

MOTIVES OF CRIMINAL ACTS OF CORRUPTION IN INDONESIA
(Study of Decision Number: 52/Pid.Sus-TPK/2016/PN.Tjk)

I Ketut Seregig
Faculty of Law, University of Bandar Lampung
E-mail: ketut1183@gmail.com

ABSTRACT

The data presented in this study are legal facts that come from informants who are directly involved in the investigation of corruption crime at Lampung Provincial Health Office, conducted by the High Prosecutor Attorney Lampung as well as the Prosecutor and the decision of the Panel of Judges who tried the case of corruption of Ambulance procurement project, Mobile Hospital support unit, 4 WD Ambulance sourced from APBD Lampung Province in 2013 worth of IDR.7.600.000.000.00 (seven billion six hundred million rupiah). In addition to this data, the same motive occurred to Defendant Mustofa (Regent of Central Non-Active Lampung who was on the KPT OTT on February 15, 2018) and on Monday, July 23, 2018 sentenced to 3 years in prison, for being proven to give bribes to the DPRD together with Taufik Rahman (Head of Bina Marga Lampung Tengah) with the intention to tidy up the loan to PT.SMI. The result of research is that corruption crime in Indonesia is done by more than one perpetrator, which is divided in two variables that support each other that is between leader and subordinate. This variable is consistent with the conclusion of Lambsdorff's research which states "there is a strong relationship between the head and subordinate in a corruption act called 'corrupt head' and 'corrupt subordinate'". Lambsdorff's research results are used as a knife analysis in exploring the factors that strongly influence the occurrence of corruption in Indonesia. When examined from the sociological aspect, about the criminal acts of corruption that occur in Indonesia, it turns out that the perpetrators of corruption in performing acts are not alone, but more than one person, divided into 2 (two) groups, namely the superior group as the holder of power/authority and subordinate group as the executor of the activity. In this study it is found that the factors that encourage perpetrators to commit criminal acts of corruption is the existence of sociological factors, among others; factor of proximity/trust between superiors and subordinates, feelings of indebtedness of subordinates, because they have been promoted to good positions

Keywords: Corruption, Action Motives, Sociological Factors

A. INTRODUCTION

Work, work, work; this is the policy of Jokowi-JK government after being elected as President of the period of 2014-2019, so the Cabinet he headed is called the Working Cabinet. The main reason is given the name of the Working Cabinet because so far the government of the Republic of Indonesia plans too much but little is done. One of the priorities of Jokowi-JK in developing Indonesia is the development of eastern Indonesia which in the value of no progress at all. To pursue such backwardness Jokowi-JK issued a

policy of highway development both on the sea and on land. The result, within 3 (three) years of Jokowi-JK lead the State, many infrastructure programs have been implemented by President of Republic of Indonesia, among others; constructing dams or reservoirs to support the agricultural program of a million hectares of rice fields, tax amnesty program to overcome the country's financial revenue deficit, law enforcement against fish thieves in the Indonesian sea by sinking the ships used to steal fish, build sea tolls that become one breakthrough of Jokowi-JK program to overcome the high price of nine basic materials and building materials in eastern Indonesia, among others, in Papua and West Papua and to build toll road infrastructure in Papua, Sumatra, Java and other areas considered to be prioritized for toll road construction.

President of the Republic of Indonesia Joko Widodo stated that Indonesia is once the largest maritime country in Southeast Asia, so with the spirit of fighting as Maritime Country, Jokowi-JK find a way to overcome the problem of the high price of nine basic commodities and the price of building materials in eastern Indonesia by way of building tolls at sea and toll on land. The development of toll roads in the sea and on land is not only implemented on the islands of Java, Sumatra, Bali, and Lombok, but also in Papua. Toll roads have been built as evidence of the implementation of the Cabinet's Work, Work, and Work policy.

With the connection between ports through sea tolls, with sea toll lanes to all areas in eastern Indonesia, connecting the island of Java and Sumatra, it has created smoothness in the distribution of goods to eastern Indonesia to the remote areas. Bupati of Biak Numfor Thomas Ondy stated; the region of Papua and West Papua is an archipelago area, so the strategic policy by building a sea toll that is done by the central government is a very appropriate program and beneficial to the people.

Through sea toll transport, Biak regency is now a center of goods and services distribution, which contributes to maintaining the stability of the price of nine basic materials and building materials. The statement of Numfor Thomas Ondy is in line with the statement of Widiarto as the Head of Industry and Trade Office of Biak Regency who stated that the entry of the Biak area as a sea toll lane has a positive impact on the stability of the price of nine basic commodities such as sugar, rice, cooking oil, and building materials such as cement and iron concrete as well as various other building materials. The existence of sea toll transportation to the port of Biak has contributed greatly in suppressing the high prices of basic food in the market. The price of wheat flour which was originally worth IDR.10.000/kg, decreased to IDR.7.600/kg. Rojolele Rice size 20 kg

which originally worth IDR.269.000/zak down to IDR.238.000/zak. Oil originally headed for IDR.15.000/liter dropped to IDR 13.000/liter; the original sugar for IDR.15.000/kg fell to IDR.13.500/kg (Suara.com, 7/5/2017).

The success of the maritime program launched by the Jokowi-JK government is not only in sea toll programs but also in law enforcement at sea. Minister of Marine Affairs and Fisheries Susi Pudjiastuti makes a breakthrough in law enforcement by drowning the ships of fish thieves which have been sentenced by Judge and have permanent legal force. Throughout the year 2016, the minister noted that she had drowned 236 foreign and illegal local vessels committing fishing in Indonesian waters, consisting of 96 Vietnamese vessels, 58 Filipino boats, 21 Thai boats, 38 Malaysian ships, 15 Indonesian boats, Papua New Guinea 2 units, 1 unit China ship, 1 unit Belize ship and 4 units without flag. Based on the records of the entire vessel captured during 2016, the data of 781 units of arrests were carried out by the Navy, Sea and Water Police. Meanwhile the ships whose decision has been *inkracht* in 2017 are as many as 51 units, and those waiting for the decision of *inkracht* are 41 units. Thus the number of boats to be drowned next month clearly is 92 units, Jakarta (kompas.com, 17/1/2017).

The success of the Jokowi-JK program at sea certainly would not be perfect if not followed by the success of development programs carried out on land. Is the Jokowi-JK program on land also reaping success as well as the sea toll program as stated by the Biak Regent and the success of law enforcement for fish thieves as stated by the Minister of Marine Affairs and Fisheries of the Republic of Indonesia Susi Pudjiastuti? Based on observations of on-the-ground development programs, such as the development of Sumatra's toll road infrastructure, Toll roads and toll roads on the island of Java have shown significant results compared to the previous administration. It is just the process of development managed by the local government; the level of corruption increases very sharply because the implementation of development programs in many areas are corrupted by the Regents and Deputy Regents, Mayors and Deputy Mayors, Governors and Vice Governors. The criminal acts of corruption committed by these government officials severely hinder the development process that has been programmed in Jokowi-JK government.

B. PROBLEM STATEMENT

The negative impacts of corruption on development are evident in the very low quality of development results, the impediments of development program planning due to

caught by hand and the enactment of local officials by law enforcers as suspects of corruption. Although many local officials have been caught red-handed, it has not deterred government officials from committing criminal acts of corruption. Corrupt acts of government officials are not only committed by local leaders, but also by officials under it who are given the responsibility to manage development projects through a procurement program of goods and services. One of them is corruption crime that happened in Land Transportation Procurement Project of Lampung Provincial Health Office of Fiscal Year 2013, causing State losses amounting to IDR 2.703.510.160. Based on observations, there are other factors that need to be investigated and analyzed as factors causing corruption that occur in Indonesia, namely sociological factors, among others; proximity factor, trust, and expectation to reach a better position. The facts described here is enough to be the cause of corruption in the project development and procurement of goods/services that have been programmed by the government in Lampung Province. To explore the factors that encourage government officials to commit the criminal act of corruption I conduct a study whose results will be written in a scientific journal entitled "*Motives of Criminal Acts of Corruption in Indonesia*".

C. RESEARCH METHODS

This research is designed to answer the problem proposed, "corruption crime motives" described in Part 1, then answered with critical literature that is largely derived from the results of researches conducted by researchers in their respective countries in Section 2. Furthermore, these issues are discussed and investigated by case studies of procurement of goods/services at the Lampung Provincial Health Office in Section 4. First, the literature review made it possible to formalize key constructs useful for the study. In essence, this literature review only highlights one major aspect of this research, which is "the motive behind corruption." This case study aims to explain in depth that the motive of corruption has more powerful effect on criminal law sanctions imposed on the corrupt. In fact, in the context of project performance designed by the government, corrupt behavior often comes to seek opportunities for corruption. To corroborate the discussion of the facts found in this study, researchers also considered the scientific work written by Hayat and Mar'atul Makhmunah in a journal entitled "Prevention of Criminal Acts of Corruption of Village Governance: Political Study of Policies and Laws of Natural Resources Management of Villages" stating that "the factors that have the greatest effect on the occurrence of criminal acts of corruption are; factors of opportunity and opportunity, and

the orientation of personal or group interests" (*Journal of Justice Law, Vol.5 Number2 May-August 2016: p.365*).

The data presented in this study are data derived from empirical research which relies on the results of interviews on the findings of the factors that cause the occurrence of corruption in Indonesia, in health vehicle procurement project at the Provincial Health Office Lampung. The result of this interview is then used as an analysis material by using normative approach, i.e. the results of previous journal researches conducted by several researchers in other countries. Those findings will be used as a reference that the forms of corruption found by researchers in the world are many including in Indonesia.

Methods of data collection in this study use observation methods, interviews, and bibliography. Interviews are conducted with the informants in relation to the studied focus. The results of research written in scientific journals with qualitative methods, whereas in the analysis used the legal system theory Laurance Meir Fridman is a legal culture system that states, the implementation of the law is determined by the growing legal culture in society. In addition to the theory of the legal culture system, researchers also use Immanuel Kant's 'theory of causality' which states 'every act that is being done is caused by certain reasons, although not rejecting, that the movements required by it correspond to natural causality' (Laurance Meir Fridman, 2001: 7-9).

Both theories mentioned above serve as an analysis knife to dissect the "Motive of Corruption in Indonesia". The reason for using this theory, because based on the observation of the perpetrators of corruption captured by the Corruption Eradication Commission (KPK), is mostly done by hand operation (OTT) is receiving or giving bribes to state officials, meaning the motive of this case is closely related to the problem legal culture that develops in the community, or there are certain social situations that encourage officials to commit corruption. The social relationship between officials and society will be an inseparable mutualistic-causality that creates a negative legal culture in society.

D. DISCUSSION AND RESEARCH RESULT

1. Motives Of Criminal Acts Of Corruption In Indonesia

To give an overview of the results of research that has been done, I will describe the process of investigation of corruption case of procurement of Medical Device at Lampung Provincial Health Office conducted by defendant Sudiono by interviewing the investigation team of Corruption of Lampung High Corruption Court which is represented

by EffiHarnida, The legal counsel of the perpetrator of Corruption Handoko and the corrupt NWA. The results can be described as follows:

a. Chronological Case

On 08 February 2013 Head of the Lampung Provincial Health Office as the power budgeting authority (KPA) issued Decision Letter No: 800/0347/III.03.I/2013, regarding the appointment of the NWA as the Committing Officer (KDP) assigned to handle the project Capital Expenditures on the Procurement of Ambulance Transport Equipment, procurement of Mobile Hospital support units with a value of IDR 5.100.000.000.00 (five billion one hundred million rupiahs) and the Ambulance 4 WD Transport Equipment Procurement project, IDR.2.500.000.000.00 (two billion five hundred million rupiah). Of the 2 (two) capital expenditure projects handled by the NWA, the total funds managed from the APBD of Lampung Province in 2013 are IDR.7.600.000.000.00 (seven billion six hundred million rupiahs).

Based on the decree signed by the Head of Service as the Budget User Authority (KPA), NWA as the PPK conducts the procurement activities by stipulating and signing its own estimate price (HPS) on March 20, 2013 with a total value of IDR 7.277.500.000,00 (seven billion two hundred and seventy seven million five hundred thousand rupiah), with details of expenditure as follows:

Table 2: Type of Goods in Provincial Health Project year 2013

TRANSPORTATION TYPE	PRICE
Mobile hospital Ambulance Car5 (five) unit	IDR 2.492.500.000
Radiology Car1 (one) unit	IDR 1.996.500.000
Recovery Room Car1 (one) unit	IDR 1.991.000.000
Medical Personnel Operational Car1 (one) unit	IDR 797.500.000
TOTAL	IDR 7.277.500.000

Data Source: *Judgment of the Court of Corruption of District Court Tanjungkarang No:52/Pid.Sus-TPK/2016/PN.Tjk*

The implementation of auction of Capital Expenditure Project including the procurement of 5 Mobile Hospital Ambulance Car Unit, 1 Unit Radiology Car, 1 Unit Recovery Room Car, and 1 Unit Medical Personnel Operational Car was followed by 27 companies. Of the 27 companies that participated in the auction, 5 (five) of them passed in the auction process, namely:

Table 3: Company data that pass in the Auction

COMPANY NAME
CV. Tiga Putra Prima
CV. SiabartaTangguhArtha
PT. PancaArthaMandiri
PT. TelagaNirwana
CV. HutamaDwiKarya

Data Source: *Judgment of the Court of Corruption of District CourtTanjungkarang No:52/Pid.Sus-TPK/2016/PN.Tjk*

In conducting such auction activity, the High Prosecutor's Office Lampung found indications of unhealthy competition and the existence of bidding by LHP as the Head of Procurement Services Unit (ULP), namely:

- 1) The occurrence of the same technical bidding document which includes; goods offered (brand, type, variety), offering price close to the reference price (HPS) of the five companies participating in the auction and the fifth document of bidders who have won the tender are allegedly affiliated (having a relationship or a relation to each other).
- 2) LHP as the Head of the Procurement Services Unit (ULP) should state that the auction failed because the evidence of unhealthy competition and bidding in the bidding was found. However, it was not done even LHP as Chief of Procurement Services Unit (ULP) assigned 3 (three) companies as the Auction Winner and signed Minutes of Auction Result of Procurement of Land Transport Equipment of Lampung Provincial Health Office for Fiscal Year 2013 Number: 185/ULP-Pokja 20/APBD/IV/2013, April 19, 2013.
- 3) The action of the Chairman of ULP is contradictory to Article 83 Paragraph (1) Sub-Article e of Presidential Regulation Number70 of 2012, regarding the second amendment to Presidential Regulation Number 54 Year 2010 concerning Government Procurement of Goods/Services.

After signing the auction result report, the Head of ULP sent letter Number: 199/ULP-Pokja 20/APBD/IV/2013 dated April 22, 2013, regarding the award of the tender winner to KDP and based on the auction letter of the tender winner, LHP as the ULP Chairman announced the Winner Auction with Letter Number: 202/ULP-Pokja.20/APBD/IV/2013 dated April 22, 2013, stated that the company was appointed as the Executing Worker of Land Transport Equipment Procurement of the Provincial Health Office Lampung fiscal year 2013 as follows:

Table 4:
Data of Winners of Bidding Procurement Project of
Provincial Health Office Lampung 2013

COMPANY NAME	AUCTION RESULTS
PT. PancaArthaMandiri	Winner-I
CV. TelagaNirwana	Back Up-I
CV. SiabartaTangguhArtha	Back Up-II

Data Source: *Judgment of the Court of Corruption of District Court Tanjung Karang No:52/Pid.Sus.TPK/2016/PN.Tjk*

Results of investigations conducted by Lampung High Prosecutor Investigation Team consisting of Sidrotul Akbar, Effi Harnida, Tri Wahyu and M.Akbar found legal facts which were then used as evidence of criminal acts of corruption in the implementation of Land Transportation Procurement Project of Lampung Provincial Health Office fiscal year 2013. There is an unnatural difference between the value of payment from the State Treasury to the Partners of IDR 6.512.032.000 with the total value of the procurement realization of IDR 3.808.521.840 which is IDR 2.703.510.160. As a result of the acts committed by LHP and NWA, the state suffered a loss of IDR 2.703.510.160 (Decision No: 52/Pid.Sus-TPK/2016/PN.Tjk, pp.34-35).

b. Motivation of corruption

Description made by EffiHarnida representing the Lampung High Prosecutor Team during the investigation process related to the juridical analysis of the case in hand stated that the defendant NWA actually knew about the adverse flow of funds to the State of 2.7 billion, but the defendant did not want to disclose the involvement of Head of Service as the Budget User Authority (KPA). The reason of the accused was because of the very close emotional relationship between the defendant and the Head of Service, even the defendant is a confidant of the Head of Lampung Provincial Health Office as KPA. In addition to that reason, EffiHarnida saw that based on the resume data described by the defendant during the investigation process. It is also possible that the defendant felt indebted to the Head of Service having been given good position and position by the Head of Lampung Province Health Office.

While NWA as a PPK in a direct interview states, "Heaccepts the verdict handed down by the Panel of Judges and for him it will not make the situation better if the

information conveyed makes the Head of Service go to jail. It is better that he (NWA) undergoes just what has been decided by the Panel of Judges to him". This NWA statement proves that he knows what is really happening in the implementation of an ambulance car project that was investigated by the Lampung High Court.

c. Problem Analysis Researched

Most of the development projects implemented in Indonesia are projects of corruption, collusion, and nepotism (KKN). The facts found in the investigation process turned out to be the cause of corruption, not only because of the greedy nature of the perpetrators, but also because of the responsibilities given; the discomfort of refusing orders from superiors, the sense of indebtedness given the good position, and the intervention of the superior who gives the work. These facts were obtained based on interviews with one of the investigators of Corruption Sub Directorate, Directorate of Special Criminal Investigation of Lampung Regional Police, Rossi Platini who stated that the Sub Directorate has also managed to uncover corruption cases involving superiors and subordinates, among others; book procurement project of North Lampung Regency Education Office in 2013, corruption of athletics development budget at Dispensation of Lampung Province in 2013, Corruption at City of Maritime Affairs and Fishery of Bandar Lampung in 2013, project permit case by Head of Lampung Province Economic Bureau in 2016 and procurement project case Health Equipment at Lampung Provincial Health Office in 2016. The case of corruption that has been tried is proof that there has been a corruption crime involving superiors and subordinates in the implementation of development projects in Lampung Province.

The High Prosecution Investigation Team Lampung handling the case has successfully uncovered the corruption of the Hospital Ambulance Car procurement project, Radiology Car, Recovery Room Car and Medical Personnel Operational Car worth IDR. 7.277.500.000.00 won by PT. PancaArthaMandiri, and found the loss of the State of IDR. 2.703.510.160.00 (two billion seven hundred three million five hundred ten thousand one hundred sixty rupiah). In this case the Chairman of the Organizing Committee (PPK) was sentenced to a jail term of 1 year and 4 months, with a fine of IDR.50.000.000.00 (fifty million rupiah). In the process of investigating the criminal act of corruption, the Supreme Court of Lampung Investigation Team should be able to reveal the involvement of the Head of Lampung Provincial Health Office as the Budget User Authority (KPA). However, it cannot be done because there is no evidence that leads to the Budget User

Authority (KPA). There are constraints in the collection of evidence because during the process of investigation NWA does not disclose the involvement of the Head of Service as the Budget User Authority (KPA) as the only entrance to open the involvement of Head of Service is NWA as PPK.

Despite the relevance of corruption in the selection of planning and delivery projects, it appears that there is not much of the project management literature that takes into account the important phenomena associated with infrastructure planning in the context of corrupt project management featuring various types of corruption and project characteristics that tend to be corrupted. This is particularly relevant for large projects where it is not usually the public sector acting as an owner or even as a prime contractor. Megaprojects are "unique and large projects" where public actors play a key role and are very likely to be affected by corruption, which worsens performance, cost, time, and benefits. The case study used is the Italian railway project that shows the impact of corruption on the context of mega projects.

Lambsdorff analyzes the relationship between corruption and productivity which shows that increasing corruption by one point on a scale of 0 (very corrupt) to 10 (very clean) lowers productivity by 2%, (Wei, 2000). The direct impact of corruption on foreign investment that shows corruption negatively affects the ability to attract direct foreign investment (Tanzi and Davoodi, 1998). According to them, corruption correlates with; (i) Higher public investment; (ii) A decrease of government revenue; (iii) Reduce expenses for maintenance of operations; (iv) A reduce in the quality of public infrastructure. Furthermore, corruption reduces; (i) Growth of higher public investment while reducing its productivity; (ii) The quality of existing infrastructure; (iii) The government revenues required financing productive expenditures. Lambsdorff found a strong influence between corruption and economic development. With one point on a scale of 0-10, from very clean to very corrupt can reduce productivity by 4 percent of GDP and reduce annual net capital in inflows by 0.5 percent of GDP ". Any impact of corruption on productivity, in essence, has a very bad and extraordinary effect on the quality of the bureaucracy, due to the influx of annual capital flows with a less clean legal tradition and order in preventing corruption. The anti-corruption group should focus on renewal in the public sector if the renewal priority is given to increasing productivity. Law reform must be overcome if the state wants to attract foreign capital.

Research conducted by Habib and Zurawicki of University of Massachusetts, Boston, which examines the impact of corruption on Foreign Direct Investment (FDI), proposed 2 (two) research problems; first, analyze the level of corruption in the host country; and second, examine the absolute difference in the level of corruption between the host and the country of origin. The conclusion of the problem description in the research study conducted based on data of the last three years is that corruption is a serious obstacle to investment. This conclusion is supported by research data obtained from international statistics on FDI, compiled by countries of origin and destination in Indonesia. Thus, this experience adds to our understanding of investor patterns and reactions to investment project corruption. Foreign investors will try to avoid corruption because they believe it violates morals. They will also try to avoid corruption because it will be difficult to manage the risk and the impact of expensive corruption (Habib and Zurawicki, 2002). The concerns of foreign investors to invest their capital in Indonesia concluded by Habib and Zurawicki cannot be ignored as this will have an impact on investor confidence in Indonesia. The world views Indonesia as having enormous potential for investment development. For that reason, foreign investors will be very careful to invest in Indonesia. Once investments invested in Indonesia, then cases of corruption are found in its implementation, the impacts of development in Indonesia will be very extraordinary. The development of investment in Indonesia will decline. It will also impact the country's financial reserves that will be reduced, and investment in major projects that have been set by the government of Indonesia will be hampered.

The conclusion of the two corruption models presented above is a corrupt agent and the other is a corrupt head. Major corruption among leaders perhaps is more relevant in a small country while its form may be more pressing on others. The next hypothesis is developed in connection with the impact of loss on welfare. Empirical analysis is very important that to show the way in doing corruption which negatively affects capital inflows due to the absence of law and order. A good appearance with respect for law and order assigned to countries with politically accepted influence, a strong system of judicial institutions and a regular succession in the provisions of power and corruption, can weaken the law and order tradition, e.g. the law is sold ahead of the decision court. This is mainly due to the failure of a country's integrity system resulting in the ineffectiveness of foreign investor's property rights. Lambsdorff finds other indicators of poor governance in the calculations of investors, which also show that corruption lowers capital productivity. The important reason is that why corruption adversely affects productivity is related to its low

quality of bureaucracy, and to a lesser extent the level of government stability and civil liberties? Corruption is also implied in the appointment of civil servants on the basis of nepotism or bribery, regardless of the honesty and willingness to serve the community. This type of corruption is highly relevant to a corrupt agent. The strategy of corruption eradication should be adjusted, depending on whether the state is concerned with increasing productivity or attracting foreign capital. If so, then legal reform should be dealt with in order to improve the law and order and the security of property rights if the state wants to attract foreign capital. Tying the hands of politicians to the rule of law is very important in attracting foreign capital and will be very helpful in increasing productivity (International Journal, Elsevier. 2016).

If the results of the study are linked to the corruption model in Indonesia, the health vehicle procurement project implemented by Lampung Provincial Health Office, Lambsdorff conclusion in the research as outlined in the above journal becomes true. Corruption in Indonesia involves the perpetrators of more than one person, who are carried out jointly between superiors and subordinates as a trustee. In addition there are also sociological factors that encourage government officials to commit corruption in Indonesia, namely factors of closeness and hope to achieve a better position. Associated with the proximity and confidence of superiors with subordinates and/or other parties, in research conducted by Lambsdorff the term used is a corrupt agent and corrupt head. In both variables, there is in a bureaucratic bond between superiors and subordinates. For example, corruption cases that occurred at Lampung Provincial Health Office in the provision of health cars, law enforcers (prosecutor agencies) only conduct investigations against subordinates only (corrupt agents), but did not conduct an investigation of his superiors (corrupt head). In the process of law enforcement it is clearly visible that subordinates are sacrificed by superiors to account for the real corruption committed by superiors. From the aspect of law enforcement, the process of investigation of corruption cases that is done is selective logging, so law enforcement seems only through the legal process alone, but not accompanied by the motivation to crack down on corrupt bureaucrats, then in this case it difficult for the government to build trust to foreign investors, resulting from the low quality of law enforcement in Indonesia. This condition will adversely affect the results of infra-structure development and procurement of goods/services in Indonesia that the quality and lifetime of infrastructure become very low which can lead to development costs to become larger and the development trend to become very small.

In India corruption is declared as an archaic problem since this corrupt behavior has emerged since the 4th century BC. It is found in Kautilya's book entitled *Arthashastra*. The corrupt behavior is expressed in the literary sentence "it is impossible for him not to taste the honey that is on the tip of the tongue, meaning that it is impossible for a government employee not to eat, at least, a little bit of the king's income." This action is like a fish moving under water. It cannot be found whether the fish is drinking water or not. Employees hired in government employment are temporarily unavailable, whether they take money for themselves or not (R.P. Kangle 1972, p. 91). Kautilya argues in general, to avoid corruption the government must pay attention to moral development policies although sometimes they are also tempted to commit acts of corruption. Moral is a value that is without fundamental change and the norm of honesty in people's lives, so the government must take such an act of ethical cleansing actively through moral reform campaigns because otherwise great hopes for corruption clearance cannot be achieved. Corruption is so vast and entrenched, and for all practical purposes there is not much that can be done about it. Bardhan quotes Robert Klitgaard (1988) as an example of success in controlling corruption, even in the current history of developing countries: the Hong Kong Police Department and the Singapore Customs and Excise Department are the most successful, but in some cases brave attempts by a the tax commissioner to combat corruption extends to the Internal Revenue Bureau and the substantial impact occurred in the 1970s. The most notoriously corrupt Filipino country under Marco's authority is the most striking case example. The importance of moral advice in anti-corruption campaigns to minimize corruption is that employee incentives can encourage even in general opportunists can let go of corrupt practices. Losing jobs and including wage premiums is the greatest potential for the temptation to corrupt. The other part of the package of policies that drastically reduced public spending resulted in lower real wages for public servants, which increased their motivation for corruption. We must also remember that when rich countries have defeated corruption in their history, it turns out that the average salary of an official is more many times than the income earned in most poor countries (Bardhan, 1997).

The impact of corruption on development undertaken in Indonesia, as well as a result of substantial public expenditure reductions, has resulted in budget tightening, which has resulted in the Indonesian government's difficulty in raising salaries, while basic needs (food and building materials) increased. On the other hand, with the declining state budget, the supply of people's needs is likely to be reduced. This is a potential that can trigger the

rise in the price of goods in the market. When market prices rise, employee salaries will not be enough to meet employee needs for a month. This potential can lead employees to corruption in the jobs that they are responsible for, among others, the implementation of government programmed infrastructure projects into the biggest potential project for corruption.

Three American researchers in their research entitled "the impact of corruption on investment of predictive problems" conclude that in recent years, corruption has come to the forefront of the development debate. Empirical evidence suggests that corruption inhibits growth and investment begins to emerge. Academics and scientists are increasingly devoting more time to studying these issues. This union parallels the concerns of politicians and policymakers around the world about corruption that undermines economic performance and business improvement. Campos said that their research was motivated by the paradoxes that occurred in East Asia, which concluded that there was "a positive correlation between investment rates and high growth with relatively high levels of corruption". The experience that occurred in East Asia has posed a serious challenge for Campos to test this hypothesis. Therefore, the three of them try to uncover this paradox and argue that it is not just the level of corruption that encourages investment but also the nature of corruption (J.E.Campos, Donald Lien, and Sanjay Pradhan, 1999).

Mo's research in Hong Kong resulted in estimating the impact of corruption on the relativity of growth and the importance of the transmission line, that 1% increase in corruption reduced the growth rate by about 0.72%, or, it was stated differently, that an increase in the corruption index reduced one unit growth rate by 0.545 percentage points. The most important channel affecting economic growth is political instability which has accounted for about 53% of the overall effect. Thirteen other channels include the level of human capital and private investment, but Mo's results are more common. Corruption is most prevalent in other forms of ineffectiveness in institutions, such as in weak bureaucracy its legislative system presents in the judiciary. Although this problem may occur, reduced by including variables such as indexes, government political rights and initial per capita income to capture the institutional characteristics of the country, Mo finds it more interesting to interpret the corruption index as a set of institutional issues. Related to the corruption of government regulations, red tape bureaucratic corruption and even the strength of legislative and judicial systems tend to strengthen. Although the two SLS estimates yield the same results qualitatively, the total effect of corruption and the effect of the transmission line are greater in absolute terms. These results are summarized in table 9

of appendix II.13 in the sample of the maximum corruption index equal to 8.41 and the minimum equal to 0.2. Countries with varying degrees of corruption may have different long-term growth rates of around 4.5 percentage points. In the two SLS estimates, a 1% increase in corruption rate will reduce the growth rate by 1.3%, or otherwise different an increase of one unit of corruption index will reduce the growth rate by 0.989 percentage points. The channels of political instability accounted for about 57% of the total effect. (Pak Hung Mo, 2001).

The results of Campos research was different. He named the results of his research as "Economic Miracle". Corruption is said to be very well organized, so the level of predictability is relatively high, but in the results of research conducted by Campos it shows that despite having high levels of corruption, this economic miracle still manages to attract much higher levels of investment than other developing countries. When compared to many developing countries, the country is growing faster despite corruption. Campos rejects the view that "more corruption means less investment". Campos therefore disagrees to justify that corruption is based on the East Asian paradox which he claims as misleading. According to Campos there is still much to learn about corruption and economic development. Researches on this issue are many. The implications of the birth of its new issue of course need to be studied, thus the form of corruption can be more predictable, so that high levels of economic growth can be maintained. Campos classifies three categories of predictability that need to be understood: (i) Those with a high-level view of corruption, low predictability rates are predicted; (ii) Those who argue high levels of corruption predicted high predictability rates and those with low levels of corruption are predicted to be of high predictability. The economic miracle found by Campos is that there is a second predictability of "the high corruption rate is predicted to have high predictability rate". What is meant by Campos's high predictability rate is economic growth and high development. Paying attention to the results of Campos's research in America, stating that high levels of corruption do not necessarily indicate low investment, the facts found show the opposite fact that high levels of corruption have no effect on the increase of investment. Indonesia's economic growths based on data published in the past three years were 5.02% in 2014, 4.88% in 2015, and 5.02% in 2015 (Tempo, 7 September 2016). Of course this is included in the economic miracle as the results of Campos research in America. It turns out that corruption crimes that successfully eradicated by the Corruption Eradication

Commission (KPK) in Indonesia have no effect on the economic growth of Indonesia in general.

Related to the references described above, then the problem to be answered in this research is the sociological problem of corruption crime in Indonesia, which encourages government officials to corrupt. In this paper I will elaborate qualitatively on the factors that drive corrupt officials, associated with Campos's view of economic miracles which certainly will not be applied in general. This is a specific discovery in the study of corruption problems in the world. This is in line with Socrates's findings of the general truths of the fifth century (470-399 BC) and the relative truths that he claims to be impermanent truths, but relative truth exists. When it comes to the economic conditions in Indonesia, the results of the research Campos found on "economic miracle" can be justified. In Indonesia, although the Corruption Eradication Commission (KPK) has succeeded in cracking down on corrupt state officials, the success has no significant effect on investment development in Indonesia. In fact, investment in Indonesia continues to grow positively. Then what factors affect the development of investment and development in Indonesia? The result of the observation on the rupiah exchange rate pledged against the US dollar when the suicide bombing occurred in Kampung Melayu Jakarta. The rupiah weakened to 0.655 point from IDR.13.279,-/USD at the time of the Bombing in Kampung Melayu to IDR.13.644,-/USD on Wednesday May 31, 2017. With the weakening of the rupiah against USD, the security factor has a strong negative effect on development in Indonesia.

Richard M. Bird et al. argue that a more legitimate and responsive state is an important factor in efforts to increase taxes to be more adequately in developing and high-income countries as well as advising poor countries looking to improve their tax ratio. It is considered more helpful than not telling them. It seems that to find oil is more appropriate for people to improve their governmental institutions than to rearrange the gift of nature. Improving corruption and accountability may not take longer or more difficult than changing the opportunity to handle taxes and economic structures. The paper also shows that high-income countries also have the potential to improve their tax performance through the improvement of their institutions. The main contribution of Bird et al. paper is to expand the conventional model of tax effort by showing that the supply factor is not just a problem, but demand factors such as corruption, voice, and accountability also determine tax collection efforts to some extent (RM Bird, Jorge Martinez Vazquez, Benno Torgler, 2008).

In Indonesia, corruption is a central issue that demands government accountability to the public. People will always speak out loud if in taxes, state officials do corruption. Benefits taken in the paper presented by Bird et al. is that tax corruption by government officials will always be voiced by the people and legally accountable since taxes are the largest income that becomes the most important source of the State of Indonesia's finances.

Immanuel Kant (1724-1804) in his theory stated that "He confesses causality but at the same time thinks and does not even know that freedom is a thing which may be born of everyday action. For actions which he claims to have been freely chosen, there is always an explanation from the side of the natural causality of his perfected movement, and the absence of an explanation of the action which ignores the possible explanations of the side of natural causality is objectively acceptable. At the same time, the act itself is understood by reference to the wills associated with it; that is, it can easily be understood by reference to reason, when it considers that action is being done for some reason although it does not deny that the required movements correspond to natural causality "(Diane Collinson 2001: 136).

Data published by the Corruption Eradication Commission (KPK) on print and electronic media, corruption crimes that occur in Indonesia are almost evenly distributed in every government agency, especially in the local government both provincial and district governments. Data on law enforcement conducted by Corruption Eradication Commission (KPK) states that in 2014-2017 the officials caught by KPK are as follows:

Table 1:KPK Enforcement Data Results Years 2014-2017

PEJABAT YANG DITINDAK	AMOUNT
Governor/Deputy Governor	18 people
Mayor/Vice Mayor	60 people
Regent/Vice Regent	-

Data source uploaded from:*national.kompas.com- 5/10/2017*

Based on these data, the trend of corruption in Indonesia is increasingly massive. In this scientific work, I will describe the motives of corruption, factors that encourage Governors, Mayors/Regents and Vice Regents to corrupt. I believe that this sociological motif has causality and a very strong impetus of corruption in Indonesia. In this case Immanuel Kant theory of causality will serve as a knife analysis to answer the problem studied in this scientific work.

E. CLOSING

1. Conclusion

Based on the results, the conclusion of the research can be described as follows:

- a. The criminal acts of corruption occurring in Indonesia, especially in goods/services procurement projects, have been started from the planning stage, by marking up the unit price into details of the entire price of goods/services, based on case data that has been caught, crime corruption mostly involves more than 1 person.
- b. The motivation to commit corruption in procurement projects ranging from corrupt heads backed by corrupt subordinates is consistent with the findings of Lambsdorff who analyzes the relationship between corruption and productivity, which then summarizes the findings that in corruption there are two structured mutually supportive variables called 'corrupt heads' and 'corrupt subordinates'. The result of his research was published in the International Journal Elsevier (2016).
- c. The result of the research found in Indonesia shows the fact that the determinant of corruption in Indonesia is a very close social relationship between the head with subordinate called "the confidant" and the indebtedness of the subordinate to the head, the good one. These social factors are what I value as "the motive of corruption" which gives a strong influence on corruption in Indonesia.

2. Suggestion

- a. Referring to the research findings that corruption is committed by more than one person, then in the implementation of procurement project activities using state funds, it is advisable to the government to conduct strict supervision by folding investigators of corruption.
- b. In the study also found that the perpetrator committed a criminal act of corruption, sanctioned by superiors responsible for procurement project activities undertaken, it is recommended to the government in the payment of the project to use e-bugetting.
- c. In this study found the existence of emotional connection to be the main factor that motivate corruption, it is suggested to the government in the implementation of the project auction to involve external supervisors from investigators Police, Attorney or KPK.

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