

ABSTRACT

Corruption still occurs in Indonesia, although law enforcement has been done exceptionally. If it is carefully observed, the main target of the Law on Corruption Eradication (UUPTPK) is the civil servant. Civil servants are government administrators or public administration, and Article 3 of the Law on Corruption Eradication (UUPTPK) regulates the abuse of power, of opportunities or of facilities strictly attaching to the officials or civil servants with their positions which is considered as the concept of administrative law and the Law on Corruption Eradication (UUPTPK) are closely related to the aspects of administrative law. It means that Article 3 of the Law on Corruption Eradication (UUPTPK) is only applicable to the civil servants, but in fact, in practice it is also applied to the state officials, the administrators, even to corporate officers. The judges generally do not really understand the concept of administrative law leading to the improper court decisions not suitable with and not based on the right concept of administrative law. There are still many criminal acts of corruption in Indonesia resulted from poor mental condition of the administrators, bad, ineffective, and inefficient supervision system, and unimplemented good governance. To seriously combat the criminal acts of corruptions, four urgent things are necessarily suggested in the context of law enforcement and clean governance which is free from collusion, corruption and nepotism: (1) The definition of public servants in Article 1 paragraph (2) must be returned to the concept of administrative law, that is the government employees or officials; (2) It is necessary to define and restrict the application of the abuse of power, of opportunities or of facilities strictly attaching to the officials or civil servants with their positions stated in Article 3 of the Law on Corruption Eradication (UUPTPK); (3) The officials of the law enforcement, especially the judges, should be given an understanding of administrative law; and (4) To prevent the occurrence of criminal acts of corruption in Indonesia, good governance should be soon implemented and monitoring functions can be carried out effectively, efficiently and consistently.

Key words: authority, Administrative Law, Corruption.