

## Values and Principles of Anti-Corruption Behavior in Indonesia

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**ABSTRACT:** Corruption is the misappropriation or embezzlement (of state or company money) for personal or other people's interests. Corruption in Indonesia has been entrenched in the past, before and after independence, in the Old Order era, New Order era, continuing until the Reformation era. The methodology used is to review several articles related to titles and book references in the library, then draw conclusions. Various efforts have been made to eradicate corruption, but the results are still far from what was expected. Several forms of corruption, such as bribes, gratuities, embezzlement of positions, extortion, etc. Indonesia itself has an anti-corruption agency called the Corruption Eradication Commission (KPK). However, this corruption eradication institution only investigates corruption cases in the government sector and has not been able to suppress the large number of corruption cases in Indonesia. Weak laws in Indonesia are also one of the factors that cause rampant corruption cases in Indonesia. So the government must have a special strategy to deal with various kinds of corruption cases that occur in Indonesia, such as preventive, detective and repressive strategies.

**KEYWORD:** anti-corruption, behavior, moral values, handling corruption.

### INTRODUCTION

Indonesia is a country that gets the title of the most corrupt country in Southeast Asia. From several impacts and influences, it cannot be denied that corruption causes the development of a country to be hampered. Many parties only care about their personal interests to enrich themselves, while tens of millions of people scream in distress. Corruption directly or indirectly hampers the progress of a nation and state and exacerbates the level of poverty in the country. The current development of corruption is the result of a government administration system that is not organized in an orderly manner and the lack of legal supervision in its implementation. The eradication of corruption that occurred in Indonesia did not show firmness in providing a deterrent effect on perpetrators of criminal acts of corruption, thus giving rise to more and more other perpetrators. Therefore, corruption is a very difficult problem to solve with the current legal instruments. Actually, the government has made quite good efforts, namely by establishing an institution to eradicate corruption, namely the Corruption Eradication Commission (KPK). The KPK's work is also quite good, but the number of corruption cases that must be handled is too many. So that the KPK alone is not enough, we as good citizens must participate by giving appeals or moral education from an early age. Corruption is a problem that is very difficult to solve with the current legal instruments.

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Actually, the government has made quite good efforts, namely by establishing an institution to eradicate corruption, namely the Corruption Eradication Commission (KPK). The KPK's work is also quite good, but the number of corruption cases that must be handled is too many. So that the KPK alone is not enough, we as good citizens must participate by giving appeals or moral education from an early age. Corruption is a problem that is very difficult to solve with the current legal instruments. Actually, the government has made quite good efforts, namely by establishing an institution to eradicate corruption, namely the Corruption Eradication Commission (KPK). The KPK's work is also quite good, but the number of corruption cases that must be handled is too many. So that the KPK alone is not enough, we as good citizens must participate by giving appeals or moral education from an early age. The KPK's work is also quite good, but the number of corruption cases that must be handled is too many. So that the KPK alone is not enough, we as good citizens must participate by giving appeals or moral education from an early age. The KPK's work is also quite good, but the number of corruption cases that must be handled is too many. So that the KPK alone is not enough, we as good citizens must participate by giving appeals or moral education from an early age.

### THE UNDERSTANDING OF CORRUPTION AND THE HISTORY OF CORRUPTION IN INDONESIA

Corruption comes from the Latin: *corruptio* from the verb *corrumpere* = rotten, damaged, shaken, twisted, bribed. According to Transparency International, corruption is the behavior of public officials, both politicians and civil servants, who unfairly and illegally enrich themselves or enrich those close to them, by abusing the public power entrusted to them. In a broad sense, corruption or political corruption is the abuse of official position for personal gain.

According to the "Big Indonesian Dictionary" corruption is misappropriation or embezzlement (state or company money) for personal or other people's interests.

- A. According to the "World Bank" corruption is an act of abuse of public office for personal gain.
- B. According to Black's Law Dictionary, corruption is an act carried out with the intent to provide an unofficial advantage with the rights of another party wrongfully using his position or character to obtain an advantage for himself or another person, contrary to his obligations and the rights of others. other party.
- C. According to Syeh Hussein Alatas, an expert on the sociology of corruption in Damanhuri (2010), there are 7 topologies of corruption, namely:
  - **Transactive corruption** namely corruption which shows the existence of a reciprocal agreement between the parties who give and receive for mutual benefit where both parties are equally active in carrying out acts of corruption.
  - **Extortive corruption** namely corruption that includes certain forms of coercion in which the giver is forced to bribe so as not to endanger himself, his interests, his people or other things he values.
  - **Investive corruption** namely corruption that involves an offer of goods or services without any direct connection with certain benefits obtained by the giver, in addition to the profits that are expected to be obtained in the future.
  - **Nepotistic corruption** namely corruption in the form of giving special treatment to friends or those who have close relationships in order to occupy public positions. In other words, prioritizing the closeness of the relationship and contrary to the prevailing norms and rules.

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- **Autogenic corruption** namely corruption committed by individuals because they have the opportunity to benefit from their knowledge and understanding of something that is only known to themselves.
- **Supportive corruption** namely corruption that triggers the creation of a conducive atmosphere to protect or maintain the existence of acts of corruption.
- **Defensive corruption** namely acts of corruption that are forced to be carried out in order to defend themselves from extortion.

According to Gibbons (1999) there are nine forms of corruption: political patronage or using public resources to support elections; employ government employees who support the political views of the authorities or contract employee allocations based on partisan criteria; buying votes (money politics); pork-barreling or promising a public job to a voter but the candidate knows that the voter is unable to carry out the job; bribery or citizens paying officials to support their interests; graft or bribe, when an official shows that he or she must be rewarded in order to conform to public action; nepotism or renting or allocating contracts based on kinship or friendship; encourage other public officials or intermediaries to commit acts of corruption;

A. According to Political Science

In political science, corruption is defined as the abuse of office and administration, economics or politics, whether caused by oneself or others, aimed at obtaining personal gain, thereby causing harm to the general public, companies, or other individuals.

B. According to Economists

Economists use a more concrete definition. Corruption is defined as a beneficial exchange (between achievements and contra-achievements, material or non-material rewards), which occurs secretly and voluntarily, which violates applicable norms, and is at least an abuse of position or authority owned by one of the parties involved in the activity. public and private sector.

C. According to Haryatmoko

Corruption is an attempt to intervene using the abilities obtained from his position to misuse information, decisions, influence, money or wealth for his own benefit.

D. According to Brooks

According to Brooks, corruption is the willful misconduct or dereliction of duty that is recognized as an obligation, or without a more or less personal benefit.

**Definition of Corruption According to the Law**

**A. Corruption according to Article 2 of Law no. 31 of 1999**

"Every person who unlawfully commits an act of enriching himself or another person or a corporation that can harm the state finances or the state economy..."

**B. Corruption according to Article 3 of Law no. 31 of 1999**

"Every person who with the aim of benefiting himself or another person or a corporation, abuses the authority, opportunity or facilities available to him because of his position or position that can harm state finances or the state economy."

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## THE HISTORY OF CORRUPTION IN INDONESIA

Corruption in Indonesia has been 'entrenched' since long ago, before and after independence, in the Old Order era, New Order era, continuing until the Reformation era. Various attempts have been made to The history of corruption can be divided into 5 eras, namely:

### The Era Before Indonesia's Independence

History before Indonesia's independence has been colored by endless “cultures of corruption” driven by motives of power, wealth and women. We can understand how the traditions of corruption are intertwined and with the struggle for power in the Singosari Kingdom (up to seven descendants of each other fighting for power.

Actually the destruction of the great kingdoms (Sriwijaya, Majapahit and Mataram) was due to the corrupt behavior of most of their nobles. Srivijaya is known to have ended because there was no successor or successor to the kingdom after the death of Bala-putra Dewa. Majapahit is known to have been destroyed by a civil war (paregreg war) after the death of Maha Patih Gajah Mada. Meanwhile, Mataram was weak and increasingly toothless because the Dutch had its canines split and stripped.

In 1755 with the Giyanti Agreement, the VOC split Mataram into two powers, namely the Sultanate of Yogyakarta and the Kasunanan Surakarta. Then in 1757/1758 the VOC split the Surakarta Sunanate into two regions, namely the Surakarta Sunanate and the Mangkunegaran Sunanate. Only a few years later the Sultanate of Yogyakarta was also divided into two Sultanate of Yogyakarta and Pakualaman.

The Dutch understand very well the roots of the “corrupt culture” that thrives in the Indonesian nation, then through the politics of “Devide et Impera. However, after all, the history of the archipelago, with the intervention and penetration of the West, seems not to be much more serious and full of fraud, endless power struggles, and "integration" as it is now. The symptoms of corruption and power deviation at that time were still dominated by the nobles, sultans and kings, while the small people almost "did not know" or did not understand it.

The "corrupt" behavior is not only dominated by the people of the archipelago, apparently the Portuguese, Spanish and Dutch also like to "corrupt" the assets of their Corps, institutions or government. We also know that the cause of the collapse and collapse of the VOC was also corruption.

In the book History of Java by Thomas Stanford Raffles (the British Governor General who ruled Java in 1811-1816), first published in 1816, he received an "extraordinary" reception both among local aristocrats or native Javanese and Western nations. The interesting thing in the book is the discussion about the character of the Javanese population. The Javanese population is described as very "nrimo" or resigned to the situation. However, on the other hand, have a desire to be more appreciated by others. Not frank, likes to hide problems. Criticisms and suggestions conveyed in public are seen as a challenge or resistance to his power. Therefore, the culture of power in the archipelago (especially Java) tends to be authoritarian.

The habit of taking "tributes" from the small people carried out by the King of Java was imitated by the Dutch when they controlled the archipelago (1800-1942) minus the British era (1811-1816). However, what is even sadder is that the oppression of the indigenous population (the colonized Indonesian people) is also carried out by the Indonesian people themselves. Take, for example, cases

of irregularities in the implementation of the "Cultuur Stelsel (CS)" system which literally means the Cultivating System. Although the main objective of the system was to cultivate productive plants in the community so that the results would be able to improve people's welfare and contribute to the Dutch treasury, the reality was very worrying.

The content of the regulations (theory or the sound of the law) in CS is actually very "humane" and very "civilized", but its implementation or practice is very inhumane, similar to Dwang Stelsel (DS), which means "System of Coercion". That's why most of the teachers, teachers or history lecturers in Indonesia change the term CS to DS. replace the phrase "Cultivation System" to "Forced Cultivation".

### **Post-Independence Era**

In the era under Soekarno's leadership, it was recorded that the Corruption Eradication Agency had been formed twice - Paran and Operation Budhi - but it turned out that the government at that time was half-hearted in carrying it out. Paran, an acronym for the State Apparatus Retooling Committee, was formed based on the Danger Act, led by Abdul Haris Nasution and assisted by two members, Prof. M Yamin and Roeslan Abdulgani.

One of Paran's tasks at that time was that government officials were required to fill out the form provided – today's term: a list of state officials' wealth. In its later development, it turned out that the obligation to fill out the form received a strong reaction from officials. They argued that the form should not be submitted to Paran but directly to the President.

In 1963, through Presidential Decree No. 275 of 1963, efforts to eradicate corruption were again promoted. Nasution, who was then serving as the Coordinating Minister for Defense and Security/Kasab, was reappointed as chairman assisted by Wiryono Prodjudikusumo. Their task is more difficult, namely forwarding corruption cases to the courts.

This institution was later known as "Operation Budhi". The targets are state companies and other state institutions that are considered prone to corrupt and collusive practices. Budhi's operation also encountered obstacles. For example, to avoid being investigated, the President Director of Pertamina submits an application to the President to carry out his duties abroad, while the other directors refuse to be investigated on the pretext that they have not received permission from their superiors.

Within 3 months of Operation Budhi being carried out, the state's finances could be saved in the amount of approximately Rp. 11 billion, a significant amount for that period. Because it was considered disturbing the prestige of the President, Operation Budhi was finally stopped. According to Soebandrio at a meeting in Bogor, "the prestige of the President must be upheld above all other interests".

A few days later, Soebandrio announced the disbandment of Paran/Operation Budhi which was later renamed Kotrar (Highest Command for Retooling the Revolutionary Apparatus) in which President Sukarno became chairman and was assisted by Soebandrio and Lt. Gen. Ahmad Yani. History then noted that the eradication of corruption at that time finally stagnated.

### **Old Order Era**

*Legal Basis: Criminal Code (early), Law 24 of 1960*

The news about Ruslan Abdulgani's alleged corruption caused the newspaper to be banned. The case of 14 August 1956 was the first failure to eradicate corruption in Indonesia, where the intervention of

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PM Ali Sastroamidjoyo, Ruslan Abdulgani, the foreign minister, failed to be arrested by the Military Police. Previously Lie Hok Thay admitted to giving one and a half million rupiah to Ruslan Abdulgani, which he obtained from the cost of printing election ballot cards. Syamsudin Sutan Makmur, and Director of State Printing, Pieter de Queljoe were arrested.

Mochtar Lubis and Rosihan Anwar were then imprisoned in 1961 because they were considered political opponents of Sukarno. The nationalization of Dutch and foreign companies in Indonesia in 1958 was seen as the starting point for the development of corruption in Indonesia. General AH Nasution's efforts to prevent chaos by placing nationalized companies under the Military Emergency Authority actually gave birth to corruption within the TNI. General Nasution had led the corruption eradication team at this time, but was less successful.

The eradication of corruption in Indonesia is currently carried out by several institutions:

1. Tastipikor Team (Corruption Crimes)
2. Corruption Eradication Commission
3. Police
4. attorney
5. BPKP
6. Non-governmental organizations: Mass media Mass organizations

### **New Order Era**

In his state speech in front of members of the DPR/MPR on August 16, 1967, Acting President Suharto blamed the Old Order regime for not being able to eradicate corruption so that all economic and political policies were centered at the Palace. The speech signaled that Suharto was determined to eradicate corruption at its roots. As a manifestation of this determination, a Corruption Eradication Team (TPK) was formed, which was chaired by the Attorney General.

In 1970, driven by the TPK's lack of seriousness in eradicating corruption such as Suharto's commitment, students and students held a demonstration to protest the existence of the TPK. State companies such as Bulog, Pertamina, the Ministry of Forestry have been widely criticized by the public because they are considered as hotbeds of corruption. The rise of waves of protests and demonstrations by students, finally responded by Suharto by forming a Committee of Four consisting of old figures who were considered clean and authoritative such as Prof. Johannes, IJ Kasimo, Mr. Wilopo and A Tjokroaminoto. Their main task is to clean up, among others, the Ministry of Religion, Bulog, CV Waringin, PT Mantrust, Telkom, and Pertamina. However, this committee is only a "toothless tiger" because the government did not respond to its findings regarding alleged corruption at Pertamina.

When Admiral Sudomo was appointed as Pangkopkamtib, an Opstib (Order Operation) was formed with the task of eradicating corruption, among other things. This policy only breeds cynicism in society. Shortly after Opstib was formed, there was a sharp difference of opinion between Sudomo and Nasution. It concerns the selection of methods or methods of eradicating corruption, Nasution argues that if you want to succeed in eradicating corruption, you must start from the top. Nasution also suggested to Admiral Sudomo to start from himself. Over time, Opstib disappeared in the wind without a trace at all.

### **Reformation Era**

If during the New Order era and before, "corruption" was mostly carried out by the government elite, then in the Reformation Era almost all elements of state administrators were infected with a very

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vicious "Corruption Virus". In the New Order era, corruption was very entrenched, the truth is undeniable. The New Order aimed at straightening out and making a total correction to ORLA and implementing Pancasila and the 1945 Constitution in a pure and consistent manner, but what happened was that the New Order eventually became the Old Order as well and Pancasila and the 1945 Constitution have never been practiced purely, except consistently. ” aka “too long”.

Then, President BJ Habibie once issued Law Number 28 of 1999 concerning State Administration that is clean and free from KKN and the establishment of various new commissions or bodies such as the KPKPN, KPPU or the Ombudsman, the next President, Abdurrahman Wahid formed a Joint Team for the Eradication of Corruption Crimes (TGPTPK). ).

This agency was formed with a Presidential Decree during the time of Attorney General Marzuki Darusman and led by Chief Justice Andi Andojo. However, amid the passionate enthusiasm for eradicating corruption from team members, through a judicial review of the Supreme Court, the TGPTPK was finally disbanded. Since then, Indonesia has experienced setbacks in its efforts. eradication of corruption.

In addition to disbanding the TGPTPK, Gus Dur was also considered by some people to be unable to show leadership that could support efforts to eradicate corruption. His penchant for holding meetings outside the presidential agenda even in inappropriate places in his capacity as president, gave rise to public suspicion that Gus Dur was carrying out a high-level bargaining process.

The process of examining the alleged corruption case involving the tycoon Sofyan Wanandi was stopped with a Termination of Investigation Order (SP3) from Attorney General Marzuki Darusman. In the end, Gus Dur was hit with the Buloggate case. Gus Dur stepped down, Mega replaced him through what was called a political compromise.

During Megawati's reign, we can also see clearly that the authority of the law is decreasing, where what stands out is the authority of power. The public considers that the government still provides protection to big businessmen who in fact contributed to the bankruptcy of the national economy. The government is increasingly losing power. Recently, corruption cases have also spread in a number of DPRD during the Reformation era.

## Methods

The methodology used is to review several articles related to titles and book references in the library, then draw conclusions.

## Result and Discussion

### *CORRUPTION BEHAVIOR*

Forms of Corrupt behavior carried out by governments and citizens can occur in various forms. Are as follows:

#### **A. Bribery Bribe**

Bribery is a gift, award, gift, or privilege that is promised with the aim of impairing the judgment or behavior, especially of a person who is considered a public official. Giving facilitation payments is one of the actions that can be categorized as bribes. Just like gifts, this facilitation money can take the form of goods, services, discounted prices, and so on. This act of bribery is a type of corruption in

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accordance with Article 5 paragraph (I) letter a of Law no. 31 of 1999 in conjunction with Law no. 20 of 2001.

For example, someone who is a trader of imported mobile phones. When the goods from abroad had been sent and arrived at the port, it turned out that there were several documents that he could not complete. Then, he goes to the official or the Customs officer who is authorized and offers several cellphones in response to incomplete documents deemed to have met the requirements. The perpetrators of this bribery act will be sentenced to a maximum of 5 (five) years in prison and/or a maximum fine of Rp. 250,000,000.

### **B. State Financial Losses**

It is any action against the law by committing an act of abuse of authority or means to enrich oneself or another person or corporation and can harm state finances.

### **C. Embezzlement in Office**

Embezzlement is a dishonest act by hiding other people's goods or property by one or more people without the knowledge of the owner of the goods with the aim of expropriating, controlling, or using it for other purposes. Embezzlement can also take the form of financial fraud. For example, a government employee is given a fund to be used for the maintenance of an official car in the amount of IDR 2,000,000 (two million rupiah). The fund exceeds the value of the treatment needs, so there is a remainder from the fund. In accordance with the rules, the funds should be returned to the state through the government office. However, if the funds are used for personal interests, then the employee has embezzled the funds.

### **D. Extortion**

Derived from the word "chantage" in French, or "extortion" in English, which means blackmail with slander. Extortion can be said to be the most basic form of corruption, because the perpetrator has power and uses it to force others to give or do something that can benefit him.

An example that we often encounter is when we want to take care of making an ID card (Kartu Identity). When we come to the kelurahan staff, we often find the employee asking for some money on the grounds that it is administrative money for making an ID card. When we don't provide it, the employee will not make the ID card until we fulfill the request.

### **E. Cheating**

Is dishonesty and injustice to something. In the context of this form of corruption, cheating can be interpreted as a person's dishonest act of what should be done. For example, in a government office building construction project. In the deed of agreement, it is written that the building will use the best chicken claw foundation for the construction of a 4-story building. However, in practice it uses a foundation commonly used for 2-story buildings.

### **F. Conflict of Interest in Procurement**

Procurement is a process, method, or action to provide and procure. In this context, the procurement referred to is the procurement of goods and services needed for the operation of an agency. And this procurement process can also involve third parties as suppliers, through a tender mechanism. A tender is an offer to lower prices, buy work, or provide goods. In essence, in this tender process, a selection of vendors is carried out, where the vendor must meet predetermined criteria or according

to applicable regulations. For example, the tender for making ballot papers for the Gubernatorial Election (Governor Election) by the Regional KPU.

### G. Gratification

Gratification is a gift, reward, or reward for services or benefits that are given voluntarily, without an invitation or promise. Basically, this gratification does not contain an element of corruption, as long as this action does not cause fraud. Therefore, gratification, in the context of forms of corruption, must be viewed from the perspective of the interests of gratification.

For example, just before Christmas, an agency employee received a package that was delivered directly to his house by a courier. The package comes from people or customers who have worked together before as a thank you. At this stage, the gratification that occurs will be classified as positive gratification if the employee receiving this package reports the package to the Corruption Eradication Commission (KPK) no later than 30 (thirty) working days from the date the gratification is received. However, the gratification will be classified as negative gratification (bribery), if the recipient of the package does not report the package to the KPK.

### FORMS OF CORRUPTION CRIMES IN INDONESIA BASED ON Corruption Law NO. 20 OF 2001 AMENDMENT TO LAW NO. 31 YEAR 1999

The definition of corruption, its forms and elements, and the threat of punishment has been explained in 13 articles in Law no. 20 of 2001 Amendments to Law no. 31 of 1999, concerning the Eradication of Criminal Acts of Corruption. Based on these articles, corruption is formulated into 30 (thirty) forms/types of corruption. These articles explain in detail the actions that can be subject to imprisonment for corruption. The thirty forms of corruption can basically be classified into 7 (seven) types, namely corruption related to state finances/state economy, bribery, embezzlement in office, extortion, fraudulent acts, conflict of interest in procurement and corruption related to gratuities. The definitions, forms and elements, as well as the threat of punishment from 7 (seven) types in the 30 (thirty) forms of corruption are as follows:

#### 1. Corruption Related to State Finances/State Economy (Articles 2 and 3) As follows:

##### Section 2

(1) Any person who unlawfully commits an act of enriching himself or another person in a corporation that can harm the state finances or the state economy, shall be sentenced to life imprisonment or a minimum imprisonment of 4 (four) years and a maximum of 20 (twenty) years. twenty) years and a fine of at least Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1.000.000.000,00 (one billion rupiah).

(2) In the event that the criminal act of corruption as referred to in paragraph (1) is committed under certain circumstances, the death penalty may be imposed.

##### Article 3

(1) Any person who, with the aim of benefiting himself or another person or a corporation, abuses the authority, opportunity, or facilities available to him because of his position or position or the facilities available to him because of his position or position which can harm state finances or the state economy, shall be sentenced to life imprisonment or a minimum imprisonment of 1 (one) year and a maximum of 20 (twenty) years and or a minimum fine of Rp. 50,000,000 (fifty million rupiah) and a maximum of Rp. 1.000.000.000,00 (one billion rupiah).

2. Corruption related to Bribery is regulated in Article 5 paragraph (1) letter a, Article 5 paragraph (1) letter b, Article 13, Article 5 paragraph (2), Article 12 letter a, Article 12 letter b, Article 11, Article 6 paragraph (1) letter a, Article 6 paragraph (1) letter b, Article 6 paragraph (2), Article 12 letter c, and Article 12 letter d. as follows:

Article 5

Paragraph (1) Sentenced to imprisonment for a minimum of 1 (one) year and a maximum of 5 (five) years and or a fine of at least Rp. 50,000,000.00 (fifty million rupiah) and a maximum of Rp. 250,000,000.00 (two hundred and fifty million rupiah) every person who:

- a. Giving or promising something to a civil servant or state administrator with the intention that the civil servant or state administrator do or not do something in his position, which is contrary to his obligations; or
- b. Giving something to a civil servant or state administrator because of or in connection with something that is contrary to obligations, done or not done in his position.

Paragraph (2): Civil servants or state administrators who receive gifts or promises as referred to in paragraph (1) letter a or letter b, shall be subject to the same punishment as referred to in paragraph (1).

Article 6

Paragraph (1): Sentenced to imprisonment for a minimum of 3 (three) years and a maximum of 15 (fifteen) years and a minimum fine of Rp. 150,000,000.00 (one hundred and fifty million rupiah) and a maximum of Rp. 750,000,000.00 (seven hundred and fifty million rupiah) for each person who:

- a. Giving or promising something to a judge with the intention of influencing the decision of a case submitted to him for trial; orb. give or promise something to someone who according to the provisions of the legislation is determined to be an advocate to attend a court hearing with the intention of influencing the advice or opinion to be given in connection with a case submitted to the court for trial.

Paragraph (2): For judges who accept gifts or promises as referred to in paragraph (1) letter a or advocates who receive gifts or promises as referred to in paragraph (1) letter b, shall be punished with the same punishment as referred to in paragraph (1) .

Article 11

Sentenced to a minimum imprisonment of 1 (one) year and a maximum of 5 (five) years and or a minimum fine of Rp. 50,000,000.00 (fifty million rupiah) and a maximum of Rp. 250,000,000.00 (two hundred and five tens of millions of rupiah) civil servant or state administrator who receives a gift or promise even though it is known or reasonably suspected that the gift or promise is given because of the power or authority related to his position, or in the mind of the person giving the gift or promise that is related to his position. .

Article 12

Sentenced to life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a minimum fine of Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1,000,000,000.00 (one billion rupiah):

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- A. A civil servant or state administrator who accepts a gift or promise, even though it is known or reasonably suspected that the gift or promise was given to motivate them to do or not do something in their position, which is contrary to their obligations
- B. A civil servant or state administrator who receives a gift, even though it is known or reasonably suspected that the gift is given as a result of or is caused by having done or not doing something in his position that is contrary to his obligations
- C. A judge who accepts a gift or promise, even though it is known or reasonably suspected that the gift or promise was given to influence the decision of a case submitted to him for trial.
- D. A person who according to the provisions of laws and regulations is determined to be an advocate to attend a court hearing, receive a gift or promise, even though it is known or reasonably suspected that the gift or promise is to influence the advice or opinion to be given, in connection with a case submitted to the court for trial;

Article 12 A

(1) Provisions regarding imprisonment and fines as referred to in Article 5, Article 6, Article 7, Article 8, Article 9, Article 10, Article 11 and Article 12 do not apply to criminal acts of corruption whose value is less than Rp. 5,000,000 ,00 (five million rupiah).

(2) For perpetrators of criminal acts of corruption whose value is less than Rp. 5,000,000.00 (five million rupiah) as referred to in paragraph (1) shall be punished with imprisonment for a maximum of 3 (three) years and a fine of not more than Rp. 50,000,000. ,00 (fifty million rupiah).

Article 12 B

(1) Every gratuity to a civil servant or state administrator is considered a bribe, if it is related to his position and is contrary to his obligations or duties, with the following provisions:

- a. The value of which is Rp. 10,000,000.00 (ten million rupiah) or more, proof that the gratification is not a bribe is carried out by the recipient of the gratification
- b. The value of which is less than Rp. 10,000,000.00 (ten million rupiah), the proof that the gratification is a bribe is carried out by the public prosecutor.

(2) The punishment for civil servants or state administrators as referred to in paragraph (1) is life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years, and a minimum fine of Rp. 200,000. 0000.00 (two hundred million rupiah) and a maximum of Rp. 1.000.000.000,00 (one billion rupiah).

Article 12 C

(1) The provisions as referred to in Article 12 B paragraph (1) shall not apply, if the recipient reports the gratification he has received to the Corruption Eradication Commission.

(2) The report as referred to in paragraph (1) must be submitted by the recipient of the gratification no later than 30 (thirty) working days from the date the gratification is received.

(3) The Corruption Eradication Commission, within a period of no later than 30 (thirty) working days from the date of receipt of the report, must determine whether the gratuity belongs to the recipient or belongs to the state.

(4) Provisions regarding the procedure for submitting the report as referred to in paragraph (2) and determining the status of gratification as referred to in paragraph (3) are regulated in the Law concerning the Corruption Eradication Commission.

Article 13

Any person who gives a gift or promise to a civil servant by remembering the power or authority attached to his position or position, or by the giver of a gift or promise deemed attached to that position or position, shall be punished with imprisonment for a maximum of 3 (three) and/or a fine of a maximum of Rp. 150,000,000.00 (one hundred and fifty million rupiah)

**3. Corruption related to embezzlement in office is regulated in Article 8, Article 9, Article 10 letter a, Article 10 letter b, and Article 10 letter c. As follows:**

Article 8

Sentenced to a minimum imprisonment of 3 (three) years and a maximum of 15 (fifteen) years and a minimum fine of Rp. 150,000,000.00 (one hundred and fifty million rupiah) and a maximum of Rp. 750,000,000.00 (seven hundred fifty million rupiah), a civil servant or a person other than a civil servant assigned to carry out a public office continuously or temporarily, intentionally embezzles money or securities that are kept due to his position, or allows the money or securities to be taken or embezzled by others, or assist in performing the act.

Article 9

Sentenced to a minimum imprisonment of 1 (one) year and a maximum of 5 (five) years and a minimum fine of Rp. 50,000,000.00 (fifty million rupiah) and a maximum of Rp. 250,000,000.00 (two hundred and fifty million rupiah) a civil servant or person other than a civil servant who is assigned the task of running a public office continuously or temporarily, intentionally falsifying books or lists specifically for administrative examination.

Article 10

Sentenced to a minimum imprisonment of 2 (two) years and a maximum of 7 (seven) years and a minimum fine of Rp. 100,000,000.00 (one hundred million rupiah) and a maximum of Rp. 350,000,000.00 (three hundred and fifty million). rupiah) civil servants or people other than civil servants who are given the task of running a general position continuously or temporarily, intentionally:

- a. embezzle, destroy, damage, or render unusable goods, deeds, letters, or lists used to convince or prove before an authorized official, who are controlled because of their position; or
- b. allow others to remove, destroy, damage, or render unusable the said goods, deeds, letters, or lists; or
- c. assist others to eliminate, destroy, damage, or render unusable the said goods, deeds, letters, or lists.

**4. corruption related to extortion, is regulated in Article 12 letter e, Article f, Article 12 letter g.**

Article 12

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Sentenced to life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a minimum fine of Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1,000,000,000. 00 (one billion rupiah):

- a. a civil servant or state administrator who with the intention of unlawfully benefiting himself or another person, or by abusing his power, forces someone to give something, pay or receive a discounted payment, or to do something for himself
- b. civil servants or state administrators who, when carrying out their duties, request, receive, or withhold payments to civil servants or other state administrators or to the general treasury, as if the civil servants or other state administrators or the general treasury owed them, even though it is known that it is not a debt
- c. a civil servant or state administrator who, at the time of carrying out his duties, asks for or accepts work, or delivers goods, as if it were a debt to himself, even though it is known that this is not a debt.

**5. Corruption related to Cheating is regulated in Article 7 paragraph (1) letter a, Article 7 paragraph (1) letter b, Article 7 paragraph (1) letter c, Article 7 paragraph (1) letter d, Article 7 paragraph (2), and Article 12 letter h.**

Article 7

(1) Sentenced to a minimum imprisonment of 2 (two) years and a maximum of 7 (seven) years and or a minimum fine of Rp. 100,000,000.00 (one hundred million rupiah) and a maximum of Rp. 350,000,000.00 (three hundred and fifty million rupiah):

- a. a contractor, a builder who at the time of constructing a building, or a seller of building materials who, at the time of handing over building materials, commits a fraudulent act that may endanger the safety of people or goods, or the safety of the state in a state of war;
- b. any person who is in charge of supervising the construction or delivery of building materials, intentionally allows fraudulent acts as referred to in letter a;
- c. any person who at the time of handing over the goods needed by the Indonesian National Army and or the Indonesian National Police commits a fraudulent act which may endanger the safety of the state in a state of war; or
- d. any person in charge of supervising the delivery of goods needed by the Indonesian National Armed Forces and or the State Police of the Republic of Indonesia intentionally allows fraudulent acts as referred to in letter c.

(2) For people who receive delivery of building materials or people who accept delivery of goods needed by the Indonesian National Army and or the State Police of the Republic of Indonesia and allow fraudulent acts as referred to in paragraph (1) letter a or letter c, shall be subject to the same criminal penalties as referred to in paragraph (1). in paragraph (1).

Article 12

Sentenced to life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a minimum fine of Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1,000,000,000. 00 (one billion rupiah):

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d. a civil servant or state administrator who, while carrying out his duties, has used state land on which there is a usufructuary right, as if in accordance with statutory regulations, has harmed the entitled person, even though he knows that the act is contrary to the statutory regulations; or

**6. Corruption related to Conflict of Interest in Procurement, is regulated in Article 12 letter i.**

Article 12

Sentenced to life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years and a minimum fine of Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1,000,000,000. 00 (one billion rupiah):

e. civil servants or state administrators, either directly or indirectly, intentionally participate in chartering, procurement, or leasing, which at the time the act is committed, all or part of it is assigned to manage or supervise it.

**7. Corruption related to Gratification, regulated in Article 12 B and Article 12 C.**

Article 12 B

(1) Every gratuity to a civil servant or state administrator is considered a bribe, if it is related to his position and which is contrary to his obligations or duties, with the following provisions:

a. the value of which is Rp. 10,000,000.00 (ten million rupiahs) or more, proof that the gratification is not a bribe is carried out by the recipient of the gratification;

b. whose value is less than Rp. 10,000,000.00 (ten million rupiah), proof that the gratification is a bribe is made by the public prosecutor.

(2) The punishment for civil servants or state administrators as referred to in paragraph (1) is life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years, and a minimum fine of Rp. 200,000,000.00 (two hundred million rupiah) and a maximum of Rp. 1.000.000.000,00 (one billion rupiah).

Article 12 C

(1) The provisions as referred to in Article 12 B paragraph (1) shall not apply, if the recipient reports the gratification he has received to the Corruption Eradication Commission.

(2) The report as referred to in paragraph (1) must be submitted by the recipient of the gratification no later than 30 (thirty) working days from the date the gratification is received.

(3) The Corruption Eradication Commission, within a period of no later than 30 (thirty) working days from the date of receipt of the report, must determine whether the gratuity belongs to the recipient or belongs to the state.

(4) Provisions regarding the procedure for submitting the report as referred to in paragraph (2) and determining the status of gratification as referred to in paragraph (3) are regulated in the Law concerning the Corruption Eradication Commission.

UU no. 20 of 2001 changes from Law no. 31 of 1999 also regulates other types of criminal acts related to corruption in Article 21, Article 22, Article 23, and Article 24. The forms of criminal acts include 6 (six) kinds, namely obstructing the process of examining corruption cases, failing to provide information or provide incorrect information, the bank that does not provide information on the suspect's account, witnesses or experts who do not provide information or provide false

information, the person holding the secret of the position does not provide information or provide false information, the witness who discloses the identity of the reporter.

## **DIFFERENCES OF CORRUPTION IN INDONESIA WITH OTHER COUNTRIES**

### **Singapore Anti-Corruption Agency “Role Model” of Singapore's World TOR**

The movement to eradicate corruption has been going on for a long time in Singapore. The British colonial government, has begun to think of the right strategy to reduce corruption that is getting worse in this country. Until 1952, all corruption cases were handled by a small unit within the Singapore police force known as the “Anti-Corruption Unit”. However, this unit was deemed insufficient after the discovery in October 1951 of the involvement of the Singaporean police in the smuggling of opium worth S\$400 thousand. The discovery of this case led to the establishment of the CPIB (Corrupt Practices Investigation Bureau) as a new organization independent and separate from the police agency to investigate all corruption cases. The legal basis and strong political support in the corruption eradication program have made CPIB a pioneer in establishing an image of Singapore that is free from corruption. CPIB's authority in eradicating corruption cases:

- Arrest and detain a person suspected of committing an act of corruption, without an arrest warrant.
- Handling all legal cases, even outside of corruption cases. For example in cases of abuse of authority.
- CPIB is given the authority to deal with corruption cases, including gratuities in the private sector.

The Singapore government's commitment to eradicating corruption is also not limited to enforcement activities but also to prevention activities and public education. One of the preventative activities that Singapore can emulate is:

- The government cuts opportunities for corruption by simplifying administrative procedures, eliminating various levies and punishing government contractors involved in bribery cases.
- Periodically review the existing “legal framework” by continuing to analyze the need for amendments that may be needed in response to changes in the current situation and conditions in Singapore.
- Increasing the salaries of public service employees to be more adequate and not far behind the salaries in the private sector. Currently, the salaries of government employees in Singapore are the highest salaries of government employees in the world.

### **Hong Kong Corruption Eradication**

Corruption has become a social problem in Hong Kong, but the Hong Kong government at that time seemed powerless to overcome it. People began to lose patience and began to urge the government to immediately tackle corruption. The climax is the escape of a foreign police officer who is currently under investigation. Peter Godber, a police chief with HK\$4.3 million in assets suspected of being the proceeds of corruption managed to escape. This immediately triggered a public reaction. People held demonstrations and demanded that the government take real action to eradicate corruption and arrest Peter Godber. The community believes this case will not be resolved unless the government

establishes an anti-corruption agency separate from the police. Following up on Sir Alastair BlairKerr's report,

In February 1974 the Independent Commission Against Corruption was established. ICAC is committed to eradicating corruption with a “3 ends” strategy, namely prevention, prosecution and education. One of his initial tasks was to capture Peter Godber. The development of the Hong Kong ICAC is very rapid, and has even been used as a "role model" for eradicating corruption in other countries. The key to ICAC's success is commitment, consistency and a coherent approach between prevention and action. Prevention including public education and raising awareness of anti-corruption attitudes are the core activities of the “Hongkong model”. The prevention activities carried out by the Hong Kong ICAC have full support even from investigators who are carrying out repressive measures.

➤ **Investigation**

The largest department is the operational (investigation) department, 75 percent of ICAC's budget is allocated to the operational department including the hiring of qualified staff in this department.

➤ **Prevention**

The Department of Prevention invests most of its funds to finance study activities related to corruption, organize seminars for business people and assist public and private organizations in identifying strategic efforts to reduce the potential for corruption. This study conducted by ICAC Hong Kong provides interesting information about the level and mode of corruption committed by government employees, so that it can be used as a reference in changing the applicable anti-corruption laws and laws.

➤ **Public relations**

The Department of Public Relations informs the public of the revision of applicable laws and regulations. This department also plays a good role in increasing public awareness of the dangers of corruption through various systematic and well-planned public campaigns.

**Madagascar Corruption Eradication**

The government of president Marc Ravalomanana, which came to power in 2002, has begun to provide “fresh air” in the new era of leadership in Madagascar. Ravalomanana actively supports the corruption eradication program in Madagascar by enacting a decree to establish a high-level anti-corruption agency, in September 2003. In January 2004, an opinion gathering was held for 6500 local leaders in Madagascar, the results of which fully supported this decree, so that in July 2004, a national anti-corruption strategy was established. In September 2004, the anti-corruption law was passed by parliament, marking the operation of the Independent Anti-Corruption Bureau (BIANCO) in Madagascar.

In its action plan, BIANCO takes a sectoral approach. BIANCO focuses on monitoring and improving in 5 sectors, namely:

1. judicial sector (judicial institutions and police)
2. financial sector (tax, customs, land, and trade)
3. social sector
4. economic sector (mining, tourism, industry and SMEs)
5. supporting sectors (environment, energy, water resources and forestry).

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### **Zimbia Corruption Eradication**

The ineffectiveness of the ongoing anti-corruption movement in Zambia stems from the lack of funds provided by the government of President Chiluba in supporting the movement. In 2001, the then-elected president, Mwanawasa, with funding from a donor agency, formed a work unit to combat corruption. The main task of this satker is to investigate allegations of corruption by the president of Chiluba. The Zambian government is currently trying to gradually increase the budget for the ACC. This commitment is supported by many donor agencies including DFID. In building his government, Mwai Kibaki still uses many old government officials who are suspects of corruption. This is what makes it difficult for president Mwai Kibaki to drastically fight corruption.

### **Tanzania Corruption Eradication**

Tanzania's Anti-Corruption Institute The government of President Benjamin Mkapa, elected in 1995 and 2000, began to carry out reforms in various fields. President Benjamin's reform focus areas include reforms in public financial management, local government, public services, legal reform and the implementation of a national anti-corruption strategy. The government's anti-corruption program was inaugurated in conjunction with the establishment of the "Presidential Commission on Corruption" led by Judge Warioba. This institution investigates the impact of corruption in 4 important public service institutions, namely the police, judiciary, tax and land agencies. The Wariaba Report, published in December 1996, reports indications of widespread corruption at all levels in each of these institutions.

### **China's Corruption Eradication**

The seriousness of the Chinese government in fighting corruption began to be seen during the leadership of Zhu Rongji (1997-2002) with his words which implied the government's seriousness in eradicating corruption, namely "Give me 100 coffins, 99 I will use to bury the corruptors, and one for me. if I commit an act of corruption." Zhu Rongji popularized the death penalty in China for perpetrators of corruption, even though it was carried out by government officials. The severe punishment applied to the corruptors is intended to provide a deterrent effect and fear for the corruptors. But the eradication of corruption in China began in the dynastic era. China has a corruption-handling agency, the Central Commission for Discipline and Inspection. The government's commitment and seriousness in fighting corruption is enormous. China has succeeded in implementing law enforcement indiscriminately by punishing corruptors to death.

### **Thailand Corruption Eradication**

Awareness of the dangers of corruption began to emerge in the form of state policy. The 1974 Constitution of the Kingdom of Thailand, article 66 states that: "The state must establish an efficient system of public and other services and must take steps to prevent and suppress all corrupt behavior." In 1975 the Government issued a regulation concerning the Handling of Corruption and established the Office of the Commission of Counter Corruption. However, the OCCC does not have much scope of authority to combat corruption. But corruption prevention continues. In 1996 the legislature was formed. Its members are community members who are directly elected from each province. Those who are elected are brought to parliament for re-election, As a result, 99 members were elected. It was these members of the institution who later ratified the Law on the Eradication of Corruption in 1999.

This law later became the basis for the establishment of the NCCC (National Counter Corruption Commission). The existence of the NCCC opens a new chapter for Thailand in handling corruption cases. Corruption is not handled normally, but more modern and comprehensive by the super body with an "extra ordinary" approach. The NCCC is called a super body because it is given the power to investigate and prosecute politicians and officials. The NCCC not only takes a repressive approach through prosecution but also has the authority to file for the dismissal of politicians and examine the wealth of officials. In support of its investigative functions, the NCCC is given extensive powers to obtain documents, arrest and detain accused persons at the request of the courts. In its preventive function, NCCC also carries out public awareness efforts, by involving the media and NGOs through various approaches. The transparency approach taken by the NCCC, especially in examining the wealth of officials and politicians. To collect reports, the NCCC also carries out witness protection programs and anti-corruption public awareness programs in each region.

### **Indonesian Corruption Eradication**

The Corruption Eradication Commission or abbreviated as KPK is a commission in Indonesia that was formed in 2003 which has the duty and authority to conduct investigations and prosecutions of corruption crimes. The presence of a special agency is part of the demands for reform to eradicate corruption that has been rampant in all levels of society and also Indonesian state institutions. The task of the KPK in Indonesia is basically an institution that is independent and free from the influence of any power in carrying out the destruction of criminal acts of corruption. The vision and mission of the Indonesian Corruption Eradication Commission: To become an institution that drives corruption eradication with integrity, effectiveness and efficiency, coordinates with relevant agencies and is authorized to eradicate corruption,

In carrying out its duties and authorities, the KPK adheres to five principles:

Certainty (KPK Law always prioritizes the basis of legislation, decency, and justice in every policy carrying out its duties and authorities). Transparency (KPK always opens itself to the public's right to obtain correct, honest and non-discriminatory information about the performance of the institution in carrying out its duties and functions) Accountability (KPK is always accountable for every activity and the final result of the institution's activities, to the community or the people as the holder of the highest sovereignty country in accordance with applicable laws and regulations). Public Interest (KPK always prioritizes the general welfare in an aspirational, accommodating, and selective way) Proportionality (KPK always prioritizes the balance between duties, authorities, responsibilities,

Thus, the function of the KPK as a strong corruption eradication institution is not outside the constitutional system such as the MPR and DPR, but is actually placed in a juridical manner within the state administration system whose basic framework is already in the 1945 Constitution. The provision of sanctions for corruptors in Indonesia based on the TIPIKO Law no. 20 of 2001 which is a maximum of 20 years in prison with the provisions of applicable fines and there is still a reduction in prison remission. Based on the latest release by Transparency International Indonesia, in 2015 Indonesia's Corruption Perceptions Index scored 36, which means an increase of 2 points (19 rankings) in 2015. This score is still 4 points adrift of the Asean average (including Singapore), but is quite promising if the trend The existing positives can be maintained and even improved. Internal and External Factors that hinder the Indonesian KPK:

- Abuse of authority by KPK leaders and employees
- Prevention and prosecution efforts by the KPK have not been integrated

- HR management is less effective
- Weak laws in Indonesia
- Low political support
- The perception and commitment to eradicating corruption among law enforcement officers is not the same
- The planned revision of the Criminal Code Law and the KPK Law can reduce the authority of the KPK
- The fight back from the corrupt

### **CORRUPTION ERADICATION STRATEGY**

BPKP in the National Corruption Eradication Strategy, has compiled several corruption eradication strategy that includes preventive, detective and repressive strategies that need to be carried out, as follows:

#### **1. Preventive Strategy**

Preventive strategies are directed at preventing the occurrence of corruption by eliminating or minimizing the causes or opportunities for corruption. Preventive strategies can be carried out by:

- Strengthening the House of Representatives
- Strengthening the Supreme Court and the lower judiciary
- Building a code of ethics in the public sector
- Building a code of ethics in the political party sector, professional organizations and business associations
- Researching the causes of corruption on an ongoing basis
- Improving human resource management (HR) and improving the welfare of Civil Servants
- Requirement to make strategic planning and performance accountability reports for government agencies
- Improving the quality of management control system implementation
- Improving the management of State-Owned Assets (BKMN)
- Improving the quality of service to the community
- Campaign to create anti-corruption value nationally

#### **2. Detective Strategy**

The detective strategy is directed at identifying the occurrence of acts of corruption. Detective strategies can be done by:

- System improvement and follow-up on complaints from the public
- Enforcement of certain financial transaction reporting obligations
- Reporting of personal wealth of office holders and public functions

- Indonesia's participation in anti-corruption and anti-money laundering movements in the international community
- Commencement of the use of the national residence number
- Increasing the capacity of APFP/SPI in detecting corruption.

### 3. Repressive Strategy

The repressive strategy is directed at dealing with or processing acts of corruption in accordance with the applicable laws and regulations. Repressive strategies can be done by:

- Establishment of Anti-Corruption Agency/Commission
- Investigation, prosecution, trial, and punishment of big corruptors (Catch some big fishes)
- Determination of the types or groups of corruption that are prioritized to be eradicated
- Application of the concept of reverse proof
- Researching and evaluating the process of handling corruption cases in the criminal justice system continuously
- Implementing an integrated monitoring system for the handling of corruption crimes
- Publication of corruption cases and their analysis
- Re-arrangement of relations and work standards between the duties of corruption investigators and public investigators, PPNS and public prosecutors.

### CASE STUDY

Mass corruption that occurred in Malang or more precisely the corruption case committed by 41 of the 45 people of the Malang DPRD. Deputy Chairman of the Corruption Eradication Commission (KPK) Saut Situmorang saw the core problem of the mass corruption case of members of the Malang City DPRD is their weak integrity. The Corruption Eradication Commission (KPK) has named 41 of the 45 members of the Malang City DPRD as suspects in the alleged bribery case in the discussion of the APBN-P of the Malang City Government for the 2015 Fiscal Year. According to Saut, conflicts of interest among the members emerged in the budgeting process, thereby undermining the integrity of the 41 DPRD members. "So if you ask, the issue is integrity, what kind of system do you want, any kind of supervision, the KPK is waiting for anything, yes it will happen because this is a matter of integrity." said Saut at the Parliament Complex, Senayan, Jakarta, Wednesday (5/9/2018). He does not want to speculate that similar practices occur in all regions. However, he sees the possibility of mass corruption being practiced in other areas.

Therefore, Saut advised everyone to continue to uphold their integrity as a member of the government. "Don't forget that there are people with integrity in the regions, who then together with the KPK, from planning to spending backwards, have integrity." he said. As previously reported, 41 of the total 45 members of the Malang City DPRD for the 2014-2019 period were named as corruption suspects. This was done after the Corruption Eradication Commission (KPK) announced 22 members of the Malang City DPRD as suspects in the alleged bribery case in the discussion of the APBN-P Malang City Government for Fiscal Year 2015. The determination of this suspect is the result of the development of the KPK investigation. Previously, in the same case, the KPK had named 19 suspects as members of the Malang City DPRD. The determination of the 22 members of

the Malang City DPRD is the third stage. "Until now, out of a total of 45 members of the Malang City DPRD, 41 members have been named as suspects by the KPK," said KPK Deputy Chair Basaria Panjaitan at a press conference at the KPK's Red and White building, Monday. From the case studies above as well as other corruption cases, to overcome the many corrupt practices in Indonesia, the government has actually made quite good efforts, namely by establishing an institution to eradicate corruption, namely the Corruption Eradication Commission (KPK).

## CONCLUSION

Corruption is the misappropriation or embezzlement (of state or company money) for personal or other people's interests. Corruption in Indonesia has been entrenched in the past, before and after independence, in the Old Order era, New Order era, continuing until the Reformation era. Various efforts have been made to eradicate corruption, but the results are still far from what was expected. Several forms of corruption, such as bribes, gratuities, embezzlement of positions, extortion, etc. Indonesia itself has an anti-corruption agency called the Corruption Eradication Commission (KPK). However, this corruption eradication institution only investigates corruption cases in the government sector and has not been able to suppress the large number of corruption cases in Indonesia. Weak laws in Indonesia are also one of the factors that cause rampant corruption cases in Indonesia. So the government must have a special strategy to deal with various kinds of corruption cases that occur in Indonesia, such as preventive, detective and repressive strategies

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