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Original Research Article

Juridical Analysis of Law Enforcement for Criminal Acts of Corruption to Realize Legal Certainty (Research Study at the Tanjung Pinang Police Criminal Investigation Unit)

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Abstract

Corruption is a special offense that is regulated separately outside the Criminal Code. In the process of handling corruption cases, the principle of priority or precedence in the settlement process applies. This is following Article 25 of Law no. 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which states that investigations, prosecutions, examinations in courts of corruption cases take precedence over other cases in order to be resolved as soon as possible. The problems in this study are how to regulate the law of corruption in order to achieve legal certainty (Research Study at the Tanjung Pinang Police Criminal Investigation Unit), how to implement corruption law enforcement to create legal certainty (research study at the Tanjung Pinang Police Criminal Investigation Unit) and what factors become an obstacle or obstacle as well as a solution to law enforcement for corruption in order to realize legal certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit). This study aims to determine the legal regulation of corruption in order to create legal certainty (research study at the Tanjung Pinang Police Criminal Investigation Unit), to determine the implementation of the juridical analysis of corruption law enforcement in order to realize legal certainty (Research Study at the Tanjung Pinang Police Criminal Investigation Unit), to find out factors that become obstacles or obstacles as well as Law Enforcement Solutions for Corruption in order to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit). This study uses a descriptive method by using a normative approach (legal research) to obtain primary data through field research. The results of the study indicate that Law Enforcement of Corruption Crimes to Achieve Legal Certainty (Research Studies at the Tanjungpinang Police Criminal Investigation Unit) has basically been carried out well, although there are still many obstacles in the field, especially the substance and legal culture. It is necessary to have a firm legal regulation that provides a deterrent effect to perpetrators of corruption.

Keywords: Law Enforcement, Corruption, Legal Certainty.

INTRODUCTION

A port is a facility at the end of an ocean, river, or lake to receive ships and transfer cargo and passengers into them. Ports usually have equipment specifically designed to load and unload anchored ships. Sometimes cranes and refrigerated warehouses are provided by the management or private parties concerned, according to the type of port as well. Often, supporting facilities are built around it, such as canning and processing goods. Government Regulation of the Republic of Indonesia Number 69 of 2001 regulates ports and their functions and operations.

In their daily life, the port also has a close relationship with the local residents who inhabit the port area. Most of the residents make a living as porters and loading and unloading at the port. However, cases of criminal acts of corruption at the port that should not have happened are still recurring, especially in this case in the construction of the Dopak port. This should not need to happen, considering that the port is one of the main places for economic activities that can support development, especially in this case, the development of the area around the Dompak port. Corruption in Indonesia today is a very dangerous social pathology (social disease) that threatens all aspects of social, national, and state life, including port development, especially at Dompak Port. Corruption has resulted in enormous material losses of state finances. Forms of confiscation and depletion of state finances occur in almost all regions of the country.

This is a reflection of low morality and shame so that what stands out is the attitude of greed and rejoicing. The problem is, corruption can be eradicated. There is no other answer if we want to progress, other than corruption must be eradicated. If we do not succeed in eradicating corruption, or at least reducing it to its lowest point, do not expect this country to be able to catch up with other countries to become a developed country. Because corruption has a fairly broad negative impact and can bring the country to the brink of collapse.

As regulated in the 1945 Constitution of the Republic of Indonesia, Article 1 paragraph (3), which states that "the State of Indonesia is a State of Law", where the provisions of the article are the constitutional basis that Indonesia is a country based on law. In this case, the law is positioned as the only reference in the life of society, nation, and state (supremacy of law). The rule of law requires that the law must always be enforced, respected, and obeyed by anyone without any exceptions. It aims to create security, order, prosperity in the life of society and the state. Human life certainly has various interests and needs. In order to fulfill their needs and interests, humans behave and act in such a way that their attitudes and actions do not harm the interests and rights of others. The law provides signs in the form of limits on behavior in order to achieve and fulfill these interests.

The problem that most often occurs in a state of the law is the rise of crimes against humanity, one of which is corruption. Amid national development efforts in various fields, people's aspirations to eradicate corruption and other forms of irregularities are increasing, because, in reality, the existence of corruption has caused enormous state losses which have an impact on the emergence of crises in various fields.

Corruption is a special offense that is regulated separately outside the Criminal Code. In the process of handling corruption cases, the principle of priority or precedence in the settlement process applies. This is in accordance with Article 25 of Law no. 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which states that investigations, prosecutions, examinations in courts of corruption cases take precedence over other cases in order to be resolved as soon as possible. According to Sumarwani, corruption-prone points include the following areas: (Sumarwani, 1998) Development projects involving the interests of the community/people, especially those related to the implementation of land acquisition and labor-intensive; Development projects for the public interest, such as transmigration land preparation, distribution of Presidential Instruction funds, clean water projects, electricity and so on; Procurement of goods and services, whose goods are much lower than the standard; Credit distribution, both bank liquidity credit, and investment credit, working capital credit, export credit, import credit, and so on; The field of state financial revenues, especially those related to collecting taxes, levies, exemption from import duties, PBB, VAT, and so on; The field of licensing or service to the community, for example, SIUPP, SINK, SIM, and so on, as well as the field of personnel, for example, the acceptance and appointment of new employees and so on.

Efforts to achieve and or secure development results are not only determined by the availability of adequate laws and regulations but must also be accompanied by consistent law enforcement for the sake of upholding the rule of law in Indonesia, as mandated in the Decree of the People's Consultative Assembly of the Republic of Indonesia No. IV/MPR/1999 Chapter. IV Sub A Point 3, among others, enforce the law consistently to better guarantee legal certainty, justice and courage, rule of law, and respect for human rights.

Taking into account the Decree of the People's Consultative Assembly above, one of the legal aspects that need attention is law enforcement against corruption, considering that corruption is currently getting higher in intensity and therefore efforts to prevent and eradicate it must always be improved as an effort to save the economy's country finances. Of course, the eradication of corruption crimes is expected to be able to meet and anticipate the development of the legal needs of the community in order to prevent and eradicate more effectively every form of corruption that is very detrimental not only to the state's finances or the state economy but also to the lives of many people, including our children and grandchildren who will come. One of the points prone to corruption is in the infrastructure development sector. Infrastructure development is an activity of the government in terms of infrastructure development to meet the needs of the community in relation to its function as a public servant.

Based on this background, the following problems can be formulated.

1. How is the Legal Arrangement for Corruption Crimes to Achieve Legal Certainty Achieved (Research Study at the Tanjungpinang Police Criminal Investigation Unit)?
2. How is Law Enforcement Implemented for the Crime of Corruption to Achieve Legal Certainty (Research Study at Tanjungpinang Criminal Investigation Unit)?
3. What are the impediments/obstacles to law enforcement of corruption crimes in order to achieve legal certainty (Research Study at Tanjungpinang Criminal Investigation Unit)?

The objectives of this research are as follows:

1. Establish legal arrangements for corruption crimes in order to achieve legal certainty (Research Study

at Tanjungpinang Police Criminal Investigation Unit).
2. to ascertain the implementation of law enforcement for corruption crimes in order to achieve legal certainty (Research Study at the Tanjung Pinang Police Criminal Investigation Unit).
3. To find out the inhibiting factors/obstacles and solutions for law enforcement for corruption crimes to achieve legal certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit).

This research is not only beneficial for the authors, but also other parties. Theoretically, the results of this study are expected to contribute to the development of legal science, especially criminal law because the results of this study provide clarity regarding Law Enforcement of Corruption Crimes (Research Study at the Tanjungpinang Police Criminal Investigation Unit). Practically, this research is expected to provide benefits too; (a) Law enforcers are expected to be able to carry out their profession of enforcing Justice with Legal Certainty because the results of this study explain the criminal act of corruption in the Port of Dompak Tanjungpinang. (b) The public is expected to have the right to use public facilities for Indonesian citizens to obtain legal certainty because the results of this study provide explanations and guidelines regarding the laws and regulations applied to the Criminal Act of Corruption.

LITERATURE REVIEW

The theory is a set of constructions (concepts), definitions, and propositions that function to see phenomena systematically, through the specification of relationships between variables so that they can be useful for explaining and predicting phenomena (Sugiyono, 2013). The theory is a flow of logic or reasoning, which is a set of concepts, definitions, and propositions that are systematically arranged (Sugiyono, 2013). Function theory in general contains the function of explaining, predicting, and controlling a symptom. In a study, the theory used must be clear because the function of theory in a study is, among others, to clarify and sharpen the scope or construction of the variables to be studied, to formulate hypotheses and develop research instruments as well as to predict and find facts about something being researched (Sugiyono, 2013). Theories contain statements about certain phenomena and these statements must be tested in research. Research is a scientific activity related to analysis and construction which is carried out methodically, systematically, and consistently (Soekanto, 2008).

Analysis of Crime Crimes According to the Criminal Code (KUHP)

The term offense or het straafbaarfeit in legal science has many meanings, including those who mention offenses as acts that can or may be punished, criminal events, criminal acts, and criminal acts. Differences in terms like this only concern the existing terminology and to show what legal actions are contained therein (Saleh, 1983). The term "criminal act" is a translation of "strafbaarfeit". In the Criminal Code, there is no explanation of what exactly is meant by "strafbaarfeit" itself (Sianturi, 2012). The word crime is usually synonymous with an offense which means "an act that can be punished because it is a violation of the criminal law". These actions are detrimental to the community, in the sense that they are contrary to or hinder the implementation of the social order in society that is considered good and fair. Anti-social acts can also be regarded as a crime. Other opinions expressed by scholars regarding the term straafbaarfeit include, among others, Moeljatno who uses the term "criminal act" to describe the content of the meaning of straafbaarfeit and he defines it as an act that is prohibited by a rule of law, which prohibits is accompanied by threats (sanctions) in the form of certain crimes, for anyone who violates the prohibition (Kartanegara, 2015).

The elements of a crime consist of a subjective element and an objective element. The objective element is the element that is outside the perpetrator. Elements that have to do with circumstances, namely in the circumstances in which the actions of the perpetrator must be carried out. Meanwhile, Subjective Elements are elements that are attached to the perpetrator or related to the perpetrator and include everything that is contained in his/her heart.

Studying the politics of criminal law will be related to the politics of law. Legal politics consists of a series of words combining politics and the law. According to Sudarto (2015), the term political is used in various meanings, namely: (a) the word politics in Dutch means something related to the state. (b) Means talking about state matters or relating to the state. Sudarto further said that another meaning of politics is policy, which is a synonym for policy. On that basis, Sudarto said, "Legal politics is a state policy through authorized bodies to implement the desired regulations which are expected to be used to express what is contained in society and to achieve what is aspired."

Meanwhile, according to Solly Lubis (2016), legal politics is a political policy that determines what legal regulations should apply to regulate various matters of social and state life. Based on the opinions of these experts, it can be clearly seen that politics and law have a close relationship because politics is related to the state while the law is related to a rule, norm, and legislation. The close relationship between politics and law is not only at the level of formulation but can also be seen at the level of application and execution. This close relationship between politics and law also received attention from Mahfud (2015), who explained that law is a political product. With such assumptions, Mahfud formulated legal politics as a legal policy that will be or has been implemented nationally by the

government. It also includes an understanding of how politics influences the law by looking at the configuration of power behind the making and enforcing of the law.

Legal Arrangements for Corruption Crimes to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit)

The criminal act of corruption according to Article 2 paragraph 1 of Law Number 31 of 1999 is any person (individual or corporation) who fulfills the elements of the article. Thus, the perpetrators of criminal acts of corruption according to this article are "everyone". There is no obligation for civil servants. So, it can also be done by people who are not civil servants or corporations, which can be in the form of legal entities or associations. According to Hartanti (2015), the actions taken to enrich themselves or other people or corporations are as follows: (1) Enriching themselves, meaning that acts against the law are perpetrators' enjoyment of increasing their wealth or property. (2) Enriching others, which means that as a result of the perpetrator's unlawful act, other people benefit by increasing their wealth or improving their property. So, here, the beneficiaries are not the direct actors. (3) A corporation is a collection of people or an organized collection of assets, whether they are legal entities or not, that enrich corporations or benefit from unlawful acts committed by perpetrators.

Implementation of Law Enforcement for Criminal Acts of Corruption to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit.

Samuel P. Huntington, an American political scientist, once stated that corruption is a democratic disease of modernity (Indriati, 2015). In today's modern era, the facts on the ground show that corruption has become more and more rampant from the perpetrators, their types and modus operandi are growing. As is the case with the use of symbolic terms or word choices, the main purpose of which is to disguise the main perpetrators of corruption. Corruption as a crime can not only cause financial losses to a country but can also have other, more serious consequences on people's lives. This is because corruption is a form of violation that can indirectly rob people of social and economic rights. Even if left untreated seriously, corruption can result in slowing economic growth and development (Kansil et al., 2019). Although corruption is familiar to hear, it is still considered an inappropriate act because it does not have the slightest good value. After all, basically, corruption is the root of the problem that causes the decline of a nation and state. Corruption is not a habit, not a nation's culture, nor is it mismanagement as has been considered. Corruption is still a very dangerous crime. Therefore, corruption must be made a common enemy and must be tackled and fought together as well (Rianto & Meuko, 2019). In general, the elements of the crime that fall under the category of corruption are the intention, ability to do, opportunity, and presence of targets.

One of the basic elements of corruption is the loss of state finances. Various laws and regulations that exist today do not have the same definition of state finances. Article 1 point 1 of Law no. 17 of 2003 concerning State Finance defines state finances as all rights and obligations of the state that can be valued in money, as well as everything in the form of money or goods that can be made state property in connection with the implementation of these rights and obligations with the State Finance Law and the BUMN Law.

In the General Elucidation of the Anti-Corruption Law, it is stated that state finances are the application of elements that are detrimental to state finances in the offense of corruption, all state assets in any form, separated or not separated, including all losses of state finances and all rights and obligations arising from: Being in the control, management, and accountability of state agency officials both at the central and regional levels, Being in the control, management and accountability of State-Owned Enterprises/Regional-Owned Enterprises, Foundations, Legal Entities and Companies that include state capital, or companies that include third-party capital based on an agreement with the state.

Whereas what is meant by the State Economy is an economic life that is structured as a joint effort based on the principle of kinship, or an independent community business based on Government policies both at the central and regional levels, in accordance with the provisions of applicable laws and regulations aimed at providing benefits, prosperity, and welfare of all people's lives. The calculation of state losses in corruption cases according to Eddy Mulyadi Sopardi, namely: To determine the amount of compensation money/demands for compensation that must be settled by a party found guilty if the convict is subject to additional penalties as regulated in Articles 17 and 18 of Law Number 31 of 1999.

As one of the references for prosecutors to carry out prosecutions for the severity and lightness of the sentences handed down and for judges as material for consideration in determining their decisions. In the event that the case that occurs later is a civil or other cases (lack of treasury or negligence of civil servants), then the calculation of state losses is used as material for lawsuits/prosecutions in accordance with applicable regulations states that an act cannot be a corruption offense if there is no element of state loss. In addition, the element of state losses is one of the bases for calculating how many assets acquired from corruption must be returned.

In understanding efforts to maximize the return of state losses through an asset recovery perspective,

law enforcement officers cannot separate the elements of state losses as an independent element in determining the number of assets acquired from the corruption that must be returned. In law, both Law Number 3 of 1971 to Law Number 20 of 2001 concerning amendments to Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption do not at all distinguish between acts of corruption that result in state financial losses and losses to the country's economy. However, it is only mentioned that the consequences of criminal acts of corruption can be detrimental to state finances or the state economy. If so, it is difficult to understand what the real intent of the legislator is or whether he/she wants to distinguish between actions that harm state finances and harm the state economy.

Factors, Constraints, Barriers, and Solutions for Law Enforcement for Criminal Acts of Corruption to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit).

Criminal law enforcement is an effort to translate and realize the wishes of criminal law into reality. Specifically, criminal law, according to Van Hammel, is the entire basis and rules adopted by the state in its obligation to enforce the law, namely by prohibiting what is contrary to the law (On Recht) and imposing sorrow (suffering) on those who violate it (Sudarto, 1986).

According to Satjipto Raharjo, law enforcement is an effort to make the ideas of legal certainty, social benefits, and justice a reality. The process of realizing these three ideas is the essence of law enforcement. Law enforcement can also be interpreted as the implementation of the law by law enforcement officers and everyone who has an interest, according to their respective authorities and according to the applicable legal rules (Rahardjo, 1980). Thus, law enforcement is a system that involves a harmonization between values, rules, and real human behavior. These rules then become guidelines or benchmarks for behavior or actions that are considered appropriate or should be the behavior or attitude of the act aiming to create and maintain peace. Disturbances in law enforcement may occur if there is a mismatch between values, rules, and behavior patterns that disturb the peaceful coexistence of life.

According to Soerjono Soekanto, law enforcement does not merely mean the implementation of legislation. Even though in reality, in Indonesia, the trend is like that. So the notion of law enforcement is so popular. There is even a tendency to interpret law enforcement as implementing court decisions. This narrow definition contains weaknesses because the implementation of legislation or court decisions can occur and even disturb the peace in the social life of the community.

Talking about criminal law enforcement is actually not only an effort to make the law itself but also about what law enforcement officials do in anticipating and overcoming problems in law enforcement. Therefore, in dealing with problems in criminal law enforcement that occur in society, it can be done penal (criminal law) and non-penal (without using criminal law).

Law in Indonesia cannot always be seen as a guarantor of legal certainty, an enforcer of people's rights, or a guarantor of justice. There are so many rules that are blunt, do not work against arbitrariness, are unable to enforce justice, and cannot present various cases that should be answered by law. In fact, many legal products are more colored by the political interests of the dominant power holders. Legal awareness, in a narrow sense, is what people know about the law and what should be done, and when "aware" means to know. In a broad sense, legal awareness has the meaning of covering not only phenomena that have become known but also ordered by law. In other words, it will not only include the cognitive dimension but also the affective dimension.

Legal awareness is rooted in society. Legal awareness is a more rational abstraction than the legal feelings that live in society. In other words, legal awareness is an understanding created by legal scholars. This cannot be seen directly in people's lives, but its existence can only be inferred from the experience of social life through interpretive thinking. In addition, there are also those who say that legal awareness is not merely something that grows in society. However, it must be nurtured consciously, so that it can grow in society.

Legal awareness is basically talking about people in general, not just talking about people with a certain scope or people from certain professions such as judges, prosecutors, police, and so on. Because the concept of legal awareness contains elements of value which of course have been internalized by people since childhood and have been institutionalized and ingrained. The institutionalization process needs to be socialized to the community so that it can become a guideline that must be maintained and instilled. So that if it is institutionalized and internalized, it is manifested in norms, it will become the basis for people to behave. Legal awareness is not only aware of legal obligations and obeying the provisions of the law, but also unwritten legal provisions. Legal awareness can also arise from real events or events. If these events or events occur repeatedly on a regular basis, then a view or awareness arises that this is a legal obligation. So, legal awareness is awareness or values contained in humans about existing laws or about laws that are expected to exist. In reality, what is emphasized are values about the function of the law, rather than a legal assessment of specific events in the society in question.

Legal awareness is the awareness that one must act in accordance with legal provisions. Community legal awareness is a kind of bridge that connects legal regulations with the legal behavior of community members. Legal awareness is an awareness of the values contained in humans about the existing law. Legal awareness can mean the existence of awareness, the condition of a person who understands very well what the law is, and the function and role of the law for himself and the surrounding community. Legal awareness also means awareness of the law, awareness that the law is the protection of human interests who realize that humans have many interests that require legal protection. Legal awareness needs to be distinguished from legal feeling. If the legal feeling is an assessment that arises immediately (spontaneously), then legal awareness is an assessment that is indirectly accepted by rational thinking and argumentation. Oftentimes, legal awareness is formulated as a resultant of legal feelings in society.

So legal awareness is nothing more than societal perceptions of what the law is. Views of life in society are not merely the product of rational considerations but develop under the influence of several factors, such as religion, the economy, politics, and so on. Many people are actually aware of the importance of the law and respect the law as a rule that needs to be obeyed, either because of instinctual impulses or rationally. But in fact, this awareness is not realized in everyday life or in real practice.

Efforts that can be made to increase legal awareness of the community and government so that the enforcement of the principles of the rule of law can run are as follows. (a) Providing comprehensive and long-term legal counseling to the community. (b) Implement legal reforms. (c) The legal process must not be based on political motives. (d) The protection of human rights and non-discrimination. (e) Improving government institutions to provide law enforcement agencies that are truly committed to truth, justice, and legal certainty.

That is what is called legal consciousness or knowledge and opinion about the law. Matters related to legal awareness are as follows.

1. Legal knowledge. If a piece of legislation has been promulgated and issued according to the legal and official procedure, then the statutory regulation applies. Then the assumption arises that every citizen is considered to know the existence of the law.
2. Legal understanding. If only legal knowledge is owned by the community, it is not sufficient. An understanding of the applicable law is still needed. Through legal understanding, the public is expected to understand the purpose of the legislation and its benefits for the parties whose lives are regulated by the said legislation.
3. Compliance with the law. A citizen of the community obeys the law for various reasons. The reasons referred to can be exemplified as follows: (a) fear of negative consequences if the law is broken. (b) to maintain good relations with the authorities. (c) to maintain good relations with colleagues. (d) Because the law is in accordance with the values adopted. (e) the interests are protected. Theoretically, the fourth factor is the best thing. This is due to the first, second, and third factors, the application of the law always in reality.
4. Expectations imposed by law. A legal norm will be appreciated by citizens if they have known, understood, and obeyed it. That is, he/she can really feel that the law produces order and peace in him/her. The law is not only related to the outward aspect of humans, but also the inner aspect.
5. Raising legal consciousness. Increasing legal awareness should be carried out through regular legal information and counseling on the basis of solid planning. The main purpose of legal information and counseling is so that community members understand certain laws, according to the legal problems that are being faced at a time. Legal information and counseling is the task of the legal community in general and in particular those who may have direct contact with community members, namely legal officers.

RESEARCH METHODS

This study uses a descriptive method with normative and sociological research types using a normative approach (legal research) to obtain primary data through field research. With regard to the authenticity of this research, the authors have conducted a search and verification of existing studies. The research method consists of two words, namely the word method and the word research. The word method comes from the Greek word methodos, which means way or towards a path. The method is a scientific activity related to a systematic way of understanding a subject or object of research, as an effort to find answers that can be scientifically justified and include their validity (Ruslan, 2003).

Data specification or it can be said that the type of research is a choice of the type of research format in examining the object of research in the field of legal science studied by the authors. Specifically, according to the type, nature, and purpose of Soerjono Soekanto's specification of legal research, it is divided into Normative Legal Research and Sociological or Empirical Legal Research (Ruslan, 2003). This normative legal research is also known as doctrinal legal research, also referred to as library research or document study. It is called doctrinal legal research because this research is conducted or aimed only at written regulations or other legal materials. It is also called library research or document study because this research is mostly done on secondary data in the library.

In this study, the authors use secondary data sources, namely data obtained or collected by people conducting research from existing sources. Secondary data is obtained by library research in order to obtain a theoretical basis in the form of opinions or writings of experts or other authorized parties and also to obtain information both in the form of formal provisions and data through existing official texts.

Secondary data in the legal field can be divided into (a) Primary legal materials (Ruslan, 2003) that are binding in the form of the basic norms of Pancasila, Law Number 2 of 2002 concerning the Indonesian National Police, Law Number 20 of 2001 concerning Amendment to Law Number 31 of 1999 concerning Eradication of Corruption Crimes, Presidential Decree Number 70 of 2012 concerning Amendments to Presidential Decree Number 54 of 2010 concerning Government Procurement of Goods and Services, Minister of Finance Regulation Number 190/PMK.05/2012 concerning Accountability State Finance and Regulation of the Minister of Transportation Number 61 of 2009 concerning ports. (b) Secondary legal materials are materials that are closely related to primary materials and can help analyze and understand primary materials in the form of dictionaries, literature books, articles, and the internet. (c) Tertiary legal materials or supporting legal materials, in principle, include materials that provide guidance on primary legal materials and secondary legal materials (Salim, 2014).

This research was conducted by the authors at the Tanjungpinang Criminal Investigation Unit. As for the population of the study, they are the staff and authorities at the port of Sri Anam. Meanwhile, the sample in this study, the authors used a non-probability sampling technique or non-random sampling technique by means of purposive sampling.

In this study, the authors used interview techniques to collect data. The interview used was an open interview by holding a direct question and answer based on a list of questions that was made previously and developed during the interview. The authors conducted interviews with several resource persons from the Head of the Tanjungpinang Resort Police Criminal Investigation Unit. In addition, based on the data used by the authors in this study is secondary data. All secondary data uses data collection techniques in the form of searching documents collected through the library. Library research is a method of collecting data that is carried out through library materials in the form of journal books, and articles written by experts. From all the data that has been obtained and collected, both the results of interviews and library materials are re-examined to determine the completeness and clarity, and then a data management process is held by compiling the data, then classified so that it is easy to perform data analysis.

Data analysis is an important and decisive stage in a study. Data analysis is also a stage to find sources of problems and answers to research problems (Soekanto, 2008). There are two types of data analysis methods, namely qualitative and quantitative. Qualitative analysis is descriptive data, including words and pictures, is obtained from interview transcripts, field notes, photos, videotapes, personal documents, and others. Quantitative analysis is to provides codes, numbers, measures, and operational variables.

The data obtained from data collection in a literature study (legal research) and field studies in this study were analyzed using qualitative data analysis, which is a scientific way of obtaining valid (solid) data with the aim of finding, proving, and developing knowledge so that it can be used to understand, solve, and anticipate the problem in question with deep accuracy (Manab, 2015). For decision making from the data from this research, the positive legal study method used by the authors in this study is a deductive (general) to an inductive (specific) method, which is a method used to complete the normative system that has been compiled and organized through efforts. collection and inventory (Sunggono, 1994).

DISCUSSION & CONCLUSION

From the description above, the authors draw the following conclusions:

The legal arrangements for the crime of corruption in order to create legal certainty (Research Studies at the Tanjungpinang Police Criminal Investigation Unit) are contained in several laws and regulations, namely Law Number 2 of 2002 concerning the Indonesian National Police, Law Number 20 of 2001 concerning Amendments to the Law Law Number 31 of 1999 concerning Eradication of Criminal Acts of Corruption, Presidential Decree Number 70 of 2012 concerning Amendments to Presidential Decree Number 54 of 2010 concerning Government Procurement of Goods and Services, Minister of Finance Regulation Number 190/PMK.05/2012 concerning State Financial Accountability and Regulations Minister of Transportation Number 61 of 2009 concerning ports.

The Implementation of Law Enforcement on Corruption Crimes to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit) has been running as it should, but there are still obstacles in the field, especially in terms of the lack of understanding of law enforcement officers about their duties and responsibilities, low morale factors in the apparatus, and the lack of functioning of supervisory institutions.

The obstacle in the field, as well as solutions for law enforcement for criminal acts of corruption in order to achieve legal certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit), are

the juridical obstacles that accompany the performance of law enforcement for the crime of corruption, which can come from factors of legal substance and from law enforcement officers. In terms of legal substance, there are several problems that interfere with the performance of law enforcement against corruption.

SUGGESTIONS

From the conclusions above, the authors give the following suggestions:

Legal Arrangements for Corruption Crimes to Realize Legal Certainty (Research Studies at the Tanjungpinang Police Criminal Investigation Unit), it is hoped that there will be a firm and binding rule regarding sanctions for corruptors to provide a deterrent effect on the perpetrators.

Implementation of Law Enforcement on Corruption Crimes to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit), it is expected that law enforcers should improve the criminal law system which includes legal substance, legal structure, and legal culture.

Constraints / Barriers and Solutions for Law Enforcement for Corruption in order to Realize Legal Certainty (Research Study at the Tanjungpinang Police Criminal Investigation Unit), it is hoped that harmonization and synergy between the criminal law sub-systems must be strengthened coupled with the strong commitment of judges as the spearhead in eradicating corruption to dare to impose sanctions criminal acts that provide a deterrent effect for perpetrators of corruption.

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