

The Nature of Police Investigation Function in Corruption of Law Criminal Enforcement by Criminal Justice System

Tajuddin*, Hambali Thalib**, Sufirman Rahman**, Baharuddin Badaru***

**Student of Postgraduate Doctoral Program in Legal Studies, Universitas Muslim Indonesia*

***Professor of the Faculty of Law, Universitas Muslim Indonesia*

**Lecturer of the Faculty of Law, Universitas Muslim Indonesia*

Abstract: This research conducted with the aim of 1) Knowing, analyzing and discovering the nature of the functions of the National Police investigator in enforcing criminal acts of corruption in the Indonesian criminal justice system in the South Sulawesi Regional Police, 2) Knowing, analyzing and finding out the functions of Polri investigators in enforcing criminal acts of corruption in the criminal justice system have a deterrent effect on the South Sulawesi Regional Police, and 3) Knowing, analyzing and discovering the factors that influence police investigators in enforcing criminal acts of corruption in the criminal justice system in the South Sulawesi Regional Police. This research was conducted in the influence of the normative legal research paradigm and empirical legal research. So for normative juridical research.

Keywords: Corruption, Regional Police, Law Criminal

Date of Submission: 09-12-2019

Date of Acceptance: 24-12-2019

I. INTRODUCTION

The role of police investigators as law enforcers in realizing corruption eradication has not functioned as expected, it can be influenced by several factors including quality, professionalism, morals and morals of law enforcement officers that are still low, so that the trust of justice seekers in the community towards law enforcement institutions drop. In addition, weak law enforcement is also caused by law enforcement officials such as the Police, Prosecutors, Civil Servant Investigators (PPNS) and has not shown professional attitude and high moral integrity.

The rise of corruption should knock awareness of law enforcement agencies to work together synergistically in tackling and combating corruption, this is because the adverse effects of corruption will not only harm the country's finances but will negatively impact economic and cultural growth society which in turn will bring harm to humanity.

Weak law enforcement in the context of eradicating criminal acts of corruption will affect economic growth and directly become one of the causes of the worsening investment climate in Indonesia. The phenomenon of corruption is not only contrary to universal moral principles but also contrary to the constitution and philosophy and the culture of Indonesian society.

II. STATEMENT OF THE PROBLEM

1. What is the nature of the Police investigator's function in enforcing criminal acts of corruption in the Indonesian criminal justice system in the South Sulawesi Regional Police?
2. To what extent is the function of the National Police investigator in enforcing criminal acts of corruption in the criminal justice system able to provide a deterrent effect in the South Sulawesi Regional Police?
3. What factors influence Polri investigators in enforcing criminal acts of corruption in the criminal justice system in the South Sulawesi Regional Police?

III. THEORETICAL FRAMEWORK

A. Theoretical basis

1. Legal System Theory

The problem of law enforcement is a problem faced by every community. Although then each community with its own characteristics, may provide its own pattern of problems within the framework of law enforcement. But every society has the same goal, so that peace can be achieved within the community as a result of formal law enforcement.

Mochtar Kusumaatmadja¹ argued, that: Development in the broadest sense includes everything from community life and not only aspects of community life and not just mere economic life because the term economic development is actually not quite right, because we cannot build the economy of a society without involving development of other aspects of life.

What was stated by Mochtar Kusumaatmadja above is true, given the understanding that often develops so far in the community that the development carried out is economic development.² Finally, every policy taken by the government is more focused on economic development. It cannot be denied that human life is greatly supported by economic improvement. However, in carrying out development in the country, it is not only economic development that needs attention, but development of other aspects of life also needs attention,³ because as stated by J.C.T. Simorangkir,⁴ that: “building within the framework of national development concerns all aspects rather than the overall problem”. For this reason, the most appropriate term to use is national development.

Satjipto Rahardjo⁵ said, that: The conscious use of legislation by the government as a means for organized social action has been a characteristic of the modern state. In the level of conscious use of law to achieve the desired social goals as experienced by the modern state today, the problem shifts to the tension between the idea of legal certainty and the use of law to make changes. The idea of legal certainty requires stability in society, while the use of the law is instrumental to create change through the regulation of citizens’ behavior towards the desired target.

2. Law Enforcement Theory

Law enforcement in principle must be able to provide benefits or utility (utility) for the community, but in addition, the community also expects law enforcement to achieve justice. However we cannot deny that what is considered useful (sociologically) is not necessarily fair, and vice versa what is perceived as fair (philosophically) is not necessarily useful for society.

In the implementation of law enforcement, justice must be considered, but the law is not synonymous with justice, the law is general, binding on everyone, is generalized. Everyone who steals must be punished without discriminating who steals. Instead justice is subjective, individualistic and not generalized.⁶ Fair to someone is not necessarily felt fair to others.

3. Legal Purpose

GustafRadbruch said that the purpose of the law must meet the basic values of the law namely justice, usefulness and legal certainty.⁷ Although all three are the basic values of the law, there is a Spannungsverhältnis (tension) among them, because each of the three basic values of the law each has different demands from each other, so that all three have the potential to conflict with one another.

When we talk about the value of legal certainty, then the value of the claim is solely a positive legal regulation or statutory regulation. In general, practitioners only look at the laws and regulations or see from formal legal sources. As the law is known, it is not always perfect and it is not possible that the law can regulate all legal needs in society completely. Sometimes the law is incomplete and sometimes the law does not exist or is imperfect. This situation certainly made it difficult for the judge to hear the case he was facing. However, in carrying out its function to uphold justice, the judge certainly cannot allow the case to be neglected or not be resolved at all.

4. Legal Discovery (Rechtsvinding)

Based on Article 16 paragraph (1) of Law No. 4 of 2004 concerning Judicial Power, which asserts “the court must not refuse to examine and try a case that is filed on the pretext that the law is not clear or unclear, but it is obligatory to examine and try it”.

Legal discovery is usually interpreted as the process of legal formation by judges or other legal officers who are tasked with carrying out the law on concrete legal events. This is a process of concretization and

¹Kusumaatmadja, Mochtar. (1975). *Pembinaan Hukum dalam Rangka Pembangunan Nasional*. Bandung: Bina Cipta, p. 3.

²Nasution, Adnan Buyung. (2007). *Arus Pemikiran Konstitusionalisme: Hak Asasi Manusia & Demokrasi*. Jakarta: Kata Hasta Pustaka, p. 165.

³Sidharta, Bernard Arief. (1999). *Refleksi tentang Struktur Ilmu Hukum*. Bandung: CV. Mandar Maju, p. 208; *See also* D., Moh. Mahfud M. (2001). *Politik Hukum di Indonesia*. Jakarta: LP3ES, pp. 20 – 21.

⁴Simorangkir, J. C. T. (1987). *Hukum dan Konstitusi Indonesia I*. Jakarta: Gunung Agung, p. 73.

⁵Rahardjo, Satjipto. (1986a). *Hukum dan Masyarakat*. Bandung: Angkasa, p.113.

⁶Mertokusumo, Sudikno, & Pitlo, Adriaan. (1993). *Bab-Bab tentang Penemuan Hukum*. Bandung: PT. Citra Aditya Bakti, p. 2.

⁷Rahardjo, Satjipto. (1986b). *Ilmu Hukum*. Bandung: PT. Alumni, p. 21.

individualization of general legal regulations bearing in mind concrete events. While people prefer to use the term “legal formation” rather than “legal discovery”, because the term “legal discovery” suggests that the law already exists.⁸

According to von Savigny the law is based on a system of legal principles and a basic understanding from which for each event a suitable method can be applied (Begriffsjurisprudenz). The judge is free in applying the law, but he still moves in a closed system.⁹

Judges in adjusting the laws and regulations with a concrete atmosphere to uphold justice and truth and legal certainty (rechts zekerheid), must be able to give meaning to the contents of the provisions of the law and seek clarity by interpreting them according to reality, so that the law can concrete action if faced with the event.

5. State Law

Notohamidjojo uses the term “rule of law” or “rechtsstaat”, while Sunaryati Hartono, uses the term rule of law as the rule of law, in the words: “... in order to create a rule of law that brings justice to all the people enforcement of the rule of law must be in the material sense.¹⁰ On the other hand Sudargo Gautama, stated that “... in a state of law, there is a limitation of state power over individuals ... in England it is known as the rule of law.”¹¹ Suny, using the term the rule of law in the sense of the rule of law,¹² meanwhile, the term “government of law, but not man” is used in the United States.¹³

The rule of law in this sense¹⁴ that state officials are not free from the obligation to obey the laws governing ordinary citizens or from the jurisdiction of ordinary justice.¹⁵ Thus the administration of justice in the Anglo Saxon system is unknown. Based on the concept of the rule of law, the constitution is not a source but is a consequence of individual rights formulated and affirmed by the court.

In subsequent developments, the concept of the rule of law (Dicey) expressed, experiencing an expansion of understanding with a deeper analysis. H.W.R. Wade identified five aspects of the rule of law, namely¹⁶: 1. All government actions must be according to law; 2. the government must behave within a frame that is recognized legislation and principles that limit the power of discretion; 3. disputes regarding the validity (legality) of government actions will be decided by a court that is purely independent of the executive; 4. must be even-handed between the government and citizens; and 5. no one can be punished except for crimes confirmed by law.

Basically, in the concept of the rule of law, both the rechtsstaat concept or the rule of law, there are essentially the same things, which contain the principles of legality, the principle of separation (distribution) of power, and the principle of independent judicial power, all of which aim to control the state or the government from the possibility of arbitrary acts, tyranny, or abuse of power.

A basic understanding of the rule of law, where power grows in law and all people are equal before the law;¹⁷ or a state which places law as the basis of state power and the implementation of such power in all its

⁸Hommes, Van Eikema. (without years). *Logika en Rechtsvinding*. Cityless: VrijeUniversiteit, p. 32.

⁹Mertokusumo & Pitlo. (1993). *Op. Cit.*, p. 11.

¹⁰Hartono, Sunaryati. (1976). *Apakah the Rule of Law Itu?* Bandung: PT. Alumni, p. 35.

¹¹Gautama, Sudargo. (1983). *Pengertian tentang Negara Hukum*. Bandung: PT. Alumni, p. 3.

¹²Suny, Ismail. (1982). *Mencari Keadilan: Sebuah Otobiografi*. Jakarta: Ghalia Indonesia, p. 123.

¹³Kusnardi, Moh., & Ibrahim, Harmaily. (1988). *Pengantar Hukum Tata Negara Indonesia*. Jakarta: Pusat Studi Hukum Tata Negara FH-UI, p. 161; Compare with Attamimi, A. Hamid S. (1992b). *Teori Perundang-Undangan Indonesia: Suatu Sisi Pengetahuan Perundang-Undangan Indonesia yang Menjelaskan dan Mencerminkan*. In *Upacara Pengukuhan Jabatan Guru Besar Tetap*. Jakarta: Fakultas Hukum Universitas Indonesia, p. 8, Attamimi states that “... the meaning of rechtsstaat comes from German and is translated in English with ‘a state based on law’ or ‘a state governed by law’.”

¹⁴Hadjon, Philipus M. (1987). *Perlindungan Hukum Bagi Rakyat di Indonesia: Sebuah Studi tentang Prinsip-Prinsipnya, Penanganannya oleh Peradilan dalam Lingkungan Peradilan Umum dan Pembentukan Peradilan Administrasi Negara*. Surabaya: PT. Bina Ilmu, p. 80.

¹⁵Carias, Allan-Randolph Brewer. (1989). *Judicial Review in Comparative Law*. United Kingdom: Cambridge University Press, p. 38.

¹⁶Wade, Henry William Rawson. (1984). *Administrative Law*. London: Oxford University Press, pp. 22 – 24; See also Carias, Allan-Randolph Brewer. (1989). *Ibid.*, p. 41, explained that: “First, ... all governmental action must be taken according to the law, ... Second, that government should be conducted within a framework of recognized rules and principles which restrict discretionary power, ... Third, that disputes as to the legality of acts of government are to be decided upon by courts which are wholly independent of the executive, ... Fourth, that the law should be even – handed between government and citizen, ... And fifth, ... that no one should be punished except for legally defined crimes, ...”

¹⁷Kusumaatmadja, Mochtar. (1995). *Pemantapan Cita Hukum dan Asas Hukum Nasional di Masa Kini dan Masa yang Akan Datang*. Paper presented at the *Temu Kangen Cita Hukum dan Penerapan Asas-Asas Hukum Nasional*, Jakarta, pp. 1 – 2.

forms is carried out under the rule of law.¹⁸ The concept of the rule of law is a means or foundation for the government (in the broad sense) in carrying out activities in the administration of the state (government) which must always be based on the principle of the constitutional system (constitutionalisme),¹⁹ and the realization of the principle of equality in law. Both of these elements must be able to guarantee the creation of an orderly law, upholding the law, and the achievement of legal objectives. This constitutionalism in rechtsstaat is known as “wetmatigheid van het bestuur”, which then changed to “rechtmatigheid van het bestuur”,²⁰ whereas in understanding the rule of law is known as the principle of “supremacy of law”; or in the rechtsstaat system or Continental Europe also known as the principle of legality, and in the United States system is known as the idea of constitutionalism.²¹

Orderly law (rechtsorder) is meant a state power based on the law desired by law; and the condition of the community in accordance with applicable law. Attamimi gives the meaning of “orderly law (rechtsordnung)” is an objective legal entity, which comes out does not depend on other laws, and in determining all the formation of law in the legal order unity. This formulation is very important to determine the presence or absence of juridical unity in an orderly law.²² Logemann states that just as the order of society, which is an interconnected whole, also positive law, which is found by extracting from a whole, a relation of norms, is an orderly law.²³ Thus a positive law does not have conflicting norms.²⁴

Based on the description above, it can be concluded that the rule of law is created if: 1. a product of legislation is not in conflict with each other, both vertically and horizontally; 2. behavior of the executors of state power and members of the community in accordance with applicable law. In a country the law must guarantee the existence of law enforcement and the achievement of legal objectives. In law enforcement there are three elements that must always get attention, namely: justice, expediency or usufruct (doelmatigheid), and legal certainty.²⁵

6. Legal Function

Mochtar Kusumaatmadja²⁶ said that to find out what the meaning and function of law in society is, “it can be returned to the basic question: what is the purpose of law.” The main purpose of law is order.²⁷ The need for order is a fundamental condition for the existence of an organized society. In addition to order, another goal of the law is the attainment of justice which varies in content and size, according to the community and its era.

In order to achieve order in the community, it is endeavored to establish certainty in the association between people in the community ... This is very important not only for an organized community life, but is an absolute requirement for an organization of life that transcends borders. current time limit. Without the certainty of law and order embodied by this certainty, humans will not be possible to develop their abilities in society, because order aims to create peace and calm “.

More broadly B. Arief Sidharta²⁸ said, that: “... basically, in general the law serves to bring order to the community, realize fundamental human values, resolve disputes in an orderly and fair manner, maintain and maintain order and rules with if it is necessary to use violence in an organized manner (applying legal sanctions) through certain implementation procedures that must be carried out strictly, regulating how to regulate and maintain order, changing the rules and regulations in order to adapt to (changing) community needs, regulating the way of formation and changing rules and regulations. Generally said, the law aims at bringing about peace in society. “

¹⁸Attamimi, A. Hamid S. (1992a). Pancasila Cita Hukum Dalam Kehidupan Hukum Bangsa Indonesia. In Oetoyo Oesman & Alfian (Eds.), *Pancasila sebagai Ideologi dalam Berbagai Bidang Kehidupan Bermasyarakat, Berbangsa, dan Bernegara*. Jakarta: BP-7 Pusat, p. 74.

¹⁹Carias, Allan-Randolph Brewer. (1989). *Op. Cit.*, p. 21.

²⁰Hadjon, Philipus M. (1987). *Op. Cit.*, p. 85.

²¹Carias, Allan-Randolph Brewer. (1989). *Loc. Cit.* Ivor Jennings interpreted this principle: “... *that all power came from the law and that no man, be he King or Minister or private person, is above the law.*” Thus, the constitutional system presents legal compliance, which provides guarantees to the community for equality before the law, guarantees the rule of law, and guarantees the achievement of legal objectives.

²²Attamimi, A. Hamid S. (1992a). *Op. Cit.*, p. 71.

²³Logemann, J. H. A. (1948). *Over de Theorie van een Stelling Staatsrecht*. Leiden: Uniersitaire Pers; Logemann, J. H. A. (1975). *Tentang Teori Suatu Hukum Tata Negara Positif* (Makkatutu & J. C. Pangkerego, Trans.). Jakarta: Ichtar Baru Van Hoeve, p. 31.

²⁴*Ibid.*, hlm. 61.

²⁵Mertokusumo & Pitlo. (1993). *Op. Cit.*, p. 1.

²⁶Kusumaatmadja, Mochtar. (2011). *Konsep-Konsep Hukum dalam Pembangunan* (Otje Salman & Eddy Damian Eds.). Bandung: PT. Alumni, p. 3.

²⁷Kusumaatmadja, Mochtar, & Sidharta, Bernard Arief. (2000). *Pengantar Ilmu Hukum: Suatu Pengenalan Pertama Ruang Lingkup Berlakunya Ilmu Hukum* (Vol. 1). Bandung: PT. Alumni, p. 49.

²⁸Sidharta, Bernard Arief. (2004). *Asas, Kaidah, Sistem dan Penemuan Hukum*. Bandung, p. 1.

In connection with the above opinion, it appears that in addition to order and security, other legal duties are to create justice. John Rawls says that justice is the main virtue of social institutions, as is the truth in systems of thought.²⁹ This opinion is in accordance with the opinion of Soediman who said that in every provision in the field of law there is an element of justice. The law aims to realize an orderly society with justice. In this case John Rawls and Soediman hinted that justice is an essential element in law.³⁰ This opinion is also in accordance with the opinion of Satjipto Rahardjo³¹ who said that the law must provide justice. It can be said that the most important task of the law is to create order, security and justice. Through order, security and justice, legal certainty will be achieved. Thus, order, security, and justice are the three pillars that sustain the law, and are the spirit of the law. This is very important to understand not only for an organized community life, but is an absolute requirement for an organization that transcends current time limits. Without order, security, and justice, humans will not be able to carry out their activities properly. Based on this understanding, order, security and justice are the three pillars that sustain human life in the country. With the creation of order, security, and justice, humans can freely act and work. These three pillars must be applied in carrying out activities in order to create prosperity in the country. Notohamidjojo went on to say that in all duties, the law aims to provide guidance to all those who seek the order of society and who seek justice. Further said, that:³²

- a. law brings balance and peace;
- b. the law gives freedom;
- c. the law gives rights and responsibilities;
- d. the law is criminal imprisonment.

Through the explanation above, it can be understood what is the function of law. By understanding the function of law, it is hoped that the law will be obeyed and implemented by all people without exception, including by the government. If the law is not obeyed and implemented, what happens is arbitrariness, which can lead to violations of human rights. Violations of human rights are also the same as violations of the law, because the law was created to protect human rights. In the ideal and dynamic state of law, law is the foundation for individuals, society and the government in carrying out its activities. To realize this, a good and quality set of laws and regulations is needed, as well as the willingness of all parties to implement the law in a consistent manner.³³ Regarding good legislation, Eugen Ehrlich said³⁴: “. . . Good positive (and therefore effective) law is the law that is in accordance with living law which as an inner order of the community reflects the values that live in it”.

IV.DISCUSION

A. The Nature of the Function of Police Investigators in Corruption Criminal Law Enforcement

Polri is a state instrument that functions as the maintenance of security and public order, law enforcement, protection, protection, and services to the community in the context of maintaining domestic security,³⁵ then the Police are required to continue to develop into more professional and at the same time, closer to the community. In other words, the National Police are required to develop themselves into civilian police. As a civilian police, the position of the National Police in state organizations has a dominant influence in the proportional and professional administration of the police which is a condition that supports the realization of good governance.³⁶

Basically Polri bureaucratic reform is a transformation in all aspects of government management towards good governance and clean government and Bureaucratic Reform has been carried out by government officials through various programs and activities as outlined in the Grand Design of Bureaucratic Reform and Road Map of Bureaucratic Reform issued by the Ministry of Administrative Reform. and bureaucratic reform.

²⁹Rahardjo, Satjipto. (2006). *Hukum dalam Jagat Ketertiban*. Jakarta: UKI Press, pp. 97 – 98; *See also* Rahardjo, Satjipto. (2009). *Lapisan-Lapisan dalam Studi Hukum*. Malang: Bayumedia Publishing, p. 131.

³⁰Sidharta, Bernard Arief. (2009). *Revitalisasi Pemikiran Prof. Soediman Kartohadiprodo tentang Pancasila Berkaitan dengan Pengembangan Sistem Hukum Nasional*. In *Dies Natalis ke-51 Fakultas Hukum Universitas Katolik Parahyangan* (17 Oktober ed.). Bandung, p. 14.

³¹Rahardjo, Satjipto. (2007). *Biarkan Hukum Mengalir: Catatan Kritis tentang Pergulatan Manusia dan Hukum*. Jakarta: Kompas, p. 152.

³²Notohamidjojo, O. (1975). *Demi Keadilan dan Kemanusiaan*. Jakarta: BPK Gunung Mulia, p. 62.

³³Basah, Sjachran. (1986). *Perlindungan Hukum terhadap Sikap Tindak Administrasi Negara*. In *Orasi Ilmiah pada Dies Natalis XXIX Universitas Padjadjaran*. Bandung: Universitas Padjadjaran; *See also* Naning, Ramdlon. (1983). *Cita dan Citra Hak-Hak Asasi Manusia di Indonesia*. Jakarta: Lembaga Kriminologi Universitas Indonesia, p. 26.

³⁴Soekanto, Soerjono. (1991). *Pokok-Pokok Sosiologi Hukum*. Jakarta: Rajawali Pers, p. 36.

³⁵Undang-Undang Republik Indonesia Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia. Lembar Negara Republik Indonesia Tahun 2002 No. 2. Tambahan Lembar Negara No. 4168.

³⁶Sadjijono. (2008). *Seri Hukum Kepolisian, Polri dan Good Governance*. Yogyakarta: LaksbangMediatama, p. 22.

B. Implementation of National Police Investigations in Realizing Professional Police

Bureaucratic reform within the National Police is aimed at the realization of good governance. Therefore there are several principles that must be applied as indicators of the implementation of good governance, namely:

1. Transparency

In accordance with the moral commitment in the framework of Polri bureaucratic reform, which is to create a transparent, comfortable, efficient, effective, professional and accountable work atmosphere, then in every form of service, especially investigations conducted by members of the National Police, must be transparent, meaning that every development The investigation must be clearly known by the victim, so that those who need legal assistance can clearly know the extent of the handling of the case reported.

To find a description of the application of the principle of transparency in investigations, you can see from the table below:

Table 1. Principles of Transparency in Investigation

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	Implemented	35	80,00	10	50,00	10	30,00	55	53,00
2	Less Implemented	15	20,00	10	50,00	13	46,66	38	40,00
3	Not Implemented	-	-	-	-	7	23,33	7	7,00
Total		50	100	20	100	30	100	100	100

Source: Processed from Primary Data, 2017

Based on the data above illustrates that of the three groups of respondents have different assessments regarding the implementation of the principle of transparency in investigations, from the group of investigators as many as 35 people or as much as 80% who said it was implemented; as many as 15 people or as much as 20% who stated less Implemented and no investigative respondent stated that transparency principles were not carried out in the investigation.

Meanwhile, advocate respondents' statements that as many as 10 people or as many as 50% who said it was implemented; as many as 10 people or 50% who stated less implemented and none of the advocate respondents stated that the principles of transparency were not implemented in the investigation. Furthermore, as many as 10 people or 30% who said it was implemented; as many as 13 people or 46.66% who stated less implemented and as many as 7 people or 23.33% who said the principles of transparency were not implemented in the investigation.

When seen as a whole from the respondents' statements, it appears that the majority of respondents (53%) stated that the principles of transparency had been implemented in the investigation, while 40% who stated the principles of transparency were not implemented in the investigation and as many as 7% who stated they were not implemented. transparency principles in investigation.

Transparency of investigations by the Indonesian National Police (Polri) is urgently needed in order to build public trust in the Police. With transparency and accountability in investigations, the rights of all parties can be upheld. Then, with this, it can be seen whether the rights of the suspect, the rights of the reporter, the rights of the victim, as well as the rights of the community have been given by the investigator or not. Transparency and accountability of investigations are also useful for knowing the law enforcement process at the investigation stage, whether it has been carried out in accordance with existing regulations, and fulfills a sense of community justice.

2. Accountability

Accountability is a measure that shows whether public bureaucratic activities or services carried out by the government are in accordance with the norms and values embraced by the people and whether the public service is able to accommodate the actual needs of the people thus accountability is related to the philosophy that the executive the government whose main task is to serve the people must be responsible directly or indirectly to the people. Starling said that accountability is a willingness to answer public questions. "A good synonym for the term accountability is answerability. An organization must be answerable to someone or

something outside itself. When things go wrong, someone must be held responsible. Unfortunately a frequently heard charge is that government is faceless and that, consequently, affixing blame is difficult. ³⁷
 To find out the description of the application of the principle of accountability in investigations can be seen from the table below:

Table 2. The Principle of Accountability in Investigation

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community			
		F	%	F	%	F	%	F	%
1	Implemented	35	74,00	3	15,00	6	20,00	45	45,00
2	Less Implemented	14	23,00	15	75,00	10	33,33	39	39,00
3	Not Implemented	1	2,00	2	10,00	14	46,66	16	16,00
Total		50	50	100	20	100	30	100	100

Source: Processed from Primary Data, 2017

Based on the data above illustrates that the implementation of the principle of accountability in investigations, from the group of investigators as many as 35 people or 74% who stated that the principle of accountability in the investigation was carried out; as many as 14 people or 23% who stated that the principle of accountability in investigations was not implemented; and as many as 1 person or 20% who stated the principle of accountability. The principle of accountability was not implemented.

Whereas the evaluation of advocate respondents, out of 20 advocate respondents, each as many as 3 people or 15% stated that the principle of accountability had been implemented and was not implemented in the investigation; as many as 15 people or 75% stated the principle of accountability in investigations; and as many as 2 people or 10% stated the principle of accountability was not implemented. While the assessment of community respondents on the accountability of the National Police showed that as many as 6 people or 20.00% stated that it had been implemented, as many as 10 people or 33.33% stated less implemented and as many as 14 people or as much as 46.66% stated not implemented. Overall, respondents' opinions on the implementation of the principle of accountability are still low or only around 45%.

Based on these data, it shows that Polri's accountability in investigations is still an issue that needs attention. Therefore the National Police in carrying out its law enforcement tasks must implement accountability in the field of criminal investigation, but there is still a need to increase in line with the development of a dynamic situation characterized by increasing public demands for accountability in public services of the state apparatus.

3. Respect for Human Rights

The police as law enforcement officers and as state institutions have the duty to protect the public from all kinds of interests that are contrary to the law that can lead to disorder. However, there are times when violations of human rights occur in the enforcement of public order. This is due to the fact that on the one hand, order must be enforced in order to provide security to the community. But on the other hand, the community (perpetrators of crimes) continue to commit acts against the law and create disorder in the midst of the community, while the Police in order to maintain order when committing violence as part of law enforcement efforts is considered to have violated human rights and this has caused reactions and criticism from various sections of the community In order to realize and create the Police that provide protection for human rights in the investigation process, legislation is needed to guarantee the work activities of the Police and provide a clear concept in the operational activities of the Police relating to Human Rights.

The provisions of Article 11 paragraph (1) of the Regulation of the Indonesian National Police Chief is a patron that must be obeyed by members of the National Police in carrying out their duties. To find out the description of the application of the principles of respect for human rights in investigations, please see the table below:

³⁷Kumrotomo, Wahyudi. (2005). *Akuntabilitas Birokrasi Publik: Sketsa pada Masa Transisi*. Yogyakarta: Pustaka Pelajar, p. 29.

Table 3. Principle of Respect for Human Rights

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	Implemented	46	92,00	5	25,00	8	26,66	59	59,00
2	Less Implemented	4	8,00	14	70,00	20	66,66	38	38,00
3	Not Implemented	-	-	1	5,00	2	6,66	3	3,00
Total		50	50	100	20	100	30	100	100

Source: Processed from Primary Data, 2017

Based on the data above illustrates that the implementation of the principle of respect for human rights in investigations, from the group of investigators as many as 46 people or as much as 92% who said it was implemented; as many as 4 people or as much as 8% who stated less Implemented and none of the investigating respondents stated that the principles of respect for human rights were not implemented in the investigation. Whereas the evaluation of advocate respondents, out of 20 advocate respondents, as many as 5 people or as much as 25% stated that the principles of respect for human rights had been implemented in the investigation; as many as 14 people or 70% stated that the principles of respect for human rights were not implemented in investigations; and as many as 1 person or 5% stated that no principles of respect for human rights were carried out in an investigation.

While the assessment of community respondents, out of 30 community respondents, as many as 8 people or 26.66% stated that the principles of respect for human rights had been implemented in the investigation; 20 people or 66.66% stated that the principles of respect for human rights were not implemented in investigations; and as many as 2 people or 6.66% stated that the principles of respect for human rights were not carried out in an investigation.

When seen as a whole of the three groups of respondents, as many as 59 people or 59% stated that the principles of respect for human rights had been implemented in the investigation; 38 people or 38% stated that the principles of respect for human rights were not implemented in investigations; and as many as 3 people or 3% stated that no principles of respect for human rights were carried out in an investigation. Although most respondents stated that the principles of respect for human rights were implemented in an investigation, each group of respondents had a different percentage regarding the principles of respect for human rights in an investigation.

4. Professionalism

The Republic of Indonesia National Police (Polri) as investigators are required to be professional. In the Big Indonesian Dictionary, professional, comes from the word profession, which means a field of work that is based on a specific education (skills, vocational, etc.). While professionalism means quality, quality, and behavior that are characteristic of a profession or professional person.

Achmad Ali, stated that professionalism is an element of ability and personal skills of law enforcement figures. Professionalism is the most important part of law because it belongs to the legal system in addition to the structure, substance, legal culture and leadership.³⁸ Professionalism is an understanding of deep legal insight about technical skills, as well as understanding and ability to analyze concrete situations that must be handled by every law enforcement officer in developing his authority in the field of law enforcement.³⁹

To find a picture of the implementation of the principles of professionalism as part of the police bureaucratic reform in the investigation in order to realize good law enforcement governance can be seen in the table below:

Table 4. Professionalism of Investigation

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	Implemented	41	82,00	6	30,00	3	10,00	50	50,00

³⁸Ali, Achmad. (2009). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence): Termasuk Interpretasi Undang-Undang (Legisprudence)* (Vol. 1). Jakarta: Kencana Prenada Media Group, p. 204.

³⁹Ali, Achmad. (2008). Sumbangan Pemikiran tentang Upaya Pembangunan Hukum di Indonesia. In *Seminar Revitalisasi Nilai-Nilai Kejuangan Membangun Indonesia yang Maju, Sejahtera dan Berkarakter*. Bandung, p. 2.

2	Less Implemented	9	18,00	12	60,00	21	70,00	42	42,00
3	Not Implemented	-	-	2	15,00	6	20,00	8	9,00
Total		50	50	100	20	100	30	100	100

Source: Processed from Primary Data, 2017

Empirical data regarding the implementation of the principle of professionalism of investigators as part of efforts to reform the investigators' bureaucracy, shows that of the 50 investigating respondents as many as 41 people or 82.00% who stated the principle of professionalism had been implemented in investigations; as many as 9 people or 18.00% who stated the principle of professionalism was not implemented in investigations; and there were no respondents who answered that no professionalism was carried out in the investigation. The data also illustrates that a large proportion of investigating respondents admitted that they had acted professionally in handling a case.

While the data from advocate respondents had different assessments from those of investigator respondents, as many as 6 people or 30.00% stated that the principle of professionalism had been implemented in investigations; as many as 12 people or 60.00% who stated the principle of professionalism was not implemented in investigations; as many as 2 people or 15.00% who stated the principle of professionalism was not implemented in investigations.

Whereas respondent data from the community illustrates that as many as 3 people or as much as 10.00% who stated the principle of professionalism was implemented in the investigation; as many as 21 people or 70.00% who stated the principle of professionalism was less 20.00% who stated the principle of professionalism was less implemented in the investigation.

Overall shows that, in the majority (50%) stated the principle of professionalism has been implemented in the investigation; while 42% stated that the principle of professionalism was not implemented in investigations; and the rest (8%) stated that the principle of professionalism was not implemented in investigations.

To increase the professionalism of Polri members including investigators, various policies have been carried out, for example by making normative rules in the form of Regulation of the Chief of the Republic of Indonesia State Police Number 14 of 2011 concerning the Professional Ethics Code of the Indonesian National Police.

5. Public Service

To find out the description of the implementation of public services as part of the police bureaucratic reform in the investigation in order to realize good law enforcement governance can be seen in the table below:

Table 5. Principles of Public Service in Investigation

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	Implemented	44	88,00	7	35,00	4	13,33	55	55,00
2	Less Implemented	6	12,00	11	55,00	20	66,66	37	37,00
3	Not Implemented	-	-	2	10,00	6	20,00	8	8,00
Total		50	50	100	20	100	30	100	100

Source: Processed from Primary Data, 2017

Empirical data regarding the implementation of the principle of public service, shows that of 50 investigating respondents as many as 44 people or as much as 88.00% who stated the principle of public service had been implemented in the investigation; as many as 6 people or as much as 12.00% who stated the principle of public service was not implemented in investigation; and no respondent answered that the principle of public service was not carried out in the investigation.

While the data from the advocate respondents had different assessments from those of the investigator respondents, as many as 7 people or 35.00% who stated the principle of public service had been implemented in the investigation; as many as 11 people or 55.00% who stated the principle of public service is not implemented in investigations; as many as 2 people or 10.00% which stated the principle of public service was not implemented in the investigation.

Whereas respondent data from the community illustrates that as many as 4 people or as much as 13.33% who stated the principle of public service had been implemented in the investigation; as many as 20 people or 66.00% who stated the principles of public service were not implemented in investigations; as many as 6 people or 20.00% which stated the principle of public service was not implemented in investigations.

Overall, it illustrates that the principle of public service performed by investigators has been implemented, however the optimization of the principle of public service still needs to be improved as a form of Polri's bureaucratic reform in creating a good governance structure of law enforcement.

6. Investigator Independence

To find out the description of the implementation of the principle of the independence of investigators as part of the police bureaucratic reform in the investigation in order to realize good law enforcement governance can be seen in the table below:

Table 6. Implementation of the Principle of Independence of Investigators

No	Assessment	Respondents				Total	
		Investigator		Advocate		F	%
		F	%	F	%		
1	Implemented	19	38,00	-	-	21	21,00
2	Less Implemented	22	44,00	13	65,00	47	47,00
3	Not Implemented	9	18,00	7	35,00	32	32,00
Total		50	100	20	100	100	100

Source: *Processed from Primary Data, 2017*

Based on the data in the table above shows that as many as 19 people or as much as 38.00% of investigating respondents who stated the principle of independence of investigators had been implemented in the investigation; 22 people or 44.00% stated that the principle of the independence of investigators was lacking in the investigation; and as many as 9 people or as much as 18.00% who stated the principle of independence of investigators was not implemented in the investigation.

While data from advocate respondents stated, none of the respondents who gave an assessment of the principle of the independence of investigators had already been carried out in the investigation; 13 people or 65.00% stated that the principle of the independence of investigators had been implemented in investigations that were not implemented in investigations; and as many as 7 people or 35.00% who stated that the principle of the independence of investigators had been implemented in investigations that were less implemented in investigations.

When viewed from the assessment of the three groups of respondents, it was concluded that in general stated that the principle of the independence of the investigator had not been implemented properly in the investigation.

To support this data, based on the Kompas Research and Development Report 2010, the positive image of the National Police which rose 57.1% in 2009 then declined in 2010 by 49.1%. The community still considers that the National Police has not been independent in any legal settlement process, in which capital owners such as businessmen or power-holders such as state officials are more feared by the police and are often "negotiated" with the resolution of their cases, rather than those who favor the small people. Although it is acknowledged that for the problem of handling terrorism, the community expressed their satisfaction, but for handling other cases such as corruption / KKN, violations of human rights by the authorities, conventional criminality, pornography, and others have not satisfied the community.⁴⁰

C. Factors That Influence the Function of Investigation of Corruption in South Sulawesi Regional Police

1. Effect of Legal Substance

The influence of the legal substance in the investigation known as Instrumental changes has influenced the changes in the philosophy (Vision, Mission, and Purpose) of the National Police.

⁴⁰Hazard. (2012). Optimalisasi Kemampuan Gadik Guna Menghasilkan Hasil Didik yang Siap Pakai dalam Rangka Terwujudnya Polri yang Profesional. Retrieved from <http://arriwp97.blogspot.com/2012/01/optimalisasi-kemampuan-gadik-guna.html>

Table 7. Percentage of Respondents Against Changes in Legal / Instrumental Substance

	Very Good	Good	Fairly Good	Poor	Not Good	Do not Know
(Planning) Budget	11.8	33.1	35.3	17.,6	0.7	1.5
(Coaching) Human Resources	4.4	39.0	36.0	19.1	0.7	0.7
(Provisioning) Facilities and Infrastructure	9.6	22.8	41.2	23.5	2.2	0.7
(Increased) Professionalism	4.4	24.3	42.6	26.5	1.5	0.7
(Consolidation) Independence	5.9	27.2	44.1	16.2	5.9	0.7
Use (Power and) Authority	5.9	14.7	41.9	28.7	8.1	0.7
Building Integrity Clean from Corruption	3.7	12.5	39.7	29.4	12.5	2.2
Service Delivery (public)	3.7	28.7	43.4	16.9	6.6	0.7
Fair / non-Discriminatory Treatment	3.7	21.3	36.8	31.6	6.6	0.0
Application of Discretion	3.7	36.0	39.7	16.2	3.7	0.7

Source: Processed from Primary Data, 2017

The table shows that the legal substance influences the changes in the philosophy (vision, mission, and objectives) of the Indonesian National Police. Good 33.1 percent; Fairly Good 35.3 percent; Poor 17.6 percent; Not Good 0.7 percent; and Don't Know 1.5 percent. The effect on [Development] of human resources according to the Respondents is as follows: Very Good 4.4 percent; Good 39.0 percent; Fairly Good 36.0 percent; Poor 19.1 percent; Not Good 0.7 percent; and Don't Know 0.7 percent. Its effects on [the provision of] facilities and infrastructure according to the Respondents are as follows: Very Good 9.6 percent; Good 22.8 percent; Fairly Good 41.2 percent; Poor 23.5 percent; Not Good 2.2 percent; and Don't Know 0.7 percent.

Meanwhile the influence on [improvement] of professionalism according to the Respondents was as follows: Very Good 4.4 percent; Good 24.3 percent; Fairly Good 42.6 percent; Poor 26.5 percent; Not 1.5 percent good; and Don't Know 0.7 percent. While the effect on independence is according to the Respondents as follows: Very Good 5.9 percent; Good 27.2 percent; Pretty Good 44.1 percent; Poor 16.2 percent; Not Good 5.9 percent; and Don't Know 0.7 percent.

According to Yahya Harahap "there is no law (positive law) that can last forever, its maximum reach is 20-25 years."⁴¹ The Criminal Procedure Code (KUHAP) is considered unable to keep up with developments. One of them is related to evidence in Article 184 of the Criminal Procedure Code. In this development, there is evidence in the form of records and evidence in the form of electronic and digital data. While the evidence referred to in article 184 (1) of the Criminal Procedure Code is, witness statements, expert statements, letters, instructions and statements of the accused.

2. Material Synchronization

In order to carry out the duties of the Police effectively, it is necessary to synchronize the legislation. Related to the synchronization of these laws and regulations, respondents' opinions can be seen in the table below:

Table 8. Synchronization of Legal Substances Related to Investigations

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	Still in Sync	7	15,00	3	15,00	9	30,00	19	19,00
2	Less Synchronous	29	58,00	12	60,00	14	46,66	55	55,00
3	Out of Sync	14	28,00	5	25,00	7	23,33	26	26,00
Total		50	50	100	20	100	30	100	100

⁴¹Harahap, M. Yahya. (2009). *Pembahasan Permasalahan dan Penerapan KUHAP: Penyidikan dan Penuntutan*. Jakarta: Sinar Grafika, p. 13.

Based on the identification of laws and regulations governing investigations in the Criminal Procedure Code and other laws and regulations outside the Criminal Procedure Code, currently in Indonesia there are several investigating officials, namely officials who are authorized by law to conduct investigations.

The problem of substantial synchronization factors (laws and regulations), specifically for investigative institutions, so far does not yet have a specific law governing the organizational structure and work mechanism of an integrated agency / investigative institution, whereas for the other three subsystems in the justice system Indonesian criminal law, namely the prosecution power subsystem, the prosecution power subsystem and the criminal implementation power subsystem each have a specific law governing the organizational structure of each institution.

3. Factors of Human Resources (HR) in Investigation

a. Investigator Quantity

The quantity of the investigator is the adequacy of the investigator in charge of carrying out an investigation of a criminal case. This component is one of the factors determining the success of law enforcement. Investigators both administratively and operationally in the field are the driving force for investigation. Therefore, the investigation can be effective if it is supported by the investigator.

To find out the description of the quantity of investigators at the four study sites, see the table below:

Table 9. Comparison of Number of Investigators with Criminal Case Reports

No	Respondents	Investigator		Case	
		F	%	F	%
1	South Sulawesi Regional Police	128	30,26	794	8,09
2	Makassar Polrestabes	126	29,78	5284	53,87
3	Gowa Police Station	84	19,85	2544	25,93
4	Pare-Pare Police Station	85	20,09	1186	12,09
Total		423	100	9808	100

Source: *Processed from Primary Data, 2017*

Based on the table above illustrates that, South Sulawesi Regional Police has a number of investigators as many as 128 people or 30.26% of the total 423 investigators from the four research locations, while the number of cases received was 226 cases or 2.44% of the total number of cases from four study sites. The ratio between the number of investigators and cases received at the South Sulawesi Regional Police is 1: 1.76. This means that each investigator if averaged handled 1.76 cases. The data also illustrates that of the four research locations, the South Sulawesi Regional Police received at least 2.44% (226 cases) from 9240 cases.

While Makassar Polrestabes has 126 investigators or 29.74% of the 423 investigators from four research locations, while the number of cases received was 5284 or 57.18% of the total number of cases from the four research locations. The ratio between the number of investigators and cases received at the Makassar Police Resort is 1: 41.93. This means that each investigator when averaged handled cases as many as 41.93 or nearly 42 cases each investigator. The data also illustrates that of the four research locations, Makassar Polrestabes received the most cases, namely 57.18% (5284 cases) out of 9240 cases.

Furthermore, Gowa Regional Police has 84 investigators or 19.85% of the 423 investigators from the four research locations, while the number of cases received was 2544 or 27.53% of the total number of cases from the four research locations. The ratio between the number of investigators and cases received at the Makassar District Police is 1: 30.28. This means that each investigator if averaged handled cases as much as 30.28 cases each investigator.

Pare-Pare Polresta has 85 investigators or 20.09% of the 423 investigators from the four research locations, while the number of cases received is 1186 or 12.83% of the total cases from the four research locations. The ratio between the number of investigators and cases received at the Makassar Police Resort is 1: 13.95. This means that each investigator if averaged handled cases as many as 13.95 or nearly 14 cases each investigator.

The data illustrates the imbalance of the composition of investigators with the cases received, if observed from the four research locations, only South Sulawesi Regional Police are relatively balanced between the number of investigators and case reports. This has an impact on the slow process of handling cases with a limited number of investigators.

One of Polri's efforts to anticipate the shortage of investigators is to carry out policies by increasing the quality and quantity of education and training activities to develop the capability of Polri personnel to overcome the shortage of Polri personnel and place Polri personnel at the point of distribution of services to the public.

b. Education

The level of education has a big role to play on one’s intellectual abilities and is also an important factor in supporting an employee’s career. The higher the education level of an employee the higher the social status and position of the employee both in the social context of the community and in the scope of work. To find out an overview of the formal education level of the investigator can be seen in the table below:

Table 10. Formal Education Level of the Investigator

No	Formal Education	Research Sites								Total	
		1		2		3		4			
		F	%	F	%	F	%	F	%	F	%
1	High school	68	54,83	86	68,25	81	96,42	60	70,58	295	70,40
2	Bachelor	49	39,51	36	28,57	3	3,57	24	28,23	112	26,73
3	Master	7	5,64	4	3,17	-	-	1	1,17	12	2,86
Total		124	100	126	100	84	100	85	100	419	100

Research Sites Information:
 1 = South Sulawesi Regional Police
 2 = Makassar Polrestabes
 3 = Gowa Police Station
 4 = Pare-Pare Police Station

Source: Processed from Primary Data, 2017

Empirical data in the table above illustrates that South Sulawesi Regional Police has a number of investigators with high school education qualifications of 68 people or 54.83%; 49 people or 39.51% with Bachelor education qualifications (S1); and as many as 7 people or 5.64% with Masters education qualifications (S2).

Meanwhile, Makassar Polrestabes with 126 investigators with 86 high school qualifications or 68.25%; 36 people or 28.57% with Bachelor education qualifications (S1); and as many as 4 people or 3.17% with Masters education qualifications (S2).

Furthermore, Gowa Police Station with 84 investigators with 81 high school qualifications or 96.42%; 3 people or 3.57% with Bachelor education qualifications (S1); and there are no investigators with Masters education qualifications.

Pare-Pare Polresta has 85 investigators, 60 people or 70.58% with high school qualifications; 24 people or 28.23% with Bachelor education qualifications (S1); and as many as 1 person or 1.17% with a Masters education qualification (S2).

Overall the data illustrates that in general the formal education level of investigators is still in high school qualifications, it still needs to be improved given the development of crime is increasing, it is also necessary for investigators who have high formal education qualifications in order to compensate for the development of these crimes.

c. Investigator Competence

Competence as an ability, namely: a basic trait of a person which by itself can improve work performance.⁴² While opinions say competence is “an ability to do something or for a task.”⁴³

To find an overview of investigators’ competence in carrying out their duties as investigators can be seen in the table below:

Table 11. Competence of Police Investigators

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community			
		F	%	F	%	F	%	F	%
1	High Competence	39	78,00	4	20,00	6	20,00	49	49,00
2	Medium Competence	11	22,00	15	75,00	21	70,00	47	47,00
3	Low Competence	-	-	1	5,00	3	10,00	4	4,00

⁴²Mitrani, Alain, Dalziel, Murray, &Fitt, David. (1995). *Manajemen Sumber Daya Manusia Berdasarkan Kompetensi*. Jakarta: Internusa, p. 27.

⁴³Prihadi, Syaiful F. (2004). *Assessment Centre: Identifikasi, Pengukuran, dan Pengembangan Kompetensi*. Jakarta: PT. Gramedia Pustaka Utama, p. 84.

Total	50	50	100	20	100	30	100	100
--------------	-----------	-----------	------------	-----------	------------	-----------	------------	------------

Source: Processed from Primary Data, 2012

Empirical data regarding the competence of investigators in realizing bureaucratic reform of the police investigation, shows that of the 50 investigating respondents as many as 39 people or 78.00% who stated that police investigators have high competence; 11 people or 22.00% stated that Polri investigators had moderate competence and there were no Polri investigator respondents who stated that they had low competency.

While data from advocate respondents had different ratings from those of investigator respondents, 4 people or 20.00% stated that police investigators had high competence; as many as 15 people or 75.00% stated that Polri investigators had moderate competence and as many as 1 person or 5.00% who stated that Polri investigators had low competence.

Whereas respondent data from the community illustrates that as many as 6 people or as much as 20.00% who stated that police investigators have high competence; as many as 21 people or 70.00% who said that police investigators had moderate competence; and as many as 3 people or 10.00% who stated that police investigators had low competence.

Overall, of the three groups of respondents having different assessments, as many as 49 or 49.00% stated that Polri investigators have high competence; as many as 47 or as much as 47.00% which states that police investigators have moderate competence; and as many as 4 or 4.00% which states that police investigators have low competence.

In addition, the techniques and tactics of investigations and investigations have not been well mastered by most investigators and auxiliary investigators, often resulting in errors in handling a criminal case, including in the case of arrest of suspects whose cases do not belong to the category of being caught without a warrant arrest, late submission of an arrest warrant for suspects whose investigation process has not been completed, incomplete confiscation of evidence of criminal acts with permission from the local district court, and others.

d. Investigator Integrity

One of the challenges faced by law enforcers is integrity. The issue of integrity as one of the important indicators of HR investigators because the issue of integrity has to do with public trust in police institutions. To see an overview of the integrity of investigators in carrying out their duties as investigators can be seen in the table below:

Table 12. Investigator Integrity

No	Assessment	Respondents						Total	
		Investigator		Advocate		The Community		F	%
		F	%	F	%	F	%		
1	High Integrity	47	94,00	6	30,00	5	16,66	58	58,00
2	Medium Integrity	3	6,00	14	70,00	14	46,66	31	47,00
3	Low Integrity	-	-	-	-	11	36,66	11	4,00
Total		50	50	100	20	100	30	100	100

Source: Processed from Primary Data, 2012

The data in the table above illustrates the integrity of investigators in realizing the bureaucratic reform of the Police investigation. As many as 47 people or 94.00% stated that Polri investigators have high integrity; 3 people or 6.00% stated that Polri investigators had moderate integrity and there were no Polri investigator respondents who stated their integrity was low.

While the data from advocate respondents had different ratings from those of investigator respondents, as many as 6 people or 30.00% who stated that police investigators had high integrity; as many as 14 people or 70.00% stated that Polri investigators had moderate integrity and there were no Polri investigator respondents who stated their integrity was low.

Whereas respondent data from the community illustrates that as many as 5 people or 16.16% stated that Polri investigators have high integrity; 14 people or 46.66% stated that Polri investigators have moderate integrity; and as many as 11 people or 36.66% who stated that police investigators had low integrity.

Overall, from the three groups of respondents, 58 or 58.00% stated that police investigators had high integrity; as many as 31 or 31.00% which states that police investigators have moderate integrity; and as many as 11 or 11.00% which stated that police investigators had low integrity. Based on these data it is concluded that the police investigator still needs to be addressed with integrity, it is based on data that shows significantly the problem of the integrity of investigators in handling a case.

Associated with integrity (moral) possessed by law enforcement officers, is something that is very fundamental. Therefore Ronald D. Dworkin said that integrity is the key to understanding legal practice. The legal kingdom is determined by attitude, not territory or power or process.⁴⁴ Furthermore, Ronald D. Dworkin said that moral principles are the foundation of law (moral principle is the foundation of law).⁴⁵ Ronald D. Dworkin's statement implies that law cannot be upheld if the morality of law enforcers is bad, on the contrary law becomes good if it is supported by a good law enforcement morale.

V. INCLUSION

1. The nature of the Police investigator's function in enforcing criminal acts of corruption in the Indonesian criminal justice system in the South Sulawesi Regional Police has been able to reveal and find sufficient evidence for the verification process in the prosecution process.
2. The function of the National Police investigator in enforcing criminal acts of corruption in the criminal justice system has not had a deterrent effect on the perpetrators of criminal acts of corruption, and there is still an investigation file that has been transferred to the prosecutor's office returned by the Public Prosecutor because he considers it incomplete.
3. Found factors that influence the implementation of investigations in the framework of law enforcement of criminal acts of corruption in the criminal justice system in South Sulawesi Regional Police, namely factors of legal instruments / legal substance, law enforcement apparatus / legal structure and invoice of legal culture.

REFERENCES

- [1]. Aburaera, Soekarno, Husen, La Ode, Mustamin, Hikmawati, & Masturi, Rahmad. (2017). The Natural of Justice in the Procurement of Land for General Interests in the National Development Framework. *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(9), 155 – 160.
- [2]. Ali, Achmad. (2008). Sumbangan Pemikiran tentang Upaya Pembangunan Hukum di Indonesia. In *Seminar Revitalisasi Nilai-Nilai Kejuangan Membangun Indonesia yang Maju, Sejahtera dan Berkarakter*. Bandung.
- [3]. Ali, Achmad. (2009). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence): Termasuk Interpretasi Undang-Undang (Legisprudence)* (Vol. 1). Jakarta: Kencana Prenada Media Group.
- [4]. Amiruddin, Husen, La Ode, Nuh, Muhammad Syarif, & Agis, Abdul. (2019). The Essential of Criminal Sanction Against Perpetrators of Corruption Committed by State Administrators in Indonesia. *Journal of Humanities and Social Science, IOSR*, 24(9), 34 – 48.
- [5]. Arti, Asdar, & Husen, La Ode. (2017). The Nature of Justice in the Outsourcing Work Agreement of Industrial Relation. *International Journal of Science and Research (IJSR)*, 6(12).
- [6]. Attamimi, A. Hamid S. (1992a). Pancasila Cita Hukum Dalam Kehidupan Hukum Bangsa Indonesia. In OetojoOesman & Alfian (Eds.), *Pancasila sebagai Ideologi dalam Berbagai Bidang Kehidupan Bermasyarakat, Berbangsa, dan Bernegara*. Jakarta: BP-7 Pusat.
- [7]. Attamimi, A. Hamid S. (1992b). Teori Perundang-Undangan Indonesia: Suatu Sisi Pengetahuan Perundang-Undangan Indonesia yang Menjelaskan dan Mencerminkan. In *Upacara Pengukuhan Jabatan Guru Besar Tetap*. Jakarta: Fakultas Hukum Universitas Indonesia.
- [8]. Basah, Sjachran. (1986). Perlindungan Hukum terhadap Sikap Tindak Administrasi Negara. In *Orasi Ilmiah pada Dies Natalies XXIX Universitas Padjadjaran*. Bandung: Universitas Padjadjaran.
- [9]. Budiardjo, Miriam. (1998). *Dasar-Dasar Ilmu Politik*. Jakarta: PT. Gramedia Pustaka Utama.
- [10]. Carias, Allan-Randolph Brewer. (1989). *Judicial Review in Comparative Law*. United Kingdom: Cambridge University Press.
- [11]. D., Moh. Mahfud M. (2001). *Politik Hukum di Indonesia*. Jakarta: LP3ES.
- [12]. Djamin, Awaluddin. (1999). *Menuju POLRI Mandiri yang Profesional: Pengayom, Pelindung, Pelayan Masyarakat*. Jakarta: YKTI.
- [13]. Gautama, Sudargo. (1983). *Pengertian tentang Negara Hukum*. Bandung: PT. Alumni.
- [14]. Hadjon, Philipus M. (1987). *Perlindungan Hukum Bagi Rakyat di Indonesia: Sebuah Studi tentang Prinsip-Prinsipnya, Penanganannya oleh Peradilan dalam Lingkungan Peradilan Umum dan Pembentukan Peradilan Administrasi Negara*. Surabaya: PT. Bina Ilmu.

⁴⁴Wright, J. Kim. (2010). *Lawyers as Peacemakers: Practicing Holistic, Problem-Solving Law*. Illinois: American Bar Association, p. 11.

⁴⁵Schuler, Dave. (2005, 24 Maret). Law, Morality, and Getting my Irish Up. Retrieved from <http://theglitteringeve.com/law-morality-and-getting-my-irish-up/>

- [15]. Harahap, M. Yahya. (2009). *Pembahasan Permasalahan dan Penerapan KUHAP: Penyidikan dan Penuntutan*. Jakarta: Sinar Grafika.
- [16]. Hartono, Sunaryati. (1976). *Apakah the Rule of Law Itu?* Bandung: PT. Alumni.
- [17]. Hazard. (2012). Optimalisasi Kemampuan Gadik Guna Menghasilkan Hasil Didik yang Siap Pakai dalam Rangka Terwujudnya Polri yang Profesional. Retrieved from <http://arriwp97.blogspot.com/2012/01/optimalisasi-kemampuan-gadik-guna.html>
- [18]. Hommes, Van Eikema. (tanpa tahun). *Logika en Rechtsvinding*. Tanpa Kota: VrijeUniversiteit.
- [19]. Husen, La Ode, Baharuddin, Hamzah, Kamal, Muhammad, & Purnawati, Andi. (2017). Legal Protection of Protected Wildlife in the Criminal Law System in Indonesia. *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(6), 301 – 306.
- [20]. Husen, La Ode. (2015). Menegakkan Etika dan Kehormatan Penyelenggara Negara dapat Mencegah Terjadinya Korupsi. *Jurnal Etika dan Pemilu, Dewan Kehormatan Penyelenggara Pemilu*, 1(1), 17 – 23.
- [21]. Husen, La Ode. (2019). *Negara Hukum, Demokrasi dan Pemisahan Kekuasaan*. Makassar: CV. Social Politic Genius (SIGn).
- [22]. Kelsen, Hans. (1973). *General Theory of Law and State* (Anders Wedberg, Trans.). United Kingdom: Russell & Russell, Inc.
- [23]. Kranenburg, Roelof. (1979). *Ilmu Negara Umum* (Sabaroedin, Trans.). Jakarta: PT. Pradnya Paramita.
- [24]. Kumorotomo, Wahyudi. (2005). *Akuntabilitas Birokrasi Publik: Sketsa pada Masa Transisi*. Yogyakarta: Pustaka Pelajar.
- [25]. Kusnardi, Moh., & Ibrahim, Harmaily. (1988). *Pengantar Hukum Tata Negara Indonesia*. Jakarta: Pusat Studi Hukum Tata Negara FH-UI.
- [26]. Kusumaatmadja, Mochtar, & Sidharta, Bernard Arief. (2000). *Pengantar Ilmu Hukum: Suatu Pengenalan Pertama Ruang Lingkup Berlakunya Ilmu Hukum* (Vol. 1). Bandung: PT. Alumni.
- [27]. Kusumaatmadja, Mochtar. (1970). *Fungsi dan Perkembangan Hukum dalam Pembangunan Nasional*. Bandung: UNPAD Press.
- [28]. Kusumaatmadja, Mochtar. (1975). *Pembinaan Hukum dalam Rangka Pembangunan Nasional*. Bandung: Bina Cipta.
- [29]. Kusumaatmadja, Mochtar. (1995). *Pemantapan Cita Hukum dan Asas Hukum Nasional di Masa Kini dan Masa yang Akan Datang*. Paper presented at the Temu Kangen Cita Hukum dan Penerapan Asas-Asas Hukum Nasional, Jakarta.
- [30]. Kusumaatmadja, Mochtar. (2011). *Konsep-Konsep Hukum dalam Pembangunan* (Otje Salman & Eddy Damian Eds.). Bandung: PT. Alumni.
- [31]. Lev, Daniel S. (1990). *Hukum dan Politik di Indonesia: Kesenambungan dan Perubahan*. Jakarta: LP3ES.
- [32]. Logemann, J. H. A. (1948). *Over de Theorie van een Stelling Staatsrecht*. Leiden: Uniersitaire Pers.
- [33]. Logemann, J. H. A. (1975). *Tentang Teori Suatu Hukum Tata Negara Positif* (Makkatutu & J. C. Pangkarego, Trans.). Jakarta: Ichtiar Baru Van Hoeve.
- [34]. Manan, Bagir, & Magnar, Kuntana. (1993). *Beberapa Masalah Ketatanegaraan Indonesia*. Bandung: PT. Alumni.
- [35]. Mertokusumo, Sudikno, & Pitlo, Adriaan. (1993). *Bab-Bab tentang Penemuan Hukum*. Bandung: PT. Citra Aditya Bakti.
- [36]. Mitrani, Alain, Dalziel, Murray, & Fitt, David. (1995). *Manajemen Sumber Daya Manusia Berdasarkan Kompetensi*. Jakarta: Internusa.
- [37]. Naning, Ramdlon. (1983). *Cita dan Citra Hak-Hak Asasi Manusia di Indonesia*. Jakarta: Lembaga Kriminologi Universitas Indonesia.
- [38]. Napang, Marten, Husen, La Ode, & Mamonto, Lexsy. (2017). Refund Losses of State Assets of Perpetrators of Criminal Acts Of Tax Through Means Legal Penal And Non-Penal Law Systems in Indonesia. *Journal of Humanities and Social Science, IOSR*, 22(11), 10 – 19.
- [39]. Nasution, Adnan Buyung. (2007). *Arus Pemikiran Konstitusionalisme: Hak Asasi Manusia & Demokrasi*. Jakarta: Kata Hasta Pustaka.
- [40]. Notohamidjojo, O. (1975). *Demi Keadilan dan Kemanusiaan*. Jakarta: BPK Gunung Mulia.
- [41]. Prihadi, Syaiful F. (2004). *Assessment Centre: Identifikasi, Pengukuran, dan Pengembangan Kompetensi*. Jakarta: PT. Gramedia Pustaka Utama.
- [42]. Priyatna, Aan, Husen, La Ode, & Fadhila, M Nur. (2018). The Effectiveness Of Criminal Implementation On The Criminal Activities Of Marriage Drugs. *Journal of Humanities and Social Science, IOSR*, 23(5), 01 – 07.
- [43]. Rahardjo, Satjipto. (1986a). *Hukum dan Masyarakat*. Bandung: Angkasa.
- [44]. Rahardjo, Satjipto. (1986b). *Ilmu Hukum*. Bandung: PT. Alumni.
- [45]. Rahardjo, Satjipto. (2006). *Hukum dalam Jagat Ketertiban*. Jakarta: UKI Press.

- [46]. Rahardjo, Satjipto. (2007). *Biarkan Hukum Mengalir: Catatan Kritis tentang Pergulatan Manusia dan Hukum*. Jakarta: Kompas.
- [47]. Rahardjo, Satjipto. (2009). *Lapisan-Lapisan dalam Studi Hukum*. Malang: Bayumedia Publishing.
- [48]. Sadjijono. (2008). *Seri Hukum Kepolisian, Polri dan Good Governance*. Yogyakarta: LaksbangMediatama.
- [49]. Sampara, Said, & Husen, La Ode. (2016). *Metodologi Penelitian Hukum*. Makassar: Kretakupa Print.
- [50]. Schuler, Dave. (2005, 24 Maret). Law, Morality, and Getting my Irish Up. Retrieved from <http://theglitteringeye.com/law-morality-and-getting-my-irish-up/>
- [51]. Sidharta, Bernard Arief. (1999). *Refleksi tentang Struktur Ilmu Hukum*. Bandung: CV. Mandar Maju.
- [52]. Sidharta, Bernard Arief. (2004). *Asas, Kaidah, Sistem dan Penemuan Hukum*. Bandung.
- [53]. Sidharta, Bernard Arief. (2009). Revitalisasi Pemikiran Prof. SoedimanKartohadiprodjo tentang Pancasila Berkaitan dengan Pengembangan Sistem Hukum Nasional. In *Dies Natalis ke-51 Fakultas Hukum Universitas Katolik Parahyangan*. Bandung.
- [54]. Simorangkir, J. C. T. (1987). *Hukum dan Konstitusi Indonesia I*. Jakarta: Gunung Agung.
- [55]. Soekanto, Soerjono. (1991). *Pokok-Pokok Sosiologi Hukum*. Jakarta: Rajawali Pers.
- [56]. Soekanto, Soerjono. (2004). *Faktor-Faktor yang Mempengaruhi Penegakan Hukum*. Jakarta: Rajawali Pers.
- [57]. Suny, Ismail. (1982). *Mencari Keadilan: Sebuah Otobiografi*. Jakarta: Ghalia Indonesia.
- [58]. Thalib, Hambali, Husen, La Ode, Pasamai, Syamsuddin, & Mulyawan. (2017). The Nature of Justice in Criminal Peneemby under the Minimal Limitation in Decision Judge of Corruption. *Imperial Journal of Interdisciplinary Research (IJIR)*, 3(9), 147 – 154.
- [59]. Undang-Undang Republik Indonesia Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia. Lembar Negara Republik Indonesia Tahun 2002 No. 2. Tambahan Lembar Negara No. 4168.
- [60]. Wade, Henry William Rawson. (1984). *Administrative Law*. London: Oxford University Press.
- [61]. Wiradihardja, Agus. (1971). *Sejarah LahirnjaPandji-Pandji Kepolisian Negara R.I*. Jakarta Markas Besar Kepolisian R.I.
- [62]. Wright, J. Kim. (2010). *Lawyers as Peacemakers: Practicing Holistic, Problem-Solving Law*. Illinois: American Bar Association.

Tajuddin. " The Nature of Police Investigation Function in Corruption of Law Criminal Enforcement by Criminal Justice System." *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*. vol. 24 no. 12, 2019, pp. 67-83.