



Questioning the Decline in the Number of Hand Catching Operation by the Corruption Eradication Commission

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Abstract

One way the Indonesian government eradicates corruption is by forming the Corruption Eradication Committee and one way to take action against corruption is by conducting hand catching operation. The purpose of writing this article is to explain the causes of the decline in the number of hand catching operation in recent years, especially in 2024, even though the Corruption Eradication Committee hand catching operation had been intensively carried out to prosecute corruption, but instead of experiencing a spike, the number of hand catching operations actually decreased. The preparation of this article uses a normative legal research method related to hand catching operations and the latest Corruption Eradication Committee Law. In addition, in order for the analysis results to be more in-depth, the author also uses a legislative and conceptual study approach. There are 2 (two) research results in this article, namely, first, the term hand catching operations is indeed not found in the Criminal Procedure Code and the Corruption Eradication Committee Law, but a series of actions that are the same as hand catching operation containing the stages of wiretapping, searches, arrests and confiscations have been regulated in the latest Corruption Eradication Committee Law. Second, the hand catching operation which is currently experiencing a decline in 2024 is due to several things such as changes in the hand catching operation mechanism in carrying out wiretapping, searches, and/or confiscations, permission from the Supervisory Board is required. Hand catching operation has also been studied by corruptors who on average have high intellectual education so that by studying the hand catching operation method.

Abstract

Salah satu cara pemerintah Indonesia memberantas korupsi adalah dengan membentuk Komite Pemberantasan Korupsi dan salah satu cara untuk menindak korupsi adalah dengan melakukan operasi penangkapan jabatan. Tujuan penulisan artikel ini adalah untuk menjelaskan penyebab penurunan jumlah operasi penangkapan jabatan dalam beberapa tahun terakhir, khususnya pada tahun 2024, meskipun operasi penangkapan jabatan Komite Pemberantasan Korupsi telah dilakukan secara

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intensif untuk menindak korupsi, namun alih-alih mengalami lonjakan, jumlah operasi penangkapan jabatan justru menurun. Penyusunan artikel ini menggunakan metode penelitian hukum normatif yang berkaitan dengan operasi penangkapan jabatan dan Undang-Undang Komite Pemberantasan Korupsi terbaru. Selain itu, agar hasil analisis lebih mendalam, penulis juga menggunakan pendekatan studi legislatif dan konseptual. Terdapat 2 (dua) hasil penelitian dalam artikel ini, yaitu, pertama, istilah operasi penangkapan pelaku korupsi memang tidak ditemukan dalam KUHP dan Undang-Undang Badan Pemberantasan Korupsi, namun serangkaian tindakan yang sama dengan operasi penangkapan pelaku korupsi yang meliputi tahapan penyadapan, penggeledahan, penangkapan, dan penyitaan telah diatur dalam Undang-Undang Badan Pemberantasan Korupsi yang terbaru. Kedua, operasi penangkapan pelaku korupsi yang saat ini mengalami penurunan pada tahun 2024 disebabkan oleh beberapa hal seperti perubahan mekanisme operasi penangkapan pelaku korupsi dalam melakukan penyadapan, penggeledahan, dan/atau penyitaan, serta diperlukannya izin dari Badan Pengawas. Operasi penangkapan pelaku korupsi juga telah diteliti oleh para pelaku korupsi yang rata-rata memiliki tingkat pendidikan intelektual yang tinggi sehingga dengan mempelajari metode operasi penangkapan pelaku korupsi.

1. Introduction

Acts of corruption violate norms and values of goodness and are also considered immoral.¹ Corrupt means hand catching operationsen, bad; fond of accepting bribes (using one's power for personal gain and so on).² To this day, corruption has always been the focus of the mass media. Cases of corruption do not decrease with Indonesia's increasing age of independence; on the contrary, the number of corruption cases continues to rise. It's not disappearing or leveling off, but rather becoming more and more widespread.³ Transparency International has released the Corruption Perceptions Index (CPI) for 2025. Indonesia scored 34 out of 100. In terms of position, Indonesia is ranked 109th out of a total of 182 countries. Compared to previous scores and positions, Indonesia's score has dropped from 37 and its rank has fallen from 99th place in 2024.⁴

¹ Muhammad Nurdin, *Pendidikan Anti Korupsi* (Yogyakarta: Ar Ruzz Media, 2014).

² Wicipto Setiadi, "KORUPSI DI INDONESIA (Penyebab, Bahaya, Hambatan Dan Upaya Pemberantasan, Serta Regulasi)," *Jurnal Legislasi Indonesia*, 2018, 249–62.

³ Ruslan Renggong, *Hukum Pidana Khusus Memahami Delik-Delik Di Luar KUHP* (Jakarta: Prenadamedia Group, 2019).

⁴ Yassar Aulia, "Skor CPI Indonesia Jeblok Di Tahun 2025, ICW: Ekosistem Pemberantasan Korupsi Dirusak Total Oleh Pemerintahan Prabowo-Gibran!," *Indonesia Corruption Watch*, 2026, [https://antikorupsi.org/id/skor-cpi-indonesia-jeblok-di-tahun-2025-icw-ekosistem-pemberantasan-korupsi-dirusak-total-oleh#:~:text=Indonesia mendapatkan skor 34 dari,109 dari total 182 negara.](https://antikorupsi.org/id/skor-cpi-indonesia-jeblok-di-tahun-2025-icw-ekosistem-pemberantasan-korupsi-dirusak-total-oleh#:~:text=Indonesia%20mendapatkan%20skor%2034%20dari%20109%20dari%20total%20182%20negara.)

The reason corruption is becoming more widespread is because it is a crime that is inseparable from the role of state officials, state issues, or respected people in society.⁵ Such conditions ultimately lead to the logical and predictable consequence that corruption is considered an extraordinary crime. The impact of the widespread occurrence of corruption can damage the foundation of society and, further, can destroy a nation and a country. In addition, corruption deprives society of its economic and social rights and severely disrupts the national order.

Looking at the history of the Indonesian government's efforts to tackle corruption, it must be acknowledged that in practice, it has not been implemented optimally, and government institutions with the authority to eradicate corruption cases have not operated at their maximum capacity.⁶ The methods used by corruptors to commit acts of corruption are becoming increasingly sophisticated and dangerous for the future of the Indonesian nation. Until the enactment of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Corruption Crimes, Article 43 of which mandates the establishment of an independent institution called the Corruption Eradication Commission, was considered one of the government's efforts to combat corruption crimes.

The existence of the Corruption Eradication Commission is based on Law Number 30 of 2002 concerning the Corruption Eradication Commission. The Corruption Eradication Commission is literally tasked with combating corruption, but the Corruption Eradication Commission has functions that extend beyond that. The Corruption Eradication Commission also conducts investigations, prosecutions, and indictments for corruption offenses, oversees the functioning of state government, and collaborates with the Attorney General's Office and the Police as the institutions authorized to eradicate corruption.⁷ The Corruption Eradication Commission is the main focus as Indonesia's anti-corruption agency because its main function is to eradicate corruption. The Corruption Eradication Commission has successfully demonstrated good work results, leading to much better public trust in the Corruption Eradication Commission compared to other state institutions. The establishment of the Corruption Eradication Commission was motivated by low public trust in law enforcement officials, as well as the implementation of public expectations that corruption, which is deeply rooted in the country, could be reduced in all areas.⁸

Since the establishment of the Corruption Eradication Commission until now, the Corruption Eradication Commission has continuously strived to show its teeth as an institution that can be relied upon to eradicate corruption in Indonesia. The Corruption Eradication Commission has handled various large-scale corruption cases in the country, such as the Bank Century bailout case in 2008, the e-KTP procurement case that

⁵ Moch.Abd. Wachid, "Penegakan Tindak Pidana Korupsi Oleh KPK," *Maksigama Jurnal Hukum* 1 (2015): 104.

⁶ Denny Indrayana, *Jangan Bunuh KPK* (Malang: Intrans Publishing, 2016).

⁷ *Ibid*, hlm.xvi

⁸ Ayu Putriyana and Nur Rochaeti, "The Impact of Enforcement of Corruption Law by the Corruption Eradication Commission after the Ratification of the Latest KPK Law," *Jurnal Penelitian Hukum De Jure* 21, no. 3 (2021): 299, <https://doi.org/10.30641/dejure.2021.v21.299-310>.

ensnared former Golkar Party Chairman Setya Novanto in 2017, the bribery case by former Social Affairs Minister Juliari Peter Batubara in the procurement of Covid-19 social assistance packages in the Jabodetabek area in 2020, and the most shocking case in 2023, which is the extortion case involving the Corruption Eradication Commission Chairman himself, Firli Bahuri, against Syahrul Yasin Limpo.

The Corruption Eradication Commission was designed from the outset to have greater authority, enabling it to uncover the corruption of corruptors and penetrate even the strongest defenses of corruptors. One of the extraordinary powers possessed by the Corruption Eradication Commission as an anti-corruption agency in Indonesia is the power to conduct "Hand catching operations". The first hand catching operations was carried out in 2005 with the suspect Mulyana Wirakusumah, a former KPU official who bribed Khairiansyah, an auditor from the Financial Supervisory Agency (BPK). This case also sheds light on the corruption case at the KPU, which also implicates several other individuals, namely Nazarudin Syamsudin, Rusadi Kantaprawira, and their staff members. Hand catching operations has been conducted routinely by the Corruption Eradication Commission since 2013 and has successfully increased public attention toward the prosecution of corruption cases. However, some parties questioned the legality of the Corruption Eradication Commission's hand catching operations. The number of hand catching operations indicates public trust in the Corruption Eradication Commission because to be unable to conduct hand catching operations without prior reports from the public. Here is a breakdown of the hand catching operations conducted by the Corruption Eradication Commission from 2013-2025.

Table 1 Number of Corruption Eradication Commission hand catching operations from 2013-2025

| Year | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 |
|------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Number of hand catching operations | 10 | 5 | 5 | 17 | 19 | 30 | 21 | 8 | 6 | 10 | 8 | 5 | 11 |

Source: <http://acch.kpk.go.id/statistic>

Based on the table above, the Hand catching operations began to experience a significant increase from 2016-2019, when the Corruption Eradication Commission was chaired by Agus Rahardjo. Given the continued increase in the number of hand catching operations platforms, the Corruption Eradication Commission is seen as standing firm amidst public doubts about the weakness of law enforcement. Additionally, the Corruption Eradication Commission has also been provided with better legal facilities, including infrastructure, compared to other institutions that do not have such facilities.⁹ Since its establishment, the Corruption Eradication Commission's main task has been to anticipate and enforce the law in cases of corruption, including thru sting operations. The Corruption Eradication Commission's presence is expected to provide a solution to the problems of ordinary law enforcement agencies, such as the Police and the Attorney

⁹ Indriyanto Seno Adji, *KPK Dan Penegakan Hukum* (Jakarta: Diadit Media, 2015).

General's Office, which are considered to be not fully effective in eradicating corruption.¹⁰

The numerous sting operations conducted by the Corruption Eradication Commission are often perceived as indicators of the success of law enforcement against corruption crimes in Indonesia. This perception does not arise without reason, but rather stems from the characteristics of sting operations themselves, which have high evidentiary power, wide psychological impact, and very high public visibility. In the context of modern law enforcement, particularly against extraordinary crimes such as corruption, success is often measured by the ability of the authorities to uncover, prove, and effectively punish the perpetrators – and in this case, sting operations become one of the most "visible" instruments of success.

After being proud to see the number of hand catching operations, especially between 2016 and 2019, the public was once again surprised by the decline in the number of hand catching operations between 2020 and 2023 under the leadership of Firli Bahuri. There was a sharp drop in the number of hand catching operations compared to previous years. This is very unfortunate because hand catching operations is the most effective way to catch corruption involving public officials. News of a hand catching operations can instill fear and anxiety in corruptors whose actions have not yet been detected. Not only that, the success rate of prosecuting corruption with hand catching operations is better, or can be said to be perfect. This is because the defendant who was arrested in a hand catching operations has never been released or acquitted during the trial process.

2020 was the year the number of Corruption Eradication Commission hand catching operations began to decline, and it was also the year the latest Corruption Eradication Commission Law, namely Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission, came into effect for the first time. Therefore, with the decline in hand catching operations figures after the latest Corruption Eradication Commission Law was passed, most people believe that the Corruption Eradication Commission, which currently operates under its latest law, is not showing its teeth in handling corruption cases in this country. In fact, corruption is a crime that continues to evolve dynamically and rapidly over time. Certainly, there is no time to stand still, let alone experience setbacks in the progress of eradicating corruption.

The decline in the practice of hand catching operations by the Corruption Eradication Commission is often viewed as a problem in the enforcement of corruption crimes because hand catching operations has not only been a law enforcement technique but also a symbol of effectiveness, courage, and the state's presence in combating corruption. When the intensity of hand catching operations decreases, there is concern that there is a decline in capacity, a change in orientation, or even a weakening in the law enforcement system itself.

¹⁰ M.Beni Kurniawan, "Problematika Dalam Pengisian Jabatan Pimpinan Komisi Pemberantasan Korupsi," *JIKH* 12, no. 2 (2018).

Practically, hand catching operations has always been synonymous with swift, precise law enforcement based on strong evidence. Therefore, its decline is often interpreted as a decrease in the ability to detect corruption crimes early. Hand catching operations requires intensive intelligence work, including monitoring, transaction analysis, and often wiretapping. If the frequency decreases, the public and academics may assess that those functions are not operating optimally. In other words, the decline in hand catching operations could reflect a weakening of the investigative and proactive capacities of law enforcement agencies.

Combating corruption is the responsibility of all elements of society because it is not an easy task to implement; it requires the involvement and coordination of all parties, including the community. Combating corruption must be done together, considering that corruption is a white-collar crime, meaning it is a crime whose perpetrators are those with excessive wealth and who are considered "honorable."¹¹ Before committing corruption, careful calculations are needed by the mostly highly educated corruptors. Additionally, the opportunity for corruption arises when there is a chance to abuse authority for personal gain from financial resources.¹²

Previous research related to the Corruption Eradication Commission's sting operations was written by Muhammad Rizky Aditama Latala¹³, focusing on the factors causing the Corruption Eradication Commission to conduct sting operations and the procedures involved. Meanwhile, this paper focuses more on the factors causing the decline in the number of sting operations. Based on the background explanation above, there are two problem formulations that will be discussed in this paper: (1) What is the legality of the hand catching operations currently carried out by the Corruption Eradication Commission? (2) What are the causes of the decline in the number of hand catching operations (caught in the act) operations by the Corruption Eradication Commission for corruption? To answer the existing problem formulation, this paper will focus on the mechanism of the Corruption Eradication Commission hand catching operations and the latest Corruption Eradication Commission Law, namely the enactment of Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission.

2. Research Methods

This paper uses normative legal research with a statutory approach regarding hand catching operations and the latest Corruption Eradication Commission law. The method

¹¹ Wawan Heru Suyatmiko, "Memaknai Turunnya Skor Indeks Persepsi Korupsi Indonesia Tahun 2020," *Integritas: Jurnal Antikorupsi* 7, no. 1 (2021): 161-78, <https://doi.org/10.32697/integritas.v7i1.717>.

¹² Nurannisa Salsadila, Ayu Efridawati, and Heni Widiyani, "Pemberantasan Tindak Pidana Korupsi Di Indonesia: Masalah Dan Solusinya," *Indonesian Journal of Law and Justice* 1, no. 2 (2023): 9, <https://doi.org/10.47134/ijlj.v1i2.2048>.

¹³ Muhammad Rizky Aditama Latala, "Analisis Terhadap Operasi Tangkap Tangan Yang Dilakukan Komisi Pemberantasan Korupsi (Kpk) Dalam Pemberantasan Tindak Pidana Korupsi," *Lex X*, No. 1 (2021): 128-35.

used is descriptive qualitative by analyzing secondary data to obtain an overview of the causes and effects of the decrease in the number of Corruption Eradication Commission hand catching operations. The secondary data used in this research includes primary legal sources, such as laws, namely law number 19 of 2019 concerning the second amendment to law number 30 of 2002 concerning the corruption eradication commission, law number 12 of 2011 concerning the formation of legislation as amended by law number 15 of 2019, as well as secondary legal sources, such as books, scientific journals, and other documents relevant to the research topic. Various regulations and related literature are studied and compared to conduct qualitative data analysis. The analysis begins with a legislative approach to examine the legal basis of hand catching operations, followed by a comparative approach to compare hand catching operations actions each year in terms of quantity, impact, and the reasons for the decline in hand catching operations numbers.

3. Result and Discussion

3.1 The legality of the Corruption Eradication Commission's current hand catching operations

Corruption has been a major threat to Indonesia since before the reform era, hindering the country's efforts to achieve its national development goals. The impact of corruption can weaken and damage the structure of the state and the institutions that shape community life.¹⁴ Legal reform is extremely important, especially in matters related to corruption. One form of legal reform is that the Corruption Eradication Commission must be made an independent institution capable of investigating and prosecuting corruption cases.¹⁵ According to the law, the Corruption Eradication Commission is tasked with conducting intensive investigations, inquiries, and prosecutions of corruption crimes. Hand catching operations is one of the Corruption Eradication Commission efforts to investigate corruption cases. Initially, hand catching operations was considered an illegal act because the term hand catching operations was not found in any laws and regulations, and furthermore, the term hand catching operations was not yet present in the criminal procedure code.

The term hand catching operations began to be widely known to the public after a press conference held by the Corruption Eradication Commission. At that time, the Corruption Eradication Commission stated that they had conducted hand catching operations against regional heads, law enforcement officials, and other officials for corruption offenses, leading to the emergence of the term hand catching operations and its becoming a new trend in combating corruption. With the massive use of hand catching operations, the image of the Corruption Eradication Commission on social media continues to rise, increasing accountability and public participation. Hand catching operations also increases public attention and participation in law enforcement processes related to corruption. Considering that active community involvement is

¹⁴ Eko Suprihanto, Yos Johan Utama, and Irma Cahyaningtyas, "Reformulasi Pemberantasan Korupsi Di Indonesia: Perspektif Kepolisian Menghadapi Korupsi Sebagai Ancaman Perang Proksi," *Jurnal Pembangunan Hukum Indonesia* 5, no. 1 (2023): 204-19, <https://doi.org/10.14710/jphi.v5i1.204-219>.

¹⁵ Sekar Anggun Gading Pinilih, "Politik Hukum Kedudukan KPK Sebagai Lembaga Pemberantasan Korupsi Di Indonesia," *Jurnal Hukum Progresif* 8, no. 1 (2020): 19.

greatly needed to help combat corruption. Additionally, as both victims and part of the state, society should theoretically participate. As victims, the public recognizes that corruption worsens societal well-being, hinders national development, has far-reaching negative impacts, and therefore, the public must participate in preventing the negative consequences of corruption. If society is considered part of the state, they certainly have a role to play in helping the government eradicate this crime.¹⁶ If corruption spreads further, becomes commonplace for society, and is no longer considered dirty, then social life will have no functioning social system. Until finally, in society, everyone will only care about themselves, or egoism.

The increased public involvement due to the implementation of hand catching operations has led to hand catching operations being frequently considered the primary and sole indicator of Corruption Eradication Commission's performance evaluation. However, the achievements in combating corruption are not limited to actions taken by the Corruption Eradication Commission alone. Additionally, the performance of the Corruption Eradication Commission's law enforcement is not solely measured by the hand sting operations, as these are considered actions authorized by Article 6 of the Corruption Eradication Commission Law. Sting operations typically involve first entrapping the target. However, this technique has not yet been used in cases of corruption in Indonesia. Additionally, the term "hand catching operations" is not found in the Criminal Procedure Code (KUHAP). The only term included in the KUHAP is "caught in the act," which is listed in Article 1, paragraph 40 of the KUHAP. Hand catching operations is a term for the Corruption Eradication Commission's measured, secret, and rarely successful actions, as those caught in the act are rarely acquitted or released from charges because hand catching operations is based on a careful process.¹⁷

Certain officials have the authority to restrict a person's rights under the criminal procedure law because they have committed a criminal offense. When a criminal offense occurs, investigators have the authority under the Criminal Procedure Code (KUHAP) to restrict a person's freedom. However, these restrictions on rights must be based on principles that respect human dignity and balance the protection of the suspect's interests with the public and societal interest.

To date, the term hand catching operations is not found in the Corruption Eradication Commission law itself. In fact, hand catching operations authority was only introduced in Presidential Regulation of the Republic of Indonesia number 87 of 2016 concerning the task force for clean sweep of illegal levies. Although this presidential regulation only mentions hand catching operations provisions without providing any explanation or procedure for carrying out hand catching operations. Previously, something that needs to be understood from the outset is that the hand sting operations begin with wiretapping or investigation first, unlike caught-in-the-act situations which are done without any wiretapping or investigation. Alexander Marwata, deputy chairman of the Corruption Eradication Commission, stated that the Corruption Eradication Commission's sting operations began with investigations aimed at finding relevant

¹⁶ Ari Kuncoro, "A Dilemma between Firm Survivability and Business Ethic in Indonesia," *Integritas: Jurnal Antikorupsi* 4, no. 2 (2018): 233-53, <https://doi.org/10.32697/integritas.v4i2.292>.

¹⁷ Fatimah Asyari, "Operasi Tangkap Tangan Di Pusat Dan Daerah Untuk Meraih WTP Terkait Masalah Pelanggaran Hukum," *Jurnal Legalitas* 2, no. 1 (2017): 57.

evidence rather than being sudden actions.¹⁸ The results of the wiretapping can help gather evidence about the origins of the corruption crime.

Currently, after the latest Corruption Eradication Commission Law was passed, the term hand catching operations is not included in it. However, the regulations regarding a series of similar actions that were taken during a hand catching operations are found in article 12 of the law, with slight changes from the previous series of hand catching operations activities. In the initial stage of the case examination process, namely the investigation stage, the Corruption Eradication Commission can conduct wiretapping with the written consent of the supervisory board. This is done during the investigation stage to determine whether a criminal event has occurred or not. According to article 12 paragraph (1) of the latest Corruption Eradication Commission law, the Corruption Eradication Commission has the authority to conduct wiretapping. Electronic evidence, image recordings, audio recordings, and other items were collected thru wiretapping. The Corruption Eradication Commission is conducting surveillance of the suspected perpetrators. An arrest warrant can only be issued after evidence such as recordings, photos, and other tools has been collected.¹⁹

In other words, as explained by Edward O.S. Hieriej, the Corruption Eradication Commission's hand catching operations is only carried out to ensure a series of previous wiretaps. Therefore, the initial evidence collected by the Corruption Eradication Commission can be considered sufficient if there is a correlation between each piece of evidence (corroborating evidence). With sufficient and consistent initial evidence being met, the corruption case can now be processed based on the provisions of Article 183 of the Criminal Procedure Code, which sets the minimum limit for using evidence in deciding criminal cases, namely that at least two pieces of evidence have been met.²⁰ Along with the new Criminal Procedure Code, which also regulates the same thing in Article 90, a person can be designated as a suspect based on at least 2 pieces of evidence.

Hand catching operations strategy is considered the most effective for directly confirming evidence of corruption because of the difficulty in proving corruption cases. The adage or postulate "in criminalibus probantiones debent esse luce clariores" is known in criminal law. This means that the evidence in a criminal case must be clearer. Adhering to that postulate, not only must suspicion be used to prove that someone committed a criminal act, but the available evidence must also be accurate and valid. Additionally, to convince the judge to impose a sentence without doubt, applying the principle of beyond reasonable doubt in corruption cases.²¹ Hand catching operations is

¹⁸ Rolandus Nampu, "KPK Tegaskan Istilah HAND CATCHING OPERATIONS Dimulai Dengan Penyelidikan Bukan Tiba-Tiba," 2024, <https://www.antaranews.com/berita/4506485/kpk-tegaskan-istilah-hand-catching-operations-dimulai-dengan-penyelidikan-bukan-tiba-tiba>.

¹⁹ *Ibid*

²⁰ Zulfikar Ardiwardana Wanda, "Meluruskan Kembali Hakikat HAND CATCHING OPERATIONS Tipikor," Hukum Online, 2024, <https://www.hukumonline.com/berita/a/meluruskan-kembali-hakikat-hand-catching-operations-tipikor-lt674c991a24f52/?page=all>.

²¹ Zulfikar Ardiwardana Wanda, "Meluruskan Kembali Hakikat HAND CATCHING OPERATIONS Tipikor."

considered to prove the elements of the crime in real time, supported by strong and complete evidence, making the chain of evidence difficult to refute in court.

3.1. Causes of the decline in the number of Corruption Eradication Commission's corruption hand catching operations

The Corruption Eradication Commission has broad authority ranging from preventing to prosecuting corruption, including conducting investigations, inquiries, and prosecutions in corruption cases. This makes the Corruption Eradication Commission's presence reliable in combating corruption.²² The establishment of the Corruption Eradication Commission's certainly has a grand vision, mission, and purpose. The purpose of establishing the Corruption Eradication Commission is to increase the efficiency and effectiveness of efforts to combat corruption because for the past few decades, one of the biggest problems threatening Indonesia has been corruption. The dirtiness of corrupt practices not only harms the state's finances but can also hinder progress, slow down the development of entire sectors, increase public doubt about the government, and further highlight social inequality among the people. The causes of corruption include human personal factors; economic and political factors; family and societal factors; and organizational factors.²³

Hand catching operations is a unique method used by the Corruption Eradication Commission to handle corruption cases. Despite the Corruption Eradication Commission's strong determination and efforts, corruption continues to occur and is even increasing day by day. Hand catching operations began in 2005 and has continued to increase. Initially, the introduction of hand catching operations by the Corruption Eradication Commission naturally sparked many opinions, some in favor and some against. Proponents of hand catching operations when it first emerged in society stated that hand catching operations could currently be considered an effective way to catch corruptors because during the hand catching operations process, the Corruption Eradication Commission was allowed to bypass some lengthy bureaucratic procedures, and the results of hand catching operations were more valid, producing concrete evidence. Eventually, hand catching operations was seen by the public as a powerful way or method to catch corruptors, and the Corruption Eradication Commission was considered the most dominant anti-corruption agency capable of showing its teeth at that time. Although law enforcement against corruption doesn't solely rely on sting operations.

The highest number of hand catching operations conducted by the Corruption Eradication Commission was in 2018, with 30 hand catching operations during the tenure of chairman Agus Rahardjo. This is the most hand catching operations (over-the-top) arrests in the history of the Corruption Eradication Commission. One by one, hand catching operations are targeting everyone from judges and tax officials to regional

²² O V Agustine, E M Sinaga, and R Yulistiyaputri, "Politik Hukum Penguatan Kewenangan Komisi Pemberantasan Korupsi Dalam Sistem Ketatanegaraan," *Konstitusi* 16, no. 2 (2019): 314-38.

²³ Gusti Kadek Sintia Dewi, "Melalui Pemberian Pendidikan Anti Korupsi Di Lembaga Pendidikan," *Jurnal Ilmu Hukum Sui Generis* 2 4 (2022): 123.

heads. As for 2018, based on the type of cases, hand catching operations occurred most frequently in bribery cases, including the case of Sukamiskin prison warden Wahid Husein, who provided special facilities and permits to a number of prisoners; South Bengkulu regent Dirwan Mahmud, who received a bribe of rp 98 million from contractor juhari; and DPR Commission XI member Amin Santono, who received a bribe of rp 3.3 billion from central lampung district public works department head Taufik Rahman and CV.Iwan Binangkit director Ahmad Ghiast.

2018 was indeed a historic year with the successful execution of 30 sting operations. However, after 2018, the number of sting operations conducted by the Corruption Eradication Commission decreased, with a drastic decline during the leadership of Firli Bahuri, who began leading the Corruption Eradication Commission in 2019. In fact, in 2024, which is nearing its end, the Corruption Eradication Commission has only conducted 5 sting operations. This is certainly not a good figure and is a new record for the Corruption Eradication Commission. Questions arise regarding the causes of the decline in the number of sting operations conducted by the Corruption Eradication Commission in recent years, and here are the reasons for the decline in the Corruption Eradication Commission's sting operations:

a. Changes in the mechanism of wiretapping, searches, and/or seizures after the enactment of the latest Corruption Eradication Commission Law

From the outset, the presence of the latest Corruption Eradication Commission Law has actually been met with various protest actions from the public, even tho it was going to be ratified. The revisions made to the Corruption Eradication Commission Law have created several new problems. Most of the public believes the old Corruption Eradication Commission Law did not need revision, while others argue that the formation of the latest Corruption Eradication Commission Law ignored the principles of lawmaking outlined in Law Number 12 of 2011 concerning the Formation of Laws and Regulations, as amended by Law Number 15 of 2019. Many parties believe that by ignoring the provisions of lawmaking, the resulting regulations are formally flawed.

Beside being considered formally flawed, the latest Corruption Eradication Commission law also has flaws in its substance. This is because the revised articles in the latest Corruption Eradication Commission Law are actually considered to weaken the Corruption Eradication Commission as the nation's anti-corruption agency. The revision of the Corruption Eradication Commission Law is expected to contain articles that can encourage the Corruption Eradication Commission to be more progressive in the future, not to weaken it. One of the problems arising from the latest Corruption Eradication Commission Law related to hand sting operations is Article 12 and Article 37 B paragraph (1), which require obtaining permission from the Supervisory Board for wiretapping, searches, and/or seizures. These articles are seen as hindering Corruption Eradication Commission employes from exercising their authority in the wiretapping, search, and/or seizure process because every action they intend to take must first obtain permission from the Supervisory Board. The article is considered to threaten the independence and flexibility of the Corruption Eradication Commission that previously existed. Ideally, the Corruption Eradication

Commission's independence should be strengthened by a better commitment to legal awareness for its legitimacy process. The Corruption Eradication Commission needs articles that encourage it to be more progressive.

The explanation in the latest Corruption Eradication Commission Law regarding the existence of the Supervisory Board is considered necessary for legal reform, especially for the enforcement of corruption crimes, so that the Corruption Eradication Commission can carry out its duties and authorities effectively. This Supervisory Board was formed to oversee and control, thereby reducing the potential for abuse of authority in the future. Article 37A paragraph (1) of the latest Corruption Eradication Commission Law states, "In order to supervise the implementation of the Corruption Eradication Commission's duties and authorities, a Supervisory Board as referred to in Article 21 paragraph (1) letter a shall be formed." The existence of the Supervisory Board can be said to be a model of internal supervision because the Supervisory Board is part of the Corruption Eradication Commission's structure. Internal supervision is a model of supervision involving the establishment of a supervision unit within an institution that will be the subject of supervision, with that unit being one of the working divisions. Therefore, this means the Corruption Eradication Commission Supervisory Board is a form of internal oversight.²⁴

As a state institution that is not immune to mistakes, the Corruption Eradication Commission naturally also needs internalization and evaluation. Evaluation is carried out to analyze the performance that has been achieved so that it can be improved to enhance the Corruption Eradication Commission's position as a respected anti-corruption institution.²⁵ This evaluation is always conducted to help and improve the performance of the Corruption Eradication Commission in carrying out its functions. The Corruption Eradication Commission has many authorities to carry out its duties, such as collaborating with other state institutions to combat corruption, conducting investigations and prosecutions against individuals who commit corruption offenses. In other words, the Corruption Eradication Commission functions as a coordinating body to handle corruption crimes alongside other state institutions with similar authority, such as the Attorney General's Office and the Police. In carrying out its functions, the Corruption Eradication Commission is subject to the principles of legal certainty, public interest, transparency, accountability, and proportionality.²⁶

Within the scope of the Supervisory Board's authority to grant wiretapping permits, the Corruption Eradication Commission can conduct wiretapping after submitting a written request and the Supervisory Board grants written permission for that request. The deadline for the Supervisory Board to grant written permission is no later than 1

²⁴ Vania Dwi Zuhra, "Analisis Kewenangan Dewan Pengawas Komisi Pemberantasan Korupsi (Kpk) Dalam Penyidikan Tindak Pidana Korupsi Menurut Undang-Undang Nomor 19 Tahun 2019," *Universitas Mataram*, 2021, 6.

²⁵ Nofanda Prayudha, "Politik Hukum Kewenangan Penyadapan Oleh Komisi Pemberantasan Korupsi," *Belom Bahadat: Jurnal Hukum Agama Hindu* 14, no. 1 (2024): 65-82, <https://doi.org/10.33363/bb.v14i1.1178>.

²⁶ Bambang Widjojanto and Abdul Fickar Hadjar, *Reformasi Dikorupsi, KPK Dihabisi: Sebuah Catatan Kritis* (Malang: Intrans Publishing, 2020).

x 24 (one times twenty-four) hours from the time the written request is submitted. After the Supervisory Board grants permission, wiretapping can be carried out immediately with a maximum time limit of 6 (six) months from the time written permission is received, and the wiretapping permit can only be extended for the same period once. The purpose of using the wiretapping technique is to make it easier for the Corruption Eradication Commission to take action against corruption cases. Eavesdropping by the Corruption Eradication Commission is not a violation of the law if it is done by an unauthorized party, such as Corruption Eradication Commission investigators who are not assigned to the case; only then can it be considered a violation of the law.²⁷

Continuing with search and seizure permits during the investigation phase, Corruption Eradication Commission investigators are authorized to conduct searches and seizures with written permission from the Supervisory Board. The Supervisory Board can respond to the permit request, either approving or denying it, within a maximum of 24 hours from the time the permit request is submitted. If the Corruption Eradication Commission conducts a search and seizure, the Corruption Eradication Commission is required to create a search and seizure report on the day the Corruption Eradication Commission conducts the search and seizure. The contents of the report must include at least the matters regulated in Article 47 paragraph (3) of the latest Corruption Eradication Commission Law. With the changes in the provisions for wiretapping, searches, and seizures, which now require prior permission from the Supervisory Board before such actions can be taken, the process of handling corruption cases and collecting evidence that should have been done quickly has become protracted and time-consuming.

The main problem point in the slow process of wiretapping, searching, and seizing is clear, as the latest regulations require obtaining permission from the Supervisory Board and waiting for the Supervisory Board's decision to grant or deny permission for wiretapping, searching, and seizing. This concept is a fundamental flaw in the way policymakers or lawmakers think. The impact currently being felt is that the process before the Corruption Eradication Commission takes action on corruption offenses tends to slow down, which also affects the Corruption Eradication Commission sting operations, the number of which is currently decreasing. The reason for the slow process is due to the length of the bureaucratic chain or the number of process stages in the latest Corruption Eradication Commission Law. In fact, before the Corruption Eradication Commission Law was updated, sting operations were considered an effective method because they were seen as more concise and efficient to carry out.²⁸

The Dewas, which is supposed to help accelerate the eradication of corruption, should not interfere with the duties and authorities of the Corruption Eradication

²⁷ Y. A Daun, T. Y Chandra, and A Makbul, "Kewenangan KPK Melakukan Penyadapan Dalam Penyelidikan Dan Penyidikan Tindak Pidana Korupsi," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 9 (2022): 1526–1540.

²⁸ Zuhra, "Analisis Kewenangan Dewan Pengawas Komisi Pemberantasan Korupsi (Kpk) Dalam Penyelidikan Tindak Pidana Korupsi Menurut Undang-Undang Nomor 19 Tahun 2019."

Commission, and of course, they are responsible for ethical and moral issues. In the enforcement of corruption criminal law, wiretapping, searches, and seizures can be carried out by Corruption Eradication Commission investigators with the internal institutional approval of the Corruption Eradication Commission leadership. With the formation of the Supervisory Board, it is hoped that the Supervisory Board will assist the Corruption Eradication Commission in handling corruption cases. However, there are indications that the Supervisory Board is hindering and limiting the Corruption Eradication Commission's capabilities, particularly due to the policy requiring prior permission from the Supervisory Board for wiretapping, which hinders the time and efficiency of the enforcement process.²⁹

A legal policy that motivates the improvement of corruption eradication is not found in the latest Corruption Eradication Commission Law. Citing human rights that must be protected, the latest Corruption Eradication Commission law shows favoritism toward corruptors. With its transition from an independent to an executive position, the limited appointment of corruption investigators, the existence of a Supervisory Board with broad pro-justitia authority, and the loss of various powers previously held by the Corruption Eradication Commission, it seems the Corruption Eradication Commission has lost the legal-political strength that could support it, and it is very likely that the Corruption Eradication Commission can no longer combat corruption as vigorously and aggressively as before. The government must immediately issue a Government Regulation in Lieu of Law (Perpu) that cancels the amendment to the Corruption Eradication Commission Law or, at the very least, corrects articles that have the potential to harm and weaken the Corruption Eradication Commission. If the Corruption Eradication Commission remains independent and unaffected by power, has sufficient funding, has sole authority to eradicate corruption, is supported by other law enforcement agencies, receives appropriate professional oversight, and has an integrity-based leader, the fight against corruption in Indonesia will be successful.³⁰

Changes to the Corruption Eradication Commission have impacted the enforcement of corruption crimes in Indonesia, with a decrease in hand catching operations numbers due to changes in the Corruption Eradication Commission affecting the model of law enforcement, the independence of the Corruption Eradication Commission, a reduction in the shock factor for other corruptors, as well as the impact on perceptions and Indonesia's corruption index, which showed Indonesia's score stagnating or declining after the revision of the Corruption Eradication Commission Law.

²⁹ Brenda Rosario Kaunang, Adi Tirta Koesomo, and Deizen Rompas, "Kedudukan Dewan Pengawas Komisi Pemberantasan Korupsi Menurut Undang-Undang Nomor 19 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 30 Tahun 2002 Tentang Komisi Pemberantasan Korupsi," *Lex Crimen* 12, no. 2 (2023): 1-6.

³⁰ Yulianto, "Politik Hukum Revisi Undang-Undang KPK Yang Melemahkan Pemberantasan Korupsi," *Jurnal Cakrawala Hukum* 11 (2020): 111-124, <https://doi.org/10.26905/idjch.v11i1.4049>.

b. The Corruption Eradication Commission's method of sting operations has already been learned by corruptors.

Given the current situation, it seems the debate regarding the concept of hand catching operations in the legal or social realm is no longer frequently discussed, and the discussion about the legal basis of hand catching operations is no longer debated, even tho it was once a long and in-depth topic. The debate was overshadowed by anger, concern, and the realization that there was something more pressing to discuss: the increasing prevalence of corruption, which continues to rise every year. Consequently, the focus shifted from debating the concept of hand catching operations to supporting it as one of the Corruption Eradication Commission's efforts to eradicate corruption, which is socially justified in using any means necessary.³¹ including conducting sting operations for corruption offenses.

The hand catching operations rate has decreased after seeing a drastic drop in hand catching operations figures this year compared to previous years. However, it is true that since Firli Bahuri's tenure, the number of hand sting operations has not been as high compared to when Agus Rahardjo was in charge. One of the reasons for the decline in hand catching operations figures is that the methods used by the Corruption Eradication Commission for hand catching operations have been learned by corruptors, causing them to seek new strategies to deceive and commit corruption. Hand catching operations is considered familiar, so corruptors already know how to deal with it and how to trick the Corruption Eradication Commission to avoid being caught in a hand catching operations operation.

Corruption Eradication Commission Deputy Chairman Alexander Marwata stated that the Corruption Eradication Commission had tapped over 500 cell phones to find sufficient initial evidence to conduct a hand catching operations. However, despite the large number of phones, investigators failed to find evidence of officials engaging in suspicious transactions, especially those leading to corruption. The large number of tapped cell phones and the lack of maximum results, meaning empty, show that the ability of corruptors to avoid being caught in hand catching operations operations is increasing.³² With the numerous hand catching operations that have been carried out, corruptors have also learned from the investigative techniques revealed in the trials of corruption cases caught thru hand catching operations, making them more cautious. Additionally, corruptors are educated individuals with high intellectual capacity, holding at least a bachelor's degree and many already possessing a master's degree.

Of course, the hand catching operations is not that easy to carry out because it requires preparation, a brilliant strategy, and precise execution for the success of the operation, and of course, all these stages require a significant budget. Here are the stages of hand catching operations: information gathering, operational planning, execution of the arrest, press conference, further legal action. The initial stage of the

³¹ Luthvi Febryka Nola, "Operasi Tangkap Tangan Oleh KPK," *Pusat Pengkajian, Pengolahan Data Dan Informasi* 24 (2013): 2.

³² Ihsanuddin and Syakirun Ni'am, "KPK Sadap Lebih Dari 500 Ponsel, Tetapi 'Zonk' Karena Koruptor Makin Pintar," *Kompas.Com*, 2024.

hand catching operations operation begins with the Corruption Eradication Commission gathering the necessary information and initial evidence regarding the alleged corruption committed by an individual. Initial evidence of this corruption can come from public reports or the results of internal investigations. This is why it is important for the public to be active in participating in combating corruption, as reports from the public are one of the keys to initiating action for the Corruption Eradication Commission. The public's role in sting operations is as a whistleblower or reporter who provides information related to alleged corruption. The public plays an important role in the success of sting operations because accurate and precise information is very helpful in resolving corruption cases. Additionally, reporters whose reports accurately reflect acts of corruption will receive a guaranty of legal protection from the government.

After the necessary information was gathered, the Corruption Eradication Commission carefully planned the implementation of the sting operation. This includes careful consideration in determining when and where the Corruption Eradication Commission will arrest a targeted individual. This planning process involves various parties within the Corruption Eradication Commission to ensure that the sting operation is carried out correctly, so it needs to be done selectively, cleanly, and with minimal errors. Once the hand catching operations plan is finalized, the Corruption Eradication Commission team will carry out the arrests at the designated locations. This arrest was carried out quickly and methodically to ensure that the targeted individual could not escape or destroy evidence. The existence of evidence is so important because evidence is an object that directly shows the connection to the crime of corruption. Evidence can be objects used by the defendant to commit the crime, or objects used to obstruct the investigation process. Speed and accuracy are key in capturing Hand catching operations.

After the arrest, the Corruption Eradication Commission immediately held a press conference to explain the chronology of the arrest, the profile of the suspect, and the evidence found. There was also a Q&A session for the media regarding the hand catching operations that occurred. This aims to provide transparency to the public regarding the ongoing legal process. After the press conference, the mass media immediately reported on this hand catching operations press conference thru both social media and print media, allowing the information to spread quickly to the public. Although the press conference after the hand catching operations, where suspects were paraded before the public, was widely discussed because it was considered confusing, a mistake, a violation, or an error against the principle of presumption of innocence. This affirmation is based on the individual's status still being that of a suspect, which, with a press conference, would create a sense of insecurity, shame, and social sanctions.³³ Furthermore, if the process after the hand catching operations gives the public an inaccurate view and leads public opinion toward less appropriate or even completely wrong opinions.

³³ Luh Made Mutiasari, I Nyoman Gede Sugiarta, and Luh Putu Suryani, "Perlindungan Hak Asasi Manusia Dalam Mempertontonkan Tersangka Pada Konferensi Pers," *Jurnal Konstruksi Hukum* 3 1 (2022): 226.

Regardless, the purpose of the press conference was precisely to confirm the disclosure to the mass media and the public regarding the hand catching operations that occurred, and this is an implementation of Article 5 of the Corruption Eradication Commission Law, namely the principles of openness, accountability, and public interest. These principles require the Corruption Eradication Commission to carry out its duties and authorities transparently, responsibly, and prioritizing the public interest above individual interests. This principle means that the Corruption Eradication Commission must be open and provide honest, accurate, and non-discriminatory information about its performance to the public. Therefore, this press conference is considered one of the implementation activities of the principles regulated in the Corruption Eradication Commission Law. After the sting operation, the case will proceed to the investigation and prosecution stages in accordance with applicable legal provisions. This process involves gathering more evidence and preparing to take the case to court to resolve the criminal corruption case thru a competent court ruling.

For the future, the Corruption Eradication Commission needs to update the hand catching operations procedures to be able to work more optimally in eradicating corruption. Corruption Eradication Commission can make better use of current advanced technology trends such as smart hand catching operations based on artificial intelligence (AI), strengthening digital tapping mechanisms with strict controls in accordance with the new criminal procedure code and technology-based anonymous whistleblowers.

c. Corruption Eradication Commission leaders are caught in corruption cases.

Since its establishment in 2003, the Corruption Eradication Commission has been at the forefront of uncovering and prosecuting corruption in various fields. Society strongly condemns corruption, especially when it involves public officials in state institutions. The Corruption Eradication Commission is expected to play an important role in carrying out its function to eradicate corruption, especially in major cases. However, the corruption case last year, in 2023, involved the Corruption Eradication Commission Chairman himself, Firli Bahuri, who was named a suspect by the Polda Metro Jaya for alleged extortion against Syahrul Yasin Limpo and alleged bribery. This case certainly contradicts Firli Bahuri's duties and position and shows that the ethical and moral standards of leadership in state institutions need improvement. Abraham Samad, as the Chairman of the Corruption Eradication Commission for the 2011-2015 period, became a suspect in the police investigation related to the alleged forgery of ID cards and documents, and was also linked to an ethical case regarding a political meeting.

This case is certainly embarrassing for the face of the Corruption Eradication Commission, considering the history is very committed to eradicating corruption and has prosecuted various types of corruption cases in Indonesia for years, but at the same time, the Corruption Eradication Commission Chairman himself is entangled in

an extortion case.³⁴ The case involving Firli Bahuri has undoubtedly tarnished the image of Corruption Eradication Commission's ethics and morals as the most trusted institution in combating corruption, as this severely damages the reputation of Corruption Eradication Commission, which has been carefully maintained internally and nationally. Additionally, Firli Bahuri's actions contradict Article 29, letter f and g of the Corruption Eradication Commission Law, which states that the head of the Corruption Eradication Commission never commits reprehensible acts; and is capable, honest, has high moral integrity, and has a good reputation. This naturally applies as an initial requirement to become a Corruption Eradication Commission Leader and throughout their tenure as a Corruption Eradication Commission Leader.

The extortion and bribery case involving Corruption Eradication Commission Chairman Firli Bahuri has damaged the image of the Corruption Eradication Commission as the most trusted anti-corruption agency in the country. This case has also changed public perception and public trust in the integrity of the Corruption Eradication Commission. After this case, the public felt doubtful about the Corruption Eradication Commission's performance, and most people no longer believed in the Corruption Eradication Commission's ability to eradicate corruption. This shows that corruption cases involving the leader of a state institution, which involve ethical and moral issues, can affect public trust in the integrity of that state institution. With public trust in the Corruption Eradication Commission's declining, it is difficult to obtain reports and gather information to conduct sting operations. This case shows that the leaders of the Indonesian Corruption Eradication Commission did not attempt to create a culture of law and order even within the Corruption Eradication Commission itself. Lack of attention to order can even damage the Corruption Eradication Commission institutional image in the eyes of the public and the government.³⁵

The Indonesian Political Indicator conducted a national survey on the topic of Public Evaluation of 10 Years of Jokowi's Administration. The results of the survey were released on Friday, October 4, 2024. The survey also measured how satisfied the public was with several existing government institutions. The Corruption Eradication Commission ranked third from the bhand catching operationsom out of the 11 institutions surveyed. The Corruption Eradication Commission itself received a trust rating of 61%, with 7% stating they strongly trust, 54% stating they somewhat trust, 32% stating they do not trust, and 4% stating they strongly do not trust. There are also 4% who don't know or didn't answer. The survey results show less than satisfactory figures for the Corruption Eradication Commission, as the Corruption Eradication Commission once held the highest level of trust among all other law enforcement

³⁴ Utsman Mauridho Azizie, Muhamad Daffa, and Dayinta Sukma Kumala, "Etika Dan Moral Kepemimpinan Lembaga Negara: Studi Rasa Bersalah Dan Malu Terhadap Kasus Korupsi Ketua KPK Firli Bahuri," *Jurnal Ilmiah Wahana Pendidikan* 10, no. 14 (2024): 926-34.

³⁵ Kamila Nurdiana, Mochamad Syahril Nur Hamam, and Muhammad Jazil Rifqi, "Eksistensi Kode Etik Komisi Pemberantasan Korupsi (KPK) Di Era Malpraktik Profesi Hukum," *Logika : Journal of Multidisciplinary Studies* 14, no. 02 (2023): 150-63, <https://doi.org/10.25134/logika.v14i02.8210>.

agencies. However, currently the value of the Corruption Eradication Commission survey has plummeted, leaving only 61% public trust.³⁶

Corruption is an act that endangers the nation's survival both quantitatively and qualitatively. The quantity factor indicates that an increase in corruption cases will inevitably have a negative impact on the quality of a nation, especially the well-being of its people. In this case, the state is obligated to improve the welfare of society. Corruption has a very significant impact, making all elements of this country responsible for combating the crime of corruption. Therefore, the public is also responsible for cooperating with the government in combating corruption.³⁷ Beside being caused by problematic leaders, the decline in public trust survey figures for the Corruption Eradication Commission has been decreasing since 2020 after the latest Corruption Eradication Commission Law was passed.

The decline in hand catching operations numbers this year is certainly regrettable, considering that hand catching operations is still considered the best way to investigate corruption cases. Hand catching operations is carried out suddenly or unexpectedly and successfully arrests high-profile corruptors such as ministers, regional heads, or legislative members. The Corruption Eradication Commission's sudden sting operation was able to create a surprising effect that captured the attention of the general public. Therefore, it's natural that hand catching operations received more attention from the media after that. However, the case involving Firli Bahuri is considered one of the reasons for the decline in Corruption Eradication Commission hand catching operations, as it is related to the impact on Corruption Eradication Commission's image following the arrest of Firli Bahuri. Tarnished leadership ethics have a far deeper impact on the hand catching operations.

The public wonders how they can trust the case of corruption if the Corruption Eradication Commission leadership itself is entangled in a similar case. The leadership of the Corruption Eradication Commission should have sufficient leadership ethics. Leaders must possess leadership ethics because it is closely related to how they exemplify good behavior for Corruption Eradication Commission employees to achieve Corruption Eradication Commission's goals and targets by applying good and correct methods and values as a guide for employee behavior within Corruption Eradication Commission. Corruption Eradication Commission employees use leaders as a benchmark for the ethical values possessed by Corruption Eradication Commission to be implemented in daily life. The more Corruption Eradication Commission leaders implement these ethical values in daily life, the more employees will trust, respect, and emulate that attitude. Compliance of Corruption Eradication Commission leaders with the existing code of ethics serves as the foundation for daily actions. The code of ethics within Corruption Eradication Commission is crucial for maintaining the dignity, image, honor, and credibility of

³⁶ Fauzi Ibrahim, "Survei Indikator: Tingkat Kepercayaan Masyarakat Terhadap KPK Masih Rendah," 2024, <https://data.goodstats.id/statistic/survei-indikator-tingkat-kepercayaan-masyarakat-terhadap-kpk-masih-rendah-yyf0i>.

³⁷ Di Donato, "Behavioural Research and Corruption: A New Promise for Governments?," *European Law Journal* 25 (2018): 510–523, <https://doi.org/10.1111/eulj.12218>.

Corruption Eradication Commission, as well as preventing conflicts among employees, in realizing the vision and mission of Corruption Eradication Commission. Additionally, the Corruption Eradication Commission is expected to be able to bear the responsibility as an anti-corruption agency so that it will later become a strong foundation for both its legal basis and its implementation.³⁸

In fact, one of the professions that requires the fulfillment of moral values in its development is the legal profession. Moral values are the foundation of strength for every noble action. Strong moral values are required for every legal profession. The manifestation of an ethical code is the realization of behavior based on the existing ethical code, in accordance with the culture prevalent in society. Therefore, the reference standard for the legal profession to function correctly, well, and strongly must align with independence, moral integrity, and ethical maturity when entrusted with handling a criminal act for which they are responsible.³⁹ It must also be understood how significant the impact of a leader's ethics is on an institution, especially one involved in law enforcement. Considering that criminal law enforcement involves at least three interconnected parts, starting with the legislative branch, then the law enforcement agencies, and finally legal awareness. These three parts are linked to the three components of the legal system: legal substance, legal structure, and legal culture. If one of them is not met or does not function optimally, it is impossible to solve the existing problems, especially in eradicating corruption.⁴⁰

4. Conclusion

As a developing country, Indonesia has an agenda to build a transparent, clean, and accountable governance system by enhancing the eradication of corruption. The Corruption Eradication Commission, as the anti-corruption agency in Indonesia, is experiencing a decline in operations using its most effective method, which is hand catching operations. The legality of Corruption Eradication Commission's hand catching operations is no longer in question considering that the pros and cons of the legality of hand catching operations have been frequently discussed, and the term hand catching operations is indeed not found in the criminal procedure code and the Corruption Eradication Commission law. However, a series of actions similar to hand catching operations, including wiretapping, searches, arrests, and seizures, have been regulated in the latest Corruption Eradication Commission law. Then, the decline in hand catching operations is caused by several factors, such as the changes in the hand catching operations mechanism found in article 37b paragraph (1) of the Corruption Eradication Commission law, which states that in conducting wiretapping, searches, and/or seizures, permission from the supervisory board is required. This is considered a hindrance because it necessitates obtaining prior approval from the supervisory board. Hand catching operations has also been studied by corruptors, who generally have high intellectual education, so by studying the methods of hand catching operations, they are

³⁸ Nurdiana, Nur Hamam, and Rifqi, "Eksistensi Kode Etik Komisi Pemberantasan Korupsi (KPK) Di Era Malpraktik Profesi Hukum."

³⁹ Achmad Asfi Burhanudin, "Peran Etika Profesi Hukum Sebagai Upaya Penegakan Hukum Yang Baik," *El-Faqih: Jurnal Pemikiran Dan Hukum Islam* 4 2 (2018): 60.

⁴⁰ Wachid, "Penegakan Hukum Tindak Pidana Korupsi Oleh KPK," *Maksigama Jurnal Hukum* 1 (2015): 104-5.

able to avoid hand catching operations. The image of the Corruption Eradication Commission is currently declining, especially after the Corruption Eradication Commission leadership was embroiled in a corruption case in 2023, which has given rise to a negative stigma from the public and a decrease in trust in the Corruption Eradication Commission. Moving forward, the Corruption Eradication Commission needs to clarify its authority in hand catching operations, optimize law enforcement, and implement internal reforms and institutional independence.

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