



POLICY ANALYSIS AND EDUCATIONAL STRATEGY FOR ANTI CORRUPTION IN INDONESIA AND SINGAPORE

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ABSTRACT

This study tries to analyze anti-corruption policies of the substantive law applicable in Indonesia and Singapore. Data was collected through documentation, interviews and observation. Theoretical framework used in this study follows Lawrence M. Friedman's theory that divided the legal system into three elements, namely institutional law (legal structure), the substance law (legal substance) and culture law (legal culture). The research results indicate that: first, Indonesia and Singapore have legal basis and foundation prescribed in detailed rules, including the loading rules in forms of bribes and gratuities. Indonesia's anti-corruption policies in force today is Act Number 31 of 1999 on Corruption Eradication, while the anti-corruption policy in Singapore is set up in the Prevention of Corruption Act (PCA). While the anti-corruption agency (legal structure) established by the Government of Indonesia and Singapore is not much different. The most proactive institution in fighting against corruption in Indonesia is the Corruption Eradication Commission (KPK), while the Corrupt Practices Investigation Bureau (CPIB) is the foremost institution in curbing corruption in Singapore. Second, the strategy implemented for anti-corruption education in Indonesia is preventive strategy, detective and repressive. Some forms of anti-corruption education undertaken by the Commission which includes anti-corruption activities are festivals, book library, anti-corruption portal, television channels and radio, public information services, and e-learning gratification information. Generally speaking, Singapore is applying three interrelated strategies, namely: the implementation of the PCA, the establishment of institutions CPIB and improving civil servants' salaries. It is expected that the results of this study can contribute to the prevention and eradication of corruption in Indonesia more comprehensive, not only through legal means but education, including the internalization of moral values of anti-corruption.

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Keywords: Policy analysis, Education, Strategy, Anti-corruption, Indonesia, Singapore.

Contribution/ Originality

The paper contributes the first logical analysis of Government anti-corruption policies and its implementation towards educational strategies. Indonesia and Singapore have experiences in curbing corruption through political, law enforcement, as well as educational approaches. However, both countries differ in strategies and results as prescribed by legal culture, substance and structure.

1. INTRODUCTION

Corruption in Indonesia is still prevalent and widespread in almost all aspects of social life. The development is continuously increasing from year to year; both from the number of cases and the amount of losses to the state, and in terms of the quality of corruption were made more systematic.¹ In 2013, the *Corruption Perception Index* (CPI) Indonesia reported by *Transparency International* as ranks to 114 out of 177 countries with a score of 32 out of 100.²

Corruption in Indonesia has covered almost in entire life of the people, while people tend to silence it.³ Data from *Indonesia Corruption Watch* (ICW) showed that during the first semester of 2013, there were 293 cases with 597 suspects corruption. Of the 293 cases, 114 of which were cases of Procurement (*Pengadaan Barang Jasa*, PJB), or 46.38%, with 314 suspects. As for the second semester there are 267 cases of corruption found with 594 suspects, and 42.7% in the form of PBJ.⁴ Moreover, as of December 2013 there were 311 head areas arrested related to legal issues.⁵

If compared with Singapore, Indonesia is still left behind. Singapore is closer towards a corruption-free country with the 5th rank out of 177 countries and scores 86 out of 100. Meanwhile, the *Global Competitiveness Index* 2013-2014 noted Singapore as ranked 2nd out of 148 countries with a score of 5.61 on a scale of 1 to 7, while at the same time, Indonesia is in the order of 38 and a score of 4.53.⁶ The level of economic freedom (economic freedom index) of Singapore is also high, namely 89.4 of scale 100, while Indonesia ranks 58.5.⁷ Indeed, no single country is immune to corruption, but as seen from the scoring above it is clear that Indonesia is still faced with the problem of corruption that is acute, and Singapore can be used as a comparative study which is expected to bring substantial benefits to policy reform and anti-corruption education in Indonesia.

It is clear that corruption is one form of deprivation of the people who should be in the absence of corruption the people can live more prosperous. Precisely because of corruption, the welfare of deprived people are trapped in poverty. In fact, poverty is still a great challenge to be faced by the Indonesian people. Huguette Labelle stated that "in the middle decades of the progress of countries that have successfully spawned anti-corruption laws and regulations, corruption still confine

¹ See general explanation in Act Number 30 Year 2002 on Corruption Eradication Commission.

² See *Transparency International* (2013).

³ *Leden* (2007).

⁴ See <http://www.tribunnews.com/nasional/2014/01/07/trend-korupsi-2013>.

⁵ See *Mukodi* (2014).

⁶ *General Explanation of Act Number 30 year 2002 on corruption eradication commission*.

⁷ See <http://www.heritage.org/index/pdf/2014/countries/singapore.pdf>.

millions of people in poverty".⁸The results of this study can be used as a starting point for policy reform and education strategy improvement in counteracting corruption.

2. IDENTIFICATION OF PROBLEMS

The core issue in this study can be formulated in several points as follows:

- a. How the Government of Indonesia and Singapore has attempted to prevent and eradicate corruption by means of the legal culture, legal substance and legal structure?
- b. How anti-corruption education strategies are implemented in Indonesia and Singapore?

3. THEORETICAL FRAMEWORK

Efforts to eradicate corruption in Indonesia has actually done since a long time. In the era of the Old Order was enacted Law Number 24 Regulation 1960, inter alia through *Operasi Budhi* (Moral Operation), then followed by the establishment of the Corruption Eradication Team by Presidential Decree Number 228 of 1967, led by the Attorney General. However, it seems the efforts is considered not successful, so that the policy is repealed and replaced by Act Number 3 of 1971. This Act has been attempted through a maximum of Conduct Operations conducted by the Command for the Restoration of Security and Order (*Kopkamtib*). This policy applied throughout the New Order era, but corruption was still not subsided. Turn on the Reformation era, the government re-enacting a new law, the Act Number 31 of 1999 which was later amended by Act Number 20 of 2001, where a year later formed the Corruption Eradication Commission through Act Number 30 of 2002. Furthermore, at its meeting on January 30, 2007, was composed Plan Corruption Act which is still in the process of enactment. Hence legal education and religious awareness with high moral values and characters can ward off corruption.

The relationship between the moral law is divided into two theories, namely: first, the theory that morality and law must coexist in a sense inseparable, as is the essence of the moral law. Lawrence M. Friedmann stated that there will never be a total separation between the moral law. This is in line with Immanuel Kant that stated that the moral law is the law in the sense of truth. Therefore, apart from the moral law is not really a law and will not last long. Among Indonesian thinkers, this theory is supported by Hazarin and Rasyidi. In view of Hazarin, without the moral law is injustice, likewise moral being without law is utopia. Meanwhile, Rasyidi stated that the law and morality should be placed side by side, because it is the subject of the moral law.

Second, a theory which states that between law and morals have their respective fields with no connection at all. This view is supported by the followers of legal positivism which considers that law and morality has its own field. In this case Hans Kelsen states that the moral and social philosophy should be separated from the law. Austin in his imperative thought argued that the laws are the ruling regime themselves. It seems that he intended to separate clearly between positive law and moral tradition. This study follows the first theory that was seen in line with religious theology, namely that law and morality can not be separated, even morals become a staple part of the law. Thus the theory of Lawrence M. Friedman legal system which divides into three elements of the

⁸ Transparency International Indonesia (2006).

legal system, particularly useful in analyzing the phenomenon of corruption. The third is that the structural elements, substance and legal culture. Lawrence M. Friedman further describe the three elements of the legal system that likened to a machine where the legal culture as a fuel that determine the life and death of the machine. The consequences of this aspect of the legal culture is so urgent in nature. Therefore, without a legal culture, the legal system will be helpless, like a dead fish lying in the basket, not like a live fish that swim in the ocean.⁹

Legal structures have been created by the institutional legal system like the district court, administrative tribunal, which functions to support the operation of the legal system itself. The components allow it to their service and law enforcement on a regular basis. Legal substance is the content or legal charge materials. If the substance is vague the result is not only vague either but also able to provide ample opportunity to the appropriate law enforcement agencies to translate it in their respective interests. For law enforcement agencies working on behalf of law enforcement, whenever the rules are not clear it can be used against corruption which utilizes a law that does not clear. While law enforcement agencies who want to achieve financial gains, the substance of such a law will be traded by those involved in corruption cases. While legal culture is associated with customs, traditions and culture that affect other components of the law, given that the law was not the product of a cultural vacuum. Law is not just a tool that can be used for certain purposes, but it is the tradition, objects that are not value-neutral exchange of social and cultural influences. Changing the culture of law must always be aware of the values, traditions, customs, and all the dominant attitudes that are generally applicable in all aspects of life. There is no more effective way for the realization of value investment collectively that except with character education, religion, and nationalism. Academic and pedagogic agenda are certainly very important for the future in the context of prevention of corruption epidemics grow inside the next generation.¹⁰

4. RESEARCH METHODS

This research is a policy research that tries to analyze government policies on the eradication of corruption. In addition, this study is also comparative education study that given the comparative study of education between Indonesia and Singapore. Comparative education discusses the theory and practice of education among countries. The study had been conducted from June to December 2014. Data collection is done through a set of instruments that are useful as a measuring tool in the study in order to obtain information or materials. The main data were obtained through a variety of policy products imposed by the two countries. Data were collected through observation, in-depth interviews, and documentation.

The Incoming data is then processed and analyzed through several stages, namely: data organizing, data classification, synthesize, looking for patterns of relationships, find what is important and what has been learned and the decisions that will be passed on to others.¹¹ In qualitative research, data analysis is performed either simultaneously with or after data collection,

⁹ See Sandra (2011).

¹⁰ *Ibid.*

¹¹ Robert Bogdan (1982).

the work of collecting the data should be followed by work of writing, editing, classifying, reducing and presenting data. According to Matthew B. Milles and Huberman, data processes include: data collection, data display, data reduction, and conclusion.

Since curbing corruption in Indonesia and Singapore have been in effect, then the type of policy analysis is *post-ante*. *Post-ante* is a policy analysis that emphasis on descriptive and evaluative explanation.¹² Therefore, the analysis can be performed from the primary resources, or also called the primary analysis, which makes direct analysis of state documents such as laws, regulations, decisions, instructions, or other. Medium expert analysis on the above policy can be analyzed through meta-analysis, that is the analysis above expert analysis.¹³

5. POLICY ANALYSIS OF ANTI CORRUPTION IN INDONESIA AND SINGAPORE

5.1. Analysis of Legal Culture

Indonesia is the largest archipelago in the world because it consists of 18,108 islands with a land area of 1,904,443 km². However, only 6,000 of these islands are inhabited. In terms of terrain, Indonesia is mountainous and two-thirds of the country has been covered by forest and jungle.¹⁴ Like a string of pearls, the Indonesian archipelago stretches around the equator, sometimes say that the vast archipelago is made up of thousands of islands that are always green that surrounds the land area of 735,000 and an area of 1.263 million square miles of ocean. The last official census recorded the population of Indonesia in 2010 and it shows that there are 237, 424, 363 people with a population density of 123.76 people per square kilometer (323.05 per square mile). However, in 2014 Indonesia's population has reached 244.5 million, which represented an increase from previous years. Approximately 58% of Indonesia's population lived in Java and statistics seen here making the most populous island in the world. In recent years, the country has embarked on a program of awareness of family planning but it has done little to slow the growth of its large population which is expected to reach approximately 254 million in 2020 and a staggering 288 million by 2050.¹⁵ Indonesian natural resources in balanced with cultural diversity as seen in the diversity of race, ethnicity, language and religion. Indonesia comprises of 17,800 islands both small and large as an impact of tribal and ethnic diversity from their respective regions. In addition to this diverse population, Indonesia is also the most populous Muslim-majority country in the world.¹⁶

In connection with this poverty rate, an official report from the Central Bureau of Statistics Released in 2012 stated that the number of poor people in Indonesia in March 2012 have reached 29.13 million people (11.96 percent), meaning reduced to 0.89 million people (0, 53 per cent) if compared to the poor line in March 2011 the previous year which amounted to 30.02 million (12.49 percent). During the period of March 2011-March 2012, urban poverty is reduced by approximately

¹² William (2002).

¹³ Tilaar (1993).

¹⁴ Jon Quah (2012).

¹⁵ See <http://worldpopulationreview.com/countries/indonesia-populationsebagaimanadiaksespada>. [Accessed 15 Desember 2014].

¹⁶ *Ibid.*

399.5 thousand people (from 11.05 million in March 2011 to 10.65 million in March 2012), while in rural areas decreased 487 thousand people (from 18.97 million in March 2011 to 18.48 million in March 2012). The percentage of poor people in urban areas in March 2011 amounted to 9.23 percent, dropping to 8.78 percent in March 2012. Likewise with rural poverty also decreased from 15.72 per cent in March 2011 to 15.12 percent in March 2012. The role of food commodities to the poverty line is far greater than the role of non-food commodities (housing, clothing, education, and health).

The above statistics show that there are still many Indonesian people who are in poverty. This condition can be a precedence for the emergence of corruption, although in reality not few corruptors who becomes a suspect has a background in economics and o social status were established. If compared to Singapore, then Singapore has already able to manage in increasing prosperity and at the same time suppressed corruption effectively. Indonesia is left far behind by Singapore income per capital. In 2005, the Singapore income per capital (GNP) reached 40,000 US \$while Indonesia GNP stay in the range of 1,400 US \$, it puts Singapore at the same level with Japan.¹⁷ Meanwhile, the World Bank report in 2014, GNI per capital of Indonesia in 2013 ranged in 3500 US \$ with growth of 5.8% and the poverty rate of 11.4% of the population in the same year, while Singapore show that GNI per capital has reached 54,040 US \$.¹⁸

Why so much far difference? Singapore at the beginning was a poor country, until June 1959 when the country gained its independence, at the time their per capital income was 1,200 S \$ and the average unemployment was 14%. Since independence, Singapore has been ruled by one political party, People's Action Party (PAP). Under the PAP, order and stability were taken priority than political freedom. In the words delivered by the Prime Minister of Singapore Lee Kuan Yew time, it is mentioned that the political system has helped shape on society as ranked number 1, and the individual as part of a community is number 2. The political opposition criticized through media controlled by the Government as does not serve the interests of society, and therefore only show a minimum in the poll results, despite a popular choice for PAP in those years also slumped.¹⁹

However, to combat corruption, PAP Government established the Economic Development Board (EDB) in August 1961 to head up the industrialization program and boost economic growth by attracting foreign investment into Singapore. Rapid economic growth over the past 51 years has changed the economic conditions of Singapore from distribution of goods into producing goods. As a result, Singapore per capital income surged to 44- fold to 52,251 S \$ in 2009. Singapore's economic growth is so rapid and changes it from a third world country into a first world country to be an asset in the implementation of development programs. As compensation for the lack of natural resources, the PAP government emphasis on education to improve the quality of human resources in Singapore. Would thus not surprising that government spending increased to 137 times of 63.39 S \$ million in 1959 to 8,698.88 S \$ million in 2009. In summary, the PAP government is able to seek allocation of adequate budget and personnel support CPIB (Corrupt Practices

¹⁷ Michael Vatikiotis (1996).

¹⁸ World Bank Report 2014 In (nd).

¹⁹ Michael Vatikiotis (1996).

Investigation Bureau) to be able to implement effective anti-corruption policies.²⁰ Figure-1. Comparison of Indonesia and Singapore Economic Conditions

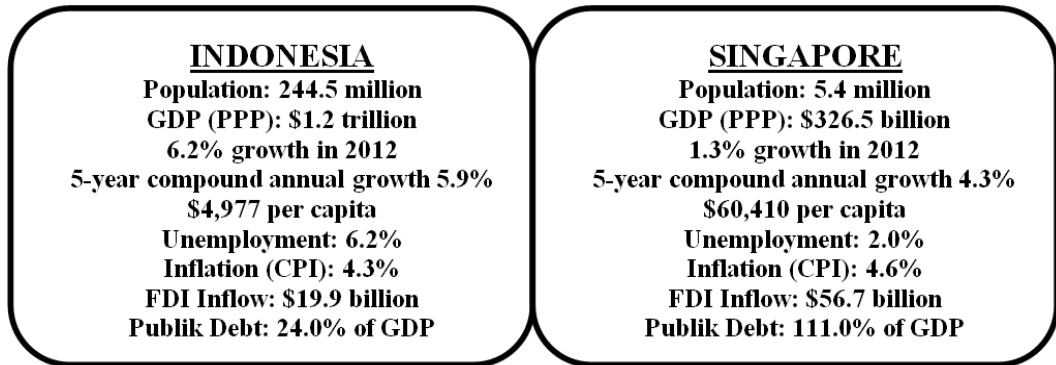


Figure-1. Comparison of Economic Competitiveness Index between Indonesia and Singapore
Sources: Global Competitiveness Index 2014

The share of intra-ASEAN trade as a percentage of the total trade between Indonesia and Singapore continued to increase from year to year. In 1996 Indonesia has reached 13.8% while Singapore was in the same year reached 25.7%, then in 2012 the share of trade between the two countries are experiencing a surge, namely to Indonesia reached 25.1% while Singapore reached 26.6%. This means that both countries are equally reach the market share among ASEAN countries, but during that Singapore is still higher than in Indonesia.²¹

In addition to these economic conditions, it should be noted also the social and cultural conditions of Singapore. Singapore is officially known as the Republic of Singapore and is located in Southeast Asia. It is an island nation off the Malay Peninsula and 137 Kilometers north of the equator. Singapore consists of 63 islands separated from Malaysia by the Straits of Johor. In late June 2012, the population of Singapore reached 5.31 million. Currently, an estimated 5.5 million population. The majority of Singaporeans are China, which is 74.2%; Malay 13.2%; India 9.2% of the population. Malay fertility rate is 70% higher than that of China and India. The state authorities have been trying for years to increase the fertility rate was 2.1 births per woman. The island has four official languages: Mandarin, Malay, Tamil and English. English is used as a compulsory language in schools as well as the main working language in Singapore.²²

Singapore is a country town where most of the population lives in the center of the island 42 miles long and 23 miles wide. Sector or rural hinterland negligible considering Singapore are urban areas and only about 1% land used for agricultural purposes. This shows that Singapore does not have Natural Resources except for its strategic location, in the harbor, Human Resources (HR).²³

²⁰ Jon Quah (2012).

²¹ Sanchita Basu (2014).

²² See <http://worldpopulationreview.com/countries/indonesia-populationsebagaimanadiaksespada>. [Accessed 15 Desember 2014].

²³ This opinion is in accordance with in-depth interview results with Dr. Aris Ananta, lecturer of Institute of Southeast Asian Studies (ISEAS)

Singapore in his office on October 2, 2014.

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The small area of land Singapore also means the absence of a large inland areas for farming or mining minerals.

The small land area of Singapore and the high level of urbanization has increased the policy-making process that takes place in four ways: first, considering transportation is not a serious problem, the speed of Singapore in facilitating political control by the leader is also sufficient. Second, the small size of the Singapore area can improve the coordination of the administration and increase accountability of state officials. Third, the small region of Singapore contributed to a highly centralized state bureaucracy, which does not face the same problem with the influence of civil service in conjunction with state, provincial and local level bureaucracy. Fourth, the absence of the large agricultural sector in Singapore not only can strengthen the characteristics of a centralized civil service but also means that Singapore is not burdened with problems arising from the implementation of reforms in agricultural areas or provinces. In short, Singapore which has such a small geographic area to the CPIB in facilitating effective anti-corruption law.²⁴

5.2. Analysis of Legal Substance

Indonesia's anti-corruption policies has been carried out since independence day in 1945 through various legislative, institutional and program of prevention and eradication of corruption. In the era of the Old Order (1966-1998) was enacted Law Number 24 Regulation 1960, inter alia through *Operasi Budhi* (Moral Operation), followed by the establishment of the Corruption Eradication Team by Presidential Decree Number 228 of 1967, led by the Attorney General. However, it seems this attempt is considered not successful, so that the policy is repealed and replaced by Act Number 3 of 1971. This Act has been attempted through a maximum of Conduct Operations conducted by the Command for the Restoration of Security and Order (*Kopkamtib*). This policy applies throughout the New Order era, but corruption was still not subsided. Turn on the Reformation era, the government re-enacting a new law, the Act Number 31 of 1999 which was later amended by Act Number 20 of 2001, where a year later formed the Corruption Eradication Commission (KPK) on December 29, 2003 through Act Number 30 of 2002 which states that the Commission consists of five commissions with a leader and four vice-chairman who served the maximum of two-year tenure.²⁵

Substance Act Number 31 of 1999 on the Eradication of Corruption contains a lot of things, but in particular the problem of corruption described in Chapter II, Article 2 and Article 24, and Chapter III of other offenses related to corruption. Medium Chapter IV contains about problems of investigation, prosecution, and examination in court hearings (Article 25 to Article 40). Chapter V contains the role of the community (Article 41 and Article 42). General Provisions contained in Chapter I, which contains an explanation of the various terms, while Chapter VI contains about Other Provisions (Article 43), and Chapter VII of the Final Provisions (Articles 44 and 45). Until

²⁴ Jon Quah (2012).

²⁵ *Ibid.*, p. 384.

now the Commission ensnare the perpetrators of corruption with the regulations, which summarized the substances of the anti-corruption policy must contain the following:²⁶

- a. Any person who acts unlawfully enrich themselves or another person or a corporation that can harm the State finances or the economy.
- b. Anyone with the intention of enriching himself or another person or corporation, abuse of authority, opportunity or means available to him because of the position or positions that could harm the state finance or economy of the State
- c. Every person who commits an offense referred to in Articles 209, 210, 387, 288, 415, 416, 417, 418, 419, 420, 423, 425, Code of Criminal Law.
- d. Every person who gives a gift or pledge to the civil servants with considering the power or authority inherent in the office or position, or by giving a gift or promise is inherent in the position or the position.
- e. Any person who violates the provisions of law which expressly states that the violation of the provisions of the law as corruption applicable provisions stipulated in this law.
- f. Everyone who attempted, assisted, or evil of agreement to engage in corrupt activities, shall be punished
- g. Everyone outside the territory of the Republic of Indonesia that provides assistance, opportunity, means, or information to corruption is liable to the same punishment as the perpetrators of corruption.
- h. Any person who intentionally prevent, hinder, or interrupt, either directly or indirectly, investigation, prosecution, and examination at the trial of suspects and defendants or witnesses in corruption cases.

If compared with the substance of the law (legal substance) of anti-corruption in Singapore, the local government policy applied the rules as described in the Prevention of Corruption Act (PCA) Chapter 241 which has undergone amendment, began the adoption in 1960, reprinted in 1966 and revised in 1993, continue to experience changes and amendments in 2002. In addition, the policy in the Penal Code (PC) Chapter 224 which was also revised in 1985, and similar legislation which includes the prevention and eradication of corruption, such as the Banking Act (Chapter 19), Currency Act (Chapter 69), Finance Company Act (Chapter 108), Insurance Act (Chapter 142).²⁷ In short, Singapore has experienced in handling corruption ever since before independence, while Indonesia began to step forward after the strengthening of institutions that formed the Commission on the Reform era in 1998 on wards.

All countries have laws aimed at combating corruption, but only a few countries that apply the law as tight and as consistently as Singapore. Corrupt officials, especially those of high rank, dealing with the law of Singapore with hardware rarely seen in other places.²⁸ Singapore's anti-corruption policies as stated in the PCA explained that the transaction can be identified corruption

²⁶ See Act Num, 31 year 1999 on corruption eradication article 2 to article 22. and Act Num, 20 year 2001 on amendment of act num. 31 year 1999 on corruption action.

²⁷ Ang Peng and Yeo Tiong (1998).

²⁸ Jon Quah (2000).

as a general corruption or corruption involving the agents. Any person convicted of violating these rules by both of the above categories will be subject to a fine not exceeding 100,000\$, or imprisoned not more than five years, or both.

Based on the PCA, the term "corrupt" requires the court to be carried out satisfactorily without a doubt, the first: there is an element of corruption in the transaction, and secondly, that the person who gives or receives gratification has a corrupt intent. The first requirement of a finding of "corrupt elements" is the certainty of the existence of the alleged intention of the accused to receive gratification, then the second condition the existence of an objective standard to determine whether the intention that accompanied the transaction was an element of corruption or not. The second requirement of a "corrupt intent" is filled with determining whether the accused knew or realized that what he is doing is corrupt according to the usual standard and subjectively.

Associated with public officials, corruption follow the rules set forth in the PCA. Thus, it is proved that any dividend has been paid or received by a public officer, gratuities are deemed to have been paid or received is to be corruptly as an inducement or reward, unless proven otherwise found. This presumption can be rebutted by showing a valid reason for the accused who receive gratuities are limited to mere allegations, while the legal burden lies with the defendant to rebut these allegations with the balance of probabilities.²⁹

PCA contains a lot of things about the prevention and eradication of corruption in Singapore. There are six sections in PCA: The first section contains preliminary, the second part describes the appointment of staff and personnel issues (Appointment of Staff and Personnel Matters), the third part describes the crime and punishment (Offenses and Penalties), the fourth part includes rules on the authority and powers of arrest and investigation, the fifth part concerns the evidence, and the sixth section contains about various other rules (Miscellaneous).

5.3. Analysis of Legal Structure

The creation of the eradication of corruption in Indonesia formally done through the promulgation of the Law of the Republic of Indonesia Number 30 Year 2002 on Corruption Eradication Commission or the Commission by President Megawati Sukarnoputri that took place on 27 December 2002. In Act 30 of 2002 was explained duties, powers and obligations, domicile, responsibilities and organizational structure of the Commission, and others. Chapter II, Article 6 contains about the duties, powers and obligations of the Commission which include: 1. coordination with authorized institutions; 2. the eradication of corruption; 3. supervision of authorized institutions; 4. the eradication of corruption; 5. investigation, and prosecution of corruption; 6. take measures to prevent corruption; and 7. to monitor the conduct of state government.

Article 21 contains about the leadership of the Commission consisting of: 1. Chairman of the Corruption Eradication Commission consisting of five (5) Members of the Anti-Corruption Commission; 2. Advisory Team consisting of four (4) members; and 3. Employee Anti-Corruption Commission as an administrative task. The leadership structure of the Corruption Eradication

²⁹ Hamidul Haq (n.d).

Commission referred to in paragraph (1) point a is structured as follows: 1. The Chairman of the Corruption Eradication Commission and member; and 2. Vice-Chairman of the Corruption Eradication Commission consists of four (4) persons, each member concurrently. 3. Chairman of the Corruption Eradication Commission referred to in paragraph (1) point a is a state official. 4. The Chairman of the Corruption Eradication Commission referred to in paragraph (1) point a is an investigator and prosecutor. 5. The Chairman of the Corruption Eradication Commission referred to in paragraph (2) work collectively. 6. Chairman of the Corruption Eradication Commission referred to in paragraph (1) point a is the highest person in charge of the KPK.

Indonesia already has eradicating corruption agencies such as the Commission (KPK) which are aggressively hunt down the criminals until criminalized by law, while Singapore combating corruption through CPIB institution or Corrupt Practices Investigation Bureau. CPIB organizational structure is divided into three branches. The biggest branch is part of the investigation consisted of four units, whereas each unit is chaired by the Assistant Senior Director or Assistant Director that are responsible for directing and controlling efforts of investigations conducted by subordinate officials. Letters investigation prepared by investigators and submitted to the Director who receives the evidence and make appropriate recommendations to the public prosecutor, where approval is required for prosecution conducted under PCA policy. Whenever found insufficient evidence to prosecute civil servants to the court, then the officials appointed to head of the department for disciplinary action.³⁰

Most of this success lies in the endless war against corruption in law enforcement in Singapore. The main section with the strength of the investigation is Corrupt Practices Investigation Bureau (CPIB). In particular, the CPIB focuses on corruption offenses arising under the Prevention of Corruption Act (PCA) and the Criminal Code. Commercial Affairs Department (CAD) of the Singapore Police Force is a white-collar crime investigation agency principal and an agency force legislation governing financial and commercial entities in Singapore.³¹

CPIB has grown to 19 times higher than that originally had a number of staff a bit, which is only 5 officers in 1952 to 93 officials in 2010. In organizational, CPIB divided into Operations Division and the Administration and Specialist Support Division. Operations Division subdivided into the Operations Branch and the Operations Support Branch, which includes the Intelligence Unit. Operations Branch consists of a Special Investigation Team, which handles major cases and complex, as well as three other units. Special Assistance and Administration Division has four units, namely: Administration Unit, Prevention and Review Unit, Computer Information Systems Unit, the Plans and Projects Unit. CPIB update Computer Information Unit in July 2004 with the establishment of a Computer Forensics Unit to improve the ability of investigation and evidence collected.³²

³⁰ Jon Quah (2003).

³¹ Hamidul Haq (n.d).

³² Jon Quah (2012).

6. EDUCATIONAL STRATEGY FOR ANTI CORRUPTION IN INDONESIA AND SINGAPORE

Until now the strategy to eradicate corruption in Indonesia has focused on the role of the Commission (KPK). The main strategy of the Commission which is in various punitive measures, namely the investigation and prosecution on corruption. To operate the strategy of "repressive" the Commission has signed a Memorandum of Understanding with the Attorney General, Police, and various other bodies. Commission advocate for an increase in remuneration and the introduction of various management systems based on performance at all levels of government. He also advocated the establishment of "islands of integrity" and the various "integrity pact". Finally, it also seeks to replace a variety of public perception and culture of tolerance towards corruption.³³ However, efforts should be appreciated that the Commission was not able to issue a clean Indonesia and was ranked among the top ten in other countries. Therefore, efforts to combat corruption through legal channels, especially those carried out by the Commission needs to be assisted by other means, namely the strategy to eradicate corruption through education.

Education can be used to combat corruption through internalization of values or virtues. Various opinions may differ about the best approach, and studies also carries on a number of opinions. One of them is essential for a country or group to share experiences and knowledge with each other. In addition, the time when the grand scheme of intellectual deemed satisfactory and can help build a coalition of anti-corruption agencies were in such complexity. In more simple and narrow focus on local government institutions are more successful approach. The basic elements of corruption eradication strategy include: first, the implementation of the law, second, prevention activities, third: the establishment of institutions, and the fourth: public awareness.³⁴ The strategies commonly used by a Indonesian Government as part of a strategy to eradicate corruption. The Commission take steps to prevent corruption through preventive strategies in synergy with other educational institutions and the Ministry of Education and Culture in various forms.

In contrast to Indonesia, anti-corruption strategy undertaken by Singapore is relatively successful. In the scope of the Asian countries, Singapore is a country that effectively combating corruption, as seen from the achievements of the Corruption Perception Index (CPI) released by International Transparency 2014, Singapore is growing into a clean state from corruption. In 2014 the CPI Singapore was ranked 5th out of 177 countries. Why Singapore is so effective in combating corruption?. In general, Singapore has implemented three interrelated strategies, namely: the enactment of the Prevention of Corruption Policy through the Prevention of Corruption Act (PCA), the establishment of Corrupt Practices Investigation Bureau (CPIB), and fix the salaries of civil servants. Here is a short explanation.

First, the enactment of the Prevention of Corruption Policy, Prevention of Corruption Act (PCA or POCA) which has been implemented since June 17, 1960, contains five important features to eliminate weaknesses in the previous policy, namely the Prevention of Corruption Ordinance

³³ CSIS Dan USINDO (2007).

³⁴ Asian Development Bank (2013).

(POCO) and to empower institutions CPIB in performing their duties.³⁵ These five features are: (1). At first space PCA was increased to 32 different sections from previous POCO which has only 12 sections. (2). definition of corruption is explicitly set forth in the various terms that vary from various forms of gratification which is also identified since the first time by the CPIB. (3). to increase the barrier effect of the PCA, the punishment for corruption increased to five years imprisonment and / or a fine of 10,000 S\$. (4). a person who is found guilty of receiving illegal gratification have to pay a sum of money which he took as a bribe in addition to the penalty imposed by the court. (5). The most important feature of PCA is that it gives more power to the agency and contract CPIB new life. For example, Article 15 CPIB equips officers with the power to arrest and investigate those who were arrested. While Article 17 empowers the prosecutor to authorize CPIB directors and senior staff to investigate "any bank accounts, share accounts or purchase account" of anyone suspected of committing a violation of the PCA. Article 18 empowers officials to examine the account bank of civil servants and his wife, son, or his agent, if it is necessary.

Second, the establishment of the Corrupt Practices Investigation Bureau (CPIB) as an anti-corruption agency which is responsible for supporting the PCA provisions. CPIB perform three functions, namely: (1). Receive and investigate complaints related to corruption both within the government and private sectors; (2). To investigate malpractice and misconduct committed by public servants, and (3). To examine the practices and procedures of public services in order to minimize chances of corruption.

As a single anti-corruption agency of Singapore, CPIB is spearheading the eradication of corruption through effective investigation and implementation of preventive measures against corruption, including public outreach. CPIB mission is as a leading anti-corruption institutions that uphold the integrity and good governance to achieve a corruption-free nation, and core values of CPIB are: integrity, teamwork, and devotion to duty .³⁶

Among the products of this educational approach, CPIB make a variety of video clips that the contents of the examples of corruption that must be abandoned. In the video clip contains several themes, to name some of it: video clip 1: *Do not get lost, corruption never pay*. Video clip 2: *This is not a practice. This is not the norm. This is corruption*. Video clip 3: *Greed can have consequences. Say no to corruption*. All the video clip can be downloaded freely via internet. In addition to the official portal of CPIB, can also be opened in youtube and CPIB also create brochures and comics depicting anticorruption behaviors.

In summary, a comprehensive anti-corruption strategy that has been enacted by Singapore since 1960 include: (1) a combination of the use of PCA and CPIB policies to reduce opportunities for corruption; and (2) periodic salary improvement for political leaders and senior civil servants to reduce opportunities for corruption. It can be concluded that the political leadership in Singapore should be wholeheartedly committed to combating corruption by demonstrating exemplary behavior and take simple lifestyle for themselves. Political will is a very important prerequisite as a

³⁵ Jon Quah (1990).

³⁶ Asian Development Bank (2013).

comprehensive anti-corruption strategy, that would be useless if it is not supported by the exemplary political leadership of the State.

Furthermore, there are several key success strategies adopted by Singapore in combating corruption, namely: the existence of an independent anti-corruption agency and clean without corruption campaign, making corruption a high risk and low activity for a guilty sentence, reduce opportunities for corruption in government agencies, and reduce the temptation of corruption through decent salaries to political leaders and civil servants.³⁷

7. CONCLUDING REMARKS

No single country can be completely free from corruption. In relation with the rules and policies applicable for anti-corruption, both in Indonesia and Singapore have a legal basis, foundations and detailed rules, including forms of bribes and gratuities. However, although it has been available in a wide range of anti-corruption rules, cases of corruption are commonly found in this country.

Anti-corruption education strategy implemented in Indonesia through the Commission take preventive strategy, which includes anti-corruption activities such as the festival, book library, anti-corruption portal, the eradication of corruption in the form of television channels and radio, public information services, and e-learning gratification information. The difficulty of eradicating corruption in Indonesia mainly caused by multi-factors, which include: the practice of meritocracy, low salaries, the complexity of the bureaucracy and inefficiency, lack of control over security and surveillance functions, and lack of confidence in the budget and institutional reforms.

While Singapore has applying three interrelated strategies, namely: the enactment of the Prevention of Corruption Policy, Prevention of Corruption Act (PCA), the establishment of Corrupt Practices Investigation Bureau (CPIB), and increasing the salaries of civil servants. Singapore has successfully managed to overcome the causes of corruption.

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³⁷ *Ibid.*, pp. 140-146

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