

The Enforcement of Anti-Corruption Laws in Indonesia and Sierra Leone: A Socio-Legal Perspective

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Article	Abstract
<p>How to cite: Thomas Sheku Marah, 'The Enforcement of Anti-Corruption Laws in Indonesia and Sierra Leone: A Socio-Legal Perspective' (2024) Vol. 5 No. 3 Rechtenstudent Journal Sharia Faculty of KH Achmad Siddiq Jember State Islamic University.</p> <p>DOI: 10.35719/rch.v5i3.369</p> <p>Article History: Submitted: 30/10/2024 Reviewed: 12/11/2024 Revised: 29/11/2024 Accepted: 12/12/2024</p> <p>ISSN: 2723-0406 (printed) E-ISSN: 2775-5304 (online)</p>	<p>Corruption stands as a major threat that affects governance systems, economic progress, and justice in both Indonesia and Sierra Leone. The anti-corruption legal frameworks, which include Law No. 31 of 1999 and the Sierra Leone Anti-Corruption Act of 2008 (amended in 2019), face major socio-legal Challenges during enforcement. The article utilizes a socio-legal methodology for comparing anti-corruption enforcement performance between Indonesia and Sierra Leone. The paper examines institutional mechanisms through the Indonesian Corruption Eradication Commission (KPK), together with the Sierra Leone Anti-Corruption Commission (ACC), to evaluate their achievements and constraints within their respective political and cultural environments. The research shows that political interference, weak institutions, and low public confidence exist in both countries, whereas enforcement bodies maintain different levels of independence and authority. The research establishes that institutional independence requires strengthening, public participation needs enhancement, and international cooperation should be promoted through a comparison of these two jurisdictions. The article advances knowledge about anti-corruption law enforcement dynamics while providing valuable policy insights for developing democracies which face corruption challenges including Indonesia and Sierra Leone.</p> <p>Keywords: <i>Corruption, Law Enforcement, Indonesia, Sierra Leone.</i></p> <p>Abstrak</p> <p>Korupsi berdiri sebagai ancaman besar yang memengaruhi sistem pemerintahan, kemajuan ekonomi, dan keadilan baik di Indonesia maupun Sierra Leone. Kerangka hukum anti-korupsi, yang mencakup Undang-Undang No. 31 Tahun 1999 dan Undang-Undang Anti-Korupsi Sierra Leone Tahun 2008 (diamandemen pada 2019), menghadapi tantangan sosio-legal besar selama penegakan. Artikel ini menggunakan metodologi sosio-legal untuk membandingkan kinerja penegakan hukum anti-korupsi antara Indonesia dan Sierra Leone. Makalah ini menelaah mekanisme kelembagaan melalui Komisi Pemberantasan Korupsi (KPK) Indonesia, bersama dengan Komisi Anti-Korupsi Sierra Leone (ACC), untuk mengevaluasi pencapaian dan keterbatasan mereka dalam lingkungan politik dan budaya masing-masing. Penelitian menunjukkan bahwa campur tangan politik, kelembagaan yang lemah, dan rendahnya kepercayaan publik ada di kedua negara, sedangkan badan penegak hukum mempertahankan tingkat independensi dan otoritas yang berbeda. Penelitian menetapkan bahwa independensi kelembagaan memerlukan penguatan, partisipasi publik perlu ditingkatkan, dan kerja sama internasional harus dipromosikan melalui perbandingan dua yurisdiksi ini. Artikel ini memperkaya pengetahuan tentang dinamika penegakan hukum anti-korupsi sekaligus memberikan wawasan kebijakan yang berharga bagi negara-negara demokrasi berkembang yang menghadapi tantangan korupsi, termasuk Indonesia dan Sierra Leone.</p> <p>Kata Kunci: <i>Korupsi, Penegakan Hukum, Indonesia, Sierra Leone.</i></p>

Introduction

Corruption has always been recognized as an obstacle to democracy and development. It also erodes the foundations of social and public trust, disrupts the political order, and increases the gap of inequality. As noted in Transparency International's Corruption Perceptions Index (CPI) 2023, Indonesia and Sierra Leone are documented in the 110th and 108th positions, respectively, out of 180 countries. These examples, which are the result of many years of institutional and legal efforts, indicate how long these countries have been struggling with corruption.¹ These countries' near-identical positions highlight how much there is to learn from a comparative socio-legal study of these countries' approaches to anti-corruption enforcement.

Indonesian corruption is an issue that has been tied to the politics and legalities of the region. After the fall of Suharto's authoritarian regime in 1998, the new Komisi Pemberantasan Korupsi (KPK, Corruption Eradication Commission), which was established by the law, ushered in a new era of reform. Law No. 30 of 2002.² The KPK became known internationally for its daring probes directed towards high-ranking political figures. However, recent changes to legislation concerning the KPK have caused a loss of its autonomy, which is suggestive of political meddling.³ Likewise, Sierra Leone, which emerged from a savage civil war in the 1990s, set up its Anti-Corruption Commission under the Anti-Corruption Act of 2000, which was subsequently modified in 2008 and 2019 to broaden prosecutorial powers.⁴ The Commission has pursued a number of high-profile cases, but scarce resources, a weakly developed system of justice, and deeply rooted patronage systems are serious obstacles.⁵

The fact that corruption persists in both of these jurisdictions suggests that the existence of law is not adequate for substantial change to take place. As socio-legal scholars have pointed out, legal prescriptions are situated within a larger politics, culture, and different institutions.⁶ This work takes that socio-legal perspective in trying to understand why, in the face of robust legal systems, enforcement is still weak in both Indonesia and Sierra Leone. This study, by placing the discourse in the context of the everyday experience of institutional weakness, political factors, and culture, enriches the knowledge on the relation of law and society in regard to anti-corruption work.

What guides this research are three key questions: (1) What is the procedure for enforcement of anti-corruption laws in Indonesia and Sierra Leone? (2) What socio-legal factors are responsible for the lack of effective enforcement? (3) What lessons can be learned from their experiences from a comparative perspective? The aim here is not only to map the legal frameworks but also to explain the socio-political factors that influence the efficacy of anti-corruption regimes.

¹ Transparency International, *Corruption Perceptions Index 2023* (Berlin: Transparency International, 2023), <https://www.transparency.org/cpi>.

² Simon Butt and Tim Lindsey, *Corruption and Law in Indonesia* (London: Routledge, 2019).

³ Eve Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia," *Pacific Affairs* 93, no. 1 (2020): 5–27, <https://doi.org/10.5509/20209315>.

⁴ Abdulai Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone," *Journal of African Law* 64, no. 3 (2020): 415–432, <https://doi.org/10.1017/S0021855320000239>.

⁵ Charles Chernor Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone: Beyond the Law," *African Journal of International and Comparative Law* 29, no. 2 (2021): 207–230, <https://doi.org/10.3366/ajicl.2021.0379>.

⁶ Susan Rose-Ackerman and Bonnie Palifka, *Corruption and Government: Causes, Consequences, and Reform*, 2nd ed. (Cambridge: Cambridge University Press, 2016).

In conclusion, this study contends that the anti-corruption approach taken in Indonesia and Sierra Leone needs to go beyond legal changes to include a comprehensive socio-legal framework that strengthens institutions, citizens, and also promotes cross-border relations. This approach, rooted in comparative legal study, offers effective policy solutions and enhances the global debate on anti-corruption.

Research Method

This study analyzes the enforcement of anti-corruption law in Indonesia and Sierra Leone in comparison within their individual political, institutional, and cultural settings. It is framed within the broader context of comparative socio-legal research and combines doctrinal legal analysis with socio-legal inquiry, pertaining to both law in the books and law in action.⁷

First, the doctrinal portion of the research focuses on the reading of the law, including the Constitution, statutes, and legal cases. These include Indonesia's Law No. 31 of 1999 on the Eradication of Corruption (as amended by Law No. 20 of 2001), the 2002 law which created the Komisi Pemberantasan Korupsi (KPK), and the subsequent amendments, especially the 2019 amendments. For Sierra Leone, emphasis is put on the Anti-Corruption Act 2008 and its 2019 amendment, which enhanced the powers of the Anti-Corruption Commission (ACC).⁸

In the second place, the socio-legal dimension helps to understand the enforcement problems and the societal views of corruption. The data come from reports published by Transparency International, the United Nations Office on Drugs and Crime (UNODC), Human Rights Watch, and respective national accountability institutions. These documents help to understand the enforcement of these legal rules, particularly the impact of politics, culture, and institutional architecture in law enforcement.⁹

The comparative approach is very important in this research. By comparing Indonesia and Sierra Leone, the study focuses on both similarities—such as the formation of independent anti-corruption commissions—and differences—like the level of civil society mobilization in Indonesia and Sierra Leone. This approach focuses on the structural, political, and cultural aspects that help or constrain the enforcement of anti-corruption measures.¹⁰

At last, one must consider the boundaries and the target of the study. This paper does not attempt an extensive review of the anti-corruption frameworks in all corners of the world; rather, it zooms in on two developing countries grappling with parallel governance dilemmas, yet following dissimilar paths. Limitations are also rooted in the reliance on the available secondary literature and institutional documents, as fieldwork and interviews are not within the objectives of this research.¹¹ Nonetheless, cross-checks on the statutes, summaries of

⁷ Terry Hutchinson, *Researching and Writing in Law*, 4th ed. (Sydney: Thomson Reuters, 2018).

⁸ Republic of Indonesia, Law No. 31 of 1999 on the Eradication of Corruption, as amended by Law No. 20 of 2001; Republic of Sierra Leone, Anti-Corruption Act 2008 (as amended in 2019).

⁹ Transparency International, *Corruption Perceptions Index 2023* (Berlin: TI, 2024); UNODC, *Country Review Reports under the Implementation Review Mechanism of the United Nations Convention against Corruption* (Vienna: UNODC, 2021).

¹⁰ Esin Örüçü, "Methodology of Comparative Law," in *Elgar Encyclopedia of Comparative Law*, ed. Jan Smits (Cheltenham: Edward Elgar, 2012), 442–453.

¹¹ John W. Creswell and J. David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 5th ed. (Los Angeles: SAGE, 2018).

adjudications, scholarly and practical writings, and global governance documents enhance the dependability of the conclusions reached.¹²

Results and Discussion

Anti-Corruption Legal Frameworks

Indonesia

Through multiple political shifts and societal calls for transparency, Indonesia has developed its anti-corruption legal system in stages. The fundamental anti-corruption legislation consists of Law No. 31 of 1999 on the Eradication of Corruption Crimes, which Law No. 20 of 2001 modified to broaden corruption crime definitions and establish stricter penalties.¹³ The law establishes criminal liability for bribery and embezzlement, along with power abuse and unreasonable gratification, thus covering major and minor corruption cases.¹⁴

The Komisi Pemberantasan Korupsi (KPK) emerged as the major institutional breakthrough when Law No. 30 of 2002 established its existence.¹⁵ The KPK functions as an autonomous institution, which possesses unrestricted investigative and prosecutorial authority and preventive capabilities. The organization received authority to assume control of police or Attorney General's Office cases when they showed signs of ineffectiveness, thus minimizing interference risks.¹⁶ The KPK emerged as one of Asia's most powerful anti-corruption organizations after it convicted numerous high-profile officials, including parliamentarians and governors, as well as cabinet ministers and the Chief Justice of the Constitutional Court.¹⁷

From 2004 until 2019, the KPK maintained a conviction percentage rate that routinely surpassed 90 percent.¹⁸ The KPK gained substantial public trust because of its impressive performance, which made it one of Indonesia's most reliable institutions according to public surveys.¹⁹ The organization's great performance triggered opposition from political leaders. A legislative change in 2019 diminished the KPK's independence through the implementation of supervisory board control, whose members are appointed by the president.²⁰ Civil society organizations, alongside legal scholars, have condemned the reforms because they aim to disable the commission from pursuing important cases against political and business elites.²¹

¹² Mike McConville and Wing Hong Chui, *Research Methods for Law*, 2nd ed. (Edinburgh: Edinburgh University Press, 2017).

¹³ Republic of Indonesia, Law Number 31 of 1999 concerning the Eradication of Corruption Crimes, as amended by Law Number 20 of 2001.

¹⁴ Simon Butt and Tim Lindsey, *Corruption and Law in Indonesia* (London: Routledge, 2019).

¹⁵ Republic of Indonesia, Law Number 30 of 2002 concerning the Corruption Eradication Commission.

¹⁶ Eddy O.S. Hiariej, "The Dynamics of the Corruption Eradication Commission (KPK) in Indonesia: Between Independence and Political Pressure," *Indonesian Journal of Law and Society* 2, no. 1 (2021): 55–74, <https://doi.org/10.19184/ijls.v2i1.18825>.

¹⁷ Eve Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia," *Pacific Affairs* 93, no. 1 (2020): 5–27, <https://doi.org/10.5509/20209315>.

¹⁸ KPK, *Annual Report 2018* (Jakarta: Komisi Pemberantasan Korupsi, 2019).

¹⁹ Transparency International Indonesia, *Public Trust Survey on Anti-Corruption Institutions* (Jakarta: TI Indonesia, 2018).

²⁰ Republic of Indonesia, Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 on the Corruption Eradication Commission.

²¹ Human Rights Watch, *Indonesia: Revisions to Anti-Corruption Law Threaten KPK* (New York: HRW, 2019), <https://www.hrw.org/news/2019/09/18/indonesia-revisions-anti-corruption-law-threaten-kpk>.

The KPK functions alongside specialized anti-corruption courts, which were created to deliver quick trials with judges who possess specialized knowledge.²² The Attorney General's Office, together with the National Police, maintains control over corruption case investigations. The overlapping authority between different enforcement bodies produces bureaucratic power struggles, which create difficulties for consistent enforcement.²³ Furthermore, the mechanisms for recovering assets demonstrate substantial weaknesses.²⁴ Transparency International Indonesia reports that large amounts of illicitly obtained assets have not been recovered because enforcement agencies and courts fail to coordinate their activities effectively.

Thus, Indonesia maintains an advanced legal structure which faces challenges to its enduring reforms because of political meddling together with institutional competition and resistance from established elites. The KPK continues to lead anti-corruption efforts while its diminished independence demonstrates the persistent struggle between reformist movements and oligarchic power structures.²⁵

Sierra Leone

The anti-corruption system in Sierra Leone developed from the nation's efforts to rebuild after its conflict ended. The Anti-Corruption Act of 2000 introduced the Anti-Corruption Commission (ACC) as a specialized organization that would handle both investigations and prosecutions of corruption offenses.²⁶ The 2000 establishment of the ACC faced limitations because it did not possess independent prosecutorial authority, so it depended on the Attorney General's Office to handle court proceedings, which weakened its credibility and operational effectiveness.²⁷

The 2008 Anti-Corruption Act introduced essential changes, which provided the ACC with independent prosecutorial authority so it could operate autonomously.²⁸ The 2019 Amendment expanded corruption definitions and established higher penalties and mandatory resource restitution requirements that forced convicted offenders to return stolen property to the state.²⁹ These new regulations improved both the commission's enforcement abilities and its official mandate.

The Anti-Corruption Commission (ACC) has demonstrated meaningful achievements through its operational activities. The ACC demonstrated its prosecutorial capabilities by charging multiple top-level officials who faced corruption allegations from the "Commissions of Inquiry" investigations from the previous administration.³⁰ The ACC focused on both

²² Tim Lindsey and Simon Butt, "Specialized Anti-Corruption Courts in Indonesia: A Critical Assessment," *Journal of Asian Law* 20, no. 2 (2018): 235–259.

²³ Butt and Lindsey, *Corruption and Law in Indonesia*.

²⁴ Transparency International Indonesia, *Asset Recovery in Indonesia: Challenges and Prospects* (Jakarta: TI Indonesia, 2021).

²⁵ Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia."

²⁶ Republic of Sierra Leone, *Anti-Corruption Act 2000*.

²⁷ Abdulai Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone," *Journal of African Law* 64, no. 3 (2020): 415–432, <https://doi.org/10.1017/S0021855320000239>.

²⁸ Republic of Sierra Leone, *Anti-Corruption Act 2008*.

²⁹ Republic of Sierra Leone, *Anti-Corruption (Amendment) Act 2019*.

³⁰ Anti-Corruption Commission Sierra Leone, *Annual Report 2021* (Freetown: ACC, 2022).

education and prevention through its national awareness initiatives, school integrity clubs, and public outreach programs, which worked to transform societal views about corruption.³¹

Challenges persist at a high level. The judicial system receives inadequate funding, which creates large case queues and prolongs trial durations.³² The public doubts the fairness of anti-corruption investigations, since these cases appear to focus more on political adversaries.³³ The 2020 World Bank Governance Diagnostic Survey discovered that most Sierra Leoneans lacked trust in judicial impartiality, thus weakening anti-corruption efforts.³⁴

The ACC of Sierra Leone has shown rising effectiveness throughout the past years, despite current difficulties. Conviction rates have improved, and in 2020, the country rose in the Corruption Perceptions Index, marking modest but significant progress in governance reform.³⁵ However, the sustainability of these gains depends heavily on political will, institutional strengthening, and consistent resource allocation.³⁶

The general enforcement pathway in anti-corruption cases, from statutory framework to prosecution and asset recovery, is summarized in Figure 1. This schematic illustrates decision points where institutional capacity and political dynamics influence case outcomes.

Enforcement Process Diagram

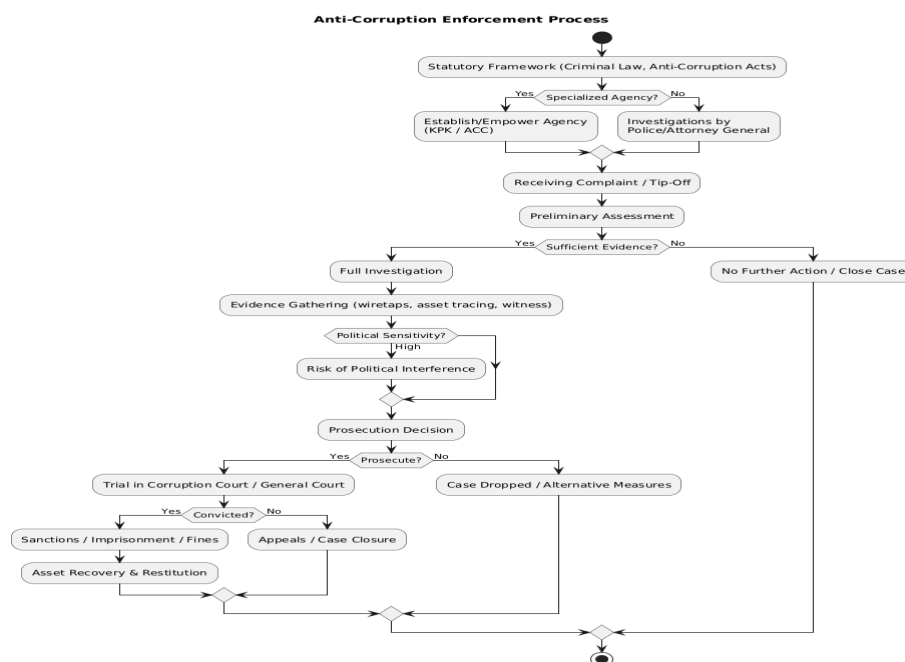


Figure 1. Anti-corruption enforcement process flow in Indonesia and Sierra Leone (author's own illustration).

³¹ Charles Chernor Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone: Beyond the Law," *African Journal of International and Comparative Law* 29, no. 2 (2021): 207–230, <https://doi.org/10.3366/ajicl.2021.0379>.

³² World Bank, *Sierra Leone Governance Diagnostic Survey* (Washington DC: World Bank, 2020).

³³ Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone."

³⁴ Ibid.

³⁵ Transparency International, *Corruption Perceptions Index 2020* (Berlin: Transparency International, 2021).

³⁶ UNODC, *Strengthening Anti-Corruption Efforts in West Africa* (Vienna: UNODC, 2020).

Socio-Legal Challenges in Enforcement

The enforcement of anti-corruption laws in Indonesia and Sierra Leone encounters ongoing socio-legal issues that reduce their effectiveness. The existing problems show the difference between official law texts and actual practice in the field.

a. Political Interference

The outcome of anti-corruption efforts depends most significantly on political interference. The 2019 KPK Law amendment in Indonesia received public criticism for reducing the agency's independence, which had previously made it Southeast Asia's most effective anti-corruption institution.³⁷ The reforms faced criticism because parliamentarians sought protection from criminal charges.³⁸ The investigation process against political leaders has decelerated, while public support for the KPK has eroded.³⁹

Political interference in Sierra Leone leads to the public perception that justice is not applied equally to all parties.⁴⁰ Experts observe that legal actions frequently focus on opposition members, while ruling party members remain free from prosecution.⁴¹ The public perception of the Anti-Corruption Commission (ACC) loses credibility even when authentic enforcement actions occur.⁴²

b. Institutional Weaknesses

The fragile nature of institutions creates additional problems for proper enforcement. The KPK, along with the police and Attorney General's Office in Indonesia, faces ongoing disputes that lead to multiple agencies fighting for jurisdictional control.⁴³ The investigations of prominent cases sometimes halt because of administrative disagreements rather than insufficient proof.⁴⁴ The judiciary system of Sierra Leone faces ongoing financial shortages, together with restricted operational capabilities and insufficient physical infrastructure.⁴⁵ The judicial system experiences frequent case delays because corruption prosecution cases take many years to reach resolution, which weakens its deterrent effect.⁴⁶

International partners have continually stressed the need to increase institutional funding support. A World Bank Governance Survey (2020) found that most Sierra Leoneans lack confidence in judicial impartiality when it comes to delivering justice.⁴⁷ The weakening of judicial independence in Indonesia has triggered similar concerns from critics, who state it undermines anti-corruption measures.⁴⁸

³⁷ Republic of Indonesia, Law Number 19 of 2019 concerning the Second Amendment to Law Number 30 of 2002 on the Corruption Eradication Commission.

³⁸ Human Rights Watch, *Indonesia: Revisions to Anti-Corruption Law Threaten KPK* (New York: HRW, 2019).

³⁹ Transparency International Indonesia, *Public Trust Survey on Anti-Corruption Institutions* (Jakarta: TI Indonesia, 2020).

⁴⁰ Abdulai Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone," *Journal of African Law* 64, no. 3 (2020): 415–432, <https://doi.org/10.1017/S0021855320000239>.

⁴¹ Charles Chernor Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone: Beyond the Law," *African Journal of International and Comparative Law* 29, no. 2 (2021): 207–230, <https://doi.org/10.3366/ajicl.2021.0379>.

⁴² World Bank, *Sierra Leone Governance Diagnostic Survey* (Washington DC: World Bank, 2020).

⁴³ Eddy O.S. Hiariej, "The Dynamics of the Corruption Eradication Commission (KPK) in Indonesia: Between Independence and Political Pressure," *Indonesian Journal of Law and Society* 2, no. 1 (2021): 55–74.

⁴⁴ Simon Butt and Tim Lindsey, *Corruption and Law in Indonesia* (London: Routledge, 2019).

⁴⁵ UNDP, *Justice Sector Needs Assessment in Sierra Leone* (Freetown: UNDP, 2020).

⁴⁶ Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone."

⁴⁷ World Bank, *Sierra Leone Governance Diagnostic Survey*.

⁴⁸ International Commission of Jurists, *Indonesia: Retreat from Judicial Independence* (Geneva: ICJ, 2019).

c. Cultural and Social Norms

Deeply established cultural traditions in both nations support the acceptance of corruption as normal behavior. In Sierra Leone, public officials maintain extensive patron-client networks, which require them to allocate state resources to their supporters through political loyalty mechanisms.⁴⁹ The situation becomes complicated because people want anti-corruption enforcement, but they also receive benefits from clientelist arrangements.⁵⁰

Oligarchic politics within Indonesia enable elites to maintain their protection networks from investigation through cronyism.⁵¹ Scholars identify that corruption exists because it integrates with the political-social structure of governance instead of being only a result of inadequate law enforcement.⁵² The implementation of anti-corruption reforms needs to address cultural aspects, because failing to do so will result in superficial solutions instead of genuine change.⁵³

d. Public Trust and Legitimacy

Anti-corruption institutions rely on public opinion to determine their legitimacy status. The Indonesian public showed strong opposition to the KPK's 2019 reforms through widespread student demonstrations, which demonstrated their anxiety about losing reform achievements.⁵⁴ Civil society organizations maintain their essential role as watchdogs, yet their declining trust threatens to reduce the KPK's ability to deter corruption.⁵⁵

The Anti-Corruption Commission of Sierra Leone has enhanced its conviction statistics, but public confidence remains low because of previous unsuccessful cases involving influential defendants.⁵⁶ Anti-corruption initiatives face widespread suspicion among citizens, which prevents people from reporting corruption and assisting investigations.⁵⁷

Comparative Insights: Similarities, Differences, and Lessons Learned

The methods that Indonesia and Sierra Leone use to fight corruption show numerous shared characteristics, yet distinct elements based on their particular environments. When analyzed together, these experiences produce important insights that help develop better governance reform practices throughout Global South nations.

a. Shared Similarities

1. Legal Reform as a Central Strategy

The primary method to fight corruption for these states consists of implementing statutory and institutional modifications. The KPK Law (2002) and Sierra Leone's Anti-Corruption Act (2008, with amendments in 2019) established fundamental legislative frameworks that initially gained public trust.⁵⁸ The laws granted both specialized bodies (KPK

⁴⁹ Lansana Gberie, *A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone* (Bloomington: Indiana University Press, 2005).

⁵⁰ Transparency International, *Global Corruption Barometer: Africa 2019* (Berlin: TI, 2019).

⁵¹ Eve Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia," *Pacific Affairs* 93, no. 1 (2020): 5–27.

⁵² Syed Hussein Alatas, *Corruption: Its Nature, Causes and Functions* (Kuala Lumpur: S. Abdul Majeed, 1990).

⁵³ Susan Rose-Ackerman and Bonnie Palifka, *Corruption and Government: Causes, Consequences, and Reform*, 2nd ed. (Cambridge: Cambridge University Press, 2016).

⁵⁴ Human Rights Watch, *Indonesia: Revisions to Anti-Corruption Law Threaten KPK*.

⁵⁵ Indonesia Corruption Watch, *Civil Society Statement on the Weakening of the KPK* (Jakarta: ICW, 2020).

⁵⁶ Anti-Corruption Commission Sierra Leone, *Annual Report 2021* (Freetown: ACC, 2022).

⁵⁷ Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone."

⁵⁸ Republic of Sierra Leone, *Anti-Corruption Act 2008* (as amended in 2019).

and ACC) extensive investigative and prosecutorial powers.⁵⁹ A worldwide pattern emerges because governments create "super-agencies" with exceptional powers whenever corruption becomes recognized as systemic.⁶⁰

2. Political Interference as a Persistent Obstacle

Political interference continues to be a major issue that affects the implementation of strong anti-corruption laws in Indonesia and Sierra Leone.⁶¹ The KPK experienced a weakening of its authority in 2019, which resembles the allegations regarding selective enforcement practices in Sierra Leone.⁶² Political elites who face corruption charges prove most challenging to prosecute effectively in both nations.⁶³ The evidence shows that corruption exists as a political crime that continues to endure because of elite agreements surpassing legal limits.⁶⁴

3. Weak Institutional Capacity

Both nations experience enforcement weaknesses that stem from fragile institutional systems. The judiciary of Sierra Leone struggles with resource constraints and judicial backlogs, while Indonesia faces enforcement challenges because of agency conflicts within its anti-corruption framework.⁶⁵ The success of anti-corruption reforms depends on comprehensive institutional enhancements, which particularly target judicial systems according to these cases.⁶⁶

4. Public Distrust

The public in both regions continues to hold strong reservations against anti-corruption organizations. Indonesian public opinion surveys indicate that the KPK maintained its status as a model institution until recent times, when its popularity started to decline.⁶⁷ The people of Sierra Leone show skepticism about the independence of the ACC.⁶⁸ Public distrust toward anti-corruption institutions makes anti-corruption prosecution deterrent effects substantially weaker.⁶⁹

b. Distinctive Differences

1. Scale and Complexity of Corruption

Indonesia faces major corruption challenges because it has a large bureaucratic system, combined with decentralized governance and an oligarchic economic structure.⁷⁰ The small

⁵⁹ Republic of Indonesia, Law Number 30 of 2002 concerning the Corruption Eradication Commission (KPK Law).

⁶⁰ Robert Klitgaard, *Controlling Corruption* (Berkeley: University of California Press, 1988).

⁶¹ Abdulai Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone," *Journal of African Law* 64, no. 3 (2020): 415–432.

⁶² Human Rights Watch, *Indonesia: Revisions to Anti-Corruption Law Threaten KPK* (New York: HRW, 2019).

⁶³ Charles Chernor Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone: Beyond the Law," *African Journal of International and Comparative Law* 29, no. 2 (2021): 207–230.

⁶⁴ Michael Johnston, *Syndromes of Corruption: Wealth, Power, and Democracy* (Cambridge: Cambridge University Press, 2005).

⁶⁵ Eddy O.S. Hiarij, "The Dynamics of the Corruption Eradication Commission (KPK) in Indonesia: Between Independence and Political Pressure," *Indonesian Journal of Law and Society* 2, no. 1 (2021): 55–74.

⁶⁶ UNDP, *Justice Sector Needs Assessment in Sierra Leone* (Freetown: UNDP, 2020).

⁶⁷ Transparency International Indonesia, *Public Trust Survey on Anti-Corruption Institutions* (Jakarta: TI Indonesia, 2020).

⁶⁸ World Bank, *Sierra Leone Governance Diagnostic Survey* (Washington DC: World Bank, 2020).

⁶⁹ Susan Rose-Ackerman and Bonnie Palifka, *Corruption and Government: Causes, Consequences, and Reform*, 2nd ed. (Cambridge: Cambridge University Press, 2016).

⁷⁰ Eve Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia," *Pacific Affairs* 93, no. 1 (2020): 5–27.

administrative structure of Sierra Leone and its ongoing post-conflict recovery process determine its specific corruption patterns.⁷¹ The corruption patterns in Indonesia predominantly involve oligarchic patronage together with corporate-state collusion, yet in Sierra Leone, corruption stems mostly from survivalist political systems and clientelist networks.⁷²

2. International Perception and Leverage

The G20 membership of Indonesia, alongside its status as one of the biggest democracies in the world, brings intense international attention and pressure.⁷³ The KPK faced worldwide condemnation from global watchdogs when its power weakened.⁷⁴ Sierra Leone relies primarily on international donors and partners, including the World Bank, IMF, and DFID, who implement conditionalities that influence anti-corruption measures.⁷⁵ Indonesia faces reputation-related risks, yet Sierra Leone deals with financial- and aid-related risks whenever corruption levels increase.⁷⁶

3. Civil Society Engagement

Indonesia possesses a strong civil society that responds swiftly to anti-corruption challenges, as demonstrated by the 2019 student protests.⁷⁷ Sierra Leone maintains a less developed civil society structure because its watchdog organizations lack the reach and prominence of Indonesian organizations.⁷⁸ The citizens of Indonesia apply stronger political pressure to policymakers than the citizens of Sierra Leone because of their activism.⁷⁹

c. Lessons Learned

The analysis between these two cases reveals three fundamental lessons that should be considered.

1. Institutional Independence Must Be Guarded

The decline of Indonesia's KPK proves that political reforms can quickly undo previous institutional achievements.⁸⁰ Sierra Leone needs to understand that institutional independence remains vulnerable until constitutional protections prevent political interference.⁸¹

2. Legal Reform Without Political Will Is Insufficient

The cases demonstrate that establishing new legislation alone fails to eliminate corruption.⁸² Laws become ineffectual when political leaders show no interest and citizens fail to demand change.⁸³ Reform strategies should develop systems that reduce powerholder interference while boosting public oversight.⁸⁴

⁷¹ Lansana Gberie, *A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone* (Bloomington: Indiana University Press, 2005).

⁷² Transparency International, *Global Corruption Barometer: Africa 2019* (Berlin: TI, 2019).

⁷³ OECD, *Indonesia: Public Governance Review* (Paris: OECD, 2021).

⁷⁴ Human Rights Watch, *Indonesia: Revisions to Anti-Corruption Law Threaten KPK*.

⁷⁵ IMF, *Sierra Leone: Staff Report for the 2021 Article IV Consultation* (Washington DC: IMF, 2021).

⁷⁶ World Bank, *Sierra Leone Country Partnership Framework 2020–2025* (Washington DC: World Bank, 2020).

⁷⁷ Indonesia Corruption Watch, *Civil Society Statement on the Weakening of the KPK* (Jakarta: ICW, 2020).

⁷⁸ Abdulai Conteh, "Reforming the Anti-Corruption Legal Framework in Sierra Leone."

⁷⁹ Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone."

⁸⁰ Simon Butt and Tim Lindsey, *Corruption and Law in Indonesia* (London: Routledge, 2019).

⁸¹ UNODC, *Strengthening Anti-Corruption Efforts in West Africa* (Vienna: UNODC, 2020).

⁸² Klitgaard, *Controlling Corruption*.

⁸³ Johnston, *Syndromes of Corruption*.

⁸⁴ Rose-Ackerman and Palifka, *Corruption and Government*.

3. Public Engagement Is Crucial

The fight against corruption needs both institutional frameworks and solid public confidence to succeed. The Indonesian civil society movement demonstrates that community-level activism helps protect reforms from anti-reform initiatives.⁸⁵ The limited civic involvement in Sierra Leone shows that having public confidence, along with active citizen participation, stands equal to having solid legal structures.⁸⁶

4. Policy Implications and Reform Prospects

The examination of Indonesia, together with Sierra Leone, reveals that extensive reforms across different levels need immediate implementation. Anti-corruption measures require a transformation from solely enforcement-based approaches, as they need to develop into comprehensive governance frameworks that unite independent institutions with judicial system changes, public monitoring, and global collaboration.

a. Strengthening Institutional Autonomy

The two cases show that anti-corruption organizations need protection from political interference in order to function effectively. The reduction of Indonesia's KPK independence in 2019 shows that legislative changes make independence very fragile.⁸⁷ The ACC of Sierra Leone operates independently but remains exposed to executive influence.⁸⁸ The constitutional framework should establish permanent commissioner terms, alongside financial autonomy and distinct power separation, as a path for institutional reform.⁸⁹ The constitutional protection of independence in Ghana's Economic and Organized Crime Office and Botswana's Directorate on Corruption and Economic Crime demonstrates that institutional durability becomes stronger when independence receives constitutional protection.⁹⁰

b. Judicial Reform and Capacity Building

The most significant obstacle for both countries exists in their judicial systems, which function weakly. The judicial process in Sierra Leone faces significant delays because of case backlogs, together with insufficient legal facilities that hinder corruption trials.⁹¹ The existence of specialized corruption courts in Indonesia has decreased trial delays, yet these courts continue to produce inconsistent decisions.⁹² Judicial reform needs to establish training programs for judges while implementing digital case management systems and creating anti-corruption courts within existing judicial structures.⁹³ Recruitment procedures need to focus on integrity and merit-based selection to fight against the widespread belief that judges can be bribed.⁹⁴

c. Enhancing Public Participation and Transparency

The success of anti-corruption reforms heavily depends on maintaining public legitimacy. Enforcement becomes vulnerable to political accusations when public trust does

⁸⁵ Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia."

⁸⁶ Transparency International, *Global Corruption Barometer: Africa 2019*.

⁸⁷ Human Rights Watch, *Indonesia: Weakening of the KPK Undermines Rule of Law* (New York: HRW, 2019).

⁸⁸ Abdulai Conteh, "The Politics of Anti-Corruption Reform in Sierra Leone," *African Affairs* 120, no. 480 (2021): 519–540.

⁸⁹ Charles Manga Fombad, "Constitutional Entrenchment of Anti-Corruption Agencies in Africa: Opportunities and Challenges," *Journal of African Law* 65, no. 3 (2021): 411–432.

⁹⁰ UNODC, *Best Practices in Anti-Corruption Agencies: Case Studies from Africa* (Vienna: UNODC, 2020).

⁹¹ UNDP, *Justice Sector Needs Assessment in Sierra Leone* (Freetown: UNDP, 2020).

⁹² Simon Butt and Tim Lindsey, *Corruption and Law in Indonesia* (London: Routledge, 2019).

⁹³ World Bank, *Judicial Modernization and Reform in Developing Countries* (Washington DC: World Bank, 2020).

⁹⁴ Transparency International, *Global Corruption Report: Judicial Integrity* (Berlin: TI, 2019).

not exist.⁹⁵ Civil society coalitions, together with investigative journalism and digital reporting platforms, serve as monitoring mechanisms.⁹⁶ Civil society in Indonesia has shown its ability to fight against anti-reform laws through public mobilization, but Sierra Leone needs to develop stronger grassroots organizations.⁹⁷ Anti-corruption initiatives in Kenya through Huduma Centres and Nigeria's whistleblower protection program demonstrate effective methods to increase citizen involvement while safeguarding whistleblowers.⁹⁸

d. Asset Recovery and Financial Accountability

The recovery of assets represents a significant challenge that both Indonesia and Sierra Leone need to address. Large amounts of stolen assets have not been recovered because tracing systems are weak, international cooperation is minimal, and bureaucratic processes hinder progress.⁹⁹ Financial intelligence units need improvement, and countries should increase their involvement with the (StAR) initiative and develop more MLATs to achieve better results.¹⁰⁰ The implementation of blockchain-based financial tracking systems represents an opportunity to improve public finance management accountability.¹⁰¹

e. International and Regional Cooperation

Anti-corruption stands as more than a national problem because its reach extends across multiple countries. The illegal money that leaves Sierra Leone typically ends up in offshore bank accounts, while Indonesia has issues with corruption involving multinational business entities.¹⁰² The African Union Convention on Preventing and Combating Corruption and the Jakarta Principles on Anti-Corruption Agencies offer fundamental principles for regional frameworks, but different nations show varying levels of compliance.¹⁰³ The development of these mechanisms, together with enhanced cooperation between UNCAC and regional bodies, would lead to standard enforcement practices that would eliminate international jurisdictional gaps.¹⁰⁴

f. Future Prospects

The two nations stand at a decisive point in their path toward the future. The KPK needs to reverse its decline in Indonesia because state credibility in governance reform depends heavily on this.¹⁰⁵ The consolidation of recent Anti-Corruption Act amendments in Sierra Leone demands the cultural integration of governance reforms into daily practices.¹⁰⁶ The

⁹⁵ Michael Johnston, *Corruption, Contention and Reform: The Power of Deep Democratization* (Cambridge: Cambridge University Press, 2014).

⁹⁶ Indonesia Corruption Watch, *Civil Society Statement on the Weakening of the KPK* (Jakarta: ICW, 2020).

⁹⁷ Abdulai Conteh, "Civil Society and the Anti-Corruption Struggle in Sierra Leone," *Journal of Modern African Studies* 59, no. 2 (2021): 245–264.

⁹⁸ OECD, *Innovations in Public Service Delivery: African Case Studies* (Paris: OECD, 2020).

⁹⁹ Transparency International, *Asset Recovery Watch Report 2021* (Berlin: TI, 2021).

¹⁰⁰ Stolen Asset Recovery Initiative (StAR), *Barriers to Asset Recovery* (Washington DC: World Bank & UNODC, 2020).

¹⁰¹ IMF, *Digitalization and Public Finance Accountability in Emerging Economies* (Washington DC: IMF, 2021).

¹⁰² Global Financial Integrity, *Illicit Financial Flows to and from Developing Countries: 2009–2018* (Washington DC: GFI, 2020).

¹⁰³ African Union, *Convention on Preventing and Combating Corruption* (Maputo: AU, 2003).

¹⁰⁴ UNODC, *United Nations Convention against Corruption (UNCAC): Implementation Review* (Vienna: UNODC, 2021).

¹⁰⁵ Eve Warburton, "Oligarchs, Politicians, and Anti-Corruption Politics in Indonesia," *Pacific Affairs* 93, no. 1 (2020): 5–27.

¹⁰⁶ Charles Chernor Jalloh, "Anti-Corruption Efforts in Post-War Sierra Leone: Beyond the Law," *African Journal of International and Comparative Law* 29, no. 2 (2021): 207–230.

success of reform depends on how political will combines with institutional autonomy and citizen activism.¹⁰⁷

Figure 2 provides a comparative schematic of the institutional structures of Indonesia's KPK and Sierra Leone's ACC, highlighting differences in independence, powers, and enforcement capacity

Comparative Diagram (KPK vs ACC)



Figure 2. Comparative institutional structures of the KPK (Indonesia) and ACC (Sierra Leone) (author's own illustration).

Conclusion

The comparison between Indonesia and Sierra Leone proves that anti-corruption reform demands both political and legal approaches. The Komisi Pemberantasan Korupsi (KPK) in Indonesia and the Anti-Corruption Commission (ACC) in Sierra Leone established specialized institutions with powerful legal frameworks, yet both institutions face political interference, together with limited resources and public doubt.

The key finding shows that legislation by itself does not eliminate corruption. The KPK faced a power rollback in 2019, which demonstrated how swiftly political authorities can jeopardize institutional autonomy. The judicial system of Sierra Leone remains underfunded, and selective enforcement continues despite the 2019 legislative reforms. These observations prove that corruption deeply embeds itself within the political economy of governance, as elite interests frequently sabotage reform initiatives.

Nevertheless, the lessons from both nations provide essential guidance for upcoming reforms. The protection of institutional autonomy stands as a fundamental requirement. Anti-corruption institutions need constitutional guarantees that protect their independence and provide financial stability, as well as strong judicial backing, to prevent political interference. Public trust functions as an essential foundation. The combination of civil society groups, investigative journalists, and active citizens plays a vital role in monitoring power structures. The active public response in Indonesia demonstrates the effect of citizen engagement, while Sierra Leone shows the importance of promoting public participation. International and regional partnerships form an essential element in this process. International corruption activities require countries to collaborate through the United Nations Convention against Corruption (UNCAC) and the African Union Convention on Preventing and Combating Corruption, as well as regional standards like the Jakarta Principles, to standardize enforcement methods.

¹⁰⁷ Susan Rose-Ackerman and Bonnie Palifka, *Corruption and Government: Causes, Consequences, and Reform*, 2nd ed. (Cambridge: Cambridge University Press, 2016).

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