

CHAPTER V

CONCLUSION

5.1 Conclusion

Based on the results of research reviewed by the author regarding political interests in the election of KPK leaders for the 2019-2023 period, the author found that there are facts of political interests based on oligarchic interests in it. This political interest is carried out by political elites and those who are interested in plans that are compiled and involve many parties in it. One of the plans targeted by interested parties is to weaken the KPK both from outside and from within the institution. The forms of weakening carried out by these parties have been carried out as long as the KPK was established, but this has not been able to bring down the KPK as a strong legal institution. Even when the Covid-19 outbreak hit, the KPK still continued to run well and optimally, so that the level of public trust in the KPK was increasing. This is analyzed by the author starting from the beginning of the thought of attacks on the KPK from small to large scale. The speakers who were met such as a senior researcher from ICW (Kurnia Ramadhana), a former KPK senior investigator (Novel Baswedan), a former KPK commissioner for the 2015-2019 period (Saut Situmorang), and a former KPU Pansel and an academic from Diponegoro University (Turtiantoro) revealed data that was in line with the initial analysis and traceability of documents collected by the author.

Things that are considered to be points of controversy and the center of problems in the recruitment process of KPK leaders for the 2019-2023 period are in the changes to the KPK Law in 2019, during the 2019 KPK Pansel election, and when the 2019 KPK Pansel worked. This controversy was then continued by the decision of the Constitutional Court or MK by issuing a retroactive ruling. This ruling contains an extension of the positions of KPK leaders for the 2019-2023 period to five years. This verdict was considered to be an embarrassing verdict by the interviewees. The reason is, the leaders of the KPK this period have very little achievement and instead surplus problems and controversies. For example, Firli Bahuri and Lili Pintauli were found to have violated the code of ethics which was fatally committed by the KPK commissioner. The violations committed by Firli have even occurred when he was still working at the KPK as a Deputy Enforcement. However, illogically, Firli Bahuri, who at that time resigned from the KPK

because he was entangled in 30 major cases of confidential investigations, but instead ran for KPK commissioner with a track record of violations and was even successfully elected as Chairman of the KPK for the 2019-2024 period (in accordance with the new Constitutional Court ruling).

Not to mention that during the election process, the KPK Pansel which was directly mandated by Joko Widodo as President had a high conflict of interest background. This is evidenced by the results of passing the administrative test of KPK leadership candidates in 2019. The passing of the test was considered by the interviewees as evidence that the 2019 KPK Pansel did have closeness to law enforcement institutions. Especially some Pansel members who do have a close relationship with Indonesian Republic Police. The empirical fact can be seen from the escape of all participants from the police. At that time, there were 13 participants who registered from the police institution (Indonesian Republic Police) and strangely all participants from the police were declared to have passed the administrative test including Firli Bahuri. Even the records regarding Pansel's work were supported by Adnan Topan Husodo as the Coordinator of Indonesian Corruption Watch. As revealed in a written statement from the Anti-Corruption Civil Society Coalition, several Pansel names did turn out to have closeness to Mabes Indonesian Republic Police which further proves the conflict of interest and political interest in the election process for the KPK Leadership for the 2019-2023 period.

Then based on the stakeholder analysis that has been described as stated in Chapter III (Table 4: Model of Political Interest), the political interests that occur in the process of selecting KPK leaders have an ordered model. According to the results of the author's analysis supported by data attached from the speakers, the model of political interest in the election process of the KPK leadership is proven to involve many parties who do have great power and influence. There are big plans that are potentially negative for both the country and the people of Indonesia. This interest pivots on the interests of oligarchs who may be anchored in the upcoming 2024 elections. The interests of this oligarchy involve three main axes. First, the DPR as a lawmaker as well as an actor in amending the KPK Law in 2019. The second axis is the Constitutional Court as the actor who declared an extension of the office for KPK commissioners for the 2019-2023 period to five years of office and the last axis is the President himself who is the main figure in

the 2019 KPK Pansel voters. These three axes have backgrounds as legal officials, political officials, and also party workers. Therefore, it is certain that the interests that are carried out and planned need pressure for success and the form of success is the achievement of the interests of the oligarchy.

One of the things that can launch the plan of oligarchy interests according to Novel Baswedan is to destroy the KPK. The way to destroy the KPK is to include people with high conflicts of interest and political interests into the KPK system through the process of electing KPK leaders in 2019 to become KPK leaders and change the law. Not to mention that as a patent requirement, candidates for KPK leadership before being inaugurated as KPK leaders for the 2019-2023 period need to approve the revision of the KPK Law in 2019. Even though it is certain that the KPK Law in 2019 is very problematic, because there are 26 points in the law that have the potential to weaken the KPK and indeed it has been proven that the KPK is no longer the most trusted legal institution by the Indonesian people and has even become the least trusted legal institution or is ranked last. By looking at the current weakness of the KPK, it is certain that the main plan to weaken the KPK has been successful.

After the KPK Law was successfully amended, Pansel succeeded in selecting problematic people as candidates, followed by the term of office of the KPK Chairman for the 2019-2023 period was successfully extended to five years, then the interests of the oligarchy in question have proceeded according to plan. Where the entrance to political interests is at the stage of the 2019 KPK Pansel working, then encouraged by the KPK Law of 2019 which is very problematic, until it is facilitated by the Constitutional Court which declares decisions retroactive, it can be ascertained which parties are definitely part of these interests as clearly illustrated in the stakeholder analysis in the previous chapter.

5.2 Recommendations

This research produces two important recommendations that need to be continued or made into notes both in theoretical and practical form. Recommendations from a theoretical perspective in this study can enrich the concept of KPK commissioners as state and government administrators in enforcing administrative law. Meanwhile, in practical terms, this study can improve the mechanism for selecting KPK commissioners as well as become material for the President to be aware of choosing the next KPK Pansel to be

safe from conflicts of interest, because when Pansel works, his job is the work that determines what kind of person the KPK will lead or can be said during the time when Pansel works, it is also a time when the door of political interests can be wide open or closed tightly. In addition, this study can improve the recruitment system involving elements of state administrators such as the President to the House of Representatives Commission III. Then the last practical point of recommendation in this study is the need for further research on how much political interest the President or the people behind him have in the mechanism of electing KPK leaders even though they use the Pansel instrument.

In addition, in this study there are also weaknesses. The weakness of this study is the unavailability of data validation directly from the chairman or even members of the 2019 KPK Pansel and the absence of data validation of parties who are directly and indirectly involved in the election process of KPK leaders for the 2019-2023 period such as DPR Commission III, KPK Commissioners 2019-2024, and confidants of the President who participated in choosing the 2019 KPK Pansel. Therefore, through the research that has been done, another suggestion recommended by researchers is that there must be further research related to political interests in the KPK leadership election system related to data validation that has not been revealed in the KPK system, including in the leadership election process. In addition, there needs to be additional information along with empirical facts regarding accountability that needs to be carried out by all parties involved in weakening the KPK.