

# THE INFLUENCE OF THE ASPECTS OF CULTURE, PERSONALITY, AND PUBLIC-PRIVATE RELATIONSHIP ON CORRUPTION IN INDONESIA

By

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## ABSTRACT

*The history of corruption in Indonesia is marked by reforms in handling corruption cases. However, these reforms will not succeed if the culture that drives corruption is still maintained. A low level of trust can increase corruption, because it does not encourage good cooperation between the community and the government.*

*Geographical and historical aspects correlate with the level of corruption. Therefore, certain former colonies also correlate with the level of corruption. Personality is a character owned by a person and is integrated in a unique unit, so that the person can modify and determine the adjustment. This can be seen from the high number of officials in developed countries who resigned after being suspected of being involved in corruption cases.*

*Corruption reduces the performance of institutions in the democratic order, suppresses economic growth, exacerbates the income gap, and causes government instability. Therefore, aspects of culture, personality, and public-private relationship are directly proportional to the occurrence of corruption in Indonesia.*

## I. INTRODUCTION

### 1.1. Background

Economic development of a country can be influenced by the culture of society and the history of the establishment of the country. Historically, developed and developing countries have known practices of corruption

since Babylonian Period until World War I & II, as marked by the French Revolution. And up to the millennial era, the practices of corruption are still very detrimental to the nation and state. Corruption can reduce the performance of institutions in the democratic order, hamper economic growth, exacerbate income gap, and cause instability of government (Pradiptyo, 2015). The fundamental difference related to acts of corruption in developed and developing countries lies in the government's seriousness in establishing strong and strict laws and regulations that regulate aspects of corruption and awareness of all levels of society about the latent danger of corruption that needs to be fought.

Indonesia, as a developing country,<sup>1</sup> still has a lot of work to do in eradicating corruption. Indonesia's Fraud survey conducted by ACFE and E & Y (2016) places corruption at 178 cases or 77% of the total 229 cases as the most detrimental fraud in Indonesia. In a book entitled "*Korupsi Dalam Silang Sejarah Indonesia*" written by Carey et al, (2016), it is explained that corruption in Indonesia is a structural corruption, that is, corruption that occurs as a result of regulations that actually encourage someone to commit corruption.

During the kingdom, the Indonesian people were very familiar with the term,<sup>2</sup> taking tribute from the people and handed over to royal officials without the presence of a strict supervisory body (Wiyantarti, 2012). There was no limit to the amount of tribute that had to be submitted to the royal officials, because the people had to give tribute according to what the officials had asked for and even greater. Thus,

the royal officials felt comfortable enjoying life within the kingdom. These conditions led to the emergence of corrupt practices committed by royal officials to enrich themselves. In its development, tribute has transformed into a tax with good connotations, and bribes and gratuities with negative connotations that became parts of corruption.

Phenomenon of *wani piro*<sup>3</sup> in Javanese Language refers to someone or an institution that dares to pay a sum of money or in other forms agreed to be able to facilitate achieving its goals. The emergence of the phenomenon of *wani piro* is based on the high level of corruption, bribery, illegal fees in Indonesia when the jargon appeared in advertisements in 2012. Non-salary incentive systems<sup>4</sup> within the government institutions make the budget mark-ups so high that the project value becomes larger, because civil servants receive additional salaries when implementing government projects, which are actually their duties (Carey, 2016).

According to Pradiptyo et al. (2015), Anti-Corruption Law tends to be limited to the public sector only. Bribery and gratuities are included within the scope of the Election Law. Meanwhile, corruption practices in the private sector and international institutions and money laundering are not included in the Anti-Corruption Law even though in its transformation there is a Law on the Prevention and Eradication of Money Laundering.

The fine imposed to a corruptor, as stated in Law Number 31 of 1999 concerning Eradication of Corruption Crime, in conjunction with Law Number 20 of 2001 concerning

<sup>1</sup> According to the OECD Indonesia Economic Survey in March 2015 and October 2016, average emerging markets from Brazil, China, Colombia, India, Indonesia, Russia and South Africa. This assessment is seen from the Gross Domestic Product (GDP).

<sup>2</sup> Tribute continues to be modified according to the interests of the structure holder (Government) and the state of the tribute provider (Sullaeman, 2005 Lecturer of the Postgraduate Program of Social and Political Sciences UNPAD) and (Hilman, 2012).

<sup>3</sup> Jargon "Wani Piro" in the tagline ad. "Yang Penting Heppii" in the Djarum 76 advertisement verbally presented bribes, such as the bribes at the beginning before the achievement of goals or even gift giving after the achievement of the goals (gratification)

<sup>4</sup> The incentive in question is income outside of salary for the implementation of government projects that are rampant in the New Order before reform was carried out by the Minister of Finance Sri Mulyani by applying a single salary at the Ministry of Finance

Amendments to Law Number 31 of 1999 concerning Eradication of Corruption Crime, is a maximum of IDR 1,000,000,000.00 or jailed for a maximum of 20 years. This gives a stigma of thought to corruption perpetrators in Indonesia that it is better to commit corruption on a large scale or exceed the maximum fine, and to commit corruption in congregation due to the principle of presumption of innocence<sup>5</sup> where everyone who is suspected, arrested, detained, prosecuted and or faced before a court hearing, must be considered innocent until a court ruling declares his guilt and obtains permanent legal force.

Until now there have been many officials in Indonesia assigned as suspects, by the Corruption Eradication Commission (Indonesian: *Komisi Pemberantasan Korupsi / KPK*), in corruption cases. But in fact, they are still carrying out their routines peacefully and even occupying their positions. For example in the cases of corruption involving North Sumatra Governor and E-ID Card, where no official has resigned due to corruption. This is in stark contrast to the understanding of corruption in developed countries, such as Japanese Economy Minister, Akira Amari who announced resignation due to allegations of involvement in corruption cases. The Icelandic Prime Minister resigned because his name was listed in Panama Pappers, and there were still many officials in developed countries who resigned after being involved in corruption cases. The phenomenon that puts forward the principle of presumption of innocence and the lack of awareness of the office holders on the dangers of corruption in this country show that the personality of a corruptor is a classic debate in combating corruption.

The relationship between the public sector (Government and SOEs) and the private sector also becomes a matter that needs attention

<sup>5</sup> *The Presumption of Innocence is contained in the General Elucidation of the Criminal Procedure Code (KUHP) item 3 letter c and the Justice Act (Undang-Undang Kehakiman) Article 8 Paragraph (1).*

in eradicating corruption. Let alone to focus on the relationship between the government and the private sector, the relationship among the state institutions that have the authority to help eradicate corruption still seems less harmonious, such as between KPK and Police Department or between KPK and the House of Representatives. Each institution shows its arrogance. A harmonious relationship between the KPK and the Police in eradicating corruption was destroyed by the phenomenon of lizard vs crocodile.<sup>6</sup> The phenomenon of weakening the KPK by the House of Representatives<sup>7</sup> is also an important concern in combating corruption in Indonesia.

### 1.2. Identification of the Problem

To find out the background of the occurrence of corruption in Indonesia, it can be analyzed based on several factors, including:

- a. The existence of cultural aspect in Indonesia that shapes the mindset of the public that corruption is normal and not latent danger.
- b. The existence of personality aspect that is formed based on the prevailing culture and regulations that make a person transform into a corruptor.
- c. The existence of the aspect of inharmonious relation between public and private and contained in the scope of the law and other corruption regulations that support the occurrence of corruption cases.

### 1.3. Scope of the Problem

The identification of the above problem in this study is limited to corruption cases handled by state institutions that function to eradicate corruption in Indonesia both those that have been decided by the Supreme Court and those that are still pending in the Supreme

<sup>6</sup> Phenomenon of Lizard Vs Crocodile Volume I in 2008-2011 and Lizard Vs Crocodile Volume II in 2015

<sup>7</sup> The phenomenon of the weakening of the KPK by the House of Representatives, the author sees the existence of KPK Vs DPR Volume I in 2015 and KPK Vs DPR 2017

Court through electronic media, print media, and observations from anti-corruption agencies in Indonesia.

#### 1.4. Formulation of the Problem

This study examines the extent to which cultural aspect, personality aspect, and relation (between public sector and private sector) aspect could be a benchmark in identifying cases of corruption that occur in Indonesia.

#### 1.5. Objectives of the Study

This study aims to determine:

1. Cultural aspect in Indonesia that becomes a concern in identifying corruption cases.
2. Personality aspect in identifying corruption cases.
3. Relation (public and private) aspect in identifying corruption cases.

#### 1.6. Benefits of the Study

This study is expected to be able to provide a description and contribution in the improvement of anti-corruption in Indonesia on several aspects such as:

##### a. Theory

Providing a positive contribution to the development of literature in investigative procedures and forensic audits in capturing and prosecuting corruptors in Indonesia and providing understanding to all levels of society that the most detrimental fraud case in Indonesia is corruption which is in accordance with UNCAC mandate contained in UNOCD and can applied to the next Anti-Corruption Act.

##### b. Practitioner

Providing positive contributions to the Government, state institutions and the private sector in establishing anti-corruption procedures that will be applied by audi-

tors and investigators in eradicating corruption and creating a system to support corruption prevention.

## II. LITERATURE REVIEW

### 2.1. Corruption

Corruption comes from Latin *corruptio* or *corruptus*. In Indonesia, the word corruption is derived from the Dutch language; *corruptie*, *korruptie* (Hamzah, 2005).

According to Transparency International in Al Khair (2014), corruption is the behavior of public officials, politicians, or civil servants who improperly enrich themselves or enrich those who are close to themselves by misusing the entrusted public authority. However, according to the United Nations Convention against Corruption (UNCAC) (2003) in Carey et al (2016), corruption is the behavior of five elements that support the country's economy, such as government officials, politicians, foreign country staff, international institutions and the private sector, that enrich themselves or groups and provide material enjoyment to someone or institution both at the beginning and at the end as well as develop the material enjoyment to other sectors, or better known as money laundering.

Based on Law Number 31 of 1999 juncto Law Number 20 of 2001, corruption is:

#### Article 2

- (1) Anyone who unlawfully acts to enrich himself or another person or a corporation that can harm the state's finances or the country's economy shall be subject to a life imprisonment or imprisonment of at least 4 (four) years and a maximum of 20 (twenty) years and a fine of at least IDR 200,000,000.00 (two hundred million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).



### Article 3

Anyone who aims to benefit himself or another person or a corporation by misusing the authority, opportunity or means that attach to him due to his position that could harm the state's finances or the country's economy shall be subject to life imprisonment or imprisonment of 1 (one) year and a maximum of 20 (twenty) years and or a fine of at least IDR 50,000,000.00 (fifty million rupiah) and a maximum of IDR 1,000,000,000.00 (one billion rupiah).

Based on the above understanding, it can be seen that there are 4 important elements: 1) abuse of authority / power; 1) material enjoyment taken from the ownership of power in the public or private sectors; 3) giving and receiving material enjoyment that is interpreted in bribery and gratification; 4) money laundering resulting from illegal material enjoyment.

According to Shah & Shacter (2004) in Khair (2014), there are three types of corruption; 1) grand corruption, that is, a large number of public resources stolen and misused by a small group of public officials; 2) state or regulatory capture, that is, public institutions and private sector gain personal benefits by acting in collusion; 3) bureaucratic of petty corruption, that is, a large number of public officials misuse their power to get small bribes or polish money.

According to Dr. Mark Philip in Carey et al (2016), the definition of corruption in Transparency International and UNCAC has not been able to explain and distinguish what is meant by abuse of material enjoyment. Whereas, in eradicating corruption and promoting anti-corruption movements requires detailed criteria or explanations that can distinguishes between abuse of material enjoyment and not abuse of material enjoyment. This lack of clarity has resulted in different and unique measures to

eradicate corruption in each country which is based on the history and culture within the country.

### 2.2. Culture

During the Dutch colonial period in Indonesia, the Dutch established VOC (Vereenigde Oost - Indische Compagnie) with special rights, such as monopoly rights and sovereign rights. The collapse of the VOC after more than 200 years in power in Indonesia, one of which was due to corruption cases as a result of smoking opium, drinking glutinous rice wine, and enjoying luxury living style (Burger, 1962 in Wijanarti, 2012).

In the time of Diponegoro, the factor that triggered the Java war was corruption in the kingdom. The corruption that occurred during the Diponegoro period was due to the abundant flow of money with the arrival of land tenants from Europe after August 1816 in Java, which paved the way for corrupt indigenous officials such as Danurejo IV in Yogyakarta to enrich themselves from the profits of land leases (Carey et al, 2016).

During the old order there were several corruption eradication institutions. First, "*Badan Koordinasi Penilik Harta Benda*" (the Property Oversight Coordinating Board) which was established based on Regulation No. PRT / PM / 06/1957 and Regulation No PRT / Perpu 013/1958. Second, "*Badan Pengawas Kegiatan Aparatur Negara*" (Supervisory Agency for State Apparatus Activities) which was established based on Government Regulation Number 30 of 1957 and based on the suggestion of General Nasution, PARAN was dissolved while gaining public trust, especially when it was focused on investigating alleged corruption in the construction of Stadium Senayan. Third, "*Panitia Retooling Aparatur Negara (PARAN)*" (State Apparatus Retooling Committee) which was established based on Presidential Decree Number 10 of 1960. Fourth, "*Operasi Budhi*" which was established based on Presidential Decree

No. 275 of 1963. Operasi Budhi managed to save IDR 11,000,000,000.00 nominal at the time, which came from acts of corruption in the Pertamina Board of Directors, but failed to be developed more broadly because of the power possessed by Pertamina's directors with President Soekarno. The last anti-corruption body in the old order was "Komando Retooling Aparatur Revolusi (Kotrar)" (the Revolutionary Command Retooling Apparatus which was established based on on Presidential Decree No. 98 of 1964 and did not have a significant record in combating corruption.

During the new order, the first generation of Corruption Eradication Team was established based on Presidential Decree No. 228 of 1967, and the second generation of Corruption Eradication Team was established in 1982, but did not have the courage to expose corruption that plagued in state institutions, such as the State Logistics Agency and the Ministry of Forestry and Pertamina State-Owned Enterprise. After being considered a failure, the Committee 4 (Four) was established based on Presidential Decree No. 12 of 1970, which was again dissolved because it was deemed incapable of carrying out its duties. Finally, "Operasi Tertib (Opstib)" (Orderly Operation) was established based on Presidential Instruction No. 9. However, the classic problem arose again. "Operasi Tertib (Opstib)" could not uncover the corruption that occurred in the time of President Soeharto, which in fact was very visible with the establishment of "Badan Penyelenggara dan Pemasaran Cengkeh (BPPC)" (Clove Marketing and Organizing Agency) to manage the monopoly of clove trade in Indonesia, where the most profitable party was Tommy Suharto, the son of President Soeharto, on a large scale procurement project for the non-transparent auction of clove, electricity projects through PLN, and large-scale oil exploration in Pertamina (CNN, 2015).

The failure to eradicate corruption in this order was because there were many laws that were deliberately made to protect the actions of corruptors so that they were free from legal bondage (Suraji, 2008). During the new order period, Indonesia was ranked as the top 5 most corrupt country in Asia, and the term Kleptocratic state emerged among foreign observers (Ackerman, 2004).

During the reform period, several anti-corruption institutions were established, such as "Komisi Penyelidik Kekayaan Penyelenggara Negara (KPKPN)" (Commission for Investigation of State Administrators' Property) in 1999, "Tim Gabungan Pemberantasan Tindak Pidana Korupsi (TGPTK)" (Joint Team for Combating Corruption Crime) in 2000-2001, "Tim Koordinasi Pemberantasan Tindak Pidana Korupsi (TimTasTipikor)" (Coordination Team for Combating Corruption Crime) in 2005-2008 and "Komisi Pemberantasan Korupsi (KPK)" (Corruption Eradication Commission) in 2002 - now. Among these institutions, the KPK is the most vigorous commission in eradicating corruption, while other institutions are supporting institutions in identifying data on corruption.

Based on the Corruption Perceptions Index 2016 released by Transparency International (TI), Indonesia was ranked 90 with a value of 37.

**CORRUPTION PERCEPTIONS INDEX 2016**

2016 Rank	Country	2016 Score	2015 Score	2014 Score	2013 Score	2012 Score	Region
83	Jamaica	39	41	38	38	38	Americas
85	Lesotho	39	44	49	49	45	Sub-Saharan Africa
87	Mongolia	38	39	39	38	36	Asia Pacific
87	Panama	38	39	37	35	38	Americas
87	Zambia	38	38	38	38	37	Sub-Saharan Africa
90	Colombia	37	37	37	36	36	Americas
90	Indonesia	37	36	34	32	32	Asia Pacific
90	Liberia	37	37	37	38	41	Sub-Saharan Africa
90	Morocco	37	36	39	37	37	Middle East and North Africa
90	The PR of Macedonia	37	42	45	44	45	Europe and Central Asia
95	Argentina	36	32	34	34	35	Americas
95	Benin	36	37	39	36	36	Sub-Saharan Africa
95	El Salvador	36	39	39	38	38	Americas
95	Kosovo	36	33	33	33	34	Europe and Central Asia
95	Maldives	36	N/A	N/A	N/A	N/A	Asia Pacific
95	Sri Lanka	36	37	38	37	40	Asia Pacific

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From the ranking provided by TI, it can be seen that the index value given to Indonesia increased from 2012 to 2016. This could be seen from the results of the KPK's performance which was getting harder and harder because

the KPK faced the challenge of weakening efforts from the House of Representative/DPR (see KPK Vs DPR), from the Police (see lizard Vs crocodile), as well as from the internal conflict of the KPK itself which was taking place in 2017. But it should also be seen from the Supreme Court's explanation to CNN that in 2016 there were 453 corruption cases under the largest case of narcotics.

### 2.3. Personality

According to David Krech & Richard (1969), personality is an integration of the character possessed by a person in a typical unity, so that the person can modify and determine the adjustment. According to Gardon Allport (1951) in Hatagalung (2007), personality is a dynamic organization in individuals as a psychophysical system<sup>8</sup> that determines the typical way of adjusting to the environment.

Based on the opinions of the experts above, the concern for a human personality is 1) Psychophysical systems in humans; 2) Formed through a development; 3) Factors that influence development until the formation of a personality.

Eysenck (1998) in Riyanti & Prabowo (1998) divides personality types into two main dimensions, namely extrovert and introvert. When a human or individual is faced with a stress or traumatic stimuli, the human personality belonging to extroverts tends to hold back and will not think too much about the stresses or trauma experienced in his life. Whereas the human personality belonging to the introvert is not too swift to protect himself when he faces pressure or trauma, so he tends to show a response to silence, raise problems, and learn the details of events (Eysenck, 1997 in Riyanti & Prabowo, 1998). Affleck and Tennen (1996) find that individuals who score

high on extroverted personality types through cognitive assessment or cognitive appraisal processes tend to take positive lessons from the problems at hand.

In the process of eradicating corruption in developed countries, the understanding held by various layers of society towards the latent danger of corruption is directly proportional to the cognitive assessment of extroverted personality by Affleck and Tennen (1996). This can be seen from the high number of officials in developed countries who resigned after being suspected of being involved in corruption cases.

In the introverted personality type, Erich Fromm (1955) in Alwisoll (2011) divides 2 dominating social characters of the personality of a corruptor, namely non-productivity which is divided into 5 categories:

1. *Receptive* is a dependent, passive person who is unable to see the relationship between actions and results;
2. *Hoarding* is a person who withdraws from the external world and keeps the results of his work for himself or miserly, and he thinks of himself only.
3. *Exploitative* is taking from others with strength and deception. They do not produce something using their own efforts but others
4. *Marketing* is an individual who still maintains an attractive appearance so that it is worth selling. He does not really care about other people, who are only viewed with potential sources that provide benefits to him.
5. *Necrophilous* is a person who is happy with the suffering and destruction of others. He resolves the problem with actions that are not in accordance with the prevailing norms.

In Indonesia, when the Corruption Eradication Commission (KPK) is breaking down mega corruption, there are always obstacles from either the police or the House of

<sup>8</sup> Psychophysics according to the international dictionary is a reciprocal relationship between psychological and physical. [http://kamus-internasional.com/definitions/?indonesian\\_word=psychophysical](http://kamus-internasional.com/definitions/?indonesian_word=psychophysical)

Representative. In addition, when the names of a number of officials in government institutions listed in the investigation process or even have been listed as suspects by the KPK, these officials can still peacefully lead the state institutions, and only be banned from traveling out of Indonesia during the trial process. Examples of initials of officials who are still leading state institutions despite being included in the list of suspects are AM, RAC, LHI, SDA and many others.

#### **2.4. Public Sector and Private Sector**

Public, according to Herbert Blumber (1969) in Sastropetro (1987), is a group of people who are interested in an issue and his mind is divided when facing the issue and tries to overcome it. According to Abdurrahman (2001), public is a group of people who pay attention to the same thing and have the same interests. Based on these opinions, the author divides the the public into 2: 1) Government, including Government agencies; 2) SOEs.

According to Indonesia Dictionary<sup>9</sup>, private means not belonging to the government. Based on this understanding, it can be interpreted that private is a group of people outside the government or the public who pay attention to the same thing but have different interests. Based on its association with the notion of corruption in UNCAC, the author divides private sector into 2: agencies or companies that are not owned by the government (private companies) and international institutions.

The above divisions are intended by researchers to make it easier to identify corruption cases that occur in Indonesia. For example, during the crisis in May 1989, there was IMF intervention in Indonesian internal politics which was later recognized proudly by the Executive Director of the IMF, "We created conditions that forced President Soeharto to resign" (Carey et al. 2016).

<sup>9</sup> KBBI or Kamus Besar Bahasa Indoneisa ( Indonesian Dictionary)

### **III. RESEARCH METHODOLOGY**

#### **3.1. Research Method and Design**

In a study, a method is needed to become a benchmark in presenting a result of research. According to Sarantakos (1993) in Kurniadi (2011), method is a tool for social researchers in choosing basic elements in their methodology, such as perception of reality, definition of science, perception of human behavior, and research objectives.

This study uses a qualitative method. Kirk and Miller (1986) define qualitative methods as certain traditions in social science that are fundamentally dependent on observing humans in their own regions and relating to these people in their language and terminology. According to Bogdan and Taylor (1975) in Moleong (2004), qualitative methods are research procedures that produce descriptive data in the form of words or verbal from people and observable behavior.

In the qualitative methodology in this study, the author uses a historical approach and ethnographic approach. Historical approach is the study of past events and performs past reconstruction using historical data sources or witnesses that still exist today. Ethnographic approach is a research method that looks at language studies in social behavior and community communication and how the language is applied based on related cultural concepts.

#### **3.2. Type and Source of Data**

The type of data used in this study is secondary data, while the data source in this study comes from objects. Objects are data sources in the form of documents such as articles, news, court decisions, and research from other researchers that have been published in print media or electronic media that support the achievement of research objectives.

#### **3.3. Data Collection Technique**

Data collection technique used in this study is observation technique. According



to Nasution (1998) in Sugiyono (2012), observation is the basis of all science. Scientists can only work based on data, that is, the facts about the world of reality obtained through observation. The data are collected using a variety of sophisticated tools, so that very small objects (protons and electrons) or very distant objects (space objects) can be clearly observed.

According to Spradley (1980), there are three stages of observation: 1) descriptive observation; 2) focused observation; and 3) selected observations. Based on this opinion, through observation, the researcher has wide opportunities to collect more in-depth and detailed data until court decisions related to corruption that have occurred.

#### IV. RESULTS

According to Abidin & Siswadi (2015), geography and history correlate with the level of corruption. Therefore, certain former colonies correlate with corruption so that former British colonies are relatively cleaner from corruption than former colonies of Spain, Germany, France and the Netherlands. On the basis of this opinion, the researcher tries to see the occurrence of corruption based on history, where Indonesia during the colonial period had experienced several changes of colonizers such as the Dutch, British, Portuguese and Japanese. The focus of the research is the Dutch colonial period because it became the longest colonial period in Indonesia which might be the basis for the emergence of history in Indonesia and at the same time as the kingdom period in Indonesia.

The colonial period was represented by corruption in a Dutch organization called *Verenigde Oost-Indische Compagnie (VOC)* which had ruled Indonesia for more than 300 years and had super power in monopolizing trade, economics and sovereignty, but eventually surrendering due to rampant corruption in the body of VOC. The period of the kingdom was represented by corruption that occurred in the

Mataram kingdom which at that time was led by Raden Adipati Danurejo IV. The politics run by the VOC to be able to enter the royal government system was by providing material benefits to every royal official who was willing to cooperate with the VOC. Even the politics of *divide et impera* that divided royal officials played a role in controlling the economy and sovereignty in the kingdom.

The life lived between VOC officers and Indonesian society had blended into one and then came the term in life such as slaves, *priyayi*, and nobles. Slaves aimed at Indonesian people who were low-caste, *priyayi* were intended for relatives of kings who usually had a raden title, raden mas, raden putri, and other names. And nobles were intended for royal kings and VOC members who were in power at that time.

Without supervision over the receipt of VOC or kingdom revenues, many VOC members and royal officials were tempted to embezzle income. This can be seen from the lifestyle of VOC members and leaders as well as *priyayis* and nobles who lived lavishly and drank alcohol to show their social status. So that *prijajis* and aristocrats who had mediocre income or even less, would seek additional material enjoyment by cooperating with the VOC on the trade and land rent.

With the implementation of “insufficient salaries” by the Kingdom of the Netherlands, social resentment grew within the VOC starting from low-level employees to high-level employees, where they got different salary and incentive systems without a clear assessment basis. This condition resulted in the spread of smuggling and illegal trade which was marked by the growth of private businesses that utilized the VOC’s power facilities including cooperation in the distribution of profits with the royal officials in the land rent system. In addition, corruption became the most prominent thing which was marked by the rampant mark-up of costs for the journey of

sending Indonesian natural products to various regions in Indonesia even to the Netherlands and Europe.

The depravity of VOC management led to the term for VOC as *Vergaan Onder Corruptie* (Furnival, 2009). Meanwhile, corruption grew in the kingdom because of a negative perspective in the implementation of mental loyalty to family, village, and groups based on religion, language, ethnicity or caste, both at the local level and at the national level (Myrdal, 1972 in Wiyanarti, 2014). Lubis (1985) in Wiyanarti (2014) states that Indonesian society in the 17th - 18th century relied on a model of partisan bureaucracy in which power grew and was based on the assumption that the values of primary solidarity were carried out on relatives first, then friends, community and tribe.

The issue that arose during the time of Raden Adipati Danurejo IV which led to the Java War was "For the case to be resolved, everything depends on the will of Raden Adipati Danurejo IV. Whoever gives the bribe and tribute the most in the form of money or goods or especially beautiful women, it is he who will be made victorious. If the losing party refuses to accept (verdict), a more severe case will be imposed on them or it will be slandered that the person keeps the robber, and the witnesses who are skilled at manipulating evidence will be called. However, this condition will disappear along with the big bribes and tribute given". (Translated from ML97 Malay Language Scripture, National Library, Jakarta in Carey, 2016).

Two conditions occurring in the VOC and the reign of Raden Adipati Danurejo IV had continued until the old order and the new order. This condition is seen by the inability of corruption eradication institutions that have been established. The effort to eradicate corruption became blunt because of the intervention of the authorities. Examples in the old order were indications of corruption directed at the Minister of Foreign Affairs for

the cost of printing electoral votes, at the TNI for its generals who enriched themselves at the time of Nationalization of Dutch companies and at Pertamina for its directors who enriched themselves through minerals and coal project mark-ups. These indications gradually disappeared without criminal penalties against suspected corruption because of the intervention of the Prime Minister and the closeness to the President.

Power intervention increased during the new order. Various kinds of corruption eradication institutions that had been established were considered to be failures, especially for officials who had power and closeness to the Cendana family even within the Cendana family who at that time had power in the government.

During the reform period, there was still visible intervention and power as a barrier in combating corruption in Indonesia. This is seen in Tempo's interview with corruption suspects in Fahrojih (2016) as follows:

**Tempo reporter :** "Why do you think that there are people who have negative prejudices to you?"

**Suspect of corruption :** "If people are prejudiced, I should not be angry, because this position (Head of the Criminal Investigation Agency / Kabareskrim) is indeed strategic. But I'm sorry, why there are still many idiots. How not stupid, he can do something impossible. When we compare, it looks like here is a crocodile, there is a lizard. How can a lizard fight a crocodile? Is the crocodile angry? No, just sorry. The lizard is still stupid. We teach them to be smart, but after so many years they are not smart. They have been given authority, but why they are looking for something for nothing?"

Article 7 letter (i) of the Criminal Code gives the investigator the authority to discontinue the investigation by issuing Letter of Termination of Case Investigation (beter

known in Indonesia as SP3). According to ICW, as reported by daily SINDO in Fahrojih (2016), there are at least 50 corruption cases with 292 suspects consisting of government officials whose investigations have been stopped by the prosecutor's office and the police.

Fahrojih (2016) describes the pattern in the issuance of Letter of Termination of Case Investigation (SP3): first, the issuance is carried out secretly or not transparently; second, the announcement of issuance is carried out after the matter is publicly known; third, the Letter of Termination of Case Investigation (SP3) is usually given to suspects who cause a large amount of state losses; fourth, the provision of the Letter of Termination of Case Investigation (SP3) is done when the public's attention is reduced or there is no attention to the case in the Letter of Termination of Case Investigation (SP3).

With the pattern of the issuance of Letter of Termination of Case Investigation (SP3) and the number of the Letter of Termination issued, it is indicated that the Letter of Termination of Case Investigation (SP3) can be a bargaining ground for power to stop investigations. According to Prof. Ramli in Fahrojih (2016), Letter of Termination of Case Investigation (SP3) is an obstacle in eradicating criminal acts of corruption so that clear rules must be made.

The historical phenomenon in corruption that occurred in Indonesia is directly proportional to the results of the research conducted by Lambdsdorff (2008) in Abidin and Siswandi (2015), that reforms in the field of criminal acts of corruption will not be fruitful if the culture that can drive someone to commit corruption is still maintained. The low level of trust can increase corruption, because it does not encourage good cooperation between the community and the government.

In the process of eradicating corruption in Indonesia, there are various problems faced by corruption eradication institutions. When a person has been named a suspect in a

corruption crime by the Corruption Eradication Commission (KPK), the Police or the Attorney General, he has no awareness to resign from his position

Even in a number of legal processes for eradicating corruption, the suspects do not admit to being involved in receiving money either in the form of bribes, gratuities or taking openly through the process of marking up on development projects in Indonesia. Corruption eradication institutions can ask for assistance from Indonesian Financial Transaction Reports and Analysis Center (INTRAC) to request reports from banks. And the banks are required to report to INTRAC and submit reports relating to suspicious financial transactions, cash financial transactions, or fund transfer financial transactions from and to abroad. Whereas, every cash flow through either cash transactions, RTGS, or Bank Indonesia National Clearing System (SKN-BI) with minimum cumulative value of IDR 500,000,000.00 which is carried out both in one transaction and multiple transactions within 1 (one) working day must be reported to INTRAC (better known in Indonesia as PPAATK).

In addition to the existence of banking reports to INTRAC, there is also a State Official Assets Report in accordance with Circular Letter No SE / 03 / M.PAN / 01/2005 which explains the state administrators who are obliged to report their assets as contained in Law No. 30 of 2002 as last amended by Act Number 10 of 2015, as well as Law Number 28 of 1999, in which initially the report was submitted to the "Komisi Pemeriksa Kekayaan Penyelenggara Negara (KPKPN)" (State Administrators' Wealth Inspection Commission) which later changed to report to the KPK after the KPKPN was merged into the KPK .

From these data, although in practice the KPK and other state institutions have not communicated automatically related the completeness of the data, the Report on State Administrator's Assets (better known as

LHKPN) can actually be compared with the SPT PPh Article 29 on Individual Taxpayers. And the corruption eradication institution, such as the KPK, can base the data received to ensnare someone or even a corporation that commits criminal acts of corruption. But in practice, when the legal process took place, the suspect still argued that he was not involved in receiving money resulting from corruption.

The opinion of the suspect of corruption is then poured on the rights he has through the principle of presumption of innocence that is permitted in the legal process, but the suspect is still serving in a state institution or SOE, or private institution in Indonesia. Recognition of not being involved in corruption cases until the Supreme Court's (incrach) decision can be seen from the following table:

<b>Recognition of Involvement</b>		
No	Involved / Not Involved	Number
1	Never involved as charged by a judge in court	32
2	Involved, but only carry out duties from superiors	49
3	Involved as charged in court	3
4	Others	16
<b>Total</b>		<b>100</b>

Note: Taken from Abidin and Siswadi (2015)

In addition, the data obtained by researcher regarding the status of suspects when indicated to commit a crime of corruption can be seen in the following table:

<b>Corruptor Status</b>			
No	Institution / Agency	Status when designated as a corruption suspect	Number
1	Government Institution	Active in office	150
		Resign	1
		Dismissed from office	29
		Not active in office	5
2	SOEs	Active in office	12
		Resign	0
		Dismissed from office	0
		Not active in office	0
3	Private – Individual	Active in office	24
		Resign	0
		Dismissed from office	3
		Not active in office	0
4	Private – International Institution (Individual)	Active in office	3
		Resign	0
		Dismissed from office	1
		Not active in office	0
<b>Total</b>			<b>228</b>

Note: Processed on data owned by researcher



The culture of shame that has a positive meaning seems to have been lost among the perpetrators of corruption or in the upper layers of society. But, the culture of shame that has a negative is even more rampant when a corruption case befell him, institution, organization or corporation where he serves so that collective movements arise to overthrow the KPK.

In cognitive psychology, mental activities include perception, memory, attention, logic of thinking and others. What will happen if a state institution, agency or corporation is still led by someone who has been indicated or has even become a suspect of a criminal act of corruption? This will certainly result in a decline in public trust in the institution, agency or corporation.

Corruption eradication must also be seen from the point of view of the relationship between the public sector (government and state institutions and state-owned enterprises) and the private sector (corporations or private companies and international institutions). The first indication that can be seen is the law that applies to corruption which is the basis of the government to support the eradication of corruption in Indonesia.

As previously explained, the fine contained in Law No. 31 of 1999 concerning

Eradication of Corruption in Juncto Law Number 20 of 2001 concerning Amendments to Law Number 31 of 1999 concerning Eradication of Corruption Crime is a maximum of IDR 1,000,000,000.00 or a maximum imprisonment of 20 years. It can be compared with the data released by P2EB in Abidin and Siswandi (2015) as follows:

*“The analysis of 1365 corruption cases involving 1842 defendants of corruption from 2001 to 2012 and having received a permanent verdict from the Supreme Court (MA) shows a total loss of IDR 168.19 trillion, while the amount of financial penalties in the form of fines against corruptors is only IDR 15.09 trillion. This means that the financial penalty for corruptors is only 8.9 percent, or the state losses due to corruption are IDR 153.1 trillion “.*

You can imagine how much the state loses caused by the corruption cases that are not or have not been touched by the KPK, or the state loses due to the issuance of SP3 which is indicated to be a place for bargaining the power to stop investigations.

According to the author, with the less strict fines and penalties given to corruption suspects, the corruption acts spread in various levels of society as stated in the following table:

Profession of the Corruptors		
No	The Origin of Corruptor	Number
1	Member of the House of Representatives (Center / Regional)	75
2	Head of Institution / Ministry	18
3	Ambassador	4
4	Commissioner	7
5	Governor	11
6	Mayor / Regent and Deputy	41
7	Echelon I / II / III	115
8	Judge	10
9	Private	43
10	Others	43
Total		367

Note: Taken from Abidin and Siswadi (2015)

The table above shows that the existence of criminal acts of corruption in the private sector (number 3 and 9 in accordance with the division according to the researcher). Corruption Law in Indonesia still cannot cover all sectors as stated in the UNCAC mandate contained in UNOCD especially outside the public sector. If corruption occurs in a structured manner and in congregation involving the public and private sectors, and then they close tightly and even jointly defend the case as if there were no criminal act of corruption, the level of confidence of the Indonesian people became low, thus negatively affecting investment in Indonesia.

The phenomenon of the relationship between the public sector and the private sector is directly proportional to the research of Lambsdorff (2008) in Abidin and Siswandi (2015), that bad government regulations allow opportunities for corruption. This can be seen in the government's lack of support for the eradication of corruption starting from the old order period to the reformation period.

## V. CONCLUSION AND SUGGESTION

Based on the observations of the researcher, it was found that the aspects of culture, personality, and public and private have positive effect on corruption in Indonesia.

Therefore, the researcher would like to provide advice in eradicating corruption in the millennial age as follows:

1. The government should provide full support to change the culture of corruption in Indonesia in the following ways:
  - a. Providing structured education, in collaboration with KPK with the Ministry of Education, relating the latent danger of corruption to students ranging from early childhood education programs to university

- b. Collaborating with religious organizations to be able to incorporate the dangers of corruption which are linked to the guidance of their respective religious beliefs.
- c. Creating an official anti-corruption account, for example on YouTube or continuous advertising on YouTube or Twitter about the latent danger of corruption.
- d. Establishing special schools or universities that focus on creating anti-corruption culture for the younger generation who can later be the seeds for the successor to prospective employees or even KPK leaders.
- e. Requiring all information media, such as;

Print media to always provide an anti-corruption column at least once a week.

Electronic media to be able to display official advertisements from the KPK on anti-corruption and latent danger of corruption in the form of human images or cartoons or in the form of text running at least 5 times a day.

2. Making detailed rules regarding the validity of the issuance of SP3. For example, the SP3 must be displayed on print or electronic media, and if the SP3 is not displayed, the investigation of the case can continue as long as there is a request from the applicant.

3. KPK can use intelligent business units in the development of modern investigations.
4. KPK can synergize with the Financial Services Authority (OJK) in the use of information on investigating corruption related to the obligation to report customer data exchanges between state banks through the Foreign Customer Information Submission System (SiPINA)
5. The KPK can synergize with the Ministry of Finance, especially the Directorate General of Taxes, which has synergized with the OJK in requesting banking customer information from two systems of application: Application to Open Bank Secrecy (AKASIA) for the Director General of Tax (DJP) Internal and Application to Open Bank Secrecy (AKRAB) for Financial Services Authority (OJK) internals. In addition, the KPK is expected to obtain information from the annual Notification Letter (SPT) of individuals or entities on behalf of officials in state institutions or who are indicated to be suspects of corruption which can later be compared with LHKPN.
6. The government can revise the Corruption Law which can fulfill the entire scope described in the UNCAC mandate contained in UNOCD, and include that corruption eradication institutions can synergize with all state institutions through an automated system or application to obtain supporting data in investigating criminal acts of corruption.
7. The Government can provide a place of residence and guarantees to officials who are still active within the Prosecutor's Office, the Supreme Court, and KPK in an environment that is free from threats and terror when conducting investigations or giving decisions on corruption
8. KPK and PPATK can synergize more optimally by creating an application system that is directly integrated with the Integrated Service User Information System (SIPESAT Online) application.

The above suggestions are expected to have a positive impact on the eradication of corruption in Indonesia.

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