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Social Control Movement as a Corruption Eradication Instrument in Indonesia

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Abstract

Corruption in Indonesia is an endemic problem. It has been hampering the development, disconnecting hopes of fulfilling the fundamental constitutional rights of citizens, creating a repressive government, and harming the country's finances and economy. This research tries to find the right movement pattern of social control, such as whether in efforts to prevent and eradicate corruption in Indonesia. The conclusion from this legal research is that the movement of social control as an instrument to eradicate corruption in Indonesia has been described both in the aspect of Judicial review, Class Action and Citizen Law Suit (CLS), Court Monitoring, and the Whistleblower System (WbS), as well as non-legal movements (public hearing & advocacy, mass actions) that are not facultative, meaning that all efforts can be undertaken by civil society by being bridged by NGOs and the campus in the corruption eradication agenda in Indonesia. Going forward, the challenge of eradicating corruption in Indonesia is increasingly tricky and steep, it requires commitment from all parties to strengthen commitments to eradicate corruption, create integrity zones, and more importantly enhance the KPK as an independent anti-corruption institution, as mandated by UNCAC to maintain the independence of anti-corruption in Indonesia.

Abstrak

Korupsi di Indonesia menjadi persoalan endemik menghambat pembangunan, memutus harapan pemenuhan hak-hak dasar konstitusional warga negara, menciptakan pemerintahan yang represif, serta merugikan keuangan dan perekonomian negara. penelitian ini mencoba mencari pola gerakan kontrol sosial yang tepat seperti apakah dalam upaya pencegahan dan pemberantasan korupsi di Indonesia. Kesimpulan dari penelitian hukum ini adalah Gerakkan sosial kontrol sebagai instrument pemberantasan korupsi di Indonesia telah digambarkan baik dalam aspek gerakan hukum (Pengujian perundang-undangan (judicial review), Gugatan Perwakilan Kelompok (Class Action) & Citizen Law Suit (CLS), Pemantauan Peradilan (Court Monitoring), dan Whistleblower System (WbS), maupun gerakan non hukum (Hearing & advokasi publik, Aksi Massa) yang sifatnya tidak fakultatif. Artinya, semua upaya dapat dilakukan oleh masyarakat sipil dengan dijemputani oleh NGO maupun kampus dalam agenda pemberantasan korupsi di Indonesia. Kedepan, tantangan pemberantasan korupsi di Indonesia semakin sulit dan terjal, perlu komitmen dari semua pihak untuk memperkuat komitmen pemberantasan korupsi, membuat zona integritas, dan terlebih penting memperkuat KPK sebagai lembaga anti-korupsi independen, sebagaimana amanat UNCAC dalam rangka menjaga independensi lembaga anti-korupsi di Indonesia.

INTRODUCTION

Indonesia is one of the largest democratic nations in the world. It has a vast area of the country, a variety of demographic culture, and an extraordinary natural wealth. Thus, they should make this country has the right level of prosperity and economic growth. On the contrary, corruption in Indonesia has become an endemic problem. It hinders development, cut off hopes of the citizen

of fulfilling the fundamental constitutional rights, creating a repressive government, and harming the country's finances and economy.¹ Corruption in Indonesia today directly or indirectly involves the government and the legislature (especially the DPR-RI) as an elite politician, both in the aspects of the procurement of goods and services, bribes, gratuities, others. It includes in the bureaucracy and licensing sectors, which causes the business climate in Indonesia to be very closely related to the practice of bribery and extortion. Moreover, it is exacerbated by corruption in the justice sector, which makes it difficult for institutions to produce a court of justice to be fair and impartial principles.²

Corruption enforcement data conducted by the Corruption Eradication Commission of the Republic of Indonesia (KPK-RI) as of December 31, 2018, stated that they had handled corruption in 2018. It was as in detail: preliminary investigation 164 cases, full investigation 199 cases, prosecuting 151 cases, Eintracht 106 cases, and 113 execution cases. Thus, corruption in Indonesia becomes a very complicated legal and social problem in Indonesia. The Corruption Perception Index (CPI) in 2019 released by Transparency International, stated Indonesia got the score at 40 points, and rank at 85 out of 180 countries worldwide. Indonesia's GPA is similar to other developing countries such as Burkina Faso, Guyana, Lesotho, and Trinidad & Tobago. Whereas in ASEAN, Indonesia's IPK is in the fourth rank lower than Singapore (the fourth rank, score 85), Brunei Darussalam (35th rank, score 60), and Malaysia (51st rank, score 53). It was on the corrupt practices among the power of government, law enforcement, and permissiveness of the Indonesian people against corrupt practices.³

There are at least several sectors that have a high risk of corrupt practices in which Indonesian people interact directly and have the potential to guard against corrupt practices. These sectors are procurement of goods and services as well as bribery among gratification, licensing sector, and General Election. They are also corruption in the justice sector to corruption in village funds. Therefore, this legal research aimed to find patterns (movements) appropriate social control. This research also examined the efforts to prevent and eradicate corruption in Indonesia. The ideals of the state in realizing the welfare of society and the fulfillment of community need ideally. The citizen of each country, including Indonesia, is less aware that corruption occurs due to the lack of social control from the community, based on its formula, as stated by Klitgaard. $C > M + D - A$ Corruption happens if *Monopoly* added to (*discretion*) without *Accountability*. Therefore it needs to be equipped with social control (social control/SC) so that it becomes: $C > M + D - A - SC$. This formula is a sign that absolute social control exists to create a state system that is free from corruption.⁴

Corruption without social control will also cause weak law enforcement. It tends to be excessive freedom towards transactional practices in abolishing corruption, government legitimacy, and preventing corruption eradication. It is also in a weak position because they enjoy the process of running a corrupt election and causing a corrupt product. The resulting regulations also tend to compromise efforts and weaken the eradication of corruption. It has an impact on reducing the income of a country and makes investors prefer bribes to investment in countries permissive to

¹ACLIC. (2018). *Statistik Tindak Pidana Korupsi di Indonesia*. Jakarta: KPK-RI.KPK-RI.

²Agusman, D. D. (2014). *Hukum Perjanjian Internasional: Kajian Teori dan Praktik Indonesia (Cet. Ke-2)*. Bandung: Refika Aditama.

³Andik Saputra. (2019, October 10). *Peneliti MK: Indonesia Negara Demokrasi Terbesar di Indonesia*. Retrieved from detiknews.com: <https://news.detik.com/berita/d-4741034/peneliti-mk-indonesia-negara-demokrasi-terbesar-di-dunia>.

⁴Antlov, H., Brinkerhoff, D. W., & Rapp, E. (2010). Civil Society Capacity Building for Democratic Reform: Experience and Lessons from Indonesia. *Voluntas*, 21, 417–439.

corruption. Thus, the principle of accountability and social control becomes a perfect choice so that corrupt practices do not damage the state order. The democratic country needs the existence of social control, especially for Indonesia, so that the state can be out accountably and openly. However, at the same time, there is a gap in education between civil society who needs to be coordinated Non-Governmental Organisations (NGOs) or other social movements. It can bridge and advocate the interests of civil society that aims to eradicate corruption in Indonesia.⁵

The journey to eradicate corruption in Indonesia can be marked by a new order and a period of reform. Corruption in the post-reform era occurs as part of the so-called process of reorganization of power through a new political model with the institutionalization of the power of capital owners. It shows an oligarchy of power and influence in the social and state structures in Indonesian democracy. If, during the New Order era, corruption centralized around Suharto's power, now corruption is becoming more dominant and occurs from the center to the regions. In the history of a reliable and independent anti-corruption institution formation, political initiation has discussed since the old order era under President Sukarno to the new order under President Soeharto. However, the discourse of forming an independent anti-corruption institution always clashes with political interests. It tends to strengthen the regime's power. Thus, the control of power, which aims to make the country free from Corruption, Collusion, and Nepotism, is not going well. The role of community control over corrupt government and law enforcement tends to be weak. It was due to repression and under the threat of an authoritarian regime when attempting to exercise social control in eradicating corruption.⁶

The Corruption Eradication Commission (KPK) was born post-reformation to fight the power elite without control during the New Order era. It was also because other law enforcement agencies were unable to carry out the task of eradicating corruption in Indonesia. The agencies were such as the Indonesian Police and the Indonesian Attorney General's Office. The KPK is present as an independent anti-corruption institution which is not selective in the corruption eradication agenda in Indonesia. The KPK has become the most trusted anti-corruption institution in Indonesia. It is because the performance of the eradication of corruption can provide hope for the people of Indonesia to fight corruption in the future in Indonesia better.⁷

However, the Corruption Eradication Commission is getting a backlash from corruptors, both institutionally and individually. The exponents of the Corruption Eradication Commission always encounter a steep road. They were starting from *Cicak v Crocodile* form 1 to 4, the issuance of Law 19 of 2019 concerning the Second Amendment to Law 30 of 2002 concerning the KPK. The amendment contained the systemic weakening of the KPK to create a massive wave of acts of rejection of the Act with the action #RoformasiDikorupsi. They included physical attacks on Novel Baswedan as KPK investigators. They were also Molotov cocktail attacks on former KPK leaders, Agus Rahardjo and Laode M. Syarif, because many political elites did not deign in eradicating corruption by the KPK. Whether it would be like or dislike, the trusted institution to eradicate corruption is still the KPK. It makes the basis for eradicating corruption in Indonesia discussed in this legal research focuses on the institution provided by the KPK.⁸

⁵Basu, K., & Cordella, T. (2018). *Institution Governance and The Control of Corruption*. New York: Palgrave MacMillan.

⁶Butt, S., & Schütte, S. A. (2014). Assessing judicial performance in Indonesia: the court Corruption Crimes. *Crime Law Soc Change*, 62, 603–619.

⁷Juwono, V. (2018). *Melawan Korupsi: Sejarah Pemberantasan Korupsi di Indonesia 1945-2014*. Jakarta: Kepustakaan Populer Gramedia.

⁸Merkle, O. (2018). *Indonesia Overview of Corruption and Anti-Corruption*. Berlin: Transparency International.

RESEARCH METHODS

The proper research method used was the statute approach. An approach in legal research was as a process of breaking down problems with the rule of law approach. This approach moved from legal regulation both in international law aspects and national law vertically and horizontally. The purpose was to study parallel or hierarchical legal rules specifically regarding anti-corruption and its relation to the movement of social control. The conceptual approach is the main focus in this legal research, especially in the discussion of the movement of social control as an instrument of corruption eradication in Indonesia. Based on the doctrine and views of experts as well as conceptual and theoretical views, this aims to solve legal issues which are discussed not only with a limited regulatory approach.⁹

DISCUSSION

Law Movement into Control of Corruption Practices

Indonesia already has Law Number 30 of 2002 concerning the Corruption Eradication Commission (Law No. 30/2002), amended in Law Number 19 of 2019 (Law No.19 / 2019) as a formal legal basis regarding the authority of the KPK. Meanwhile, related to corruption as a material legal basis, we can refer to Law Number 31 of 1999 concerning Eradication of Corruption (Law No.31 / 1999), amended in Law Number 20 of 2001 (Law No. 20/2001), and related legislation in Indonesia. In the Anti-Corruption Law, several types of corruption offenses were : (1). Bribery; (2). Embezzlement; (3). Extortion; (4). Malicious agreement on corruption; (4). Goods and services corruption; (5). Gratuities, and (5). Corruption is detrimental to the country's finances.¹⁰

Besides, as one of the state parties of the United Nations Convention Against Corruption (UNCAC), Indonesia has ratified UNCAC into Law Number 7 of 2006 (Law No. 7/2006). The impact of the ratification is that Indonesia must implement and become a legal provision in Indonesia. Ratification needed in order to become a national legal regulation for the mechanism of handling corruption cases in Indonesia (Agusman, 2014). At UNCAC, we can see various types of new corruption crimes. They have not been regulated in the Anti-Corruption Act before, such as bribery of foreign affairs, trading of influence, bribery in the private sector, illicit enrichment, others. The process of social control carried out by civil society throughout a non-corrupt statehood. At least it can be explained by judicial movement and extra-judicial movement. Between the two options, they are not an optional choice, but between the two can be used by civil society in the context of legal standing to advocate themselves. Those violated in corrupt practices, as well as indirect parties. They have concern for state conditions and corrupt practices in Indonesia. Conceptually, it can be described the movement of law and non-legal movement within the framework of the instrument of corruption eradication in Indonesia, such as.¹¹

The pattern of anti-corruption social control movements in Indonesia divided into the judicial movement of corruption eradication derived in terms of (a). judicial review; (b). Class Representative & Citizen Law Suit (CLS) Lawsuit; (c). Court Monitoring and; (d). Whistle Blower System (WBS). Meanwhile, extra-judicial movements can be done by (a). Public hearing & advocacy; and (b). Mass Action. Corruption in Indonesia can enter several sectors considered as areas prone to corrupt practices. Areas prone to corruption, in this case, occur in sectors: political corruption, corruption in the natural resource sector (SDA), corruption in the permit sector,

⁹Marzuki, P. M. (2005). *Penelitian Hukum*. Jakarta: Kencana Prenada Group.

¹⁰Black, H. C. (1999). *Black's Law Dictionary*. St. Paul: West Group.

¹¹Ellias, S., & Levinkind, S. (2004). *Legal Research: How to Find & Understand the Law (12th edition)*. Berkeley: NOLO.

corruption in the justice sector, corruption in the procurement of goods and services, others. So there are several strategies taken by civil society through legal mechanisms so that corrupt practices cannot occur in Indonesia; these ways can be through political corruption has become a severe problem in Indonesia, and its impact will have a widespread effect on all Indonesian people. In order to overcome this political corruption, based on Law Number 48 of 2009 (Law No. 48/2009) on Judicial Power provides a mandate to the Supreme Court (MA) for the testing of regulations under the Law against the Act.¹²

The Constitutional Court (MK) for testing the Law on the 1945 Constitution of the Republic of Indonesia established on August 13, 2003, based on Law Number 24 of 2003 concerning the Constitutional Court (Law No.24 / 2003). The Court has the authority of judicial review. It regulates the 1945 Constitution of the Republic of Indonesia, particularly in Article 24C, as well as in Article 10 (1) of Law No.24 / 2003 and Article 29 (1) of Law No. 48/2009. The position of the Constitutional Court in the authority of judicial review has a final and binding decision. To find out the Petitioner's legal standing in the context of social control over political corruption, carried out between the executive and legislative bodies in the drafting of laws. It is necessary to refer to Article 51 of Law No.24 / 2003 explaining that:

1. Petitioners are parties who consider their constitutional rights and authorities impaired by the coming into effect of the Law, i.e.:
 - a. Individual Indonesian citizen.
 - b. The customary law community unit is still alive and following the development of the community, the principles of the Unitary State of the Republic of Indonesia as stipulated in the Act;
 - c. Public or private legal entity; or
 - d. State institutions.
2. The applicant must clearly describe in his petition about constitutional rights and/or authorities, as referred to in paragraph (1).
3. In the application referred to in paragraph (2).

Article 51 has made it clear that the Petitioner's legal standing needs to strengthen, that the Petitioner, both formally and materially, has directly impaired his constitutional rights. Based on the Black's Law Dictionary, the term legal standing refers to the understanding that the parties have the right to make claims and prove before the court to defend their constitutional rights. So, It cannot be violated (a party's right to make a legal claim or seek judicial enforcement of duty right). Thus, the direct participation of the public in making changes to corrupt laws can be done through a judicial review mechanism.

Class Action & Citizens Law Suit (CLS)

Lawsuit for Class Action and Citizens Law Suit (CLS), commonly known in civil cases, more specifically environmental cases. If Class Action emphasizes class action based on direct losses, CLS or commonly known as populist action, is the filing of a lawsuit involving the public interest as a representative. Its claim is in the context of defending the public interest and being the right of every citizen. Corruption in the environmental sector both directly and indirectly harms the people of Indonesia. Its impact, on ecological damage and the seizure of the constitutional rights

¹²Kadir, Y. (2018). Efektivitas Pemantauan Persidangan Tindak Pidana Korupsi Oleh Court Monitoring Team Universitas Gorontalo Bekerjasama Dengan Komisi Pemberantasan Korupsi. *Law Review*, 243-261.

of citizens, makes the CLS solutive effort, over the control of corrupt natural resources practices. Normatively, Class Action & CLS are outlined in Law Number 32 of 2009 concerning Environmental Protection and Management (Law No.32 / 2009), Law Number 41 of 1999 (Law No.41 / 1999) concerning Forestry, Law Number 8 of 1999 (Law No.8 / 1999) concerning Consumer Protection, and Law Number 7 of 2004 (Law No.7 / 2004) concerning Water Resources.

Communities that carry out Class Action and CLS can hold the legal liability of the perpetrators of corruption in the HR sector. They were by establishing social costs of corruption, both explicit costs, such as anticipated costs of heeded corruption. Thus, negligence occurs and causes natural disasters (such as floods, forest fires, smoke, others.), then the costs of corruption reactions, as well as the implicit costs of corruption as a result of natural resource corruption practices. It can be accumulated in the communities directly or indirectly affected by corruption in natural resources before the judiciary. People who are protecting ecological rights as an effort to control natural resource corruption practices based on Article 66 of Law no. 32/2009 on the Environment states, "Every person who fights for the right to a good and healthy environment cannot be prosecuted criminal or civil suit." Thus, there is security protection for every citizen to exercise control over natural resource corruption and to be free without fear of making Class Action or CLS. The claims were when their fundamental rights are violated due to the corrupt practices of the relevant parties.¹³

The social control strategy as an instrument for eradicating corruption can also be carried out by court monitoring. This strategy is carried out as an effort to fight corrupt practices in the justice sector (judicial corruption). It is a significant problem in realizing clean justice and integrity in Indonesia, which still adheres to corrupt practices and culture. Court Monitoring, in general, is often carried out by universities through the Faculty of Law and anti-corruption study centers, in collaboration with the KPK-RI. For example, the Corruption Court in Indonesia has the function to monitor. It fully understands that the course of the proceedings both materially and formal. It examines decisions resulting from the trial and conduct dissemination to the general public so that they can become lessons learned, so that future corruption practices are not repeated.¹⁴

During this time, the public has difficulty in accessing the proceedings. The Corruption Verdict document, to oversee the whole process in the Corruption Court, the presence of court monitoring expected to increase public awareness of clean and non-corruption justice processes.¹⁵ In the future, court monitoring expanded so that public access can oversee cases of Corruption that occur in Indonesia. It is because so far the legal protection is only regulated by the Supreme Court Circular Letter (SEMA) No. 4 of 2012. The regulation was concerning Recording of Trial Processes, which are non-binding and weak (non-binding instrument). Access to public law that knows corruption issues firsthand, and has sufficient preliminary evidence, can do reporting independently in the channels provided by the KPK. It is often called the Whistleblower System (KWS). Based on Article 10A paragraph (1) of Law No.19 / 2019, it states that in the work of the KPK in the field of pre-investigation, investigation and/or prosecution, obtaining evidence of community reporting based

¹³Klitgaard, R. (1988). *Controlling Corruption*. California: University California Press. Retrieved from www.jstor.org/stable/10.1525/j.ctt1pnj3b

¹⁴Marcia, G. (2013). The contingencies of societal accountability: Examining the link between civil society and good government. *Studies in Comparative International Development*, 48((4)), 380-402. doi:10.1007/s12116-012-9126-3

¹⁵Jaelani A.K, Basuki U, "Problematika Pelaksanaan Putusan Mahkamah Konstitusi Nomor 100/PUU-XI/2013 dalam Mendudukkan Pancasila Sebagai Dasar Negara", *Jurnal Wacana Hukum*, Volume 24, Nomor 2 Tahun 2018.

on KWS canals. Thus, the central role of the community is necessary for eradicating criminal acts of corruption in Indonesia.¹⁶

The role of the community as the power of control over corrupt practices is indeed hazardous. It is because corruption always plays the role of the mafia and is dangerous for civil society reporting through KWS. However, based on Article 5 of Law Number 13 of 2006 (Law No. 13/2006) concerning the protection of witnesses and victims, providing guarantees of security and confidentiality of data, even protection and safeguarding for the public who report corrupt practices, and these matters conducted by the Witness and Victim Protection Agency (LPSK). Collaboration between KPK and LPSK is essential to strengthen the commitment of community protection while making it safe for the public to report corrupt practices committed around them.¹⁷

Non-Law Movement As An Anti-Corruption Commitment to Civil Society

In addition to moving the law, there are non-legal efforts that can also be carried out by civil society in the corruption eradication agenda in Indonesia. This effort is a form of inter-community collaboration or facilitated by non-governmental organizations (Non-Governmental Organizations) and the academics of tertiary institutions. Public participation and its relation to the anti-corruption movement can form an accountable, empowered, and not permissive society to corrupt practices. It is also the many challenges and threats that will be faced by civil society. However, this is the key as a society that is aware of the corrupt practices around it.¹⁸

Lack of public access to public decision-making impacts the violation of fundamental rights of citizens. Because at the same time, there was repression carried out by law enforcement officials which impacted on forced evictions, persecution, and lawsuits addressed to civil society. They are who carried out a series of social control movements to eradicate corruption. Community hearing and advocacy can be done by bridging NGOs and the campus as a legal, political awareness agenda obtained by the community. The active participation of community representatives in the Development Plan Consultation (Musrenbang) carried out correctly by the local government. It was to provide input into the plan to make relevant laws and regulations that are very important to legitimize the presence of these laws. It aimed at the interests of the community, not for the interests of the elite.¹⁹

While public advocacy is carried out when threats and attacks from corruptors have systematically impacted either physical or psychological. The threat of lawsuits against civilians, the presence of NGOs, and the campus will have an impact on the accommodation of legal knowledge, advocacy strategies, and the probability of defense before the trial. It makes the emerges courage (dare) from people who feel intimidated by the practice of control over corruption committed by elites. Demonstrations are a last resort, which mobilizes the masses as a rational reason to demand public accountability. The commitment must honestly be based on real awareness. The impact of corruption afflicts the community widely. The strategy of acting as a cohesive unit with the strategy

¹⁶Moch.Iqbal. (2012, Maret). Aspek Hukum Class Action dan Citizen Law Suit Serta Perkembangannya di Indonesia. *Jurnal Hukum dan Peradilan*, 1(1), 89-112. Bambang Ali dan Abdul Kadir Jaelani, "Menggagas Constitutional Complaint dalam Konstitusi Indonesia dan Politik Hukum Islam", *Jurnal Wacana Hukum*, Volume 24, Nomor 1 Tahun 2018. Arifin Ma'ruf, "Kedudukan Asas Kebebasan Berkontrak dalam Kebijakan Kemitraan Kehutanan", *Jurnal Wacana Hukum*, Volume 25, Nomor 1 Tahun 2019.

¹⁷Moene, K., & Soreide, T. (2016). Corruption Control. *Crime Law Soc Change*, 66, 147–163. doi:10.1007/s10611-016-9618-6

¹⁸Mungiu-Pippidi, A., & Dadašov, R. (2016). Measuring Control of Corruption by a New Index of Public Integrity. *European Journal of Criminal Policy Research*, 22, 415–438

¹⁹Prakasa, S. U. (2019). Anti-Corruption Survivor, Academic Freedom, and the Challenges. *PETITA: Jurnal Kajian Ilmu Hukum dan Syariah*, 4 (2).

of public hearing & advocacy. Thus, the goals to be achieved in action can be achieved, namely, to create a government and justice that is clean of corruption.²⁰

Community variation will become a separate issue in order to become a robust mass action. However, if carried out totally and measurably, then the unity of action can be realized. The public can use an indicator for mass action and linkages to public hearings and advocacy through ITPOSMO. ITPOSMO is an abbreviation of I which means (information) on corrupt practices carried out and their impact on the community; T which means (Technology), where the community can utilize various kinds of social media and mass media channels to disseminate the message in the mass action; P, which means (Process), shows the derivation of issues from individuals towards groups that are aware and mobilized naturally. It is the responsibility of NGOs and the Campus in doing so. The word O, which means (Objective), gathering a lot of actual data, with a study and examination approach to the information. Thus, the message conveyed in mass action is realized. The word S, which means (Skill) requires skills and techniques as well as competencies well-coordinated as an instrument of mass action. The word M which means (Management), in action, it is necessary to create an organizational structure so that the movements carried out are neat and directed. The last O is (Other Resources), specifically raising civil society awareness of the importance of these actions at the expense of time, money, and energy. Thus, the ideals of creating a corruption-free Indonesia in various sectors can be realized.²¹

Civil society can assess to move the law or move non-law, which will be described in the comparison matrix as follows:

Comparison	Legal Anti-Corruption Movement	Non-Legal Anticorruption Movement
Scope	(a). Judicial review; (b). Class Representative & Citizen Law Suit (CLS) Lawsuit; (c). Court Monitoring and; (d). Whistle Blower System (WBS).	(a). Public hearing & advocacy; and (b). Mass Action.
Weakness	Legal Certainty, binding legal force, and executorial can be carried out, protected legally	Does not have legal certainty, requires a commitment to be binding, executorial requires access to policymakers, is not legally protected
Strength	Potential counter-lawsuit (SLAPP / Strategic Lawsuit Against Public Participation), criminalization, physical attacks, psychological and other repressive threats	Potential counter-lawsuit (SLAPP / Strategic Lawsuit Against Public Participation), criminalization, physical attacks, psychological and other repressive threats

²⁰Richard, H., & Mathisen, H. (2012). Understanding success and failure of anti-corruption initiatives. *Crime, Law and Social Change*, 58(5), 533-549. doi:10.1007/s10611-011-9361-y. See Indah Putri Rahmawati, "Kontruksi Pajak Lingkungan di Indonesia", *Jurnal Wacana Hukum*, Volume 25, Nomor 2 (2019)

²¹Robinson, R., & R.Hadiz, V. (2004). *Reorganising Power in Indonesia: The politics of oligarchy*. London: Routledge Curzon.

Opportunity	Being a legal material, including jurisprudence	Accommodated by group interests in public policy, a variety of demands are to be decided quickly.
Challenge	Requires legal facts and legal protection	Requires access to public policymakers, as well as related decision making

Table 1. Comparison of Legal and Non-Legal Movements in Anti-Corruption Practices in Indonesia

CONCLUSION

That is, all efforts can be made by civil society by being bridged by NGOs and campuses in the corruption eradication agenda in Indonesia. Going forward, the challenge of eradicating corruption in Indonesia is increasingly tricky and steep. Therefore, there needs to be a commitment from all parties. They include the Government, Legislature, and law enforcement to strengthen commitments to eradicate corruption, create integrity zones. Moreover, It importantly strengthens the KPK as an independent anti-corruption institution, as mandated by UNCAC in order to maintain the independence of anti-corruption institutions in Indonesia.

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