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Political Direction of Anti-Corruption Law in Indonesia: A Legal Policy Analysis of the Kpk Law Revision and the New Criminal Code

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Abstract: This article analyzes the legal policy evolution of corruption eradication in Indonesia subsequent to the reform of the Corruption Eradication Commission Law and the implementation of Law Number 1 of 2023 about the Criminal Code. Since the reform era, corruption has been regarded as a significant crime managed by a specialized and autonomous institution. Recent legal amendments have altered its institutional standing by incorporating it within the executive branch, creating a supervisory body, and reclassifying people as state civil servants. The new criminal law simultaneously establishes sentencing goals, individualizes punishment, and reclassifies punishments. This research utilizes normative legal analysis using statutory and conceptual methodologies. The results indicate a transition from an exceptional enforcement paradigm to a more cohesive approach within the national legal framework. Although these improvements improve legal systematization and procedural accountability, they also provoke concerns about institutional independence. The efficacy of corruption elimination depends on the state's capacity to harmonize the rule of law, institutional accountability, and enforcement efficacy within a transparent governance framework.

Keyword: Legal Politics; Eradication of Corruption; Revision of the KPK Law; New Criminal Code; Governance.

INTRODUCTION

The advancement of corruption eradication in Indonesia exhibits variable dynamics due to the significant impact of political interests and power. A primary objective of the reform movement is the eradication of Corruption, Collusion, and Nepotism (KKN). These demands have escalated since the conclusion of President Soeharto's administration, as students and various civil society factions advocated for the legal prosecution of the KKN practices purportedly conducted by the preceding regime (Muhtar, 2019). Consequently, the elimination of corruption since the reform era is perceived not merely as a law enforcement initiative, but also as a political and ethical imperative to maintain the rule of law.

Corruption has historically emerged during the protracted era of the New Order government, evolving into a systemic issue within state governance. The reform movement positions the elimination of KKN as integral to the aim of establishing democracy and reinforcing the rule of law. From a criminal law standpoint, corruption is regarded as a very complicated offense, mostly due to the challenges in substantiating it and the traits of offenders who frequently exploit administrative and structural deficiencies (Elda, 2019). This intricacy necessitates that the elimination of corruption depends not only on the formulation of standards but also on institutional architecture and the implementation of efficient law enforcement procedures.

Numerous legislative initiatives have been undertaken through the establishment, modification, and enhancement of laws and regulations aimed at combating corruption. The efficacy of a law is significantly contingent upon the competence and integrity of law enforcement agents who execute the regulations (M & Kandar, 2022). This condition indicates that the elimination of corruption is not merely a normative concern, but also a question of political jurisprudence and the structuring of law enforcement government.

The elimination of corruption in Indonesia has intricate structural challenges. Notwithstanding the implementation of several legislation and specialized agencies, the incidence of corruption has not seen a substantial decline. This circumstance indicates the necessity for a more thorough and systematic strategy in the legislative framework for eliminating corruption. Corruption is now perceived not merely as a common criminal offense, but as a significant menace to the rule of law and effective governance.

The global acknowledgment of the perils of corruption is seen in the Preamble of the United Nations Convention Against Corruption (UNCAC), which describes corruption as "an insidious plague" that erodes democracy, the rule of law, and socio-economic stability. The declaration underscored that the elimination of corruption is integral to a worldwide pledge to uphold the integrity of governmental authority.

The Corruption Eradication Commission was established under national legal politics. A legislative policy decision to create an independent agency with specified powers was made in 2002. Initial KPK independence from the executive, legislative, and judicial institutions gave it considerable investigation and prosecution ability. Corruption is a rare crime that requires special control, and this design reflects that (Johari & Afrizal, 2024). The notion of autonomous institutions in current constitutional practice remains controversial. The KPK was founded due to popular skepticism of traditional law enforcement and the necessity for organizations that can handle contemporary crime (Umam & Head, 2020). Later, independence became a significant topic in national law politics.

On September 17, 2019, a notable alteration occurred when the House of Representatives of the Republic of Indonesia enacted Law Number 19 of 2019, amending Law Number 30 of 2002 regarding the KPK. This amendment establishes the Supervisory Board, reclassifies KPK personnel as State Civil Apparatus, and situates the KPK under the executive branch. Several normative studies indicate that these modifications adversely affect the institutional independence of the KPK in relation to state independent agencies and anti-corruption entities (Asis, 2024). The positioning of the KPK inside the executive branch, changes in staff status, and reorganization of the powers of investigators are seen to modify the institution's nature, which was originally intended to be autonomous (Khasna & Diniyanto, 2021).

The Board of Trustees' power, especially regarding the issuance of authorization for wiretapping, searches, and seizures, incites scholarly discussions. This authority conceptually aligns with the principle of pro justitia, which in the criminal procedural law framework, pertains to the judiciary's power as delineated in the Criminal Procedure Code and Law Number 39 of 1999 on Human Rights. In the realm of corruption offenses necessitating a quick and

accurate reaction, supplementary licensing systems are deemed capable of influencing the efficacy of law enforcement. Nonetheless, there is a perspective advocating for the retention of the Supervisory Board in its ethical and administrative monitoring roles, but refraining from involvement in operational technical matters (Saputra & Fauzan, 2025).

In a theoretical framework, legal politics is seen as the fundamental policy of the state in shaping the formulation, execution, and enforcement of the law (Tambunan, 2002). Legal politics is not impartial to power, since it is often shaped by the arrangement of political interests (Muktiono, 2012). Consequently, changes in legislation concerning the KPK are inextricably linked to the overarching political dynamics of the law.

In addition to institutional changes via the revision of the KPK Law, national criminal law reform is also defined by the enactment of Law Number 1 of 2023 about the Criminal Code, which will take effect on January 2, 2026. The amended Criminal Code introduces enhancements to the criminal justice system, including the individualization of penalties, the augmentation of punitive options, and the redefinition of the nature and aims of punishment (Faisal et al., 2024). Despite corruption being governed by specific legislation, the paradigm change in national penal policy indicates a more comprehensive political approach to the organization of the criminal justice system.

The change of the KPK Law may be seen as a modification of institutional policy, while the new Criminal Code represents a reform of penal policy; hence, both may be perceived as an integrated political and legal configuration. Indicators suggest a transition from the exceptional enforcement paradigm to a more integrated framework within the comprehensive legal system, including both institutional and criminal policy aspects. The examination of this arrangement is essential for assessing the consistency of the political trajectory of anti-corruption legislation and its implications for the principles of the rule of law and governance integrity.

Thus far, the predominant focus of research has been on the normative autonomy of the KPK, the impact of amendments on the effectiveness of law enforcement, and the public's response to regulatory changes. Limited research has combined the amendment of the KPK Law and the reform of the Criminal Code as a cohesive political and legal approach that redefines the governance framework for combating corruption. Thus, analyzing the two legal instruments as manifestations of national legal policy is essential for understanding the evolution of Indonesia's legal framework in attaining a transparent and accountable government.

Formulation of the Problem : (1) What is the political trajectory of anti-corruption legislation in Indonesia after the amendment of the KPK Law and the implementation of the new Criminal Code? and (2) What are the political ramifications of the legislation concerning the framework of legal governance aimed at combating corruption, particularly with the tenets of the rule of law, accountability, and ethical governance?

METHOD

This study is a normative legal research focused on the examination of legal policy (Wiraguna, 2024). The research centers on analyzing the trajectory of state legal policies aimed at combating corruption following the amendment of the Corruption Eradication Commission Law and the implementation of Law Number 1 of 2023 regarding the Criminal Code, rather than assessing the empirical efficacy of law enforcement. This research positions law as the focal point of state policy analysis, reflecting the dynamics of power and legal-political decisions within the Indonesian constitutional framework.

The methodologies used consist of the statutory approach and the conceptual approach. The legislative method is used to systematically analyze normative modifications in Law Number 30 of 2002 regarding the Corruption Eradication Commission, alterations via Law

Number 19 of 2019, and criminal policy reform in Law Number 1 of 2023 pertaining to the Criminal Code. The approach included comparing the structure of norms before to and after the transition to discern changes in institutional design and the trajectory of criminal policy. A conceptual framework is used to analyze the notions of political law, rule of law, accountability, transparent government, and the theory of exceptional crime in relation to combating corruption.

The used legal resources include primary, secondary, and tertiary sources. Primary legal resources include pertinent laws, rules, and the official papers pertaining to their establishment. Secondary legal resources include scholarly literature, journal articles, and scientific studies that examine the autonomy of anti-corruption organizations, legal political philosophy, and the tenets of good governance. Tertiary legal resources consist of legal dictionaries and international texts, such as the United Nations Convention Against Corruption (UNCAC), used as a comparative normative framework.

The method of gathering legal materials is conducted via library research, using a methodical search for relevant rules and literature. The examination of legal documents is conducted in a descriptive-analytical and prescriptive-normative approach. Descriptive research maps alterations in institutional norms and designs, while prescriptive analysis evaluates the coherence of political legislation's trajectory and its ramifications for the principles of rule of law, accountability, and governance integrity. This paradigm enables the research to interpret the amendment of the KPK Law and the reform of the Criminal Code as an interconnected legal policy configuration, hence facilitating a more thorough identification of the political trajectory of corruption eradication within the national legal system.

RESULTS AND DISCUSSION

Political Direction of Corruption Eradication Law After the Revision of the KPK Law and the Enactment of the New Criminal Code

Prior to the revision of the KPK Law, the Corruption Eradication Commission (KPK) operated as an independent state organization, free from the influence of any governmental branch, including the executive, legislative, and judicial sectors. This body functions with institutional independence, allowing the KPK to act autonomously in its anti-corruption efforts without conforming to a specific authority framework. Law No. 30 of 2002 delineates the principle of independence to augment the effectiveness of pursuing corruption charges, so constitutionally fostering the rule of law and good governance (Eko, 2023).

Amendments via Law Number 19 of 2019 have fundamentally restructured the institutional framework of the Corruption Eradication Commission (KPK) inside the Indonesian constitutional system. Article 3 of Law Number 30 of 2002 underscores that the KPK is a state organization that operates independently and is free from external influences in the execution of its tasks and authority. The norm's formulation positions the KPK as an independent state agency that is fundamentally external to the executive, legislative, and judicial institutions, while nevertheless being part of the constitutional framework (Erlangga et al., 2025).

Article 3 of Law Number 19 of 2019 has substantially altered this stance by establishing that the KPK is a state organization under the executive branch. This alteration is not only terminological; it signifies a transformation in the paradigm of political law by integrating anti-corruption agencies into the framework of state authority. Previously, the KPK functioned as an autonomous entity with structural autonomy; however, after the reform, it was restructured to integrate into the executive administration system, while maintaining performing law enforcement tasks. This transition indicates a change from a paradigm of structural independence to one of institutional integration within the executive sphere.

The reconfiguration is reinforced by the formation of the Supervisory Board as outlined in Articles 37A to 37E of Law Number 19 of 2019. Before the amendment, Law Number 30 of 2002 failed to acknowledge the organization of the Supervisory Board endowed with operational power. The establishment of the Supervisory Board enhances the external oversight mechanism for the operational activities of the KPK. This signifies a transition from considerable operational autonomy to a regulated supervisory framework established under legal standards (Achmad Aulia, 2025).

The Supervisory Board consists of three task groups: a) pro justicia license for wiretapping, search, and seizure, b) enforcement of the code of ethics, and c) performance review (Putriyana & Rochaeti, 2021).

The most prominent alteration is seen in the wiretapping authority. According to Article 12, paragraph (1), letter an of Law Number 30 of 2002, the KPK is empowered to do wiretapping throughout the investigation and inquiry phases without needing clearance from other entities. Following the amendment, Article 12B paragraph (1) of Law Number 19 of 2019 mandates written authorization from the Supervisory Board prior to the execution of wiretapping. Traditionally, direct power has transitioned to conditional authority. This indicates a transition in the strategy for exceptional enforcement towards a more regulated method via licensing structures (Fadillah, 2024).

The same is true for search and seizure powers. Prior to the amendment, under to Article 12 paragraph (1) letter b of legislation Number 30 of 2002, such acts might be executed by KPK investigators in line with procedural legislation. Following the amendment, Article 12B paragraph (2) of Law Number 19 of 2019 mandates the consent of the Supervisory Board. The normative consequence suggests a possible deceleration in pro justitia actions, which were originally intended to facilitate a swift reaction to corruption offenses (Yusuf & Umardani, 2025).

Institutional reconfiguration is also evident in job status. Under Law Number 30 of 2002, KPK workers do not possess the status of State Civil Apparatus (ASN) and are managed internally by the KPK. Before the amendment, KPK personnel, as stipulated in Article 24 paragraph 2 of Law Number 30 of 2002, were Indonesian residents selected as KPK employees based on their experience. Paragraph (3) indicates that the requirements and procedures for appointing KPK personnel are further delineated by the KPK Decree. This standard demonstrates the autonomy of the KPK on personnel matters, as well as the norms governing independent state institutions and anti-corruption entities. The rule established by the KPK Decision demonstrates the attributes of a self-regulatory entity.

The transformation of KPK personnel into ASN has significant ramifications. All facets of personnel management, including planning, recruitment, training, advancement, reassignment, and termination, will be governed by the government. The administration of KPK personnel will be contingent upon and significantly reliant on governmental organizations. For instance, in the recruitment of personnel, BKN will possess the ability to make determinations. If the KPK intends to expand its number of investigators via recruiting, the technical aspects of formation and procurement are within the jurisdiction of BKN (Yuliansyah & Jafar, 2025).

The KPK can no longer maintain the autonomy to articulate the requirements of its investigators. The government does not guarantee that the requirements of staff in KPK enforcement would be fulfilled. The government may indeed address the realm of prevention, a sector that poses less risk to state officials. Following amendment, Article 1, number 6, and Article 24 of Law Number 19 of 2019 establish that KPK personnel are classified as government servants. This integration incorporates KPK personnel into the national bureaucratic system, which may be politically and legally interpreted as a measure of institutional consolidation within the context of executive control.

Simultaneously, KPK personnel adhere to the code of ethics and the ASN code of conduct. There exists legal ambiguity about ethical enforcement. Per the foundation of paragraph 37 B, subsection (1), letters d and e of Law No. 19 of 2019 about the KPK, the responsibility for enforcing the KPK's ethics lies with the Supervisory Board. Nonetheless, given that KPK personnel are also ASN, KASN, as outlined in Article 32 of Law No. 5 of 2014 regarding ASN, has the ability to uphold ASN ethics. Obstacles may also arise in the realm of enforcement. The primary entities likely to be scrutinized, examined, or prosecuted by the KPK are governmental officials who exert influence on the KPK's staff, as seen above. It is quite probable that uncertainties may emerge among KPK workers when they take action against those who exert influence on KPK staff.

Modifications have also transpired in the recruiting process for investigators. Article 45 of Law Number 30 of 2002 permits recruitment from personnel of the police, prosecutor's office, and independent entities. Following modification, Article 45 of Law Number 19 of 2019 affirms that investigators are government officials. This indicates a redefining of the autonomy of law enforcement authorities inside the KPK.

Given its powers in coordination and supervision, the KPK might be characterized as the coordinator and overseer of corruption eradication efforts. Consequently, it is absurd for the KPK, as a coordinator and supervisor, to be subject to the coordination, supervision, and guiding of the National Police, which ought to be under surveillance itself. KPK investigators' independence was evidently compromised by their position as ASN, which did not transition to PPNS.

The education of KPK investigators should be entirely entrusted to the KPK to guarantee autonomy. The KPK's collaboration with the police, prosecutor's office, other institutions, or foreign law enforcement authorities should be contingent upon the KPK's requirements. The establishment of the KPK is inextricably linked to a problematic law enforcement landscape that has been ineffective in combating corruption. Currently, the KPK is under the control of other law enforcement agencies, namely the police and the prosecutor's office.

Moreover, Law Number 30 of 2002 fails to recognize the protocol for closing investigations (SP3). Article 40 of Law Number 19 of 2019 authorizes the termination of an investigation if the issue remains unresolved after a two-year duration. This modification indicates a shift in the strategy for addressing corruption cases from an open-ended investigation model to one that recognizes procedural definiteness via case resolution.

Table 1. KPK Institutional Reconfiguration in the Perspective of Legal Politics (Before and After the 2019 Revision)

Aspects	Before Revision (Law No. 30 of 2002)	After Revision (Law No. 19 of 2019)	Legal Political Implications
Institutional Status	Article 3 of Law No. 30 of 2002 KPK is an autonomous governmental agency in executing its responsibilities and powers	Article 3 of Law No. 19 of 2019 The KPK is a governmental entity under the executive branch.	The transition from the autonomous state agency paradigm to the agency under the executive sphere
Supervision Structure	No Board of Trustees with operational authority	Articles 37A to 37E of Law No. 19 of 2019 Formed a Supervisory Board empowered to authorize wiretapping, searches, and seizures.	Enhancing external oversight of KPK operational activities

Aspects	Before Revision (Law No. 30 of 2002)	After Revision (Law No. 19 of 2019)	Legal Political Implications
Eavesdropping	Article 12 paragraph (1) letter a of Law No. 30 of 2002 KPK has the authority to conduct wiretapping in the investigation/investigation stage	Paragraph (1) of Article 12B of Law No. 19 of 2019 Wiretapping may only be conducted subsequent to obtaining formal authorization from the Board of Supervisors.	Transform direct power into conditional authority
Search & Seizure	Article 12(1)(b) of Law No. 30 of 2002 The KPK investigators conducted it in compliance with procedural legislation.	Paragraph (2) of Article 12B of Law No. 19 of 2019 Requires authorization from the Board of Trustees	Potential slowdown of pro justitia efforts
Employee Status	KPK personnel are not classified as government servants and are governed by the internal administration of the KPK.	Article 1, Section 6, and Article 24 of Law No. 19 of 2019 designate KPK personnel as members of the State Civil Apparatus.	Integration into the national administrative structure
Recruitment of Investigators	Article 45 of Law No. 30 of 2002 May originate from components of the police, prosecutor's office, or independent entities.	Article 45 of Law No. 19 of 2019 Researchers and investigators are ASN.	Reevaluating the device's autonomy
Possible SP3	Unfamiliarity with the mechanism of SP3	Article 40 of Law No. 19 of 2019 The probe may be terminated after two years.	Modifying the methodology for case management
Handling case model	Created independently from the executive, legislative, and judicial branches	Article 3 of Law 19/2019 Specifically among the executive faction	Reconfiguration of responsibilities within the framework of checks and balances
Model of Checks and Balances	Structured somewhat independently from the executive	Specifically among the executive faction	Reconfiguration of interbranch interactions

Some normative studies argue that this move creates a paradox: the KPK is legally autonomous but must be subject to executive chain of command institutional monitoring. This threatens legal governance, notably law enforcement's operational independence, which is needed to implement the rule of law.

Institutional influence over the KPK has strengthened with the shift in position. A prime example is the KPK Supervisory Board and its power. The Supervisory Board oversees and authorizes KPK measures including wiretapping and searches. Its focus on administrative control over significant activities has been controversial, although its goals are generally linked to law enforcement integration with human rights and internal responsibility.

Putting the KPK on the problematic executive authority branch in the country's conceptual and institutional domain. Further provisions in Law 19 of 2019 further diminish KPK independence. The setup allows input from the executive leader, the President. The

modification made the KPK an executive power cluster instead of a state autonomous agency. This article discusses how to perceive the KPK as an executive group and how the structure makes it an executive/government entity. The KPK is under government influence and institutional supervision. This thinking is followed by the President appointing the KPK Supervisory Board, changing KPK personnel to ASN, and requiring KPK investigators to be educated in cooperation with the police and prosecutor's office.

The efficacy of the KPK is intricately linked to its institutional autonomy in performing law enforcement duties. The incorporation of the KPK into the executive branch elicits apprehensions about possible reliance, especially considering the executive roles of other law enforcement agencies. This structure may impact operational autonomy and coordination from a legal policy standpoint. The primary concern is to ensure that monitoring systems do not disrupt essential enforcement tasks, necessitating a careful balance between accountability and independence.

Reorientation of Penal Policy in the New Criminal Code

Law Number 1 of 2023 about the Criminal Code (New Criminal Code) replaces colonial codification and changes Indonesia's criminal law politics. The New Criminal Code stresses systemic and goal-based functions rather than repressive and retributive purposes. This change illustrates that criminalization is now seen as a tool to preserve social balance, curb crime, and help offenders reintegrate into society (Suyatniko, 2023).

Criminal law reform must be basic, comprehensive, and systemic in the form of codification, which addresses three main issues: the formulation of unlawful acts (criminal acts), criminal responsibility (both from natural persons and corporations), and criminal and enforceable actions (Arief & Muladi, 1992). Criminal law reform can be examined through the lens of the criminal law enforcement system or penalties. The New Criminal Code introduces the objective variable as a new criterion for criminalization, thereby incorporating not only criminal acts (objective conditions) and culpability (subjective conditions) but also the purpose of punishment.

Criminal theory significantly impacts the transformation and revitalization of the punishment paradigm. This novel criminal notion is a legal evolution that transforms the criminal law inherited from the Dutch Colonial past, shifting law enforcement from a retributive to a restorative approach (DA, 2023). The transformation in the criminal paradigm towards restorative justice underscores that the objectives of crime and punishment rely on the equilibrium of two primary aims: safeguarding the community, including victims, and protecting the offenders of criminal activities.

The New Criminal Code introduces a novel idea of criminalization and regulates offenders, offenses, and acts as outlined in Chapter III, Parts One, Two, and Three. The Prosecutor and the Judge must comprehend this novel idea of punishment to ascertain the appropriate form of sanction, so preventing errors and ensuring consistency in its implementation by the Prosecutor. and Magistrate. Judges and prosecutors must be vigilant and comprehend the indicators that facilitate criminalization to prevent societal losses and disputes.

Article 51 of the New Criminal Code clearly delineates the objectives of punishment, including the prevention of criminal behavior, the restoration of equilibrium, dispute resolution, and the rehabilitation of offenders. This concept indicates a transition from a primarily retributive paradigm to an integrative approach that aims to reconcile legal clarity, utility, and justice. The phrase signifies the humanization of the correctional system and the rationality of criminal law as an instrument of public policy.

The reinforcement of this paradigm is also evident in Article 54, which upholds the idea of criminal individualization. The court is has the opportunity to evaluate the perpetrator's personal circumstances, the repercussions of the conduct, and societal context while

determining the decision. This configuration broadens judicial discretion within the parameters of proportionality. The criminal system was concurrently reorganized via a more systematic categorization of major and ancillary offenses (Articles 64–66), with the implementation of alternatives such as supervision and community service crimes. This comprehensive design demonstrates a more flexible and adaptable correctional approach to societal concerns.

This alteration in punitive policy must be scrutinized meticulously within the framework of corruption. The New Criminal Code, via Article 603, stipulates a jail sentence ranging from a minimum of two years to a maximum of twenty years, and penalties categorized accordingly. Simultaneously, the Law on the Eradication of Corruption establishes a minimum penalty of four years for a comparable crime. This comparison indicates a reduction in the minimal criminal threshold when the provisions of the Criminal Code are implemented directly. Nevertheless, while the Corruption Law persists as a lex specialis, its specific provisions serve as the primary reference for addressing corruption charges in instances of normative dispute. Consequently, corruption continues to be classified as a grave offense within the Indonesian legal framework, notwithstanding the rationalization and unification of national criminal laws into a unified code.

The revision of the Criminal Code reflects the state's endeavor to consolidate criminal policies into a more coherent national framework. Initially, the reform prioritized an unusual approach (extraordinary enforcement), although the New Criminal Code indicates a shift towards a more codified and systematic style of legal government. Corruption is classified as a grave offense, however its judicial reaction is now situated within a more cohesive framework of criminal law. The following modifications may be comparatively delineated:

Table 2. Comparison of the Criminal Paradigm between the Old Criminal Code and the New Criminal Code and Its Legal Political Implications

Aspects	Old Criminal Code	New Criminal Code (Law 1/2023)	Legal Political Implications
Individualization of Criminals	Not explicitly formulated	Explicitly formulated in Article 51 (prevention, rehabilitation, coaching, conflict resolution)	Humanization and rationality of punitive policy
Individualization of Criminals	Not explicitly formulated	Affirmed in Article 54	Augmentation of judicial discretion
Structure of Criminal Types	Not systematic	Reclassification (Articles 64–66) + alternative criminal	Modernization of the criminal justice system
Corruption (Article 603)	Minimum 4 years (Corruption Law)	Minimum 2 years (Article 603 of the New Criminal Code)	Particular minimal reductions in overall codification
Strategic Approach	Remuneration dominates	Incorporation within the national framework	Incorporation within the national framework

The reorientation of criminal policy in the New Criminal Code indicates a shift from a retributive paradigm centered on punishment to a more objective-driven and socially equitable framework. This alteration does not inherently diminish the gravity of corruption offenses; rather, it situates them within a more cohesive and methodical punitive policy framework in national criminal law.

Legal Political Implications on Corruption Eradication Governance Design

Amendments to the KPK Law and reforms in penal policy under the New Criminal Code affect not only legislative and structural dimensions but also significantly influence the framework for combating corruption within the national legal system. From the standpoint of

legal politics, any change in the law signifies the state's decisions about the formulation, implementation, and oversight of the law. Consequently, the examination of the ramifications of these alterations is inextricably linked to the fundamental tenets of the rule of law, the equilibrium of independence and institutional responsibility, and the objective of transparent and responsible government.

Implications for the Principle of the Rule of Law

Despite Indonesia's comprehensive anti-corruption legislative framework, its efficacy is obstructed by institutional limitations. Normative ambiguity and regulatory deficiencies facilitate the manipulation of legal interpretation, while political dynamics, inadequate coordination among law enforcement agencies, and constrained resources further compromise the efficacy of law enforcement. The ambiguous definition of the breach and varying interpretative frameworks at the implementation level may lead to variations in legal application and undermine legal certainty, a crucial element of law enforcement. principle of legality (Al-Fatih et al., 2025).

The fundamental principle of the rule of law requires legal clarity, equality before the law, and the independence of law enforcement agencies (Fiqih et al., 2024). The original concept of the KPK's founding saw institutional independence as the primary necessity for maintaining law enforcement devoid of political interference. This paradigm aligns with the perspective that eliminating corruption, seen as an exceptional crime, requires an extraordinary law enforcement apparatus.

Following the amendment of the KPK Law, the institutional framework underwent a transformation, positioning the KPK inside the executive power sector and establishing a supervisory system via the Supervisory Board. This alteration has two ramifications within the context of the rule of law. Enhancing the supervisory system might be seen as an initiative to augment accountability and avert the misuse of power. Conversely, this integration prompts inquiries about the operational autonomy of institutions, a crucial component for law enforcement devoid of external influences.

The reconfiguration of criminal policy under the New Criminal Code also affects the premise of the rule of law. The clear articulation of the objectives of punishment and the reinforcement of the idea of criminal individualization enhance the systematic and logical nature of the criminal law system. This might enhance legal clarity and uniformity in criminal sentence. In the realm of corruption offenses, it is important to monitor this paradigm shift to preserve the preventive and deterrence functions integral to the strategy for eradicating corruption. The consequences for the rule of law are ambiguous: there is an enhancement of the systematization and rationality of legal frameworks, while there are also threats to the operational autonomy of law enforcement organizations. The efficacy of anti-corruption institutions is ultimately contingent not just upon moral design but also on political stability and the capacity to withstand power interference.

Implications for Institutional Accountability and Independence

In contemporary governance, independence and accountability are two concepts that must be maintained in equilibrium. Independence devoid of responsibility may result in the misuse of power, while excessive accountability might diminish institutional efficacy. The amendment to the KPK Law indicates a propensity to enhance institutional oversight via the creation of the Supervisory Board and the alteration of employee status to that of State Civil Apparatus. Enhanced regulatory measures aim to augment openness, procedural equity, and public credibility. Numerous normative and empirical studies have indicated that excessively stringent internal controls may impede the operational efficacy of law enforcement agencies

and create opportunities for political interference, particularly if the supervisory framework lacks an appropriate balance of power.

These developments need a redefinition of effective independence limits to ensure alignment with the requirements of accountability and law enforcement efficacy. The political and legal problem resides in the formulation of a supervisory structure that preserves institutional integrity while facilitating a prompt reaction to corruption offenses. The success of corruption eradication is significantly determined by institutional competence, cooperation among law enforcement agencies, and sufficient resource allocation, in addition to the element of supervision. In the absence of these variables, changes in institutional architecture may fail to significantly enhance the efficacy of corruption eradication efforts (Tomagola et al., 2024).

Impact on Clean Governance

Effective governance requires institutional integrity, openness, and the efficacy of law enforcement. Modifications to the KPK's institutional architecture and punitive policies in the New Criminal Code directly influence the establishment of a corruption prevention and enforcement system within the context of a transparent government.

The institutional restructuring of the KPK affects the framework of checks and balances among state organs. The incorporation of the KPK under executive authority demonstrates a more administratively unified governance model, while also posing the risk of diminishing the structural separation between law enforcement institutions and political power. Criticism of the KPK Law modification often indicates apprehensions that such administrative involvement may undermine the efficacy of independent corruption eradication efforts.

Simultaneously, the revision of the Criminal Code that enshrines contemporary criminal ideas may enhance legal clarity and the coherence of the national penal system. In the realm of corruption eradication, it is essential to meticulously harmonize the general provisions of the Criminal Code with the specific stipulations of the Corruption Law to preserve the unique nature of corruption as a crime with systemic repercussions.

The enactment of anti-corruption legislation is inextricably linked to the wider socio-political landscape. Complex power structures, entrenched cultures of corruption, bureaucratic opposition, and vested interests inside the power framework impede the structural efficacy of corruption eradication efforts (Eko, 2023). Under these circumstances, the backing of civil society, the media, and public sentiment is crucial for upholding accountability and the coherence of anti-corruption efforts.

The political and legal ramifications of corruption eradication governance indicate a shift towards a more cohesive approach within the governmental framework. The inquiry concerns not only whether the modifications enhance or diminish the fight against corruption, but also how the new framework sustains balance among the ideals of the rule of law, institutional accountability, law enforcement effectiveness, and the integrity of state governance. Effective elimination of corruption requires unwavering political commitment to openness and accountability, enhancement of investigative capabilities, and efficient, sustained collaboration among law enforcement agencies.

CONCLUSION

The progression of Indonesia's anti-corruption legislative framework, following the amendment of the KPK Law and the implementation of the New Criminal Code, marks a fundamental shift from exceptional enforcement to institutional integration and criminal codification. These changes improve procedural accountability and legal consistency while also altering the equilibrium between control and independence in anti-corruption governance.

This research delineates a fundamental conflict inherent in this change. Enhancing supervisory measures and integrating the KPK into the executive structure may jeopardize

operational autonomy, especially during urgent enforcement activities. The simultaneous presence of a diminished minimum punishment structure in the New Criminal Code, coupled with more stringent measures in the Corruption Law, exposes a normative discrepancy that might undermine the deterrent effect of corruption as an unusual crime.

These results illustrate that existing legal policy has a core conflict between the aims of institutional control and the requirements of successful enforcement. Future reform must prioritize the protection of functional independence, restrict supervisory intervention to non-operational areas, and ensure substantial harmonization between general and special criminal law systems to maintain the efficacy of corruption elimination within a rule-of-law context.

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