

INCONSISTENCY OF LAW ENFORCEMENT IN DISCLOSING BRIBERY IN GOVERNMENT (STUDY OF THE NORTH MALUKU NICKEL MINE CORRUPTION CASE)

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Abstract

This study examines the inconsistency of the Corruption Eradication Commission (KPK)'s law enforcement in uncovering bribery within the government in nickel mining corruption cases. The cases addressed in this study still frequently occur within the government and are difficult to resolve due to the persistence of corruption. The current rampant cases of corruption are increasing, the perpetrators involve state officials as workers who are trusted by the public by committing abuses against applicable laws. Corruption that does not stop is like a cancer that is difficult to cure and corruption not only makes the country lose money, but also causes violations of citizens' social rights so that the crime of corruption is classified as an extraordinary crime for these reasons and circumstances. Inconsistent actions of law enforcement agencies in eradicating corruption who still selectively treat the perpetrators involved. The importance of consistent law enforcement in handling corruption cases to overcome corruption in Indonesia, but in fact, our law enforcement, one of which is the Corruption Eradication Commission (KPK), has not become a corruption eradication institution that carries out its duties properly. In the perspective of the Criminal Code and the Criminal Procedure Code, the KPK does not implement it properly as explained therein. The purpose of this study is to provide new insights to the public about inconsistent law enforcement in nickel mining licensing corruption which can be reviewed from the Criminal Code, Criminal Procedure and the negative impact of inconsistent law enforcement. The research method uses empirical normative which helps the preparation of research through interviews and legislation using qualitative methods producing descriptive analysis. The results of this study show the inconsistency of KPK law enforcement in the North Maluku nickel mining corruption and the negative impact of these inconsistent actions.

Keywords: *Inconsistency, KPK, Corruption, Criminal Law*

INTRODUCTION

Indonesia is a state based on law as regulated in Article 1 Paragraph 3 of the 1945 Constitution as follows: "The State of Indonesia is a state governed by the supremacy of law."¹ It is clear that the Indonesian state is not based solely on power (state authority) but on law (rule of law). However, in practice or known facts, many of these laws are manipulated by groups or groups of people who enter the government for personal gain. And not only that, sometimes people with status, honorable people, or the wealthy have easier dealings with the law. Indonesian law is positive in written form and has several aspects, one of which is the criminal law aspect (KUHP). However, criminal law also has a special nature, namely (UU TIPIKOR). Criminal law is a material criminal law that must be implemented as accountability for perpetrators of criminal acts for their actions. Criminal law was created as legal protection provided by the state to protect the Indonesian people and ensnare perpetrators, thereby preventing the occurrence of criminal crimes committed by others, authorities, or groups against others. We can see that there are more and more cases of corruption committed by several interested parties in carrying out several authorities as their duties and functions that must be carried out in certain fields, however, the lack of integrity in carrying out their duties causes responsibilities not

¹See General Constitution of the Republic of Indonesia 1945

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to be carried out and violates legal regulations that are subject to criminal and administrative sanctions in accordance with Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption (TIPIKOR) as amended by Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption (TIPIKOR).² The current rampant cases of corruption are increasing, the perpetrators involve state officials as workers who are trusted by the public by committing abuses against applicable laws. Corruption that does not stop is like a cancer that is difficult to cure and corruption not only makes the country lose money, but also causes violations of citizens' social rights so that the crime of corruption is classified as an extraordinary crime for these reasons and circumstances.³ We can see that preventing corruption must involve law enforcement, one of which is the Corruption Eradication Commission (KPK), which is consistent and has high integrity towards justice. The Corruption Eradication Commission (KPK) is a super body with a very important institutional role that functions as a means to encourage and complete the process of eradicating criminal acts of corruption.⁴ One of the objectives of the KPK's existence is to ensure that the existing law enforcement institutions to eradicate corruption, but which we now know are "paralyzed" or not functioning properly, so that an institution is needed that will become a law enforcement institution that is capable and functions according to public expectations. The KPK was previously an independent institution not under the power of the executive which was free and could not be intervened since Law No. 30 of 2002 concerning the Corruption Eradication Commission as amended by Law No. 19 of 2019 concerning the KPK is not an independent institution. Inconsistent law enforcement has prevented a corruption-free nation from being achieved, leading to increased corruption. To date, the Corruption Eradication Commission (KPK) law enforcement has not reflected the institution's adherence to the KPK's principles, namely:

1. legal certainty, the Corruption Eradication Committee must ensure and implement applicable laws and provide a sense of justice without abusing legal regulations.
2. Transparency, the Corruption Eradication Committee carries out its duties to eradicate corruption that is carried out openly without having to cover it up.
3. Accountability, the Corruption Eradication Committee is responsible for the actions it has taken by having clarity and real evidence to create transparency.
4. public interest, and the Corruption Eradication Committee (KPK) is tasked and established for the public interest, not for groups or individuals, so it cannot be intervened by any party.
5. Proportionality. The Corruption Eradication Commission (KPK) also maintains a balance between justice and humanity, guaranteeing the rights of every person.⁵

It can be seen from the corruption case that ensnared Abdul Ghani Kasuba in North Maluku who was sentenced to 8 years in prison for law enforcement in the bribery case regarding nickel mining permits, which has been proven to have been committed as stated in the prosecutor's indictment which assisted the Corruption Eradication Committee (KPK) in the prosecution.⁶ In this case, with the interval of time the defendant underwent the trial, there were irregularities that should have been revealed by the Corruption Eradication Commission (KPK) of several parties involved in the case, especially the Medan block, which was emphasized again to ensure the witness, namely BN, his son-in-law J, but the KPK did not continue the examination of the parties involved in the trial and until now the complaint filed by the Public Prosecutor and the Public Complaint Report Service, this shows the KPK's non-neutrality in handling the nickel mining corruption. The importance of examining these parties to ensure the non-involvement of the Medan block, Criminal evidence is not only revealed in investigations or inquiries but evidence can also be revealed in trials as a tree of cases

²Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as amended by Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption.

³Ervanda Rifqi Priambodo, Miftahul Falah, Yoga Pratama Silaban. Why Corruption Is Difficult to Eradicate. 2020. Journal of Law, Humanities, and Politics.

⁴Valerie Augustine Budianto. The Legal Basis of the Corruption Eradication Commission and Its Position in Corruption Eradication. 2022. <https://www.hukumonline.com/klinik/a/dasar-hukum-kpk-dan-kedudukan-dalam-pemberantasan-korupsi-lt5ca466cb7f8ed/>

⁵Rj. KPK Guidelines in 5 Principles: Legal Certainty, Transparency, Accountability, Public Interest, and Proportionality. 2022. <https://www.radarjatim.co/pedoman-kpk-pada-5-asas-ketentuan-hukum-keterbukaan-akuntabilitas-kepentingan-umum-dan-proporsionalitas/>

⁶Tempo. Former Governor Abdul Gani Kasuba sentenced to 8 years in prison and ordered to pay Rp 109 billion in restitution. 2024. <https://www.tempo.co/hukum/mantan-gubernur-abdul-gani-kasuba-divonis-8-tahun-penjara-dan-membayar-uang-pengganti-rp-109-miliar--5656>

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that must be revealed in cases involving high-ranking officials in order to eradicate corruption in Indonesia. However, the public can assess that the KPK's law enforcement in eradicating corruption shows selective treatment of officials in power.

RESEARCH METHODS

1. Type of Research The type of research that the author uses in this research is normative-empirical, which is a combination of a case study approach with a legal basis, as well as legal concepts in the approach to events that have occurred or are not yet finished.

2. Problem approach

In solving problems to achieve the research objectives, the importance of a problem approach is the problem approach used by the author. The problem approach in this study is the statutory approach, the case approach, and the conceptual approach. This statutory and conceptual approach considers the interpretation of the law in the inconsistent actions carried out by the Corruption Eradication Commission (KPK) and how to apply it. Meanwhile, the case approach is used to investigate the involvement of public officials revealed in open trials.

3. Data sources

a. Primary Legal Sources, The legal material used, namely primary law, is a strong legal source and its valid provisions are enforced by the state in written form. The research legal sources used include:

- 1) The 1945 Constitution of the Republic of Indonesia
- 2) Criminal Law No. 1 of 1946 concerning the Criminal Code (Old Criminal Code) as amended by Criminal Law No. 1 of 2023 concerning the Criminal Code (New Criminal Code)
- 3) Law No. 31 of 1999 concerning the Eradication of Criminal Acts of Corruption (TIPIKOR) as amended by Law No. 20 of 2001 concerning the Eradication of Criminal Acts of Corruption (TIPIKOR).
- 4) Law No. 30 of 2002 concerning the Corruption Eradication Commission as amended by Law No. 19 of 2019 concerning the Corruption Eradication Commission

b. Secondary Legal Sources: Secondary legal materials are also used by researchers to facilitate research into legal principles by complementing primary law. Secondary legal sources, such as journals, cover legal principles and doctrines.

c. Non-Legal Materials: Non-legal materials that complement primary and secondary legal sources. The legal sources used do not contain legal principles or foundations, but rather analyze facts and issues, such as the internet and literature used regarding KPK law enforcement, as examined in the Abdul Ghani Kasuba case.

4. How to collect data

This study employed library research as the data collection method. Data were collected through methods that address research problems by examining secondary data through library research, namely, by studying legal and scientific information related to the research material.

5. Data collection technique

The data analysis technique used is guided by the qualitative method, namely research that produces analytical descriptive information and is collected in this study to describe existing facts, after which conclusions and suggestions are drawn through deductive thinking, namely. a picture of the conclusion differs from general questions to specific questions.

RESEARCH RESULTS AND DISCUSSION

A. RESEARCH RESULT

Based on the interview I conducted with Mr. HR as the defendant's lawyer, namely AGK, providing information regarding the facts of the trial in the nickel mining permit corruption case as the focus of the author's research related to the KPK's law enforcement in disclosing the nickel mining corruption case in North Maluku involving the Medan block government, especially BN as the recipient of the nickel mining permit which has been revealed in a formal trial but there was no further examination. In this case the KPK's inconsistency is reviewed from the perspective of criminal law, Criminal Code No. 1 of 1946 Article 55 of the Criminal Code and Criminal Procedure Code No. 8 of 1981 Article 1 paragraph 26 which explains the involvement of the perpetrator in a criminal offense and the testimony of witnesses who

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knew about the incident was not followed up as a clue to the perpetrator's involvement in this case. The defendant AGK has been sentenced by the judge to 8 years in prison, but there are still irregularities because the perpetrators involved were not sentenced. Looking at the context of law enforcement against corruption cases in this case, the Corruption Eradication Commission (KPK) has not fully ensnared the perpetrators as a whole, both the bribe giver and/or gratuity and the recipient of the bribe and/or gratuity. BN should be summoned to court to be heard regarding his alleged involvement in the IUP management case in North Maluku, especially related to the Medan Block. Before Mr. AGK died, he filed an appeal through the PH lawyer team to the North Maluku High Court and an appeal to the Supreme Court of the Republic of Indonesia and before the verdict he died. With this, there is still selective law enforcement in this case, because there are approximately 354 witnesses who provided testimony both at the BAP level and at the trial level which explained the strong suspicion of the involvement of other parties in the case of Mr. AGK, but the KPK has not yet named these parties as suspects. In the witness' statement regarding the Medan Block, it stopped at the statement of the Head of the PTSP and the Head of the North Maluku ESDM SA, so this matter must be questioned. The KPK should be the corruption eradication commission, but it seems to be covering it up. Mr. HR as the PH respects the verdict of the panel of judges at the corruption court, but for the sense of justice, I think it has not been fulfilled because in fact the trial did not show any state financial losses as proven through the BPK or BPKP audit.

DISCUSSION

A. KPK Law Enforcement in Handling the AGK Nickel Mining Case

1. Identify Inconsistencies

According to the Big Indonesian Dictionary (KBBI), the term consistent means fixed (unchanging); adhering to principles; steady; harmonious; and appropriate. In English, "consistent" means standing upright or firm. Therefore, consistent means something that does not change, always acting or happening in the same way, especially something positive. The presence of regularity, harmony, constant continuity, and freedom from contradiction or variation are signs of something consistent. Many people believe that consistency means remaining consistent. It can also mean committed, steadfast. Because they believe that consistency is one of the keys to success and achievement, they will not give up easily.⁷ According to Gea in Leonard's journal (2015:99), "consistency can be understood as the conformity between words and actions", someone who is consistent means having a consistent attitude and always trying to adjust actions, attitudes, and words. However, we can see that the KPK's attitude in revealing the case of Abdul Ghani Kasuba regarding the nickel mine is not in accordance with the anti-corruption statement.

The difference is that actions carried out with words are the same as knowing other people are involved in corruption cases but it seems like turning a blind eye and delaying until there is no clarity in this matter. Not applying applicable laws in disclosing corruption cases involving powerful officials to be held accountable compared to ordinary officials as perpetrators. The KPK institution, which has certain interests and goals, will not succeed if they do not have a consistent attitude. In Leonard's journal (2015:99), Asyiqor said, "A desire will not be directed to a natural action to realize its intention as long as it does not have a strong determination and there is no doubt like" The KPK has a sword for its authority given by law but the sword is held by an institution that has doubts in acting. Certainly the public will judge that in this KPK action it discriminates against officials who are close to power and ordinary officials. Faisal Basri, a senior economist and the biggest politician who also contributed in the KPK realm, once said "BN is one of the registered KPK members who smuggling nickel which has cost the country hundreds of trillions." which was complained by the public after his name was mentioned in the trial of the illegal nickel mining permit case but the hope of the complaint submitted was ignored by the KPK even the action seemed to be covered up to protect the powerful officials who took part in the Abdul Ghani Kasuba case so that the public can assess the inconsistent actions of the KPK in revealing the nickel mining case in Indonesia. The Corruption Eradication Commission (KPK) was established to improve the effectiveness and effectiveness of corruption eradication efforts. Article 6 of Law Number 30 of 2002 (the KPK Law) mandates the KPK to carry out five tasks: a. cooperate with agencies authorized to eradicate criminal acts of corruption, b. supervise agencies authorized to eradicate criminal acts of corruption, c. conducting investigations, inquiries and prosecutions of criminal acts of corruption; The implementation of the law in force in the KPK's role regulations has not been carried out properly, and there are still selective actions against officials involved in this nickel mining case. What

⁷Alethia Rabbani. 2020. Understanding Consistency and Its Characteristics. https://www.sosial79.com/2020/12/pengertian-konsisten-dan-cirinya.html?utm_source=chatgpt.com.

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the KPK has done is an action that violates the legal principle, namely equality before the law. The principle that all people are equal before the law is a fundamental foundation of modern legal systems. This ensures that everyone, regardless of social status, economic status, race, religion, or other background, has the same rights and obligations under the law. This principle is crucial for upholding justice and preventing discrimination in the law enforcement process.

2. Witness Statement

In Indonesian, the word "witness" is a noun meaning a person who sees or is personally aware of an incident. As explained in Article 1, paragraph 26 of the Criminal Procedure Code, a witness is a person who can provide testimony in court for the purposes of investigation, prosecution, and trial regarding what they saw, heard, or experienced. Several definitions of a witness can be cited, including:⁸

- a. A person who has firsthand information about a crime or a significant event through their five senses (such as seeing, hearing, smelling, or touching) and can help establish crucial considerations in a crime or event. A person who witnesses an event directly is also known as an eyewitness.
- b. What is meant by "witnesses" are those who provide reports and/or can provide information to help resolve criminal cases related to legal events that they hear, see and experience, or who have special knowledge for the purposes of handling criminal acts.

A witness, as defined in Article 1, point 1, is a person capable of providing information for the purposes of investigation, evidence collection, prosecution, and trial related to a crime they directly heard, saw, or experienced. Information from a witness during the investigation or evidence collection process is crucial to facilitating the examination of a case at that stage.⁹

In addition, witness statements are also included in legal evidence, and are very important in trials to provide clues. As explained in Article 184 paragraph (1) of the Criminal Procedure Code (KUHP) and According to Article 1 number 27 of the KUHP, witness statements are one form of evidence in criminal cases in the form of information from witnesses regarding a crime that they heard, saw, and experienced directly, by explaining the reasons and their knowledge.¹⁰ The text of the article explains the important elements of witness testimony, namely:

- a. Statement from person (Witness)
- b. Knowing directly about a criminal event
- c. What you hear yourself, see yourself and experience yourself

As for the Evidence of the Indication

Based on Article 188 of the Criminal Procedure Code, indicative evidence is defined as follows:

- d. Clues consist of actions, events, or situations that, because of their consistency, either with each other or with the crime itself, indicate that a crime has occurred and who committed it.
- e. The instructions referred to in paragraph (1) can only be obtained from: Testimony, Documents, Defendant's Statement¹¹

Position of Witnesses in the Criminal Justice Process, The role of witnesses in the criminal justice system has an important role as regulated in Article 184 paragraph (1) of the Criminal Procedure Code. This article stipulates that witness statements are one form of evidence that is recognized in court. In addition, Article 1 number 27 of the Criminal Procedure Code together with the Constitutional Court Decision 65/PUU-VIII/2010 explains that witness statements are one type of evidence in criminal cases, which consists of information obtained from the witness's direct experience, whether through hearing, sight, or personal experience, as well as information from people who have direct knowledge of events related to the crime, accompanied by an explanation of the source of their knowledge.¹²

Witness Oath in Court, Provisions regarding oaths or promises are regulated in Article 76 of the Criminal Procedure Code which states: If the law requires the taking of an oath or promise, then the applicable regulations regarding this

⁸Law No. 8 of 1981 concerning the Criminal Procedure Code

⁹Ibid

¹⁰Ibid

¹¹Legal Check. 2021. Article 188 of the Criminal Procedure Code (KUHP). [Article 188 of the Criminal Procedure Code \(KUHP\)](#). Accessed October 17, 2025

¹²Willia Wahyuni. 2022. Witness Statements as Evidence. [Witness Statement as Evidence](#). Accessed October 18, 2025

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matter must be followed, both in terms of substance and procedure; If the provisions stated in paragraph (1) are not implemented, then the oath or promise is considered legally invalid. The oath taken in court aims to fulfill the formal requirements for witnesses. This requirement is emphasized in Article 160 paragraph (3) of the Criminal Procedure Code, which states that before giving testimony, witnesses are required to take an oath or promise in accordance with the provisions of their religion, that they will provide true information and not contradict the actual facts. It's important to remember that providing false information is a crime under Article 242 of the Criminal Code, which carries a maximum prison sentence of 7 years. However, if the false information is detrimental to the defendant or suspect, the maximum prison sentence can be 9 years.

3. Trial Facts

a big case, a neat game and now everything is revealed in the trial of the nickel mining permit corruption case July 31, 2024. One of the big names has been mentioned, the facts have been revealed. Abdul Ghani Kasuba, who was the perpetrator of the crime of bribery related to nickel mining, was revealed in court, this was a public spectacle involving high-ranking government officials by committing bribery to facilitate and expedite the mining permit (IUP) process in the North Maluku region. The facts that occurred in the trial showed the rampant corruption in the government sphere which should maintain clean and transparent natural resources used for state needs. In particular, what caught the public's attention in the trial was mentioned by the witness with the initials S as the Head of the Energy and Mineral Resources Service, namely BN who served as mayor of North Sumatra during the J regime and the president's son-in-law, the witness explained that AGK had given privileges to the Medan block. The statement was in the formal legal space which proved BN's involvement in the nickel mining licensing process as the object of the crime. Not only that, the witness also said that in the trial before AGK was named a suspect, the witness who replaced the Investment and Integrated Services Agency (DPMPTSP) and the defendant and his family met with BN's family at his house in North Sumatra and had the opportunity to discuss nickel mining permits in Halmahera. We can see the importance of understanding the benefits of mining permits, in strategic commodities such as nickel which have enormous value both for trading and as assets. In this context, it's crucial to understand that mining permits, particularly for strategic commodities like nickel, hold significant economic value. Nickel is a key commodity in the global energy transition toward electric vehicles, batteries, and other green technology infrastructure. Indonesia, as one of the world's largest nickel producers, is a gold mine for investors and businesses, but it is also a breeding ground for corruption, collusion, and nepotism.

4. Legal Regulation of the Criminal Code Inclusion Law

In the Criminal Code, participation in a criminal act (delict) is often referred to as *deelneming*, which involves two or more people involved in a crime. Satochid Kartanegara explains that "*Deelneming* occurs when a crime is committed by several or more people."¹³ In the context of criminal law, *deelneming* is a crucial aspect because it relates to the level of criminal responsibility of each individual for the criminal act that occurred. Each individual's role in a crime varies, so the level of criminal responsibility they bear varies. In a *deelneming* situation, it's possible that only one or several individuals will be held fully accountable, while others may only bear partial criminal responsibility. The primary issue in *deelneming* is essentially establishing the criminal responsibility of each person in a criminal act. Therefore, it is important to demonstrate each person's relationship to the relevant criminal act, including:

- a. Several people together commit one criminal act;
- b. Perhaps only one person has the intention and plans a criminal act, but does not do it himself, but uses other people to carry it out; and
- c. One person commits a criminal act, while another person provides assistance in carrying out the act.

With the inclusion of these criminal acts, various types of sanctions can be applied to each perpetrator. Therefore, individuals involved in criminal acts can receive different types of sanctions, as outlined in the Criminal Code (KUHP), specifically between the perpetrator and the person who assists in the crime.

According to the teachings conveyed by Simons, the categories of inclusion are divided into two types, namely:

- a) independent participation and

¹³Adam Malik. 2021. Participation (*Deelneming*): Definition, Forms, and Rules in the Criminal Code. [Participation \(Deelneming\): Definition, Forms, and Rules in the Criminal Code - Legal Website](#). Accessed October 17, 2025

b) dependent inclusion.

In the independent participation category, each actor's responsibility is assessed separately. Meanwhile, in dependent participation, one actor's responsibility depends on the other actors.

If we examine the articles in Books II and III of the Criminal Code (KUHP), it is clear that the criminal acts and sanctions contained therein are primarily directed at perpetrators and those who contribute to the crime. Article 55 of the KUHP categorizes criminals into four types:

- a) the person who performs the action;
- b) the person who ordered the execution of the action;
- c) people taking part in the action; And
- d) the person who gives the reward.

Meanwhile, those who support a crime, as defined by Article 56 of the Criminal Code, are those who provide assistance either during or before the crime is committed. This support can take the form of information, opportunities, or resources used to commit the crime.

In this case, BN's involvement in the trial remains unclear, but the KPK appears to have discontinued the investigation, leaving it unclear which category BN falls under under the aforementioned article. This article has not been properly implemented through the KPK's investigation. The investigation should have continued until a consensus was reached on whether BN falls within this category.

B. The Negative Impact of the Corruption Eradication Committee's Inconsistent Law Enforcement

The inconsistencies within the Corruption Eradication Commission (KPK) have had a significant negative impact on Indonesia's law enforcement system and government management. One of the most significant consequences is the decline in public trust in this anti-corruption agency. Previously optimistic about the KPK, the public is now beginning to doubt its integrity and objectivity. When the KPK is perceived as being indecisive or lacking transparency in handling certain cases, the perception arises that the institution is influenced by political interests. This situation is extremely dangerous, as public trust is the primary foundation for the success of the anti-corruption movement.¹⁴ On the other hand, inconsistency also reduces the effectiveness of law enforcement. Uncertainty in the investigation process, suspect identification, and decision-making leads to inconsistent law enforcement and a lack of assurance. Some cases are handled seriously, while others involving the same violation are ignored for no apparent reason. This situation creates injustice and provides opportunities for corruptors to escape punishment. As a result, justice is no longer based on law, but can be influenced by power or political affiliation.

Another visible impact is the decline in morale and enthusiasm among KPK internal staff. Staff who value integrity and professionalism may feel disappointed when the institution's decisions no longer reflect principles of justice. This situation can lead to internal conflict and diminish solidarity among employees. As idealism wanes and leadership is questioned, the institution gradually loses its once-strong character. The KPK's inconsistency also opens up opportunities for increased political interference within law enforcement. When the KPK fails to demonstrate firmness and independence, it becomes vulnerable to pressure from various parties, particularly politicians. Such political interference can undermine the KPK's independence and turn law enforcement into a political tool rather than a tool for justice. Furthermore, uncertainty surrounding the Corruption Eradication Commission (KPK)'s policies and actions also hampers the implementation of the national anti-corruption program. While the KPK should serve as a center for coordination and oversight, it has lost the trust of other institutions, such as the Supreme Audit Agency (BPK), the Prosecutor's Office, and the National Police. Consequently, collaboration between institutions is weak, and the national anti-corruption strategy is underdeveloped. If this situation persists, corruption rates in Indonesia are likely to rise again.¹⁵ Furthermore, Indonesia's international image has also been impacted. The Corruption Eradication Commission (KPK) has long been considered a symbol of successful legal reform and transparency. However, when this institution exhibits instability and political interference, international institutions' assessments of Indonesia's legal integrity decline. This can impact the Corruption Perception Index (CPI) and reduce the attractiveness of foreign investment, as investors typically avoid countries with weak and inconsistent legal systems. Finally, uncertainty in law enforcement against corruption

¹⁴SBS. 2024. The Negative Impact of Not Enforcing the Law Properly. [Negative Impacts When the Law is Not Enforced Properly](#). Accessed October 17, 2025

¹⁵Ibid

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reduces the deterrent effect for perpetrators. If sanctions are no longer applied fairly and firmly, corruptors may feel that the law is negotiable. As a result, a culture of corruption becomes increasingly difficult to overcome and becomes more entrenched in the bureaucracy. Therefore, the KPK's consistency in carrying out its functions and duties is crucial to ensuring that law enforcement remains legitimate and that public confidence in Indonesia's anti-corruption efforts remains intact. Furthermore, the rise in corruption crimes has led to overlapping economic conditions, including human rights violations, and crimes against society in the economic sector. This further harms the country and makes it appear impoverished. The failure to disclose all those involved will only increase and remain unresolved.

Conclusion

As for the conclusion in this study, there is still inconsistent law enforcement, especially the Corruption Eradication Commission (KPK) as an anti-corruption agency, which can be seen from the results of the author's research which selectively applies the nickel mining case so that it does not apply the Criminal Code and the Criminal Procedure Code properly by not continuing the examination of BN as involved in this nickel mining licensing case which has been revealed in the trial, the results of witness statements have had a negative impact.

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INCONSISTENCY OF LAW ENFORCEMENT IN DISCLOSING BRIBERY IN GOVERNMENT (STUDY OF THE NORTH MALUKU NICKEL MINE CORRUPTION CASE)

Puja Rianida and Bambang Waluyo

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