

# Trigger: Political Money, Corruption and OTT Culture a Difference in Indonesia

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**Abstract**--This paper addresses issues related to direct Regional Election (Pilkada) that have not been maximized, even triggers, including: money politics, rampant corruption and the phenomenon of OTT (capture operations) that occur in various sectors of the sector. Community questions arise, including: (1) how to eradicate money politics, (2) in what ways can a culture of corruption be eradicated (3) whether the hopes and rights of the people are represented (4) whether with direct elections can give birth to leaders with integrity (5) how to erase the paradigm of society that elected leaders have the opportunity to find a coffers to replace political costs and how to erase the logic of thinking about the dowry of political power. Oddities that occur in Indonesia, election participants understand the rules but still violate the rules in force. This research is a qualitative research according to the object of writing study using library research (library research). The direct election regulation in fact has not been able to minimize money politics in the elections. The hope, along with the drafting of the election law is able to provide a different color so that it becomes better in accordance with democratic election rules.

**Key words**--Trigger, money politics, corruption culture, OTT, oddity

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## I. INTRODUCTION

Elections are a concrete manifestation of democracy and are a means for the people to assert their sovereignty. The sovereignty of the people can be realized in the local election process to determine the leader who will run the government of a region. In the process of the intended pilkada it is possible to abuse authority and violate the rules. In Indonesia itself, the practice of corruption is so severe and acute as a trigger wood (Trigger). There have been many descriptions of corrupt practices exposed to the surface. In this country itself, corruption is like a malignant cancer that spreads to the cells of public organs, spreads to high state institutions such as the legislative, executive and judiciary to the BUMN, even though the specific legislation regulating corruption already exists, but corruption continues. Related to the above statement, Smith, et al, said that corruption and corruption perception can be considered as cultural phenomena because they depend on how a society understands the rules and what constitutes a deviation. Indeed, it does not depend only on societies but also on personal values and moral vies. While a person would never pay a bribe someone else may pay it due to consider this action as justifiable. This disposition to pay is likely to be positively correlated by people's perception of corruption.

Not a few people who claim that the election is a democratic party that is related to the problem include the increasing (1) money politics, (2) creating a culture of corruption, (3) people's hopes and rights are not represented, (4) have not produced leaders who integrity, (5) elected leaders cannot work because they are looking for a coffers to replace political costs, and (6) the logic of thinking that dowry is a political

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force.

The phenomenon of money politics in elections is not new, it has even started from the local elections. Money politics thrives supported by the increasingly permissive tendencies of the people. The omission of money politics does not only imply giving birth to corrupt politicians but also results in the harm of democratic elections. Consciously there is actually a desire to abolish money politics in the elections, at least this is one of the reasons why changing the election model, originally by members of the DPRD to be directly by the voters. However, the regulations governing the elections clearly have not been able to fortify so that money politics in the elections becomes minimal. Such conditions are certainly not able to produce leaders with the integrity needed by the community. Akbar Bhayu Tamtomo in Kompas.com writes with the topic INFOGRAFIK: Civil Servant Corruptor, This Ranks Based on Regional Kompas.com - 09/14/2018, 19:25 WIB.

Deputy Chairperson of the Corruption Eradication Commission, Saut Situmorang, said that this year became the highest record for KPT OTT in history. (CNN Indonesia / Feri Agus Setyawan). KPK said that the number of arrest operations (OTT) that they carried out this year was the highest in history. During 2018, the interfaith commission carried out 28 arrest operations and named 108 people as suspects. "The number of arrests in 2018 exceeds the previous year and is the most in the history of the establishment of the KPK," said KPK Deputy Chairman Saut Situmorang in the 2018 KPK Performance End Conference on Wednesday (19/12).<sup>[3]</sup>

The KPK's enforcement department this year is indeed quite busy. Within a year, the commission even worked 157 investigations, 178 investigations, 128 prosecutions, and 102 executions of court decisions. From this condition, it can be said that the actual cases of corruption that were shown to the public were such as arrest operations against state officials and asn. (View image).



Figure 1. Corruptor Data in Indonesia

## II. METHODOLOGY

This research is a qualitative study in accordance with the object of this paper study using library research, namely, first, by recording all findings regarding general consumption motivation in each research discussion obtained in the literature and sources, and or the latest findings regarding lawless behavior that can affect the ethics and morals of corruptors. Qualitative research is also called naturalistic research. Called qualitative because the nature of the data collected is not quantitative and does not use statistical

measurement tools. It is called naturalistic because the research field situation is natural, without being manipulated and regulated by experiments and tests. Second, analyze all findings from various readings, relating to the shortcomings of each source, strengths or their respective relationships about the discourse discussed in it. Third, this research deals directly with text or numerical data, not with the field or eyewitnesses, in the form of events, people or other objects. Fourth, the data is readymade, meaning that researchers do not go anywhere, except only dealing directly with sources that are already in the library. Fifth, the condition of the data in the library is not divided by time and space. The last is criticizing, providing critical ideas in the results of research on previous discourses by presenting new findings in collaborating different thoughts, mainly in this paper is the thinking of Jackg Bologne Gone theory on the grounds that indicators of the causes of corruption are discussed in this book. Then the new findings in this paper refer to Donald R. Cressy Fraud Triangle's theory.

### III. RESULT

Julianto writes that the Corruption Perception Index (CPI) is an index that measures the perceptions of businesses and experts on corruption in the public sector, namely corruption committed by civil servants, state administrators and politicians. Since its launch in 1995, CPI has been used by many countries as a reference to the domestic corruption situation compared to other countries. The CPI score uses a scale of 0-100. A score of 0 means that the country is perceived to be very corrupt, while a score of 100 means perceived very clean. On January 27, 2016, through its website Transparency International (TI) announced the 2015 Corruption Perception Index (CPI). In 2015, the six countries that received the highest scores were Denmark (Score 91 / Ranking 1), Finland (Score 90 / Ranking 2), Sweden (89 / rank 3), New Zealand (88 / rank 4), and the Netherlands (87 / rank 5), and Norway (87 / rank 6). While the five countries with the lowest scores are South Sudan (15 / 164th rank), Sudan (12th / 165th rank), Afghanistan (11th / 166th rank), North Korea (8th / 167th rank) and Somalia (8th / 168th rank). Related to this, Rock said that most models and empirical tests of the relationship between corruption and democracy assume corruption falls as democracy matures. Yet recent theoretical developments and case evidence suggest an inverted U relationship between the two, although so far no one has tested for this relationship, Michael T. Rock

Indonesia scored 36 and ranked 88th out of 168 countries measured. Indonesia's score rose slightly by 2 points (in 2014 Indonesia scored 34), but its ranking rose quite high by 19 ratings from the previous year (in 2014, Indonesia was ranked 109). The increase was partly due to improvements in public service governance. The improvement is a synergic effort between the KPK, the community and community servants (read: ASN and Officials). As additional information, in 2013 Indonesia obtained a score of 32 and ranked Indonesia 114th. The 2015 CPI data for ASEAN countries are as follows: (data source: Transparency International (TI) web accessed on 10/14/2016) Meanwhile, from 11 cities in Indonesia surveyed by TI, Banjarmasin is the cleanest and Bandung is corrupt with scores 68 and 39 respectively. Surabaya is at level 65 and Jakarta 57. Efforts to prevent and eradicate corruption led by the KPK are less able to leverage the corruption perception index in Indonesia. This happens because the phenomenon of corruption is ingrained in our daily lives. In the John M. Echols / Hasan Shadily Dictionary the meaning of the word fraud is: "fraud / fake / cheating / embezzlement" In the big Indonesian dictionary (online <http://kbbi.web.id/korupsi>), Corruption is a misappropriation or misuse of state money (companies and so on) for personal or other people's benefit. While the notion of corruption in the

Indonesian General Dictionary (W.J.S. Poerwadarminta) is as cheating, can be bribed, and immoral. Thus, it can be concluded that corruption is part of fraud. Because that applies to fraud, it also applies to corruption.

Related to Julianto's view above, it turns out that corruption occurs everywhere in this part of the world. Related to G-ONE Corruption (G-ONE theory Bologne in his book *The Accountant Handbook of Fraud and Commercial Crime* adapted by BPKP12 in his 1999 National Corruption Eradication Strategy), explains that the factors that cause fraud include Greeds (Greed) Opportunities, Needs and Exposures are very closely related to humans committing collusion and corruption.

Related to that, Greeds and Needs Factors are related to individual perpetrators of fraud, while Opportunities and Exposures are related to victims of fraud. Greeds. Greed is related to the greedy behavior that is potentially present in everyone. To control this Greed, it must, among other things, encourage the correct implementation of worship. Opportunities. Opportunities are related to the state of the organization / agency or community in such a way that there is an opportunity for everyone to commit fraud against it. To minimize the opportunity for people to commit fraud needs to be exemplary among the leaders of the organization. Needs. Needs (Needs) associated with the factors needed by each individual to support a reasonable life. To meet these needs need an income / salary that is balanced with the performance shown in the organization.

From the polemic that developed regarding the validity of the KPT OTT, Arsil gave my view on this issue. According to him there are two things that the crew should pay attention to, firstly discussing the debate related to OTT and in relation to the term Caught in the Criminal Code of the OTT in relation to special investigative techniques known as Controlled Delivery, and in the second part will be discussed about OTT and Tapping. Caught in Hands and Catch Hands

One argument that arises related to Operation Catching Hands is associated with the definition of Caught in the Criminal Procedure Code. Those who consider that OTT is illegal are based on the argument that there is no Operation Catching Hands in the Criminal Procedure Code, but only caught. The difference is then concluded that OTT is illegal.

For this problem Arsil saw a rather severe error in thinking. It is true that the Criminal Procedure Code does not recognize the term Operation Catching Hands, in fact there is not a single legislation in Indonesia that contains this term. But that does not mean that automatic OTT is illegal. Before discussing OTT itself, it is important to discuss what is caught in the hand. In article 1 number 19 stated:

"Caught in the hand is the arrest of a person when he is committing a crime, or immediately after a while the crime was committed, or a moment later called by the general public as the person who committed it, or if a moment later he is found the object allegedly has been used to commit that criminal act which shows that he is the culprit or is participating in committing or helping to carry out the crime".

The controversy of the Operation Catching Hands was caused by several factors, among others, because of ethics and morals, because of his personal and third political interests because it was judged to be less strict supervision. Related to his personal political interests this is done to get a position to strengthen his position such as participating in regional elections. With the position he had when he succeeded, with his power he could do the way with the Trigger system.

In a large Indonesian dictionary it is defined that a trigger is a trigger. Whereas in Indonesian Wikipedia it is written that the Woodpecker is a bird of the order Piciformes, found throughout the world and includes a number of species, usually totaling 218, Piciformes is one of 26 orders in the group of birds.

The woodpecker gets its name from the habit of some of its species tapping and pecking tree trunks with its beak. This is a means of communication of ownership of the area through signals to rivals, and how to find and find insect larvae under bark or long winding tunnels in trees. Of course this phenomenon in the nomination is not a dream of all candidates and the people including the bearer party. But what becomes the expectation of the whole community is the pilakda gives birth to leaders with integrity.

Leaders with Integrity by Jamil Azzaini from Kubik Leadership discourages leaders who have ethics and morals, integrity in being right before God and right with oneself, Integrity in thinking, and in communicating. Self-integrity is the harmony of the heart with words and actions. If the harmony of the heart with words alone is usually called honest. Whereas the harmony of words and actions is usually called commitment. And integrity is a combination of honesty and commitment. In personality theory, leaders with integrity are leaders who have the power of "power" that is able to convince others through influence as the core of leadership. Conversely, leaders who do not have integrity are power-poor leaders, meaning leaders with high positions but who do not have influence. The hope of the community is that the most ideal leader is a person whose position is high, his integrity is high and his influence is also high. Self Integrity can be trained by getting used to making promises for yourself and fulfilling those promises.

According to the University of Indonesia's Constitutional law expert, Yusril Ihza Mahendra, the definition of money politics is very clear, namely influencing the mass of the election in exchange for material benefits. Similarly, as quoted from the same page.<sup>[5]</sup>

Therefore, if so it turns out that the substance of political money, namely the provision of material to influence (decisions) of voters, then when the candidates for presidential candidates / candidates participating in the election there are promises to give cards with all kinds of aid predicate whose contents are evidently in the form of money, it is not even just material that needs to be interpreted anymore, of course such a campaign model must be suspected as a form of bribery as stipulated in the legislation. This needs to be watched out as a form of political money, in a way a bribery transformation disguised as a work program for election participants. Bribery or political money is veiled, if not to say so blatantly. At least it tends to be interpreted that way. Although this could have been a debate.

From the collective juridical debates, of course both the public and the election participants are aware of the high risk of violations. Collective awareness that makes something "odd" to keep doing things that break the rules.

Related to money politics, Reported 6 Yoyakarata, (4/15/2019), the Department of Politics and Government (DPP) of the UGM Faculty of Social and Political Sciences released research results about a map of the potential for money politics in the 2019 Election. Factors that caused the occurrence of money politics that began in 2014, among others. First, political factors. Money politics occurs because of potential election participants, whether legislative (candidates), the regent may not have a program but wants to win. Meanwhile, the political parties that carry it do not have much role other than to help the nomination, in terms of

administration without considering the principle of electability and the character of the candidates. This phenomenon shows that the supporting political parties failed to assist the candidates in developing the program, "Second, the legal factor. According to Mada, the weak regulation of political money in elections becomes a setback when compared to the elections. He compares one of the points, in the elections, the giver and recipients related to money politics are equally sanctioned and Third, cultural factors. There is a habit that has become entrenched in Indonesia, which is inappropriate if it refuses giving and is accustomed to reciprocating gifts. This cultural instrument is used by politicians to carry out money politics.

In this context, the political process that occurs in internal political parties as the main pillar in determining and promoting the candidates also influences how the quality of candidates for regional head. Thus, political parties have a significant position and role in bringing individuals with integrity to lead an area. However, in practice the power of political parties often draws public criticism. Among them, the process of carrying out candidates often looks elitist, recruitment of bad candidates, lively issues regarding the necessity of providing "boat" or "bride" politics by candidates in order to obtain nomination tickets from political parties, ignoring political parties in the public vote on political issues kinship in the regions, to how political parties can work in guarding the nomination of candidates as an effective political machine so that they are not just ticketing. With such conditions many party candidates are elected by giving political dowry thinking to return the capital during the campaign at the time of election later and this is what makes a taboo culture among Indonesian politicians.

The Regional Head Election (Pilkada) is a concrete manifestation of democracy and becomes a means for the people to assert their sovereignty. The sovereignty of the people can be realized in the local election process to determine who should run the government of a region. With the elections the people's sovereignty has been implemented as a manifestation of people's political rights, in addition to the existence of the elections, it can carry out government changes in a safe, peaceful and orderly manner, then to ensure the sustainability of regional development.

The direct local election is also expected to produce regional heads who have higher accountability to the people. Although the direct meaning here is more focused on the people's right to elect regional heads, the candidates for regional heads are determined more by political parties. Later individual candidates are indeed possible in the elections, but this is not just able to override the position and role of political parties in direct elections. The direct local election in Indonesia itself has been held since June 2005. The implementation of the direct local election was preceded by the successful implementation of the presidential and vice presidential elections in 2004. The implementation of the direct regional head elections was introduced in Law (Law) No. 32 of 2004 concerning Regional Government which is a revised Act on Law No. 22 of 1999 concerning the same substance.

The presence of local elections in the midst of the community as a form of forming democratization, of course because the enthusiasm that arises from the implementation of direct elections among them is to restore the political rights of the people that so far have been done only through their representation in the DPRD.

Departing from this, the great hope of the end of the simultaneous local election is actually focused on two lines, namely the community and local government. Hopes for the community after the simultaneous local election so that the community will reunite and be more sovereign again. In this case not only in the election

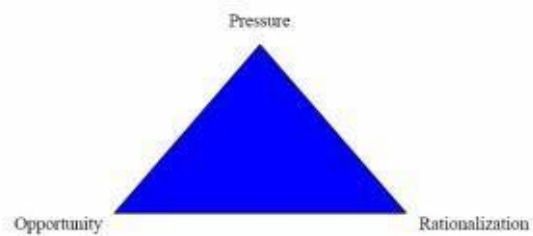
process as a success team and others, but there is still another task namely overseeing the running of government.

In addition, the community must have influence in the process of making policy products, in accordance with the concept of democracy departing from Article 1 paragraph 2 of the 1945 Constitution that sovereignty is in the hands of the people and its implementation is regulated by the Basic Law. Do not forget to congratulate the elected regional heads in the momentum of the 2018 Simultaneous Regional Election, hopefully they will be able to carry out the mandate carried over the next 5 years, and the political promises echoed in the campaign process are truly realized.

In Indonesia itself, the practice of corruption has been so severe and acute. There have been many descriptions of corrupt practices exposed to the surface. In this country itself, corruption is like a malignant cancer that spreads to the cells of public organs, spread to high state institutions such as the legislative, executive and judiciary to the BUMN. Legislation specifically regulating corruption already exists. In Indonesia, the law on corruption has changed 4 (four) times. The laws and regulations governing corruption, namely Law number 24 of 1960 concerning eradicating criminal acts of corruption, Law number 3 of 1971 concerning eradicating criminal acts of corruption, Law number 31 of 1999 concerning eradicating criminal acts of corruption, Law number 20 of 2001 concerning amendments to the Law on the Eradication of Corruption.

With the birth of Law No. 32 of 2004 concerning Regional Government direct elections as a trigger for culture and practices of corruption in Indonesia which became the normative basis for the implementation of direct elections has made the system of governance in the regions should be more democratic because the people can determine who they like best. On the basis of the law starting in 2005, precisely in June 2005, the replacement of regional heads throughout Indonesia has been carried out directly. Direct elections are also expected to minimize the practice of money politics because political leaders are unlikely to "pay" the votes of all the people, as well as other frauds that had been lacking in the previous local elections.

From some of the findings in the observation and analysis of the phenomenon of corruption that occurred in Indonesia as suggested by Jack Bologne namely, greed and need turned out not only that but because of a new discovery called Fraud trianggel thory sponsored by Donald Cressy. According to Donald There are 3 things that encourage an effort to fraud, namely pressure (encouragement), opportunity (opportunity), and rationalization (rationalization), as can be seen in the picture below:



**Figure 2.** Fraud triangle

### **Pressure**

Pressure is the impetus that causes someone to commit fraud, for example debt or bills that accumulate, luxury lifestyle, drug dependence, etc. In general, what drives fraud is the need or financial problem. But many are only driven by greed.

### **Opportunity**

Opportunity is an opportunity that allows fraud to occur. Usually caused by an organization's weak internal control, lack of supervision, and / or abuse of authority. Among the 3 elements of the fraud triangle, opportunity is the most likely element to be minimized through the application of processes, procedures, and controls and early detection of fraud

### **Rationalization**

Rationalization becomes an important element in the occurrence of fraud, where the perpetrators seek justification for their actions, among others (1). That his actions are to make his family and loved ones happy, (2) The perpetrator's work period is long enough and he feels he should be entitled to more than he has now (position, salary, promotion, etc., and (3) The company has benefited which is very large and it doesn't matter if the perpetrators take a small part of the profits.

The severe condition of the implementation of local elections which is considered to violate the rules can be resolved with concrete steps such as money politics (1) need to review the election regulations with the party system means that after being elected from the community through party electability and then nominating, (2) money politics can be countered by long-term and short-term solutions, bawaslu actively oversees the election, voters also take a participatory role during the election process, fellow election participants can also supervise each other, including mutual supervision between election participants from the same party, (3) culture of corruption the government needs to take a cultural approach to all stakeholders that corruption violates religious regulations and violations.

## **IV. CONCLUSION**

From the description above as a summary, it can be explained that the phenomenon of money politics in elections is not new, this phenomenon has already started from the elections. Money politics thrives supported by the increasingly permissive tendencies of the people. The omission of money politics does not only imply giving birth to corrupt politicians but also results in the harm of democratic elections. Consciously there is actually a desire to abolish money politics in the elections, at least this is one of the reasons why changing the election model, originally by members of the DPRD to be directly by the voters. However, the regulations governing the elections clearly have not been able to fortify so that money politics in the elections becomes minimal. Therefore, along with the drafting of the election law, it is expected that the legislators of the election will be able to perfect it to be closer to the rules of democratic elections, which provide equal space for all parties (the principle of equal political competition / political equality) to compete fairly, not provide a special forum for candidates who have the most access to funds to create qualified regional heads in the context of national stability, then highlighted are the preventive measures needed to prevent the occurrence of money politics itself.



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