

# **POLITICAL INTEREST IN THE RECRUITMENT MECHANISM OF THE KPK'S COMMISSIONERS**

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## **ABSTRACT**

This research was raised with the title “Political Interest in the KPK Commissioner Recruitment Mechanism”. The background of this research raises the issue of controversy and political interests that are in the process of electing KPK leaders in the 2019-2023 period. Through document tracing and stakeholder analysis, this thesis discusses what kind of political interests are being done in weakening the KPK, including the recruitment process. The finding of this study is the discovery of political interest in the election process of KPK leaders for the 2019-2023 period. Briefly, this discovery is evidenced by the many controversies that have arisen to the public. Starting from the 26 points of controversy contained in the 2019 KPK Law, controversies in the election process (KPK’s Pansel against the background of high conflicts of interest, Commission III of the DPR was detected to have the same interest, the President questioned his seriousness in choosing the 2019 KPK’s Pansel , and the final requirements that are mandatory for KPK leadership candidates to approve the 2019 KPK Law), the controversy over the National Insight Test which dismissed dozens of KPK employees, and the controversy over the extension of the KPK Commissioner's term of office for the 2019-2023 period to five years by the Constitutional Court. Analysis of this thesis discusses that it turns out the interests of oligarchs. It can be concluded that political interest in the election process of the KPK leadership is one of the many root problems where the problem is aimed at weakening the law in Indonesia, including the KPK. In short, the political elite conduct business activities in the state with the meaning that they control the law, they eradicate the righteous parties, and they also destroy the state. In this case, it is necessary to strengthen political will so that these interests are not found again and the KPK can return to functioning properly.

**Key Words: Political Interests, Controversies, KPK**

## **INTRODUCTION**

KPK is an institution that has gained high trust from the public. This institution was created specifically to maintain the stability of state officials in maintaining the mandate of the

community to always work honestly. KPK is also one of the important organizations prepared exclusively by being selected by a special committee. This happens because the task of being a

member and official of the KPK is very heavy, so the mechanism in the election must also be strict and mature. The journey to perform KPK tasks is certainly not as easy as thought. There needs to be a strengthening of integrity in every individual who dares to enter this field. As is well known by the general public, studies on the KPK have been widely circulated and become interesting research, especially the study of the problem of the recruitment mechanism for KPK leaders. In the process of selecting the leaders of this non-governmental institution, previous researchers in his researches entitled "The Recruitment System for KPK Commissioners by the House of Representatives and the President in the Perspective of Checks and Balances" also entitled "Problems in Filling the Position of Chairman of the Corruption Eradication Commission" proved that the mechanism used was still very weak and did not meet the standards of the checks and balances perspective.

The problem that the compiler saw based on previous research was that there were many obstacles in the election of KPK leaders. Today, too many parties that should not be included in the election of KPK leaders are actually

authorized by immature laws to be implemented as parties who participate in choosing who is worthy of serving as KPK leaders. This shows that the law that was inaugurated as a guideline in choosing KPK leaders does not actually strengthen one of the parties that has been formed for the clearest reason, namely selecting candidates for KPK leaders or commonly referred to as *Pansel* or Selection Committee. Therefore, the previous literature suggested that the executive and legislative parties listed in the law should serve as ratifiers of prospective KPK leaders rather than being parties who participate in selecting because *Pansel's* duties will be shifted and their implementation will overlap.

Reflecting on the KPK leadership recruitment system that is not in accordance with the perspective of checks and balances, it makes it difficult to believe that this agency is far from political interest. Where political interest is very closely related to the phenomenon of political corruption. Such as several controversial events revealed by the KPK in the 2019-2023 period, namely, starting from the selection method that is considered deviated from what it should be, such as

the many names of leading candidates who fail to pass the screening even though this is already included in the category of criteria for KPK leadership candidates, there is a *Pansel* focus in the principle of not choosing candidates for KPK chairman based on radicalism issues, and many concerns about double standards in the selection process.

Given that the research written by the compiler is devoted as a complement or complement to previous research, this study will focus on examining the reasons why the KPK commissioner recruitment process is vulnerable to political invention and conflicts of interest. Then, the main problem will later be continued with a detailed analysis in accordance with the findings that have been studied by previous researchers. Then the previous studies that became the highlight of this study some provided the same perspective, but in the explanation of conflicts of interest, political invention, political interests to political corruption were questioned by researchers both implicitly and expressly. Therefore, this research was headlined by the compiler with the title “Political Interests in the Recruitment Mechanism of KPK’s Commissioners”.

## RESEARCH METHODS

This research uses a qualitative type of research. Qualitative research according to Eko Murdiyanto in his book entitled “Qualitative Research Methods: Theory and Application with Proposal examples” is a type of research that produces findings that cannot be processed using statistical procedures or by calculation (Murdiyanto, 2020, p. 19)). Then according to John W. Creswell, the qualitative approach is a process of research and understanding based on methodology that investigates a phenomenon and also social problems (Creswell, 1998). The nature of this research includes descriptive research which means the form of research shown to the description and description of the object of research in detail. Qualitative descriptive research also aims to analyze and describe the results of research related to all actual phenomena or events studied in accordance with those mentioned by Lexy J. Moleong in quotes taken from Bogdan and Taylor (Moleong L. J., 2000, p. 3). The author took a descriptive qualitative method because this study analyzed in detail the political interest in the KPK commissioner election mechanism.

## RESULTS AND DISCUSSION

The concept of discussion presented in this research explains the big reasons why the KPK was weakened. The weakening within the KPK, which became the main focus, turned out to be based on political interests that were destructive to the KPK order, even greatly affecting the safety of the state from the advantaged political elites and corruptors. The interests in question are the interests of oligarchs. According to Abdur Rozaki, oligarchy is a word adopted from the Greek word *oligarquia* which means government by a minority, meaning to show that oligarchy is a form of government whose political power is in the hands of a small minority. Meanwhile, Endik Hidayat argues in a book entitled "Oligarchy in Power in Village Head Elections" states that the interests of the oligarchy in question are personal or group interests that are mutually beneficial, but are damaging to the state order including the nature of democracy in it. The definition asserts that the primary purpose of exercising power is not society and that is why such power is either 'elitist' or does not provide the same opportunities for everyone to enjoy. With such a concept, a country that tends towards

oligarchy will scientifically drop power to a small number of leaders and push it to become bureaucratic and surely the country has a conservative nature so that it is more complex and leads to oligarchy (Hafizha, 2023).

By describing the things behind the research, the concept of the research, theories related to research, and research methods used, then in this chapter the writer describes the results of the research. The results of the research will be described based on all data summarized during the process of tracing documents or documentations, the results of interviews with resource persons from Indonesian Corruption Watch researchers (Kurnia Ramadhana), Former KPK Investigators (Novel Baswedan), Former KPU's *Pansel* (Turtiantoro), and Former KPK Commissioners for the 2015-2019 period (Saut Situmorang), as well as observations. The discussion in this chapter is obtained through the results of data collection through documentation studies, observations, interviews with resource persons, and discussions related to problems raised by researchers. In this chapter of the results of the study, researchers will describe various things about empirical facts encountered by

researchers both documents and in the field.

Empirical facts encountered in the field by the author are a collection of validation from the collected data. The first interview was conducted at Diponegoro University, Semarang, Central Java with Turtiantoro on September 14, 2023. The second interview was held in Jakarta, ICW Office in September 27, 2023 with Kurnia Ramadhana. The next interview was held at the Indonesian Republic Police Headquarters Office in Jakarta on October 17, 2023 with Novel Baswedan and closed with an online interview with Saut Situmorang on October 27, 2023. All of the interviews raised questions about controversies and political interests in the election process for the KPK leadership for the 2019-2023 period and statements about the data summarized by researchers.

Based on an international journal entitled, "Cyber Terror, the Academic Anti-corruption Movement and Indonesian Democratic Regression" written directly by Wijayanto, Fiona Suwana, and Nur Hidayat Sardini stated that in the first 15 years of reform from 1998 to 2013, Indonesian democracy showed substantial progress in freedom

of expression and association areas. According to the journal, in a country with a democratic order there must be a deep understanding of democracy itself. Even today, social media is an important tool in voicing opinions. In many cases, digital activism has also provided a means for citizens to articulate their voices about anything, including how governments work and their ranks. In this context, of course, the process of working on the system within the KPK also needs to be monitored by the public everywhere, especially on social media. With an open process, citizens do not only access information resources through digital media, but also able to mobilize information and society to support their activism (Wijayanto, 2022, pp. 32-33).

With the democratic movement not included in the election process of the KPK leadership in 2019, it made an anti-corruption institution which was once highly dreaded by high-profile corruptors, is now declining in quality. Starting from the weakening that occurred from outside the institution to the existence of loopholes to damage the KPK from within in 2019. This gap existed when the KPK's *Pansel* in 2019 worked. The 2019 KPK's *Pansel* was

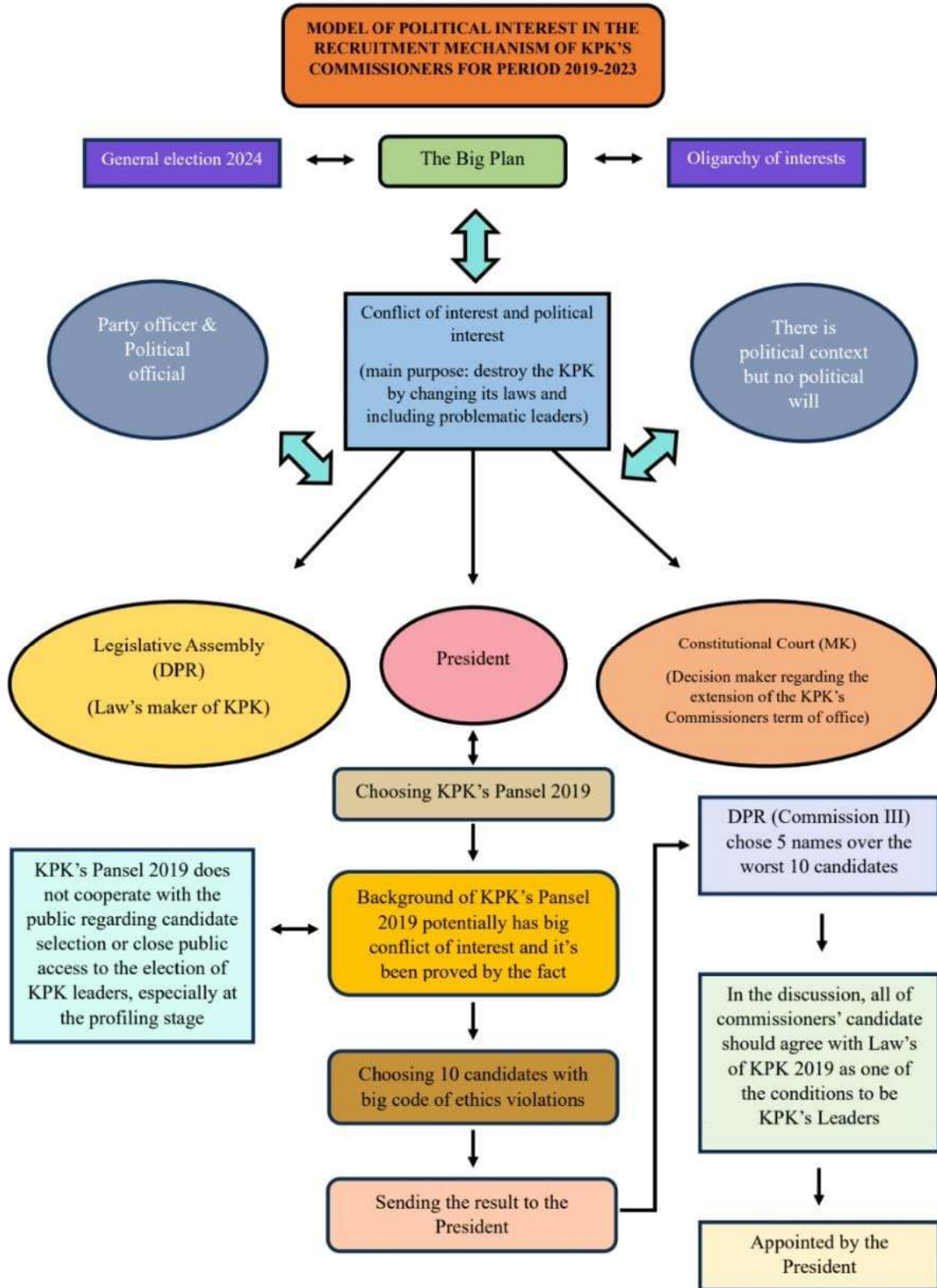
certainly chosen directly by President Joko Widodo. The KPK's *Pansel* which should be mandated to elect KPK commissioners for the next period with the best quality and is expected to choose leaders with better quality than the quality of KPK leaders in previous periods instead chose 10 names of leadership candidates with very poor track records. This is only one of many pieces of evidence found.

In this study, the writer found many controversies that occurred in the process of selecting KPK leaders in 2019. During the election process for the KPK leadership held in 2019 with the KPK's *Pansel* chosen by President Joko Widodo, it managed to create a number of controversies. Not only controversies that arose when the 2019 KPK's *Pansel* worked, but before the election of the 2019 KPK's *Pansel*, the House of Representatives of the Republic of Indonesia had apparently prepared a draft revision of a new law for the KPK. This draft KPK Law is believed by many parties, one of which is ICW is the same draft as the draft revision of the KPK Law 10 years ago. At that time, many parties rejected the draft to be made into a new KPK Law, because in it there were many points of controversy that had the

potential to weaken the KPK in the future. The rejection did not make the DPR actually eliminate the draft. Instead, the DPR formalized this very quickly, inaugurated it when the people were asleep (midnight), closed the speech rights of parties opposed to the new KPK Law (muted the speaker's mic during the forum), and gave conditions for being elected by the DPR to candidates for the KPK leadership for the 2019-2023 period to approve the new KPK Law.

Any controversy that arises, must be very closely related to the giver of ideas of who and what is planned. The presence of controversy in politics must have many organisms or systems bound by scandals and perpetrators. There is a mission underway and it would be very long if this discussion was not focused on one point. In this paper, the writer has an analysis system that fits perfectly with the data obtained and explained in the previous chapter. There are too many coincidences if indeed the reason is 'coincidence'. With regard to the views of the above speakers, the writer has described a model of political interest in the process of selecting KPK leaders from the entrance until the process ends.

The writer's mind map can be seen from the chart below:



## 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. The speakers who were met such as a senior researcher from ICW, a former KPK senior investigator, a former KPK commissioner for the 2015-2019 period, and a former KPU's *Pansel* and an academic from Diponegoro University 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's *Pansel* election, and when the 2019 KPK's *Pansel* worked.

This ruling contains an extension of the positions of KPK leaders for the 2019-2023 period to five years. The reason is, the leaders of the KPK this

period have very little achievement and instead surplus problems and controversies. Not to mention that during the election process, the KPK's *Pansel* which was directly mandated by Joko Widodo as President had a high conflict of interest background. The passing of the test was considered by the interviewees as evidence that the 2019 KPK's *Pansel* did have closeness to law enforcement institutions.

Especially some *Pansel* members who do have a close relationship with Indonesian Republic Police. 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, 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.

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's *Pansel* voters. These three axes have backgrounds as legal officials, political officials, and also party workers. 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.

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's *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.

## **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's *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's *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's *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 leaders 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.

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