



The Challenges for Local Law Enforcement in Controlling Corruption: A Case Study in the Central Sulawesi Region

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Abstract—The study explores the challenges of controlling corruption in local public spending by the local law enforcement officers (Aparat Penegak Hukum [APH]), namely local police and prosecutor's office. This study adopts multiple case study strategy on local public spending in the Central Sulawesi Region, including Sigi Regency, Donggala Regency, and Palu City. The results of the analysis of documents and in-depth interviews with APH show that limited resources, poor apparatus integrity, and tolerant behavior towards corruption. Thus, this study highlights an understanding of the inadequate institutional capacity of law enforcement for dealing with corruption. Another contribution is that it is important for policy makers to re-rationalize the role of APH in fighting corruption in the regions.

Keywords—*corruption, local public spending, law enforcement, multiple case study, Indonesia*

I. INTRODUCTION

Indonesia's reforms two decades ago impacted strengthening state institutions to fight corruption. Two law enforcement institutions that are expected to make improvements are the police through law No. 2 of 2002 and the prosecutor's office through law No. 16 of 2004. Unfortunately, the roles of these two institutions are not clear in eradicating local corruption [1]. Local corruption has become daily information in the mass media. In the last two years, namely in 2022, there were three regional heads [2] and in 2022 five regional heads were caught red-handed by the Corruption Eradication Commission (Komisi Pemberantasan Korupsi [KPK]) regarding corruption in local public spending [3]. This incident certainly involved several local officials.

Improvements in Indonesia's controlling corruption that are not in line with reform expectations have attracted the interest of scholars such as [1], [4], [5] and [6], but only a few related to the role of law enforcement officials handling corruption in local government spending [7]. So far, it has not yet been known in depth the challenges faced by APHs in

regency/cities, namely APHs from resort police and state prosecutors, to uncover corruption in implementing district/city public spending. Thus, this study seeks to fill this void by concentrating on regional capital expenditures.

The strategy for this study is an instrumental case study using APH that handles corruption as a case in the Central Sulawesi region. Thus, 11 APH were involved in this study, including 2 APH from Sigi Regency, 6 APH from Donggala Regency, and 3 APH from Palu City. The results show that the police and prosecutors face obstacles in handling corruption, including limited resources, low integrity of the APH, and tolerant of behavior towards corruption. Thus, this study asserts that an understanding of the inadequate institutional capacity of APH for addressing corruption. Another contribution is that it is important for policy makers to re-rationalize the role of APH in fighting corruption in the regions.

A. *The Effectiveness of Public Spending in Corruption Circumstances*

The definition of corruption here uses a general understanding, namely behavior that deviates from the formal duties of the public role because of personal acquisition (personal, close family, personal group) or status; or violate rules that prohibit the exercise of certain types of personal conduct [8]. This research focuses on corruption that occurs in public spending that is directly related to public services, for example, infrastructure spending. The effectiveness of infrastructure spending in conditions of high corruption has become a topic of interest to scholars after the reform (e.g., [9], [10], and [11]). Researchers have identified corruption drives in public spending that hinder their effectiveness [9]; [10]; [11]; and [12]. [12] revealed that there was a shift in public spending from spending on education and health spending, which was more needed to spending on infrastructure and defense, which provided more opportunities for corrupt personal gain through secrecy. This

is because health spending and education spending are directly related to people's daily living expenses, so they attract more public attention than defense and infrastructure spending.

B. The Roles of Law Enforcement Apparatus in Handling Post-Reform Corruption

Several literatures identify some of the main challenges of the police and prosecutors in eradicating corruption. [4] see that eradicating corruption is difficult without synergy between law enforcers. [14] revealed overlapping legal factors, for example, the prosecutor's office and the police both have investigative powers in corruption cases. [5] found internal factors as an inadequate police budget, low police salaries, positions got through bribes not because of achievements, and police who were detected as corrupt were not punished. As a result, the police do not work in a professional legal culture [13].

II. METHODS

We developed a data analysis strategy using instrumental case studies [15]; [16]. The analysis focused on three main data sources. First, newspaper articles are the main source of information for chronological and contextual analysis of corruption cases. Second, prioritizing regional public expenditure management documents and violations got from the Audit Board of the Republic of Indonesia (BPK) Representative of Central Sulawesi. Last, in-depth interviews to reveal how APH functions, models it, and how the corruption case uncovered. The interviews conducted from May to September 2022 to 11 APH who were treated as cases. The duration of the interviews ranged from 60 to 120 minutes (see Table I). To protect the identity of the interviewees, their real names don't show in this paper.

TABLE I. KEY INFORMANTS IN THE STUDY

Occupations	Organizations	Mount
Deputy chief of police	Donggala Regency Resort Police	2
Investigator of corruption crimes	Donggala Regency Resort Police	2
Chief prosecutor	Donggala Regency Prosecutor's Office	1
Investigator of corruption crimes	Donggala Regency Prosecutor's Office	1
Investigator of corruption crimes	Sigi Regency Resort Police	2
Investigator of corruption crimes	Palu City Resort Police	2
Investigator of corruption crimes	Palu City Prosecutor's Office	1
Total		11

Source: data manipulated by researchers (2022)

III. FINDINGS AND DISCUSSION

The results of the analysis of the data show that there are three obstacles to handling corruption by APH at the regency and city government levels in the Central Sulawesi region. They related these obstacles to institutional capacity in processing corruption, including limited resources, poor APH integrity, and habits of tolerance for corruption.

A Limited Resources

This research found that the resources of APH's institutions were inadequate for handling corruption in government spending. These resources include insufficient budget, inadequate time, and low financial competence of personnel. The attorney regency's office and the police budget for all crimes they may encounter, including corruption. Then, the time allocation is limited because APH also processes crimes other than corruption and has a geographically wide working area with limited access to transportation. Last, APH has a low financial competence to investigate corruption in public spending, especially spending analysis and calculating state losses. Several statements from APH reveal this, namely:

We budget for handling corruption as well as budgeting for handling other crimes, so that it becomes smaller to address corruption that is extraordinary. (Deputy chief of police)

I don't have enough time to handle all cases, including corruption cases, so I have to prioritize those that are of public concern because they are related to the image of the prosecutor's office in the eyes of the public. (Prosecutor of Donggala)

I have to travel for at least two days to Peana to process corruption cases that have occurred there. After arriving, I can't immediately hold a case, but you have to prepare various things, so that at least the work that should be done in one day becomes a week. (a police of Sigi Regency)

We basically don't have the competence to budget and calculate state losses, so we have to use experts. Meanwhile, experts also have main duties in their offices, so we have to queue up with the attorney regency's office and other police departments. (a police of Sigi Regency)

Lack of budget to address corruption has become a classic problem in Indonesia, not only for corruption handling operations, but also for low budget support for personnel welfare [5]; [17]. In addition, public spending, for example infrastructure spending, is complex, so it is difficult to trace it if corruption occurs [9]. This is not surprising, given the low financial capacity of local institutions [18]. Worse, APH does not have the financial capacity to trace the corruption that occurs in it. This has become several exacerbate for obstacles to handling corruption by APH.

B Poor APH Integrity

The next obstacle faced by APH in processing corruption is the lack of integrity in carrying out their duties. We find this in the relationship between the alleged perpetrators and the police and prosecutors. This lack of integrity related the poor independent assessment of corruption to local government officials and the non-meritocracy of the working relationship between the police and prosecutors. These conditions are under the statements of the police and prosecutors:

Our friend is too familiar with the regional government so that he is no longer observant of the violations committed by the regional government. (Chief Prosecutor of Donggala)

It is common for files to be returned, especially by young prosecutors who are targeted to work carefully. (Deputy police chief of Donggala).

Usually when the case has “masuk angin [catching a cold],” the parties involved are already “bermain [playing]” so it scattered here files and there. (A police of Palu City)

The low integrity of APH designates that the handling of corruption is not independent. As a result, the handling of corruption occurs randomly [1], which exhibits that the coordination of officials addressing corruption is low [4]. Finally, the handling of corruption through an inadequate judicial process makes it more likely for perpetrators to escape corruptly [19]. In fact, beliefs about the vulnerability of corruption, especially the belief that perpetrators who have been caught, continue their corrupt practices with little risk of being punished [20]. I exacerbated this because performing the police is not a major consideration in pursuing a career [5], so that the police are less motivated to handle corruption optimally, the term “masuk angin” or “bermain.” The term “masuk angin” or “bermain” is that corruption cases are handled with various compromises that aim to free the perpetrators. The compromise was carried out corruptly, which provided financial and non-financial benefits for APH who handled it.

C. Habits of Tolerance for Corruption

The next challenge in addressing corruption is the behavior of the apparatus that is tolerant of corruption. APH shows tolerant behavior when interpreting corruption, both from themselves and by related local government officials. They interpret corruption as an extraordinary crime in terms of rules, not its essence and impact. This is under the results of the interview as follows.

Sometimes we also use position show the power. (Chief Prosecutor of Donggala Regency)

Administrative corruption suffices just by restoring losses because the costs are too great to be investigated through a corruption approach. (Prosecutor of Donggala Regency)

Tolerance of corruption through the return of state financial losses, after which the case is finished. (A police of Donggala Regency).

The finding of tolerant behavior towards corruption is under the opinion [7] that, without decisive action, corruption will last a long time in local government spending. This is contrary to the statement [19] that the Indonesian administration is relatively cleaner than corruption because of the reluctance to commit corruption. On the contrary, the findings of this study are in accordance with the statement from [5]; [17]; [21] that corruption in Indonesia is closely related to the tradition of corrupt organizational management. Mohammad Hatta, Indonesia's first vice president, called it a culture of corruption (in [17]), that the apparatus managed modern organizations inherited from the Dutch that were traditionally corrupt but the apparatus did not realize this as corrupt behavior [21]. This tradition declined until the reform era, which ignored the worst effects of corruption for the survival of the country [22].

IV. CONCLUSIONS

The results reveal three challenges to the institutional capacity of regional APHs in the Sigi Regency, Donggala Regency, and Palu City in addressing corruption in local public spending. First, APH's institution have low resources to process corruption. Second, the integrity of APH is still low in handling corruption, especially the relationship between internal and external APH. Last, APH and the perpetrators tolerate corrupt behavior, thus fostering corruption, especially petty corruption.

The handling of corruption by APH in the three research areas evidenced that the workload of APH in Sigi Regency and Donggala Regency is heavier than in Palu City. They related this to the time and distance traveled involved in handling corruption cases, namely Sigi and Donggala Regencies are wider and access to locations is more difficult than Palu City.

This research contributes to providing an understanding of inadequate institutional capacity for curbing corruption. Another contribution is that policymakers are important to rationalize the role of APH's institution against local corruption.

REFERENCES

- [1] D. Tomsa, “Local politics and corruption in Indonesia's outer islands, *Bijdragen tot de taal-, land-en volkenkunde/Journal of the Humanities and Social Sciences of Southeast Asia*, 2015 vol. 171(2-3), pp. 196-219. (references)
- [2] Tempo, “Daftar 3 kepala daerah yang terjaring OTT KPK pada Awal 2022,” accessed in 2022 April at <https://nasional.tempo.co/read/1552551/daftar-3-kepala-daerah-yang-terjaring-ott-kpk-pada-awal-2022>.
- [3] CNNIndonesia, “Deret kepala daerah terjaring OTT KPK sepanjang 2021,” accessed in 2022 April at <https://www.cnnindonesia.com/nasional/20211017125059-12-708868/deret-kepala-daerah-terjaring-ott-kpk-sepanjang-2021>.
- [4] H. Nugroho, “Efektivitas fungsi koordinasi dan supervisi dalam penyidikan tindak pidana korupsi oleh Komisi Pemberantasan Korupsi,” *Jurnal Dinamika Hukum*, 2013 vol. 13 (3), pp. 392-401.
- [5] J. S. T. Quah, “Combating police corruption in five Asian countries: a comparative analysis,” *Asian Education and Development Studies*, 2020. vol. 9 (2), pp. 197-216.
- [6] E. Sundari and A. Retnowati, “The weakness of the control system for fighting corruption in the judicial process: The case of Indonesia,” *International Journal of Social, Policy and Law*, (2021 vol. 2(1), pp. 93-102.
- [7] M. Labolo, “Menutup celah korupsi pemerintahan daerah. *Jurnal Ilmu Pemerintahan Widya Praja*, 2017 vol. 43(2), pp. 93-110.
- [8] R. Klitgaard, *Controlling corruption*, University of California press, 1988.
- [9] C. Kenny, “Measuring and reducing the impact of corruption in infrastructure,” *World Bank Publications*, 2006.
- [10] B. A. Olken, “Monitoring corruption: evidence from a field experiment in Indonesia.” *Journal of political Economy*, 2007 vol. 115 (2), pp. 200-249.
- [11] D. Yustiarini and B. W. Soemardi. “A review of corruption in public procurement in Indonesia.” In *IOP Conference Series: Materials Science and Engineering*, vol. 849, no. 1, p. 012013. IOP Publishing, 2020.
- [12] A. Shleifer, and R. W. Vishny, “Corruption” *The quarterly journal of economics*, 1993 108(3), 599-617.
- [13] A. Muttalib, “Efektivitas Penegakan Hukum terhadap Penyidikan Tindak Pidana Korupsi oleh Kepolisian Daerah Sulawesi Selatan. *Al Hikam*, 2017 vol. 4(1), pp. 45-64.
- [14] M. Komariah, “Integritas Penegak Hukum (Kepolisian, Kejaksaan, KPK) dalam Tindak Pidana Korupsi, *Jurnal Ilmiah Galuh Justisi*, 2016 Mar 1; vol. 4(1), pp. 76-91.
- [15] Stake, R. E. (1995). *The art of case study research*. Sage.

- [16] R. K. Yin, *Case study research: Design and methods* (Vol. 5), Sage, 2009.
- [17] T. M. Smith, "Corruption, tradition and change," *Indonesia*, 1971 Apr. 1(11), pp. 21-40.
- [18] H. Harun and H. P. Kamase, "Accounting change and institutional capacity: The case of a provincial government in Indonesia," *Australasian Accounting Business & Finance Journal*, vol. 6 (2), pp. 35-50.
- [19] J. S. Furnivall, *Colonial policy and practice: A comparative study of Burma and Netherlands India*, Cambridge, 1948.
- [20] G. Myrdal, *Corruption as a hindrance to modernization in South Asia*, In *Political Corruption*, Routledge, 2017 Jul 12, pp. 265-280.
- [21] B. Soedarso, *Korupsi di Indonesia (Corruption in Indonesia)*, Bhratara, Jakarta, 1969.
- [22] P. Carey, S. Margana, and S. Haryadi, *Korupsi dalam silang sejarah Indonesia: Dari Daendels (1808-1811) sampai era reformasi*, Komunitas Bambu, 2017.

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