of the analysis and conclusions above, it is recommended as follows: first, although the KPK and TNI have the same authority in handling corruption crimes committed by the TNI by means of connexity, it is necessary to formulate in the KUHPM the position of military members who are subject to special criminal mechanisms under the authority of the general court.

Second, considering that the purpose of law is certainty, expediency, and justice, it is necessary that the authority of the TNI in handling special cases and the KPK in the procedural law of koneksitas cases be clearly regulated. So that later it becomes clear and does not cause polemics over the authority between the two KPK and TNI institutions.

References

Arianto, Agus Setiyawan Dwi. “Karakteristik Pengawasan Terhadap Penyidik Militer Dalam Proses Peradilan Pidana Militer”. Media Iuris. Vol. 3 No. 3, 2020, p. 257. https://doi.org/10.20473/mi.v3i3.23039.

Badjuri, Achmad. “Peranan Komisi Pemberantasan Korupsi (Kpk) Sebagai Lembaga Anti Korupsi Di Indonesia”. Jurnal Bisnis Dan Ekonomi (JBE). Vol. 18 No. 1, 2011, p. 84–96.

Paranata, Ade. “The Miracle of Anti-Corruption Efforts and Regional Fiscal Independence in Plugging Budget Leakage: Evidence from Western and Eastern Indonesia”. Heliyon. Vol. 8 No. 10, 2022, p. E11153. https://doi.org/10.1016/j.heliyon.2022.e11153.

Purwoleksono, Didik Endro. Hukum Pidana. Airlangga University Press, Surabaya, 2014.

Saifuddin, Bandaharo. “Dampak Dan Upaya Pemberantasan Tindak Pidana Korupsi Di Indonesia”. Jurnal Warta. Vol. 5 No. 1, 2017, p. 1–8. https://jurnal.dharmawangsa.ac.id/index.php/juwarta/article/view/259/254 accessed 2017.

Susanto, Mei. “Hak Angket DPR,KPK Dan Pemberantasan Korupsi”. Jurnal Integritas, Volume 4 Nomor 2, Desember 2018. Vol. 4 2018, p. 99–127. https://jurnal.kpk.go.id/index.php/integritas/article/download/294/64 accessed 2018.

Zelekha, Yaron, and Gil Avnimelech. “Cultural and Personal Channels between Religion, Religiosity, and Corruption”. Heliyon. Vol. 9 No. 6, 2023, p. E16882. https://doi.org/10.1016/j.heliyon.2023.e16882.

