



# The Regional Head Commits Corruption Again in the Different Term

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**Abstract.** Corruption is a crime against humanity. The impact is not only in the economic sector, but also destroys the entire structure of state life, even more devastatingly destroying the mentality of the nation's children. No state institution is immune from the virus of corruption. Regional heads who should be role models, according to the data from the Ministry of Home Affairs in 2019, 300 regional heads were involved in corruption. Among them, some had been imprisoned, then participated in the Regional Head General Election, and were elected, repeating corruption. This study answers the driving factors for why regional heads are corrupt again and finds efforts to minimize the recurrence of corruption by regional heads. With a case study of the facts of the trial in the court of a regional head who had been in prison. The result is large political financing with limited capital based on misguided intentions, the regional head even though he has been in prison will certainly repeat corruption. Opportunities that are used are buying and selling promotions for state civil servants, as well as commercializing projects by determining the winner who has deposited funds to the regional head. The effort to close this opportunity is to make a rule to include the Provincial Inspectorate in the promotion of echelon II and III positions. Meanwhile, to determine the winner of the project auction, namely to make regulations that require the local government to form an independent team financed by the regional government to oversee the auction and determine the winner of the auction. Maximizing the role of the Corruption Eradication Commission to tap the trusted people of the regional head who commercialize the authority of the regional head. Therefore, it is very urgent to establish a KPK in the Province.

**Keywords:** corruption · regional head

## 1 Introduction

Corruption is a crime against humanity. The impact is not only in the economic field, but also destroys the entire structure of state life. More than destroying the mentality of the nation's children. College graduates who are educated to be individuals with noble behavior, knowledgeable, are expected to maintain the honor and glory of the State, when entering the territory of the state bureaucracy, idealism, integrity on campus, are gradually eroded by the virus of corruption such as Anas Urbaningrum (former Chairman of the Democratic Party), Rohmanurmuzy (former Chairman of the United

Development Party), and Yuliari Batubara (Treasurer of the Indonesian Democratic Party of Struggle). 2018 is called the year of corruption emergency, until December 2018 as many as 23 regional heads were entangled in corruption handled by the KPK, starting with governors, regents, mayors [1].

Ministry of Internal Affairs (Ministry of Home Affairs) on November 21, 2019, stated that since the direct elections were held in 2005, more than 300 regional heads have been entangled in corruption. Regional heads commit corruption to finance high political costs [2]. Whereas KPK, data as of October 7, 2019, has processed 119 corrupt regional heads from 25 provinces in Indonesia. From January 1, 2019, to October 2019, the KPK conducted OTT against seven regional heads, namely Regent Mesuji Khamami, Regent of the Talaud Islands Sri Wahyuni Maria Manalip, and Governor of Riau Islands Nurdin Basirun. Then, the Regent of Kudus Tamzil, the Regent of Muara Enim Ahmad Yani, the Regent of Bengkayang Suryadman Gidot, and the Regent of North Lampung Agung Sains Mangkunegara [3].

Of the seven regional heads, what is interesting to study is the Regent of Kudus, Central Java Province, M. Tamzil, who in his first term of office (2003–2008) was involved in corruption and imprisoned. It turned out that in the second position (2018–2023) he committed corruption again. Judging from his career, the man who was born in Ujung Pandang in 1961, served as Head of the Public Works Office of Kudus Regency in 1991, as Deputy Regent of Semarang Regency in 2000–2003, Kudus Regent in 2003–2008, Expert Staff to the Governor of Central Java in 2008, Functional Officer of Balitbang Central Java in 2013–2018, Kudus Regent 2018–2023. His desire to become regent for the second time is to serve and help the community, as well as to clear his name in Kudus because he was stumbled on a corruption case of funds for educational facilities and infrastructure in Kudus Regency which was processed in 2014. He spent 1 year and 10 months in prison until he was finally released on parole. in December 2015.

What is interesting to study more deeply about the Regent of Kudus who was corrupt for the second time in the same position is why corruption is again, the saying goes like a donkey falling in the same hole. Haven't you vowed to serve wholeheartedly to the Kudus people to improve their lives more prosperously and service to be fast and responsive? Determined to restore his good name and honor due to corruption. The portrait of his family's economic life is more than sufficient to finance household needs, therefore it is considered important to dissect and fully explore what is driving and damaging his mind so that he is mentally corrupt?

With this portrait, the problems in this study are: (1). What motivates regional heads who are involved in corruption, get out of prison to compete in regional head elections, and are elected to office for the second time to commit corruption again? (2). What are the effective efforts to cover several opportunities for regional head corruption that keep recurring?

The purpose of the study was to find (1) The motivation and motives of regional heads to commit corruption again even though they had previously been involved in corruption in prison. (2). Finding the right efforts can be implemented effectively to close all opportunities for regional heads to commit corruption.

Etymologically, corruption means rottenness, ugliness, depravity, dishonesty, bribery, immorality, deviation from chastity, insulting or slanderous words [4]. While

corrupt means: (i) practicing or marked by the dishonest and improper use of one's power or position; (ii) morally wicked; (iii) to cause to become morally bad, change from good to bad; (iv) to change the original form of [5]; (v) (of people) willing to use their power to do dishonest or illegal things in return for money or to get an advantage; (vi) (of behavior) dishonest or immoral; (vii) to have a bad effect and make them behave in an immoral or dishonest way [6]; (viii) evil, bad; (ix) bribe [7]. In legal terms, act criminal corruption formulated in 13 articles of Law Number 31 of 1999 concerning the Eradication of Corruption Crimes jo. Law Number 20 of 2001. Corruption crimes are formulated in 30 (thirty) forms/types of corruption crimes that can be subject to imprisonment. According to Robert Klitgaard, the causes of corruption are:  $C = M + DA$ . C = Corruption; M = Monopoly of power; D = Discretion of official; A = Accountability. According to Robert Klitgaard, the monopoly of power by the leadership (monopoly of power) coupled with the high level of power (discretion of official) without adequate supervision from the supervisory apparatus (minus accountability), corruption will occur [8]. The change in the pattern of government from centralized to decentralized with regional autonomy has shifted the practice of corruption which was previously only dominated by the central government to become widespread in the regions. This is in line with Klitgaard's theory that corruption follows power.

According to the results of surveys and research on efforts to eradicate corruption, some have been successful and some have failed. Lessons from failed corruption eradication, including:

(1) there is no will at the elite level to eradicate corruption; (2) change efforts that ignore corruption at the top level, and only focus on class corruption anchovies, so impressed by the law unfairly enforced; (3) enforcement efforts laws that lead to abuse of authority and deviations; (4) as well as government failure in involving civil society and the sector private into the eradication process corruption [9].

While the lessons from those who succeeded in eradicating corruption, include:

(1) steadfast will by the political elite to eradicate corruption wherever it occurs and by whoever the perpetrators are; (2) emphasize preventing corruption in the future and improving the system (3) adaptation anti-corruption law comprehensive and enforced by the institution-institutions with integrity, especially the police, prosecutors and judge (4) identification of government activities the easiest to generate incentives for corruption and review the relevant laws and administrative procedures; (5) program to ensure that the salaries of civil servants and political leaders reflect the responsibilities of their respective positions and are not much different from private-sector salaries [10].

In the strategy of eradicating corruption, it is important to consider Progressive Law, because its spirit asks the legalists *professionals* to not only work within and for a system law that is entirely composed of abstract formal texts but instead will work by paying attention to its non-judicial contexts which are applied as source material law for the development of a more real and functional legal system in society [11]. Namely, the law which is subjective in the personality of the enforce law that looks at humans involved in legal cases in the form of in concreto in all its real aspects, which therefore lays down article by article in the Act. not as a statement of a causal relationship that is straightforward according to the laws of logic but also always contains substance moral rooted in professional ethics law enforcer [11].

In line with the purpose of this study, namely preventing corrupt behavior, especially those who are already in prison, when they get out of prison they commit corruption again, then law progressive become relevant for analytical purposes, the basis for unraveling enforcement current law in positioning law enforcement the following values and goals to be achieved.

## 2 Research Method

Research Type This was originally intended to be normative-empirical because it was constrained by very strict regulations related to the covid 19 pandemic which limited researchers' access to informants, so it shifted to normative research types, although efforts were made to obtain reliable sources of informants to check the accuracy of the data obtained by researchers. The source of the data is secondary data sharpened by interviews with informants of former convicts and focus group discussions (FGD). Furthermore, in analyzing the data, it is doing sorting the data. Systematizing written legal materials and interview results, as well as FGDs, then carried out an in-depth and comprehensive analysis. The analysis is presented in a narrative form that makes it easy to conclude.

## 3 Findings and Discussion

### 1. Factors Driving Regional Heads of Corruption Again

In 2018, 171 regions in Indonesia, namely 17 provinces, 39 cities, and 115 districts, held simultaneous Regional Head Elections (Pilkada) on 27 June 2018. Among those participating in the Pilkada were Kudus Regency, Central Java Province. Five pairs were competing for the public office, namely, two pairs from the individual path, namely Akhwan-Hadi Sucipto and Nor Hartoyo-Junaidi, and three pairs from the political party line, namely Masan-Noor Yasin, supported by the PDI-P, PAN, the Democratic Party, and Golkar Party; Muhammad Tamzil-Hartopo was carried by PKB, PPP, and the Hanura Party, and the Sri Hartini-Setia Budi Wibowo pair, carried by the Gerindra Party, PKS. The results of the recapitulation of the Regional General Election Commission (KPUD) of Kudus Regency, M. Tamzil-Hartopo received 213,990 votes or 42.51 percent, Then the Masan-Noor Yasin pair with 194,093 votes or 38.55 percent, in third place was the Sri Hartini-Setia Budi Wibowo pair with 76,792 votes or 15.25 percent. While the Akhwan-Hadi Sucipto pair received 11,151 votes or 2.22 percent, the last place was occupied by Nor Hartoyo-Junaidi who received 7,393 votes or 1.47 percent. KPU recapitulation data, recorded 503,419 valid votes and 16,891 invalid votes. The total votes in the Pilkada Kudus Regency on June 27 2018 were 520,310 votes, a total of 520,310 valid votes and invalid votes. Nor Hartoyo-Junaidi took last place with 7,393 votes or 1.47 percent. KPU recapitulation data, recorded 503,419 valid votes and 16,891 invalid votes. The total votes in the Pilkada Kudus Regency on June 27 2018 were 520,310 votes, a total of 520,310 valid votes and invalid votes. Nor Hartoyo-Junaidi took last place with 7,393 votes or 1.47 percent. KPU recapitulation data, recorded 503,419 valid votes and 16,891 invalid votes. The total votes in the Pilkada Kudus Regency on June 27 2018 were

520,310 votes, a total of 520,310 valid votes and invalid votes. Pilkada as a means of constitutionally replacing leaders, is intended to create a government that is aspirational, legitimate, a leader who is trusted by the people to run the wheels of regional government and must uphold and enforce laws and regulations, realize the vision, mission, program and campaign promises, among others. The main thing is to guarantee the speed of service, to prosper, to ensure the safety of the people, and to fight for the superiority of local potential so that it will be more beneficial for the people.

The fact is that in competing for public positions in the Pilkada to get a lot of people's votes, not enough ability and shrewdness in conveying the vision, mission, and work program, but also nutritional factors, ammunition as political financing to be elected. The experience of the researchers when participating in the 2010 local elections in the city of Semarang, was not less than Rp. 9 billion spent as political financing. The same thing was confirmed by my friend who took part in the 2018 Pilkada in Kudus Regency, even more than that number.

There are exceptions for those whose costs are limited but their party is determined to maintain its dominance in the area, so the party instructs its cadres to win in various ways, respectively, which if they do not achieve the targeted vote at the location of the cadre, they are threatened with sanctions in their careers. the politics. Muhammad Tamzil as a candidate for regent with the same thing was confirmed by my friend who took part in the 2018 Pilkada in Kudus Regency, even more than that number. There are exceptions for those whose costs are limited but their party is determined to maintain its dominance in the area, so the party instructs its cadres to win in various ways, respectively, which if they do not achieve the targeted vote at the location of the cadre, they are threatened with sanctions in their careers. the politics.

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The question is how did this happen, and why did M. Tamzil end up in jail for the second time in this case? corruption, who previously served as Regent for the 2003-2008 period, was caught in corruption and imprisoned? In the success of Tamzil-Hartopo's victory, a successful team was formed, which was commanded by the PO Bus Entrepreneur.

Haryanto Kudus. Haryanto funded as much as Rp. 8.7 billion, on 9 June 2018 as much as Rp. 5.3 billion, dated June 16, 2018 amounting to Rp. 900 million, on June 19, 2018 amounting to Rp. 700 million, on 20 June 2018 as much as Rp.1 billion, and on 21 June 2018 in the amount of Rp. 800 million. Meanwhile, Noor Halim, a contractor in Kudus funded Rp. 10 billion, this money was taken by the Tamzil-Hartopo success team at the house of Lukman Hakim, his son Noor Halim who lives in Demak Regency, used on voting day as a substitute for residents who do not work on voting day. Next, the candidate for Deputy Regent Hartopo spent a total of Rp. 2.5 billion. All the funding was known by the candidate for Regent M. Tamzil. The person concerned himself did not contribute funds for the success of the Pilkada. The total funds collected for the Tamzil-Hartopo winning are Rp. 21.2 billion (twenty-one billion two hundred million rupiahs).

This figure excludes other financial assistance that is not included in the total. Haryanto and Noor Halim's purpose in funding Tamzil-Hartopo in the Pilkada of Kudus Regency, is to hope that Kudus Regency will get better, its people will prosper. Reforms are needed in the arrangement of officials, especially the Regional Secretary of Kudus Regency. Invited to consult for the arrangement of officials and the implementation of the APBD. Moreover, the salary for honorary teachers in religious schools should be accommodated in the APBD, as well as the construction of infrastructure for religious schools. All of these items were formulated in a political contract signed in April 2018 by the candidate pair for Regent-Vice Regent namely M. Tamzil and Hartopo, as well as businessmen Haryanto and Noor Halim. There are important things that are not contained in the political contract, but each agrees and understands it, namely if they lose the Pilkada, Haryanto and Noor Halim did not demand the return of the money that had been spent on the political financing of the Pilkada. But if they win, M. Tamzil and Hartopo must return the funds in stages. This political contract is very profitable for the candidates for Regent and Deputy Regent, M. Tamzil and Hartopo, because without any collateral from the Caup-Cawabup pair, they can support large funding for the success of the competition. After being determined by the Regional General Election Commission (KPU) of Kudus Regency, the M. Tamzil-Hartopo pair as the winner, on September 24, 2018, Muhammad Tamzil was inaugurated as the Regent of Kudus for the period 2018-2023, based on the Decree of the Minister of Home Affairs Number: 131.33-5839/2018, September 5, 2018. Furthermore, referring to the political contract between Tamzil, Hartopo, Haryanto, and Noor Halim, and the unwritten agreement they acknowledged, after the pair M. Tamzil and Hartopo were sworn in as Regent and Deputy Regent, and incidentally Haryanto again needed funds for the rejuvenation of bus tires which became the core of his business. Likewise, Noor Halim also needed funds, so they reminded M. Tamzil to keep his promise in the political contract and the unwritten agreement, namely to return the political financing funds issued by Haryanto and Noor Halim. Noor Halim's words when meeting Likewise, Noor Halim also needed funds, so they reminded M. Tamzil to keep his promise in the political contract and the unwritten agreement, namely to return the political financing funds issued by Haryanto and Noor Halim.

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agreement, namely to return the political financing funds issued by Haryanto and Noor Halim. Noor Halim's words when meeting Regent M. Tamzil "if it's loose, please return my money in the success of the Pilkada victory slowly", then Mr. M. Tamzil replied "because Mr. Noor Halim is a construction contractor, the project will be given later", then Noor Halim said "auction is an auction, sir ", then M. Tamzil emphasized, "let my friends help later". As time goes by, Heru Subiyantoko (Head of the Kudus PUPR Service) met Noor Halim on the orders of M. Tamzil, in Demak. At that time Heru Subiyantoko offered 6–7 work packages to Noor Halim with a work value of around 40 billion, at that time Heru Subiyantoko brought a list of Kudus Regency Government jobs that could be auctioned. According to Noor Halim's calculations, the project is around Rp. 40 Billion, then the profit is about 5-10% of the contract. This is one of how the regents use political financing to pay off their political debts. Because it is impossible for the Head of the PUPR Office of Kudus Regency to want to meet the contractor if there is no order from his superior (the Regent).

It is usually the contractor who looks for a way to appear before the Head of the PUPR Service, not the Head of the Service who faces the entrepreneur/contractor. Moreover, they are given a list of projects that will be submitted and worked on by the contractor. At the beginning of his term as the Regent of Kudus, he had done things that should not be done by public officials. This was done by Regent M. Tamzil as part of an effort to pay off a debt to Noor Halim who funded the Pilkada process as much as Rp. 10 billion.

The Head of the PUPR Service, apart from meeting Noor Halim, was also ordered by the Regent of Kudus M. Tamzil to fulfill his promise to Haryanto for his political financing debts of Rp. 8.7 billion, by gradually meeting the business needs of its transportation equipment, namely Bus PO. Haryanto. Initial stage Rp. 750 million, which is still far from the figure issued by Haryanto during the Pilkada of Rp. 8.7 billion. Another method was also carried out by M. Tamzil by calling the Head of the Health Service, Secretary of the Health Service, and Head of Division at the Kudus District Health Office by plotting/determining the names that will work on a total of 10 (ten) projects at the Kudus District Health Office in 2019 with a nominal value of more than Rp. 45 AD. Among the list of projects are (1). the renovation work of the Jekulo Health Center is worth Rp. 14,999,950,000, -; (2). For the renovation work of the Dawe Health Center worth Rp. 6,490.600.000,-; (3). For the renovation work of the Ngeplak Health Center worth Rp. 1.5 billion; (4). For the renovation work of the Mejobo Health Center worth Rp. 1,999,600,000; (5). For the renovation work of the Kaliwungu Health Center worth Rp. 11 billion; (6). For the construction of the Colo Tourism Center, it is worth Rp. 1 billion (7). For the Renovation of the Undaan Health Center worth Rp. 4 billion; (8). For the renovation work of the DKK Building worth Rp. 831,049,000, -; All the names written/plotted by M. Tamzil are people who helped M. Tamzil during the Pilkada or settled M. Tamzil's debts after the Pilkada. There is also the Head of the Kudus Regency Transportation Service who in early June 2019 before Eid helped fund Rp. 15 million to Regent M. Tamzil for the provision of holiday allowances (THR) to his successful team. Considering M. Tamzil's financial condition, which from the start was very limited and only recently appointed as Regent, the receipt of salaries and incentives from taxes and others, is still far from sufficient to pay off his debts.

According to Sam'ani Intakorisi, Regional Secretary of Kudus Regency, the salary and incentives received by Regent M. Tamzil from October 2018 to July 2019 were (1). from salary in October 2018 to July 2019, the total amounted to Rp72,329,200,-; (2). from BPPKAD, Incentives for Collection of Taxes on Hotels, Restaurants, Entertainment, Advertisements, Parking, Tax on Non-Rock Minerals, Groundwater Tax, Swallow's Nest, BPHTB and Tax on Street Lighting for the Regent of Kudus: Quarter III of 2018, Quarter I and Quarter II of 2019, a total of Rp. 170.016.603,-; (3). from BPPKAD, Land and Building Tax Collection Incentives for the Regent of Kudus: Quarter IV of 2018 and Quarter I of 2019, a total of Rp. 50,226,126,-. During his 10 months as Regent of Kudus, M. Tamzil officially received Rp. 292,571,929, -, the average per month is Rp. 29,257,192, - or less than Rp. 30 million. With a portrait of his official monthly receipts of Rp. The 30 million is multiplied by the term of office of 5 years (60 months) =  $60 \times \text{Rp. } 30 \text{ million} = \text{Rp. } 1 \text{ billion } 800 \text{ million}$ . It is far from sufficient if the Regent and Deputy Regent think about returning the political costs of the Pilkada whose nominal value is around Rp. 22 billion more. Therefore, participating in the Pilkada must be intended to endow themselves and their wealth to the people. If you think otherwise, namely returning the political costs, it will certainly be corruption. for echelon II officials of Rp. 500 million, for echelon III officials Rp. 200 million, and echelon IV officials Rp. 100 million, is not a figment. It was the intention of the Tamzil Regent in running the local government of Kudus Regency, to appoint Agoes Soeronto as a special staff of the Kudus Regent. He was a friend of M. Tamzil, when both were civil servants at the Regional Secretariat Office of Central Java Province, and had the same fate as being sentenced to prison in the Kedungpane Penitentiary (LP) Semarang for being entangled in corruption. He won the trust of the Tamzil Regent to communicate with heads of regional apparatus organizations (OPD), heads of agencies, heads of lower offices to invite discussions, meetings, and other matters, even including compiling a list of names that will be transferred or promoted to positions in the district. the local government of the Kudus Regency.

During the process of mutation and promotion of civil servants, Agoes Soeronto made rules for promoted civil servants to celebrate thanksgiving by giving funds. Among the PNS whose promotions provide funds, there are even those who indent/deposit funds for promotion. Unfortunately, the stages of giving the funds, the first and the second survived the monitoring of law enforcement, in the third turn, on July 26, 2019, in the early morning hours, they were arrested in a hand arrest operation (OTT) by the Corruption Eradication Commission (KPK). Fortunately, it can't be achieved, it's unfortunate that it can't be rejected.

The OTT case has reached the Semarang Corruption Court, the Regent of Kudus M. Tamzil and Agoes Soeranto have been named as defendants. With a portrait of the behavior of the Kudus Regent M. Tamzil who took advantage of all available opportunities even though it was explicitly regulated in the provisions of the legislation, such as promotions and auctions for the procurement of goods or services, it shows that M. Tamzil desperately needs time to get large funds to pay off his Pilkada debts, as well as for his long-term personal interests. Several laws and regulations were violated by M. Tamzil including Law no. 28 of 1999, Law no. 31 of 1999 jo. UU no. 20 of 2001, Law no. 23 of 2014, Law no. 5 of 2014, and Presidential Regulation No. 16 of 2018. From



a theoretical point of view, the behavior carried out by M. Tamzil can be explained by Robert Klitgaard with his Theory  $C = M + DA$ , namely with the great authority he has, with a minimal level of supervision from external institutions. Moreover, from a low internal position, M. Tamzil freely takes actions that are contrary to the applicable laws and regulations. The point is that M. Tamzil commits corruption again. This is because of the urgent need to return political financing funds in the Pilkada of Kudus Regency.

The M. Tamzil phenomenon is a phenomenon that characterizes regional heads in Indonesia. It's only ironic that when he was in his first position, he was already in prison entangled in corruption, and he was repeated in his second term. Although M. Tamzil argued in court that he felt that he had not committed a crime of corruption, the facts of the trial proved that by inviting Agoes Soeronto (a former corruption convict) as a special staff with the great authority given to him, is proof that M. Tamzil has indeed since Initially, he intended to immediately obtain large funds to pay off his debts, by utilizing all the authority he had as a source of funds, with Agoes Soeronto (his special staff) as field operations. Imposing a penalty to Defendant MUHAMMAD TAMZIL, with imprisonment for 8 (eight) years and a fine of Rp. 250,000,000 (two hundred and fifty million rupiahs), provided that if the fine is not paid it must be replaced with imprisonment for 4 (four) years. month; (2). Imposing a penalty additional payment to Defendant MUHAMMAD TAMZIL is in the form of paying compensation to the State in the amount of Rp. 2,125,000,000, - (two billion one hundred twenty-five million rupiah), provided that if the convict does not pay the replacement money within 1 (one) month at the latest after This court decision has obtained permanent legal force, then the assets are confiscated by the Prosecutor and auctioned off to cover the replacement money, and if the convict does not have sufficient assets to pay the replacement money, he is sentenced to imprisonment for 1 (one) year. and 6 (six) months; (3). Imposing a penalty added to Defendant MUHAMMAD TAMZIL, in the form of revocation of the right to be elected in public office, for 3 (three) years from the time Defendant finishes serving his prison sentence; (4). Determine the period of arrest and detention that has been served by Defendant to be deducted entirely from the sentence imposed; (5). Stipulates that the Defendant remains detained in the State Detention Center [13].

## 2. Efforts to Close Opportunities for Regional Heads of Corruption Again

Learning from the facts of the trial that among the opportunities used by the Regent of Kudus M. Tamzil was the power or authority in that position in the appointment, transfer, and dismissal of the State Civil Apparatus (ASN) within the Kudus Regency Government as stipulated in Law no. 5 of 2014. Likewise, it has the authority to determine programs and projects both funded by the APBN and APBD to be implemented in their working areas. It is these two powers that have been used as media to return political financing funds for elected Regional Heads, some have survived the monitoring of law enforcement, and some have been affected by OTT by the KPK. Technically ordering the two authorities is carried out by the trusted people of the Regional Head, namely his success team, his special staff, his aides, and the family of the Regional Head, with the media of electronic devices, namely telephones or cellphones, and meetings with those who are willing to pay.

The rules regarding the authority of Regional Heads for the appointment, transfer, and dismissal of ASN are considered good because for echelon II, they must consult the State Civil Apparatus Commission (KASN) to minimize the occurrence of buying and selling promotions and politicization in the appointment of positions at echelon II. For appointments to echelon III, it is necessary to involve the Provincial Inspectorate to oversee the recruitment, to minimize the buying and selling of position promotions, and politicization in the placement of echelon III ASN positions. Because several ASN should be banned from being a successful team in the Pilkada, it is evident that in the district elections a Team of 9 was formed, all of whom were ASNs who participated in the struggle for the election of M. Tamzil-Hartopo, in return for which they received positions in echelon II and III. Likewise, for the determination of the winner in the project auction as regulated in Presidential Regulation no. 16 of 2018 concerning the Procurement of government goods and services, it is obligatory for the Regional Government to form an independent team financed by the Regional Government with certain specifications, some are experts in the field of infrastructure projects, some are experts in the field of medical devices and medicines, there are experts in the field of drinking water, those who are experts in the field of electronic procurement and so on. Equally important, all OTT started from wiretapping conducted by the KPK. Hence at this point, it is very wrong when the legislators, abolish and abolish the formation of the KPK in the regions as previously regulated in Law no. 30 of 2002, but was later abolished by Law no. 19 of 2019.

This means that it is very difficult for the KPK in Jakarta to conduct wiretapping on all Heads of Provinces, Regencies, and Cities in Indonesia. This wiretapping effort is the most effective in ensnaring all public officials who are considered to have great authority, who so far has never been arrested and examined by conventional law enforcers, namely the police and the prosecutor's office. In a group discussion forum (FGD) with students studying Corruption Eradication Law, they concluded that the government is half-hearted in eradicating corruption. abolish and negate the establishment of the KPK in the regions as previously regulated in Law no. 30 of 2002, but was later abolished by Law no. 19 of 2019. This means that it is very difficult for the KPK in Jakarta to conduct wiretapping on all Heads of Provinces, Regencies, and Cities in Indonesia.

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On the other hand, the judiciary also tends to punish lowly and not impoverish corruptors as desired by the people's voices. The point is that corruptors are still free and not trapped in the current portrait of law enforcement. As well as life in a correctional institution (LP) which the researcher got from a friend who just got out of the prison, and tells how life there, which is far from the value of coaching to make criminals aware of noble behavior when they get out of prison [14].

## 4 Conclusion

The main driving factor for Regional Heads of Corruption again is the urgency of the person concerned to return the funds spent as political financing in the Pilkada. Receipts or income from gaja and incentives for 5 years (60 months) serving as Regional Head of less than Rp. 2 billion is far from sufficient to return Rp. 22 billion more. Therefore, when competing in the Pilkada, it is necessary to have the intention of donating oneself and one's property to serve the people. But if the opposite is a misguided intention in participating in the Pilkada, it is certain that corruption will be carried out.

Two opportunities carried out by Regional Heads to return their capital include the authority for the appointment, transfer, and dismissal of state civil servants (ASN), as well as the determination of project auctions both budgeted by the APBN and APBD.

Province to oversee the implementation of the recruitment, to minimize the occurrence of buying and selling positions, and politicization of the promotion of the ASN. Meanwhile, to determine the winner of the project auction, it is obligatory for the Regional Government to form an independent team financed by the Regional Government with certain specifications, there are experts in the field of infrastructure projects, there are experts in the field of medical devices, and medicines, there are experts in the field of infrastructure projects. in the field of drinking water, who are experts in the field of electronic procurement and so on, to participate in supervising the implementation and determination of the winner of the auction project. The latter maximizes the role of law enforcers to conduct wiretapping because this method has proven to be the most effective so far to arrest regional heads who commit criminal acts of corruption.

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