Repeating Ineffectiveness: The Strategy of Eradicating Bribery in The Jokowi Administration

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Summary of the Proceedings of the 9th International Conference on Asian Studies 2021

14-10-2021- Online Conference

The 9th International Conference on Asian Studies 2021 organised by ICRD, Sri Lanka was held on 14-10-2021 in Singapore time. At the outset, the Convenor of the Conference, Dr. Prabhath Patabendi welcomed the scholars and spoke about the theme of the Conference. Following this, three keynote addresses were rendered, one by Dr. Sadequl Islam Professor of Economics, Laurentian University, Canada who spoke on *"Reflections on the Healthcare system and Management of the COVID-19 Pandemic: Lessons from Selected Asian countries"* and Dr. Charles Allen Brown, Continuing Lecturer, Purdue Language and Cultural Exchange Program, Purdue University, Indiana, U S A. Dr. Brown spoke about "*Can we Keep English Language Education from Promoting Social Injustice? A 21st Century Challenge for Asia*". The third keynote speech was rendered by Dr. John Walsh, Associate Dean and Director, English Language Programs, International College, Krirk University, Thailand and he spoke about *"Government-Business Relationships in East Asia in the Post-Pandemic Era?"*

The Conference was attended by 41 delegates from 25 countries. There were thought provoking papers on various themes. We had quite a few papers on the sociopolitical status for example, the mutual understanding between western liberal democracies and the people's republic of China, Political warfare and propaganda and disinformation on Papuan conflict by Non-State actors against Indonesia and The Ombudsman system of Thailand and its roles in Thai politics.

In the Conference there was a paper on Insurtech: Challenges and Opportunities for Insurance industry in Vietnam. Several new ideas came to the fore during the Conference, like the Strategy of Eradicating Bribery and how effective International Trade Relations and Global Legal Order during Covid-19. One of the papers highlighted on why Japanese spend more time in watching Television. One paper compared the Ethnic Relation between Pribumi and Chinese Indonesian Students in Taiwan. There was a paper on how Multiple Intelligence Strategies can be helpful in developing reading comprehension skills among Junior high school learners.

There was an important paper on Cultural Landscapes of ancient cities of Angkor and several issues in Asian region were discussed during the Conference. We learnt about the trend of Vietnamese migrants in Japan and their adaptation strategies. There was an interesting comparative study on Kashmir and Palestine in the conference.

On the whole, it was a useful and purposeful Conference. It was hoped that the next Conference would be an offline conference where the delegates would be able to interact with each other in person.

Dr. Prabhath Patabendi
Convener ICAS2021

Repeating Ineffectiveness: The Strategy of Eradicating Bribery in The Jokowi Administration

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Abstract

Bribery has been rampant in Indonesia since the kingdom and colonial era. It has become a severe impediment to implement good governance, specifically in promoting satisfactory public services. Hence, the Indonesian government has adopted various strategies to combat bribery from the Old Order to the reformation era. Some of these strategies have applied the system of eradicating bribery in annihilating corruption. Therefore, this study aims to analyze the Jokowi administration's approach in eliminating the prevalence of bribery, mainly coordinated by Satgas Saber Pungli/SSP (The Bribery Eradication Task Force). A qualitative method was employed, and the data were obtained from primary resources, such as documents, news and interviews, as well as secondary resources. Moreover, this article utilized the principal-agent theoretical framework and concluded that Jokowi's strategy in combating bribery was ineffective. It repeated the ineffectiveness of strategies for eradicating bribery adopted by the Indonesian governments preceding Jokowi.

Keywords: Bribery, Strategy, Ineffective, Jokowi, Government, Rampant.

Background

Bribery in Indonesia has long been practiced by public authorities since the colonial and reform era (Moerdijat, 2019). Accordingly, the Indonesian government adopted strategies to deal with bribery problems in these periods although it was not successful. As a result, bribery practices are still rampant in all social and governmental agencies. Joko Widodo (Jokowi) and Jusuf Kalla (JK), who succeeded SBY-Boediono in the first period (2014-2019) believe that the deterioration of the national economy is partly due to the general practices of bribery, hence, the government should eradicate it seriously and consistently (Jokowi and JK, 2014).

Jokowi and JK, who came to power in 2014, inherited rampant bribery practices from their preceding governments. They established Bribery Eradication Taskforce (Satuan Tugas Sapu Bersih Pungli (Satgas Saber Pungli/ SSP). This study aims to analyze the Jokowi administration's strategy in eradicating bribery. It seeks to evaluate the implementation strategy at the central and local government levels and highlights its explanation. The hypothesis shows that it has been ineffective as the previous government's strategy. In conclusion, to get a more comprehensive portray, it was compared with bribery eradication strategies adopted by the preceding governments

Legal and Theoretical Frameworks

Article 12 of the law No. 20/2001 on corruption eradication defines *bribery* as a part of corruption or petty corruption, such as the acts that civil servants commit to benefit themselves or others by violating laws, abusing power, and forcing people to pay, receive discounts or do something for them. Kumorotomo (2016) defined bribery from the perspective of public service mismanagement., that is"grease money" usually collected by officers at the operational level in relatively small amounts, to ease or accelerate public services. This study combines definition stipulated in Law no 20/2001 and that of Kumorotomo. This study defined *strategy* as the instruments to achieve long-term institutional goals, following up on programs and resource allocation (Chandler in Rangkuti, 2013). Subsequently, the Indonesian government has adopted a series of strategies since the Old Order to reform period in eradicating rampant bribery.

This study borrowed the principal-agent model of corruption developed by Susan Rose-Ackerman (1978) and Robert Klitgaard (1988), to explain the ineffective strategy of combating bribery in the Jokowi period or the preceding administrations. The theory assumed that crime occurs due to missions clash between the principal or rulers representing public interests and the agent in terms of bureaucrats or public servants who receive mandates from the principal. This principal-agents model indicates that the in-effective corruption eradication strategy emphasizes narrowing the agent's opportunities to avoid corruption practice by making regulation that increases accountability, limits both discretionary authority and the monopoly of the agents. Conversely, Ackerman and Klitgaard suggest that corruption [including bribery] eradication strategy should be approached from rational action theory, that is, providing attractive rational benefits for the actions of the public who report and punish corrupt behavior and distance themselves from corrupt attitudes (Persson, Rothstein and Teorell, 2010,).

Methodology

This study utilized a qualitative approach that employed data collection methods from primary to secondary resources. Primary resources consist of data obtained from monthly and annual reports, standard operation procedures, as well as minutes of the meeting issued by the SSP, offline and online news sources. In addition, this study also employed data from secondary sources such as a report by the Ombudsman of the Republic of Indonesia (ORI) or Transparency International (TI), as well as books and journals which discussed various public service problems, including bribery practices.

The Ineffective Strategy of Jokowi Administration in Eradicating Bribery

Jokowi and Jusuf Kalla, who succeeded Susilo Bambang Yudhoyono/SBY-Boediono in the first period (2014-2019), inherited the rampant practice of bribery from their predecessors. According to Ombudsman of the Republic of Indonesia (ORI), bribery practices are rampant in almost all government institutions in the early years of their administration (2015 and 2016). In 2015, the ORI received 384 bribery reports, and the number increased by 13% or 434 in 2016. In 2016 or about a year of the Jokowi administration, ORI mapped out the bribery practices in governmental sectors or institutions including; ministry of education, Land, Law enforcement, citizenship administration, tax and customs, transportation, personnels, permit license, health and other and governmental institutions. The perpetrators who were government officials took IDR 25 to 30 trillion of public money. This practice has hampered the realization of economic development, especially in investment, and has become one of the leading causes of the national economy (ORI, 2018; SSP 2019).

Joko Widodo (Jokowi) and Jusuf Kalla (JK) promised a series of political platforms known as Nawacita I to attract their constituencies. To seriously and consistently eradicate bribery, in 2016, Jokowi issued Presidential Regulation number 87/2016, which enacted the establishment of Satuan Tugas Saber Pungli/SSP (The Bribery Eradication Taskforce). The mission of the taskforce is developing a bribery prevention system, collecting data of bribery practices coordinating and planning bribery eradication operations, carrying out field arrest operations (Operasi Tangkap Tangan/OTT), and recommending the government institution penalties to the bribers (article 4). In realizing the mission, presidential regulation enacts the government institutions from central and local levels to form Units for Eradicating Bribery (Unit Pemberantasan Pungli/UPP) organized in the inspectorate divisions.

The SSP strategy focused on the abuse of power that impedes the realization of transparent, rational or accountable public services and makes the loss of public's fund and jeopardizes public services. This strategy was placed as one of the five priorities in the law reform that tackle problems in public services, including those issuing the driving license, electronic citizenship, land title, the procurement of goods and services, and other permits with high cost, red-tape, and inefficiency. Using the frameworks of Ackerman and Klitgaard's principal and agent theory, Jokowi's strategy seeks to limit the agent's or public servant opportunities from committing bribery by making Presidential Regulation number 87/2016 on the Establishment of SSP. The decree aims to increas public service accountability and limit the civil servant's discretionary authority or monopoly in delivering services to the people. The SSP adopts three techniques to eradicate bribery; preemption, prevention and law enforcement of repression. The preemption technique takes the form data collection on bribery practices. The prevention includes developing prevention system, socialization, developing IT and improving the quality of public

services. The repression or law enforcement technique includes providing recommendation of the sanction, partershi with othe government institution, Field Arrest Operation (OTT) (SSP, 2016).

Even though the implementation of the strategies produced significant outputs, Jokowi's strategy in combating bribery was ineffective as it failed to achieve the vision of liberating public services from bribery. Consequently, it was unable to promote clean governance with efficient public services. Following evidences support the theses. In 2017 or a year after the establishment of SSP in 2016, Transparency International (TI) and Corruption Perception Index (CPI) released its survey, which stated that 90% of Indonesian government officials admitted that they expected bribes from the public. In 2019-2020, three years after establishing SSP, TI released another survey that 30% of the public who demanded services from the government paid bribes to the officers at the central and local levels (Lidyana, 2020). These results were in line with grass-root practice. From 2017 to 2021 bribery were rampantly practiced in Harbour services, land transport service education and emergency service areas that deal with the 2020 Covid 19 Outbreak. In the loading and unloading service. SSP Operation Officers had arrested Bribers in Samarinda Harbour (2017) and Bitung North Sulawesi Harbour (2018) Teluk Bayur West Sumatera (2020. Bribery in land transport (2019) have even been considered as worse compared to the New Order era because the government personnel involved in bribes openly and broadly (Gumilang, 2017). (Jonker, 2018 Tim Media SSP, 2020) Wage, Sukarno and Sari, 2019).

Agung Makbul, a secretary of SSP stated that in 2020, or four year after the formation of SSP, the taskforce had mapped out 20 areas that were prone to bribery practices in the department of education. In the emergency service area to deal with Covid 19 Outbreak, Bribery were also practiced in several sectors including the victims' funeral in Malang East Java, distribution of social assistance funds, issuing anti-gent rapid test service of South Lampung, Lampung Province (Tim Media SSP 2020, 2021). The above-mentioned evidence is in line with the decline of the Corruption perception during Jokowi Time, that was from 40 in 2019 to 37 in 2020. This was due to weak Jokowi's political will (Sucahyo, 2020; Ramadhan, A 2021) Dzulfaroh,A.N, 2021) . This study discovered several external factors that explain the Jokowi strategy's ineffectiveness in combating bribery, such as poor service standardization or lack of transparency in the reporting, internal and external challenges posed by SSP as found Ombudsman RI (2021) (Safitri, 2019). The internal factor mostly come from the administration and management of SSP which causes the in-effectivness of their implementation This comes along with legal, institutional, administrative and media challenges that SSP pose since its establishment.

Repeating Ineffectiveness

The ineffectiveness of the Jokowi strategy was gradual as it repeated the system of the predecessor's government. No much information on the Old Order Policy to combat bribery, except that the corruption eradication teams such as PARAN and Budhi failed to bring the bribers and corruptors to justice as they sought Sukarno's political protection (Suwitri, 2007). This situation left the New Order with rampant corruption and bribery practices. Suharto adopted a more focused strategy in combating bribery when in 1967, he established Operasi Tertib/Opstib (The Order Operation), separating from Polri and the Attorney General's method of corruption eradication (Farihi, 2018; Arleta, 2019) and Operasi Sihwa and Opersai Tuntan (Lindsay, 2004). However, several operations by Suharto were fruitless as well. Suharto;s failure in the corruption and bribery eradication sparked student demonstrations in 1969-1970. Suharto's political will was weak and failed to clean up the inner cycles, therefore, pulling down the administration (Moerdijat, 2019). Until the end of the New Order administration, corruption and bribery were rampant in government offices (acch.kpk.go.id 2017). Suharto's political will was weak and failed to clean up the inner cycles, therefore, pulling down the administration (Moerdijat, 2019).

This study found no specific measurement of the ineffectiveness strategy for combating bribery in the four administrations preceding Jokowi during the reform period, namely, BJ Habibie, Abdurrahman Wahid, Megawati and Susilo Bambang Yudhoyono. This was because they did not adopt strategies or establish specific institutions to combat bribery separating from law enforcement institutions like the New Order and Jokowi administrations did. Instead, they applied the strategy of combating bribery in corruption eradication. Since the four administrations during the reform period did not adopt a different technique to combat bribery or corruption, the effectiveness level of the implementation in bribery eradication strategy should be analyzed from the corruption eradication strategy. Therefore, it is necessary to briefly observe bribery eradication from the Corruption Perception Index (CPI)

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achievement. The graph below showed the levels of corruption eradication in the four governments preceding Jokowi's administration, which arguably include bribery eradication as petty corruption. (Graph 1).

Graph 1: Indonesia's Corruption Perception Index (CPI) in The Reformation Era (1998-20140).
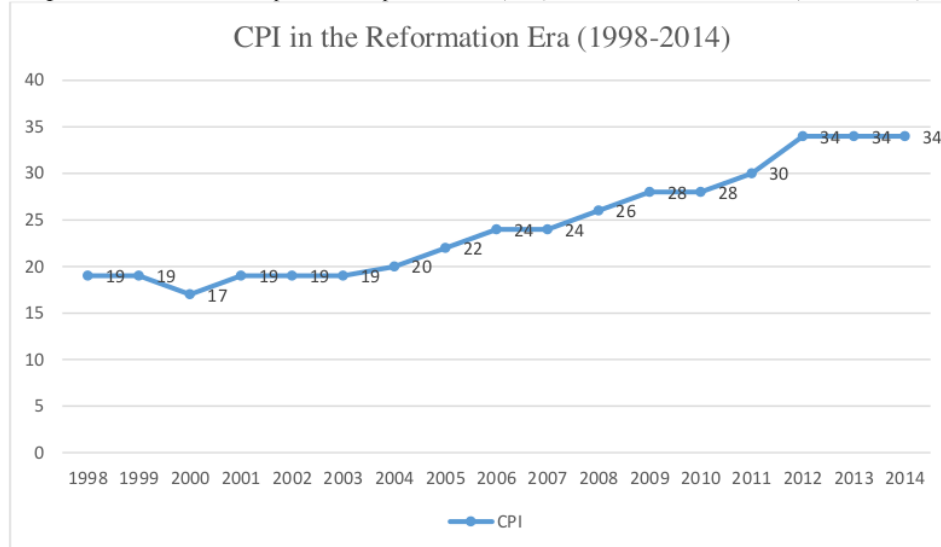
The graph shows that the Indonesia's CPI increases slowly during the reform period (1998-2014). Indonesia's CPI was very poor at the outset of the reform period. The three governments in this period could not improve Indonesia's performance in eradicating corruption inherited from the New Order. The CPI scores on Habibie (1998-1999), Gus Dur (1999-2001), and Megawati (2001-2004) administrations were between 19-20 and declined to 17 during Gus Dur's administration However, this value increased significantly during the two terms or 10 years of SBY's administration (2004-2014), with a score of 20 to 34, from the beginning (2004) to the end (2014) of the administration respectively. During this period, Indonesia's corruption perception index score increased by 14 points. BJ Habibi and Gus Dur and Megawati did not put a focus in the bribery eradication. In 2005 Yudhoyono's administration received complaints and critiques for its poor eradication of bribery for not taking no concrete measures that responded to complaints, albeit rhetoric. According to Zainal Arifin Muhtar, SBY-JK's (2004-2009) strategy was ineffectively stagnant and weakened drastically. This was due to the poor performance of law enforcement agencies, such as Polri, the Attorney General's office and KPK (Kumorotomo, 2016; bgs/djo news.detik.com 2009 and liputan 6.com, 2007).

Conclusion & Recommendation

This study concluded that Jokowi;s strategy in eradicating bribery by establishing SSP, is similar to the New Order, yet differs from those adopted by the Old Order and the four regimes preceding Jokowi in the reform period. Implementing the strategy for eradicating bribery and corruption during Jokowi's tenure was ineffective as it was a repetition of the predecessors' system. This study revealed service standardization, internal and external challenges posed by SSP, which explained such ineffectiveness. It was the results from reforming the legal instrument and establishing an institution that eliminates corruption or bribery. The strategies confirmed the principle-agent theory by Ackerman and Klitgaard, which emphasized narrowing agent's or public official's opportunity to avoid corruption or bribery, and making regulation that increases accountability, limits discretionary authority, and the agents' monopoly. The principle-agent theory confirmed that the strategy failed to eradicate corruption and bribery. This study recommends that bribery eradicating policy and strategy should not only rely on the legal reform and the establishment of new institutions. The corruption [including bribery]

eradicating strategy should reward social organizations which mobilize the public to report and punish corrupt behavior and to distance from corrupt attitudes.

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