

THE EFFECTIVENESS OF LEGAL CONSIDERATIONS AND RECOMMENDATIONS OF ATTORNEY GENERAL'S TO SUPPORT THE NATIONAL DEVELOPMENT ACCELERATION PROGRAM AND PREVENTION OF CRIMINAL CORRUPTION IN INDONESIA

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ABSTRACT

In Indonesia, the acceleration on the implementation of the national strategic project (PPSN) was promoted by the government to expand economic growth. PPSN is established by increasing accessibility from the center to the region of economic growth. The PPSN covers toll road, road, infrastructure and railway infrastructure, airports, ports, housing, oil refineries, gas pipelines/LPG and other large projects. The legal basis of PPSN is Presidential Regulation Number 3 Year 2016. Problems that were occurring in the implementation of PPSN based on that regulation are repressive legal snare, if there is inappropriate of the authority even though include in administrative law which based on Law Number 30 of 2014 regarding Government Administration (Law 30/2014). These raise concerns to the officer who is in managing and implementing PPSN (affected by corruption). On the other hand, the repressive handling of corruption does not have a deterrent effect and cannot save the maximum state financial losses. This obstacle was overcome with the issuance of Presidential Instruction No. 1 of 2016, in which the government instructed the Attorney General to take preventive legal steps through administrative legal measures, under Law 30/2014, or to carry out legal considerations, including legal assistance and provide legal opinion by General Attorney (escort team), before repressing the inappropriate authority to secure development and governance. In this paper, the emphasis is on the study of the effectiveness of legal considerations and General Attorney recommendations on the smoothness of the national development acceleration program. The research method was used a normative juridical approach referring to legal norms contained in legislation, court rulings and legal norms that exist in society. The descriptive analytical research was applied the specifications (comparison) among them. From the study, it was found that the repressive law enforcement of corruption (in Indonesia called as Tipikor) had not yet provided maximum benefit for the state and society. By the effectiveness of the General Attorney which state under the Presidential Instruction I/2016, it can decrease corruption and the fear or anxiety of executing officials of the acceleration of national development. State losses as the impact of manipulation and corruption can also be minimized and at the same time will save state finances.

KEYWORDS: *General Attorney, Development, Legal Opinion, Corruption and Effectiveness*

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