

# CONTINUITY AND CHANGE AFTER INDONESIA'S REFORMS

Contributions to an Ongoing Assessment



EDITED BY **MAX LANE**

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**ISEAS** YUSOF ISHAK  
INSTITUTE

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## The Roots and Actors of Corruption in the Political Realm

*Leo Agustino*

### Introduction

Political corruption is a major source of many problems in Indonesia. The main reason for corruption being so widespread in this sphere is the high cost that burdens politicians when attempting to be elected as members of central or district parliaments, senators, governors or mayors, and even president. I will discuss in this chapter the major examples of corruption in the election process for local leaders (*Pemilihan Kepala Daerah, Pilkada*), both prior to and after the change to direct elections for these posts. *Pilkada* cases were selected as the example for this chapter because it has been within the new electoral system that corruption has most flourished. Ironically, *Pilkada* initially was believed to be the key to the fundamental changes in local politics after the New Order era to facilitate the end of the systemic, centralistic corruption and non-democratic regime. Unfortunately, the results go in the opposite direction.

## The New Order: Centralization and Political Hegemony

During the New Order, the election of heads of regional government was regulated by Law No. 5/1974 on regional government.<sup>1</sup>

In this law, Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*, DPRD) members were given the authority to elect heads of regional government, but the nomination and inauguration of proposed candidates were carried out by the Ministry of Home Affairs. This was the form of central government intervention into the regions and was evident in Article 15 governing the election of the governor:

*Kepala Daerah Tingkat I dicalonkan dan dipilih oleh Dewan Perwakilan Rakyat Daerah dari sedikit-dikitnya tiga orang dan sebanyak-banyaknya lima orang yang telah dimusyawarahkan dan disepakati bersama antara Pimpinan Dewan Perwakilan Rakyat Daerah/Pimpinan Fraksi-fraksi dengan Menteri Dalam Negeri.*

(The head of the First Level Region is nominated and elected by the Regional House of Representatives from at least three people and as many as five people who have discussed and mutually agreed between the heads of the Regional House of Representatives and leaders of the factions with the Ministry of Home Affairs.)

Then, Paragraph (2) mentioned:

*Hasil pemilihan yang dimaksudkan dalam Ayat (1) pasal ini diajukan oleh Dewan Perwakilan Rakyat Daerah yang bersangkutan kepada Presiden melalui Menteri Dalam Negeri sedikit-dikitnya dua orang untuk diangkat salah seorang di antaranya.*

(The election results referred to in Paragraph (1) of this article shall be submitted by the Regional House of Representatives to the President through the Minister of Home Affairs [recommending] at least two persons, of whom one should be appointed.)

In addition, the election of regents and mayors was prescribed in Article 16, Paragraph (1), which resembles Article 15, Paragraphs (1) and (2).

After obtaining the names of candidates selected by the Minister of Home Affairs, the leaders of the DPRD brought the list to the Parliamentary Assembly to elect a "centrally approved" candidate through *musyawarah-mufakat* (consultation-deliberation). If this failed, then the regional head was chosen by voting. During both

*musyawarah-mufakat* and voting, high officials from the Ministry of Home Affairs (in gubernatorial elections) or provincial officials (in regent or mayoral elections) were often present, usually accompanied by elite military officials. This was to avoid any "defiance" by DPRD members. To secure the scenario (and to avoid any embarrassments for high officials), the voting was rehearsed the day before the actual election. Generally, this "drama" ran smoothly, without any opposition.

This centralization of power at least created two things. First, nationally, central government eliminated significant government power; second, locally, society was deliberately alienated from political mechanisms. This election system marginalized the people as holders of political sovereignty.

On top of that, to strengthen this centralization of power, the New Order regime restructured the territorial function of the army to parallel to bureaucratic structures (from central to village level). Provincial governors' activities were "supervised" by the head of the Military Regional Command (*Komando Daerah Militer*, Kodam) with the rank of major general, and frequently the commander became governor of the area after his retirement. To oversee the political dynamics of several districts or municipalities, the army also established a Military Resort Command (*Komando Resort Militer*, Korem) headed by a colonel. Below the Regional Command stood the District Military Command (*Komando Distrik Militer*, Kodim) headed by a lieutenant colonel, which took care of a district or city. Below District Military Command, the Military Rayon Command (*Komando Rayon Militer*, Koramil) supervised and controlled a region as wide as the district. On the lowest public structures, they also put a sergeant called *Babinsa* (*Bintara Pembina Desa*). Commanders of Kodam, Korem, Kodim or Babinsa could be appointed by the central government to become the heads of regional government in their territories, as governors, regents, mayors or village heads.

### ***Reformasi: Direct Elections for Local Leaders***

After the fall of the New Order in 1998, the format and pattern of local government (including local elections) were amended. Two laws on local government were passed: Law No. 22/1999 and Law No. 32/2004. One of the amended points was Article 18, Paragraph (4) of 1945 Constitution, which states: "Governors, Regents, and Mayors respec-

tively are heads of provincial, district, and municipal governments, who are elected democratically"; "democratically" here refers to direct election.

The demand for direct elections — *Pilkada* — was very strong immediately after 1998. This reflected the desire for a change from the centralized governance of the New Order. The demand for direct elections became even stronger after the 2004 presidential election, in which both the president and vice-president were directly elected. These *Pilkada* were seen as beneficial for the development and deepening of democracy.

### High Cost Politics

Despite the expected benefits of *Pilkada*, dangerous developments have also appeared. One of the dangers is corruption. Where does it come from? How does it arise and anchor so deeply in our political system? One basic reason has been the much higher cost of participating in electoral politics.

High cost politics occurs not only during the head of regional government elections, but also during the legislative elections (for central parliament, regional parliaments, senators and president).

In the past, when local leadership elections were indirect, candidates did not need as much money as is now necessary. They would need to spend money only if they decided to buy support from regional parliament members. The amount ranged between Rp 30 million and Rp 500 million per member or per vote.<sup>2</sup> During the indirect election of the head of local government, the average local member of parliament might receive a total from all candidates of Rp 115 million to Rp 1 billion (depending on how influential was the position of the member). This was the case when the central government did not have its own favourite candidate.

This "transactional politics" was not merely to "buy the votes" of members of parliament only, but also of other stakeholders in the region. These political transactions required solid coordination involving many parties, NGOs, local journalists, community leaders, religious leaders, and entrepreneurs. They had their own special roles. NGOs played the role of "fun-loving" providers of information about the candidate's high rating in the candidate's electoral district. Essentially, they assured that the candidate was very well known and liked by the

people. Local journalists' role was to produce publicity about support from community leaders, religious leaders, and the people; their role was also that of public opinion makers. In their publications, positive statements from community leaders, religious leaders, and average people (who were part of the candidate's network) provided testimony and support for the candidate. They also convinced the candidate that the organizations under the guidance of these community and religious leaders would assemble outside the parliament during the election to show support for the candidate.

Furthermore, transactional politics involving money in the era of indirect local elections also occurred during the candidacy stage. The role of the factions in the parliament made their bargaining position very powerful. On average, each faction asked Rp 100 million to Rp 2 billion, excluding the lobbying costs, which ranged from Rp 7 million up to Rp 75 million.<sup>3</sup> A source even stated that they also set up pressure groups (paid demonstrators) to provide shows of support to paying candidates, or to degrade other candidates' profiles. Furthermore, candidates often utilized the charisma of community and religious leaders to influence the parliament members' decision, by conducting hearings and declaring that their communities (often thousands of people) fully supported these candidates. For these groups, the "transportation fee" was between Rp 100,000 and Rp 2 million per person (depending on their position in the group structure). Referring to all expenditures above, a candidate might spend Rp 150 million. This is far below the amount that average candidates of current *Pilkada* have to spend.

Money politics continues until the voting is completed. In the era of indirect local elections, candidates usually quarantined the legislators on the eve of voting to secure the votes away from other candidates who might be willing to pay more. Back then, there were infamous terms such as *Tim Siluman* ("stealth team") or *Tim Mawar* ("rose team"). Their job was to "kidnap" or "secure" board members so that their votes did not change during the actual voting. Normally, the candidate's outcome was predictable in the morning, according to his success or failure in securing the board members that he "shepherded". During the voting process, candidates spent Rp 100 million to Rp 1 billion (including the cost of board and lodging of members of board during their quarantine). When a candidate was finally elected, he would have to give a bonus to his support team ranging from Rp 200 million to Rp 500 million.

To sum up, to become a head of regional government during the era of indirect elections, candidates had to have hard cash between Rp 475 million and Rp 5.5 billion. This amount is very small compared to that of current *Pilkada*.

How are vote buying and money politics carried out in the era of direct elections? And how much does direct election cost provincial, district, and municipal candidates?

One thing is certain: the political costs are huge. This is because the candidacy of a political figure must not only be approved by district/city party officials but also should be recommended at the provincial level, and most importantly from the party's central leadership. The requirement for a written recommendation from provincial and central party leaders often leads to clashes over selection of candidates. Such a situation happened in Depok in 2005. All political parties, except Partai Keadilan Sejahtera (PKS), agreed to push Badrul Kamal as the mayoral candidate. After the agreement, the official written recommendation was released by each party leader. But in the middle of the process, those parties failed to come to an agreement on the vice-mayoral figure. Badrul Kamal suggested Sihabuddin Ahmad, but the parties rejected the idea and suggested different figures. The parties that did not accept Kamal's proposal departed from the coalition and aborted their support, while the supporting documents were submitted to the higher hierarchy. As a result, some parties showed formal support letters that were different from whom they were actually supporting.

Similar cases occurred to several candidates in other local elections like Sukawi Sutarip (former mayor of Semarang) in the 2005 elections. Initially, he was nominated by the Partai Demokrasi Indonesia Perjuangan (PDIP, Indonesian Democratic Party of Struggle), but then shifted to Partai Persatuan Pembangunan (PPP, United Development Party), Partai Amanat Nasional (PAN, National Mandate Party), and Partai Kebangkitan Bangsa (PKB, National Awakening Party) due to allegedly huge fees requested from the first party. The former chairman of the Komisi Pemberantasan Korupsi (KPK, Corruption Eradication Commission), Taufiequrachman Ruki, resigned from his candidacy for governor of Banten because of the huge fee that he was asked to provide. At the national level, the late Nurcholish Madjid was forced to resign from his presidential candidacy for Golkar because he

did not have “nutrition” — meaning money. The high political costs of direct election of regional government heads are also partly caused by socializing costs during the campaign. Interviews with former candidates, former winning teams, supporters of former candidates, printing entrepreneurs, textile entrepreneurs, event organizers, and gamblers in West Java and other areas showed that the costs for a regent or mayoral candidate are between Rp 3 billion and Rp 25 billion; for governor candidates, the costs ranged between Rp 8 billion and Rp 200 billion (Agustino and Fitriani 2017, pp. 111–15; also see Mietzner 2011; Wibowo 2013). This enormous expenditure, inevitably, drives them to recover these costs once they are elected.

Roughly, candidates normally spend Rp 100 billion. This amount is then split into two and shared equally with their tandem. So, roughly a candidate spends Rp 50 billion. When they are eventually elected as regional government leaders, annually they have to regain at least Rp 10 billion, or Rp 834 million per month or Rp 28 million a day. The total of salary and allowances for regional government heads for five years ranges from Rp 192 million to Rp 324 million. This condition forces them to “work hard” to restore their capital and political costs of the campaign.

### **Corruption as a Way of Restoring and Collecting Political Capital**

The question now is, how to explain the ways and mechanisms of the elected regional government head (and cronies) to restore all his political costs during the campaign as well as raising capital for the next political contest? There are many ways that can be done, one of which is trading of positions. This is justified by the former head of the Information Centre of the Ministry of Home Affairs (*Kepala Pusat Penerangan Kementerian Dalam Negeri (Kemendagri)*), Reydonnyzar Moenek, on 3 December 2010:

*Praktik jual-beli jabatan di Pemda memang ada, karena kepala daerah harus mengembalikan sejumlah dana (untuk biaya Pemilukada) yang bisa saja bersifat talangan. Maka bisa dipastikan yang bersangkutan akan berupaya mengembalikannya, antara lain dengan menentukan harga kursi untuk sebuah jabatan (Jpnn.com 2010).*

(The practice of position trading in regional government does exist, because the head of regional government must recover some costs (for the *Pilkada*), which could be a debt. So it is certain that he/she will attempt to restore it, among other things by determining the price tag of a seat.)

The truth about position trading was revealed clearly when Sri Hartini, Regent of Klaten, 2016–21, was caught in the act by the Corruption Eradication Commission. The price tag was fantastic, from Rp 25 million for Echelon IV up to Rp 400 million for Echelon II (see Table 8.1).

**TABLE 8.1**  
The Price of Echelon/Position in Klaten District  
(in Education Office Circles)

No	Echelon/Position	Price
1	Echelon II (Head of Office)	Rp 400 million
2	Echelon III (Secretary and Head of Division)	Rp 100–150 million
3	Echelon IV (Head of Sub-Division and Head of Section)	Rp 25 million
4	Head of Regional Technical Implementation Unit (Unit Pelaksana Teknis Daerah, UPTD)	Rp 50–100 million
5	Administration UPTD	Rp 25 million
6	Primary School Principal	Rp 75–125 million
7	Primary School Administration	Rp 30 million
8	Junior High School Principal	Rp 80–150 million
9	Certain Functional Position (change of teachers within district)	Rp 15–60 million
10	Fixed Offices (non-mutation)	Rp 10–50 million

Source: *Koran Tempo*, 7 January 2017, p. 5.

In the provincial government of West Java, a source states that to get his current position he must give bribes of about Rp 35 million — just for Echelon IV. The money, he recalled, was given to a

colleague who was very close to the vice-governor of West Java in 2008–13.

Position trading occurs not only in provincial governments but also in district and city governments. Source #2, a civil servant in Subang regency, claims that each change is targeted to generate income: around 60 per cent for the head of regional government and 40 per cent for his deputy.<sup>4</sup> In the district of Cirebon, position trading is done via the regent's relative. Source #3 explains that to get a "non-wet" (non-profitable) Echelon IV position, a civil servant is required to pay approximately Rp 5 million. The price tag for a "wet" position in Echelon IV such as the Office of Revenue, Permit, or Finance is around Rp 15 million to Rp 20 million. The Echelon III "non-wet" price tag is Rp 25 million while an Echelon III "wet" position needs Rp 45 million to Rp 60 million. To be the head in a "non-wet" subdistrict, the price tag is Rp 60 million while the head in the "wet" subdistrict requires Rp 100 million. The price tag for an Echelon II "non-wet" position is around Rp 100 million to Rp 130 million while that for an Echelon II "wet" position is more than Rp 200 million.<sup>5</sup>

Position trading also occurred in Tasikmalaya city. Interestingly here, the transaction used code words. For instance, 206 for Echelon IV. The code 20 indicates the nominal, while 6 indicates the number of zeros behind the nominal. So, the "price" for Echelon IV is Rp 20 million.<sup>6</sup> The use of this kind of password occurred not only in Tasikmalaya city; in Wonogiri district, last-six-digit codes are also utilized.

In addition to the island of Java, the trading of positions also resonates almost all over Indonesia since *Pilkada*. In the city of Padang, for example, to become the head of office, the mayor (through a trusted civil servant who is also the mayor's personal assistant) usually asked for a payment of around Rp 300 million, and Rp 150 million for the head of a subdistrict.<sup>7</sup>

Besides position trading, requests for project money from entrepreneurs getting a tender from the local government were also a common mode of political cost recovery. Agustino (2014a, p. 228) explains that during the reign of Ratu Atut Chosiyah in Banten province, at least 10 to 11 per cent of project valuation would be transferred to her (see Table 8.2).

**TABLE 8.2**  
**Project Fee Based on Project Classification and Source of Funds**

Project Classification	Project Fee by Source of Funds (%)	
	Provincial Budget (APBD)	National Budget (APBN)
Bina Marga Project (Road)	10%	11%
Watering Project	11%	11%
Building Construction Project	10%	10%
Procurement Project	10%	10%

Source: Agustino (2014a, p. 228).

Social aid (*Bantuan Sosial, Bansos*) and grants (*Hibah*) are also often used as instruments for returning political fees by elected regional heads. The mechanism is simple: the local government (on direction from the head of regional government) may direct *Bansos* to any organizations or communities. The amount of grant is up to the regional head to determine. As a result, the grant can be easily manipulated and transferred to "close people" rather than to organizations or communities that really need it. This is what happened in Banten province, where the grant was directed to the governor's relatives (see Table 8.3). Its motive is, of course, to recover the political cost of *Pilkada* election.

At the national level, corruption is becoming common among politicians. This can be seen in the case of the involvement of several parties from the Koalisi Merah Putih (KMP) as well as the Koalisi Indonesia Hebat (KIH).<sup>8</sup> The closer they get to the government, the more open the opportunity for their parties to earn money from the state treasury.

Some cases below illustrate how ministries and state-owned enterprises (*Badan Usaha Milik Negara, BUMN*) are misused by irresponsible and corrupt officials. A case in the Ministry of Marine and Fisheries (*Kementerian Kelautan dan Perikanan, KKP*) under the leadership of Rokhmin Dahuri (2001–4) is worth noting.<sup>9</sup> The findings about the KKP began when the Corruption Eradication Commission (KPK) conducted regular checks at the ministry in August 2006. In the examination, the KPK found some "oddities" in Rokhmin's banking accounts and

**TABLE 8.3**  
**Flows of Bantuan Sosial to Institutions Led by the**  
**Governor's Family (Banten)**

<b>Name of Institution/ Organization</b>	<b>Relation with Governor</b>	<b>Fund</b>
KNPI Banten Prov	Chair: Aden Abdul Khalik (step-brother of governor)	Rp 1,850,000,000
Tagana Banten	Chair: Andika Hazrumy (son of governor)	Rp 1,750,000,000
PMI Banten	Chair: Ratu Tatu Chasanah (sister of governor)	Rp 900,000,000
PW GP Ansor	Treasurer: Andika Hazrumy (son of Gubernur Banten)	Rp 550,000,000
Himpaudi Banten	Chair: Ade Rossi Cherunnisa (daughter-in-law of governor)	Rp 3,500,000,000
P2TP2A	Chair: Ade Rossi Cherunnisa (daughter-in-law of governor)	Rp 1,500,000,000
GWKS	Chair: Ratu Tatu Chasanah (sister of governor)	Rp 700,000,000
Youth Association	Chair: Andika Hazrumy (son of governor)	Rp 1,500,000,000
Dekranas	Chair: Hikmat Tomet (husband of governor)	Rp 750,000,000
Dekopinwil	Chair: Ratu Tatu Chasanah (sister of governor)	Rp 200,000,000
Association of Banten United Forum	Chair: Ratu Tatu Chasanah (sister of governor)	Rp 500,000,000
IMI Banten	Chair: Tubagus Haerul Jaman (step-brother of governor)	Rp 200,000,000
The Coalition of Indonesian Women Politicians	Chair: Ratu Tatu Chasanah (sister of governor)	Rp 200,000,000
The Ansor Youth Movement	Chair: Tanto Warsono Arban (son-in-law of governor)	Rp 400,000,000
<b>TOTAL</b>		<b>Rp 14,000,000,000</b>

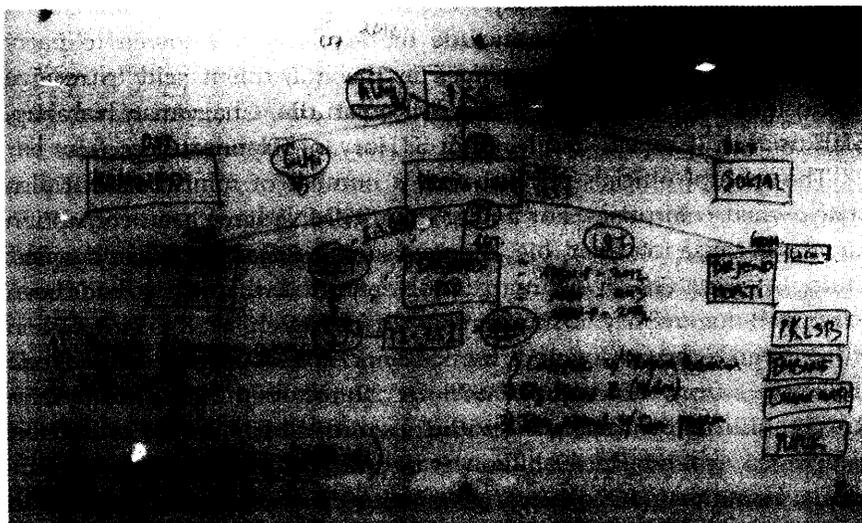
Source: Agustino and Fitriani (2017), pp. 148-49.

questioned the legitimacy of the funds he collected during his tenure, including their use and distribution. A few months later, on 27 November 2006, the KPK issued an arrest warrant against Andin Taryoto (secretary general of the KPK) on charges of using the money. Rokhmin was arrested by the KPK the following day based on Andin's acknowledgment that the use of the funds was made under Rokhmin's direction. Through examination in court, it is clear that around Rp 31 billion was lost; the funds remaining in the account of the minister were only Rp 789 million.

The question now is: where did the money go? Most of the funds ended up in party and party elites' pockets. This information was obtained from Andin's confession, which made a very clear and detailed report on the names of those who received funds from the KPK (*Tempo*, 11–17 December 2006, p. 32). The report encouraged Amien Rais, former presidential candidate and former chairman of the MPR, to urge all political party elites and former presidential candidates who received KPK funds to speak the truth. His statement is based on the fact that he himself admitted to getting Rp 200 million for his campaign in the first round of presidential election in 2004. In fact, Amien further accused Susilo Bambang Yudhoyono's campaign team of receiving the funds as well.<sup>10</sup> Amien Rais even said that he was ready to go to jail if others followed in his footsteps to admit receiving dirty money from the KPK. In the end, the case faded and became merely a discussion and polemic in discussion rooms.

Another case occurred in the Ministry of Agriculture during Yudhoyono's second administration (2009–14). Its player this time was a high official of PKS who tried to take advantage of the ministry chair he led as a "cash cow". According to *Tempo* (20–26 May 2013), some high officials of PKS had prepared a winning strategy for the 2014 election as early as possible. One of the discussions was the preparation of electoral funding. Interestingly, the funding was not collected from membership fees, but was sought from institutions managed by the PKS (see Figure 8.1). In Figure 8.1, at the top right side is written PKS and amounts of Rp 20 billion and Rp 2 trillion. Below that are "Luthfi" (referring to Luthfi Hasan Ishaq, former president of PKS) and "Hilmy" (Aminuddin, former chair of Majelis Syuro PKS). There are three columns with three ministerial names: the Ministry of Communication and Informatics (with Rp 0.5 trillion written next to the ministry name), the Ministry of Agriculture (Rp 1 trillion), and

**FIGURE 8.1**  
**PKS Calculation of Potentially Acquired State Fund**



Source: Tempo, 20–26 May 2013, p. 37.

the Ministry of Social Affairs (Rp 0.5 trillion). Yudi Setiawan, a KPK justice collaborator, testified that the picture is of a funding target to be collected by the PKS for the 2014 general election, and, as show in Figure 8.1, Rp 2 trillion was to be obtained from the three ministries. How? As revealed in court in a beef import case of the Ministry of Agriculture, one mode is to sell a Letter of Import Recommendation to importers.

In addition to the party, its elites also get a share from the trading of import recommendation letters: every kilogram of meat entering the country gives them Rp 1 to Rp 3. Multiplied by the tonnage imported each year, the gain for the PKS elites will be fantastic. In 2012 alone, when the importing of 32,000 tonnes was allowed by the Ministry of Agriculture, those elites will have received Rp 32–96 billion from beef importers.

Another big corruption case involving cross-party actors is that of the electronic ID card (*elektronik-Kartu Tanda Penduduk*, e-KTP), which created a Rp 2.3 trillion loss for the state. At least 60 people were involved, ranging from civil servants and company partners to

members of parliament (including party elites). In the indictment, there are three parties deeply involved: Golkar, Democratic Party (receiving Rp 150 billion), and PDIP (Rp 80 billion) (*Tempo*, 13–19 March 2017, p. 25). The figure does not include the funds which flowed to party elites. There are many elite names in the indictment said to receive funds, including Setya Novanto, Ade Komarudin, Chairuman Harahap, Markus Nari (Golkar), and Miryam S. Haryani (Hanura).<sup>11</sup>

The corrupt officials not only rob a number of ministries, but also state-owned enterprises. For a long time BUMNs have been corruption targets because of their big money, such as *Badan Urusan Logistik* (Bulog). *Tempo* (19–25 February 2001) reported that there had been various Bulog money disbursements of as much as Rp 71.7 billion from a government-owned bank, *Bank Umum Koperasi Indonesia* (Bukopin), from 27 August 1998 to 10 October 1999. More than Rp 53 billion of that was withdrawn during the 1999 election campaign. Around Rp 40 billion was destined for Akbar Tandjung's hands, according to the news, given directly to the Golkar treasurer. A total of Rp 10 billion flowed to the Minister of Defence (General Wiranto) for Civil Security Forces (Pam Swakarsa).<sup>12</sup> A remaining Rp 3 billion was used by Bulog to complete an asset swap between Bulog and Goro. This case was never revealed because political cartels prevailed in this race. Another example occurred in the next few years. In May 2000, one of the chairs of the Central Executive Board of PKB, Taufikurrahman Saleh, asked the head of Bulog, Rahadi Ramelan, to investigate rumours of Rp 35 billion in Bulog fund abuse by President Gus Dur. In court proceedings, it was found that Rahadi, indeed, had withdrawn Rp 30 billion to assist the resolution of conflicts in Aceh. Unfortunately, the funds never reached Aceh, but spread to bank accounts of people in Gus Dur's "inner circle" (one of them was Suwondo); a small portion also went to Suko Sudarso (chair of the Central Executive Board of PDIP) (Ambardi 2009, p. 311).

The same thing happened when the Democratic Party utilized the Hambalang project to fill the party's coffers. Initially, this was a government project to build a complete sports complex on a hill later known as Bukit Hambalang (many people sneered at the project as an attempt to rival Bukit Jalil in Malaysia). The project budget suddenly multiplied to twenty times that of the initial plan, which

was only Rp 125 billion (*Tempo*, 4–10 June 2012, p. 31). To build the facilities alone, the Ministry of Youth and Sport (*Kementerian Pemuda dan Olahraga*, Kemenpora) budgeted Rp 1.175 trillion, of which Rp 275 billion was disbursed in 2010, around Rp 475 billion in the following year, and around Rp 425 billion in 2012. That amount was only for building construction, if funding for facilities was included, the total cost of the project was Rp 2.57 trillion (*Tempo*, 4–10 June 2012, p. 39).

The national tragedy came when some elites from Democratic Party “played” in this project which happened to be under the Ministry of Youth and Sport, which was led by Democrat elite figure, Andi Mallarangeng, the minister in 2009–12. The involvement of some Democratic Party elites became so deep that it could determine the winner of the project tender. Contractor companies had from the beginning been filtered through a process that seemed to follow formal rules, but required a fee of 18 per cent of the total project value paid in advance. The winner of the tender was P.T. Adhi Karya, who had agreed to provide a Rp 100 billion initial commitment fee. That is according to Nazarudin’s testimony in the *Tindak Pidana Korupsi* (Tipikor) trial in the Hambalang case. He also stated that the funds were distributed in various directions, including into the Democratic Party, especially for the organization of the party congress which happened at that time to be electing a new chairman, Anas Urbaningrum, and Nazarudin as treasurer. According to Nazarudin’s blunt testimony, the Hambalang money was for funding the victory of Anas (*Tempo*, 4–10 June 2012, p. 31). Besides the party congress, the illegal funds also went to “*Senayan*” as a lubricant for various other projects, and was also transferred to several high officials in the Ministry of Youth and Sport.

At least three points should be understood about corruption in the *reformasi* era. First, ministries and BUMN are not only institutions that perform their duties as public servants, but are also servants of the interests of parties and party elites, especially in recovering the political costs of becoming members of parliament. Second, the theft of state funds is not done by merely one or two parties, but by many political parties, creating a cartel party mechanism (borrowing the term from Ambardi 2009). Finally, all of the cases described above show how parties, elites, and civil servants work hand in hand to cover up their corruption.

## The Corruption Eradication Commission

The rise of corruption perpetrated by many actors pushed the government to give a mandate to the KPK (*Komisi Pemberantasan Korupsi*) to eradicate corruption to its roots. Therefore, it is not surprising that the KPK arrested many actors, ranging from ministers, parliament members, bureaucrats, and party members to high-ranking military personnel and police officers.

At the ministerial level are such names as Jero Wacik (former minister of energy and mineral resources (*Energi Sumber Daya Mineral*, ESDM)), Suryadharma Ali (former minister of religious affairs), Dr Andi Mallarangeng (former minister of youth and sport), and Dr Siti Fadhillah Supari (former minister of health). At the head of regional governments (governor, regent, or mayor), some names caught in corruption cases include Ratu Atut Chosiyah (former governor of Banten), Syamsul Arifin and Gatot Pujo Nugroho (former governors of North Sumatra), Anas Makmun (former governor of Riau), Yan Anton Ferdian (former Banyuasin regent), Eep Hidayat and Ojang Sohandi (former Subang regents), and Sunaryo (former mayor of Cirebon).<sup>13</sup>

In both central and regional parliaments, names caught in corruption crimes included Damayanti Wisnu Putranti (member of Commission V of DPR), I Putu Sudiartana (member of Commission III of DPR), Andi Fuad Tiro (member of Commission V of DPR), Dewie Yasin Limpo (member of Commission VII of DPR), Fuad Amin (former chair of Bangkalan Regional House of Representatives (DPRD)), Muhammad Sanusi (member of DPRD DKI Jakarta), and Ali Surahman (vice-chair of Majalengka DPRD). At the bureaucratic level, there are names like Akil Mochtar (former chair of the Constitutional Court (MK)), Patrialis Akbar (former judge of MK), Emirsyah Satar (former president director of Garuda Indonesia), Burhanuddin Abdullah (former governor of Bank of Indonesia), Dr Miranda S. Goeltom (former senior deputy governor of Bank of Indonesia), Rudi Rubiandini (former head of the Oil and Gas Special Unit), Nurhadi (former secretary of the Supreme Court (MA)), and many more. Local bureaucrats are not exempt from KPK's attention: Suprpto (former head of Department of Infrastructure, Roads, Spatial Planning and Settlement of West Sumatra province), Asep Hilman (former head of Education Office of West Java province), Jamaludin (former head of Population and Civil Registry of Tasikmalaya regency), and many more.<sup>14</sup>

From political parties, there are names such as Luthfi Hasan Ishaq (former president of the Prosperous Justice Party (PKS)), Patrice Rio Capella (former secretary general of the Democratic National Party (Nasdem)), Muhammad Nazarudin (former treasurer of the Democratic Party), and Siti Hartati Murdaya Poo (former member of Democratic Party Consulting Body). At the regional level, the situation is even worse. At the end of March 2018, the commission (KPK) released the names of thirty-eight North Sumatra DPRD members accused of bribery in connection with the Regional Revenue and Expenditure Budget (*Anggaran Pendapatan dan Belanja Daerah*, APBD). Among army/police officers and civil servants, there are Inspector General Djoko Susilo (former chief of Traffic Corps of the National Police (*Polri*)), Commissioner General Susno Duadji (former head of Criminal Investigation Unit of *Polri*), Brigadier General Teddy Heryadi (former finance director of Army Headquarters), Dr Abdul Rahem Faqih (lecturer at the Faculty of Fisheries and Marine Affairs, Brawijaya University), and Dr Erva Yendri (former chair of the Institute for Research and Community Service, University of Lancang Kuning) who were charged with bribery prosecution.<sup>15</sup>

The sheer number of corruption cases after the New Order era is a tragedy. The hope was that the *reformasi* era would provide a new political reality. But that expectation was 180 degrees contrary to reality. Unfortunately, the tragedy of corruption is being repeated before the 2019 election. The latest case of heated conversation among Indonesians is the electronic ID card (KTP-el), seemingly designed to be a feast for members of parliament and Ministry of Home Affairs (*Kemendagri*) high officials. The indictment mentions that sixty members of the DPR are allegedly involved in the case of KTP-el with state losses of up to Rp 2.3 trillion. The names of elite bureaucrats and politicians accused of receiving illicit money include Gamawan Fauzi (former minister of home affairs), Diah Anggraeni (former general secretary of the ministry of home affairs), Anas Urbaningrum (former chair of the Democratic Party), Marzuki Ali (Democratic lawmaker and former chair of the DPR), Setya Novanto (former chair of Golkar) and many more.

KPK efforts to eradicate corruption are certainly not without obstacles and challenges, the biggest being the weakening roles and duties of the KPK. The direction is to eradicate and eventually eliminate the KPK so that corrupters can easily rob state assets.

Some forms of weakening the KPK are, first, the arrest of KPK commissioners while they are dealing with major corruption cases. The first KPK commissioner arrest occurred when Commissioner General Susno Duadji (chief of the Criminal Investigation Unit (*Kepala Badan Reserse Kriminal, Kabareskrim*) of the Indonesian National Police at the time) arrested Antasari Azhar, who was designated as the murderer of Nasrudin Zulkarnaen (director of PT Rajawali Putra Banjaran) with a background infidelity in 2009.<sup>16</sup> The arrest of KPK commissioners also occurred when KPK investigators accused Inspector General Djoko Susilo (head of the Traffic Police Corps) as a suspect in the procurement of steering simulators worth Rp 782 billion in 2012. The weakening is clearly visible in the targeting of Novel Baswedan, leading the procurement simulator case investigation, by the police in October 2012, a few days after Djoko Susilo's arrest by the KPK. The pursuit of Novel is based on his alleged torturing to death of a prisoner when he was still serving in the Bengkulu Regional Police in 2004 (*Tempo*, 23–29 December 2013; *Tempo*, 7–13 March 2016).

The dispute between the KPK and the police is also known as *Cicak* (Gecko) v. *Buaya* (Crocodile); *Cicak* in this context refers to the small, less powerful, and new institution KPK, while *Buaya* refers to a large and very powerful police institution. The case fluctuated greatly before General Tito Karnavian was appointed chief of the Indonesian Republic Police (*Kapolri*). The latest episode of this dispute is the Abraham Samad and Bambang Widjojanto case. In mid-January 2015, after the appointment of Commissioner General Budi Gunawan, they were charged by the KPK as suspects in a bribery and gratuity affair. However, this condition has eased slightly after the appointment of General Tito Karnavian as National Police Chief, who is well known as one of the police elite who can “communicate” with the KPK.

Second, reiterating the KPK's original purpose as an ad-hoc institution that eventually could be terminated, in 2011, at a consultation between the DPR, police, attorney general, and KPK, the idea of dissolving the KPK was put forward because it was considered inefficient in dealing with corruption. The proposal stated that the KPK succeeded only in prosecuting corruption cases, but did not prevent corruption, so the agency was considered unsuccessful.

Moreover, in the same year, the then-chair of the House, Marzuki Ali, stated that the KPK was an ad-hoc institution: temporary in nature and could be dissolved at any time. The idea of dissolving the

KPK re-emerged in August 2015 at the Constitution Seminar in the parliament building when Megawati stated that ad-hoc institutions, including the KPK, could be discontinued because of their temporary nature (*Tempo*, 18 August 2015).

Third was weakening through legislation. In the observation of the author, a number of political parties in the DPR have proposed and discussed revision of the KPK law since 2011. A revised draught of the KPK law that has been circulating will certainly delegitimize the role and power of the KPK. The idea starts from letting the KPK issue SP3 (*Surat Perintah Penghentian Penyidikan*, case termination letters), restricting the recruitment of independent investigators, wiretaps requiring permission from the Board of Trustees, and limiting the life of the commission to twelve years. In addition, the House attempted to weaken the KPK through revision of the Criminal Code (*Kitab Undang-undang Hukum Pidana*, KUHP) by including corruption offences in the draught (at the time of writing, the code draft has not yet been passed by the House of Representatives). If this proposal is passed, then corruption is no longer considered an extraordinary crime, but merely an ordinary one. In fact, in the new Criminal Code, cumulative penalties do not apply and there is also a rule to reduce maximum criminal penalties by one-third for corruption.

If the weakening through regulation and the dissolution of KPK succeed, then the corrupt elites will, of course, be cheering. They will feel more free to feast on the country's wealth and it will hurt the democracy that has been nurtured since the *reformasi* era. This is also what eventually makes people feel that the New Order era was much better than the era of *reformasi*. President Joko Widodo has repeatedly tried to stop the weakening and politicians' efforts to revise the anti-corruption law. But unfortunately, politicians (whose colleagues have been jailed by the KPK) always seek ways to weaken the anti-bribery agency.

Despite the constant attacks, KPK's performance has never weakened. Even prior to the simultaneous regional elections on 27 June 2018, the KPK arrested several candidates who were caught abusing their power and cause detriment to the national interest: Zumi Zola (governor of Jambi), Mustafa (regent of Lampung Tengah, Lampung), Imas Aryumningsih (regent of Subang, West Java), Abu Bakar (regent of West Bandung, West Java), Mohammad Yahya Fuad (regent of

Kebumen, Central Java), Nyono Suharli Wihandoko (regent of Jombang, East Java), Abdul Latif (regent of Hulu Sungai Tengah, South Kalimantan), Marianus Sae (regent of Ngada, East Nusa Tenggara), and many more — all are cadres of political parties. This shows that multiple external pressures never degrade the KPK's spirit. The KPK is opening branches in regions (Aceh, Medan, Riau, Banten, Papua, and West Papua) as a manifestation of its faithful services to the country in eradicating corruption.

## Conclusion

This chapter has discussed the development of politics, especially the election of heads of regional government in two eras, namely the New Order and *reformasi*. Both eras opened up opportunities for corrupters to work in their own way. Corrupt practices have increased in the *reformasi* era. Initially, we criticized the authoritarian system of Soeharto's New Order that facilitated systematic corruption. But since the New Order fell in 1998 and the democratic system began to be institutionalized, corruption has remained, becoming an endless story from the beginning of *reformasi* until Widodo's administration. The actors are also becoming more diverse than ever. Ministers, regional government heads, top officials of BUMN, and political party elites are no exceptions. The multiple corruption cases described in this chapter not only explain how difficult it is to minimize corruption but have also opened our eyes to how dangerous corruption has become, putting the future of Indonesia's democracy in danger.

## NOTES

1. Since independence, Indonesia has had several laws on regional government. The first, Law No. 1/1945 (passed on 23 November 1945), states that autonomy is at the village level, where the head of local administration is elected directly by its people. The second, Law No. 22/1948 (passed on 10 July 1948), widened the autonomous region to the district and made the village a Level III District. Under the third, Law No. 1/1957, the head of regional government was elected by DPRD members at each level. After a political restructuring resulting from a 1959 presidential decree, the

- government made the Presidential Stipulation (*Penetapan Presiden, Penpres*) No. 6/1959, which governed regional administration in the political construction of Guided Democracy. Based on this *Penpres*, the election of the head of regional government began to be watched by the central government. Then, this *Penpres* was replaced by Law No. 18/1965 on regional government and Law No. 19/1965 on village administration. Several years later, Law No. 5/1974 paved the way for serious intervention by the New Order at the local level. For a more comprehensive discussion on this subject, see, *inter alia*, Malley (1999a; 1999b) and Agustino (2014a).
2. Interview with former Bogor regent candidate in 1999, former Depok mayor 1997–2000, former Depok mayor 2000–5, former Depok mayoral candidate 2005 and 2011 and several speakers who refused to be named (candidates for regent, mayor and governor in some areas in West Java).
  3. Interview with several candidates for regional government head who do not want to be named.
  4. Interview with #2 in Bandung.
  5. Interview with #3 in Cirebon.
  6. Interview with #4 in Bandung.
  7. Interview with #5 in Tasikmalaya.
  8. The Red and White Coalition (Koalisi Merah Putih (KMP)) comprises Gerindra, PAN, PPP, PKS, and Golkar. On the other side, the Great Indonesia Coalition (Koalisi Indonesia Hebat) consists of PDIP, Nasdem, PKB, and Hanura. The Democratic Party is outside these two coalitions, although it is often closer to the KMP. This is based on (1) the similarity of military background between Yudhoyono and Prabowo and (2) competition in the election of Jakarta's governor in 2017. The outbreak of KMP is based more on the wishes of some of its component parties to join the government coalition (KIH), which is considered to help parties' survival. Therefore, Golkar, PPP, and PAN eventually joined KIH, although PAN often seems to be less committed to the coalition between the component parties in the KIH. For further discussion, see Agustino (2014b).
  9. The author cites mostly from Ambardi's (2009) research results.
  10. After Amien Rais issued the statement, Yudhoyono denied receiving KKP funds. When mass media mentioned the name of one of Yudhoyono's campaign team members, Munawar Fuad, Yudhoyono claimed that Munawar was not part of his campaign team (*Tempo*, 4–10 June 2007, p. 21). In the same issue, the magazine tried to find Munawar's role and his relationship with Yudhoyono. It is true that Munawar's name was not found in the list of Yudhoyono's campaign teams submitted to the Komisi Pemilihan Umum (KPU). Nevertheless, on many occasions, according to

*Tempo*, Yudhoyono always introduced Munawar as his special staff for social and religious affairs.

11. In a report of *Tempo* (13–19 March 2017, pp. 38–39), there are many names who received e-KTP funds: Anas Urbaningrum, Muhammad Nazaruddin (Democratic Party), Ganjar Pranowo, Olly Dodokambey (PDIP), Tamsil Linrung, Jazuli Juwaini (PKS), Rindoko Dahono Winggit (Gerindra), Abdul Malik Haramian (PKB), and many more. The receivers of these fraudulent funds were not only party elites but also civil servants such as Diah Anggraeni (former secretary general of the Ministry of Home Affairs), Sugiharto (former director of information of Population Administration), and others.
12. Pam Swakarsa is a volunteer force recruited by the army with the support of General Wiranto, the TNI commander. The number at that time reached approximately 125,000 people with the aim of strengthening the security of the General Assembly of the People's Consultative Assembly, held 10–13 November 1998. Some people have interpreted the formation of *Pam Swakarsa* as a reflection of political competition in the army organization between General Wiranto and Lieutenant General Prabowo, with *Pam Swakarsa* being aimed at matching Prabowo's moves.
13. Data obtained from online and print media, such as: *Tempo* (2014), *Tribunnews* (2016), *Nugraha* (2015), as well as *Tempo* magazine, *Kompas* daily, and *Koran Tempo*. For further discussion, see Agustino and Fitriani (2017).
14. Data are obtained from online media and print media, *inter alia*, such as: *detikNews* (2011), *Okenews* (2017), *Tempo* (2019), as well as *Tempo* magazine, *Kompas* daily, and *Koran Tempo*. For further discussion, see Agustino and Fitriani (2017).
15. Data are obtained through online media search as well as from printed media, *inter alia*, such as: *Tempo* (2015), *Rappler* (2016), and *Tempo* magazine, *Kompas* daily, and *Tempo* newspaper. For further discussion, see Agustino and Fitriani (2017).
16. Antasari Azhar's arrest is still controversial. In some versions, it is said that it was caused by his verdict on Aulia Pohan (father of Yudhoyono's daughter-in-law), after Pohan was allegedly responsible for a flow of funds from the Indonesian Banking Development Foundation (Yayasan Pengembangan Perbankan Indonesia (YPPi)) worth Rp 100 billion to members of parliament and the attorney officials. Aulia Pohan was convicted in the Jakarta High Court and sentenced to four and a half years in prison and Supreme Court (Mahkamah Agung (MA)) to alleviate the sentence of former deputy governor of BI to three years. Not long after that, Antasari was charged with murder.

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This book addresses one of the most crucial questions in Southeast Asia: did the election in Indonesia in 2014 of a seemingly populist-oriented president alter the hegemony of the political and economic elites? Was it the end of the paradox that the basic social contradictions in the country's substantial capitalist development were not reflected in organized politics by any independent representation of subordinated groups, in spite of democratization? Beyond simplified frameworks, grounded scholars have now come together to discuss whether and how a new Indonesian politics has evolved in a number of crucial fields. Their critical insights are a valuable contribution to the study of this question.

**Professor Olle Törnquist**

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A most valuable book for understanding the underpinnings of Indonesian politics in 2019 and beyond. A great range of themes are included: political parties, ideologies, political Islam, leadership legitimacy, the political middle class, the politics of centre–local relations, corruption, limited foreign policy reform, Papua, and youth activism. The book has eleven chapters, mostly by Indonesia-based analysts, plus a couple of wise old hands. Max Lane's overview chapter is excellent.

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