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BRANDISH RED REPORT CARD: ELIMINATING CORRUPTION IN INDONESIA

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ABSTRACT

Background: The tug of war about the revision of the KPK Law since 2010 met a bright spot in 2019 precisely in September 2019, the House of Representatives of the Republic of Indonesia passed a revision of Law No. 30 of 2002 on the KPK. Although rejected by professors, academics, and community coalitions, the DPR still fights for its right to weaken the KPK.
Aim: This research aims to explore laws related to KPK to eliminate corruption in Indonesia.
Method: The qualitative approach and literature review were employed in this research. The information was compiled from a variety of documents and other sources. The sources highlight KPK's efforts to eradicate corruption and how, unfortunately, KPK is prevented from fulfilling its responsibilities.
Findings: It is ironic that the government and DPR agree that Law 19/2019 is in place to improve the KPK's performance. However, when compared to the performance of the KPK prior to the enactment of Law 19/2019, the reality is that it has resulted in a considerable drop in performance.

KEYWORDS

independence; KPK; executive

INTRODUCTION

It has been 23 years since the reform era went on, but have the demands for reform on "*Tumpas Korupsi*" been implemented? Refusing to forget, Indonesia is a country rich in natural resources and abundant in terms of tax and non-tax revenues, so to get rich is an easy thing for the people in Indonesia (Rumokoy, 2016). Unfortunately, the timeless mice still colonize during the pandemic. Enriching themselves, forming an oligarch to jointly carry out the act of stealing people's money. The achievement of the rats is dimensional so the corruption perception index score in Indonesia by Transparency International is 37 out of 100 which means that a country is getting corrupt with a small score. Whereas in the 2019 presidential election, Jokowi and Ma'ruf Amin promised anti-corruption with the vision of "Enforcement of a corruption-free, dignified, and trusted legal system". Sweet remarks that until now have not been proven, even now more and more become. People who are greedy for property do not stop to find loopholes so that their crimes are not sniffed by the Corruption Eradication Commission (KPK) (Romziatussa'adah, 2014). The revision of the KPK Law is the solution. The tug of war about the revision of the KPK Law since 2010 met a bright spot in 2019 precisely in September 2019, the House of Representatives of the Republic of Indonesia passed a revision of Law No. 30 of 2002 on the KPK. Although rejected by professors, academics, and community coalitions, the DPR still fights for its right to weaken the KPK.

The DPR is increasingly sane because it is only a short enough time to discuss the revision of the KPK Law and pass it at the end of 2019. After that, the ratification of the revision of the KPK Law attracted many controversies, especially among students and anti-corruption activists, and the public who considered the ratification of the revision of the KPK Law to be

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improper. The wave of action is present to reject the results of the revision of the KPK Law which is considered to have eliminated the power of the KPK in investigating the existing corruption cases. This action also demanded the president to issue a Government Regulation in Lieu of Law (PERPU) which contains canceling the results of the revision of the controversial KPK Law. However, unfortunately, the President is reluctant to do so. As if everything has been designed so that the corrupt are free to steal people's money here and there. Some figures who fight for the KPK institution to remain in its function to the path of the Constitutional Court (MK) must take a sip of cyanide. Of the 7 lawsuits filed, only a few were granted by the Constitutional Court along with the issue of dismissal of 75 KPK employees who did not pass the National Insight Test (TWK) with various indications.

Not stopping at the decline of corruption eradication achievements, Indonesia is now reaching the peak of comedy. Countries that are supposed to provide fulfillment of life needs during the pandemic are in fact people's rights are actually deprived. This is very contrary to the mandate of the Health Quarantine Law. Call it the corruption case that ensnared the former Minister of Social Affairs, Juliari Batubara, at the end of 2020 with the total money received by this rat more than 32 billion Rupiah. This figure is quite fantastic considering that the money can be used to provide assistance to 32 thousand workers affected by layoffs with a nominal of 1 million Rupiahs per person. Either stupid or feel poor, but for sure Juliari has lost his conscience. Similarly, the organizing officials showed an average increase in the property of more than 1 billion Rupiah in the midst of the pandemic. Whether it is the reason because business is skyrocketing in the midst of a pandemic, or it is utilizing the pandemic as a personal benefit, everything is not justified considering that the condition of the people in Indonesia is still far from prosperous in terms of the economy that has dropped dramatically due to the pandemic more than one year (Dirkareshza, Azura, & Pradana, 2021).

METHOD

This research used the qualitative approach and literature study method. The researchers used various documents and other sources to generate the data. The sources discuss the implementation of corruption elimination by KPK and how ironically KPK is restrained from doing its duties.

RESULTS AND DISCUSSION

Juridical Implications of KPK Law Number 19 of 2019

It has been two years since the revision of KPK Law Number 19 of 2019 (KPK Law) which was passed on September 17, 2019, ago. However, instead of getting better, there are some revised articles that actually seem to weaken the KPK itself. As stated in Article 37A paragraph (1) of Law No. 19 of 2019 concerning the Establishment of a Supervisory Board that aims to supervise the implementation of KPK duties and authorities. In fact, before the revision of the Law, the KPK already has an Internal Supervision and Community Complaints Field that has a role in overseeing the implementation of KPK duties and functions to be in accordance with the laws and regulations set by the KPK Leadership itself. So that the existence of the Supervisory Board, according to Sujanarko, raises several serious problems such as changing the value of religiosity to synergy without academic studies (Wardah, 2021). Reporting of employees to the Supervisory Board related to violations of the code of ethics by

the leadership is also considered awkward because structurally, the leadership can sanction the employee directly.

Law No. 19 of 2019 concerning the Second Amendment to Law No. 30 of 2002 concerning the Corruption Eradication Commission in Article 12B states that the KPK must obtain written permission first from the Supervisory Board before conducting wiretaps. Furthermore, in Article 37B paragraph (1) B, it is also written that the Supervisory Board has the task of providing permits related to wiretaps, searches, and/or seizures. This will certainly have an impact on the obstruction of the investigation process carried out because before conducting wiretaps, KPK employees must wait for permission first from the Supervisory Board. However, through the Constitutional Court Decision No. 70/PUU-XVII/2019, the Constitutional Court finally canceled the implementation of the two articles above because there was a necessity to obtain permission from the Supervisory Board before conducting wiretaps deemed not a form of implementation of checks and balances (Tresna, 2021).

The next thing in the spotlight is the authority of the KPK to issue a Warrant for the Termination of Investigation (SP3) contained in Article 40 paragraph (1) of Law No. 19 of 2019. In the provisions, it is written that if within a maximum period of 2 (two) years the investigation and prosecution of corruption cases are not completed, then the KPK can stop it. This article was then assessed by ICW to be the impact of changes to the KPK Law when SP3 was issued for the case of alleged BLBI corruption carried out by Sjamsul Nursalim and his wife after harming the state of Rp 4.58 trillion in April 2021 (Kamil, 2021). In fact, this point is considered contrary to the Constitutional Court Decision No. 006/PUU-1/2003 which prohibits the KPK from issuing SP3. But then through the Constitutional Court Decision No. 70 / PUU-XVII / 2019, the phrase in Article 40 paragraph (1) of Law No. 19 of 2019 was changed to "KPK can stop the investigation and prosecution of corruption cases whose investigation and prosecution are not completed within a period of at least two years from the issuance of the SPDP." The change in phrase still does not rule out the possibility that in the future, major cases that are being investigated can be stopped by the KPK itself.

The last point that is actually very highlighted by many parties is related to the institutional status of the KPK listed in Article 3 of Law No. 19 of 2019. In the article, there is an addition of the phrase "The Corruption Eradication Commission is a state institution in the group of executive power" the previous one only included the word independent and free from the influence of any power as written in Article 3 of Law No. 30 of 2002. This then raises the question because on the one hand, the KPK is set to enter into the executive sphere but on the other hand, the KPK can also still carry out its duties and authority as an independent institution that is free from the influence of other powers (Asyikin & Setiawan, 2020). Hence, it can be said that at this time the KPK is not doing well for its performance which has recently been widely criticized by the public.

In addition, the independence of the KPK itself is also questioned because if anti-corruption agencies such as the KPK are placed in one branch of power, the anti-corruption agency will tend to become independent and then result in the ease of intervention against the anti-corruption agency (Indrayana, 2017). The placement of the KPK into the executive branch can also be said to limit the wiggle room for the KPK to carry out its duties and functions as an anti-corruption agency.

Independence of institutions

Etymological independence comes from the English word *independence* defined by Black's Law (2021) as "the state or condition of being free from dependence, subjection or control." In Indonesian can then be interpreted as a state or condition that is free from dependence, mastery, or control. While according to the Great Dictionary of Indonesian, Independence is a noun that has the meaning of independence. The adjective of independence is independent which in the Great Dictionary of Indonesian (KBBI) has the meaning: 1) Stands alone, which is free-spirited; and b) Not bound, free.

In the institutional order of a country, it is known as an Independent State Institution (LNI) or Independent Regulatory Agencies/Bodies. The term refers to different types of institutions, organizations, or institutions that are autonomous or independent (Verhoest, Roness, Verschuere, Rubecksen, & MacCarthaigh, 2010). In Indonesia, the establishment of these independent institutions is a trend that occurs after the amendment. There are at least some fundamental characteristics of independent state institutions (Tauda, 2011) namely:

1) In carrying out its duties, the independence of the state institution is expressly stated by the legal basis of its preparation;
2) Independent in question has the meaning of being separated from power, ambition, and dominance of executive power; and
3) The abdication of responsibility and the determination of members of independent institutions using a specially prepared system does not rely on the wishes of the President.

Based on Law No. 30 of 2002, the KPK as an independent state institution has fulfilled the three conditions mentioned above, one of which is one of the meanings of KPK independence is institutional or institutional independence (Tauda, 2011). However, when the contents of the Law were revised, the independence of the KPK became shaken by the inclusion of the KPK into the executive branch although there was still the word "independence" in the article. This then raises the question of the purity of the independence that exists in the KPK body.

Employee Independence

When the KPK Law was revised and the KPK changed its status a lot, the staffing status of KPK employees also later changed. Previously, all staffing mechanisms were self-regulated by the KPK as an independent institution. However, in accordance with Article 1 paragraph (6) of the KPK Law, KPK employees are now included in the part of the state civil apparatus (ASN) and are under the supervision of the Ministry of State Apparatus Utilization and Bureaucracy (KemenPAN-RB).

The occurrence of this change in status then gave rise to various polemic problems related to the independence of KPK employees. With the transfer of status to ASN, the employee recruitment system that was originally within the authority of the KPK must now be based on Law No. 5 of 2014 on State Civil Apparatus. This can certainly result in the performance of the KPK itself because it is actually thanks to the independently managed staffing system that the KPK can carry out its duties well so far. So if the selection process of KPK employees is then handed over to the government and bound by the ASN Law, it will affect the flexibility and courage of the KPK further in investigating corruption cases in the government body.

Based on Law No. 5 of 2014 concerning ASN, a civil servant can be transferred at any time to another state institution. Determination of the location and position of this mutation process is the authority of the government. So that when KPK employees are made ASN, then this will affect the performance of handling a case and does not rule out the possibility of mutations in the middle of the process. In addition, another impact caused by this transfer of status is KPK investigators who also turned into Civil Servant Investigators or PPNS. In fact, in Article 7 paragraph (2) of the KUHAP it is stated that PPNS is carrying out its duties under the supervision and coordination of the Police. This can then make it difficult for KPK investigators if they will handle cases involving the Police later (Madril, 2020).

KPK Employee Transfer Process

After signing Law No. 19 of 2019 which regulates the transfer of the status of KPK employees, President Jokowi then issued Government Regulation No. 41 of 2020 containing the stages of transferring KPK employees to ASN. Furthermore, further rules of Commission Regulation (*Perkom*) No. 1 of 2021 were established to strengthen details about the procedures for transferring the status of employees of this anti-corruption commission.

One of the things added to Perkom No. 1 of 2021 is the National Insight Test or TWK which is a debate between various parties. One of the causes of TWK being polemic is because the forms of questions asked as part of the implementation of TWK itself are not in accordance with the context. This National Insight Test is intended to complement the provisions of loyalty and obedience to Pancasila, the 1945 Constitution, NKRI, and the legitimate government as stated in the Perkom. However, from the stories of a number of KPK employees who have carried out the test, the questions that arise are questions that are too direct to the realm of privacy such as the willingness to remove the hijab, the reason for divorce, and even the reason for following the account of an ustadz who likes to criticize the government (Mata Najwa, 2021).

Komnas HAM also assessed that the implementation of this National Insight Test presented at least 11 forms of violations against Human Rights (Prasetiyo, 2021). Some of the rights violated include the right to justice and legal certainty, the right to freedom of religion, the right to privacy, and the right to freedom of opinion. These questions have entered the realm of privacy. According to the Universal Declaration of Human Rights or DUHAM, one type of human right that every individual has is a Personal Right which is included in the Right to Express Opinion. Of the 75 KPK employees who are considered not to have passed the kindergarten, most are handling major cases (Egeham, 2021). It can be said that there are indications that the absence of these employees is the result of critical thinking toward the government. In addition, Komnas HAM also mentioned that the existence of questions that lead to certain religious beliefs that are not relevant to the competence and scope of employee work is a form of violation of Article 29 paragraph (2) of the 1945 Jo Constitution. Article 18 of Law No. 39 of 1999 concerning xxx and Article 18 of Law No. 12 of 2005 concerning The Ratification of Civil and Political Rights (ICCPR) (Komnas HAM, 2021).

Not only that, but KPK Watch Indonesia also mentioned that this National Insight Test was unconstitutional (Andi Saputra, 2021). Unconstitutional itself according to KBBI is "not based on the constitution or the basic law; contrary to (Violating) the basic law" (KBBI, 2021). So, KPK Watch Indonesia argues that stipulating that someone is appointed or not appointed

as an ASN based on TWK is contrary to the contents of Article 1 paragraph (3) of the 1945 Constitution. Making KPK employees ASN within the framework of the state of law must be carried out in accordance with applicable law, not for certain interests. However, after KPK Watch Indonesia filed a judicial review of the implementation of TWK, the Constitutional Court then decided that the process of implementing TWK was not contrary to the 1945 Constitution and remained constitutional (Prasetiyo, 2021).

Comparison of KPK Performance Before and After KPK Law Revision

In September 2019, the DPR officially passed Draft Law No. 19 of 2019 concerning the Commission on Combating Corruption which has been considered controversial. This KPK Law is also the second amendment to Law No. 30 of 2002. The process of forming the KPK Law was also speeded up as soon as possible, as a result, making the public question the urgency of the establishment of this KPK Law. It turns out that the procedure for making this Law is considered legally flawed because this KPK Law has never been included in the priority Prolegnas. In drafting the Law, both those from the DPR and the President are required that the preparation of the Law must be based on Prolegnas, therefore, if this KPK Law is to be passed, it should be included first in the Prolegnas.

In contrast to other communities also with the DPR, Arteria Dahlan – Member of Commission III of the DPR – denied that this KPK Bill was not included in the Prolegnas, he said that the Revision of the KPK Law had been included in the Prolegnas in 2015 and 2016. Obviously, it seems that from the beginning of this Lawmaking procedure already looks gray. Therefore, it is not wrong if the public questions the urgency of the revision of the KPK Law. Many also revealed that the revision of the KPK Law is also seen as having implications for the weakening of corruption eradication efforts in Indonesia because there are several articles that will actually weaken the performance of corruption eradication carried out by the KPK.

Influence of Supervisory Board Presence on KPK Performance

One of the new things from the revision of the KPK Law is the presence of the supervisory board in the KPK body which in the previous law in the KPK body does not know all the names of the supervisory board. The new model of supervision of state institutions by using the supervisory board as a new organ in the institution raises pros and cons because in every structural official there is already an internal supervisory section and as an effort to control the community, the KPK opens a complaint section if the public knows of a corruption crime and supervises the performance of the KPK (Hikmah, 2020). The new model and supervision of state institutions by using the supervisory dewas as a new organ in the institution raise pros and cons because in every structural official there is already an internal supervisory section and as an effort to control the community, the KPK opens a complaint section if the public is aware of a corruption crime.

In this revision of the KPK Law, there are privileges of authority given to the supervisory board which is alleged to weaken and hinder the performance of corruption eradication. As a result, the KPK supervisory board will interfere in the technical affairs of the case in the KPK. Not to mention that it turns out that the supervisory board can grant or not give written permission to the request for permission, wiretap investigation, search, and seizure no later than 1 x 24 hours from the time the permit request is submitted. In the design of corruption

eradication, the relationship between the board of trustees and also KPK employees is not subordinated but synergizes with each other in carrying out their respective functions because the Supervisory Board is not hierarchical with the KPK Leadership to maintain independence and freedom from any power, including when carrying out *pro-justicia* actions such as wiretapping as a form of deprivation of the independence of others (Rachman, 2021). The actions of KPK employees who must ask permission from the supervisory board first cannot be said to be the implementation of checks and balances because the supervisory board is not a law enforcement officer because it does not have authority related to *pro-Justitia*.

From the discussion, it is proven that the process of handling corruption cases will currently be hampered because there is a complicated process within the KPK. The eradication of corruption must be done in a fast and silent way, not even extending the bureaucratic chain let alone until it is intervened by the supervisory board (Muhammad Yusril Yusuf, 2020). Evidently, from the beginning of 2021 until the first semester of 2021, the KPK only followed up on 13 cases, including 37 suspects and state losses amounting to Rp. 331 billion Division of Law and Judicial Monitoring, 2021). Of the target of 60 cases, the percentage of corruption enforcement performance by the KPK is only 22 percent of the target during semester 1. This shows that the KPK's performance is in category D or bad Division of Law and Judicial Monitoring, 2021). Compared to when it was in the first semester of 2018, it is clear that despite the decrease in the number of cases and suspects even in 2019 there is a large increase in the value of losses experienced by the state.

Figure 1. Total of Corruption Cases in Indonesia 2017-2021



If the KPK's performance occurred from 2019 to 2021 there was a decrease in the number of investigations, investigations, prosecutions, and executions of corruption reports (Wibowo, Rizalqi, & Yani, 2021). In 2018, the number of investigations reached 164 cases, in 2019 – the year of the KPK law – investigations occurred 145 times and then decreased in the next two years, namely in 2020 only 91 times and in 2021 (until June 2021) there were 22 investigations. Then in the execution stage in 2018 occurred 113 times, in 2019 there was an increase to 136 times, in 2020 it happened to 108, and in 2021 there was a drastic decrease to 18 times (Wibowo et al., 2021).

Table 1. KPK's Data of Cases

Tahun	2018	2019	2020	2021
Penyelidikan	164	142	111	41
Penyidikan	199	145	91	22
Penuntutan	151	153	75	34
Inkracht	104	142	92	16
Eksekusi	113	136	108	18
Jumlah	736	718	477	131

Some consider that the decline in KPK performance is due to the revision of the KPK Law in which there are articles that try to weaken the KPK's performance in combating corruption. The expressions of the KPK Law that will strengthen the KPK are just nonsense, expressions such as only being used as masks by the government to cover up its rot.

KPK Independence on the Brink of Collapse

After the revision of the KPK Law, many people have questioned the independence of the KPK which we have known as an independent institution. Many of the articles contained in the KPK Law are contrary to the independent status of state institutions such as the KPK. In Law No. 30 of 2002 concerning the Corruption Eradication Commission, the KPK is a state institution independent of the influence of any power. However, currently, the KPK is a state institution in the executive power group that carries out the task of preventing and combating corruption in accordance with the Law. In terms of staffing, we know KPK employees as independent employees by having their own recruitment system, namely Indonesia Memanggil (Prasetia, 2021). However, now KPK employees are converted into state civil servants through the National Insight Test which reaps polemics.

Then regarding the chairman and members of the supervisory board, the president will form a selection committee consisting of elements of the central government and elements of society. This will obviously affect the independence of the KPK in the eyes of the public because it will involve the central government where they are people who often "deal" with corruption cases. This happened in the case of Indriyanto Seno Adji who chose to become on the KPK supervisory board "specially" by being appointed directly by President Joko Widodo. Indriyanto Seno Adji was elected to the KPK supervisory board replacing the late Artidjo Alkostar who died while serving last on the KPK Supervisory Board. Zaenur Rohman – Researcher at UGM Anti-Corruption Study Center – said the values and principles of KPK independence contained in the United Nations Office on Drugs and Crime (UNODC) were harmed due to the appointment of the new KPK Supervisory Board (Jauh Hari Wawan, 2021). The election of the new KPK Supervisory Board should be conducted by the KPK's internal institutions so that the credibility of the new Supervisory Board and the independence of the KPK can be maintained properly.

As a result of being hit by various polemics in the KPK body, making the level of public confidence in the KPK drop drastically. The survey results from Cyrus Network showed that public confidence in the KPK reached 80.7 percent far below the National Police which reached

86.2 percent. In the Political Indicators survey, it was found that the level of public confidence in the KPK was only 65 percent and another 26 percent expressed distrust in the KPK (Maharani, 2021). According to a survey from the Indonesian Corruption Watch (ICW), the level of public confidence in the KPK has decreased to 74.3 percent from the original 81.3 percent, even though the KPK is far below other state institutions such as the National Police, TNI, President, etc. According to Kurnia Ramadhana – ICW Researcher – there are things that make the level of public confidence in the KPK can decrease, it is the impact of the KPK Law that causes polemics and also the leadership of Firli Bahuri (Harijanto, 2021). The KPK Law has an impact on public confidence because, with the passage of the KPK Law, the performance of KPK employees decreases because the articles contained in the Law affect independence and hinder corruption eradication efforts carried out by the KPK. Firli Bahuri's leadership is also alleged to be the reason public confidence in the KPK decreased because of his figure who has a red record for violating the KPK code of ethics.

Hope that the State is limited to the Shackles of Corruption.

In the 2 years following the revision of the KPK Law, corruption cases in Indonesia have increased. Examples of cases in the past 2 years are former Minister of Social Affairs, Juliari P Batubara, as a suspect in the corruption case of the Covid-19 social fund, Former Minister of Marine Affairs and Fisheries, Edhy Prabowo, as a suspect in a corruption case of alleged bribery related to the determination of lobster seed export permits, the corruption case of PT Asuransi Jiwasraya which cost the state Rp. 16,807 trillion, Prosecutor Pinangki Sirna Malasari suspected of bribery cases of 500,000 US dollars, The corruption case of the Mayor of Cimahi, Ajay Muhammad Priatna, related to the case of alleged hospital licensing, as well as many other corruption cases.

With many cases of corruption above the evidence of degradation is related to the eradication of corruption in Indonesia. We hope that our country will be free from the shackles of corruption because corruption is one of the grave human rights violations because the impact of corruption can lead to being denied, discarded, and deprived of its "human dignity." Therefore, we want institutions that can eradicate corruption independently and transparently without interference from parties who have personal interests, the revision of the KPK Law is believed not to eradicate corruption but instead let corruption continue to grow in society.

CONCLUSION

The agreement on the revision of the KPK Law certainly left a great disappointment from the public to the government of President Joko Widodo. Moreover, the Revision of the KPK Law is very tattered both from the aspect of the formation procedure, the substance, including the political impact in the form of public confidence in the president and DPR. It is true that Perppu is not the only way to revoke or at least correct other problems in the Revision of the KPK Law. There are other ways such as the preparation of a new KPK Bill with a mechanism for the formation of laws and judicial review. However, both mechanisms have disadvantages compared to the Perppu mechanism, the drafting of the Law certainly takes a long time. Meanwhile, the judicial review discusses the constitutionality of a law and does not necessarily discuss the revision of the KPK Law as to what the community wants.

As the nature of the existence of the Corruption Eradication Commission as an anti-corruption agency in Indonesia is one of the legacies of the reform era, where its existence is motivated by the manifestation of public anger towards the behavior of Corruption, Collusion, and Nepotism (KKN) that mushroomed during the New Order government, as well as a sense of distrust of the performance of the Police and Prosecutor's Office which at that time was considered unable to solve and overcome the problem of corruption in Indonesia. The KPK's 17-year work that has recorded many positive trends towards improving the climate of prevention and eradication of corruption in Indonesia seems to collapse after Law 19/2019 was enacted and legally enacted on October 17, 2019.

The passage of Law 19/2019 seems to have hurt public expectations of improving the political direction of corruption eradication while leaving great disappointment with the commitment to eradicate corruption by the government of President Joko Widodo. After 16 months of running after its ratification, Law 19/2019 should in fact have become an implementation of the weakening of the KPK in various aspects. Not without evidence, ranging from formal and material defects to the real impact of KPK performance which is considered to continue to show a decline, including a significant decrease in the Corruption Perception Index and the number of OTTs, the rise of corruption during the COVID-19 pandemic, public confidence in the KPK which is also declining, and a series of other opaque records seem to show that the KPK is not doing well.

It is an irony when the government and DPR compactly say that Law 19/2019 is present to strengthen the performance of the KPK. However, the reality is that it actually caused a significant decrease in performance when compared to the performance of the KPK before the enactment of Law 19/2019. Various ways are actually wide open to be able to restore the eradication of corruption, such as judicial review and legislative review, but in fact, both mechanisms take a long time and are complicated to do, this is proven by the efforts made by the community, namely by pursuing the judicial review process which stagnated because of the delay in the discussion. Therefore, it is necessary to take other efforts such as the determination of Perppu which is relatively fast and is the best solution, because it is essentially the president's prerogative authority. Moreover, the condition of the compelling crunch has been manifestly fulfilled to urge the president to establish Perppu.

In fact, the President's opportunity to be able to restore the power of the KPK as before when it was still wide open until now. The urgency of determining the KPK Perppu has long been echoed since the beginning of the ratification of Law 19/2019. However, it is unfortunate that the attitude of President Joko Widodo at that time seemed 'doubtful' about his constitutional rights and chose to wait for the answer to the material testing of Law 19/2019 through the judicial review mechanism in the Constitutional Court. In fact, there is no rule and even a ban for the president to stipulate Perppu, given the very precarious situation that is colored by a series of Corruption Reform events with a wave of massive demonstrations to reject Law 19/2019 which took five fatalities, even plus seeing a real reflection of the KPK's performance after the ratification of Law 19/2019 which successfully carved a series of red report cards in the year of Jokowi's term. Therefore, it is fitting that a series of projections of the real impact of the weak KPK on the implications of Law 19/2019 can be an afterthought for President Joko Widodo in establishing Perppu.

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