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CONSTITUTIONAL LAW EDUCATION IN STATE THEORY: THE KPK PERSPECTIVE AND THE ROLE OF POSITIVE LAW IN INDONESIA'S ANTI-CORRUPTION LEGAL POLITICS

Alvi Dwi Arianda[1], Loecy Farlia Ugiasari[2], Imam Mahdi[3]
Universitas Islam Negeri Fatmawati Sukarno Bengkulu
loecyfargisa50@gmail.com

Abstract

This study examines constitutional law education, state theory, positive law, and the legal politics of corruption eradication in Indonesia, with particular emphasis on the institutional position and authority of the Corruption Eradication Commission (Komisi Pemberantasan Korupsi or KPK). Corruption presents a fundamental challenge to constitutional governance because it undermines public accountability, weakens institutional integrity, and threatens the implementation of the rule of law. This study employs a qualitative approach using normative juridical research methods, supported by statutory, conceptual, and literature-based analyses. The analysis focuses on the relationship between constitutional principles, anti-corruption legislation, institutional independence, and political dynamics influencing the formulation and implementation of legal policies. The findings indicate that the effectiveness of corruption eradication depends not only on the availability of comprehensive legal provisions but also on the consistency of law enforcement, institutional accountability, legal certainty, and protection against improper political interference. Changes to the legal framework governing the KPK further demonstrate the importance of examining legislative reforms in relation to constitutional principles and institutional effectiveness. Constitutional law education can contribute to strengthening public legal literacy by connecting state theory, positive law, and anti-corruption governance with critical reasoning and civic responsibility. This study concludes that sustainable corruption eradication requires coherent legislation, accountable institutions, political commitment, and an informed society that supports transparency, integrity, and the rule of law.

Kata Kunci: *Constitutional Law Education; State Theory; Corruption Eradication Commission; Positive Law; Legal Politics; Rule of Law.*

INTRODUCTION

Constitutional law education plays a fundamental role in developing citizens' understanding of state institutions, constitutional principles, and the legal foundations of democratic governance. In Indonesia, constitutional education is particularly important because the 1945 Constitution of the Republic of Indonesia establishes the basic framework for the distribution of state power, the protection of human rights, and the implementation of the rule of law. The effectiveness of constitutional governance depends not only on the existence of constitutional provisions but also on the capacity of citizens to understand and critically evaluate their implementation. Constitutional literacy enables individuals to recognize the relationship between state authority, legal accountability, and the protection of public interests. Suntana and Priatna (2023) emphasize that constitutional law education in

Indonesia faces challenges involving learning methods, curriculum authority, learning materials, and the determination of relevant legal topics. These challenges demonstrate the need to develop constitutional law education that connects theoretical knowledge with contemporary problems of governance, particularly corruption and the enforcement of positive law.

State theory provides an essential conceptual foundation for understanding the relationship between constitutional structures, public authority, and legal accountability. Classical theories of the state explain the origins, purposes, and organization of political authority, while modern constitutional theories emphasize limitations on governmental power and the protection of citizens against arbitrary decisions. The separation of powers, the rule of law, and constitutional supremacy constitute important principles for examining how state institutions exercise their respective functions. Montesquieu's theory of the separation of powers offers a significant analytical framework for understanding the institutional distribution of legislative, executive, and judicial authority (Montesquieu, 1989). The Indonesian constitutional system incorporates these principles through constitutional arrangements that regulate the relationships among state institutions and establish mechanisms of institutional oversight. Constitutional law education should therefore introduce state theory as a practical analytical instrument for evaluating the legitimacy, accountability, and effectiveness of public institutions.

Corruption represents a serious challenge to constitutional governance because it transforms public authority into an instrument for private or particular interests. Corrupt practices can undermine public trust, weaken institutional accountability, distort public policy, and obstruct the equitable distribution of public resources. The consequences extend beyond financial losses because corruption also threatens the principles of justice, equality before the law, and responsible government. Rose-Ackerman and Palifka (2016) explain that corruption is closely associated with institutional incentives, governance arrangements, and the distribution of political and economic power. The relationship between corruption and constitutional governance demonstrates that anti-corruption measures require more than criminal sanctions against individual offenders. Constitutional law education can strengthen public understanding of corruption by explaining its legal elements, institutional consequences, and implications for the realization of constitutional principles.

Indonesia's legal framework for combating corruption is established through legislation that defines prohibited conduct, regulates enforcement mechanisms, and provides institutional authority for investigating and prosecuting corruption offenses. Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, as amended by Law Number 20 of 2001, constitutes a central component of this framework. Law Number 30 of 2002 concerning the Corruption Eradication Commission, as amended by Law Number 19 of 2019, regulates the institutional position and authority of the Corruption Eradication Commission, commonly known as the KPK. These legal instruments illustrate the relationship between constitutional objectives and positive law as a system of enforceable legal norms. Understanding corruption through positive law requires careful examination of statutory provisions, the elements of criminal offenses, institutional jurisdiction, and

procedural safeguards. Legal education must consequently distinguish between political allegations, ethical misconduct, administrative violations, and criminal corruption established through applicable legal procedures.

The KPK occupies an important position in Indonesia's anti-corruption framework through its responsibilities in prevention, coordination, monitoring, investigation, prosecution, and public education as regulated by law. Its institutional development also raises constitutional questions concerning independence, accountability, supervision, and the relationship between anti-corruption enforcement and the broader state structure. Agustine et al. (2019) examine the legal politics of strengthening the KPK's authority within Indonesia's constitutional system, illustrating the significance of institutional design in determining the direction of anti-corruption policy. Monteiro (2021) also analyzes the constitutional implications of amendments to the KPK Law through the interaction of political, social, cultural, and economic subsystems. These studies indicate that the effectiveness of an anti-corruption institution cannot be evaluated solely through the number of cases investigated or prosecuted. Constitutional law education should encourage students to assess whether institutional arrangements remain consistent with the rule of law, democratic accountability, legal certainty, and effective corruption prevention.

Legal politics provides an analytical framework for examining how political decisions influence the formulation, amendment, and implementation of legislation. In Indonesia, anticorruption policy reflects interactions among constitutional mandates, political interests, institutional authority, and competing interpretations of public accountability. Pinilih (2020) discusses the legal politics surrounding the institutional position of the KPK, highlighting the importance of examining its legal status within the national constitutional structure. Fadhil (2020) similarly analyzes the relationship between the KPK, anti-corruption legal politics, and the legitimacy of corruption eradication following changes to the KPK Law. These perspectives demonstrate that legislation cannot be understood exclusively as a collection of legal texts because its formulation and implementation are also shaped by political processes. Constitutional law education therefore needs to develop students' capacity to critically examine whether legal reforms strengthen constitutional governance or create institutional arrangements that potentially weaken accountability.

The relationship between constitutional law education and anti-corruption awareness becomes particularly significant when legal knowledge is translated into civic competence and responsible public participation. Legal education should equip learners to identify violations of legal norms, understand reporting mechanisms, evaluate the performance of public institutions, and recognize the importance of due process. Alhudawi and Sujastika (2020) discuss public legal education through the performance of the KPK and emphasize the institution's role in improving legal understanding and awareness among students and members of the community. This perspective positions the KPK not only as an enforcement institution but also as a relevant case study for developing public legal literacy. A contextual learning approach can connect statutory interpretation, constitutional principles, and realworld corruption issues through case analysis, structured discussion, and critical reflection. Such an approach may help learners understand that anti-corruption responsibility

extends beyond law enforcement agencies to public officials, educational institutions, civil society, and individual citizens.

Previous studies have examined constitutional law education, the institutional position of the KPK, and the legal politics of corruption eradication from different analytical perspectives. Suntana and Priatna (2023) focus on obstacles to the quality of constitutional law learning, while Agustine et al. (2019) investigate the legal politics of strengthening the KPK's authority. Monteiro (2021) analyzes the constitutional implications of amendments to the KPK Law, whereas Alhudawi and Sujastika (2020) explore public legal education through the KPK's institutional performance. These studies provide valuable foundations for understanding the relationship between legal knowledge, institutional design, and anticorruption governance. A further analytical opportunity lies in integrating these discussions into a single educational framework that connects state theory, constitutional principles, positive law, and the political dynamics of anti-corruption regulation. This integration can clarify how constitutional law education contributes to a more critical understanding of the relationship between legal norms, political authority, and institutional accountability in Indonesia.

The principal research problem concerns the gap between the formal availability of constitutional and anti-corruption regulations and the development of a comprehensive understanding of their constitutional, institutional, and political implications. Knowledge of statutory provisions alone may be insufficient when learners cannot explain how political interests influence legal reform or how institutional arrangements affect the enforcement of anti-corruption laws. Constitutional education requires an analytical framework that connects normative legal interpretation with the broader principles governing state organization and democratic accountability. The KPK provides a relevant case through which the relationship between institutional independence, statutory authority, legal certainty, and political influence can be examined. The novelty of this study lies in its integrated analytical emphasis on constitutional law education, state theory, positive law, and the legal politics of corruption eradication, rather than treating these subjects as isolated discussions. This perspective offers a basis for examining how legal education can strengthen constitutional literacy and encourage a more critical understanding of anti-corruption governance.

This study aims to analyze constitutional law education in Indonesia through the perspectives of state theory, the legal framework governing corruption eradication, and the institutional role of the KPK. The analysis focuses on the relationship between constitutional principles and positive law, particularly the extent to which anti-corruption legislation reflects the requirements of legal certainty, institutional accountability, and the rule of law. It also examines the influence of legal politics on the institutional position and authority of the KPK within Indonesia's constitutional system. The educational dimension is directed toward understanding how these legal and political issues can be incorporated into contextual learning to strengthen students' constitutional literacy and critical legal reasoning. The study is expected to contribute to constitutional law education by integrating normative legal analysis, institutional evaluation, and civic awareness of corruption prevention. Its broader significance lies in positioning constitutional education as an important means of promoting

accountable governance, respect for the law, and public participation in Indonesia's democratic development.

METHOD

This study employs a qualitative research approach using a normative juridical method to examine constitutional law education, state theory, the Corruption Eradication Commission (KPK), and the role of positive law in Indonesia's legal politics. The normative juridical approach focuses on the analysis of legal norms, constitutional principles, statutory provisions, and relevant scholarly literature to understand the relationship between constitutional governance and corruption eradication. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, as amended by Law Number 20 of 2001, and Law Number 30 of 2002 concerning the Corruption Eradication Commission, as amended by Law Number 19 of 2019. Secondary legal materials consist of academic books, peerreviewed journal articles, and previous research addressing constitutional education, state theory, anti-corruption institutions, and legal politics. Tertiary materials, including legal dictionaries and relevant legal indexes, are used to clarify legal terminology and support the interpretation of primary and secondary sources.

Data are collected through documentary research and a literature review of relevant legislation, scholarly publications, and constitutional law studies accessible through academic databases, including Google Scholar. The collected materials are analyzed qualitatively using a descriptive-analytical approach and systematic legal interpretation to identify the relationship between constitutional principles, positive law, institutional authority, and political dynamics in corruption eradication. The analysis also applies conceptual and statutory approaches to evaluate the legal foundations of the KPK, the implications of legal reforms, and the relevance of constitutional law education in strengthening legal awareness and democratic accountability. The findings are organized thematically according to the study's central concerns, namely state theory, constitutional education, anti-corruption legislation, and the legal politics of institutional governance. This method is expected to produce a coherent legal analysis that explains how constitutional law education can contribute to a more critical understanding of corruption prevention, the rule of law, and accountable governance in Indonesia.

RESULTS & DISCUSSION Constitutional Law Education and State Theory: Constitutional Principles, the Rule of Law, and Anti-Corruption Governance in Indonesia

Constitutional law education constitutes an essential component of democratic state development because it provides citizens with an understanding of the constitutional foundations of governmental authority, institutional accountability, and the protection of fundamental rights. In Indonesia, constitutional education should be understood not merely as the transmission of constitutional provisions but also as a process of developing critical

awareness regarding the exercise of public power. The 1945 Constitution of the Republic of Indonesia establishes the normative foundation for organizing state institutions and maintaining the relationship between governmental authority and citizens' rights. Constitutional literacy enables individuals to evaluate whether public policies and institutional decisions are consistent with constitutional principles. Putra and Lubis (2023), in their discussion of constitutionalism and the rule of law in Indonesia, highlight the historical development of constitutional governance and the continuing challenges associated with judicial independence, human rights, and legal reform. These considerations demonstrate that constitutional law education must connect constitutional knowledge with the practical challenges of democratic governance and the prevention of abuses of power.

State theory provides a conceptual framework for examining the origins, purposes, structures, and limitations of political authority. The state exercises public power through institutions that possess distinct legal responsibilities and operate within an established constitutional order. Constitutional principles are intended to prevent the concentration of authority and ensure that governmental decisions remain subject to legal and institutional controls. The Indonesian constitutional system reflects these principles through the distribution of state functions, judicial review, and mechanisms of accountability among public institutions. Understanding state theory therefore requires students to examine not only the formal structure of government but also the normative purposes underlying the exercise of state power. Constitutional education becomes more meaningful when theoretical explanations are connected to practical questions concerning institutional independence, public accountability, and the prevention of arbitrary governmental action.

The rule of law constitutes a fundamental principle of constitutional governance because it requires public authorities and citizens to operate within a legally established framework. Article 1 paragraph (3) of the 1945 Constitution explicitly states that Indonesia is a state based on the rule of law. This constitutional commitment requires the exercise of governmental power to be grounded in valid legal authority, subject to appropriate oversight, and consistent with the protection of constitutional rights. The principle also demands legal certainty, equality before the law, and access to fair judicial procedures. Adhari (2018), through his examination of the constitutionality of materiele wederrechtelijk in anticorruption policy, demonstrates the importance of constitutional standards in evaluating the legal foundations of criminal liability. The relationship between the rule of law and constitutional law education consequently requires students to understand that anticorruption enforcement must pursue accountability while respecting legality, legal certainty, and procedural fairness.

Anti-corruption governance represents a practical test of the effectiveness of constitutional principles in the administration of the state. Corruption can distort the allocation of public resources, undermine institutional credibility, and weaken the capacity of government to fulfill its constitutional responsibilities. Its consequences extend to public services, social welfare, and citizens' confidence in the fairness of legal institutions. Effective anti-corruption governance therefore requires coordinated preventive measures, credible law enforcement, transparent administration, and public participation. Dewantara et al. (2021)

emphasize the importance of anti-corruption education in developing humanistic character, legal awareness, and compliance with the law among students. Their findings support the argument that corruption prevention should not rely exclusively on criminal punishment but should also address the educational and ethical dimensions of public responsibility. Constitutional law education can contribute to this process by explaining how integrity, accountability, and respect for legal norms reinforce the legitimacy of democratic institutions.

The relationship between constitutional education and anti-corruption governance becomes particularly relevant within higher education institutions. Universities have a responsibility to develop graduates who possess not only professional competence but also an understanding of public ethics, constitutional accountability, and the social consequences of corruption. Legal education can integrate these objectives through case-based learning, constitutional analysis, discussions of judicial decisions, and critical examination of public policies. Prakoso et al. (2024), in their discussion of Pancasila as a foundation for legal reform, connect civic education and constitutional values with the legitimacy and effectiveness of Indonesia's legal system. This perspective suggests that constitutional education should situate legal rules within the broader normative framework of Pancasila and democratic citizenship. Students can consequently develop the capacity to assess whether legal and institutional reforms strengthen justice, accountability, and public trust.

The relationship between constitutional principles and anti-corruption governance also requires attention to the quality of institutional oversight. Constitutional arrangements are meaningful only when mechanisms of accountability operate effectively and public officials can be held responsible for unlawful conduct. Checks and balances, judicial independence, transparency, and access to legal remedies are important safeguards against the misuse of state authority. Aszahra and Situmeang (2026) examine constitutionalism and the crisis of law enforcement in Indonesia, emphasizing the challenges created by political interference, weak institutional integrity, and the need to strengthen constitutional accountability. Their analysis reinforces the importance of evaluating legal institutions through both their formal mandates and their practical capacity to uphold the rule of law. Constitutional law education should therefore encourage students to distinguish between the existence of legal provisions and the actual effectiveness of their implementation.

Pancasila provides an additional normative foundation for understanding the ethical dimensions of constitutional governance in Indonesia. Its principles of humanity, deliberation, social justice, and responsible citizenship can inform the interpretation and implementation of constitutional values. Anti-corruption governance is consistent with these principles because corruption privileges particular interests at the expense of collective welfare and equitable public administration. Prakoso et al. (2024) highlight the relevance of Pancasila-based civic education to legal reform, providing a basis for connecting constitutional knowledge with ethical reflection and civic responsibility. This connection does not mean that moral principles replace positive law or the formal requirements of criminal liability. Rather, constitutional values provide an ethical and political framework for evaluating the objectives of legal institutions while statutory provisions determine the applicable legal standards. The integration of Pancasila, constitutional principles, and positive

law can strengthen students' understanding of why corruption prevention requires both lawful enforcement and a culture of public integrity.

Anti-corruption education also needs to address the relationship between legal knowledge and the practical development of integrity. Students may understand the formal prohibition of corruption without fully appreciating how conflicts of interest, abuse of authority, and weak accountability can affect institutional performance. Effective constitutional education should therefore encourage learners to examine real or documented legal cases, identify relevant constitutional principles, and evaluate the adequacy of institutional responses. Muzammil (2026), in a study of integrating anti-corruption values into English for Law instruction, highlights the relevance of anti-corruption themes to constitutional law students' understanding of state administration, oversight, and checks and balances. This approach illustrates how anti-corruption education can be integrated into disciplinary learning rather than treated exclusively as a separate subject. The educational objective is to develop students' ability to connect constitutional norms with ethical judgment, legal reasoning, and responsible participation in public life.

Constitutional law education and state theory ultimately provide complementary foundations for strengthening the rule of law and anti-corruption governance in Indonesia. State theory explains the purposes and organization of public authority, while constitutional principles establish the legal limits and accountability mechanisms governing its exercise. Anti-corruption governance translates these principles into institutional practices intended to prevent abuse, protect public resources, and maintain confidence in public institutions. The integration of constitutional knowledge, Pancasila values, positive law, and anticorruption education can help learners understand that the legitimacy of state power depends on lawful conduct and responsible institutional performance. This educational orientation should emphasize both the enforcement of legal obligations and the protection of constitutional rights, ensuring that anti-corruption measures remain consistent with due process and legal certainty. Constitutional law education can consequently contribute to the development of informed citizens who are capable of evaluating public authority critically and supporting democratic governance grounded in integrity, justice, and accountability.

The KPK, Positive Law, and the Legal Politics of Corruption Eradication in Indonesia

The Corruption Eradication Commission (Komisi Pemberantasan Korupsi or KPK) occupies a strategic position in Indonesia's legal and political system because corruption eradication requires both effective law enforcement and institutional accountability. Corruption is not merely an individual criminal offense but also a governance problem that can undermine public trust, distort political decision-making, and weaken the legitimacy of state institutions. The effectiveness of the KPK therefore depends on the interaction between its statutory authority, constitutional principles, institutional independence, and the political environment in which it operates. Positive law provides the formal basis for defining corruption offenses, determining institutional jurisdiction, and establishing procedures for investigation and prosecution. Legal politics, meanwhile, influences the formulation, amendment, and implementation of the laws governing anti-corruption institutions. An

examination of the KPK through these perspectives is essential for understanding how Indonesia seeks to reconcile the enforcement of criminal law with democratic accountability and the rule of law.

The legal foundation of corruption eradication in Indonesia is principally established by Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, as amended by Law Number 20 of 2001. These regulations establish the legal framework for identifying and prosecuting corruption offenses, including conduct involving unlawful enrichment and the abuse of authority under the applicable statutory provisions. The institutional framework is further regulated by Law Number 30 of 2002 concerning the KPK, as amended by Law Number 19 of 2019. This legislative framework defines the KPK's responsibilities and authority while establishing its relationship with other law enforcement institutions. The application of positive law requires legal certainty, consistency in statutory interpretation, and compliance with procedural safeguards. Effective corruption eradication consequently depends not only on the existence of comprehensive legislation but also on the fair, transparent, and accountable implementation of legal provisions.

The relationship between the KPK and positive law must also be examined through the constitutional principle that all public institutions operate within the limits established by law. Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia declares Indonesia a state based on the rule of law, establishing a fundamental requirement that governmental authority be exercised according to legally recognized procedures. The KPK's authority must therefore be interpreted in conjunction with constitutional guarantees, applicable legislation, and the institutional division of responsibilities within the national legal system. Institutional effectiveness cannot be measured exclusively by the number of investigations or prosecutions undertaken, because the legitimacy of enforcement also depends on legal certainty, procedural fairness, and respect for individual rights. The constitutional framework requires anti-corruption institutions to remain accountable while exercising the powers conferred upon them by legislation. This relationship demonstrates that the rule of law serves simultaneously as a foundation for strong enforcement and a safeguard against arbitrary institutional action.

The institutional independence of the KPK has become a central issue in debates concerning the direction of Indonesia's anti-corruption policy. An independent anticorruption agency is expected to exercise its legal mandate without improper interference from political authorities or other institutions whose conduct may fall within its enforcement responsibilities. Mochtar (2021) argues that the amendments introduced through Law Number 19 of 2019 significantly changed the institutional arrangements governing the KPK, including its position within the executive branch, the establishment of a Supervisory Board, and aspects of its personnel structure. These changes raise questions concerning the relationship between institutional oversight and operational independence. Oversight mechanisms can promote accountability, but their design must avoid unnecessary interference with the lawful exercise of investigative and prosecutorial authority. The central challenge is to establish an institutional framework that combines accountability with sufficient independence to investigate corruption impartially.

The legal politics surrounding the revision of the KPK Law illustrates how legislative processes can influence the institutional capacity of anti-corruption enforcement. The formation of legislation is not merely a technical exercise in drafting legal norms because it involves political priorities, competing interests, institutional negotiations, and judgments about the distribution of state authority. Bhaskara and Sudibya (2022) examine the legal politics of the 2019 revision of the KPK Law, including the circumstances surrounding its inclusion in the legislative process and the implications of its regulatory direction. Their analysis highlights the importance of distinguishing the formal validity of legislation from substantive debates about its policy objectives and institutional consequences. A law may satisfy formal legislative requirements while still generating controversy over whether its provisions advance the effectiveness of corruption eradication. Critical legal analysis should therefore consider the legislative process, the normative content of the resulting statute, and the consequences of its implementation.

Constitutional review represents an important mechanism for resolving disputes concerning the legality and constitutionality of institutional arrangements governing the KPK. The Constitutional Court plays a role in determining whether statutory provisions comply with the Constitution and in clarifying the legal consequences of contested legislation. Al Arif (2023) examines the institutional design of the KPK following Constitutional Court Decisions Number 70/PUU-XVII/2019 and Number 79/PUUXVII/2019, focusing on the consequences of judicial review for the commission's institutional structure and powers. The analysis demonstrates the importance of judicial interpretation in clarifying matters such as the Supervisory Board's authority, investigative procedures, and employee status. Constitutional adjudication can contribute to legal certainty by resolving ambiguities that arise from legislative changes. Its broader significance lies in ensuring that the institutional development of the KPK remains subject to constitutional standards rather than being determined exclusively by changing political preferences.

The relationship between the KPK's statutory authority and international anticorruption standards also deserves consideration. Indonesia's participation in the United Nations Convention against Corruption (UNCAC) establishes an international framework for preventing corruption, criminalizing specified conduct, strengthening law enforcement, and promoting international cooperation. Asis (2024) analyzes the legal position of the KPK in relation to Law Number 19 of 2019 and UNCAC, raising questions about institutional independence and the implications of the commission's placement within the executive branch. This perspective emphasizes that domestic anti-corruption legislation should be evaluated in relation to Indonesia's broader legal commitments and the institutional conditions required for effective enforcement. International standards do not eliminate the need to respect national constitutional arrangements, but they provide relevant benchmarks for assessing the adequacy of domestic policies. A coherent legal framework should consequently reconcile constitutional requirements, statutory authority, and international anti-corruption commitments.

The effectiveness of corruption eradication also depends on the consistency between legislative objectives and the institutional consequences of legal reform. Andriansyah and

Asmorojati (2025) examine the KPK within the dynamics of constitutional legal politics following Law Number 19 of 2019, highlighting controversies concerning institutional independence, enforcement effectiveness, and the relationship between anti-corruption policy and democratic governance. Their study illustrates the need to evaluate legal reforms through both normative analysis and their practical implications for public accountability. The debate surrounding the KPK demonstrates that institutional changes can generate competing interpretations regarding the balance between government supervision and independent enforcement. Such controversies should be assessed through evidence, constitutional standards, and the applicable legal framework rather than political assumptions alone. The direction of anti-corruption policy should ultimately be evaluated according to its capacity to strengthen legal certainty, institutional integrity, and public confidence in law enforcement.

The KPK's institutional position also needs to be understood within the broader development of Indonesia's constitutional democracy. Sandy (2023) examines the KPK's position following Constitutional Court Decision Number 70/PUU-XVII/2019 through the perspective of the new separation of powers, demonstrating the relevance of constitutional theory to debates concerning the commission's institutional design. This perspective emphasizes that the distribution of state authority cannot be understood solely through a rigid separation of legislative, executive, and judicial functions, because modern constitutional systems also employ specialized institutions to perform particular oversight and enforcement responsibilities. The legitimacy of such institutions depends on clear statutory mandates, appropriate accountability mechanisms, and safeguards against improper interference. Legal politics should therefore support institutional arrangements that improve coordination without compromising the capacity to enforce the law impartially. The longterm objective of corruption eradication is to establish a legal system in which anti-corruption institutions operate effectively, constitutional limits are respected, and public authority remains accountable to the law.

CONCLUSION

The analysis demonstrates that the Corruption Eradication Commission (KPK), positive law, and legal politics are interconnected elements in strengthening corruption eradication and constitutional governance in Indonesia. The effectiveness of the KPK depends not only on the existence of comprehensive legislation but also on the consistency of its implementation, institutional independence, accountability mechanisms, and compliance with constitutional principles. Law Number 31 of 1999, as amended by Law Number 20 of 2001, and Law Number 30 of 2002, as amended by Law Number 19 of 2019, provide essential legal foundations for corruption prevention and enforcement. Nevertheless, legislative changes and political dynamics continue to raise questions concerning institutional authority, legal certainty, and the balance between governmental oversight and independent law enforcement. Constitutional review and adherence to the rule of law are therefore essential to ensure that anti-corruption policies remain consistent with democratic principles and the protection of fundamental rights. Integrating constitutional law education with the study of positive law and legal politics can strengthen legal literacy,

critical reasoning, and public awareness of corruption prevention. Ultimately, sustainable corruption eradication requires coherent legislation, accountable institutions, political commitment, and an informed society that actively supports integrity, transparency, justice, and the enforcement of law.

REFERENCES

Adhari, A. (2018). Konstitusionalitas materiele wederrechtelijk dalam kebijakan pemberantasan tindak pidana korupsi. Jurnal Yudisial, 11(2). https://doi.org/10.29123/jy.v11i2.260

Agustine, O. V., Sinaga, E. M. C., & Yulistyaputri, R. (2019). Politik hukum penguatan kewenangan Komisi Pemberantasan Korupsi dalam sistem ketatanegaraan. Jurnal Konstitusi, 16(2), 313–338. https://doi.org/10.31078/jk1626

Al Arif, M. Y. (2023). Institutional design of the Corruption Eradication Commission (KPK) post-Constitutional Court Decisions Number 70/PUU-XVII/2019 and Number 79/PUU-XVII/2019. As-Siyasi: Journal of Constitutional Law, 3(1), 64–87. https://doi.org/10.24042/as-siyasi.v3i1.16947

Alhudawi, U., & Sujastika, I. (2020). Pendidikan hukum masyarakat melalui kinerja Komisi Pemberantasan Korupsi. Jurnal Kewarganegaraan, 17(1), 11–26. https://doi.org/10.24114/jk.v17i1.18899

Andriansyah, F., & Asmorojati, A. W. (2025). The Corruption Eradication Commission (KPK) in the dynamics of constitutional legal politics following Law No. 19 of 2019. Lex Renaissance, 10(1), 249–273. https://doi.org/10.20885/JLR.vol10.iss1.art10

Asis, A. (2024). The legal position of the KPK as an independent anti-corruption agency in Indonesia: A review in Law No. 19 of 2019 and UNCAC. Unnes Law Journal, 10(1). https://doi.org/10.15294/ulj.v10i1.1877

Bhaskara, I. G. A., & Sudibya, K. P. (2022). Politik hukum revisi Undang-Undang KPK yang tidak termuat dalam Prolegnas Prioritas Tahun 2019. Kertha Semaya: Journal Ilmu Hukum, 10(2), 434–444. https://doi.org/10.24843/KS.2022.v10.i02.p15

Dewantara, J. A., Hermawan, Y., Yunus, D., Prasetiyo, W. H., Efriani, E., Arifiyanti, F., & Nurgiansah, T. H. (2021). Anti-corruption education as an effort to form students with character humanist and law-compliant. Jurnal Civics: Media Kajian Kewarganegaraan, 18(1), 70–81. https://doi.org/10.21831/jc.v18i1.38432

Fadhil, M. (2019). Komisi Pemberantasan Korupsi, politik hukum antikorupsi dan delegitimasi pemberantasan korupsi. Al Ahkam, 15(2), 7–36. https://doi.org/10.37035/ajh.v15i2.2203

Kurnia, T. S. (2020). Komisi Pemberantasan Korupsi sebagai tata konstitusional abnormal dan implikasi yuridis Putusan Mahkamah Konstitusi Nomor 36/PUU-XV/2017. Jurnal Konstitusi, 17(1). https://doi.org/10.31078/jk1716

Mochtar, Z. A. (2021). Independensi Komisi Pemberantasan Korupsi pasca Undang-Undang Nomor 19 Tahun 2019. Jurnal Konstitusi, 18(2), 321–344. https://doi.org/10.31078/jk1823

Montesquieu, C. de Secondat. (1989). The spirit of the laws. Cambridge University Press. (Original work published 1748).

Pinilih, S. A. G. (2020). Politik hukum kedudukan KPK sebagai lembaga pemberantasan korupsi di Indonesia. Jurnal Hukum Progresif, 8(1), 15–27. https://doi.org/10.14710/hp.8.1.15-27

Prakoso, P., Rokhman, F., & Handoyo, E. (2024). Pancasila as a foundation for legal reform: Evaluating the impact of civic education on Indonesian legal systems. Journal of Law and Legal Reform, 5(3), 1429–1468. https://doi.org/10.15294/jllr.v5i3.16498

Rose-Ackerman, S., & Palifka, B. J. (2016). Corruption and government: Causes, consequences, and reform (2nd ed.). Cambridge University Press. https://doi.org/10.1017/CBO9781139962933

Sandy, S. G. A. (2023). Analysis of KPK (Corruption Eradication Commission) position after the Constitutional Court Decision Number 70/PUU-XVII/2019 from the perspective of the new separation of powers. JIL: Journal of Indonesian Law, 4(1). https://doi.org/10.18326/jil.v4i1.1003

Suntana, I., & Priatna, T. (2023). Four obstacles to the quality of constitutional law learning in Indonesia. Heliyon, 9(1), Article e12824. https://doi.org/10.1016/j.heliyon.2023.e12824

Muzammil, S. (2026). Integrating anti-corruption values into English for Law: A case study of constitutional law students at UIN Jurai Siwo Lampung. Diksi. https://journal.mulyaliterasi.or.id/diksi/index.php/dks/article/view/116

Legislation

Republic of Indonesia. (1945). The 1945 Constitution of the Republic of Indonesia.

Republic of Indonesia. (1999). Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption.

Republic of Indonesia. (2001). Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption.

Republic of Indonesia. (2002). Law Number 30 of 2002 concerning the Corruption Eradication Commission.

Republic of Indonesia. (2019). Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 concerning the Corruption Eradication Commission.