



Criminal Acts of Corruption Study of the Effectiveness of Handling Corruption in East Flores State Prosecution

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Abstract

This study aims to describe and explain the characteristics of the handling of corruption at the East Flores District Attorney. And the effectiveness of the handling of corruption in the East Flores District Attorney, the research conducted by this author is based on a qualitative non-doctrinal approach. Therefore, this study focuses on primary data collected by interview and observation and is supported by secondary data collected by literature study. The data that has been processed is then analyzed qualitatively. Based on the results of the study, it was found that first, the characteristics of the handling of corruption at the East Flores District Attorney, namely the East Flores District Attorney, carried out the handling of corruption crimes based on reports from the public received by the Legal Service Post in the Intelligence Sector of the East Flores District Prosecutor's Office, then the Flores Tmur District Prosecutor's Office carry out investigations, investigations and prosecutions. Second, in relation to the effectiveness of the implementation of the handling of corruption in the East Flores District Attorney, it can be concluded that the implementation of the handling of corruption at the East Flores District Attorney is supported by community and cultural factors, but not supported by legal factors and law enforcement and facilities and supporting facilities.

Keywords: *Advocacy; Eudaimonic Well-Being; Farmer; Linear Regression*

Preliminary

1.1 Background

Corruption is a criminal act that is always a concern of the masses, because corruption has many impacts, namely the danger of corruption on society and individuals, on the young generation, on politics, on the nation's economy, and most recently it has a danger to the bureaucracy in Indonesia.¹ And what is

¹ Teuku Abdul Aziz, 2005, *Fighting Corruption: My Mission*, Kuala Lumpur: Konrad Adnaeur Foundation, hal. 61.

urgent is that corruption can damage the economic development of a nation, if a project is executed with elements of corruption, the expected economic growth cannot be achieved.²

Therefore, efforts to eradicate corruption have been carried out for a long time by using various methods, various methods which have been carried out, for example, such as heavier sanctions.³ Corruption crimes are basically classified into several forms based on Law No.31 of 1999 concerning the Eradication of Corruption as amended by Law No. 30 of 2002 concerning Amendments to Law No.31 of 1999 concerning Eradication of Corruption Crimes.

With the various forms of corruption, the criminal act of corruption is included as a special crime, thus the settlement of the crime uses a special court. Based on the provisions of article 53 of Law Number 30 of 2002 concerning the Eradication of Corruption Eradication based on the decision of the Constitutional Court Number 012-016-019 / PUU-IV / 2006 dated 19 December 2006 which states that it is contrary to the 1945 Constitution of the Republic of Indonesia The decision of the Constitutional Court is basically in line with Law Number 4 of 2004 concerning Judicial Powers, which stipulates that a special court can only be formed in one of the general courts established by a separate law.⁴ Thus, it is necessary to regulate the Corruption Crime Court in a law itself.

The position of the court for corruption, which is only located in each provincial capital, actually creates problems in its application in Indonesia. Because Indonesia is the largest archipelago country in the world,⁵ thus this will affect the process of handling criminal acts in the provincial capital which includes facilities and infrastructure and case handling costs. This is basically regulated in the principle of the implementation of judicial power, namely a simple, fast and low cost trial as mentioned in Article 2 paragraph (4) of Law Number 48 of 2009 concerning judicial power.

One example of this empirical reality is the case in East Flores Regency where in the East Flores prosecutor's office, if a criminal action is resolved, it is committed in the provincial capital, namely Kupang, meanwhile between Kupang and East Flores are different islands, thus air transportation is required for each trial. in the corruption court. This is not in accordance with the principle of the administration of judicial power, namely a simple, fast and low cost trial because every case that is resolved must undergo a trial at least 5 times, sometimes even for corruption under 100 million between criminal acts of corruption committed and the cost of carrying out a case is greater than the cost of the case.

Thus the authors are interested in conducting this research because the handling of corruption is basically experiencing a problem in which the application of simple, fast and low cost judicial principles cannot be implemented properly which causes a large budget burden for the implementation of the judicial process in the Attorney General's Office.

Based on the description of the research problems above, the problem is formulated: (1) What are the characteristics of the handling of corruption at the East Flores District Court? (2) How is the effectiveness of the handling of corruption in the East Flores District Attorney?

² Gerald M. Meier dan James E. Ruch, 2005, *Leading Issues in Economic Development*, Oxford:Oxford University Press.Hal 116.

³ Wicipto Setiadi, 2018, *Korupsi di Indonesia (Penyebab, Bahaya, Hambatan dan Upaya Pemberantasan, Serta Regulasi)*, Jakarta: Fakultas Hukum Universitas Pembangunan Nasional (UPN) Veteran Jakarta, hal 250-252.

⁴ [Acch.kpk.go.id/id/component/bdthemes_shortcodes/?view=download&id=4ffdbef1cdd3a99c7eb64af1885c8c](http://acch.kpk.go.id/id/component/bdthemes_shortcodes/?view=download&id=4ffdbef1cdd3a99c7eb64af1885c8c), di akses pada hari kamis 12 Desember 2019, Pukul 06:00 WIB.

⁵ Malta dkk, 2018, *Keberdayaan Transmigran dalam Berusahatani di Kabupaten Banyuasin dan Ogan Ilir Provinsi Sumatera Selatan.*, Jurnal Penyuluhan, September 2018 Vol, 14 No.2 hal.257.

1.2 Research Method

This research is based on a qualitative non-doctrinal approach.⁶ The location of the research was conducted at the East Flores District Prosecutor's Office. The type of data used in this research is primary data obtained from interviews and observations of the East Flores District Attorney (2) District Court of Corruption in Kupang and secondary data obtained from literature studies. The data analysis method used is qualitative analysis which will be carried out sequentially between the domain analysis method, taxonomic analysis, and comparative analysis.⁷

2 Results and Discussion

2.1. Characteristics of the Handlings of Corruption at the East Flores District Prosecutor's Office

In the following, the authors describe the handling of corruption at the prosecutor's office

The country of eastern flores in 2018 and 2019 are as follows:

A. Year 2018

a. Investigation Stage

i. Sources of Investigation

Based on Article 2 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In cases that entered the investigation stage at the East Flores District Prosecutor's Office, of the two cases, all reports were received or complaints from KBRF (Coalition for the People of East Flores) and had carried out the necessary investigations to prepare an investigation report, but for corruption cases the use of allocated funds specifically for non-physical health, the report submitted to the investigator is incomplete because the collected evidence is not yet complete. So thus related to the investigation in 2018 regarding the stage of the investigation of corruption in the East Flores District Prosecutor's Office, it is in accordance with existing norms, namely Article 2 paragraph 2.

ii. Investigation Team

Based on Article 3 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administrative and Technical Management of Special Crime Cases. In the two cases in 2018 that were included in the investigation phase when viewed from the data above, both cases of Alleged Corruption in the Use of Special Non-Physical Allocation Funds in the Health Sector at Kalike Health Center, Solor Selatan District, East Flores Regency and Alleged Corruption in Fund Management Routine (Direct Expenditures - Goods and Services Expenditures) at SMP Negeri 1 Adonara Timur Fiscal Year 2014, 2015 and 2016), an. Defendant Subraja Alang, A.Md, where the investigation was carried out by the East Flores Public Prosecutor, which consisted of 7 team members. And in the implementation of the appointment of an investigator, an investigation warrant has been made. So thus from the implementation of the investigation carried out by the general prosecutor, this is in accordance with the existing

⁶ Soetandyo Wignjosoebroto, *Silabus Metode Penelitian Hukum*, Program Pascasarjana Universitas Airlangga, Surabaya, tt. Hal. 1 dan 3.

⁷ Sanapiah Faisal, 2007, *Format-Format Penelitian Sosial*, Jakarta: Raja Grafindo. hal 56.

norms, because in accordance with Article 3, namely the appropriate number of members of the investigation team and an investigation warrant.

iii. Duties, obligations and authorities of the Investigation Team

Based on Article 4 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. Regarding the case that entered the investigation stage in 2018, namely Alleged Corruption in the Use of Special Non-Physical Allocation Funds in the Health Sector at Kalike Health Center, South Solor District, East Flores Regency during 2018, it is still in the process of looking for books on crimes that have been committed and cannot yet be entered into the investigation stage even though in this case the investigation team, namely the investigative team coordinator and members of the investigation have tried to carry out their duties but due to obstacles, namely the priority of cases being resolved, and the number of personnel as well as inadequate facilities and infrastructure. Unlike the case of Alleged Corruption in Routine Fund Management (Direct Expenditures - Goods and Services Expenditures) at SMP Negeri 1 Adonara Timur Fiscal Years 2014, 2015 and 2016), an. Defendant SUBRAJA ALANG, A.Md, whose results can be continued to the investigation stage because there is sufficient evidence of the criminal act that has been committed by the perpetrator so that the investigating team has carried out its duties, powers and authorities properly. Thus this investigation is not in accordance with the norm because there is one case that has not been fulfilled.

iv. Investigation Term

Based on Article 5, Article 6 and Article 7 Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated October 29, 2010 concerning Administration and Technical Management of Special Crime Cases Handling. In the investigation phase in 2018, for cases of suspected criminal acts of corruption in the use of special non-physical allocation funds for health at Kalike Health Center, South Solor District, East Flores Regency related to existing norms, in fact the collection of information, data, and evidence cannot be fulfilled. within 20 days, due to several obstacles, namely the number of human resources that is not proportional to the number of cases in existence, besides that, as previously mentioned, the geographical condition of East Flores Regency which consists of 3 islands, this causes operational costs and time needed, facilities. and the infrastructure is inadequate, with the geographical conditions that constitute the islands, often the people summoned are not there or are elderly so it takes a long time to carry out an examination, or coordination with other regional prosecutors is required if the person summoned has fled or not in place.

Meanwhile, the case of Alleged Corruption in Routine Fund Management (Direct Expenditures - Goods and Services Expenditures) at SMP Negeri 1 Adonara Timur Fiscal Years 2014, 2015 and 2016), an. Defendant SUBRAJA ALANG, A.Md related to the collection of information, data, evidence on corruption in routine fund management can be fulfilled for 20 days properly and can be carried out, because doing it is easier compared to the previous case. Thus it is not in accordance with existing norms.

b. Investigation Stage

i. Sources of Investigation

Based on Article 8 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In the case that entered the investigation stage in 2019, namely Alleged Corruption in Routine Fund Management (Direct Expenditures - Goods and Services Expenditures) at SMP Negeri 1 Adonara Timur Fiscal Years

2014, 2015 and 2016), an. The defendant SUBRAJA ALANG, A.Md. / It is already in practice that in practice the case originates from the source of the investigation of a corruption case which the leadership has decided to raise to the investigation stage. So thus related to the source of the investigation in accordance with existing norms.

ii. Investigation Team

Based on Article 9 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In connection with the investigation team in handling corruption crimes at the East Flores Prosecutor's Office, it was carried out by 7 members consisting of 1 coordinator member and 6 members. So accordingly according to Article 9 it is in accordance with existing norms, but only 2 are members of the special criminal field, the rest are prosecutors in other fields who have their respective activities in their fields, so that the investigation process is in an effort to find and find evidence can not be implemented properly.

iii. Duties, Obligations and Authorities of the Investigation Team

Based on Article 10 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In this case the public prosecutor has received a report, and has not carried out the arrest, detention, search and confiscation, has carried out an investigation and confiscation, a letter because, this is due to the priority problem in solving the case in the East Flores prosecutor's office, so this action has not been implemented. can be implemented by the East Flores District Prosecutor's Office. Thus, the relationship has not run in accordance with existing norms.

iv. Investigation Reporting Period

Based on Article 19, Article 20, Article 21 and Article 22 Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administrative and Technical Management of Special Crime Case Handling, relating to cases Efforts have been made to find and collect evidence and to find suspects, in cases that are in this stage of investigation but in practice the evidence obtained is not sufficient then it is still continued in the investigation stage, this is because there are several obstacles, namely completeness of files and priority for case resolution that must be resolved . Due to the resolution of a criminal case of corruption will drain the prosecutor's budget due to inadequate facilities and infrastructure and various other problems that cause the prosecution process to be unable to carry out.⁸ Which in this case prevented the investigation process from being completed for 120 days. Thus, the time frame for investigation at the East Flores Prosecutor's Office is not in accordance with existing norms.

c. Filing, sending the first stage case file, submitting the suspect and Evidence

Based on Article 25 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In cases that enter the investigation stage in 2019, the public prosecutor does not carry out the submission of the case file to the public prosecutor because the evidence obtained is incomplete and the priority of the case needs to take precedence. So thus related to the delegation of case files, it is not in accordance with the existing provisions because in the general event, case files can be submitted at a predetermined time.

⁸ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

B. Year 2019

a. Investigation Stage

i. Sources of Investigation

Based on Article 2 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, in cases that enter the investigation stage at the East Flores District Prosecutor's Office from the two All of the cases that have been reported are reports received or complaints from KBRF (Coalition for the United People of East Flores) and have been carried out to carry out the necessary investigations to make an investigation report, but for cases of corruption the use of non-physical special allocation funds in the health sector, the minutes submitted to investigators are not yet complete because the evidence collected is incomplete. So thus this is in accordance with the existing norms, namely Article 2 paragraph 2.

ii. Investigation Team

Based on Article 3 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, in two cases in 2019 that were entered into the investigation stage when viewed from the data above, where the investigation was carried out by the East Flores Public Prosecutor's Office. This implementation is based on the fact that in this case the public prosecutor consists of a team of 7 investigators and an investigation warrant is also made. So thus this is in accordance with existing norms.

iii. Duties, obligations and authorities of the Investigation Team

Based on Article 4 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. Based on the data obtained, the case of Alleged Corruption in the Use of Special Non-Physical Allocation Funds in the Health Sector at Kalike Health Center, South Solor District, East Flores Regency, the results are still in the investigation process to find evidence of a criminal act that has been committed. others Running in 2020, waiting for calculations from inspectors. So thus it has not run according to existing norms.

iv. Investigation period

Based on Article 5, Article 6 and Article 7 Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administrative and Technical Management for Special Crime Case Handling, relating to the five cases that have entered into In the investigation phase of the East Flores prosecutor's office, all information, data, evidence on the criminal act of corruption, the use of the special allocation funds has not been fulfilled, this is due to several obstacles, namely the loss calculation has not been carried out. The investigating prosecutor faced in handling this case, namely as follows: The number of human resources is not proportional to the number of cases, the geographical condition of East Flores Regency which consists of 3 islands, the people summoned are not in place or are elderly and so on.⁹ So, according to the norms regulated above, the implementers are not in accordance with the existing norms.

b. Investigation Team

i. Sources of Investigation

Based on Article 8 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated October 29, 2010 concerning Administration and Technical Management for Special Crime Case Handling, in cases that enter the

⁹ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

investigation stage in 2019, namely alleged actions. Corruption Crimes Use of Special Allocation Funds (DAK) in the Secondary Education Sector in the Development of Education and Marine Infrastructure Activities at the Youth and Sports Education Office of East Flores Regency TA. 2014 in practice this case originated from the source of investigations into cases of corruption which the leadership decided to improve to the investigative stage. So thus related to the source of the investigation in accordance with existing norms.

ii. Investigation Team

Based on Article 9 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, related to the investigation team in handling corruption at the East Flores Prosecutor's Office, implemented by 2 members consisting of 1 member of the coordinator and 6 members. So thus not in accordance with existing norms.

iii. Duties, Obligations and Authorities of the Investigation Team

Based on Article 10 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, in this case the public prosecutor has received the report, and has not done so. arrest, detention, search and confiscation, have carried out investigations and confiscation, letters because, this is due to the priority problem solving problems that exist in the East Flores prosecutor's office, so the implementation of this action cannot be carried out by the East Flores District Prosecutor's Office. Thus according to the norm.

iv. Investigation Reporting Period

Based on Article 19, Article 20, Article 21 and Article 22 Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administrative and Technical Management of Special Crime Cases, related to cases that Efforts have been made to search for and collect evidence and to find the suspect, in cases that are in this stage of investigation but in practice the evidence obtained is not sufficient then it is still continued in the investigation stage, this is because there are several obstacles, namely completeness of files and priority for case resolution that must be resolved . Due to the resolution of a criminal case of corruption will drain the prosecutor's budget due to inadequate facilities and infrastructure and various other problems that cause the prosecution process to be unable to carry out.¹⁰ Which in this case prevented the investigation process from being completed for 120 days. So thus not in accordance with existing norms.

c. Filing, sending the first stage case file, submitting the suspect and Evidence

- a. Based on Article 25 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administrative and Technical Management for Special Crime Case Handling, in cases that enter the investigation stage in 2019, the prosecutor the public prosecutor did not carry out the filing of the case file to the prosecutor because the evidence obtained was incomplete and the priority of the case needed to be prioritized. So thus related to the delegation of case files, it is not in accordance with the existing provisions because in the general event, case files can be submitted at a predetermined time.

d. Prosecution Stage

i. Sources of Prosecution

Based on Article 35 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, of the three cases that entered the prosecution stage at the East Flores Prosecutor's Office, It can be known if the source of

¹⁰ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

the prosecution comes from the investigation results of the prosecutor's office, namely Alleged Corruption in Routine Fund Management (Direct Expenditures for Goods and Services) at SMP Negeri 1 Adonara Timur for the 2014, 2015 and 2016 fiscal years. The defendant SUBRAJA ALANG, S.Md., meanwhile, came from the National Police, namely Alleged Corruption Crime of Misuse of School Operational Assistance Funds (BOS) at Larantuka 1 State Junior High School 1 Year 2016 and 2017 An. YOSEP MARSELINUS FERNANDEZ, S.Pd. and Alleged Corruption Crime Misuse of School Operational Assistance Fund (BOS) at Junior High School 1 Larantuka TA. 2016 An. PASKALIS DUDI HOKENG, S.Pd. So thus the source of prosecution is in accordance with existing norms.

ii. Pre-Prosecution Period

Based on Article 38 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. Of the three cases that entered the prosecution stage in 2019, they were in accordance with the existing norms of Article 38.

iii. Return of Investigation Result Case Files accompanied by instructions

Based on Article 39 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In existing practice regarding the return of case files resulting from investigations accompanied by instructions, the three cases mentioned above have gone through various file returns accompanied by instructions and there is good coordination between police investigators and prosecutors' investigators. So in accordance with the existing norms.

iv. Prosecution Team

Based on Article 43 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling, the prosecution team in carrying out the prosecution of corruption at the East Flores Prosecutor's Office was carried out by 7 prosecutors where one public prosecutor as the coordinator who is also a member and 6 public prosecutors. So in accordance with the existing provisions.

v. Prosecution Period

Based on Article 45 of the Regulation of the Attorney General of the Republic of Indonesia Number: PERJA-039 / A / JA / 10/2010 dated 29 October 2010 concerning Administration and Technical Management for Special Crime Case Handling. In relation to the time frame for the prosecution in the three cases, on average, it could be resolved for 150 days after the cases were submitted to the court. However, in 150 days the prosecutor will need more time and energy because the prosecution process is carried out at the High Court in Kupang, which is basically located different from the East Flores Prosecutor's Office. This is what causes the investigation and investigation process to be carried out not on time. Because the number of human resources available specifically to handle corruption crimes at the East Flores Prosecutor's Office is only two people, so to resolve a case the East Flores prosecutor will prioritize corruption crimes that have entered the investigation stage. So in accordance with existing norms.

2.2. The Effectiveness of Handling Corruption at the East Flores District Prosecutor's Office

The purpose of conducting investigations, investigations and prosecutions in criminal acts of corruption can be found in the provisions of Law Number 31 of 1999 concerning the eradication of criminal acts of corruption, which are regulated in several provisions of the article, one of which is in Article 25 of Law Number 31 Year 1999 concerning the eradication of criminal acts of corruption, which:

“Investigation, prosecution and examination in court proceedings in corruption cases must take precedence over other cases in order to resolve them as quickly as possible.”

Further, Article 26 regulates:

“Investigation, prosecution and examination at trial against criminal acts of corruption are carried out based on the criminal procedure law which applies unless stipulated otherwise in this law.”

From the data as described above, thus it will be measured regarding the effectiveness of the law, in conducting this discussion the author uses the theory of Soerjono Soekanto, namely:¹¹

A. The legal factor itself (law)

Based on Article 3, the seat of the court for criminal acts of corruption is stated as follows:

"The Corruption Crime Court is located in each district / city capital whose jurisdiction covers the jurisdiction of the district court concerned"

Article 3, if we look closely at the problem, because in the explanation of Law Number 46 of 2009 itself, it is explained that the establishment of a Corruption Criminal Court which is formed in each district / city capital is carried out in stages considering the availability of existing facilities and infrastructure, thus for the first time based on Law Number 46 of 2009 the establishment of corruption courts is carried out in each capital city of the Province. And after two years of running in East Nusa Tenggara in 2011 a district court was formed in Kupang, but this raises new problems because to carry out the handling of corruption in Kupang City is very expensive. Furthermore, in the transitional regulation in Law Number 46 of 2009 concerning the court for criminal acts of corruption which is regulated in Article 35, it is not clearly regulated when the time limit for each city or district to implement a corruption trial is.

This condition causes a change in the effectiveness of law enforcement on corruption by the prosecutor's office because the operational costs as described in some of the cases presented above are very high, even in some cases between state suspicion and operational costs for handling cases, the cost of handling corruption cases is higher. As in the table as described above, solving one case requires 12 official trips and brings a minimum of 2 to more people.¹² So the legal factor is not in accordance with existing norms.

B. Law enforcement factors, namely the parties who form or implement laws

Law enforcement factors that affect the implementation of the effectiveness of the implementation of corruption at the East Flores District Prosecutor's Office are inadequate because in quantity this number is not sufficient with the number of cases in East Flores, both general and special cases, for example corruption. So seeing these limitations, if the human resources are inadequate, the prosecutor at the East Flores Prosecutor's Office can handle any files, provided that the name of the prosecutor is on the P-16 (Prosecutor's appointment order) from the student in the case. Apart from that, from the capability of the members of the prosecutor's office, there are still many honorary staff at the East Flores District Prosecutor's Office.¹³ So the law enforcement factor is not in accordance with existing norms.

¹¹ Soerjono Soekanto, 2008, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum*, Jakarta: PT RajaGrafindo Persada, hal.8-37

¹² Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

¹³ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

C. Factor of means or facilities that support law enforcement

Facilities and facilities are factors that support the existence of a law enforcement process, especially in solving corruption crimes in East Flores. Related to the factor of this facility or facility, in East Flores Regency, there are obstacles as in the two previous factors, namely law and law enforcement, in this case it still affects the law enforcement process because to resolve a criminal act of corruption, each process must pass through island differences. Thus, it requires adequate facilities to carry out these tasks, such as official transportation so as not to overload the budget. Because each trip for one person costs Rp. 150,000 per person per trip to get on the boat, and if you get on the plane the cost is Rp. 650,000. so the operational costs required are very large, even between the losses to the State and the operational costs for solving the case may be greater.¹⁴ So the supporting facilities and facilities for law enforcement are not in accordance with existing norms.

D. Community factors, namely the environment in which the law applies or is applied

The community is very supportive of the eradication of corruption, the community is very critical and always helps the prosecutor's office in handling corruption cases, even most corruption cases in East Flores are thanks to reports from the public regarding the existence of corruption crimes committed by the community. In this community environment, the movement is carried out by KBRF (Coalition of East Flores People). This assistance is very helpful for the East Flores prosecutor's office in tackling corruption in East Flores, because the active role of the community in reporting when corruption occurs will make it easier for the prosecutor to carry out legal processes.¹⁵ So the community factors are in accordance with existing norms.

E. Cultural factors, namely as a result of work, creativity, and taste based on human initiative in social life

Cultural factors that influence the handling of criminal acts of corruption in East Flores are closely related to community factors as previously described. The people in East Flores are very active in participating in guarding a criminal act in East Flores so this has created a habit that often arises in society, namely the public conveying their aspirations through demonstrations against perpetrators who are usually public officials who commit abuse of authority, namely committing a criminal act of corruption, the community holding a demonstration in front of the law enforcement office, the driving force for this demonstration is KBRF (Coalition for the People of East Flores), where the community will take part in a demonstration if they experience losses due to the impact of corruption. So the cultural factors are in accordance with existing norms.

Conclusion

Based on what has been described previously, it can be concluded that first, the characteristics of the handling of corruption at the East Flores District Prosecutor's Office, namely the East Flores District Prosecutor's Office, handles corruption based on reports from the public received by the Legal Service Post in the Intelligence Sector of the East Flores District Attorney, then the District Attorney for Flores Tmur conducted an investigation, investigation and prosecution. Obstacles in the process of handling corruption are the inadequate number of human resources, geographic conditions consisting of 3 islands and a district court located in Kupang City, bringing people who are summoned who are not there or are

¹⁴ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

¹⁵ Fransman R. Tamba, Kepala Sub Seksi Penyidikan Bidang Tindak Pidana Khusus, Kejaksaan Negeri Flores Timur, *Wawancara Pribadi*, Senin, 9 Maret 2020, Pukul 10.30 WIB

elderly, the amount of budget required is also large. Second, regarding the effectiveness of the implementation of the handling of corruption at the East Flores District Attorney, that the implementation of corruption handling at the East Flores District Prosecutor's Office is supported by community and cultural factors, but not supported by legal factors and law enforcement and supporting facilities and facilities.

References

- Araffat, M. Y., Ali, H., Bangsawan, M. I., Diarti, D. K., & Budiono, A. (2020). The Influence of Leadership Style and Work Discipline on Employee Performance in the Department of Transportation Dompu District. *International Journal of Multicultural and Multireligious Understanding*, 7 (8), 758-767.
- Aziz, Teuku Abdul, (2005), *Fighting Corruption: My Messian*, Kuala Lumpur: Konrad Adnaeur Foundation.
- Faisal, Sanapiah, 2007, *Social Research Formats*, Jakarta: Raja Grafindo.
- Malta et al, (2018), Empowerment of Transmigrants in Doing Farming in Banyuasin and Ogan Ilir Districts of South Sumatra Province., *Journal of Extension*, September 2018 Vol, 14 No.2.
- Meier, Gerald M. and James E. Ruch, (2005), *Leading Issues in Economic Development*, Oxford: Oxford University Press.
- Nugroho, B., Bangsawan, M. I., Malik, M., Hardiati, R. Y., Diarti, D. K., & Budiono, A. (2020). Effectiveness of Assimilation Implementation on Criminal Criminators of Narcotics (Case Study at the Surakarta City Detention Center). *International Journal of Multicultural and Multireligious Understanding*, 7 (8), 768-778.
- Setiadi, Wicipto, (2018), *Corruption in Indonesia (Causes, Dangers, Obstacles and Efforts to Eradicate, as well as Regulations)*, Jakarta: Faculty of Law, Veteran National Development University (UPN) Jakarta.
- Soerjono Soekanto, (2008), *Factors Affecting Law Enforcement*, Jakarta: PT Raja Grafindo Persada.
- Wignjosuebrot, Soetandyo, (2010), *Syllabus of Legal Research Methods*, Surabaya: Postgraduate Program, Airlangga University.
- Acch.kpk.go.id/id/component/bdthemes_shortcodes/?view=download&id=4ffdbef1cdd3a99c7eb64af1885c8c, accessed on Thursday 12 December 2019, at 06:00 WIB.

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