



Prevention of Criminal Acts of Corruption in Indonesia

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Abstract: Corruption is one of the biggest problems that is very difficult to eradicate in Indonesia. Indonesia is a country that is rich in natural resources, but Indonesia lacks character than its human resources. Corruption is also one of the obstacles why Indonesia is not currently a developed country. This is because state assets that should be used in the interests of the state, however, by irresponsible people are used for their own interests. Therefore, it is necessary to prevent corruption so that Indonesia can develop into a developed country. The purpose of writing this article is to: (1) know the typology of corruption; (2) knowing the bad effects of corruption in Indonesia; (3) knowing the criminal penalty against the perpetrator of corruption; (4) knowing how to prevent corruption in Indonesia. The writing method used is descriptive qualitative with the data source used by the author, namely library research, which is data obtained from existing literature from books, journals, the internet and other references that are in accordance with the research problem. In preventing corruption itself, of course there needs to be cooperation between the government and the Indonesian people. As the government apparatus who manages the state, it is necessary to manage state assets as well as possible for the interests of the state and society, while the people must believe in and support the work of government. With this cooperation, it is hoped that Indonesia will be free from criminal acts of corruption.

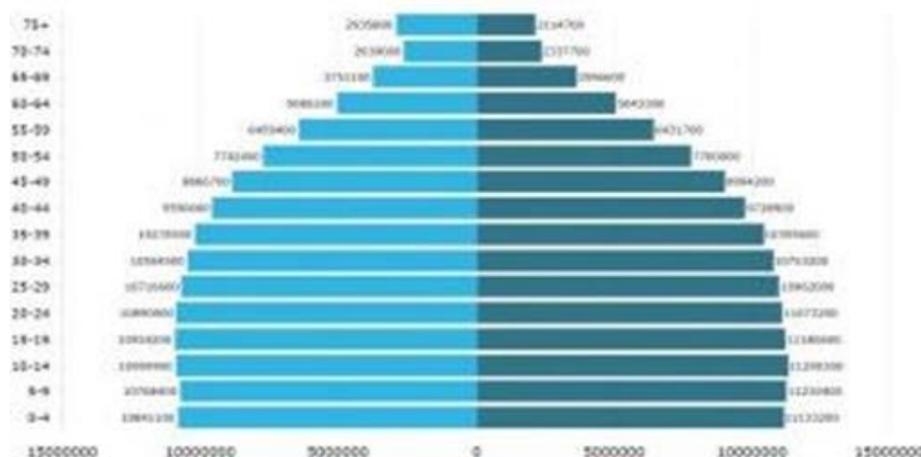
Keywords: Prevention of Corruption, Crime, Corruption

INTRODUCTION

Corruption is one of the biggest problems that is very difficult to eradicate in Indonesia. Indonesia is a country that is rich in natural resources, but Indonesia lacks character than its human resources. Corruption is also one of the obstacles why Indonesia is not currently a developed country. This is because state assets that should be used in the interests of the state, however, by irresponsible people are used for their own interests. Therefore, the author raises the title "Prevention of Corruption Crime in Indonesia". This is because there is a need for prevention of criminal acts of corruption in Indonesia so that Indonesia can develop into a developed country. Corruption is an act that is against the basis

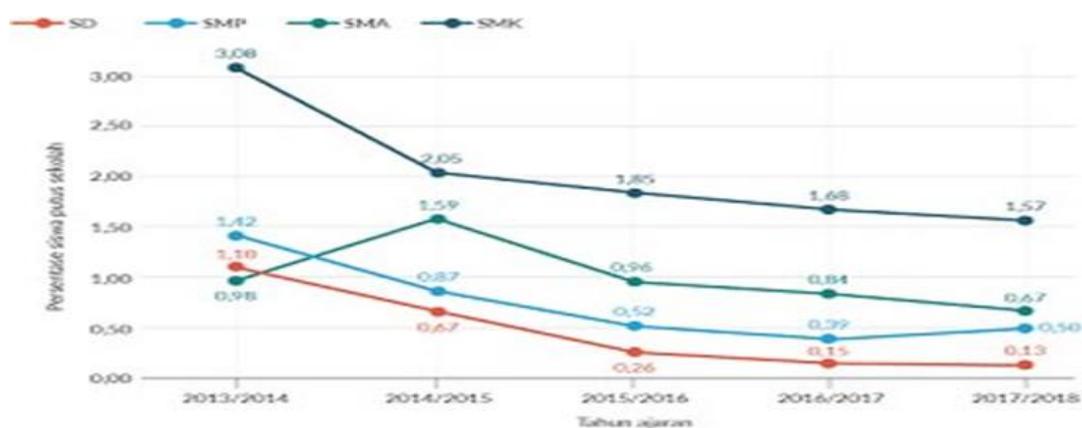
of the state and Indonesian law and causes losses to the state and public welfare because it benefits certain parties only.

Based on data from Worldometers as of January 27, 2019, the total population of Indonesia in 2019 is 268,369,114 people. Indonesia is ranked fourth as the country with the largest population in the world. When assessed based on the age structure, the population aged 0-14 years (children age) is 66.17 million or around 24.8% of the total population. Population aged 15-64 years (productive age) 183.36 million people or 68.7%. While the age group 65 years and over (unproductive age) totaled 17.37 million people or 6.51% of the total population. The population data based on the age structure can be illustrated in Graph 1.



Graph 1. Total Population of Indonesia in 2019 Based on Age Structure

The high level of Indonesian population is in fact inversely proportional to the level of education in Indonesia. Based on data from the Ministry of Education and Culture, it also shows specifically that Indonesian education is getting lower until 2018. Data on the dropout rate for elementary, junior high school, high school and vocational students in Indonesia can be illustrated in Graph 2.

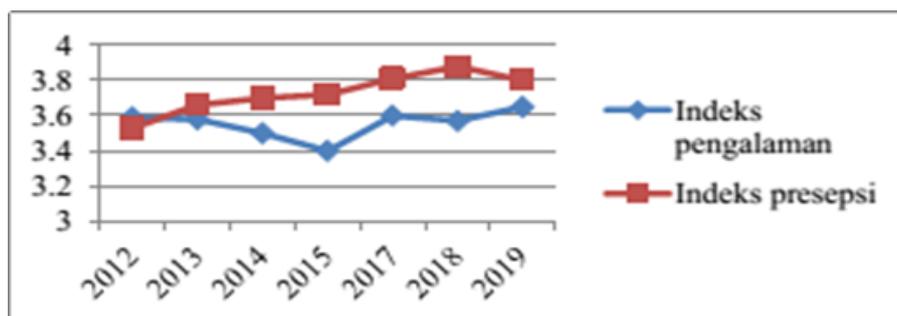


Graph 2. Dropout Rate of Elementary, Middle School, Senior High School and Vocational Students in Indonesia

From the data above, it is certainly related to the level of corruption in Indonesia. Because, corruption is not only done by government officials, but of course it can also be done by the public. People who do not go to school certainly do not receive education, both cognitive and affective. Lack of education in terms of affective, namely the values and character of a person causes the absence of honesty and truth in him. So that the person has

the courage to commit acts of corruption that harm many people. In addition, it causes low levels of honesty in Indonesia.

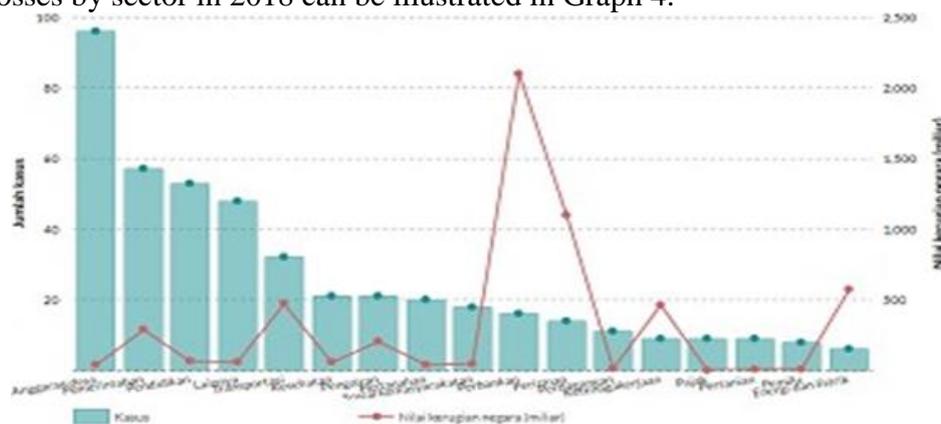
Based on data obtained from the Central Statistics Agency (BPS), the index of corruption behavior in Indonesia can be seen from the experience index and perception index. Judging from the perception index, it always increased until 2018, which was 3.88 and decreased by 0.08 in 2019, namely to 3.8. Meanwhile, if seen from the experience index, it has increased, namely in 2018 it was 3.57 and in 2019 it was 3.65. The decline in the perception index shows that Indonesia is trying to prevent and eradicate corruption in Indonesia. Anti-corruption behavior index (IPAK) data on perception and experience dimensions can be illustrated in Graph 3.



Graph 3. Anti-Corruption Behavior Index (IPAK) Dimensions of Perception and Experience, 2012-2019

Corruption in Indonesia occurs in various sectors. The sector most prone to corruption according to data from Indonesia Corruption Watch (ICW) during 2018 is the village budget. There were 96 cases of corruption related to village budgets involving 133 suspects with the incurred state losses of Rp37.2 billion.

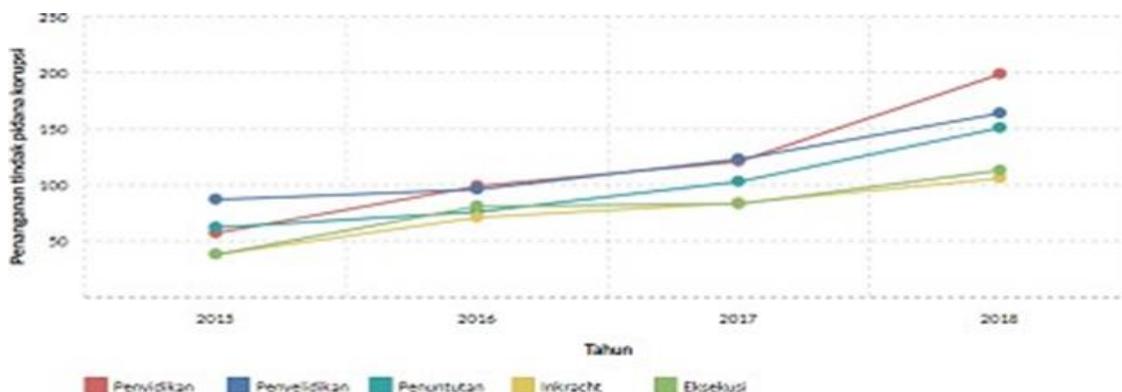
Meanwhile, the sector that caused the highest state losses was banking, amounting to Rp2,100 billion (16 cases). Other sectors consist of population, cooperatives, animal husbandry, housing, telecommunications and information, gardening, religion, forestry, sports, tourism, cleaning, fire fighting, and manufacturing. Data on corruption cases and the value of losses by sector in 2018 can be illustrated in Graph 4.



Graph 4. Corruption Cases and Value of Losses by Sector in 2018

Based on data analysis from the Anti Corruption Clearing House (ACCH), the handling of criminal acts of corruption has been carried out from 2015 to 2018 and continues to increase. Throughout 2015 to 2018 there were 1,952 cases. The Corruption Eradication Commission handled several cases from 2015 to 2018, such as the investigation case consisting of 164 cases, 199 investigative cases, 151 prosecution cases, 106 inkracht cases,

and 113 execution cases. Data on the handling of corruption by the KPK in 2015-2018 can be illustrated in Graph 5.



Graph 5. Handling of Corruption by the Corruption Eradication Commission, 2015-2018

Corruption has existed since before Indonesia's independence until the current reformation period. A criminal act of corruption can occur because of the low character and moral education of the Indonesian nation. So that in an effort to create an Indonesia that is free from criminal acts of corruption, there is a need for cooperation between the government and society. The government needs to increase legal oversight of state officials and establish penalties for perpetrators of corruption. The Indonesian government can also increase the level of education, so that apart from being free from corruption, Indonesia can develop into a developed country. In addition, the public also needs to participate in the prevention or eradication of corruption by not being involved in corruption, reporting everything related to corruption to the authorities and trusting and supporting government programs that lead to realizing an Indonesia that is free from corruption.

LITERATURE REVIEW

Corruption

According to Capasso & Santoro (2018), they argue that corruption is a complex and complicated phenomenon. According to Van Den Berg and Noorderhaven (2016), they say that corruption is often perceived as a complex phenomenon that can be fully understood by taking social context into account. According to Transparency International (2016), it says that corruption is defined as the everyday abuse of entrusted power by low and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services.

The World Bank (in Subekti, 2013) states that corruption is any transaction between actors from the private sector and the public sector through shared utilities illegally transformed into private gain. In the international world the definition of corruption is based on the Black Law Dictionary (Surachmin & Suhandi Cahaya, 2011: 10):

Corruption an act done with an intent to give some advantage inconsistent with official duty and and the rights of others. The act of an official of fiduciary person who unlawfully and wrongfully uses his station or character to procure some benefit for himself or for another person, contrary to duty and the right of others.

From the above understanding it can be concluded that corruption is an act of dishonesty, violates the law, harms state finances, takes rights that do not belong to it with the aim of enriching itself. People who commit a criminal act of corruption then that person violates legal norms and also does not have good morals and ethics.

Affective

Affective deals with emotions such as feelings, values, appreciation, motivation and attitudes. Suharsimi Arikunto (2003) explains that measuring the affective domain cannot be done at any time (in the sense of formal measurement) because changes in student behavior cannot change at any time. Changing one's attitude takes a relatively long time. Moral equity examines basic issues of right and wrong. It represents a universal ethics construct and is the main evaluative criterion for ethical judgment (Maiga, 2005; Reidenbach et al., 1991). The meaning of the word is moral equality examining the basic issues of right and wrong.

Cognitive

According to Neiser in Jahja (2013: 56) the term cognitive comes from the word cognition, which has the equivalent of knowing, which means knowing. In a broad sense, cognition is the acquisition, organization and use of knowledge. According to the Big Indonesian Dictionary, cognitive is defined as something that is related to or involves cognition based on empirical factual knowledge.

Types of Corruption

According to Law no. 31 of 1999 concerning Eradication of Corruption Crimes as amended by Law no. 20 of 2001 concerning Amendments to Law no. 31 of 1999 concerning the Eradication of Actions

Corruption, corruption can be classified as follows:

- 1) Adverse state finances
- 2) Bribery
- 3) Embezzlement in office
- 4) Extortion
- 5) Fraudulent acts
- 6) Conflict of interest in procurement
- 7) Gratuities

Public

Sarwono (2012: 77-79) says that society includes several elements, namely humans who live together, mix for a long time, they are aware that they are a unit and they are a system of living together, because each group member feels himself attached to others. Meanwhile, according to Koenjaraningrat (2012: 122), society is a unity of human life that interacts according to a certain system of customs which is continuous and bound by a sense of common identity.

Causes of Corruption

Szymanski (2007) argues that the identification of the risk of corruption came from the lack of transparency, limited access to information, and lack of accountability and control at each stage. According to Erry Riyana Hardjapamekas (2008: 78), the high number of corruption cases in this country is caused by the exemplary and leadership of the nation's elite, low salaries of civil servants, weak commitment and consistency in law enforcement and laws and regulations, low integrity and professionalism, internal control mechanisms in all banking, financial and bureaucratic institutions are not yet established, the conditions of the work environment, job duties and the community environment, and weak faith, honesty, shame, morals and ethics. The theoretical foundations for corruption studies draw from the charger literature on the determinants of criminal activity, where rational individuals (i.e., bribe givers and bribe takers) weigh the relative costs and benefits of engaging in criminal (corrupt) acts (see Becker, 1968).

Government

The government in Indonesian terms is called the state administrator. The word government in Dutch terms is called *overheid* or *gouvernement*, or *de autoriteiten*. In English

RESEARCH METHOD

Writing method

The writing method according to Sugiyono (2016: 2) is basically a scientific way to get data with specific purposes and uses, where valid data with the aim of being able to find, prove, and develop knowledge so that in turn it can be used to understand, solve and anticipate problems.

The method used in writing this article is descriptive qualitative. The qualitative method according to Sugiyono (2008: 15) is a method based on the post-positivism philosophy, used to examine the condition of a natural object, (as opposed to an experiment) where the researcher is the key instrument, the sampling of data sources is done purposively and snowball, technique. collection by tri-accounting (combined), data analysis is inductive or qualitative, and the results of qualitative research emphasize meaning rather than generalization.

Data source

Sources of data used in this paper are library research or literature studies, namely data obtained from good literature from books, journals, the internet and other references that are in accordance with the research problem. The data for library research methods can be seen in Figure 1.



Figure 1. Library Research

RESULT AND DISCUSSION

Typology of Corruption

Mapping the interactions between political and economic factors helps provide an overview of the potential for corruption. The potential for corruption often occurs within democracies and within the scope of government. The mapping can be seen in Figure 2.

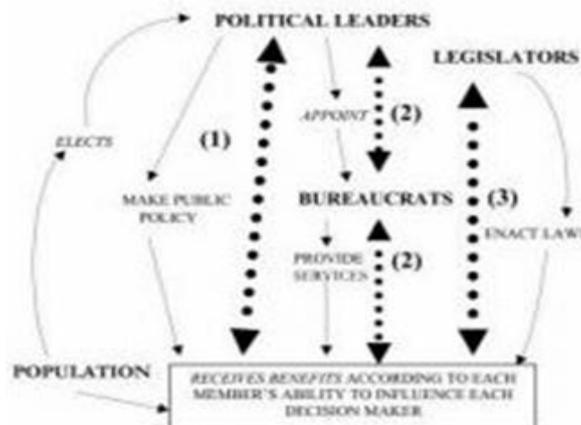


Figure 2. Corrupt Relations in a Democratic Society

Interaction 1

This interaction involves the people and state leaders who are elected through a democratic process. Corruption cases can occur between the people and state leaders during general elections. For example, when a candidate pair wants to win in the election in various ways regardless of whether this method is correct or not. They will pay bribes to people so that people will vote for them. But of course when elected to compensate for losses during the campaign, the country's leader will commit corruption and the promises he made to the public are only lies and will never be realized. This is because the goal of the pair of candidates is not to advance the Indonesian state but only to gain huge benefits when they become head of state or leader of the state.

Interaction 2

In this interaction there is a relationship between state leaders and bureaucrats and members of the legislature. In approving various government programs, there can be potential for corruption if officials working in the government are dishonest and trustworthy. Corruption can occur when a project is created within the government. The state government with bureaucrats and members of the legislature can work together to obtain large benefits and the results of financial transparency that will be shown to the public can be manipulated.

Interaction 3

This interaction involves the people and members of the legislature who are elected through general elections. This democracy is almost similar to the general election of executive members. Elections that should be direct, clean, honest and fair are only expressions without being applied in their implementation. This criminal act of corruption can certainly occur because all parties involved are willing to be bribed and do not have honesty in themselves.

Based on the above discussion, the results of my analysis are in line with Arvind Jain (2001) in a paper entitled *Corruption: a Review* that draws attractively the areas where corruption often occurs are in democratic countries.

Bad Effects of Corruption in Indonesia

The unstable state condition and the poor quality of the institutions have resulted in some policies and regulations being implemented that have not been implemented perfectly. There are many developing countries in the world with quite low corruption index scores. Some of them are found in the Asian region, especially South and Southeast Asia. The corruption perception index data for 5 ASEAN countries can be seen in Table 1.

Table 1. Corruption Perception Index of 5 ASEAN Countries

Negara	Indeks Persepsi Korupsi					Rata-Rata
	2012	2013	2014	2015	2016	
Indonesia	32	32	34	36	37	34.2
Malaysia	49	50	52	50	49	50
Filipina	34	36	38	35	35	35.6
Thailand	37	35	38	38	35	36.6
Vietnam	31	31	31	31	33	31.4

Source: Transparency International

The corruption perception index is used as an indicator in measuring the level of corruption in a country using a scale of 0 to 100, where a value of 0 indicates that the country is very corrupt and a value of 100 indicates that the country is very clean. The low index of corruption perceptions in the five ASEAN countries shows that corruption cases are still rife in these countries every year.

Specifically, the corruption perception index in Indonesia shows that Indonesia is a corrupt country. In 2012 Indonesia was ranked 118 out of 174 countries in the world, in 2013 Indonesia was ranked 114 out of 175 countries, in 2014 Indonesia was ranked 107 out of 174 countries, in 2015 Indonesia was ranked 88 out of 166 countries, in 2016 Indonesia won ranked 90 out of 176 countries in the world, in 2017 Indonesia was ranked 96 out of 180 countries, while in 2018 Indonesia was ranked 100 out of 180 countries. The corruption perception index score in Indonesia has increased every year, this shows that Indonesia is trying to create a country that is free from corruption, and the KPK is also trying to catch corruptors in Indonesia. The data on Indonesia's position in the 2012-2018 TI corruption perception index can be seen in Table 2.

Based on the data above, Indonesia is proven to be a country with a high level of corruption. This high level of corruption certainly has an impact on various sectors in Indonesia.

1. The Impact of Corruption on Education

The impact of corruption on the education sector is that it causes the low quality of education in Indonesia. Based on the background discussed in this article, it shows the low level of education in Indonesia. This is because the APBN budget that is used to complement educational facilities is corrupted by government officials for their own interests. So that the budget given for educational facilities is only small. As a result, many schools in rural areas that are not suitable for learning have not been repaired by the government, there are still many people who want to go to school but do not have money to pursue education, as well as a lack of teaching staff in remote areas. The low level of education in Indonesia will have an impact on the quality of Indonesia's human resources itself. Lack of education and teaching causes low knowledge of Indonesian society, causing low discipline and character or affective of Indonesian society.

2. The Impact of Corruption on Poverty Levels

Corruption will have an impact on poverty levels in Indonesia. The level of poverty is certainly related to lower education than the community. If someone's education or knowledge is low, it will make it difficult for that person to find work. Thus, there is a lot of unemployment everywhere and as a result the poverty rate in Indonesia is getting higher. In addition, subsidies and government assistance to the poor, even by someone who is not responsible, have their budget corrupted. Many people who are able also get this assistance, which means that the assistance provided cannot be felt by all those who cannot afford it. As well as corruption also causes a large level of disparity between people with high income and people with low income.

3. The Impact of Corruption on the Health Sector

Corruption will have an impact on the health sector in Indonesia. As for the impact, namely the number of toddlers who experience malnutrition, high mortality of pregnant women and childbirth and the lack of hospital services for the poor. One example is the government issuing BPJS cards in collaboration with several hospitals for health assistance to the Indonesian people at the cost of being borne by the government. However, after running for several years, many hospitals did not accept patients who paid with BPJS, as well as a lack of service to BPJS patients compared to patients who paid with cash. This happened because the government did not pay the medical costs of BPJS patients to the hospital which caused the hospital to suffer losses. Even though the community pays monthly BPJS installments to the government.

4. The Impact of Corruption on the Defense and Security Sector

Corruption lowers the level of defense and security in Indonesia. For example, when an officer guarding the Indonesian border area accepts a bribe from someone to enter illegal goods such as alcoholic drinks or illegal drugs that can damage Indonesia's young generation. With the destruction of Indonesia's successor, Indonesia will return to its colonial period.

5. The Impact of Corruption on Law Enforcement

The impact of corruption hinders the functioning of government law enforcement officers, among others, namely corruption inhibits the role of the state in allocating arrangements, impedes the state in equitable access and assets, weakens the role of government in carrying out economic and political stability and causes the loss of people's trust in state institutions. Because society has believed that the law only favors someone who has money or power and will oppress the weak.

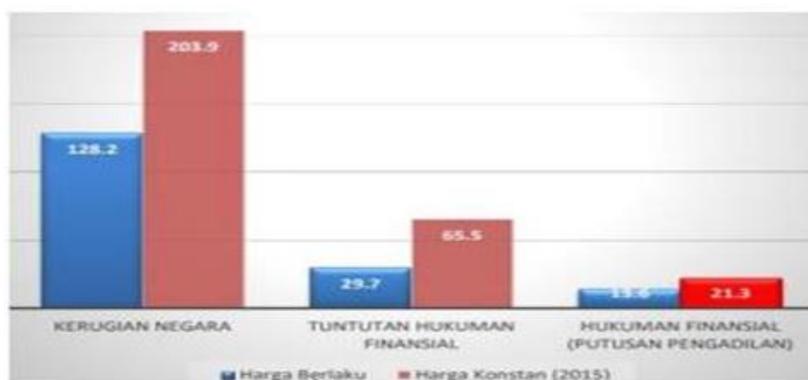
6. The Impact of Corruption on State Assets

Corruption has reduced the country's wealth. Indonesia is a country rich in natural resources, but Indonesia has a lot of debt to other countries. This can occur because state assets are corrupted by irresponsible government officials.

Based on the above discussion, the results of my analysis are in line with Todaro & Smith (2006) which states that many corrupt practices in third world and developing countries are a form of failure of government planning due to low institutional quality so that personal interests take precedence over national interests.

Criminal Punishment Against Corruption Perpetrators

Criminal penalties by providing financial penalties provided by the government tend to be lower than the losses for the state. Financial penalty is a combination of the value of the penalty, substitute penalty and confiscation of evidence (assets). Data on total state losses vs financial penalties (trillions) can be illustrated in Graph 6.



Graph 6. Total State Losses VS Financial Punishment (Trillion)

With the disproportionate share of state losses with the financial penalties given, the state must bear the remaining losses of state money that was corrupted and does not deter the perpetrators of corruption. In this case, the government must increase the penalties for perpetrators of corruption so that no government official or community dares to commit corruption crimes. The most corrupt state budgets are the village budget and the banking sector. Prevention and eradication efforts are important for the government to do so that Indonesia can become a country free from corruption.

Based on the above discussion, the results of my analysis are in line with the LeIP Data (2013) which states that many corruptors have been caught by the two articles of the Corruption Act and thrown in prison because they have been proven to be detrimental to state finances.

Efforts to Prevent Corruption in Indonesia

Indonesia prioritizes efforts to eradicate corruption crimes rather than efforts to prevent corruption. Whereas Indonesia should first step up efforts to prevent criminal acts of corruption. If prevention rather than corruption is carried out properly, then Indonesia will not experience a greater loss than when the criminal act of corruption occurred. Prevention efforts are called preventive measures, namely by taking various preventive measures before corruption occurs. Efforts to prevent criminal acts of corruption can be carried out by prevention in the public, social and community empowerment sectors.

1. Preventive Measures in the Public Sector

Prevention efforts in the public sector can be carried out with the government by making it an obligation for someone who wants to serve in the government to report their assets, establishing a professional code of ethics that must be observed by all government officials, making it easy for the public to know and assess the work of the government and to do it. recruitment of civil servants and other government officials with transparency and honesty.

2. Efforts to Prevent Corruption Against the Social Sector and Community Empowerment

Efforts to prevent acts of corruption in the social sector and community empowerment can be carried out by guaranteeing the right of the community to obtain correct information, providing facilities for the public to report all activities related to corruption, ensuring the security and confidentiality of information on witnesses who report acts of corruption, holding seminars and making advertisements and banners that promote anti-corruption activities, implementing an educational curriculum that emphasizes moral character and honesty and increasing public awareness of the dangers of corruption.

Based on the above discussion, the results of my analysis are in line with Nawawi Arief (2008) which states that roughly the effort to combat crime through the penal route focuses more on the repressive nature (suppression / oppression / eradication) after the crime occurs, while the non-penal route focuses more on preventive nature (prevention). To say it roughly, because repressive measures can also be seen as preventive measures in a broad sense.

CONCLUSIONS

Based on the results of the analysis and discussion described in the previous chapter, it can be concluded as follows:

1. Corruption is one of the reasons why Indonesia has not been able to become a developed country.
2. Corruption has a very negative impact on Indonesia, namely on education, poverty, health, defense and security, law enforcement and the country's wealth.
3. To prevent corruption in Indonesia, the government has established a criminal law, one of which is in the form of financial penalties for perpetrators of corruption.

4. Efforts to prevent criminal acts of corruption can also be carried out by prevention in the public, social and community sectors by means of these preventive measures to reduce state losses and create a clean Indonesia and avoid corruption.

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