THE IMPLEMENTATION OF THE RIGHT OF INVESTIGATION OF THE HOUSE OF REPRESENTATIVES TO THE STATE INSTITUTIONS WITH SPESIAL REFERENCE TO THE BANK OF INDONESIA AND THE CORRUPTION ERADICATION COMMISSION CASE

UNDERGRADUATE THESIS



Name	: Rizki Habibullah
Student Number	: 20140610127
Faculty	: Law
Major	: International Program for Law and Sharia
Field of Study	: Constitutional law

FACULTY OF LAW

UNIVERSITAS MUHAMMADIYAH YOGYAKARTA

2018

ABSTRACT

The Right of Investigation based on article 77 (3) Law Number 7 of 2014 is the right of the House of Representatives in exercising to control the government policies. In the development the Right of Investigation is often used for the interests of the political parties. This research aim to evaluate the implementation of the Right of Investigation of the House of Representatives to the State Institutions particularly in case of the Corruption Eradication Commission and the Bank of Indonesia. This research by using constitutional and legislation approach. The results of the process in making the Right of Investigation to the Bank of Indonesia, and the Corruption Eradication Commission that is the suggestion However there is no further implementation from the Government, the Bank of Indonesia, and the Corruption Eradication Commission. The House of Representatives has to make the Right of Investigation wisely. In the making of the Right of Investigation not merely in the basis of political interest.

Keywords: the Right of Investigation, the House of Representatives, the State

institutions.

APPROVAL

THE IMPLEMENTATION OF THE RIGHT OF INVESTIGATION OF THE HOUSE OF REPRESENTATIVES TO THE STATE INSTITUTIONS WITH SPESIAL REFERENCE TO THE BANK OF INDONESIA AND TO THE CORRUPTION ERADICATION COMMISSION

Written by:

<u>Rizki Habibullah</u> NIM. 20140610127

This Undergraduate Thesis has been approved by the Advisors on 14 August 2018,

Advisor

<u>Iwan Satriawan, SH., MCL</u> NIK. 19700706199904 153 039

ENDORSEMENT

THE IMPLEMENTATION OF THE RIGHT OF INVESTIGATION OF THE HOUSE OF REPRESENTATIVES TO THE STATE INSTITUTIONS WITH SPESIAL REFERENCE TO THE BANK OF INDONESIA AND TO THE CORRUPTION ERADICATION COMMISSION

This Undergraduate Thesis has been defended in front of the broad of examiners on 27 August 2018,

Board of Examiners:

Chairman

<u>Nasrullah, H., S.H., S.A.g., MCL.</u> NIK. 19700617200004 153 045

Examiner 1

Examiner 2

<u>Iwan Satriawan, SH.,</u> <u>MCL.,Ph.D.</u> NIK. 19700706199904 153 039 <u>Nanik Prasetyoningsih, S.H.,</u> <u>M.H.</u> NIK. 195205051984031001

Endorsed by

The Dean of Faculty of Law

Universitas Muhammadiyah Yogyakarta

<u>Dr. Trisno Raharjo, SH., M.Hum.</u> NIK. 19710409199702 153 028

DECLARATION



I hereby declare that the undergraduate thesis which entitled **"THE IMPLEMENTATION OF THE RIGHT OF INVESTIGATION OF THE HOUSE OF REPRESENTATIVES TO THE STATE INSTITUTIONS WITH SPESIAL REFERENCE TO THE BANK OF INDONESIA AND TO THE CORRUPTION ERADICATION COMMISSION"**, its content is my own original work and no portion of my thesis has been copyrighted previously unless properly referenced. On this statement, I am ready to bear the risk / any sanctions imposed to me in accordance with applicable regulations, if in the future found a breach of items above, I am willing to accept the sanctions.

Written by

Name	: Rizki Habibullah
Student Number	: 20140610127
Faculty	: Law
Major	: International Program for Law and Sharia
University	: Universitas Muhammadiyah Yogyakarta

Yogyakarta, August 21th, 2016

Rizki Habibullah

ΜΟΤΤΟ

"Though no one can go back and make a brand-new start. Anyone can start from now and make brand-new ending". (Carl Bard)

DEDICATION

This Undergraduate Thesis is dedicated to:

My Parents

Supriadi and Alis Yuniar

My Sisters

Kinanti Dara Putri

Adinda Maharani Putri

Dhea Kirana Cantika Putri

and

Faculty of Law, Universitas Muhammadiyah Yogyakarta.

FOREWORD

Alhamdulillahirabbil alamin, thanks to Allah SWT for giving me the opportunity to finish my undergraduate thesis entitled "The Right of Investigation of the House of Representatives to the State Institutions". This thesis is a final work as a partial fulfilment for the degree of Bachelor of Law in International Program for Law and Sharia, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

The writer would like to thank to Rector of Universitas Muhammadiyah Yogyakarta Dr. Ir. Gunawan Budiyanto, M.P., and to Dean of Faculty of Law, Dr. Trisno Raharjo, S.H., M.Hum., to Director of International Program for Law and Sharia, Nasrullah, S.H., S.A.g., MCL., and all of staffs for the assistance during my study at Universitas Muhammadiyah Yogyakarta. Then, let me say thanks to my advisors, firstly, Iwan Satriawan, S.H., MCL as my fabulous advisor, thank you for giving me advices not only to be a better researcher but also to be a better person, showing me the right path should be taken. Secondly, thanks to Nanik Prasetyoningsih S.H., M.H., as lecturer who guides with patient, wisdom, and compassion.

To my lecturers, Dewi Nurul Musjtari thank you for teaching me as guardian lecturer and give me many lesson about civil law. Deepest appreciation also goes to all lecturers and staff at the Faculty of Law for the assistances during my study at Universitas Muhammadiyah Yogyakarta. To my parents, Supriadi and Alis Yuniar. thank you for the prayer and support in every situation including the efforts and sacrifices to still take me to the college to make me becoming a Bachelor of Law at Faculty of Law, Universitas Muhammadiyah Yogyakarta. Thanks to my sisters, Kinanti Dara Putri, Adinda Maharani Putri and Dhea Kirana Cantika Putri for becoming my best partners at home. I have many responsible as one and only boy and big brother for you all my sisters.

Special thanks to Rosiana Chusnul Azizah as my girlfriend who always i support me and there is always in my side accompany me to get through any obstacles for giving me this title. Thanks to Dania Amareza Pratiwi as my senior who always helped me and becaming my sister in this univesity because we are sundanese and Apriana Dharu Prabowo as my tutor who always guide me to write this research. Special thanks are also given to my best friends Mochammad Azman Noor Fuad and Siti Yusmia Dewi as my former close friends and "agents of change" Oktafiani, Nabila Secioria C.G, Muhammad Syarkowi, Nur Alfin, Leo Pernando, Reza Dinda Pamungkas, Salsabila, Tulus Budi Santoso and Achmad Choirul Anwar for becoming awesome partners not only in studying but also in enjoying life through unforgettable trips. Yudha Kusuma Wardhani, Astri Istiawati, M. Risky Saputra, Faishal Aji Prakosa, and to all IPOLianS batch 2014 for times we spent together in unforgettable special place, Yogyakarta. Thanks to my friends in *Badan Ekesekutif Mahasiswa Univesitas Muhammadiyah Yogyakarta*, M. Redho, M. Awan, Rizwan, Alghi Mustika, Fito Kurniawan, my ministry Mia Ayu Nadia, and my president Biantara Albab, all of seniors and juniors for teaching me how to be strong in variety situations. Furthermore, many people are appreciated for their assistance for data collection process.

Lastly, the undergraduate thesis is not perfect, suggestions are always accepted. Hopefully, this thesis is useful for readers and for future research about similar topic or any related field.

Rizki Habibullah

TABLE OF CONTENTS

ABSTRACT i
APPROVAL PAGE ii
ENDORSEMENT PAGE iii
DECLARATION PAGE
MOTTOv
DEDICATION PAGE
FOREWARD
TABLE OF CONTENTS
LIST OF STATUTES xii
CHAPTER ONE – INTRODUCTION
A. Background of Research1
B. Research Problem
C. Objective of Research
D. Benefit of Research
CHAPTER TWO – LITERATURE REVIEW
A. The House of Representatives7
B. The Right of Ivestigation9
C. The State Institutions 10
CHAPTER THREE – RESEARCH METHODS
A. Type of Research
B. Type of Data 13
C. Data Collection
D. Data Analysis

CHAPTER FOUR – FINDING AND ANALYSIS

А.	Brief Introduction on the Issue	.16
	1. Brief Introduction of the Right of Investigation	.16
	2.Brief Introduction of the State Istitutions	20
В.	The Implementation of the Right of Investigation to Corruption Eradication Commission	
C.	The Implementation of the Right of Investigation to the Bank of Indonesia	
СНАР	TER FIVE – CONCLUSION AND RECOMMENDATIO	N
A.	Conclusion	51
B.	Recommendation	51

BIBLIOGRAPHY

LIST OF STATUTES

Law No. 6 of 1954 on The Right of Investigation of The House of Representatives.

Law No. 27 of 2009 on Legislation Institutions In Indonesia.

Law No. 17 of 2014 on Amendment of Law Number 27 of 2009 on Legislation Institutions In Indonesia.

Law Number 32 of 2002 on Commission Eradication Commission.

1945 Constitution.