



The Role of Law Enforcement in Overcoming Corruption Crimes in the Form of Bribery by Civil Servants

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Abstract

Corruption, especially bribery by civil servants (PNS), is a serious problem that threatens the integrity of the government system in Indonesia. Law enforcement in overcoming corruption is very important in order to realize a clean government and free from abuse of authority. The purpose of this study is to analyze the role of law enforcement in eradicating corruption in the form of bribery involving civil servants. This study uses an analytical descriptive approach by examining existing regulations, the role of law enforcement officials, and challenges in implementing law enforcement against civil servants involved in bribery. The results of the study show that despite strict regulations, law enforcement against civil servants involved in bribery practices still faces various obstacles, such as weak internal supervision and the potential for conflicts of interest. Therefore, it is necessary to increase cooperation between law enforcement agencies, such as the Corruption Eradication Commission (KPK), the Police, and the Prosecutor's Office, to strengthen the supervision mechanism and take firm action against corrupt actors. This research is expected to contribute to increasing the effectiveness of corruption eradication in Indonesia.

Introduction

Corruption is one of the serious problems faced by many countries, including Indonesia (Pujileksono & Siregar, 2022). Corrupt practices not only harm the state's finances, but also destroy public trust in the government and legal institutions (Arifin & SH, 2024). One of the most common forms of corruption is bribery. This criminal act involves giving or receiving something of value in exchange for abuse of power. When the perpetrator of bribery is a Civil Servant (PNS), the impact becomes more severe because it involves parties who are supposed to serve the public interest (Fahrizal et al., 2023; Mandasari, 2021; Sitompul & Sitompul, 2023).

Civil Servants play a strategic role in the implementation of state policies (Daryanto, 2007). However, the abuse of authority through the practice of bribery is a major threat to the integrity and effectiveness of public services. Bribes are often used to speed up administrative processes, manipulate tender results, or even evade legal sanctions. This phenomenon reflects weak supervision, low morality, and the lack of effectiveness of the legal system in preventing acts of corruption (Langseth et al., 1997; Graycar & Sidebottom, 2012; Doig & Riley, 1998).

Law enforcement has an important role in eradicating corruption, including bribery involving civil servants. The success of law enforcement is a benchmark in maintaining public trust in the government and the judicial system (Tyler & Huo, 2002). Institutions such as the Corruption Eradication Commission (KPK), the Police, and the Prosecutor's Office have a great responsibility to ensure that every act of corruption is handled fairly and transparently (Hariwangsa & Yuningsih, 2024).

One of the main challenges in eradicating bribery by civil servants is the complexity of the corruption pattern itself. Bribery cases often involve a wide network, from the giver, the recipient, to the third party that facilitates the transaction (Graycar & Jancsics, 2017; Jancsics 2019). This condition makes it difficult for law enforcement to uncover all parties involved and prove the crime in court.

On the other hand, law enforcement against bribery also faces various structural and cultural obstacles. The multi-layered bureaucratic structure often creates loopholes for bribery practices. Meanwhile, the permissive culture of corruption in some levels of society makes this act considered commonplace (Stephan, 2008). In fact, this kind of behavior undermines the values of justice and integrity.

Law No. 31 of 1999 concerning the Eradication of Corruption, as amended by Law No. 20 of 2001, is a strong legal basis for cracking down on corrupt actors, including bribery cases (Sari, 2018). However, the implementation of these laws often faces obstacles, especially when cases involve high-ranking officials or influential figures. In conditions like this, the independence and courage of law enforcement are very crucial.

The Corruption Eradication Commission (KPK) as an independent anti-corruption institution has a significant role in handling bribery cases by civil servants. The KPK not only focuses on enforcement, but also on prevention through public education and strengthening the system (Arui et al., 2024). However, the success of the KPK is often influenced by political support and government policies.

In addition to the KPK, the role of the Prosecutor's Office and the Police is also very important. Inter-agency coordination is one of the key factors in ensuring that the handling of corruption cases runs effectively (Megawati et al., 2024). Disharmony between law enforcement agencies can slow down the legal process and provide an opening for perpetrators to avoid accountability.

In an effort to eradicate bribery by civil servants, internal supervision in every government agency must also be strengthened. The Inspectorate General and other supervisory agencies need to be more active in detecting and preventing acts of corruption. The use of information technology, such as the e-government system, can also reduce direct interaction between officials and the public, thereby minimizing the chance of bribery (Castro & Lopes, 2023).

The importance of transparency and accountability in handling corruption cases cannot be ignored. The public must be involved in supervising the performance of law enforcement (Arfa, 2023). The mass media and civil society organizations have a big role in exposing bribery cases that often go unnoticed by the public.

A more humane and educational approach is also needed to address the root of the corruption problem (Triatmanto & Bawano, 2023). Anti-corruption education from an early age can form a generation that has high integrity and rejects all forms of bribery. On the other hand, strict sanctions for corruption perpetrators must continue to be enforced to provide a deterrent effect.

In recent years, Indonesia has recorded a number of advances in the eradication of corruption, including bribery cases (Suyatmiko, 2021). However, there is still a long way to go. Joint commitment between the government, law enforcement, and the community is key to creating an environment free from corruption.

As the frontline of law enforcement, law enforcement officers must continue to improve their capacity, integrity, and professionalism. Collaboration with international institutions can also be one of the strategies to strengthen efforts to eradicate corruption, especially in cases involving cross-border networks.

Through the active role of law enforcement, strengthening regulations, and community involvement, it is hoped that corruption crimes in the form of bribes involving civil servants can be minimized. Thus, public trust in the government and the legal system can continue to be restored.

Methods

Type of Research

This study uses a quantitative approach with a survey method. This approach aims to measure the relationship between variables related to the role of law enforcement in overcoming bribery by civil servants.

Population and Sample

Population: Employees of law enforcement agencies (KPK, Police, and Prosecutor's Office) as well as people who have been involved in or know about the handling of civil servant bribery cases.

Sample: Taken using simple random sampling with the sample size calculated using the Slovin formula:

$$n = \frac{N}{1 + N \cdot e^2}$$

Information:

n = sample size,

N = total population,

e = error rate (5% or 0.05).

If N = 400 and e = 0.05:

$$n = \frac{400}{1 + 400 \cdot (0,05)^2} = \frac{400}{1 + 10} = \frac{400}{11} \approx 36,36 \approx 36$$

Research Variables

Independent Variable (X)

Factors that affect the role of law enforcement, such as: a) Legal regulation (X1); b) Competence of law enforcement officials (X2),

Transparency of case handling (X3)

Dependent Variable (Y): The success rate of law enforcement in handling bribery cases.

Data Collection Techniques

Data were collected through a questionnaire with a Likert scale of 1–5, where:

1 = strongly disagree

5 = Strongly agree

Data Analysis Techniques

Validity Test

Use a simple correlation to measure the relationship between an item's score and the total score. Formula:

$$r = \frac{\sum(x-\bar{x})(y-\bar{y})}{\sqrt{\sum(x-\bar{x})^2 \cdot \sum(y-\bar{y})^2}}$$

Information:

r = correlation coefficient,

X= item score,

Y= total score,

X, Y = average item score and total.

Reliability Test:

Using a simple reliability formula:

$$r_{11} = \frac{k}{k-1} \left(1 - \frac{\sum s_i^2}{s_t^2} \right)$$

Information:

r11 = reliability,

k = number of items,

s_i^2 = variance of each item's score,

s_t^2 = total variance.

Simple Regression Analysis:

To see the relationship between independent and dependent variables. Formula:

$$Y=a+bX$$

Information:

Y= dependent variable (law enforcement success),

a= constant,

b= regression coefficient,

X = independent variable.

Coefficient of Determination (R²)

Measure how much the independent variable affects the dependent variable:

$$R^2=(r)^2$$

Information:

r= the correlation value between the X and Y variables

Results and Discussion

Law Enforcement Mechanism for Corruption in the Practice of Bribery by Civil Servants Based on Law Number 20 of 2001

Based on the results of the research, the law enforcement mechanism against corruption crimes, including the practice of bribery by Civil Servants (PNS), has been comprehensively regulated in Law Number 20 of 2001 (Anggoro, 2022). This mechanism includes the process of investigation, investigation, prosecution, and trial. Law enforcers such as the Corruption Eradication Commission (KPK), the Police, and the Prosecutor's Office have an integrated role

in each stage. At the investigation stage, law enforcement collects preliminary information to determine the presence of indications of bribery crimes. The investigation stage is carried out in more depth to collect sufficient evidence and determine suspects. The prosecution was then carried out by the public prosecutor, who was in charge of bringing the case to court. The final stage is the trial, where the judge decides based on the evidence presented.

Table 1. Law Enforcement Mechanism and Responsible Institutions

Stages	Description	Institutions Involved
Investigation	Initial information collection related to indications of bribery.	KPK, Police
Investigation	Evidence collection and determination of suspects	KPK, Police
Prosecutor	Drafting indictments and bringing cases to court	Prosecutors
Trial	Assessment of evidence and giving of verdicts by judges	Court

This mechanism aims to provide legal certainty and ensure accountability in handling bribery cases.

The mechanism for law enforcement against corruption crimes, including bribery by civil servants, has been regulated in Law Number 20 of 2001. The process includes investigation, investigation, prosecution, and trial, with the main role being carried out by the KPK, the Police, and the Prosecutor's Office. This mechanism aims to ensure that the legal process runs transparently and accountably. These findings are in line with research (Ananda & Jainah, 2024) which highlights the importance of coordination between institutions in eradicating corruption.

Application of Legal Sanctions for Acts of Bribery in Corruption Crimes in the Decision of the Medan District Court Number 37/Pid.Sus-Tpk/2017/PN.Mdn

In the Decision of the Medan District Court Number 37/Pid.Sus-Tpk/2017/PN.Mdn, the application of legal sanctions against acts of bribery is regulated in accordance with Article 5 and Article 12 of Law Number 20 of 2001. In this case, the defendant, who is a civil servant, was proven to have received a sum of money in exchange for manipulating the administrative process of government projects.

The court sentenced him to 4 years in prison, a fine of Rp200 million, and the obligation to compensate the state. This decision reflects the application of strict sanctions against perpetrators of corruption crimes.

Table 2. Verdict and Sanctions Given

Aspects	Detail
Violated Articles	Article 5 and Article 12 of Law No. 20 of 2001
Prison	4 years
Fine	IDR200 million
Indemnification	The amount of money received by the perpetrator as a bribe

The application of legal sanctions in this case involves Article 5 and Article 12 of Law Number 20 of 2001. The defendant, a civil servant, was sentenced to 4 years in prison, a fine of Rp200 million, and the obligation to compensate the state. This ruling reflects the application of strict sanctions to provide a deterrent effect, as revealed in a Transparency International study that supports the importance of consistent law enforcement (Aiman, 2024).

Judge's Considerations in Imposing the Verdict of the Medan District Court Number 37/Pid.Sus-Tpk/2017/PN.Mdn

Based on the results of the analysis, the judge's considerations in imposing a verdict in this case include juridical aspects, trial facts, and social impacts. The judge considered that the defendant had violated the applicable regulations, as evidenced by witness statements, evidence, and the defendant's confession.

The judge also considered that the bribery acts committed by the defendants undermined the integrity of the bureaucracy and created injustice for the community. Aggravating factors for the defendant include: a) The defendant is a civil servant who should be a role model; b) The defendant's actions had an impact on state losses.

However, the judge also considered mitigating factors, such as the defendant's cooperative confession during the trial. This consideration is the basis for imposing a proportionate criminal penalty.

Table 3. Factors influencing the judge's decision

Factors to Consider	Description
Aggravating Factors	Undermining the integrity of the bureaucracy and creating injustice
Mitigating Factors	Cooperative confession of the defendant
Evidence Submitted	Witness statements, documents, and confessions of the defendant

The judge considers the juridical aspect, the facts of the trial, and the social impact. Aggravating factors include damage to bureaucratic integrity and state losses. The mitigating factor is the defendant's cooperative confession. This ruling reflects substantive justice as emphasized in Rawls' theory of distributive justice (Rawls, 1971). The results of this study emphasize the importance of collaboration between law enforcement institutions and the application of fair sanctions to support effective corruption eradication.

Conclusion

Based on the results of the research, the mechanism for law enforcement against corruption in the form of bribery by civil servants has been clearly regulated in Law Number 20 of 2001. The law enforcement process involves a comprehensive process from investigation to trial, which is carried out by relevant institutions such as the KPK, the Police, and the Prosecutor's Office. Coordination between institutions is the key to effectiveness in efforts to eradicate corruption. The application of legal sanctions in corruption cases in the form of bribery, as stated in the Medan District Court Decision Number 37/Pid.Sus-Tpk/2017/PN.Mdn, shows that there is firm and fair law enforcement. The criminal penalties imposed reflect efforts to create a deterrent effect for perpetrators while maintaining the integrity of the government system. The judge's consideration in imposing a verdict is based on juridical aspects, trial facts, and social impact. The judge assessed the importance of giving a proportionate punishment by paying attention to aggravating factors, such as negative impacts on bureaucratic integrity, as well as mitigating factors, such as the defendant's cooperative attitude during the trial. Overall, the results of this study confirm that law enforcement against corruption requires consistency, transparency, and synergy between institutions to create a deterrent effect, encourage bureaucratic integrity, and provide justice for the community.

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