

ABSTRACT

MOHAMMAD NASHIHAN: *The Urgency of Reserved Authentication Corruption Cases in Realizing Good Governance (The Analysis of The Relationship Between The Reserved Burden of Proof in Criminal Acts of Corruption Committed by Regional Head Official With The Implementation of Good Governance).* This dissertation under the guidance of Prof. Dr. Hj. Waty Suwanti Haryono, SH, MH, as Main Advisor and Prof. Drs Koesparmono Irsan, SIK, SH, MM, MBA, as the Co-Advisor.

Problems examined in this dissertation is related to the setting of proof of corruption in Indonesian positive law, the urgency of the application of reversed burden of proof in the eradication of corruption, the conception and application of inverted authentication as well as efforts to achieve good governance.

This study uses two (2) a combination of approaches, namely normative research and empirical jurisdiction. To get the data was done through a Library search, and supported by secondary data obtained from field research. Furthermore, the data were analyzed qualitatively arranged in sentences based on descriptive analysis, conceptual, normative, interpretation and comparative.

Some research, First, the position reversed evidence is set in the criminal justice system in Indonesia, but has not been optimized in the eradication of corruption in Indonesia. Second, the urgency of proof in relation to the potential losses to the state, fostering good governance, and improve the negative image of Indonesia as one of the high-level corruption. Third, the chief officer to prove the wealth of this region can be done with the approach of the Law of Administration and administrative sanctions and criminal law approach through the Corruption Court.

Through this dissertation, the author suggests; First, because the setting of proof is still segmented/distributed in the Act and the Corruption Eradication Commission Law, Law Crime Money laundering, it needs to be incorporated in the Law of Evidence Reversed Specials. Secondly, corruption besides adversely affecting development in the region, and the local heads of government corruption is increasing, because it is necessary to apply of proof as to optimize efforts to prevent and eradicate corruption in Indonesia. Third, in order to reverse authentication is successful, then in addition to optimizing the enforcement of criminal law, the Law of Administration, also required the specialized agencies, namely the State Officials Wealth Audit Commission (KPKPN) and the Dispute Settlement Body Wealth of State Officials (BPS-KPN). Through these efforts, we are confident of creating the organizers state that is free and clear of corruption, collusion, nepotism, which in turn can realize good governance in the Republic of Indonesia.