

THE OPAQUE PORTRAIT OF CORRUPTION ERADICATION *Potret Buram Pemberantasan Korupsi*

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ABSTRACT

The war against corruption should not only by exposing the various cases of corruption, but the most important thing is to punish the corrupt in an extraordinary way to have a deterrent effect and not replicable by potential criminals that have been queued. Corruption is more structured and systematic, from the center to the regions. In fact, gave birth to a new generation of fat accounts with the discovery of a number of civil servants who are still young. Stop the robbery of money the state cannot just with rhetoric, let alone just a call that seemed hot chicken droppings. Blurred portrait of corruption is characterized by a large number of cases the defendant is acquitted of corruption Anticorruption Court. Similarly, many major cases involving alleged power elite and the ruling political party that is not completed, such as the Bank Century case, the case Hambalang project, as well as allegations of corruption Pensions SEA Games athletes.

Keyword: Portrait of Opaque, Eradication of The Offender, Corruption,

ABSTRAK: Perang melawan korupsi harus tidak hanya dengan mengekspos berbagai kasus korupsi, tapi yang paling penting adalah untuk menghukum korup dalam cara yang luar biasa untuk memiliki efek jera dan tidak ditiru oleh penjahat potensial yang telah ditata. Korupsi lebih terstruktur dan sistematis, dari pusat ke daerah. Pada kenyataannya, melahirkan generasi baru lemak account dengan penemuan jumlah pegawai negeri yang masih muda. Berhenti perampokan uang negara dapat bukan hanya dengan retorika, apalagi hanya panggilan yang tampak kotoran ayam panas. Kabur potret korupsi dicirikan oleh sejumlah besar kasus-kasus terdakwa dibebaskan korupsi pengadilan anti korupsi. Demikian pula, banyak besar kasus yang melibatkan elit kekuatan dugaan dan partai politik yang berkuasa yang tidak selesai, seperti kasus Bank Century, kasus Hambalang proyek, serta tuduhan korupsi Wisma SEA Games atlet.

Kata kunci: Potret Buram, Pemberantasan Pelaku, Korupsi.

I. INTRODUCTION

Based on the findings of the Agency's Financial Examiner (CPC), during the last seven years, there was a discrepancy between the money the State amounting to Rp103 trillion. But oddly enough, does not seem serious efforts by the Government to stop it, let alone money gnawing investigate it transparently. If the Government and the ruling apparatus of ignore, the corruptor will

If you want to experience the awakening of the deterioration due to the behavior of corruption, certainly had to do improvements in law enforcement (law enforcement). We don't get tired pumping up the guts of the legal apparatus,

be more freely because it is considered received tolerance, while the criminal justice system officials did not spell out the will of the President as it should be. The investigating authorities (police, prosecutors, and the KPK) should not be left alone. Must be supported by all elements of society, including the ranks of Executive, legislative, and Court (judicial).

controlling the behavior of the organizers of the State. Like a broom, the legal apparatus to be "broom", in order to be completely clean when used sweeping the floor.

The spirit of the eradication of corruption not only on paper, not just

ceremonial or discourse. Need concrete evidence that is in line with the expectations of society, and as a good citizen, all mandatory elements support the efforts of police, prosecutors, and the KPK to dismantle all allegations of corruption to the attention of the public. A true cleanup can only take place if it is supported by the citizens of the community accompanied by courage, example of political elites and power not to protect persons who are allegedly perpetrators of legal process.

Repeatedly we are witnessing corruption investigation process stopped in the middle of the road without any explanation is transparent to the public. Some even untouched process of investigation when it comes to big bucks, or involve people who have a protection power. But oddly enough, if it concerns the small money, corruption of members of PARLIAMENT, or the people who don't have power, protection investigation very smoothly and the courts will punish him.

The number of cases of corruption which ran aground at the stage of investigation, prosecution, and the overthrow of the ruling are free, not solely because of the classic "not sufficient evidence", but more often affected lines of intervention. Paradigms of law without slash select (discrimination) should've been applied in exposing corruption cases on a variety of. The paradigmatic revolution has been given to the KPK with a much wider authority than the authority given to police and prosecutors in conducting investigation and prosecution.

The efforts of the legal apparatus, including the financial supervision Agency and development (BPKP) dismantle the various allegations of corruption that struck this country, should be supported by all parties by not doing the "slash-select" in the process of the law. Get used direction and core issues in exposing alleged corruption all will surely cause impact to the subsequent corruption crackdown. If the Government is indeed consistent dismantle corruption networks that are already grive, then the law should really be a commander

in Chief who does not know the difference in status.

The seriousness of the anti-corruption corruption is very dangerous for the survival of the country's development. Corruption is able to multiply the damage inflicted on the nation-State. Anyone that they do corruption, should not slash select and must be processed in order before the law (equation equal justice under the law).

II. THE TRAPS OF MODERN LAW IN ERADICATING CORRUPTION

Corruption has penetrated from the Executive to the legislature, even shifted from the Center to the regions (decentralized corruption). The pattern of corruption that played the more sophisticated, designed to systematically from the Center to the regions. The transparency of the use of State money is still gray and so difficult to be traced, because only the holder of the project who know where the money is. These kinds of "tactical Fund" officials or travel expenses office abroad that use funds ABPN or grant must be re-examined. What is correct is useful directly on people that is currently being wracked by poverty due to the crisis because of the rise in the price of fuel oil each year.

All of which happened because the law separated from the roots of society (culture, morality, and religious) such as scrutinized Roberto m. Unger (1999), while the principle of presumption of innocence was used to avoid moral responsibility. Indeed, the law as the rules (written) is the political messages, but after the set adhering to it, should not again be interpreted politically charged "interests", but must be interpreted legally.

That's what makes the legal values are increasingly losing does it weigh that would serve as a moral institution because it contains values of truth and justice. The quality of the implementing law although using modern law, but it does show how modern law based on addressing the needs of the citizens of the community. May

it be reasonable when the revision of the law to restore Criminal Code try the moral aspects need to be supported. The legal values of life (living law) and thrive in the community, should be used as one reference in drawing up a new Criminal Code.

That is the legal position of modern mechanical and procedural convenience. As a result, principles and its rules are widely used by unscrupulous lawyers to protect its clients. Moral and ethical is always seen no relation to law, so that members of the public officials who have been sentenced criminal, no need to rewind or non-active from Office. The philosophy of the principle of presumption of innocence is more often used as a shield, but that principle applies only in criminal law. It should not be separated from the moral aspect as part of the responsibility of a public official.

Politics still need rules, ethics, and morality. If any of the political world continues to spin, while the law began to crawl from bottom, doesn't mean politics trumps legal process. The politicians have to appreciate the legal process as a part of the moral responsibility for the enlightenment of democracy. We could not continue to allow yourself a corruptor shackled by miserable people. The law must be switched on in line with the dynamics of the society from time to time are always changing and growing.

Corruption in this country is really a scourge, malignant malignant with lacing the tsunami itself without getting to know who the targets and victims. So, hold on contributions accumulated up to trillions of dollars being diverted, although that aid purely from donations and residents pay the foreign countries. worries President Susilo Bambang Yudhoyono is certainly not without reason, as the experience of channeling funds disaster victims, such as Ambon and Poso riots help, many of which were reportedly not up on target.

It turns out that practices corruption knows no time and target, a Fund for the benefit of the people of the Hajj, a disaster victim relief funds, including student tuition

fee funds also be cured. Everything just to satisfy greedy or meet the temptations of the modern world that tends to consumerist. Then what else should we do to dampen, not least reduce the intensity of the behavior of the corruption in this country?

The sluggish handling of the corruption case of corruption in areas such as Budget revenue and Expenditure area (budgets) by members of the Regional people's representative Council (DPRD), has tickled KPK to conduct strictly supervision along with the Attorney General and the National Police Headquarters. This step is a progressive effort that promises because of people's belief it can recover on the legal apparatus. In addition to the environmentally investigator still less extensive laws, as well less dare clash with the powers in the region. Investigators only dare on perpetrators who are already weak authority of the Executive or of the legislature of the region, former officials of the region, or on employers that there is no strong power behind it.

Supervision of KPK is set out in article 8 of law Number 30 of 2002 about the criminal acts of Corruption Eradication Commission, which can take over investigation or prosecution by the police or prosecutors, if found weaknesses and obstacles. The task of overseeing KPK is the supervision duties of prevention efforts, implementation of investigation or prosecution, examined the results of the investigation, or review the Agency conducted the authorities (the police or the Attorney).

There are six categories of investigation or prosecution took the KPK corruption (article 9 of Law KPK). 1) Report community not actionable; 2) process in handling the protracted or delayed for no reason which can be accounted for (can be applied to the handling of alleged corruption budgets 2003 South Sulawesi); 3) is intended to protect the true perpetrators of corruption; 4) responses contain elements of corruption; 5) handling is hampered due to the interference of the

Executive, judicial, or legislative; or 6) other circumstances that according to police or prosecutors handling difficult well implemented and can be accounted for.

If there is an understanding that accompanied in good faith, of the members of parliament will not be arbitrarily determine the budget. Moreover, most budgets are derived from the funds of the Central Government (national budget), so the Central Government authorities determine the financial use of the corridor area. If not controlled, will autonomy meant with the freedom to use the financial areas without bound higher provisions.

KPK when taking a case of corruption in the region, need to trace also the possibility of the involvement of local governments. Because, in the context of the Organization of the regional government, there can be no Change without the consent of the head of the region. The investigation must not stop at the involvement of members of parliament, but also developed in the area of government involvement (Executive) as the perpetrators of the participate (deelneming). The head of the region can only be considered not participate when in the process of deliberations gave grant n. objections (notes minderheids) against a budget of parliament. This is very important because in the process of the birth of grant, the legislators are not alone, but there is a possibility of conspiring with executives (Governor or Regent/Mayor).

Weak performance of the legal apparatus in the region, giving rise to two fundamental questions. First, why a number of corruption cases regional settles in the level of investigation (police or prosecutors)? Whether the investigators have been unable to find additional evidence as directed the public prosecutor, or is there a political pressure, or because it had received bribes from suspects or prospective suspects (witnesses)? Second, the Court's criminal act Corruption can (Tipikor) complete a corruption case fits the community sense of Justice? Because of this latter Court, because a large number of

public Tipikor highlighted corruption matters non- terminated

1. The Court of The Crime of Corruption

The Court ruling has always caught my attention, especially the matter of corruption because it is considered an extraordinary crime, committed by people who were given a mandate. On 2 November 2011, the Court of criminal acts of corruption (Tipikor) Samarinda, also convicting free 14 people accused corruptor, and this is the umpteenth time in the last two months. One of his ruling that simply horrendous was the Court ruling freeing accused Bandung Tipikor Mochtar Muhammad, the Mayor of Bekasi non-active on 11 October (Marwan Mas, Kompas, October 21, 2011).

Actually, the ruling free for regular heard already because the corruptor courts often do. That makes the Court ruling Tipikor Bandung specials, because this is the first time something that dealt with the corruption eradication Commission (KPK) exempted pure by the Court. It is known that during the KPK so closely in the search for evidence of appropriate authority magnitude could beat the judge. Indeed, the only reasonable judges break free if the evidence filed in front of the trial is not proven or not is believed to be the truth, but the difference in perception between the public prosecutor and the judge needs to be tested objectively. Do not let the evidence the prosecution presented KPK also has begun to enter the wind.

Opaque portrait of corruption eradication by the number of incarnate accused of corruption matters non- terminated by judges. In the ICW (October 2011), already a convicted corruptor 77 free. Special Court Tipikor formed early in 2011 under Law Number 46 of the year 2009 on the Court, there have been 40 Tipikor defendant convicted of corruption. For the month of November 2011 in court Tipikor Samarinda (2/11/2011), convicting non- 14 accused of

corruption, and this is the umpteenth time in the last two months. A pretty horrendous was the verdict of non- Bandung Tipikor Courts against defendants Mochtar Muhammad, the Mayor of Bekasi non-active on October 11, 2011.

That makes the Court ruling Tipikor Bandung specials, because this is the first time the matter handled KPK freed the Court. In fact, the KPK so far known is so meticulous in searching for evidence, can also beat the judge. Indeed, the only reasonable judges break free if the evidence filed in front of the trial is not proven or not is believed to be the truth, but the difference in the perception of matter "tort law" between the public prosecutor and the judge needs to be examined. On the other hand, lest the assertion and evidence submitted appellant KPK had started cold anyway.

Learn of the corruption case that came to the Court, this question is very important because the judge could potentially reduce the nature of corruption into legalistic understanding. Moreover, indications of corruption committed members of the DPRD has a complicated legal complication. Implementing the law in the area should not be stuck on the Law Department, modern formal (formal justice) and tend to ignore "substance justice" in eradicating corruption. Very reasonable KPK, the Attorney General's Office, and Headquarters

The national police down to the area do supervise, so that the KPK immediately took over the investigation of corruption cases which are not able to be resolved in the area of.

2. The Industrialization Law

Corruption prevention efforts need to be priorities designed by placing the judiciary as "island of integrity" who is trusted by the community. When the Court became a den of mobster law and corrupt practices revealed by the arrest of some of the judges by the KPK, trust the people ever

go down, even disappear. If the people have no trust in the Court, then the law will face greater problems and complex. The people's courts can be born with all the consequences.

The more powerful handling the corruptor, a display of law enforcement that is strange and academically shows that there is a new phenomenon, namely the massive legal industrialization. The Court as a place to find justice already switch functions as "industrial machinery". The case shall be examined and judged just the mere pursuit of certainty by ignoring the community's sense of fairness.

It's called the United States, former judge Harold Rothwax in his book "Guilty-The Collapse of the Criminal Justice System" as the Industrialization of the law. People no longer seek justice but a victory with all sorts of ways, and surprisingly facilitated by law enforcement officers. Truth and justice only exists in books (law in books), not in the reality of people's lives. Economic factors and political pressure, it becomes a difficult structured power avoided law enforcement officers (Marwan Mas, Kompas, October 21, 2011).

The economic value of corruption so high, it is more often used as land for profit. That's called Mark Galanter as "mega lawyering" are often exploited by unscrupulous advocate became a land which is very potential. Truth and justice in defense of the law was designed as industrial machinery Corporation to seek a profit. Compensational sure to achieve victory, not prove truth and justice.

Mafia law capable of affecting the credibility of the judges, which originated from the conquest of the police and the Prosecutor to bend the law. This design will damage the order of criminal justice system at notice destroy the fundamental legal values. Such is the workings of the mafia, legal commercial lust always accompanies every fight in the legal proceedings, both at the stage of investigation, prosecution, or at the time the judge will drop the verdict.

It's time the construction of the law is restored in a position ideally, i.e. not merely procedural justice, for glorifying an importance is also the fulfillment of substantial justice. Truth and justice should always be used as a base for law enforcement, not lose-win. The law should not be decided in absolute terms with the orientation of the "economic advantage". If every lawsuit industrialized

as the instrument business, don't dream of this country will be free from corruption. All components of the nation must be a single word, the country should "become a hell" for the corruptor.

3. Clean the Naughty Judge

The law can be authoritative if the judge is able to break things into the path of truth and justice. Conversely, if the verdict of the judge wounded sense of Justice of the community without a solid foundation, the respect of the community will be lost. Negotiations to free the defendant litigation which is based on economic aspects, will turn off the spirit of the law, built painstakingly.

Increasingly rampant free verdict, will lower the morale of the people to be involved in the war. Corruption case that has always made the land economy, ultimately destroying the fundamental legal values. Should the Court not to separate the law from moral values as a reflection of fundamental legal values that live in the middle of the community.

We hope the Supreme Court as the apex of the judiciary and the judicial Commission which oversees the behavior of judges to judge evaluate tipikor are hooked break free. The alleged existence of a game among the judges could not naughty, disclaimed warranties. The public does not want judicial mafia who always strived to free the corruptor was given tolerance.

The public hopes that the Court is able to make the deterrent Tipikor corruptor, but

if it begins to contract the disease also State Court, where the corruptor was tried again. For what the Court Tipikor built, if at any time by the District Court, and Prosecutor KPK is no longer different from State prosecutors. What is the need to court the people? Hence, the reason the classic Assembly of judges dropped the charges because Attorney-free verdict weak, needs to be tested and being extruded independently.

In addition to the free trial verdict Tipikor, the public also besieged a variety of news coverage about the judge's behavior that makes the stomach queasy because injuring the people's sense of Justice. For example, the recklessness judge of Cassation punishes Prita Mulyasari who just complained about the service of a hospital, but being criminalized. There is also the judge who was arrested by KPK wet due to receiving bribes from litigants.

If the judge ruled the Court, allowed the mischievous way, this country will continue so the nest of the corruptor. Hence, great expectations can rely on the results of the revision ACT Number 22/2004 of Ky (KY) as a "new weapon" clean rogue judges. KY was given authority strong enough to supervise the conduct of judges, for example, can analyze the judge's ruling that the possibility there is a breach of the code of conduct while meting out the verdict. In fact, KY can propose the dismissal of judges who violate the code of conduct of judges.

III. THE COUNTRY A HAVEN FOR THE CORRUPTOR

Corruption in this country is not only big problems, but also already had already transparent and no longer hidden. Corruption on display via an exclusive life like luxury cars, terraced houses, and a variety of luxury life child--wife of corruptor. The corruptor without guilt do the Congregation against the corruption of State money (the people). Seeming to divide profits and sin to bear together, let

the legal apparatus is confused or afraid of investigate it. That's the analog behavior of corruption (including gratuities) in this country, but surprisingly despite the corruption behavior has been big-problem nonetheless the corruptor so difficult processed law and demonstrated in front of the Court of session.

If the country's political elite corrupted money and power, so upset the law untouched. Blunt to deal with it, but the law sharply if the corrupt officials who have no political pitch. They will soon be crammed into a courtroom trial, though also in the end more drained free by Court of criminal acts of corruption.

Concrete examples of the weakness of law enforcement in dealing with power, is handling the alleged misappropriation of Bank Century bailout. KPK seeming fanged, because up to this point haven't been able to find any evidence, even though the parliament has already given him the way. Similarly, the findings of the Agency's Financial Reviewers can be used as illustration, how the laws in this country are unable to rate theft state money. During the last seven years, there was a discrepancy between the money the State amounting to Rp103 trillion. But oddly enough, does not seem serious efforts by the Government to stop it, let alone money crackdown investigate it transparently.

The President's response is often only as speech, or at best with instructions accelerate eradication of corruption but not director in the field, will not be made afraid of the corruptor and prospective corruptor. They even the more freely because it is considered received tolerance, while the criminal justice system officials did not spell out the will of the President as it should be.

Stopped the robbery money the State can not only with rhetoric, let alone mere advisories impressed it hot chicken shit. The task leader of the country that it should move the policy he made be scalloped. Anyone who is raiding the State money, proven indiscriminately brought to a courtroom to be examined and sentenced to appropriate gaffe.

IV. The Culture of Bribery

Habitual in taking care of something, such as a driver's license, a building permit, even take care of the population sign cards, tipping is always attached to them. Each take care of anything related to the Government apparatus, the extra money is never forgotten. If there is an instance of its officials already clean from the habit of accepting something while working on their obligations, so the numbers are still small.

Give and receive money to launch an affair without a want gone hard, apparently already is widespread in the country. In Business Affairs for example, bribe's is already considered common. The project is not going smoothly, if there are no money patches. It's been so moral dilapidated apparatus of this country in a matter of bribe's?

Transparency International (TI) trying to answer through the results of a survey about the trend of businessmen in bribe's. IT surveys done to 3,016 business executives in 28 countries. The result can already have suspected, Indonesia again entered in the big four worst ranking (No. 25). His score reached 7.1, lower than the average score that 7.8. While the countries with the highest score is the Netherlands, followed by Switzerland, Belgium, Germany, and Japan.

The mode shape assortment of bribery, such as bribes to win the tender for the project, avoiding regulation, speed up the affair, to influence policy. Okay anyone doubting the results of this survey, but academically, hard to refute, because a is done using the scientific method. Moreover, reality shows, so many countries and organizers of the apparatus the apparatus caught law by the corruption eradication Commission (KPK) while receiving a bribe.

Call it the case of the traveler's cheque bribe some members of the House of representatives (DPR) related 2004-2009 period election Deputy Senior Governor of Bank Indonesia. There is also an attorney, judge, and apparatus ministries also caught the hand while receiving a bribe from a

businessman who wanted his business affairs smoothly. The case of the Nazaruddin was behind the bribery Secretary Ministry of youth and sports in the construction of guesthouse athlete, is tangible evidence of moral integrity gets worse so the apparatus of this country. Even last week, there is another State Attorney in Cibinong, West Java, captured wet KPK because yet again taking bribes.

One of the cases the legacy Vol II the KPK crucially and got the attention of the public, is a case of granting bailouts to Bank Century which, according to the House of representatives (DPR) violation of law. Charm promise Abraham that will dismantle the big case, may be about to enter a new chapter. The enormous state money evaporated in the case of the Century, became an unforgettable scandal and will always be remembered if people never completed (Marwan Mas, Media Indonesia, Thursday 22 December 2011).

The Bank Century scandal that has the aspect of law and politics, it seems to be entering a new development, even though the results of the forensic audit, CPC submitted to parliament does not open in the light of the question of the flow of funds. But the political aspect of the house has issued decision if bailouts Rp6,7 trillion of it problematic. Alas, the verdict of the house is not the same with the political process in the House. KPK until now have not found sufficient evidence to take to the legal process.

It turns out that the question of the Century case law is far more complicated and winding, and oddly again, KPK volumes II there is always a reason not to find strong indication as a corruption case. Hope to complete their case Century remains on the KPK Vol III, appointed President Susilo Bambang Yudhoyono at the State Palace (16/12/2011). While the people's expectations are so excessive, let alone chaired by Abraham Samad who promised to go home hometown (resigned) If during a year of not being able to do much. The public interpret the promise of Abraham, will reveal all of the major corruption cases inherited his predecessor.

Confidence in the KPK as having a sharp knife in the form of extraordinary authority in investigate. But the KPK should not be allowed to work alone, all components of the nation's anti-corruption must stand behind the KPK combat behavior of systematic and massive corruption.

But look at the phenomenon that is there, it seems like people's expectations will be refract because once appointed, KPK leaders dare not designate any big cases to the attention of the public that will be revealed. While the public records case large inherited old KPK is the case of the BLBI case, Bank Century, bribe the Athlete only Guesthouse development capture the perpetrators of the periphery and allegedly involving the elite-the elite of the Democratic Party, the case Hambalang revealed the alleged mafia Nazaruddin, a House of Representatives budget only setting the atmospheric whistle Waode Nurhayati, traveller's cheques as well as cases of bribery of Senior Deputy of Bank Indonesia's election that also hadn't.

If during this time snapping the burglar state money is so tight, so often make police, Prosecutor, and judge dithered when examining the matter of corruption, should be immediately discontinued with against it. People have to fortify the legal apparatus of pressure the corruptor that make them have no choice. But we also ask at the judges, so that in severing the matter of corruption, not just carry out the sound laws rigidly. Must look at the broader interests, because the ACT has always had a passion for protecting the citizens of arbitrariness authority.

We should not be made legal, ignore mighty against the power of the corruptor that is so real and structured. Must be a single word, should not be the slightest doubt, much less ambiguous attitude in dismantling corruption which was so light indications. There is no law is immune in this country, we want to bury a Century of case and the corruptor feel alive like in hell.

V. TIGHTEN THE REMISSION FOR THE CORRUPTOR

Tightening the terms of remission or temporary suspension (moratorium), the reduction of the time of sentencing, and parole for a convicted person of corruption and terrorism, seem to increasingly complex. Many observers denounced the policies of the Minister of Justice and human rights (human rights) and his Deputy, because votes are breaking the law. However, the Minister and his Deputy Amir Syamsuddin Denny Indrayana remains unmoved implement its policies.

Due to the differences of opinion emerging cross-perception, which, according to Denny (Media Indonesia, 4/11/2011), a policy that he not stops the remission or eliminate the rights of inmates, but tighten (enlarge) requirement. To that end, should not change the LAW number 12 of the year 1995 about Correctional and PP 28-year 2006 Number of changes to PP Number 32 Year 1999 about the terms and procedures for the implementation of the rights of the citizens in our community. The reason for the policy was rejected, in addition to breaking the law, nor is it supposed to do in a State of law. Because State law upholds the principle of legality, and there should be no action of State apparatus that is contrary to the norms of law.

Listen to reasons refused to tighten up policy terms of remission for the corruptor, could not be released from "a touch of political issues". Because, once the policy is applied, the former head of the Beppenas Easter Suzetta (Golkar), convict bribes case to win Miranda Goeltom as Senior Deputy Governor of Bank Indonesia, could not immediately enjoy free air. While Agus Condro in the same case, it was given parole (Marwan Mas East, Tribune, Friday 11 November 2011).

The existence of the new requirements, make Easter Suzetta will difficult getting remission, reduction of the period of punishment, and parole. While the reasons for granting a conditional free-Agus Condro, because the question is assessed as atmospheric whistle, so that cases of bribes to win Miranda Goeltom

become Senior Deputy Governor BI can be dismantled and brought to justice.

That's how wonderful (progressive) from the Minister of Justice and human rights in addressing the corruptor performs extraordinary crimes. In Correctional law provide a clear line that any prisoner is entitled to a reduction of the period of the criminal. Explicitly parsed in PP Number 28-year 2006, that "the remission given to convicts and criminal children if qualified, being of good character and have undergone criminal period over six months". More specifically regulated again, that inmates who are convicted for committing criminal acts of terrorism, narcotic drugs and psychotropic substances, corruption, crimes against the security of the State and human rights crimes, organized transnational crime and others, granted remission if it meets the requirements of being of good character; and has been undergoing 1/3 time criminal.

Remission is indeed the right of convicted person, but his deed still requires State policy. That is, the State could give it away, but could also limit it with a clause that determined the State. Article 28J paragraph (2) of 1945 Constitution regulates, in the exercise of rights and freedoms, every person is obliged to submit to "restrictions" set out by the Act. Its purpose is solely to ensure recognition and respect upon the rights and freedoms of others and of meeting the just demands in accordance with considerations of a moral, religious values, security, General order in democratic societies.

Progressive Policy

Despite the remission entitlement to convict, but under article 28J subsection (1) the Constitution of 1945, the State could determine that policy by means of "tighten up requirement". Rights of the corruptor is a right that can be restricted, even the Correctional act that expressly stated in the terms and procedures for the granting of remission is set (limited) and pp. Reality during this time, thus the corruptor often got

preferential treatment in the awarding of remission with the stretched requirement.

In fact, according to the Chairman of the Constitutional Court, Mahfud M.D. (Media Indonesia, 4/11/2011) in principle no contents of the laws violated by that policy. Corruptor indeed should be punished because the people's suffering, even damaging the future of the nation. Injuring "a sense of Justice in society" which is often used as an excuse to let corruptor not given tolerance, indeed legally debatable because it is too abstract. But the aspect that is frequently be thrown as "substantial justice" that should be highlighted rather than "procedural justice".

Law enforcement in transition, the Government's policy to tighten up the terms of the remission, even delete though, not worth disputed by rights rests on the corruptor. Because so many of the rights of the people who were robbed by the corruptor, so should be treated in the process of the law, which not only finished when the judge drops the verdict. Fabulosity to on "the implementation of the verdict" in the correctional facility, to make the corruptor can be downright wary and not be emulated by would-be corruptor that is queued waiting for a chance.

The execution of the punishment of convicted person corruption in institutions of society is part of the process of the works of the criminal justice system (criminal justice system), and the "exceptional nature" does not mean it has been finished while the judge drops the verdict. The handling of corruption as extraordinary, permanent continue on the construction of prisons in a controlled and must still be made of regulation as part of the task of the Ministry of Justice and human rights, in order to pose a deterrent effect.

Tighten the terms of granting remission to the corruptor – even stop it though-it is the inevitability as the progressive policy against extraordinary behavior of corruption. But for the sake of long-term remission, the implementation of which is set out in the ACT could be revised in line with the Correctional community interests so as not to give rise to

controversy from the political interests of the.

VI. CONCLUSION

The corruptor snapper that had not touched the law actually being agitated by the presence of "superman" KPK. When KPK will examine the person of the State officials, law enforcement officers, or a member of the legislature who is alleged to have committed corruption, do not need to meet the "special procedures", as written permission from superiors that often hinder police and Prosecutor's Office. (Article 46 paragraph 1 ACT KPK). In fact, supported by the expansion of tool proof "instructions" in article 26-A 20-year Numbers ACT 2001 (changes to the Act Number 31/1999 about the eradication of criminal acts of Corruption), and nine super-hero authorities provided in article 12 of Act KPK.

The determination and commitment of President Susilo Bambang Yudhoyono to eradicate corruption, only strong on paper but don't have fangs in its execution.

As it known, resolute action towards the corruptor never pose a deterrent effect so that the behavior of corruption continues to big-problem, not just at the center of power in Jakarta but had also penetrated up to the area. One blurry portrait of corruption eradication is characterized by the involvement of actor powers or legal authorities to divert the issue of the eradication of corruption, as the main causes of corruption cannot be revealed completely.

People just look at the discrepancy with a sense of frustration, even tend to be apathetic because people who should enforce the law thus deflect it. If any KPK, police, and Prosecutors are so heavily to uncover a variety of cases, it is not impossible biased direction when the ranks under President tried to protect certain persons who have been real involved corruption.

Opaque portrait of corruption

eradication is the number of large cases not completed due to the associated with the Centre of power and the elite of the ruling political party. For example, the case of granting bailouts to Bank Century which, according to the house violates the law, the case of the grant checks both in the selection of prospective Senior Deputy Governor of Bank Indonesia, run away Nunun Nurbaeti, Hambalang projects, as well as cases of alleged corruption, the Guest House Sea Games Athletes. Other opaque portrait is much corruption defendants disconnected non- by the judge, who also does not pose a deterrent effect and feared by prospective corruptor.

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