

REFLECTION ON THE REVISION OF THE BOOK OF THE LAW OF CRIMINAL LAW AND LAW OF CRIMINAL PROCEDURE OF INDONESIA

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ABSTRACT

The Principle of the plan revision or amendment Of the Criminal Law Act and LAW No. 8 of 1981 on the law of criminal procedure (Criminal Code) is something that necessarily, because a number of judgments were not in accordance with the conditions of the present. Criminal Code which came into effect in 1915 during colonial times, many judgments which are not in line with people's lives today. For example, the ban showed, offering, or broadcast a preventive tool is pregnant, regulated in article 534 Criminal Code, although that provision had never been repealed as opposed to family planning programs. It's just that, those changes also should look at the reality of the needs of the community, particularly on corruption eradication efforts which should not be weakened. One of the crucial second revision of draft laws that are a number of provisions which could potentially undermine the spirit of the eradication of corruption, including the weakening of the authority of the corruption eradication Commission (KPK) in dealing with corruption cases.

Keywords: Reflection-revision-Criminal Code and the Criminal Code-the weakening of the KPK

INTRODUCTION

Changes of Criminal with of the Criminal Code if the aspect of legal science, should not be released from the concept of the rule of law. Moreover, the ideology of law enforcement in Indonesia are more likely to "prismatic" because it absorbs the legal system of Civil Law (Continental Europe) and Common Law (Anglo Saxon) in the United States and the United Kingdom. On the legal system of Civil Law which tend to think positivists-legalistic, then the legal certainty which is a priority as it is written in the LAW (the written law).

If there is a difference between the verdict the judge with written laws, the law of writer which references so that there is always a remedy through Cassation or review (in Indonesia). Based on the ruling of the Constitutional Court (MK) on Thursday (6/3/2014) decided to test the material submitted Antasari Azhar, a former Chairman of the corruption eradication Commission (KPK) that Article 268, paragraph (3) of the Criminal Code is contrary to the Constitution. Then that exceptional remedy, through the review (PK) as the convict's rights, could not be restricted to only once.

In contrast, Common Law legal system in the ideology "rule of law", thus focusing law enforcement on the values of Justice. If there is a difference in the verdict of the judge with written law, the ruling of the judge who gets the reference. Hence, law enforcement could have just ignored the law written by digging through justice values of belief without noting the written law. This is often described by sociologists of law as a way of thinking that is "sociological jurisprudence".

These two legal systems that dominate the ideology of law enforcement in the world (Roscoe Pound, 1957). However, Indonesia is likely to wear a mixed system with picks from both the legal system. This can be seen in the DRAFT Criminal Code-Criminal Code with strengthened aspects of "legal certainty" according to the legal system of Civil Law, but also adopted the "values of Justice" based on the Common Law legal system.

Thus, the discussion of the draft Of the Criminal Law Act (Draft Criminal Code) and a draft of the book of the law of criminal procedure (Draft Criminal Code) in the House of representatives (DPR), led to criticism from many quarters due to a number of articles that are considered to be castrated during the corruption eradication is already well underway. Moreover, the behavior of corruption in Indonesia as long as it's no longer just the deviation, but it has been widespread, as assumed by Bung Hate. Norm behavior corruption, certainly not because corruption is justified by community, but because it was penetrated in nearly all aspects of activities related to the public service and financial management, even already penetrated to the local governance.

The nature of the behavior of the corruption infecting the endless mystery. It can only be felt and touched (ex-post factum) and the victim did not appear to be clearly pointing to the person. Corruption can only be known, or at least felt. The culprit was a lot more done by people wearing suit or holders of authority, both in the Government (Executive, legislative, and judiciary) as well as in private institutions, but the corruptor so hard being brought to court.

As if our common sense has died, and one of the best method to "revive" common sense who has died, was to follow the development of corruption in the news media. Supposing Corruptions funds distributed to sixth graders of elementary school in Indonesia, they could commute study appeals to overseas, such as legislative, or State officials were very pleased to study an appeal without known results. They should have a sensitivity in the midst of the economic slump, the number of people and the poor people who are condemned, and grow unemployment.

When public officials contended that is identical to the "luxury cars" though already prepared car on duty, the official who did not have a private car will be driven to corrupt in order to buy a luxurious private cars. If the person doing the corruption of State officials with piling possessions fearing destitute when his retirement, certainly his sense is dead. On other aspects, an investigation of cases of corruption-ridden political interests by always forcing someone into a suspect because political opponents or vocal highlights the performance of the legal authorities, or to protect someone who expected to be suspect but untouched as there is in the circle of power. Reasonable question, can arise when they believed mega corruption cases that halted the investigation or the prosecution, should suspect fled, or were given permission to seek treatment abroad, nor alleged political or judicial mafia protection?

It was compounded by the weak charge of the formulation of article corruption legislation to prove the fault of the defendant. For example, regarding the application of the principle "of proof upside down" which is half-hearted in ACT No. 20 of 2001. Only charged on property that has not been clue, and it is later revealed during a court hearing if the treasure was also the result of corruption. Or on gift-giving to Rp 10 million for organizers of State or civil servants who are at odds with his rank as a bribe so called "gratuities".

Revision of the ACT and Criminal Code Criminal Code whose design is being discussed in the House of Representatives (DPR), is undoubtedly but should not weaken the KPK that had been doing their job properly. Similarly, the revision of ACT No. 31 of 1999 that amended by ACT No. 20 of 2001 about the eradication of criminal acts of corruption, other than because of a court ruling (MK) Constitutions number: 012-016-019/PUU-IV/2006, also the efforts of alignment with international conventions the UN anti-corruption (UNCAC) 2003, which was ratified by ACT No. 7 of 2006 on UNCAC Ratification. Indonesia as one of the signatories are obliged to conform to the ACT of corruption. Anti-corruption fervor in the Convention should be reflected in the ACT of corruption, but the concept that made the revision team also tend to weaken the anti-corruption fervor.

Anti-corruption Conventions

Look at the reality of the behavior of the corruption in this country, seems not only systemic and massive, but increasingly wild uncontrolled. There is a strong signal that the corruption grew up is no longer following the series of the count, but keeps the geometric progression. Corruption has become a chronic disease which threatens the survival of the nation and the sustainability of development.

Thus, the discussion of the draft Of the Criminal Law Act (Draft Criminal Code) and a draft of the book of the law of criminal procedure (Draft Criminal Code) in the House of representatives (DPR), led to criticism from many quarters due to a number of articles that are considered to be castrated during the corruption eradication is already well underway.

Corruption continues to occur in this country not only threaten the life of the nation, but also has become the enemy of the enemy is shared by the international world. The reality of it evidenced by the seriousness of the UNITED NATIONS with the signing of the United Nations Convention against Corruption (UNCAC--the UN Convention on Anti-corruption) for the first time in Merida, Mexico, December 9, 2003 by 133 countries. There are at least three substance UNCAC aims, namely: 1) increase/reinforce preventative measures and eradication of corruption; 2) enhance/strengthen international cooperation (return on assets); and 3) increase integrity, accountability, and public management in managing the wealth of the country.

One of the consequences of the UNCAC, diratifikasinya is the duty of each of the participating countries to adapt the regulation perundangan-undangannya with the principles of the Convention, notably revising regulations to make corruption in line with the substance and principles of the Convention. One sign of the seriousness of efforts to absorb the Government's Anti-corruption Convention, is the passage of ACT No. 7 of 2006 on UNCAC ratification of 2003. By him, the

three Corruption ACT currently in force, namely ACT number 3 of 1971, LAW Number 31 of 1999, and ACT No. 20 of 2001, needs to be adapted to the principles and substance contained in the Convention on Anti-corruption. Includes ACT No. 30 of 2002 concerning the criminal offence of corruption eradication Commission (KPK) and the acceleration of the Court ACT Tipikor endorsement. Indeed the current Government has compiled a DRAFT corruption, so expect the important principles in the Anti-corruption Convention of diakomodir. One of the aspects contained in the Anti-corruption Convention, the criminal offence of bribery is an extension into the realm of corruption, which actually has also absorbed in Law Number 31 of 1999. Form of bribery in the Anti-corruption Convention against public officials not only domestic, but also with respect to foreign public officials and officials of international organizations. Even bribery in the private sector are categorized as corruption.

Important issues that also need to be diakomodir in the Bill with a more serious Corruption, is about the return of assets (asset recovery). Asset recovery is a new corruption eradication strategy that complements the strategies are prevention, criminalization and international cooperation. Asset recovery is set to question the actions of State assets that dikorupsi returns in foreign countries to the mechanism of return of assets. The provisions concerning the need to request permission for public officials in corruption cases for review, should be eliminated because of the harm principle of equality of every person under the law. Aspects that is also very crucial judicial process is addressed the matter of corruption must be made at the Court of corruption (Tipikor).

The draft Article Undercut eradication of Corruption

1. Design of Criminal Law Procedural Code

One of the essential in the revised Criminal Procedural Law-Code should be discussed, is the placement of the criminal acts of corruption of extraordinary crimes (extra ordinary crime) into ordinary crimes or common criminal acts. In fact, in Law Number 31 of 1999 that amended by ACT No. 20 of 2002 about the eradication of criminal acts of Corruption (law of corruption) amply attested in the considerations to weigh, that incredible crimes including corruption (extra ordinary crime). In fact, in the UN'S International Convention in Vienna, 7 October 2013 has corroborated that of corruption as an extra ordinary crime, serious, and socio-economic rights of the people. Thus, the eradication of corruption should also be done in ways good or progressive as done by the corruption eradication Commission (KPK) at this time.

Of 766 article in the draf Criminal Code is Procedural-Law and the draft Criminal Code, article 285 article governing corruption so weak with The current Corruption LAW applicable. The cause, because its creator didn't design the extraordinary crimes as corruption, corruption is considered not even need to be arranged outside of the Criminal-Procedural Code because the Law was codified.

There are at least three in the draft arrangements substances Criminal Procedural Law-Code identified potentially debilitating corruption eradication, namely:

First, corruption is no longer "designed purely and applies special" as there is in the ACT of Corruption because it was formulated as a "common criminal act" in the draft of the Criminal Procedural Law-Code. In fact, there are provisions that potentially was more worried about the

interests of the perpetrators of corruption. This is one of the strengths of the Codification of law that makes all of the criminal acts were put together its settings in a single act.

In fact, the previous provisions of the corruption that exists in the Criminal Procedural Code-Law applicable during this drawn out and rearranged in an ACT of corruption. Formula of work adapted to the current conditions, as well as the threat of more pidanaanya diperberat as the implementation of the special provisions: ". Then very strange if the provision in the ACT of Corruption which is currently already apply effective as police, Prosecutor's Office carried out, and the Marchesa to be pulled up again into the draft of the Criminal Procedural Code-Law to be "a common criminal act" in book II Chapter XXXII of the criminal acts of corruption.

It is expected that corruption is not classified as a "common criminal act" because intesitasnya is so massive and violate people's rights. The settings remain governed exclusively by the LAW Lex Specialist, as long as it's in the ACT of Corruption run by kepoilisian, the Prosecutor's Office and the KPK.

In an ACT of corruption is regulated by article 31 and the kind of acts that are prohibited as criminal acts of corruption, whereas in the draft Criminal Code is Procedural-Law 14 article and just the kind of corruption that is set. This shows there are deeds which categorized the corruption in the Corruption ACT were amputated, as a step backward in the middle of the behavior of the increasingly systematic corruption and massive (extends), even have become ideals. Similarly, on the criminal, it is also lower than the size of in the ACT of corruption, so that no more dreaded it is feared the corruptor.

Second, regarding money-laundering arrangements that governed firmly in law number 8 of year 2010 on prevention and eradication of the crime of money laundering (money laundering ACT), which is also the case with attenuated. In the draft of the Criminal Procedural Code-Law is regulated in article 747 until Chapter 752, and one concern is no longer set the "proof upside down". Thus, the ACT on money laundering which currently prevails has to adjust well after 3 years of Criminal Procedural Code-Law declared applicable. Even the KPK is not set up to handle money laundering as practiced so far.

Third, the most provisions in the draft Criminal Code is Procedural-Law in article 757 Chapter XXXVII of Transitional Provisions. Article 757 Letter: a) Against laws outside of the Act is given a transitional period of no longer than three (3) years to do the adjustment with this legislation. b) After the period referred to in the letter-an ends, then the criminal provision beyond this legislation by itself part of this legislation.

Transitional provisions above that will be, even deadly ACT of corruption and LAW number 30 of 2002 about KPK (law KPK), for graft arrangements also provided for in the draft Criminal Law-Procedural Code. ACT outside the draft Criminal Code is Procedural-Law and the draft Criminal Code valid as after the ACT of corruption and the KPK law governing the event for the KPK, given the transition time during three (3) years for the ACT of corruption, and during the 2 (two) years for the KPK LAW to conform to fit yourself.

Similarly, Article 760 Draft Criminal Code: at the time this law comes into force: a) criminal provisions, all the Arrangements concerning the criminal act that is General, it should be done as

part of the content of this legislation. b) Provisions as mentioned in the letter-a directly is codification and unification of national criminal law.

Transitional provisions as well as other noteworthy is Section 761 letter-a draft of the Criminal Procedural Code-Law that: at the time this law comes into force, all criminal provisions are regulated in legislation outside of this legislation, stated remains valid as long as the material is not provided for in this Act.

Article 763 Draft Criminal Procedural Law-Code: at the time this law comes into force, the legislation beyond this legislation governing law on the Criminal Procedure Law, the provisions of the law remain valid as long as the show has not been modified or replaced based on the law on Criminal Procedure Law new.

2. The Draft Criminal Code

KPK threatened loss of a number of authorities, including confiscating and tap talk. The two authorities should be granted the preliminary Examiner Judges according to a draft revision of the Criminal-Procedural Code Law which is now discussed in the HOUSE of REPRESENTATIVES Commission III.

There are at least 9 (nine) article Draft Criminal Code which, according to anti-corruption activists need to be scrutinized:

Firstly, article 3, paragraph (2): the provisions of this Act applies also to the criminal offence subject to ACT outside of the Criminal-Procedural Code, Law unless the law determines otherwise. The impact of article 3, paragraph (2), namely, could negate the law of special events in the handling of corruption cases which are currently used KPK through ACT No. 30/2002 about the corruption eradication Commission.

Second, Article 44 were set essence about public prosecutor may submit a matter to the judge for the Preliminary Examiner terminated worthy or not worthy to do prosecution to court. Impact: the prosecution of corruption cases dealt with CCA can be stopped by judge Examiner introduction.

Third, Article 58: determination of detention at this stage of the investigation exceeded 5x24 hours. The impact of Article 58 the KPK can be considered not to have the authority. Here, Chief State Prosecutor only mentioned (Kajari) in terms of detention carried out by the State Prosecutor. The prosecution's Chief State Prosecutor or the Attorney General's Office in regards to detention carried out by the Attorney General's Office.

Fourth, Article 67: the suspension of detention of suspects or filed by the defendant. Impact: the preliminary Examiner Judges can suspend the detention made by the KPK.

Fifth, article 75 point: set a foreclosure must get permission from the judge the preliminary Examiner. Impact: the preliminary Examiner may refuse the Judge authorizes the confiscation of the seized goods, must be returned to the owner.

Sixth, Article 83 point: tapping the talks should get permission from a judge Examiner introduction. Impact: tapping the talk can only be done if the approval of the preliminary Examiner Judges.

Seventh, Article 84 the bottom line: in urgent circumstances, investigators can tap without a letter of permission from the judge the preliminary Examiner. Impact: If the preliminary Examiner Judges not give consent, then tapping KPK will be terminated.

Eighth, Article 240 bottom line: the accused or the Prosecutor may submit a request to the Supreme Court of Cassation, unless the award is free. Its effects: the case of corruption raised by the KPK, if convicted in the first instance or on appeal, then it cannot be.

Ninth, Article 250 MA Verdict about the bottom line: should not be heavier than the High Court ruling. Its effects: the case of corruption raised by the KPK if convicted in first instance or on appeal, then it can certainly lower convicted by MA if.

Codification Is Closed

Certainly the people of Indonesia in support of the revised plan of the Criminal-Procedural Code and the Criminal Code Law that combined aspects of legal certainty and the values of Justice, but should not overlook aspects of or benefit for the community. That is, the design of law enforcement in that revision other than the legalistic thinking, should also look at the benefits and sociological for people who consider corruption as a dangerous disease

The desire of the draft-Law Criminal Procedural Code – Criminal Code with the "closed codification" patterns cannot be understood in the present conditions, can close spaces due to special arrangements. Moreover, if looking at the development of the world of criminal law that the codification of the law actually being abandoned in many countries due to ineffective again appreciate all the needs of the community. In fact, based on my observation, closed very stiff so would many of the provisions in the Criminal Procedural Code-Law to be hobbled by the change of and the pursuit of the dynamics of the society which daily occur due to advances in science and technology.

Various provisions that are absorbed by the framers of the draft of the Criminal Procedural Law-Code – Criminal Code of the various countries, it should not be swallowed up by it. Because the need to also pay attention to sociologists of law through the phrase "the law of the non-transferability of law". Because not all the rules of the applicable law in a particular country or society, can be transferred (moved) to another country, and it will be well received by the community concerned, because the legal cultural differences embraced and legal values are different.

If you want to keep the corruption eradication as police, State Attorney, practiced and KPK, all components of the nation should be "warding off" and dare to say "no" at the systematic emasculation that. We want the KPK remains it's driving force the eradication of corruption. KPK

must not be left to its own way deal with various attenuation, whether veiled or open by making use of the means test, such as the material constitutional ACT No. 30/2002 about attacks or attenuation in the CCA amendments Act.

Games Back

If the corruption is not countered with a progressive and radical action impossible corruption in Indonesia can be further eroded out. The reason may be a variety of bizarre legal process will come up with another version with the same meaning, although in different forms and modes. Often bizarre legal process against corruption matters, so that it no longer considered odd, even considered common. Not only the law enforcement officers who considered him the usual things, but also in the social life of the society that is quick to forget the painful events with fixed the corruptor was caught by KPK's hands. Due to the weakness of the social memory of the community, events that are embarrassing and miserable though it could easily be overlooked, especially if followed by new issues.

It turns out the fight against corruption in the country's behaviour is so complicated and winding. The course was so steep, seems endless. In fact there is a counteroffensive of the corruptor (corruptors fight back) against the anti-corruption movement. Corruptors fight back rather than a figment of the thumb because the indications are so real, the corruptor using various ways to be free from legal proceedings. The resistance is not only attacking the corruption eradication agency that has begun the dreaded, like the KPK and the Corruption Court of a criminal offence (Tipikor), or through the test material clauses of the ACT of corruption to the Constitutional Court, but also to weaken the authority of the KPK in the revised Criminal Procedural Law-Code and Criminal Code..

Either a variety of laws and regulations that support the eradication of corruption, may be as a model of a covert resistance. Let alone the KPK of alleged corruption among various sniffing in the House, including the courts punish bribe recipients have Tipikor from Bank Indonesia funds. The Court never dropped Tipikor verdict free as on public courts, so as to become a scourge for the corruptor. Sure they look forward, inhibiting the formation of separate legislation for the Court Tipikor till the end of this year, according to the ruling of the Constitutional Court, then the Court would finish his Annals Tipikor. The presence of the ACT No. 46 of 2009 about Crime and corruption Court have also Court criminal acts of corruption (Court Tipikor) in each province, so that all cases of corruption were examined and terminated at Court Tipikor.

Backlash from the penilap the country's money, could derail the total war against corruption behavior. Backlash can be seen in two patterns, i.e. "the constitutionality attack" by doing the test the material provisions of the ACT of corruption and the KPK to the Constitutional Court. The pattern of other attacks, conduct ekstralegal by the lawyers corruptor, Professor black, and experts who provide a description of his craft in front of court hearing criminal acts of corruption by turning Don for the benefit of the accused. The onslaught this must be combated with persistent anyway, not only legally, but also need "a strong political will, without politicking" of the President and his Deputy.

The presence of the KPK is not desired the corruptor and the behavior associated with corruption, or those who intend conducting corruption. In fact, according to the Moh (ICW) Teten, police and prosecutors also allergies over the presence of the KPK as regarded as competitors. It must be admitted that the performance of the KPK and the Court so dreaded Tipikor and making sultry the corruptor. Many of the corruptor and former State officials huddled behind iron bars since set suspect. Not one of those who were tried in court the non Tipikor like on public courts, everything was criminal.

Another form of anti-corruption resistance, is the work of the KPK mengeritik refunds the State deemed still not balanced with operational funds of KPK. Though there need be no perception that operational funds KPK is proportional with the State asset returns dikorup. KPK instead of State-owned enterprises (SOEs) to seek benefits for the country and should not be "large pegs instead of the pole".

There was even a judge, KPK successfully because it only deals with corruption, not like the police and the District Attorney who also handles criminal acts other than corruption, or KPK too strong given the authority the legislation rather than given to police and prosecutors. The presence of the KPK were designed as pemberantas institutions of corruption which is not ordinary such as police and Prosecutor's Office. Hence, giving lawmakers more authority, including not stopping the investigation and prosecution that many practiced. Many among the wills CUP placed in the Constitution as State Commissions such as the Electoral Commission and the judicial Commission.

The phenomenon of various anomalies handling corruption case that's as one of the causes of corrupt practices continue to the road, so this country becomes a "legal laboratory" best in the world. Researchers in other countries laws on pouring in because of the country's most complete legal issues for weirdness examined scientifically. Steep Street corruption eradication continues to look forward to, starting from the investigation until the overthrow of the ruling in court. The Court should be a pillar of the institution of the rule of righteousness and justice, not just a place to bend the law and justice.

It is difficult to eradicate corruption that already veined-rooted. The energy of the already issued, ranging from regulation, and public support to the establishment of the anti-corruption agency called corruption eradication Commission (KPK). But corruption is getting unmanageable. One of the reasons because the handling is done like a top that is just swirling without the alleviation strategic point. The pattern also uses the 'bamboo' dividing method, step on the bottom and the top of the lift. The law sharply if the face down, but blunt when facing up.

Taste delicious latest obtained corruptor, especially members of the House are its founders came corruptor received a pension. Although corruption is proven, but before sanctions imposed earlier resigned as House members in order to obtain a pension. Granting pensions for former members of the House are real-the real corruption, of course injured the feelings of the justice society.

Corruption in Indonesia according to it seems to have become a habit that's hard left by the most apparatus State organizers and civil servants. Pato has already become a habit, a variety of ways and done so hard mode is tracked by law enforcement with the usual ways. The corruptor and

the networks exploiting the law to escape and hide the proceeds of corruption. This illustrates the increasingly complex corruption case, so should be done with extraordinary ways anyway. To flip the leftism "Delish so corruptor" progressive efforts need to corruptor felt awful. First, drop the maximum sentence according to criminal threats of corruption ACT violated article. At least as a verdict of the Supreme Court that punishes Angelina Sondakh almost tripled from the previous verdict. Or as High Court ruling Jakarta Tipikor sentenced Djoko Susilo in corruption simulator SIM in Korlantas police, from 10 years to 18 years in prison. Djoko also was sentenced to pay a money substitute Rp32 billion and all its assets were seized. Second, streamline the application of the ACT on money laundering. The goal, pursued corruption which results in assets hidden or camouflaged by way of going to the other party. Article 5 of the ACT of money laundering can prosecute these investigators asserted, the flow of funds from upstream to downstream, ensnare all recipients, whatever mode and its shape. For the recipient, can be as long as it ought to be suspected that the property earned it came from corruption. For organizations or corporations can be frozen if corruption results received funding. Third, applying consistent punishment of fines and payment of the appropriate number of surrogate money. How, do not use criminal (substitute punishment) in the form of a prison that is usually not more than one year. In practice, prosecutors seized the assets of convicted person executor difficulties because already hidden abroad. To that end, the need to set up a special team to pursue assets of the convicted person in addition to the already confiscated in money laundering.

One of the corruption case that came to light by 2013 and get public attention, was the capture of Rudi Rubiandini, head of the unit of Work Implementing Specific business activities Upstream Oil and Gas (oil & gas SKK). Rudi was arrested along with the alleged bribe money of u.s. \$ 1.1 million plus \$ 127 thousand's of the owner of the Kernel Oil Pte Ltd. a great success not only because of the amount of CCA money largest the seized catch hand surgery throughout history, but also the first time that alleged corruption in the oil and gas sector could be diterabas.

Oil & gas Mafia that unfolds and tightly closed should be a "Golden moment" for the KPK. Noteworthy, the Bank Century case, mafia tax, Pensions, and cases of Hambalang are four major cases of off casually. In fact, it could be the ultimate to dismantle corruption involving people great.

The case must be the door opener Rudi to dismantle the tommyimage oil and gas fields on the criminals. Moreover, Rudi supposedly is just one player class. Be so many other players are much bigger, even more vicious dredge funds illegally from oil and natural gas. For example, the findings of the CCA as an energy Ministry Secretary General room rifled and Mineral resources (DEMR), who finds the money US \$ 200 thousand. Why is the Secretary General of the BASIC foreign currency saving so much? Is it correct to operations such as the pronounced MINERAL RESOURCES Minister Jero Wacik?

Not only that, the indictment read public KPK mentioned that Rudi the money handed over US \$ 300 thousand to Sutan Bhatoegana through the HOUSE of REPRESENTATIVES Commission VII of the members of the Democrats, Tri Yulianto. Of course, even denied planning Sutan demanding back the former Chairman of oil and gas of Rudi Rubiandini SKK.

This disclosure be indicators that are hard to resist, that there is a fundamental question of the management of oil and gas. There is a problem in the body of the oil & gas, which implies SKK income countries. The signal read by the Constitutional Court through an award to BP Oil and gas removed due to conflict with the Constitution. But the Government is in fact perform the responsibilities, BP Oil & gas oil and gas are transformed into his pattern of SKK just simply changing.

So yummy to be shrouded by power, because a corruptor that is so big, so that State money could be manipulated to go around his own interests and his group. Great power on one person in a single institution very potentially misused. For any given salary, does not guarantee a person's right not to corruption. In fact, there have been many corruptor thrown to jail, but the corruption continued to ramp without a hitch because there is "feeling good" when the result.

CONCLUSION

It turns out the reality of corruption in this country is already, systematic, and massive, so the Professor though like Rudi Rubiandini who ever got the award for exemplary teaching, did not escape the temptations of corruption. This is a disastrous and embarrassing blow for the nation and the world of the campus which is often labeled people honest, credible, and capable of teamwork.

How can a science role model can be transformed into a corruptor? Apparently the snare of a corrupt system cannot be tamed by Professor though. But we should be free from corruption, should not give up to get out of a puddle of corruption. A moral degenerate system and can only be countered if the war against corruption is carried out with and without the perspective of status.

Finally to eradicate corruption progressively and totality, it needs to listen to the concept of "Progressive Justice theory" advanced by Ruti Teitel g. (2000) which has four characteristics: first, to put forward the punishment on perpetrators of crime (Criminal Justice). Secondly, respect for the victims of crime (Justice Reparatory). Third, the revamping and cleaning system of organizing the State (administrative justice). Fourth, changes to the Constitution (constitutional justice).

People already saturated by handling cases of corruption swirling without the results that meet the people's sense of Justice. If the revision ACT of corruption was not escorted, ascertained the corruptor will be partying as a sign of victory and enjoy the results of his people's suffering without the above law untouched. Anti-corruption sensitivity for the Government must continue to be raised, for example, imitate the courage of the Government and legal authorities in China, the corruptor was punished with an open-air firing. A legal blow that makes the world salute and led to corruption in the country reluctantly Bamboo blinds it.

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