

## TRACKING THE CAUSES OF POLITICAL ELITES CORRUPTION

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### Abstract

Corruption is a key word in the collapse of people's trust in officials from political parties. This paper tracks the factors that have caused the political elite to commit corruption. The method used in this study is socio legal, by combining legal and political approaches. Based on the discussion, it was concluded that there were 3 (three) things that affected the corruption of the political elite. *First*, the lack of regulation on political education. *Second*, the lack of regulation regarding the political recruitment system, and *Third*, the weak supervision and the *Fourth* Opportunity. These three things have resulted in corruption that ensnares the political elite, especially those who hold political positions.

**Keywords:** Corruption, Political Elite, Political Parties

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This paper examines the problem of corruption that characterizes the political world in Indonesia. In ancient times, corruption was juxtaposed with the notion of bribery. In the present, this meaning has shifted into immoral and illegal behavior among political leaders.<sup>1</sup> *The Oxford English Dictionary* defines corruption as illegal, inappropriate actions and damages something.<sup>2</sup>

Based on the provisions of Article 2 paragraph (1) of Law Number 31 of 1999 concerning Eradication of Corruption Crimes referred to as criminal acts of corruption is an

act against the law to enrich themselves or other people or corporations that can harm state finances. Actors of corruption based on these provisions will be sentenced to imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years with a penalty of a minimum of Rp. 200,000,000 (two hundred million rupiah) and a maximum of Rp. 1,000. .000,000 (one billion rupiah). The simple definition of corruption based on the explanation above is that corruption is a criminal act that is detrimental to not only state finances but also the rights of the people carried out by people who have power.

Regarding corruption in political matters, there are many anomalies carried out by political parties, in fact, many members of political parties are involved in corruption and

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<sup>1</sup> A. Heideheimer, 1970, *Terms, Concepts, and Definitions: An Introduction*. In A. Heidenheimer, V. Levine and M. Johnson (eds), *Political Corruption: A Handbook*, New Jersey: New Brunswick, p.8

<sup>2</sup> J. Murray, J. Simpson, and E. Weiner, 1989, *The Oxford English Dictionary*. Oxford, United Kingdom, Clarendon Pres.

forget their function as a pillar of democracy.<sup>3</sup> One of the crimes that has recently happened is corruption committed by members of political parties.<sup>4</sup> Corruption by elite political parties shows that the party is vulnerable to the temptation of power. Therefore, the party needs to improve by presenting the right institutional concept in the life of democracy and administration.<sup>5</sup> Eradication of corruption must be carried out thoroughly, both by political parties and other institutions.

Cases of corruption involving political parties are difficult to reveal. The legal substance made by the DPR which in fact is a party person does not make it possible to ensnare the party. In terms of law enforcement officials also finally had no choice but to turn a blind eye to political party corruption cases.<sup>6</sup> The existence of these corruption acts creates negative impacts, of course both in the scope of government and the scope of society. This paper is about to answer the problem of what causes corruption committed by the political elite ?

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<sup>3</sup> Muhammad Akbal, Aminuddin Ilmar, Abdul Razak, Hamzah Halim, 2014, "Authority of Constitutional Court in Dissolution Political Parties in Indonesia", *International Journal of Advanced Research*, Vol. 2, Issue 8, p. 51

<sup>4</sup> Russel Butarbutar, 2016, "Criminal Responsibility for Political Parties in Criminal Acts of Corruption and Money Laundering", *Journal of PJIH*, Vol. 3 No. 2, p. 351

<sup>5</sup> Zainal Arifin Mochtar, 2018, *Upholding the Constitution Against Corruption*, Genta Publishing, Yogyakarta

<sup>6</sup> Zainal Arifin Mochtar and Eddy OS Hiariej, 2018, *Looting Corruption for Political Parties*, Genta Publishing, Yogyakarta, p. 63

## METHODS

This study uses research methods *socio legal* - that explain corruption and the elite of political parties. The approach used in this study is a combination of doctrinal approaches and political system approaches, data collection using library study methods and documents.

## DISCUSSION

This paper presents 4 (four) causes of corruption by the political elite, namely *first*, the weak regulation on political education for the political elite. *Secondly*, there are weak regulations regarding the recruitment system for public office. *Third*, weak political supervision. *Fourth*, opportunity.

*First*, the question of weak political education. Political education from political parties has a correlation with the number of corruption committed by elite political parties. Political education is a systematic educational effort<sup>7</sup> that influences political understanding of society.<sup>8</sup> Political education is one of the

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<sup>7</sup> Rohmat, Amarru Muftie Holish, Iqbal Syarifudin, 2018, "The Influence of Political and Democracy Education for Young Generation Against the Level of Participation in the Implementation of Elections", National Law Seminar of Semarang State University, Vol. 4, No. 3,, p. 191

<sup>8</sup> Asmika Rahman, 2018, "Basic Concept of Political Education for Beginner Voters through Citizenship Education", *Journal of Social Sciences Education*, Vol. 10, No. 1.

tools to subdue pragmatism politics<sup>9</sup>. Political Education is referred to in Article 11 of Act Number 2 of 2011 concerning Amendments to Law Number 10 of 2008 concerning Political Parties. However, the laws and regulations and internal regulations of political parties do not provide clear provisions regarding the implementation of education. In the internal party, the political party has no clear format / design of how political education should be carried out.

There are two themes of political education and national insight carried out by political parties, namely voter education in elections and party vision and mission. It is clear that political parties are trying to carry out political education and national insights are highly adapted to party political interests. Political education and national insight are aimed at cadres and the community.<sup>10</sup> Political education influences the integrity of cadres so that it becomes an urgent matter that must be formulated in the legislation and internal regulations of political parties in order to maintain that this political party-based democracy still exists. It can be seen from the corruption scandal and the collapse of the Blatter kingdom on the World Football

Agency (FIFA) and the continuation of the Greek financial crisis which had become a hot topic almost all over the world. Blatter and Greece repeated the histories of previous business empires and governments which were destroyed by corruption.<sup>11</sup>

*Second, the* issue of weak regulations regarding the recruitment system for public office. The recruitment system for public positions also correlates with the high rate of political corruption. Corruption is a danger that attacks many countries that carry out the democratic process.<sup>12</sup> In connection with this paper, corruption is an implication of the failure of the system of recruitment of political officials. The recruitment system used today is recognized or does not use a closed system. Party leaders have a very big role in determining people who will be nominated as political officials. At this point, bargaining or so-called transactional politics often occur.<sup>13</sup>

The poor recruitment system and the implementation of elections have a

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<sup>9</sup> Sudjito, 2017, *Legal State Without Culture Shame*, UGM Press, Yogyakarta, p. 15

<sup>10</sup> Muhammad Arifin Nasution, "The Role of Political Parties in Political Education and Nationalism", *Journal of Politics*, Vol.4, No.1, January 2012, p. 38

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<sup>11</sup> Junaidi, I Ketut Patra, "Corruption, Economic Growth and Poverty in Indonesia", *Journal Indonesian Accounting and Finance Research*, Vol. , No.1 2018, p. 71-72

<sup>12</sup> One example of a democracy that practices corruption, namely Nigeria, election corruption still often appears as a direct subversion of the election process by individuals (Omobilaji Ololade Olarinmoye, "Godfathers, Political Parties and Electoral Corruption in Nigeria", *African Journal of Political Science and International Relations*, Vol 2 (4), December 2008, p. 66)

<sup>13</sup> Indra Fauzan, *Reviewing Corruption and Democracy in Indonesia*, *Journal of Politics* Vol. 4, No.2, July 2012, p. 83

sustainable and greater value, one of which is the increasing number of KKN actions, especially corruption. The existence of corruption in government institutions is like mushroom in the rainy season which is difficult to clean. According to Purwantari in Nadiatus Salama believes that corruption in everyday life is considered as a natural, ordinary, and normal thing. This condition shows that corruption is not only a structural crime or moral violation, but as *banality*.<sup>14</sup> Many people oppose acts of corruption committed by public officials, but the public is not able to do anything even they sometimes participate in the corruption circle.

Below is a table that shows corruption committed by the political elite. The author gives an example of corruption committed by Members of the Republic of Indonesia Parliament as a reflection of the political party elite.

**TABLE<sup>15</sup>**

**List of Several Members of the Republic of Indonesia Parliament for the 2014-2019 Period Affected by Corruption Cases**

No	Name, Date of	Case	Verdict
1	Setya Novanto (Golkar Party) March 29, 2018	Case of Corruption which resulted in a State loss of Rp 2.3 trillion in the project to procure an Electronic ID Card.	Criminal prison for 16 years, revocation of political rights, and a fine of Rp. 1 billion and refunds of US \$ 7.3 million.
	Amin Santono (Democratic Party) May 6, 2018	Receive bribes of Rp 3.5 billion from the Head of the Central Lampung Bina Marga Service, Taufik Rahman and Director of CV Iwan Binangkit Ahmad Ghiast.	Criminal Prison for 8 years and a fine of Rp. 300,000,000, subsidiary 3 months imprisonment
	Eni Saragih (Golkar Party) August 15, 2018	Received a total bribe of Rp 4.8 billion related to the cooperation agreement on the construction of the Riau-1 PLTU in Riau Province.	Criminal Prison for 6 years and a fine of Rp. 200,000,000, subsidiary of 2 months imprisonment
	Taufik Kurniawan (National Mandate Party) 30 October 2018	Receiving bribes of Rp. 3.65 Billion from the Regent of Kebumen for the period 2016-2021, Muhammad Yahya Fuad, related to the acquisition of the Special Allocation Fund (DAK) budget physical in the 2016 Revised State Budget	Criminal Prison for 6 years and a fine of Rp. 200,000,000, subsidiary of 4 months confinement

<sup>14</sup> Nadiatus Salama, "Motives and Psychological Processes of Corruption, *Journal of Psychology*, Vol.41, No.2 December 2014, p. 150

<sup>15</sup> Andina Elok Puri Maharani, Dissertation: Legislative Member Recruitment System in Indonesia (Conceptual Framework for Strengthening the House of Representatives in the State Administration System), Faculty of Law, Gadjahmada University, Yogyakarta, p. 341

	Fayakhun Andriadi (Golkar Party) November 21, 2018	Acceptance of bribes in the procurement of satellite monitoring equipment at the Marine Security Agency (Bakamla). Fayakhun was proven to have received a bribe of Rp 12 billion from Fahmi Darmawansyah, President Director of PT Melati Technofo, as the company that worked on the project.	8 years imprisonment fined Rp. 1 Billion provided that if the fine is not paid, it will be replaced with 4 months imprisonment.
	Musa Zainuddin (National Awakening Party) November 8, 2017	Receives bribes of Rp. 7 billion related to PUPR infrastructure projects in Maluku and North Maluku.	Criminal imprisonment for 9 years, paid a fine of Rp. 500 million subsidiary, and compensation of Rp. 7 billion.
	Markus Nari (Golkar Party) July 19, 2017	Mark is suspected of asking for money to Irman, the Ministry of Home Affairs official who is now a defendant in the case of e-KTP. Markus allegedly asked Irman for money in the amount of IDR 5 billion. As a realization of the request, Markus was alleged to have received around Rp.4 billion.	Suspect
	Putu Sudiartana (Democratic Party), 28 June 2016	Received a bribe of 40US \$ and 500 million rupiah for passing the road construction plan in West Sumatra in the 2016 Amendment Budget	Criminal prison for 6 years by a panel of judges in the Jakarta Corruption Court. Putu is also required to pay a fine of Rp 200 million, a subsidiary of 3 months in prison.

	Andi Taufan Tiro (National Mandate Party), 27 April 2016	Received bribes of 7.4 billion rupiah from businessman Abdul Khoir, Director of PT Windu Tunggal Utama (WTU) to encourage Commission V of the House to pass the proposed project for road reconstruction in Maluku and North Maluku under the Ministry of Public Works and Public Housing.	9 years in prison by a panel of judges at the Jakarta Corruption Court. Also required to pay a fine of Rp. 1 Billion, a subsidiary of 6 months in prison.
	Budi Supriyanto (Golkar Party), 2 March 2016	Received bribes from businessman Abdul Khoir, Director of PT Windu Tunggal Utama, to streamline road infrastructure projects in Maluku in the 2016 financial year.	Crime 5 years in prison and pay a fine of Rp 300 million subsidiary 2 months confinement.
	Damayanti Wisnu Putranti (Indonesian Democratic Party of Struggle), January 13, 2016	Received bribes totaling Rp. 8.1 billion in three stages, each of S \$ 328 thousand, Rp. 1 billion in US dollars, and S \$ 404 thousand from Abdul. Khoir, Director of PT Windu Tunggal Utama to smooth out a road development plan involving the Ministry of Public Works and Public Housing (Kempupera) in Maluku Province and North Maluku.	Criminal punishment 4.5 years imprisonment and fine of Rp. 500 million subsidiary 3 months imprisonment on 27 September 2016
	Dewie Yasin Limpo (Hanura Party), 20 October 2015	Received a gift of 177,700 Singapore dollars from the Head of Deiyai District Office Irenius Adi and Setiyadi Jusuf businessman , through the intermediary Rinelda Bandaso so Dewie will help seek a budget from the central	Criminal jail for 6 years on June 13, 2016

		government of Rp 50 billion for the construction of a power plant in Deiyai Regency, Papua.	
	Patrice Rio Capella (Nasdem Party), October 16, 2015	Received gratuities related to the process of handling regional aid cases, arrears in revenue sharing funds, and equity participation of a number of regionally owned enterprises in North Sumatra Province by the prosecutor's office .	Criminal 1.5 year imprisonment, criminal fine amounting to 50 million rupiah, and revoking political rights for 5 years on December 21 2015
	Adriansyah (Indonesian Democratic Party of Struggle), 9 April 2015	Receiving bribes from PT Mitra Maju Sukses related to mining permits in Tanah Laut, South Kalimantan, amounting to 2 billion rupiah.	Sentenced to 3 years imprisonment and a fine of 100 million rupiah. The

Table above shows that the elites of political parties commit criminal acts of corruption. This indicates the low integrity of party elites, especially those who hold public positions. Political parties as an important agent of the state in the Indonesian constitutional structure post-amendment to the 1945 Constitution, are not matched by a meritocratic model of cadre recruitment of political parties, with integrity and responsibility to the public.<sup>16</sup> As an organization that is given the privilege of nominating candidates for political leaders, political parties should provide clean

<sup>16</sup> Agus Riwanto, "Model Setting of Political Party Systems and Electoral Systems to Prevent Political Corruption", *Legal Journal (Indonesian Law Journal)*. Vol. 6 No. 2, 2018. p. 218

candidates. The large number of political party members who sit in various political institutions, especially in the DPR involved in corruption, gives a sign that the laws of political parties need to be reviewed.<sup>17</sup>

In the context of corruption, political parties need to take a position to educate their cadres. In addition, fixing the recruitment system is the recruitment of cadres who will be placed in public positions. Improvement of the recruitment system cannot be separated from regeneration. Law in Indonesia does not regulate the importance of regeneration which is actually the core of recruitment. The cadre is functioned to educate cadres of political parties to be ready to fight in the general election arena. In the regeneration process, cadres will get the knowledge that is expected to be enough to prepare him to become a public official.

*Third, the* issue of weak political supervision. Irrational political systems are the cause of corruption. The political system gave birth to public positions. Large authority over these officials tends to be related to abuse of authority. Especially if the political system does not heed the importance of transparency in administration and democracy,

<sup>17</sup> Bambang Budiyo, "Authority of Political Party Leaders in Proposing Dismissal of DPR Members Regarding Corruption Crime", *Journal of Udayana Law Masters*, Vol. 5, Number 4, December 2016, p. 707

sectarianism, favoritism, and for development that represent interests. the absence of supervision and monitoring in the political system causes corruption.<sup>18</sup>

Internal control system provides assurance in achieving the goals and objectives of the organization effectively and efficiently, ensuring the reliability of financial reporting and compliance with laws and regulations. In addition, it is necessary to carry out functional supervision by the legislature by overseeing the administration of the government through commission hearings, hearings and work visits. Through this mechanism, the government is required to implement the government in a transparent and accountable manner. Then public supervision is also needed, which is done by participating in the community overseeing criminal acts of corruption through reporting to the ombudsman commission and also through existing NGOs. Finally, legal oversight is an evaluation of the legitimacy of government actions that have legal consequences. This legal supervision is carried out by the court.

Supervision is a key word in preventing corrupt actions. Supervision can be of internal control and external supervision.

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<sup>18</sup> Fransiska Adelina, "Forms of Political Corruption", *Journal of Indonesian LEGISLATION*, Vol 16 No.1, March 2019, p. 61

Internal supervision is carried out from within the institution namely functional supervision, as well as external supervision carried out by other institutions and the community. Given this, it can be concluded that the position of supervisor is a position that has a large role in eradicating elite corruption.

Fourth, opportunity. Corruption occurs because of the impetus of economic motives in the form of wanting to have money quickly, low morale and weak law enforcement.<sup>19</sup> The source of state wealth is one of the opportunities and targets for corruption. Corruption like this is a form of accumulation and extraction of abuse of authority by government officials to benefit from the private sector, from government taxes, and from economic sources on a large scale.<sup>20</sup>

Corruptors seemed to have no shame and guilt to the public when they were caught and proven to have committed a crime of corruption. This is indicated by corruptors who continue to refuse guilty and remain active as usual when they are in a prison cell. This act of corruption is a crime that has violated social rights and economic rights owned by the community. If this corruption crime is left

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<sup>19</sup> Nadiatus Salama. *Op.Cit*, p. 152

<sup>20</sup> Eko Suwarni, *Law Enforcement for Political Corruption*, National Law Seminar at Semarang State University, Vol. 4, No.3, 2018, p. 956

unchecked, it will worsen and result in the state's goal to improve the welfare of the people.

## CLOSING

### Conclusion

The results of a search related to corruption by political party elites, the authors found 4 (four) causes of corruption by the political elite, namely , *first, the* weak regulation of political education for the political elite. Political education is mentioned in law as a function of political parties. But the law does not provide clarity on how to conduct political education. *Secondly, there are* weak regulations regarding the recruitment system for public office. Recruitment is the starting gate in a democratic system to place people in public office. Recruitment is closely related to the integrity of public officials. A track record of a cadre more or less will have an influence on its performance. *Third, weak* political supervision. Supervision is an important point to prevent corruption in power. *Fourth,* corruption can occur because of the opportunity to do so. The nature of humans who want more and the opportunity to get it will encourage corruption.

### Suggestion

Political parties are expected to carry out their functions optimally for institutional strengthening. With strong institutionalization, it is expected to maintain the integrity and quality of its cadres. This institutionalization mainly concerns the issue of the intensity of political education for cadres, improvement of the recruitment system for public positions, and strengthening cadre.

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### **Dissertation**

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