Why Corruption?

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ABSTRACT

The purpose of this study is to find out and to describe why corruption continues to occur in Semarang Government although there have been many regulations or commissions made as an effort to eradicate corruption. A qualitative descriptive method was applied in this study to describe the phenomenon of why corruption occurs. The data were collected by in-depth interviews. The finding has shown that the corruption behavior occurs in form of bribery in the level of the civil servant executive ranks, including the mayor and legislative elements as the efforts to "speed up" the approval from the Regional Revenue and Expenditure Budget Plan. The occurrence of bribery behavior cannot be separated from the internal conditions in the organization or the bureaucracy, and it is also related to the individual, group and organizational structure dimensions. Bribery is considered a common practice as the official consequence due to the existence of a "transaction model" and there is a perception that bribery is not corruption because it does not harm the State, but is considered a bureaucratic failure.

Keywords: *Corruption, Bureaucracy, Bribery*

1. INTRODUCTION

Corruption is a deadly foe of both professional governance and humanity. Corruption has happened in most governments in the world. There have been many studies on corruption, such as the study done by Natalia Melger et al [12] on The Perception of Corruption; Chandler and Graham (2013) and Agbiboa (2013) which disclose the perception that corruption is deviant behavior from formal duties for the role of public servants for personal benefit.

In Indonesia, it seems that corruption is an inherent character in the bureaucracy, and various efforts have been made by the government by creating a commission to overcome this corruption issue. However, the existence of regulations and commissions made by the government has not been able to overcome the rampant or high number of corruption. This is shown by the large number of government officials in the Indonesian bureaucracy who did the corruption.

Corruption cases have increased in Indonesia in the last 4 years. The state officials who misused the most country's money were the country representatives, either DPR (House of Representative) or DPRD (Regional House of Representative), namely as many as

23 doers. There were 10 regional heads, such as governor, mayor and regent. The possible positions to do corruption are echelon I, II, and III and there were about 10 corruption cases among them. There were also 28 people from the private sector involved in corruption. The most common mode of corruption is bribery. In 2014 there were 20 cases of bribery. In 2015 the cases increased to 38 and again in 2016 to 79 cases of bribery. Then, in September 2018 there were 55 cases of bribery. The corruption which was occurred did not only happen in the executive board but also in the legislature and in the judiciary.

President Joko Widodo also emphasized his commitment on the efforts to eradicate corruption in Indonesia. He considered that the efforts to eradicate and prevent corruption have not been successful yet, because many state officials were arrested for being involved in corruption case. According to data reported to Mr. Jokowi (the President of Indonesia Republic), there were 370 state officials who had been jailed for corruption cases. The details were 122 members of the House of Representative and Regional House of Representative, 25 ministers or heads of departments, 4 ambassadors, 7 commissioners, 17 governors, 51 regents and mayors, 130 from echelon I to echelon III officials, and 14 judges. "The number of state officials

who had been jailed was not something to be proud of. In my opinion, the fewer are jailed, it means we are increasingly successful in preventing and eradicating corruption," said Jokowi in his statement at the opening of the 2016 National Corruption Eradication Conference at Balai Kartini Building, Jakarta, Thursday (1/12/2016).

The president statement, why corruption is still ongoing even though many regulations have been applied to curb corruption, became the research background or reason. There is also a lot of corruption in the legislature while legislature must be able to represent the people and be responsible for the mandate given.

From the empirical facts above, it is clear that corruption is still a serious problem in Indonesia. Behavior is defined as an attitude or action as well as everything that humans do in their daily life. Individual behavior in organizations is an expression of their personality, perceptions and attitudes, which can affect work performance in the organization (Hendi S & Sahya, 2010: 41).

Therefore, in examining corrupt behavior, it emphasizes how the actual internal conditions in an organization are thought to lead the opportunities for corruption done by its members. It is because a bad bureaucracy can encourage corrupt behavior by creating opportunities for doers inside or outside the bureaucracy to gain personal benefit. (Agus Dwiyanto. 2015; 161)

2. METHODOLOGY

This study uses a qualitative descriptive analysis technique in accordance with the research objectives to describe why corruption occurs. Data were collected using observation techniques, in-depth interviews using interview guides, discussions, FGDs which were focused on ex-convicted corruption cases. Besides, it also uses secondary data.

3. THEORY

Corrupt behavior in this concept is in line with the theory put forward by Robbins, (2015; 10). Stephen P Robbins says that there are three factors that influence individual behavior in an organization:
1. Personality (individuals)
2. Group (group)
3. Organizational Environment (Structure) [7]

Those three factors can explain why someone can behave both ethically and deceptively in an organization, in which the essence will make the organization work more effectively. Robbins said that personality is related to values which depend on motivation and perception of the stimulus in individual level. Meanwhile, the group level is related to leadership, pressure at work and power. One of the determinants of behavior is the organizational structure. The

bureaucracy structure becomes the main basis for the bureaucracy to run well.

From the factors that influence behavior as mentioned above, the individual factor is the first step to see how individual perceptions of corruption are.

Starting from the research conducted by (Natalia Melger; Maximi Rosi and Toni W, 2010) [12] about *The Perception of Corruption*, it is said that corruption and perceptions of corruption can be considered as cultural phenomena. Corruption is perceived as a form of behavior deviance and personal gain. Deviant behavior describes corruption as unethical behavior the act ((Nwabucor, 2005), while personal gain is described as the misuses of authority for personal or private gain (Beugre 2010 as cited in Budiman, Roan & Callan, 2013).

Another definition of corruption is *"... behavior which deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains; or violates rule against the exercise of certain types of private-regarding influence"* [1]

Meanwhile, the scopes on corruption according to the Anti-Corruption Law 31 / 1999JO No. 20 of 2001 are grouped into 7, namely:
1. State financial losses
2. Bribes
3. Embezzlement in office
4. Extortion
5. Cheating
6. Conflict of interest in procurement
7. Gratuities.

Other researches that are also related to environmental factors and corruption have also been carried out by Tansu Demir, Christopher G. Reddick, Branco Ponomariov & Carla M. Flink (2018) Does Power Corrupt? An Empirical Study of Power, Accountability, and Performance Triangle in Public Administration.

The bribery process carried out by the executive to the legislature is in accordance with the study done by Jeremy Benthan in the early 19th century in Hery Priyono [6] which states that there is a transactional relationship which always occurs between the legislator and the executive. There is no need for explicit communication between legislators and executives for corruption to occur. What is needed is only an institutional link to the legal authority of legislators and the operational authority of government executive-functionaries. The executive need the legislative's approval for various government administrations, new laws, or revisions to old laws, promotion of officials and so on.

Another theory that says how corruption occurs was put forward by Donald R. Cressey (April 27, 1919 - July 21, 1987), a penologist, sociologist and criminologist from the United States. He has made an innovative contribution to the study of organized crime, criminology, the sociology of criminal law and white

collar crime. Cressey has developed a theory known as the "Fraud Triangle" which identifies three factors that drive fraud and corruption, namely Pressure/Incentive, Opportunity, and Rationalization.

According to Cressey, the first factor in the Fraud Triangle is Pressure. Pressure is a factor that motivates a person to commit fraud, money theft or corruption because he or she is facing financial problems that cannot be resolved in a legal way. These financial problems can be in a personal form (for example, having a debt that he cannot pay) or in a professional form (for example, his job or business is in danger). Next, the second factor is Opportunity, which means that someone has the opportunity to commit fraud or corruption and is able to hide the fraud so that it is difficult for others to find because of the weakness in regulations or the lack of control and supervision in the organization where he works.

The third factor is rationalization. This third factor is usually the driving force for the majority of people to commit fraud or corruption for the first time even if they do not have a previous criminal record. They don't consider themselves as criminals. They also think that they are ordinary people who have never been involved in crime and honest people who are caught in bad situations. They think that their fraud or corruption is an act that can be justified or acceptable.

4. RESULTS AND DISCUSSION

Based on Robins theory of behavior, it can be analyzed from individual, group, and bureaucratic structures.

4.1 Individuals and Corruption

From individual factors in committing corruption using the dimensions of perception and motivation, it can be found that bribery corruption occurred because they were motivated to immediately get approval or agreement from the legislature on the Regional Revenue and Expenditure Budget. Accelerating legality is very important for executives in an effort to provide services to the community.

The provision of bribes to expedite a regulation has also been studied by Andreas Frederikson in the Journal of Development Economics 108, 2014 [8] Science Direct, Bureaucracy Intermediaries corruption and red-tape. In this study, he assessed that corruption is a form of 'red-tape' as a formal intermediary in bureaucratic structures and how people engage in bribery corruption to speed up the process. It is considered as speed money which actually gives benefits to entrepreneurs for time efficiency. This motivation aspect is understood as a form of awareness that encourages individuals to misbehave. It is related to the bribery that has been justified to be right thing in the bureaucratic environment, which indirectly creates a transactional model that has been rooted in Indonesia bureaucracy.

Starting from the perception and motivation of the regional head for the legality process, the bribery behavior carried out by the secretary based on the mayor's order is considered normal because it uses an alibi to accelerate the legality process of the Regional Revenue and Expenditure Budget. Individual perceptions of mayor's orders to hand over envelopes to the legislative are accepted as a consequence of being a subordinate. It is because the hierarchical characteristics of the system in the bureaucracy create obedience toward the orders from superiors. This is in accordance with the opinion expressed by Zaenal Abidin (2015: 44)[1]. If an individual has certain attitudes and behaviors, but the attitudes and behaviors are not of their own accord (because of orders from others who have higher authority) then the individual experiences obedience. Individuals feel the fear of punishment for not following orders. Of course, the sanctions or punishment are related to their status and position. This is the motivation why the regional secretary is willing to hand over bribe envelopes to legislators.

The value of this bribery is considered more beneficial for the benefit of service to the community because it is related to the ratification of the Regional Revenue and Expenditure Budget.

4.2 Groups and Corruption

From the group factor, it was found how helpless, either the regional secretary or the heads of department under the authority of the regional head, could not refuse orders to support the policy of providing bribes to legislative elements. The power use is very arrogant because it is related to the politics of reciprocation for the position held, so inevitably the heads of offices have to set aside 10% of the value of activities owned by each department. Power is used by the authorities to gain profit. The patron-client mechanism causes the weakness of the head of department to follow all orders from the superiors, including setting aside an activity budget to bribe legislative elements.

The power use to commit corruption has also been written by Fang Wang & Xunwei Sun (2014). *Absolute power leads to absolute corruption? Impact of power on corruption depending on the concepts of power one holds* School of Psychology, Beijing Normal University, Beijing, China † Institute of Psychology Power has long been associated with the stigma of corruption. Three studies show that different concepts of power have different implications for corruption behavior and perceptions. The concept of personalized power is concerned with the strength to pursue self-centered goals for one's convenience, whereas the concept of socialized power is concerned with the strength to pursue other-focused goals to benefit and help others. Pedro Bernandez (2010) [9] has also studied the model of governance and corruption in the *International Journal of Public Opinion Research vol. 22 no 1 2010 Determinants of Political corruption a Conceptual*

Framework that corruption can be seen as the power use by public officials for individual purposes.

In line with the above article, the corruption behavior in bribery model to legislators in Semarang is a form of power use from the regional head who requires giving money to legislators by taking money from departments or offices in the bureaucracy. The heads of offices as well as the regional secretary cannot reject the mayor's order.

Other research findings that also relate power to corrupt behavior have been carried out by Tansu Demir, Christopher G. Reddick, Branco Ponomariov & Carla M. Flink in the *International Journal of Public Administration Volume 42, 2019. 'Power is of two kinds. One is obtained by the fear of punishment and the other by acts of love '[13].*

The findings from the above field research also show that the mayor power is also used to threaten and even intimidate his subordinates. The model of intimidation is position shifting or removing structural officials who do not want to support the policy of setting aside money or deposits to be given to legislators.

The form of the power use by the mayor to order by forcing all heads of departments to participate in the provision of "commuting money" is a finding related to pressure at work as a form of internal pressure in the bureaucracy. In addition to this, the pressure is also experienced by the heads of departments with the legislature, especially when the heads of departments have to meet in commissions in the legislature. The plan for the value of the activities of the service that has been decided between the mayor and the legislature, turns out to be suddenly changing at the time of meeting with the commission in the Regional House of Representative. Corruption happens again in the form of changing the budget or the value of activities.

4.3 Formal Structure and Corruption

The structural dimension in the bureaucracy that causes corruption in the bribery model shows that there are structural forces that require individuals to bribe. From the relation pattern between the legislature and the executive, it illustrates that there is a high level of dependence from the executive to the legislature. The condition of the relationship pattern forces the executive to pay bribes. The function of the legislature as the legality provider for a regulation or the Regional Budget and Expenditure Plan has made the executive structurally need the legislature. There is a monopoly in the power structure within this relationship pattern.

Besides the power use, the formal structure factor also creates pressure in working for employees in the bureaucracy. The form of pressure here occurs due to the monopoly of authority possessed by the legislature in the ratification of various regulations which become the basis for the executive to carry out service functions, empowerment or development for the community. The field findings show that the regional heads have to

provide 'gift' for parties or legislators when discussing the State Budget Plan, and this is the heaviest pressure for regional heads. This fact is the basis for the mayor was considered to have committed bribes so that he was imprisoned for approximately 3 years. Jeremy Benthan in the early 19th century in Hery Priyono (2018: 216) [6] states that there are transactional relationships that always occur between legislators and the executive.

There is no need for explicit communication between legislators and executives for corruption to occur. What is needed is only an institutional link to the legal authority of legislators and the operational authority of government executive-functionaries.

On the other hand, this study also found how the heads of departments and regional administrations were also under pressure from the mayor to provide a certain amount of money, to fulfill or support the mayor's policy to provide gift for legislators. It is felt to be burdensome. Moreover, the money must be set aside from activities in each department. This form of corruption seems to have become common thing by all regional governments when communicating with the legislature. This finding is in line with the findings of Zainal Abidin (2015: 71)[1] which show how powerful the House of Representative that the role in corruption is always in the position of receiving "gift". The results of this study are certainly in line with the findings of Jeremy Benthan in the early 19th century in Hery Priyono (2018: 216) [6] who said that there is a transactional relationship that always occurs between legislators and the executive. There is no need for explicit communication between legislators and executives for corruption to occur. When examined from the Fraud Triangles, corruption in the form of bribery is included in the category of Rationalization. They also think that they are ordinary people who have never been involved in crime and honest people who are caught in bad situations. They think that their fraud or corruption is an act that can be justified or acceptable. The doers of bribery stated that they did not want to be called corruptors.

Their behavior is just a form of bureaucratic accident, because they never take the Country's money. Because they don't take country's money, they don't want to be called corruptors.

5. CONCLUSION

In accordance with the purpose of the research which wants to describe why mayors and civil servants commit corruption, it was found that the individual aspects, the organizational environment, in this case the group and the organizational structure, are the determinants of corruption behavior. Motivation is supported by the wrong perception about the meaning of corruption which is only understood as a form of taking state money, which is the reason that they do not want to be called a corruptor because it does not harm the Country. Meanwhile in the Anti-Corruption Law, bribery is a

form of corruption. They thought that their bribery behavior was only a form of bureaucratic accident.

Moreover, the existence of a transactional system, remuneration for positions, monopoly of authority and also the efforts to accelerate the legality of the Expenditure Budget and Regional Revenue causes the bribery to become a culture in the bureaucracy. They thought that it did not need to be asked. For executives, it is important that approval is needed to provide services, empowerment and development for the community.

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