Application of Artificial Intelligence Technology in the Eradication of Corruption Criminal Acts in Indonesia

Nadief Rahman Harris[1], Satria Unggul Wicaksana Prakasa[2]
[1] *Fakultas Hukum Universitas Muhammadiyah Surabaya, Indonesia*
[2] *Fakultas Hukum Universitas Muhammadiyah Surabaya, Indonesia*

ABSTRACT
Countries in the world are currently moving towards to the development of sophisticated intelligent automated systems including the State of Indonesia where this system is able to achieve digital transformation which is considered as one of the most important pillars of modern economic growth. With the PBB's call to implement the 2030 sustainable development plan, right in the context of this transformation, countries including Indonesia are trying to utilize modern technology in combating many issues that haunt society, namely corruption. The researcher will answer the questions (1) The legitimacy of the use of AI by the KPK in the Eradication of Corruption in Indonesia (2) The ideal legal mechanism to accommodate the use of artificial intelligence technology in eradicating corruption in Indonesia. This research uses a sociolegal approach. The results in this study indicate that in the legitimacy of the KPK in eradicating corruption criminal acts by using artificial intelligence products for eradicating corruption criminal acts, there are several articles that can be reviewed that the importance of the KPK is to use technology products in eradicating corruption criminal acts and the use of technology in handling evidence collection. and strengthen the evidence that states the existence of corruption acts .

INTRODUCTION

The phenomenon of the development of artificial intelligence technology has recently generated good feedback by several countries. This technology has developed an algorithm that monitors through social media, the traces of transactions involving money. It has become public knowledge that artificial intelligence or AI was born with complex designs and structures to perform human tasks by imitating the uses of the human brain such as analyzing data, doing reasoning, solving problems, and making decisions. It can be said that this technology will help the society in eradicating corruption in a very transparent and

systematic way. One of the countries that have implemented this technology is China, where they created an artificial

intelligence technology program that aims to detect the behavior of government workers and the general public who deviate into the realm of corruption. However, there are still many advantages and disadvantages of this technology. The advantages of applying artificial intelligence are that law enforcement will be very fast in detecting corrupt behavior, money laundering nationally and transnationally, but the drawback of applying this technology is that violations of privacy rights may occur, vulnerable to hackers., and abuse.

But, how is the phenomenon of law enforcement in Indonesia coupled with the use of AI, law enforcement according to Soejono Soekanto[1] is a factor of facilities and amenities. With the fulfillment of supporting facilities, both facilities and infrastructure, it is certain that law enforcement can achieve its goals. Unfortunately, in Indonesia's positive law, AI has not been placed as a legal subject. Even though with such a significant development of its capabilities, AI is included in the group capable of carryin   g out legal actions like humans and legal entities. Because, in principle, the law can determine the legal subject itself if there is a subject that has human capacity even though the subject is not human. This is reflected in the consideration of Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 about Information and Electronic Transactions which provides flexibility for the Law to adapt technological developments that result in new forms of legal action. One thing that needs to be underlined is that AI cannot be equated or even replace the role of humans, but for To strengthen its position to take advantage of these technological advances, especially in eradicating corruption and minimizing the occurrence of violations of the law enforcement code of ethics that lead to fraud by entities, there is nothing wrong with making AI a legal subject that can be leveled (its position) with legal entities. One thing that needs to be underlined is that AI cannot be equated with or even replace the role of humans, but to strengthen its position to take advantage of these technological advances, especially in eradicating corruption and minimizing violations of the law enforcement code of ethics that lead to fraud by entities, then there is nothing wrong with making AI a legal subject that can be generalized (its position) with legal entities.

In a situation where it is very advantageous to apply this technology in carrying out data management, to keep an eye on several sectors of the government, economy, and society so that it can be said to be good and smooth in the process of developing the technology.

In Indonesia alone, the application of artificial intelligence technology has been widely applied in several large companies as business development and according to data released by APPIER in collaboration with FORRESTER Indonesia was ranked first in the use of artificial intelligence by 65%. With China in second place at 63% and India in third at 62%. With this percentage, Indonesia's use of artificial intelligence technology should be a solution in dealing with corruption in Indonesia, which can assist the KPK in eradicating corruption in Indonesia. This paper aims to critically review how the application of artificial intelligence technology in Indonesia can be used as a solution to eradicate corruption in society.

---

[1] Soerjono Soekanto, *Faktor-faktor yang Mempengaruhi Penegakan Hukum,* 2016

This approach is needed to inform how artificial intelligence technology is involved in strategies for strengthening health and modern economic recovery in eradicating corruption.

METHODS

The method that will be used in this research is the socio-legal research method, which is a type of research method that presents a way of seeing the law more in context than text. Brian Z. Tamanaha in his book entitled *Socio-legal Theory: Pragmatism and a Social Theory of law (1997)*, explains that there are at least three objectives in socio-legal research. *First*, Brian Z. Tamanaha wants to comprehensively present a realistic approach to the study. socio-legal. *Second*, they want to get into the depths of legal theory by starting from the point of view of social science. *Third*, it wants to respond to the increasing influence of the one-sided confession of adherents of the critical socio-legal theory. (Tamanaha, 1997) . To identify the legal issues that will be raised in this research, the use of a normative approach is not enough because in a historical context, in a historical context, and in a legal political context it is necessary to have a scientific approach outside of law, this is what makes a socio-legal approach present to reveal how application of artificial intelligence technology in assisting the KPK in the realm of eradicating corruption in Indonesia. The socio-legal approach becomes interesting when looking at legal institutions at work, not only seeing the regulated authority, but also the institutional impact on that authority. (Wiratraman & Putro, 2019).

DISCUSSION AND RESULT

In Indonesia today, corruption can be said have been very worrying and has a very bad impact on many aspects of life to the point of damaging the economic system, democracy, politics, law, social order, and the Indonesian government. Efforts to eradicate corruption have been carried out continuously and so far have not shown optimal results, because this is why corruption is still prevalent among people, levels, and elements of society and seems to have become a part of everyday life. Corruption is now also considered a normal thing, if this condition is left unchecked then sooner or later it will destroy this country.[2]

Research conducted by Oxford Insight explains that artificial intelligence is a new limitation in handling anti-corruption crimes, because of the limitations and capabilities of artificial intelligence that can reveal a pattern in large data sets for humans to manage. So the application of this artificial intelligence is to detect the data of perpetrators who refer to the behavior of criminal acts of corruption. The help offered by this artificial intelligence development can help humans focus on details and act on allegations of abuse, fraud and corruption.[3]

Theory That Discusses Corruption

---

[2] Nanang T.Puspito,dkk, 2019
[3] Oxford Insight, and C Minds. 2018. Toward an AI Strategy in Mexico : Harnessing the AI Revolution. White Paper, C Minds, Oxford Insight

Jack Bologne said that greed and covetousness are the root of corruption cases. He explained the content of this theory by using the acronym "GONE": Greedy (G), Opportunity (O), Needs (N), and Expose (E). These four things when combined will make someone easily commit acts of corruption. If greed is supported by wide opportunities and reinforced by very high needs, it will drive the desire to commit corruption. However, this action is also influenced by legal actions that are currently unclear and the punishment is too light for the perpetrators, so it will not cause a deterrent effect.[4] So this theory is very appropriate as a foundation to describe the situation of corruption in Indonesia. Because of this legal imbalance, the anti-corruption agency itself is also overwhelmed. Until there was a new discourse that the government wanted to develop artificial intelligence products to help process people's data automatically. Judging from this development, the Corruption Eradication Commission (KPK) in Indonesia can see an opportunity in the development of this artificial intelligence product.

Application of Artificial Intelligence Technology in Law Enforcement

Artificial Intelligence is one of the branches of Science Technology which is a method of calculating algorithms that have the ability to solve super complex problems that cannot be solved directly. And this system is similar to humans in problem solving but with a database that has been collected. This system solves problems and generates based on synthetic computer cognition that has been arranged with algorithms that can exceed the level of human intelligenceKecerdasan.[5] China is an example of a country that has implemented the trend of using artificial intelligence technology in the legal field. In China itself, Smart Courts and Anti-Corruption-Tools (AI-ACT) have emerged. An application that can analyze cases automatically, determine case evidence standards, to determine the profile of the judge who is adjudicates.[6] China has adopted and implemented several of these strategies to deal with technological developments in the era of the industrial revolution 4.0, especially artificial intelligence technology.

This artificial intelligence technology has also been implemented by the State of Mexico with the application of open data by the government of that country so that criminal acts of fraud and tax evasion in that country can be seen in the raw data managed by that country. *The Mexican Institute for Competitiveness (IMCO)*) uses artificial intelligence technology on millions of data records to be able to analyze government procedures, tracks, and transactions to identify risks of corruption in the Mexican government. This database covers the fulfillment of public needs from 2017 to 2019 and contains approximately 6 million data, with 230 million data cells from 9 different sources. Using these data sources they were able to find evidence by building a risk index of corruption, by identifying the risk of criminal acts in more than 1500 cases studied.

---

[4] Jack Bologna, Tomie Singleton. 2006; Kompasiana,2017

[5] Harry Surden, *Machine Learning and Law,* 89 WASH. L., REV. 87,89 (2014)

[6] Ran Wang, "Legal technology in contenporary USA and China". 2020. 39 Computer Law & Security Review at 2.

According to the data that Mexico has collected in eradicating criminal acts of corruption, it can be started by adjusting the fulfillment of public policies by opening access to data managed by the government. Mexico is the country with the highest ranking among OECD countries in implementing open government data, why is that because Mexico has used data collections to identify the risk of criminal acts of corruption in a way that can be shared with the public, Mexico is also the first country to use the "*Open Up Guides : Using Open Data to Combat Corruption* where the system draws on practical resources to identify priority data sets, open standards, and data use cases that government, civil society and other stakeholders can focus on to address corruption cases at all levels and respond to a network of corruption cases which is more complex with the disclosure of the data, cases of corruption can be accessed by the public and monitored directly by the public.

The authority of the KPK in the Eradication of Corruption

The KPK has previously recorded gold ink in saving state finances both preventively and repressively, the public can also feel satisfaction in the KPK's performance. Many perpetrators of corruption were tried and sentenced to save billions of rupiah in state finances. However, in fact, at this time, it is undeniable that the KPK has lost its proportionality and credibility due to several factors, namely: the weakness of the law that regulates, the KPK's space for movement is increasingly limited, and the weakness of KPK supervision and coordination, which is widely suspected by the public to cause inequality between enforcement agencies law because of the authority possessed by the KPK itselfIn the amendment of Law Number 19 of 2019 concerning the Corruption Eradication Commission, amendments to Law Number 30 of 2002 concerning the Corruption Eradication Commission, the government amended the KPK Law because of the position of the KPK which is an independent institution that is not limited to outside the legislature. , executive, and judicial. According to third parties, if the KPK continues to be an independent institution, it is very contrary to the *trias politica principle* as a source of law for the Republic of Indonesia.

According to Article 43 of Law No. 31 of 1999 in conjunction with Law No. 20 of 2001 concerning the Eradication of Criminal Acts of Corruption, it implies the formation of an independent institution known as the Corruption Eradication Commission which is formed for a period of no later than 2 years after the law comes into force. This is in accordance with the provisions of TAP MPR No.VII of 2001 which provides policy directions for the acceleration and effectiveness of the implementation of corruption prevention in Indonesia. The authority of the KPK is stated in Articles 6-14 Chapter II of Law No. 30 of 2002 concerning the Corruption Eradication Commission which covers a very wide area, namely:

a. Coordination with authorized institutions to eradicate corruption (TPK).
b. Supervise the authorized institutions authorized to eradicate Corruption Crimes (TPK).
c. Conducting inquiries, Investigation and Prosecution of Corruption Crimes (TPK).
d. Take preventive actions against Corruption Crimes (TPK).

e. Monitoring the implementation of the State Government.

In this article, the KPK has been given the authority to eradicate corruption. In addition, in Article 21 Paragraph (1) Article 3 which consists of:

a. The KPK leadership consists of 5 members of the KPK
b. The Advisory Team consists of 4 Members
c. KPK employees as carrying out duties

The purpose of establishing the leadership in the KPK structure is as a state official so that the KPK leadership is equal in position to other state officials, so that the examination process does not drag on with reasons or obstacles to obtaining permission from a state official who is a suspect in many cases that occur in Indonesia. In relation to the judiciary for criminal acts of corruption, cases of criminal acts of corruption will be examined and decided by the Court of Criminal Act of Corruption within 90 days from the time the case was transferred to the Court of Crime of Corruption has been decided.

In the implementation of handling corruption cases, the Corruption Eradication Commission conducts investigations and investigations in coordination with the prosecutors, and the police in order to uncover and eradicate corruption as referred to in article 6 letter a and article 7 of Law no. 30 of 2002. The Corruption Eradication Commission has the right and authority to coordinate investigations, investigations, and prosecutions of criminal acts of corruption, as well as to establish a reporting system for non-corruption eradication activities by collecting information with agencies closely related to cases and perpetrators of corruption.[7]

Even though the KPK is said to be an independent institution, in fact the KPK has been weakened by the new KPK Law, by severely limiting the KPK's area of movement in handling corruption crimes by limiting the space for collecting evidence that is directly related to technology.

The legitimacy of the use of AI by the KPK in eradicating criminal acts of corruption

Talking about the legitimacy of the KPK in the use of artificial intelligence products to eradicate corruption, there are several articles that can be reviewed that it is important for the KPK to use technology products in eradicating corruption and the use of technology in handling evidence collection and strengthening evidence stating the existence of corruption. namely according to Article 26A of Law No. 31 of 1999 in conjunction with Law no. 20 year 2001[8] and Article 12 point a of Law Number 30 of 2002 concerning the Corruption Eradication Commission[9] which in the article regulates: The ideal legal mechanism to accommodate the use of technology in eradicating corruption criminal act in Indonesia. Which regulates the use of tapping devices, also the collection of evidence in the form of documents, pictures, data, and videos that can be seen, read or heard with or without the help of

---

[7] Rimbawa. Artha. 2021. *Kewenangan KPK Dalam Memeberantas Tindak Pidana Korupsi .* Vol. 15 No. 2 Desember 2021 : jurnal yustitia

[8] Undang-Undang Nomor 20 tahun 2001

[9] Undang-Undang Nomor 30 tahun 2002

facilities, whether written on paper, other physical objects, which are not or recorded electronically.

Basically the use of technology in assisting in the process of handling the law in Indonesia has been regulated in several legal regulations. However, the regulation can still be said to be in tatters when handling several legal cases in Indonesia..

The Ideal Mechanism to Accommodate the Use of Artificial Intelligence Technology in the Eradication of Corruption Criminal Acts in Indonesia

Regarding the use of artificial intelligence technology in the legal sector, it is y known as legal tech. The use of artificial intelligence technology in the legal world has been widely applied in several countries. Then what is the ideal mechanism to accommodate this artificial intelligence technology, first, by carrying out a bottom-up approach system by mobilizing the community. Second, the development of artificial intelligence technology by implementing a reporting system that is collected from the community about suspicions of bribery and corruption around them, but this system still has drawbacks where there are no real consequences from the community and this often results in the system failing and eventually shut down. So in the initial mobilization, it is expected that the community will be involved in developing the system. People can quickly see political networks and affiliations that can influence public views and public decisions. With the public seeing the openness of the government system, the KPK very easily has public support in eradicating criminal acts of corruption without fear of the evidence that has been collected being intentionally omitted because the public can monitor fraud and corruption cases directly.

CONCLUSION

The development of technology is currently growing very fast until now it produces technological products that exceed human intelligence, namely artificial intelligence. Until many countries are competing to develop this technology as a tool in dealing with many legal cases. One of them is corruption, with artificial intelligence being developed to assist in the process of finding evidence. The Corruption Eradication Commission in Indonesia has basically used technology in eradicating corruption, reinforced by Law Number 30 of 2002 concerning the Corruption Eradication Commission by regulating the use of technology as an effort to find evidence.

REFERENCES

Alcázar, F., and Kaiser, M. 2019. *Un nuevo Blog,* Instituto Mexicano para la Competitividad A.C, Mexico City.

Bard, I., and Armstrong, H. 2019. *Mapping Global Approaches to AI Governance.* Nesta Blog.

Baack, S. 2016. *What big data leaks tell us about the future of jornalism and its past.* Internet policy review

Dávid, Barret, E. And Fazekas, M. 2020. *The unintended consequences of anti-corruption messaging in Nigeria: Why pessimists are always disappointed.* SOAS ACE working paper

Eddyono, Supriyadi Widodo. (2014) *Mengurai Pengaturan Penyadapan dalam Rancangan KUHAP*. Jurnal Teropong. Vol. 1.

Prakasa, S. U. W. (2019). Anti-Corruption Survivor, Academic Freedom, And The. Petita: Jurnal Kajian Ilmu Hukum Dan Syariah, 4(2), 163–173.

RZK. Aturan Penyadapan, Perlindungan atau Ancaman Bagi Pengguna Telekomunikasi, *http://www.hukumonline.com/berita/baca/lt4b34d3deb69c6/penyadapan*, diakses pada tanggal 20 Mei 2022.

Surden, Harry, (2019). *Artificial Intelligence and Law: An Overview*, 35 GA, ST. U.L.REV

Oxford Insight, and C Minds. 2018. *Toward an AI Strategy in Mexico : Harnessing the AI Revolution*. White Paper, C Minds, Oxford Insight

Rimbawa. Artha. 2021. *Kewenangan KPK Dalam Memeberantas Tindak Pidana Korupsi .* Vol. 15 No. 2 Desember 2021 : jurnal yustitia

R. Widyono. 2005. *Pemberantasan Tindak Pidana Korupsi .* pg. 78

Vieira. Judivan. J. 2018. *Encyclopedia Corruption In The World : Legal Perspective of Corruption*. Author House : Los Angeles. Pg. 137