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Mainstreaming the Position of Media for Good Governance in Combating Corruption in Indonesia

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ABSTRACT: Media is one of the important pillars in democracy. In many conditions, the media is also considered to have an important role in encouraging the creation of good governance, one of which is encouraging massive efforts to prevent corruption and enforce the law.

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Various cases prove that with various media discourses and types of news in the community, it helps encourage various disclosures of corruption cases and encourages cleaner, transparent, and better governance. This study aims to analyze the prevention of corruption through good governance through media encouragement. This study also aims to describe and analyze the role of the media in encouraging various efforts to prevent corruption. The method in this study is a normative legal study where the research only examines various theories and legal norms as well as social theories in corruption and governance.

KEYWORDS: Good Governance, Media, Corruption Eradication, Corruption Prevention



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I. INTRODUCTION

Eradicating corruption is not enough to punish and give anti-corruption lectures or seminars. In order not to cause the growth of corruption in Indonesia, it is necessary to find out the root of the problem. By providing sufficient anti-corruption education, it will provide protection to the future generation of the nation from rampant corruption. The Indonesian nation, which is active in carrying out development, urgently needs a condition that can support the creation of a national development goal, namely a just

and prosperous society based on Pancasila. One of the obstacles in the implementation of development is the criminal act of corruption. The problem of combating corruption can not only be done by law enforcement officials, but the world of education is also expected to play a role in preventing corruption from an early age. Education as a forum to shape the next generation of the nation becomes an effective forum in the context of preventing corruption.¹

The problem of corruption that is being experienced now is basically studied historically, corruption has existed since man existed. As stated by Wijayanto (2009), that judging from the history of corruption has existed along with the birth of human civilization, even corruption is believed to arise along with the age of man himself. We can see this from the nature of human beings who want to rule over each other so that it causes competition and a sense of wanting to beat. This condition makes people forget the rights and obligations that should be held so that what is called corruption arises. Therefore, corruption is not a new phenomenon that is happening, but a problem that has existed for a long time and is difficult to eradicate. Moreover, as discussed above, corruption has entered every aspect of the life of the Indonesian nation. As a result, in addition to the high number of practices, the public also seems to have considered the

¹ Alfaqi, Mifdal Zusron. "Mendorong Peran Pemuda dalam Pencegahan Korupsi Melalui Pendidikan Anti Korupsi." *JPK (Jurnal Pancasila dan Kewarganegaraan)* 1, No. 1 (2016): 19-24; Aninda, Catleya Azka. "Pancasila Values in the Study of Corruption Cases in Indonesia." *Jurnal Scientia Indonesia* 3, No. 1 (2017); Salsabila, Adelia. "The Role of Pancasila to Eradicate the Crime of Corruption." *Journal of Creativity Student* 4, No. 1 (2019); Wijayanti, Maggie Amaliza. "Prevention of Corruption Crimes Through Anti-Corruption Education and Pancasila Morals." *Journal of Creativity Students* 4, No. 1 (2019); Hilsania, Safa Agrita. "Corruption, Corruptors, Indonesia, and Pancasila: Various Current Views." *Jurnal Scientia Indonesia* 4, No. 2 (2018).

problem of corruption reasonable, so that corruption perpetrators become freer to practice it freely. This is because the impact caused by corruption is very broad and interferes with the continuity of the process of national and state life. All development processes in the *asta gatra* system are greatly disrupted starting from ideological, political, economic, socio-cultural development as well as defense and security development in the social *gatra*. This condition proves that the problem of corruption must be found the latest solution, so that the problem of corruption, which has been very structured systematically and very massively, has the best solution.

Corruption has penetrated almost all fronts. It is very complex and difficult to eradicate. The state does not mean silence. Many steps have already been taken. The most spectacular is the establishment of the Corruption Eradication Commission through Law No.30 of 2002. Then followed by the formation of the Corruption Court through Law No. 46 2009. By the KPK, many corruptors were successfully ensnared. From among businessmen and officials. The impression is indiscriminate. All brushed. Is there a result? Yes, the simplest evidence is the increase in points achieved by Indonesia in the CPI conducted by Transparency International.

If explored further, corruption is closely related to government activities that contribute to social, economic and political transformation. The Governance Index in 2020 was 5.4 on a scale of 0-10. Please note, that the higher the government index score, the better the achievement of a country. Related to that, the 5.4 scale achieved by Indonesia, shows that the country is still struggling with corruption crimes that cannot be solved. As a result, the policy of preventing and eradicating corruption in every period of government can be said to be the way in place because since 2012, Indonesia's

score on the indicator of overcoming stagnant corruption is rated 4. Thus, in the context of corruption crimes in Indonesia, it is consistently on the wrong path. The rise of corruption as an extraordinary crime requires extra ordinary measures to prevent and eradicate it. Both are like two sides of one eye that are not separated from each other. Apart from the long debate about *nawaitu* and the way between the government and the DPR which shares in amending the KPK Law so that it seems to better direct the KPK as a corruption prevention institution—both concepts were adopted normatively in Law No. 19 of 2019 concerning Amendments to Law No. 30 of 2002 concerning the Corruption Eradication Commission (KPK Law).

With anti-corruption education, the next generation of the nation will understand the problem of corruption earlier and not carry out these depraved activities like what the previous generation did. Anti-corruption education not only provides knowledge, but also changes the thinking patterns of paradigms and behaviors of students to apply the principles of a good life. The effect of instilling anti-corruption values will be felt for a long time, the process is not instantaneous, it will be felt when the children who get this education are already big and take a social role and are in certain social institutions to jointly tear down the cultural system of corruption.²

² Alfaqi, Mifdal Zusron, Muhammad Mujtaba Habibi, and Desinta Dwi Rapita. "Peran Pemuda Dalam Upaya Pencegahan Korupsi dan Implikasinya Terhadap Ketahanan Wilayah." *Jurnal Ketahanan Nasional* 23, No. 3 (2017): 320-337; Putra, Firmansyah, and Hapsa Hapsa. "Deseminasi Pendidikan Anti Korupsi Pada Ikatan Pelajar Mahasiswa (IKPM) Provinsi Jambi Dalam Upaya Pencegahan Perilaku Korupsi Generasi Milenial." *RAMBIDEUN: Jurnal Pengabdian Kepada Masyarakat* 3.3 (2020): 5-9; Yanto, Oksidelfa Yanto, et al. "Mengoptimalkan Peran Perguruan Tinggi dalam Mengurangi Prilaku Korupsi." *Jurnal Legislasi Indonesia* 17, No. 1 (2020): 70-84; Ejumudo, Kelly

Seeing this reality, the eradication of corruption is one of the main focuses of the administration of President Joko Widodo-Jusuf Kalla. This can be seen by the formulation of 9 (nine) priority agendas in future national development called "NAWA CITA". One of the priority agendas is '*Strengthening the presence of the state in reforming the system and enforcing laws that are corruption-free, dignified and trustworthy*'. The established national policy and strategy directions related to the eradication of corruption are harmonization of laws and regulations in the field of corruption, strengthening institutions in the context of eradicating corruption, increasing the effectiveness of anti-corruption policy implementation, and improving corruption prevention.

There needs to be more radical and long-term policies. Unnecessary policies must wait for would-be corruptors to commit acts of corruption in order to be sanctioned. But it prevented the creation of new corrupt candidates, long before the action was carried out. For this reason, in its upstream sector, the government takes a stand on preventing corruption. One of them is through anti-corruption education.

Prevention of Corruption Crimes is intended as one of the measures to save state finances from the hands of thieves. In the book "Our Corruption Story", the Corruption Eradication Commission (KPK) said that corruption prevention can be achieved by studying the motives of corruptors and how corrupt practices occur, it is hoped that an effective prevention formula will emerge. This task is indeed one of the purposes of the existence of the KPK institution as an effort

Bryan Ovie, and Tobi Becky Ejumudo. "Corruption and Development in Nigeria: A Study of Ondo State." *Law Research Review Quarterly* 7, No. 2 (2021): 153-166.

by the state to work hard to limit the wiggle room of corruptors. The firm stance of rejecting gratification is also seen as an effective effort to prevent corruption as stated by Sulistyo. That means a person who refuses a gift to which he is not entitled deserves appreciation because he is also trying to prevent the leakage of state finances. Determination and personal attitude are also important to avoid the snare of corruption. From these two quotes, it emphasizes the importance of joint efforts to counteract corrupt practices in the country.³

Unfortunately, Corruption prevention faces obstacles as corruptors attempt in various ways to commit the crime. Power and money are intertwined. A person is given the power to exercise his authority in managing the development fund, but the opposite is true that he abuses the trust, by committing corruption in order to enrich himself.⁴

Corruption is not a reality that has a single definition, corruption is multi-interpretive and associated with many activities outside of corruption itself. In the context of politics, for example, corruption is generally seen as an impact of the absence of effective control over power. The absence of control over the executive is what causes the abuse of power. Misappropriation of power will have far-reaching impacts, ranging from the lowest bureaucracy to character assassination among politicians and state officials. In the Indonesian

³ Nggebu, Sostenis. "Pencegahan Korupsi Menurut Iman Kristen." *Jurnal Teologi Injili* 2, No. 1 (2022): 1-18; Solihin, Wildan, Nurul Fauziah, and Saepul Mukti. "Peran Agama dalam Pembentukan Perilaku Anti-Korupsi." *Muttaqien; Indonesian Journal of Multidisciplinary Islamic Studies* 2, No. 2 (2021): 143-154; Candra, Alexander. "Korupsi Menurut Ariyo Atthaṅgiko Maggo di dalam Ajaran Buddha Gotama." *Dhammavicaya* 4, No. 2 (2020): 17-28.

⁴ Ihsan, Muhammad. "Pencegahan Korupsi dalam Perspektif Hukum Islam." *Jurnal Lex Justitia* 1, No. 1 (2019): 101-112.

context, the problem of corruption, especially in the political context, is the result of several interrelated and interrelated factors. There are at least six main factors causing the emergence and development of corruption in Indonesia: First, political factors that mainly involve issues of will or goodwill of the regime and political elite in solving corruption cases. Second, juridical factors, namely the problem of weak legislation and legal sanctions related to corruption issues. Included in this is the commitment and integrity of the apparatus. Third, cultural factors, including the development of feudalistic views and attitudes to want to be served and a luxurious life that works in the subconscious of most government officials and elites. Fourth, factors of government administration structure that open up opportunities for corrupt practices. Fifth, the factor of economic incentives that are not balanced so that "*rationality*" is enough to provoke the bureaucratic apparatus to seek additional means by abusing authority. And sixth, the historical factor of the legacy of colonialism is the presence of a corrupt state apparatus and a government structure that is oriented towards being a servant of superiors (*pangreh praja*) rather than a servant of the community.⁵

Semakin makes the government's helplessness and unsuccessful in the eradication of corruption, so that this actually worsens the image of the government in the eyes of the people and even the people become increasingly apathetic and distrustful of the government's efforts in eradicating corruption and enforcing the rule of law in this country. When the government revised the Corruption Law some

⁵ Pahlevi, Farida Sekti. "Strategi Ideal Pemberantasan Korupsi di Indonesia." *Al-Syakhsiyyah: Journal of Law & Family Studies* 4, No. 1 (2022); Setiadi, Wicipto. "Korupsi di indonesia penyebab, hambatan, solusi dan regulasi." *Jurnal Legislasi Indonesia* 15, No. 3 (2018): 249-262.

time ago, it caused a strong reaction from most of the public, but the government still did not flinch from the public's demands that the revision of the KPK Law be cancelled. Because the demands of the community were not listened to by the government, Law Number 19 of 2019 concerning the Corruption Eradication Commission (KPK) was born. The birth of the Law on the KPK is expected to be able to reduce the authority of the KPK in anti-corruption activities. The development of technology and information opens up opportunities for people and non-governmental organizations to get to compile power and information to eradicate corruption. The movement towards openness, accountability, and forms of government based on democracy on all fronts is increasing. So that currently in addition to the huge losses caused by corruption, it is increasingly being discussed in society, including solutions offered by various groups from NGOs, the academic community, government observers. One of the most places is the concept of good governance which can be one of the solutions if applied in the administration of government. The wider community also hopes that through good governance it can erode actions that harm the public interest that occur in government. Corruption is a symbol of unrighteous government, reflected by patronese. Based on the explanation above, what needs to be re-examined on the issue is:⁶

1. How is the Effective Strategy in tackling corruption cases that occur in Indonesia
2. How can the Principles of Good Governance Eradicate Corruption?

⁶ Ismail, M. Z. "Eksistensi Prinsip Good Governance dalam Mencegah Tindak Pidana Korupsi di Indonesia." *Unizar Law Review (ULR)* 4, No. 1 (2021).

II. METHODS

This research uses descriptive qualitative methods. This study uses secondary data from literature studies, namely research conducted only based on written works, including research results both that have been and have not been published. Literature studies, collecting data through the library. existing libraries are related to related research issues. This research uses secondary data, namely using books, journals, journals, articles, etc. The data obtained is collected, analyzed, and inferred to obtain conclusions regarding the study of literature.

III. THEORETICAL FOUNDATIONS RELATED TO THE TOPIC: MEDIA AND COMBATING CORRUPTION IN INDONESIA

1. State of Law

The concept of the state of law is inseparable from its own pillar, namely the understanding of legal sovereignty. This understanding is a teaching that says that the highest power lies in the existence of law or no other power whatsoever, except the law alone. Many formulations are given to the notion of the State of law, but it is difficult to find the same formulation, either because of the differences in the principles of the State of law adopted or because of the conditions of society and the era when the formulation of the state of law was initiated. (Mailian 2001:36-37) The concept of a legal State based on the territory of its legal tradition can be divided into two types, namely, the concept of the State of law *rechtsstaat* and the conception of the State of law the rule of law which has received encouragement from the renaissance and reform both of which are in

the XIX century and are influenced by liberalism and individualism (Fadjar, 1993: 16).

2. Criminal

Criminal acts according to some legal experts have the meaning of acts prohibited by a rule of law prohibitions which are accompanied by threats (sanctions) in the form of certain crimes, for whoever violates the prohibition. It can also be said that a criminal act is an act that by a rule is prohibited and threatened with criminality, as long as it is remembered that prohibition is aimed at an act, that is, a circumstance or event determined by the behavior of people. Meanwhile, the criminal threat is directed at the person who caused the incident. The definition of criminal acts according to Bambang Purnomo in his book *Principles of Criminal Law*, which contains criminal acts is a term that contains a basic understanding in criminal law science as a term formed by awareness in giving certain characteristics to criminal law events, criminal acts have an abstract meaning of concrete events in the field of criminal law, so that criminal acts must be given a scientific meaning and clearly defined to be able to separate with terms that are used daily in people's lives.⁷

3. Good governance

Good Governance is governance in a government that includes the use of authority in economic, political, and administrative matters in terms of managing a country at all levels. Krina (2003) states that governance includes all mechanisms, processes, and institutions through which citizens and community groups express their interests, exercise legal rights, fulfill obligations and bridge

⁷ Moeljatno, Moeljatno. *Asas-asas Hukum Pidana*. (Jakarta: Rineka Cipta, 1993), pp. 54-56.

differences between them. Ulum and Sofyani (2016: 34) revealed that good governance covers all aspects of life in the form of law, politics, economy and social. Good governance is also closely related to the exercise of state power, both executive, legislative and judicial. Several experts or institutions expressed their perceptions of the principles of good governance, including UNDP (1997), namely community participation, the establishment of the rule of law, transparency, care for stakeholders, oriented towards consensus, equality, effectiveness and efficiency, accountability, strategic vision. Meanwhile, Government Regulation Number 101 of 2000 the principles of good governance include: professionalism, accountability, transparency, excellent service, democracy and participation, efficiency and effectiveness, rule of law and acceptable to the entire community.⁸

IV. EFFECTIVE STRATEGIES IN TACKLING CORRUPTION CASES THAT OCCUR IN INDONESIA

Efforts to eradicate corruption cases have been pursued by many parties. In an effort to eradicate corruption cases, the state established an independent institution that specializes in handling corruption cases, namely the Corruption Eradication Commission (KPK). Some of the curative efforts made by the KPK did provide instant results and had a great deterrent effect, but because the spectrum of corruption behavior is so wide, other efforts are needed to eradicate corruption. Because the problem of corruption in Indonesia is very complex and worrying, it is necessary to eradicate corruption that

⁸ Rahman, Muh, and Nur Sucipto. "Pengawasan terhadap Realisasi Anggaran dengan Konsep Good Governance dalam Mencegah Praktik Korupsi (Studi Kasus Dinas Pekerjaan Umum dan Penataan Ruang Kabupaten Gowa)". *Thesis*. (Makassar, Universitas Islam Negeri Alauddin Makassar, 2018).

involves not only institutions that have been established by the government, but all Indonesian citizens.

In Law 30/2002 concerning the KPK, it was formulated that the eradication of corruption is a series of measures to prevent and eradicate corruption through coordination, supervision, monitoring, investigation, investigation, prosecution, and examination in court hearings, with community participation based on applicable laws and regulations.⁹

Robert Klitgaard described that corruption occurs because of monopoly and discretion in the absence of accountability. $[C = M + D - A]$. Hence Klitgaard suggested that to reduce corruption monopolies should be reduced, discretionary officials restricted, and accountability increased. This means that in the long run, fighting corruption requires system improvement and that is broader than just a better rule of law and a code of conduct.

Looking at several laws and regulations regarding the eradication of corruption, it should have been very optimal in eradicating corruption. However, it turns out that the legislation only strengthens in terms of the formulation stage, while the application stage and execution stage do not work optimally. It can be seen from the phenomenon of so many laws enforcement officers who are supposed to eradicate corruption and even participate in corruption. The solution to this problem is that we should look back at our country's commitment to eradicating corruption. Indonesia has ratified the UN Anticorruption Convention contained in Law Number 7 of 2006

⁹ Bayu, Chandra. "Transformasi kelembagaan KPK: UU KPK sebagai kebijakan pencegahan korupsi di Indonesia." *Jurnal Dinamika Sosial Budaya* 23, No. 1 (2021): 84-97.

concerning ratification of the Anti-Corruption Convention. The UN Anti-Corruption Convention expressly states that one of the effective and optimal efforts in eradicating corruption is to take steps to prevent corruption.

The priority of law enforcement is to first take preventive legal efforts first, and if it is not optimal / there is still a violation of the law, repressive law enforcement is needed. Repressive law enforcement is carried out by law enforcement officials ranging from the police as investigators to the trial process and guidance carried out by prisons. Based on the politics of criminal law, if it is associated with the eradication of corruption, the efforts that should be made to eradicate corruption are started with preventive efforts first.¹⁰

One form of corruption prevention can be pursued by instilling a mentality of mastering the desires of the flesh that can be formed in the family. Sapto Sunariyanti proposes an effective way to prevent corruption through spiritual development in the family for both parents and their children. The family as a learning medium for each family member to understand the meaning and nature of corruption itself. Corruption is categorized as part of stealing the rights of others to oneself. Corruption is a bad deed that God hates. That is why Dharmawan has said right by saying that the family can be the basis for building an anti-corruption concept. Having an anti-corruption mental attitude is the fruit of upbringing in the family. Parents can play an active role in shaping the mental attitude of living according to income for their children. Likewise, parents are determined to live

¹⁰ Alfaqi, Mifdal Zusron, Muhammad Mujtaba Habibi, and Desinta Dwi Rapita. "Peran Pemuda Dalam Upaya Pencegahan Korupsi dan Implikasinya Terhadap Ketahanan Wilayah." *Jurnal Ketahanan Nasional* 23, No. 3 (2017): 320-337.

on their paychecks. The goal is to stem the influence of hedonism that can drag a person into abusing his authority in order to gain financial benefits through the position he holds.

If preventive efforts or prevention of corruption are not optimal in eradicating corruption, then use repressive efforts, namely by cracking down on corruption perpetrators, namely by using criminal sanctions, starting from the stage of investigation, prosecution, examination in court, imposing criminal sanctions with judges' decisions and implementing these sanctions in prisons. The strategy of eradicating corruption is compiled in line with the theory about corruption itself. As a form of learning from the journey of understanding why and how people commit corruption, and how to prevent it from happening again. Some theories talk about intention and opportunity, others understand it from the driving and pulling/triggering factors of corruption.

The corruption prevention process is a process that must be carried out in the process of eradicating corruption. Strict enforcement of corruption cases must be accompanied by a prevention process in the community so that it has a strong impact. Referring to the opinion of Evans (2009), it is an attempt made to straighten out a process that complies with existing rules. Prevention can also be done by socializing anti-corruption values, that way this prevention process is very important to be carried out in overcoming the problem of corruption, because with this prevention process the eradication of corruption will be more optimal. Referring to what has been conveyed by Pradiptyo (2009) that prevention and preventive measures will be more useful in overcoming the problem of corruption than by carrying out high legal sanctions' measures. This

shows that corruption prevention must be well optimized in the eradication of corruption in Indonesia.¹¹

The strategy for preventing and eradicating corruption has also been explained in the Presidential Instruction of the Republic of Indonesia No.1 of 2013. Efforts to prevent and eradicate corruption have been explained about the guidelines and strategies, namely:

- a) Prevention;
- b) Law Enforcement;
- c) Laws and Regulations;
- d) International Cooperation and the rescue of Assets resulting from Corruption;
- e) Anti-Corruption Education and Culture;
- f) Reporting Mechanism.¹²

Corruption Eradication Efforts in Indonesia the eradication of corruption is a series of measures to prevent and overcome corruption (through coordination, supervision, monitoring, investigation, prosecution, and examination efforts in court hearings) with community participation based on applicable laws and regulations (KPK, 2006: 26). Efforts to eradicate corruption consist of three constituent elements, namely:

- 1) preventive,
- 2) enforcement (reprseive), and

¹¹ Zakariya, Rizki. "Partisipasi masyarakat dalam pencegahan korupsi dana desa: Mengenali modus operandi." *Integritas: Jurnal Antikorupsi* 6, No. 2 (2020): 263-282.

¹² Budiyanto, "Pencegahan korupsi melalui budaya." *Seminar Nasional Pemberantasan Korupsi di Indonesia*. (2014).

3) community participation.¹³

In Indonesia, efforts to eradicate corruption have been taken seriously, especially through law enforcement. Law enforcement agencies such as the police, prosecutors, and courts have worked hard to do so. Nevertheless, corruption activities are still ongoing today. Curative efforts do give instant results and have a great deterrent effect, but because the spectrum of corruption behavior is so wide, another effort is needed whose results cannot be seen now, namely through anti-corruption education (Handoyo, 2007: 2). Efforts to eradicate corruption in Indonesia can be carried out in various ways, including through efforts in the family environment, school environment, and through law enforcement. Eradicating Corruption in the Family Environment Citing Wijayanto's statement (2009), the family is the first environment known to a child. An old Chinese proverb reads: "All good and bad begin at home". Perhaps the saying can be used as an afterthought for all of us, how important and valuable a home is. The house here is not interpreted as a residential building, but a part of a family gathering place. Even deeper, the house serves as a university where learning and a place where noble values and norms are taught and demonstrated through methods we know by love and compassion. From Wijayanto's statement above, it is clear that the role of the family is very important in efforts to instill anti-corruption behavior. The family is the forerunner of the moral formation of children which then develops into character formation, namely anti-corruption character. Corruption, thus, is inseparable from moral issues. Meanwhile, moral

¹³ Sosiawan, Ulang Mangun, and H. A. M. R. Indonesia. "Peran Komisi Pemberantasan Korupsi (KPK) dalam pencegahan dan pemberantasan korupsi." *Jurnal Penelitian Hukum De Jure* 19, No. 4 (2019): 517-538.

problems are inseparable from moral problems by the family. For it is the family that can provide moral education through example, habituation and moral emphasis and other methods.¹⁴

Eradication of Corruption Through Anticorruption Education In Schools Anticorruption education has been implemented in various countries, both in mainland Europe, Africa, Asia, America and Australia. In the world, a network of cooperation between countries has also been established to introduce anti-corruption education programs. One example of anti-corruption education is what China has implemented. Through China Online, all students at the primary education level are given anti-corruption education subjects, the purpose of which is to provide vaccines to students from the dangers of corruption. In the long run, the younger generation of Chinese can protect themselves amid the onslaught of the influence of corruption crimes (Suyanto, 2005: 42). The Ministry of National Education should be appreciated for providing students with a moral and social foundation for them to get used to anti-corruption behavior. Anti-corruption education can be implemented in all educational channels, both formal, non-formal and informal. However, due to the authority it has and the culture it has, formal or school pathways are seen as effective for preparing the younger generation to behave anti-corruption. The values of honesty, openness, responsibility, hard work and commitment can be seeded inappropriately through school

¹⁴ Hasan, Khairuddin. "Peran Pendidikan Islam Terhadap Pencegahan Korupsi." *At-Ta'dib: Jurnal Ilmiah Prodi Pendidikan Agama Islam* 11, No. 2 (2019): 81-97.

culture.¹⁵ Klitgaard revealed the steps to reduce corruption carried out by several countries/municipalities/institutions as follows:

- 1) Reducing monopolies, in other words, streamlines healthy competition. Argentina reduces the opportunity for corruption in hospitals by publishing all purchase prices in the hospital management system, so that corruption resulting in higher prices is revealed more quickly.
- 2) Limiting discretion means clarifying the rules of the game and announcing them to the public. The Mayor of La Paz, MacLean-Abaroa compiled a "*Manual del Paceño*" that succinctly explains in 3 national languages what are the conditions for obtaining a building permit, business permit, etc. In the Philippine tax office, the rules and tax terms are simplified so that they are easier to understand and reduce the discretion of the tax officer. Another example is the change in budgeting procedures made by President Aquino to reduce the discretion of local politicians.
- 3) Increasing accountability, which can mean a lot, is where the creativity of leaders is shown in many ways. Increasing accountability can be done by performance appraisal which in turn can be a bridge between work and rewards. Another thing that can be done is to listen and discuss with business actors and other citizens that can be realized, among others, with a safe guidance mechanism. E-government efforts have also been widely carried out around the world such as those of South Korea and Mexico which have significantly positively reduced corruption. The role of NGOs as watchdogs is also large. After the tsunami in Aceh, a team of local journalists broadcast a daily

¹⁵ Widiartana, Gregorius, and Vincentius Patria Setyawan. "Urgensi Pendidikan Antikorupsi Terhadap Pencegahan Korupsi Dalam Pendidikan Dasar." *Jurnal Hukum Mimbar Justitia* 6, No. 2 (2020): 173-189.

program on rehabilitation and reconstruction efforts. This team is also a watchdog who maintains efforts to improve Aceh from corruption.

- 4) Reforming incentives, such as remuneration incentives. Efforts to increase the risk or punishment for perpetrators and recipients of bribes need to be made, and vice versa. Georgia radically reduced the number of police officers and raised the salaries of the remaining officers. Positive incentives need to be accompanied by negative incentives, for example by catching big fish of corruption actors who will signal that no one is immune from the law.¹⁶

Corruption prevention measures:¹⁷

- 1) Prevention and obstruction As a Priority Program The prevention and obstruction of corruption is an interconnected concept. If effective corruption prevention is in place, working, and well-known by potential corruption perpetrators, it can serve as a powerful obstacle to those seeking to carry out corruption. The fear of being caught is a powerful barrier instrument. Therefore, effective prevention of corruption is a strong barrier for potential corrupt actors. Corruption prevention is the most proactive corruption measure. The development and implementation of corruption prevention and detection must be an effort coordinated by top management with all officials and employees of the organization / company. Collectively, the pursuit of corruption should be aimed at the risks of corruption

¹⁶ Suryani, Ita. "Penanaman nilai-nilai anti korupsi di lembaga pendidikan perguruan tinggi sebagai upaya preventif pencegahan korupsi". *Jurnal Visi Komunikasi* 14, No. 2 (2015): 285-301.

¹⁷ Sinuraya, Tri Setia Darma, and Panji Suwarno. "Strategi Pemberantasan dan Pencegahan Korupsi di Indonesia dalam Masa Pandemi Covid-19." *Jurnal Education and Development* 9, No. 3 (2021): 125-130.

in an organization/company. There are many prevention techniques that are commonly applied in public companies/organizations/institutions. Each technique has its advantages and disadvantages. Each organization can apply techniques that are most in line with the culture, work ethics and also the organization concerned.¹⁸

- 2) Building an Anti-Corruption Culture, the first step in a corruption prevention program is to build awareness for all company/organization stakeholders about the dangers of corruption. Furthermore, preventive measures are carried out by applying the principles of good governance and strengthening corporate culture that does not provide room for tolerance for corruption actors. To be clear, the development of a corporate culture that is in line with anti-corruption programs can be achieved through the following steps:
 - a) Show the Example of Leadership
 - b) Creating a positive Work Environment
 - c) Recruiting and Promoting Decent Employees
 - d) Confirmation of obedience.
- 3) Strengthening anti-corruption culture. Based on the above corruption provoking factors, corruption prevention programs can be carried out by reducing motives, limiting opportunities and limiting the ability of potential corruption actors to rationalize their actions, including keeping them away from temptation, these three measures can be applied in more detail by strengthening anti-corruption culture development programs. The strengthening mechanisms include:
 - a) Recruiting and Promoting Employees

¹⁸ Sarah, Nadia, and Nurindah Hilimi. "Korporasi Indonesia Melawan Korupsi: Strategi Pencegahan." *Integritas: Jurnal Antikorupsi* 4, No. 2 (2018): 207-232.

- b) Evaluating Compensation and Performance Programs
 - c) Obligation to take annual leave on a rotating basis
 - d) Approval and authorization process with signatures and countersigns.
 - e) Documenting every transaction and event
 - f) Conducting exit interviews
- 4) Developing a Corruption Eradication Policy, the anti-corruption policy is sometimes also called the Corruption Control strategy that requires its own policies because effective corruption eradication programs have not been covered by existing procedures and policies in the organization. In addition, anti-corruption policies are also important as guidelines and references for handling standards when corruption is discovered, suspected or detected. The standard of handling is stated in the Response Policy for corruption crimes. In the preparation and development of the anti-corruption policy, knowledge of the nature of the anti-corruption policy is required, including:
- a) It is dynamic and developed according to organizational needs (need based). It is a model / framework and direction to plan, implement and coordinate efforts to eradicate corruption in the organization or Lembaga.
 - b) Must be cost effective (cost benefit analysis). Corruption eradication policies will be effective if supported by appropriate procedures, policies and guidelines, and reviewed periodically to be effective and not out of date.
 - c) The anti-corruption policy is supported by other documents as auxiliary books and cross-referenced, for example the policy of response to corruption.

- d) Each element in the anti-corruption policy is analyzed/evaluated whether it is needed or not so as not to overlap with other actions in the eradication of corruption.
- e) The anti-corruption policy is macro and integrated.
- f) Ethical reform also needs to be done in the real existence of leaders who are very obliged to set a good example.

Robert Klitgaard also reminded that related to the complexity of corruption as a criminal act that is becoming increasingly global and includes financial instruments, legal maneuvers, and logistical maneuvers that are always racing against the development of anti-corruption regulations, it is necessary to collect knowledge and data (convening) by law enforcement in a country. This activity involves experts, both local and international, to bring together local expertise (including targets, obstacles, alternatives, variables faced by law enforcement), with the expertise of parties outside of law enforcement (certain facts, examples, and frameworks that may not be included in law enforcement calculations).

But in the facts that occur on the ground, the eradication of corruption is not enough to be done with commitment alone because the prevention and countermeasures of corruption are not an easy job. This commitment must be actualized in the form of a comprehensive strategy to minimize the four aspects of corruption that have been previously stated. The strategy includes preventive, detective and repressive aspects, which are implemented intensively and continuously. Efforts to eradicate corruption with Preventive is a preventive strategy directed at preventing corruption by eliminating or minimizing the factors causing or opportunities for corruption to occur. Preventive strategies can be carried out by:

1. Strengthening the House of Representatives;
2. Strengthening the Supreme Court and the judicial ranks under it
Establishing a code of conduct in the public sector;
3. Building a code of ethics in the political parties, professional organizations and business associations.
4. Examine the causes of corruption on an ongoing basis.
5. Improvement of human resource management (HR) and improvement of the welfare of Civil Servants;
6. Renewal of strategic planning and performance accountability reports for government agencies; Improving the quality of the implementation of the management control system;
7. Improvement of management of State-Owned Property (BKMN);
8. Improving the quality of services to the community;
9. Campaigns to create anti-corruption value nationwide;

Other efforts to eradicate corruption other than preventive strategies can be done by means of Detective Strategies. The detective strategy is directed at identifying the occurrence of acts of corruption. Detective strategy can be done by:

1. System improvements and follow-up on complaints from the public;
2. Enforcement of reporting obligations of certain financial transactions;
3. Reporting of personal wealth of holders of public offices and functions;
4. Indonesia's participation in the anti-corruption and anti-money laundering movements in the international community;
5. Commencement of the use of national population numbers ;
6. Improving the ability of APFP/SPI in detecting corruption crimes.

The last effort to eradicate corruption in addition to preventive strategies and detective efforts, there is a Repressive Strategy as a countermeasure to corruption. Repressive strategies are directed at dealing with or processing acts of corruption in accordance with applicable laws and regulations. Repressive strategies can be carried out by:

1. Establishment of Anti-Corruption Agency/Commission;
2. Investigation, prosecution, trial, and conviction of major corruptors (Catch some big fishes);
3. Determination of the types or groups of corruption that are prioritized to be eradicated;
4. Enactment of the concept of reverse proof;
5. Researching and evaluating the process of handling corruption cases in the criminal justice system continuously;
6. Implementation of an integrated monitoring system for the process of handling corrupt crimes;
7. Publication of corruption cases and their analysis;
8. Reorganization of the relationship and work standards between the duties of investigators of corruption crimes and general investigators, PPNS and public prosecutors.¹⁹

V. HOW CAN THE PRINCIPLES OF GOOD GOVERNANCE ERADICATE CORRUPTION?

The birth of good governance originated from the fear of some people towards the freedom of action of the acting state in carrying out their duties. In the beginning, this principle was challenged, especially

¹⁹ Tim Pengkajian SPKN. "Upaya Pencegahan dan Penanggulangan Korupsi pada Pengelolaan APBN/APBD". *Badan Pengawas Keuangan dan Pembangunan*, 2002, pp. 94-95.

from government officials and employees, because there was a concern that judges, or administrative courts would later use this term to give an assessment of the policies taken by the government. But those objections have now vanished because they have no relevance anymore.

The corruption is essentially rooted in the misappropriation of power and must be eradicated. It takes high confidence to state that good governance can be one of the efforts to fight corruption. It must be realized that the practice of abuse of authority ultimately gives rise to a tendency to corrupt practices. We certainly agree that corruption will lead to the misuse of very limited national resources. Similarly, if we mismanage resources, then it is certain that the goals to be achieved will disappear or in other words ineffectiveness will occur. Therefore, it is not wrong if one of the characteristics of good governance is manifested in the practice of administering government, the problem of corruption can be minimized.

Freies Ermessen can still be implemented by the government in carrying out its functions, even for now the general principles of good governance have been accepted and contained in various laws and regulations. Some elements of good governance, which have earned a proper place in the legislation of several countries include:

1. The basis of acting carefully;
2. The principle of motivation;
3. The principle of legal certainty;
4. The principle of equality in making decisions;
5. The principle negates the consequences of an invalid decision;
6. The principle of responding to reasonable appreciation;
7. The principle of wisdom;

8. The principle does not interfere with authority;
9. The basis of fairness and reasonableness;
10. The principle of the administration of the public interest;
11. The principle of balance;
12. The principle of a decent game;
13. The principle of protection of a personal view of life (way) of life.

Good governance is closely related to the management of development policy management (especially in the field of law). If a public official is to make decisions in carrying out development, he must first apply the principles of good governance so that the final result as a whole is a good order. Decisions taken by all public officials, both in the form of policies (*bescchiking*) and general rules (*regeling*) must be strictly based on the authority granted by law or devolved by officials. The hallmark of good governance here is that the decisions are taken democratically, transparently, accountably, and correctly.²⁰

Nevertheless, irrespective of the term, those principles have actually materially been contained in various laws and jurisprudences. Therefore, the AUPB not only has moral and doctrinal binding force but more than the general principle of good government also has legally binding force and is one of the sources of formal State Administrative Law. The law as one of the sources of formal State Administrative Law means not only legislation in the formal sense but includes all laws in the material sense that is a legal product that binds the entire population directly. In each TUN Agency/official, the PTUN Judges and the entire population are bound to the AUPB

²⁰ Satria, Hariman Satria. "Kebijakan kriminal pencegahan korupsi pelayanan publik." *Integritas: Jurnal Antikorupsi* 6, No. 2 (2020): 169-186.

which is spread in various laws and regulations. The form of AUPB according to Syachran Basah⁸ should not be written and does not need to be formulated in the form of a law. The consequence of the written form means that the Han also recognizes the unwritten form, as is also common to conventions in Constitutional Law. The issue now will depend largely on the ability and courage of the TUN Judge to unearth and locate the AUPB.

Efforts to realize good governance in Indonesia are a priority in order to create a more prosperous order of society, nation, and state, far from corruptsi, collusion, and nepotism, because in reality society is far from living decently, corruption is still rampant. Nevertheless, the struggle in creating a clean government must not stop, it must continue and strive as much as possible until one day it will be felt so dignified a nation that has commitment, responsibility, and self-respect. The concept of good governance is not only clean governance but all supporting factors must have their own code of conduct, there is obedience to laws, systems and so on. However, the function of the state to protect groups that do not have power must play an important role in realizing good governance, because until now we have a corrupt civil society. Countries that have successfully implemented good governance in Asia include South Korea and Thailand. Both Countries have political commitments from their leaders though not all. In Indonesia, the political commitment is not very clear. The political commitment can start from the President, Vice President, Chief of Police, Head of SOEs and so on. In his book Robert Klitgaard mentioned that if the system of eradicating corruption has not been established, as well as the political system and the legal system have not been formed and do not support it, then the eradication of corruption must start from the upper level or its

leader. It was successfully implemented in Singapore, Hong Kong and Thailand. We have not found this in Indonesia unless it is only said during the election campaign. Most of the local elections are elected through a dirty political process, how could it be possible to get a clean governor and regent.²¹

From the point of view of the necessary legal approach, the legal basis for eradicating corruption in Indonesia can actually be said to be adequate, because a number of anti-corruption laws and regulations have been enacted, among others, as mentioned above. But in practice it turns out that the problem of eradicating corruption is not enough to be implemented only with a purely legal approach, since the disease is already widespread throughout the social and governmental order of almost all countries. Therefore, the approach used is not only solely repressive, but should also be preventive and rehabilitative.

A powerful preventive approach includes creating a healthy work climate within the scope of government tasks, both at the central and regional levels. Without these preventive measures, the eradication of corruption will only succeed in overcoming the "symptoms" and not destroying the root causes and sources of corruption diseases that actually thrive among the people. Effective preventive measures must also be directed at efforts to empower all components in society, both young and old, as well as through judicial institutions and "informal leaders" so that all walks of life have the spirit to hate corruption. This step is expected to create an anti-corruption culture among the wider community. In this case, the paternalistic culture of

²¹ Abdullah, Abdul Gani. "Legal Drafting & Good Governance." *Jurnal Keadilan* 2, No. 5 (2002).

Indonesian society should not be seen as an obstacle to carrying out the preventive and repressive efforts mentioned above, but must be seen as a potential thing that has high usefulness to eradicate corruption. The trick is to cultivate a good habit of not accepting or asking for "tribute" and must always maintain consistency between attitude and speech. The source of the cause of asking for tribute among government officials is because they have greed or are in religious language, because they are among those who are less or not grateful for the many favors that God almighty has given them. It is different from the act of stealing committed by those at the bottom and is often done in a forced state, because it is only to keep themselves alive.²²

In the context of the relationship between central and regional governments in accordance with Law Number 32 of 2004 concerning Regional Government and Law Number 35 of 2004 concerning Central and Regional Financial Balance, the concept of good governance as one of the approaches relied on will not be able to guarantee a reduction in corrupt practices, because government officials at the center must first set a good example to regional officials. This is rationally justifiable because of the excesses of central domination as the center of power and money. On the other hand, there is also a concern that with the delegation of authority of part of the central tugas to the regions in accordance with the aforementioned law, the disease of corruption in the center will move to the regions. This can be prevented by developing a system of checks and balances,

²² Sulistyawaty, Sri, and Nelvitia Purba. "Strategi pencegahan korupsi dengan budaya malu (Studi komparatif masyarakat Melayu Indonesia dengan Jepang)." *Jurnal Penelitian Pendidikan Sosial Humaniora* 4, No. 1 (2019): 439-447.

both internally and externally, through empowering the wider community to feel ownership and interest in the back and forth of their respective regions.

The anti-corruption movement in state/regional budget management cannot be carried out only by involving budget management officials, but also includes all parties including those responsible for the preparation and implementation of the Management Control System (SPM), internal and community supervision tools. One of the efforts that can be done to eradicate corruption in the management of the state/regional budget is to compile a book on corruption prevention and countermeasures that can be used as a guide for leaders of government agencies and the Government Functional Supervision Apparatus (APFP) in preventing corruption, detecting corruption that occurs and processing corruption acts that have been detected in accordance with applicable legal provisions. These efforts are the minimum efforts that need to be made in the context of eradicating corruption in the field of state/regional budget management, so that to support the spirit of the anti-corruption movement, the necessary development steps are needed in each agency. In general, one of the efforts to prevent corruption can be done by structuring the management control system, namely:

1. Reorganization of the organization by reviewing the vision, mission, goals, objectives and strategies of the organization in achieving goals accompanied by indicators of success in the context of fulfilling public accountability;
2. Simplification and policymaking;
3. Structuring various aspects of human resources (including rewards and punishments) to meet the demands of needs and workloads;

4. Refinement of systems and procedures of activities;²³
5. Improvement of work methods, infrastructure and facilities;
6. Structuring the recording, reporting and evaluation system so that it can be used as a tool for control and accountability;
7. Increased effectiveness of internal supervision.

Based on the findings of the examination results of the Government Functional Supervision Apparatus (APFP) and the views of the wider community, it is known that corruption that occurs in the management of the state budget includes leaks both on the revenue side and the expenditure side. The leakage that occurs on the revenue side is mainly because not all budget revenues go to the State / Regional Cash Account, while on the expenditure side it occurs due to budget expenditures that are greater than the amount they should be. Control on the revenue budget side is carried out as follows:

1. Revenue budgeting must be preceded by the calculation of potential revenue carried out through a survey / potential assessment, which is supported by accountable data;
2. The determination of state/regional revenue targets in the State Budget/D refers to the potential that exists in a measurable and rational manner that can be achieved for each source of income;
3. Targets are evaluated periodically, and revised, in case of changes in conditions supported by accurate data;
4. Every Non-Departmental Government Department/Apparatus/ Regional Apparatus that has the task of collecting or receiving state/local revenues is obliged to carry out the intensification of the collection of state/regional revenues;

²³ Ubaidillah, Achmad. *Pancasila, Demokrasi, & Pencegahan Korupsi*. (Jakarta, Prenada Media Group, 2015).

5. All state/local budget revenues must be fully and timely deposited into the State/Regional Treasury Account; and reported to the relevant authorities.
6. State/regional revenues are recorded according to the provisions set by the Minister of Finance/Regional Head;
7. The sale of State/Regional Property must be based on the Decree of the Minister of Finance and the rental of State/Regional Property must be based on the Decree of the authorized official in accordance with applicable regulations;
8. The treasurer of the State/Regional levy recipient shall deposit into the State/Regional Treasury Account all budget receipts collected by him at the first opportunity in accordance with applicable regulations;
9. The receiving treasurer is prohibited from keeping money in his possession in the name of a person, or any other person.

VI. CONCLUSION

Corruption has been occurring in Indonesia for a long time. Practices such as abuse of authority, bribery, giving pelicin money, illegal levies, giving rewards on the basis of collusion and nepotism as well as the use of state money for personal gain, by the public are interpreted as an act of corruption and are considered to be common in the country. Ironically, even though efforts to eradicate it have been carried out for more than four decades, these corrupt practices are still ongoing, and there is even a tendency for the modus operandi to be more sophisticated and organized, making it more difficult to overcome. In addition, with this participation, the community will be more eager to exercise social control over corruption. Community participation in efforts to prevent and eradicate corruption is

manifested in the form of, among others, seeking, obtaining, providing data or information about corruption crimes and the right to submit suggestions and opinions responsibly towards the prevention and eradication of corruption crimes. In accordance with the principle of openness in democracies that give the public the right to obtain true, honest information and discriminatory actions regarding the prevention and eradication of corruption crimes, this Government Regulation regulates the rights and responsibilities of the community in efforts to prevent and eradicate corruption. The history of eradicating corruption in Indonesia is a journey that arises from sinking following the dynamics of developments around it. He cannot be separated from the mixture of people's demands, political needs and business demands, and even international pressures, as well as various other interests. Efforts to realize good governance in Indonesia are a priority in order to create a more prosperous order of society, nation, and state, away from corruption, collusion, and nepotism, because in reality society is far from living decently, corruption is still rampant. However, the struggle in creating a clean government must not stop, it must continue and strive as much as possible until one day it will be felt so dignified a nation that has commitment, responsibility, and self-respect. A powerful preventive approach includes creating a healthy work climate within the scope of government tasks, both at the central and regional levels. Without these preventive measures, the eradication of corruption will only succeed in overcoming the «symptoms» and not destroying the root causes and sources of the disease of corruption that actually thrives among the people. In this case, the paternalistic culture of Indonesian society should not be seen as an obstacle to carrying out the preventive and repressive efforts mentioned above, but should be seen as a potential thing that has high usefulness to eradicate

corruption. The source of the cause of asking for tribute among government officials is because they have greed or are in religious language, because they are among those who are less or not grateful for the many favors that God almighty has given them.

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COMPETING INTERESTS

The Authors declared that they have no competing interests.

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