



KPK's Performance Dynamics in Combating Corruption After the 2019 Revision of the KPK Law

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Abstract. Corruption is a serious crime that has a significant impact on the government, the economy, and public welfare. The Corruption Eradication Commission (KPK), an independent organization charged with combating corruption, plays a crucial role in the Indonesian legal system and is empowered to carry out investigations, inquiries, and prosecutions against corruption crimes to uphold the supremacy of the law and create a clean government. However, along the way, the KPK's performance has experienced various challenges, both regulation, politics, and technicalities in carrying out its duties. Changes in regulations, especially through the revision of Law Number 30 of 2002 enacted in 2019, are one of the factors that influence the effectiveness of this institution in carrying out its duties. This study strives to analyze the performance of the KPK in enforcing the law on corruption crimes in Indonesia. The main focus of this study includes an evaluation of the effectiveness of the KPK in handling corruption cases, the challenges faced, and strategies that can be applied to improve the performance of this institution. The methods used in this study are normative and empirical juridical methods. The examination of various laws and regulations applying normative legal approaches governing the eradication of corruption, and investigating official documents such as the KPK's annual report. Meanwhile, the empirical approach is carried out by analyzing case data handled by the KPK. The research results are expected to provide an overview of the effectiveness of the KPK in enforcing the law against criminal acts of corruption and provide constructive recommendations for efforts to eradicate corruption in Indonesia.

Keywords: Anti-Corruption Policy, Corruption Eradication, Institutional Performance, KPK, KPK Law Revision 2019.

1. INTRODUCTION

Corruption is a crime that involves the misuse of authority or power to benefit oneself or a group at the expense of the state or the general welfare (Pasmatusi, 2019). According to Law Number 31 of 1999's Article 2 Paragraph 1 on the Eradication of Criminal Acts of Corruption, corruption is defined as an unlawful act committed to enrich oneself, others, or a company, which could be detrimental to the nation's economy or finances. Corruption-related offenses are classified as exceptional crimes because of their broad impact on the economic, social, and political stability of a country (Puanandini, 2024). Therefore, in handling it, a firmer legal approach and a more effective eradication mechanism are needed compared to ordinary crimes.

Articles 3 to 14 of Law No. 31 of 1999, in conjunction with Law No. 20 of 2001, provide detailed regulations on the various types of criminal actions of corruption. Several of the most prevalent types of corruption include bribery, which occurs when someone gives or receives something with the intention of illegally influencing the decisions or actions of state officials. In addition, there is embezzlement in office, where an official or civil servant abuses his authority to control or use state money or goods for personal gain (Fadhil, 2019). Another form of corruption is extortion, which is when a public official forces someone to give something

with certain threats or pressures. There are also fraudulent acts in the procurement of goods and services, where the auction process or government contracts are manipulated to illegally benefit certain parties (Evana, Nairobi, Sumitro, & Hendrawaty, 2024).

Another form that often occurs is gratification, namely the provision of gifts or facilities to public officials related to their position, as stipulated in Law No. 20 of 2001's Article 12B. If the Corruption Eradication Commission is not notified of the satisfaction within 30 days, it can be categorized as bribery (Mauliddar, 2017). All forms of corruption show that corrupt practices are related to the theft of state money and to various forms of authority abuses that break governance and harm the interests of the wider community. Therefore, efforts to eradicate corruption must be carried out comprehensively through strict legal action and systematic prevention so that the culture of corruption can be minimized in Indonesia.

In dealing with this extraordinary crime, To deal with corruption issues more successfully, Indonesia requires an organization with specialized power. Thus, in accordance with Law Number 30 of 2002 concerning the Corruption Eradication Commission, the Corruption Eradication Commission (KPK) was established. The primary mandate of the KPK is to prevent and take action against corruption cases, especially those involving state officials, government administrators, and cases with large losses (Sutanto, 2024). The existence of the KPK is considered a form of serious state resistance to corrupt practices that have taken root in bureaucracy and politics. With its various authorities, including investigation, inquiry, and prosecution, the KPK is expected to be able to break the chain of corruption and create a clean and transparent government (Wulandari, 2021).

2. METHOD

This paper examines how well the Corruption Eradication Commission (KPK) has performed in implementing Indonesia's anti-corruption legislation using both normative and empirical legal approaches. Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which has been amended by Law Number 20 of 2001, and Law Number 30 of 2002 concerning the Eradication of Corruption are among the laws and regulations pertaining to the eradication of corruption that are examined in order to apply the normative legal method Commission which has been revised through Law Number 19 of 2019. In addition, this study examines various technical regulations, as well as academic literature related to the effectiveness of law enforcement in cases involving corruption. This method is

utilized to comprehend the legal foundation, the KPK's jurisdiction, and the guiding principles of Indonesia's fight against corruption.

In the meantime, direct data from KPK law enforcement operations is gathered using the empirical legal technique. Using this approach, the study was carried out by examining information on corruption instances that the KPK has dealt with in recent years, including the number of cases that have been successfully resolved, and the level of success in prosecution. Document studies were also conducted by reviewing the KPK's annual report, internal regulations, and policies enforced to eradicate corruption. By combining normative and empirical juridical methods, It is intended that this study will offer a thorough examination of the Corruption Eradication Commission's performance in prosecuting corrupt criminals and pertinent suggestions for enhancing the committee's function within the Indonesian legal system.

3. RESULT AND DISCUSSION

3.1 Effectiveness of the Corruption Eradication Commission (KPK) Performance in Enforcing Corruption Laws in Indonesia, especially After the Revision of the KPK Law in 2019

The primary legislative foundation for the Corruption Eradication Commission (KPK) is found in Law Number 30 of 2002, which was subsequently modified by Law Number 19 of 2019. An essential factor in boosting the efficacy of initiatives to combat corruption, a persistent issue in Indonesia, is the KPK's establishment (Putra, 2024). According to Law Number 30 of 2002's Article 6, the KPK's main mandate includes coordination with other law enforcement agencies, supervision of investigations and prosecutions of corruption cases, and implementation of preventive measures to reduce the risk of corruption. However, after the revision through Law Number 19 of 2019, several important modifications were implemented. In particular, the KPK's status is no longer completely independent but has become an integral component of the executive branch under government supervision. In addition, the establishment of a Supervisory Board was introduced, which has the authority to supervise and authorize KPK legal actions.

According to Article 12 of Law Number 30 of 2002, the KPK is empowered to investigate and punish corruption crimes as part of its duties. This authority includes wiretapping, searches, confiscations, and prosecutions of corruption crimes that meet certain criteria, such as crimes involving law enforcement officers, and state administrators, or crimes that result in significant

state financial losses. However, after the revision of the KPK Law, several of these authorities have changed, especially regarding wiretapping, searches, and confiscations which now require authorization from the Supervisory Board in accordance with Law Number 19 of 2019's Article 12B. This change is viewed by various stakeholders as an obstacle to the effectiveness of the KPK in eradicating corruption because it has the potential to hinder the investigation process (Zulfahmi, 2024). Nevertheless, the KPK continues to play an important role in Indonesia's legal system, primarily tasked with enforcing the law, preventing corruption, and raising public awareness of the dangers of corruption through educational initiatives and anti-corruption campaigns.

The number of cases handled annually shows how well the Corruption Eradication Commission (KPK) handles corruption charges, its success in prosecuting major corruptors, and its role in efforts to prevent corruption through education and outreach. Based on the KPK's annual report, this institution handles hundreds of cases each year, both through investigations, inquiries, and prosecutions. The data collected shows that since the establishment of the KPK until now, many major cases have been successfully uncovered, including those involving high-ranking state officials, regional heads, and businessmen involved in corruption. The KPK's performance in handling major cases can be seen from several sting operations (OTT) that have been carried out, as well as the sentences handed down to corruption perpetrators with heavy sentences. One example of the KPK's success is the e-KTP project corruption case that implicated several important officials, including the former Speaker of the Indonesian House of Representatives, which shows that the KPK can investigate large-scale cases (Retaduari, 2022).

Through public outreach and education, the KPK plays a significant role in avoiding corruption in addition to its enforcement duty. The KPK is tasked with taking preventive action to stop criminal acts of corruption, according to Article 6 of Law Number 30 of 2002 about the Corruption Eradication Commission. These preventive activities include anti-corruption campaigns, integrity education programs for state officials and civil servants, and cooperation with various educational institutions to include anti-corruption values in the curriculum (Angkat, 2024). Besides, Article 13 of Law No. 19 of 2019 concerning the Revision of the KPK Law emphasizes that the KPK has the authority to coordinate with related agencies in efforts to prevent and eradicate corruption. One of the KPK's flagship programs for preventing corruption is the National Corruption Prevention Strategy (Stranas PK), which emphasizes strengthening a transparent and accountable government system (Wijayanti, 2021).

The revision of the 2019 KPK Law brought significant changes to the regulations governing the authority and working mechanisms of this anti-corruption agency. One of the main changes is the shift in the status of the KPK from an independent institution to part of the executive branch, which puts it within the scope of government supervision. This change raises concerns about the reduced independence of the KPK in carrying out its duties, especially since KPK employees now have the status of State Civil Apparatus (ASN) and are subject to bureaucratic regulations in government. In addition, this revision changes several operational aspects of the KPK, including investigations and inquiries which must now obtain approval from the Supervisory Board, a new institution formed as part of the revised KPK Law. The impact of this new regulation has been highlighted because it is considered to decelerate the legal process of eradicating corruption.

One of the most crucial impacts of this revision is the weakening of the independence of the KPK, which was previously known as an institution free from political and bureaucratic intervention. With the existence of a Supervisory Board that has the authority to approve wiretapping, searches, and seizures, the investigation process becomes more bureaucratic and vulnerable to the interests of certain parties. Previously, the KPK had full authority to conduct wiretapping without having to ask for permission from other institutions, an important instrument in uncovering corruption that is often carried out behind closed doors. In addition, the change in the status of KPK employees to ASN also creates a dilemma, considering that ASN has bureaucratic rules and ethics that can limit the room for maneuver in uncovering major corruption cases. As a result, several KPK employees who rejected this change chose to resign or were deactivated, which further worsened the institutional condition of the KPK.

The regulatory changes also have a direct consequence on the KPK's authority in investigating, prosecuting, and prosecuting corruption cases. Before the revision, the KPK had the freedom to handle cases without having to coordinate with external institutions, but now there are restrictions that require the involvement of the Supervisory Board and tighter coordination with the police and prosecutors. This has caused case handling to be slower, especially in major cases involving high-ranking state officials or politicians. In addition, there have been changes to the mechanism of sting operations (OTT), which were previously the KPK's main weapon in directly tackling corruption. With the bureaucratization of investigations and wiretapping, the effectiveness of OTT has decreased, thus reducing the KPK's shock power in catching corruption perpetrators.

An evaluation of changes in the KPK's organizational structure and working mechanisms after the revision shows that there are obstacles in implementing the new policy. The organizational structure, which is now within the executive scope, requires the KPK to be more careful in taking action, especially when handling cases involving government officials. Several major corruption cases that were previously the KPK's main targets have stagnated in their investigation process, and the downward trend in the number of cases handled is also seen in the KPK's annual report. In addition, changes in the coordination mechanism with other law enforcement agencies slow the execution of cases, especially because of provisions that limit the KPK's authority to take legal action without the approval of other institutions. With these various obstacles, the revision of the KPK Law is considered to have had a significant impact on the effectiveness of the institution in carrying out its function as the vanguard of corruption eradication in Indonesia.

3.2 The Main Obstacles Faced by the KPK in Eradicating Corruption and Strategies to Optimize Its Role in Law Enforcement

The Corruption Eradication Commission (KPK) faces various obstacles and challenges in performing its duties as an independent institution tasked with eradicating corruption in Indonesia. One of the most significant challenges is political interference and the erosion of the KPK's independence following the revision of the KPK Law (Kaligis, 2020). Since the enactment of Law No. 19 of 2019, the KPK has lost its independence completely, as it is now under the executive branch, and its employees are classified as state civil servants (ASN). This arrangement raises the potential for conflicts of interest, especially in cases involving government officials or ruling political parties. Furthermore, the revision introduced the KPK Supervisory Board, which has the authority to authorize critical actions such as wiretapping, searches, and seizures, as outlined in Article 37B of Law No. 19 of 2019. As a result, the previously accelerated legal process carried out by the KPK has become more complicated and vulnerable to administrative obstacles (Asyikin, 2020).

Besides regulatory and independence challenges, the KPK encounters technical challenges in investigating and prosecuting corruption cases. Many corruption cases involve increasingly complex modus operandi, such as cross-border money laundering, the use of technology in financial crimes, and corruption involving strong business and political networks (Alfitra, 2014). To uncover cases like this, the KPK needs more competent human resources, sophisticated technology for digital forensic investigations, and wider access to financial transaction data. However, with the limited budget and authority after the revision of the KPK

Law, efforts to uncover major cases have become increasingly difficult. In addition, resistance from perpetrators of corruption in the form of intimidation, criminalization of KPK investigators and witnesses, and efforts to weaken the law through filing pretrial motions are also challenges faced by this institution in carrying out its duties (Irawan, 2020).

To effectively address these challenges, a mature strategy is needed to optimize the performance of the KPK in eradicating corruption (Rizal, 2023). One crucial step that must be taken is to carry out institutional reform and strengthen the independence of the KPK. Although the revision of the KPK Law has changed its institutional status, ongoing efforts can be made to ensure independence, such as revising internal regulations that clarify the limits of external intervention and strengthening the role of independent investigators who are protected from the influence of the ASN bureaucratic system (Sunggara, 2024). Furthermore, increasing transparency in the working mechanism of the Supervisory Board is significant to prevent it from becoming a political instrument that hinders KPK operations (Indriastuti, 2024). In addition to institutional reform, increasing synergy with other law enforcement agencies, such as the Attorney General's Office, the Police, and the Financial Transaction Reports and Analysis Center (PPATK), is key to strengthening the effectiveness of law enforcement. Collaboration in terms of exchanging information, strengthening supervision mechanisms, and coordination in handling major cases will help accelerate the legal process and reduce legal loopholes that can be exploited by perpetrators of corruption (Rahayuningsih, 2013). Furthermore, cooperation with international institutions also needs to be expanded, especially in cases of corruption related to the flow of funds abroad or international networks (Ismakoen, 2023).

The last strategy that is no less important is improving the legal system and anti-corruption policies. This effort can be conducted by strengthening regulations that inhibit corrupt practices, such as reforming regulations on procurement of goods and services, more transparent supervision of state finances, and implementing heavier sanctions for perpetrators of corruption, especially for public officials. In addition, it is critical to strengthen anti-corruption education and socialization from an early age in order to build a culture of integrity in society. With this combination of strategies, it is expected that the KPK can remain an effective institution in eradicating corruption and maintaining public trust in law enforcement in Indonesia.

In carrying out its duties as an anti-corruption agency, the KPK faces various obstacles that directly or indirectly affect its effectiveness. One of the main obstacles is the regulatory

and institutional aspects that have undergone drastic changes after the revision of the 2019 KPK Law. This revision changed the status of the KPK to part of the executive, which significantly impacts independence and flexibility in handling corruption cases. The KPK's authority to conduct wiretapping, searches, and seizures, which previously could be carried out independently, now must go through the Supervisory Board's permission. This adds bureaucracy to the legal process and has the potential to weaken the effectiveness of corruption eradication. In addition, the change in the status of KPK employees to State Civil Apparatus (ASN) also raises its own problems. KPK employees who previously worked independently are now subject to government bureaucratic regulations, which have the potential to hinder professionalism and independence in handling major cases involving political actors and state officials.

In addition to regulations, political intervention, and external pressure are also major challenges for the KPK in enforcing the law on corruption. Since its inception, the KPK has often received pressure from various parties, especially from political elites and state officials who feel threatened by the steps taken to eradicate corruption. The intervention can be seen from various efforts to weaken the KPK, ranging from the revision of the Law to the election of KPK leaders who are considered no longer fully independent. Furthermore, threats against KPK employees, both in the form of criminalization and physical attacks, also often occur. Several cases show that efforts to weaken the KPK are not only regulatory in nature but also systematic through pressure on individuals within the institution. Anti-corruption activists are also not immune from threats, reflecting strong resistance from interested parties to the existence of the KPK as an institution to eradicate corruption.

Besides the regulatory challenges and political intervention, limited resources and infrastructure are also obstacles to the effectiveness of the KPK's work. The lack of competent investigators and prosecutors hampers the investigation and prosecution of corruption cases, especially those that are large-scale and involve extensive networks. Limited technology in investigations and wiretapping is also an obstacle, considering that perpetrators of corruption are now increasingly sophisticated in hiding their crimes. Suboptimal budget and facilities further complicate this situation, because eradicating corruption requires adequate resources, both in operational aspects and technology-based investigations. Meanwhile, in terms of prevention, low legal awareness and anti-corruption culture in society are still challenges in themselves. Corruption that has taken root in various sectors makes prevention efforts often

ineffective, especially if not accompanied by massive education and consistent law enforcement.

To overcome the various obstacles faced, a comprehensive strategy is needed to optimize the role and effectiveness of the KPK in eradicating corruption. The first step that needs to be taken is regulatory reform to restore the KPK's independence. Policy revisions that allow the KPK to operate independently without executive intervention are the main solution. In addition, an evaluation of the role of the Supervisory Board also needs to be carried out, so that the supervisory mechanism does not hinder the investigation and wiretapping process which are the main instruments in uncovering corruption. Strengthening the legal basis is also needed so that the KPK is more flexible in handling corruption cases without bureaucratic limitations that slow down the legal process. Thus, the KPK can again become an effective institution in prosecuting perpetrators of corruption without regulatory obstacles that hinder law enforcement.

In addition to regulatory reform, increasing the capacity and resources of the KPK is an important strategy for optimizing the performance of this institution. Adding competent investigators and forensic auditors can speed up the investigation process and increase accuracy in uncovering complex corruption cases. Optimizing the budget and infrastructure must also be considered, especially in the procurement of sophisticated technology that can be used in the investigation and monitoring of corruption crimes. In addition, increasing coordination with law enforcement officers such as the police and prosecutors can speed up the prosecution process and avoid overlapping authorities that are often obstacles in the criminal justice system. Cooperation with international institutions in eradicating corruption can also strengthen prevention and enforcement efforts, especially in handling cases involving the flow of funds across countries.

Another equally important strategy is to build a prevention system based on transparency and public participation. The public must be given wider access to oversee the running of government, especially in the management of state finances. Increasing the role of the media in reporting corruption cases can also be an effective instrument in reducing corruption rates in Indonesia. Anti-corruption education and campaigns must be further encouraged, both through the formal education system and in wider public spaces. By increasing public awareness of the dangers of corruption and its impacts, it is hoped that a strong anti-corruption culture will be created and become part of the social system in Indonesia.

4. CONCLUSION

Corruption is an extraordinary crime that has a wide impact on economic, social, and political stability, so it requires a firm and effective eradication mechanism. Various forms of corruption, such as bribery, embezzlement in office, extortion, and gratification, show that corruption is not only limited to theft of state money but also involves abuse of authority that damages governance. Therefore, efforts to eradicate corruption must be carried out comprehensively through strict law enforcement and systematic prevention strategies. To handle corruption cases more effectively, Indonesia has established the Corruption Eradication Commission (KPK) as an independent institution that has special authority in investigation, prosecution, and prosecution. With its strategic role, the KPK is expected to be able to break the chain of corruption and create a cleaner, more transparent, and more integrated government system.

With Law Number 30 of 2002 strengthening the primary legal foundation and Law Number 19 of 2019 revising it, the Corruption Eradication Commission (KPK) plays a crucial role in eliminating corruption in Indonesia. Although the KPK has succeeded in handling various major cases and playing a role in preventing corruption, the revision of the KPK Law poses new challenges, especially related to the independence and effectiveness of investigative and prosecution authority. Other obstacles include political intervention, limited authority after the formation of the Supervisory Board, and technical challenges in uncovering increasingly complex cases. To overcome these challenges, an optimization strategy is needed through institutional reform, increased synergy with law enforcement officers, and improvements to the legal system and anti-corruption policies. With a more comprehensive approach and public support, the KPK is expected to remain an effective institution in eradicating corruption and maintaining transparency and integrity of government in Indonesia.

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