

PERSPECTIVE

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The KPK Controversy Keeps Corruption a Central Issue in Public Consciousness

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Students hold a placard depicting an epitaph symbolising the death of the country's corruption eradication commission, during a rally in front of the parliament building in Jakarta on 1 October 2019, demanding lawmakers to revoke a revised anti-corruption law. Picture: BAY ISMOYO, AFP.

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EXECUTIVE SUMMARY

- While the COVID crisis continues to dominate political discourse in Indonesia, policies affecting the Corruption Eradication Commission (KPK) have kept corruption salient in public consciousness.
- There is growing public discontent and anger driven by the perception that the Indonesian political elites are colluding to weaken the KPK to promote their own vested interests. A controversial new law in 2020 converted KPK employees to civil servants, thus raising doubts about their autonomy in conducting corruption investigations. The appointment of a new KPK leadership was soon followed by the removal of 51 KPK officers, some of whom were pursuing prominent corruption cases.
- Scepticism over the government's resolve to eradicate corruption was further stoked by the critical coverage of the KPK saga by *Tempo* magazine (and its affiliated newspaper) and the documentary film *The End Game*. Recent statements by a senior minister (Mahfud, Coordinating Minister for Politics and Security), who tried to rationalise the spread of corruption due to loss of central authority under democratic government, only served to add fuel to the public disenchantment.
- Public anger over endemic corruption is being aggravated by emerging signs of graft in the handling of the COVID crisis. There is an ongoing trial of a cabinet minister accused of corrupt mishandling of COVID welfare funds. There has also been public concern over alleged price gouging for COVID medicines and tests. Such developments will provide further impetus for social dissent, with corruption eradication as a key ideological plank for political opposition in the country. *Reformasi Dikorupsi* (Reformation is being corrupted) is now the battle-cry of dissident groups who are trying to revive the massive anger against corruption which had brought down the Soeharto regime.

Over the last three weeks, the surge in COVID cases, hospitalisations and deaths in Indonesia has dominated all media and political discussions. Prior to this, however, it was the issue of corruption, and the weakening of the Corruption Eradication Commission (KPK), that was the headline news and top issue on the country's political agenda. For the time being, it has been overtaken by the COVID crisis, but it remains a central underlying issue of public concern.

Emblematic of this concern was the reception of the two-hour long documentary film, *The End Game*,¹ which analysed what it claimed was the death of the KPK as a serious organisation. There have been at least 3 million views of this documentary on YouTube over the last few weeks, and no doubt more views also through Instagram, Facebook and other media. It was made by the social issue-oriented NGO, Watchdoc Indonesia. The film maker, Dandhy Dwi Laksono, also claims that there have been hundreds of requests for permission to organise group-watching sessions.² This is probably an underestimation of its popularity, since many organisations and groups have organised such *nobar* (*nontong bareng* – watch together) just using the YouTube version.

In addition to Watchdoc's *The End Game*, Indonesia's premier news magazine, *Tempo*, and its newspaper *Koran Tempo*, have also critically covered developments regarding KPK. They have published an editorial on YouTube, campaigned through their social media platforms and articulated criticisms similar to those in *The End Game*.

In 2019 and 2020, there were several rounds of demonstrations and protests against the government, carried out under the slogan *Reformasi Dikorupsi*.³ These were also provoked by the government's and parliament's moves regarding KPK. The primary issue was new legislation that was passed by parliament (DPR) almost without opposition and then signed into law by President Widodo. This legislation changed the character of the KPK by making all its staff civil servants and no longer independent contract staff. It also introduced changes requiring additional processes before wiretapping and raids on houses and offices can be carried out. This was criticised as for making it harder and slower for KPK to uncover and arrest corruptors. It was widely seen among civil society and among the public as a severe weakening of the KPK. The KPK has made thousands of arrests since its formation in 2003, including cabinet ministers, members of parliament and local officials.

The public dissatisfaction that was reflected in *The End Game* and *Tempo* (amongst others) was provoked by the announcement that over 70 staff members of KPK were being dismissed for failing a Tes Wawasan Kebangsaan (National Perspectives Test). The transfer of KPK staff to civil servant status meant that they all had to be tested in this way to qualify as civil servants. Many among those tested were investigators who had been previously involved in high-profile corruption investigations. This fact has given rise to suspicions that the test was used to weed out such people to weaken the KPK. This criticism has been made explicitly both in *The End Game* and in the *Tempo* editorial. It has been the cover story for several *Tempo* magazine and newspaper editions.

Suspicions rose as details of the test became public, with some of the dismissed staff describing their experiences publicly. Several are interviewed in *The End Game*. They describe how they were asked about their opinions in relation to some government decisions, their attitudes to various political organisations as well as their private life. They

were asked to indicate, for example, the extent they agreed with such statements “I have a bleak future”, “I live to atone for past sins”, “Religion is the result of human thought”, “I believe in the unseen and the practice of teaching without questioning”, and “Homosexuals should be given corporal punishment”. They were also asked questions such as “Are all Chinese the same”, “Are all Japanese cruel” or religiously informed ones such as “Should blasphemers must be put to death”.⁴

The test required a written examination, essay writing and extended interviews by two people, who, it is claimed, did not reveal their names or where they came from. The candidates had to write essays on the most controversial topics such as the Free Papua Movement, the Indonesian Communist Party and the banned Islamic Defenders Front. This process involved mentioning the State Intelligence Body (BIN), National Counter Terrorist Body (BNPT), as well as the Army (TNI), which have been directly queried by critics from corruption monitoring bodies, such as Corruption Watch.⁵

The National Human Rights Commission (KomnasHam), a statutory body, has now written to BIN, BNPT and Army Intelligence to request dialogue over what they see as possible human rights violations in the conduct of the tests.⁶

As criticism of the use of the test to justify the sacking of 75 staff increased, President Widodo himself made a statement appealing for them not to be dismissed for failing the test.^{7 8} Despite this, 51 were still dismissed, including some key investigators. The refusal to accommodate the President’s request has only heightened suspicions.⁹ The KPK leadership announced the dismissal of the 51 people – who were judged to be “beyond being able to be reformed” – was made 8 days after the President’s appeal.¹⁰

In fact, there had also been earlier criticism relating to the person unanimously selected by the DPR to be the current chairman of the KPK, South Sumatra Police Chief Insp. Gen. Firli Bahuri. When Bahuri was selected KPK Commissioner, Saut Situmorang and advisor Tsani Annafari resigned in protest because Bahuri himself had been subject to allegations of violating the KPK code of conduct in accepting 600 free tickets to a concert in Palembang, South Sumatra, in August 2019.¹¹ In the current wave of criticism, much is aimed at Bahuri, with *Tempo* magazine’s key cover carrying the words: *Firli’s Dark Strategy* (Siasat Gelap Firli), picturing him with other figures on a leash. That edition of *Tempo* also carried reports of possible involvement in graft.¹²

This controversy around the government’s and parliament’s policies towards the KPK has, of course, implications for the successful eradication or reduction of corruption in Indonesia. The extent to which current policies are shown to hinder or help any fight against corruption will be revealed only over coming months and years. There is little doubt, however, that civil society watchdogs and sections of the media will continue to investigate these questions. The extent to which KPK continues to apprehend corrupt officials, or not, and who will be apprehended will surely attract greater attention.

Corruption as a political issue is also showing itself to have deeper implications for future political trajectories in the country. Historically, the corruption issue was central to the opposition to President Suharto during the mid-1990s. The term “KKN” – standing for Corruption, Collusion, Nepotism – became a part of everybody’s political vocabulary,

including at the mass level. At that time, the key focus was on President Suharto and his family and a group of businessmen close to the family and referred to as cronies.

More recently, as seen in the popularity of the slogan *Reformasi Dikorupsi*, protests against corruption now define public discontent. It has been key to the steady evolution of a social opposition.¹³ This social opposition is located outside the electoral system. As noted earlier, there has been essential unanimity within parliament among all parties, including President Widodo's sponsoring party, the PDIP, in relation to policies towards the KPK. The vote by DPR Commission 3, that looks after law, human rights and security, went for example unanimously for Bahuri to be made KPK Chairperson.¹⁴ Criticisms have only ever been on minor issues.¹⁵

This unanimity across the political elite is visible alongside the obvious widespread corruption that exists. On average over 1,000 people a year are charged with corruption by the KPK or the police.¹⁶ The police themselves claimed 1,400 arrests in 2020.¹⁷ There is constant publicity around these arrests, especially when cabinet ministers, members of parliament or local district heads are involved. Surprise raids by KPK on offices and homes always attract media, including television coverage. While the KPK has been effective in making large numbers of arrests, the fact that there has been no real decline in arrests before the weakening of the KPK, has also underlined to the public that even after more than a decade of such arrests, corruption remains widespread. The impression that exists among the public is that it is endemic but that at the same time there is no political will inside the government or parliament to fight it – thus the popular phrase *Reformasi Dikorupsi*.

The growing gap between the political elite and the public on how to view corruption was also reinforced recently by statements from Mahfud M.D., the Coordinating Minister for Politics, Law and Security. Mahfud, who may also be interested in standing for President in 2024, made a statement on May 6 acknowledging that corruption was widespread. He linked this to democracy, arguing that under Suharto, corruption had been controlled and confined to the centre.¹⁸ Since 1998, he explained, that centralised control of corruption had been lost and corruption had since then spread everywhere. At a later speech on 26 May, he stated: “Now in the name of perverted democracy, corruption is no longer committed in the executive but has expanded horizontally to legislative, judicial, audit, and vertically from the center to the regions.¹⁹” He is reported as saying that the extent of corruption today was “gila” (crazy),²⁰ a strong word in the Indonesian vocabulary.

Mahfud's regular statements along these lines since May were clearly in recognition of what the prevailing public perceptions were and that it would be futile to try to assert that corruption was not widespread. His statements also try to identify the origins of the problem to be the shift from authoritarianism, where corruption could be controlled, to democracy – although “perverted democracy” – where, presumably, it could not be controlled.²¹

One statement by Mahfud, however, did stir some controversy, at least until he subsequently offered some clarification. On May 1, when he again acknowledged that corruption was widespread, he also said that he hoped: “that people would not be too disappointed with the government and see it as corrupt, or even oligarchic. We have also achieved some progress.”²² *Tempo* reported the statement under the headline “Indonesia has had progress despite much corruption.” Mahfud did hold out the prospect of no corruption at some point,

explaining: “Even though [Indonesia’s wealth] has been managed corruptly, there has been much benefits for the people.... not to mention when later it is managed free from corruption.”

Mahfud’s statements were very widely reported in the media.

Mahfud, while not powerful in Widodo’s cabinet, does play the role of an intellectual justifier of policy. His making these frequent admissions emphasises the public perception regarding corruption being widespread. His statements must also be read as providing a justifying explanation to the public. The extent of corruption is because under the democracy that exists, there are no mechanisms for controlling the spread of the practice, he argues, adding at another seminar clarifying reports on his earlier comments that democracy can still be improved.²³ In any case, he adds, it has not held back progress all that much.

This outlook, to the extent it reflects a shared outlook within parliament and the government, contrasts with the sentiment summed up in the slogan Reformasi Dikorupsi. Reformasi – in English, perhaps ‘reformation’ or deep reform – summed up the hopes that prevailed in Indonesia in 1998 about the country’s future. “Reformation has been Corrupted” reflects a perception that those hopes have been ruined precisely by corruption.

In assessing Indonesian socio-political dynamics, especially the steady – if still slow – gap growing between the political elite and a public whose discontent is being articulated by civil society, the differences between the two outlooks on corruption are central.

In the immediate term, the COVID crisis is likely to be the focus of both elite and public attention. It should be noted, however, that while the KPK and the corruption issue may be receiving less front page attention and is not the subject of street demonstrations, articles and reports on the issue continue in the media. More recently, there was a case where corruption in the government’s handling of the Covid crisis was reported. Former Minister of Social Affairs, Juliari Peter Batubara, has been charged by KPK for corruption in December 2020 in relation to COVID welfare funds.²⁴ His trial is ongoing and already there are accusations that the amounts involved run into millions of dollars.²⁵ To date, this is the only serious case of corruption and the Covid crisis interacting. However, there have been reports reflecting concerns that there has been price gouging for medicines being used to treat Covid,²⁶ either within or without the medical system, as well as news about price wars over Covid tests, especially antigen tests.²⁷ An atmosphere of price gouging and similar practices is likely to intensify to spread the sense that profiting as presented in *The End Game* is dominant in policy decisions. The government has acted to set fixed prices for these medicines,²⁸ no doubt, but any deepening interaction or merging of the corruption issue and the Covid crisis will make corruption even more central in public consciousness than it already is. It is likely to become the defining issue in national politics, alongside internal elite rivalries.

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- ¹ <https://www.youtube.com/watch?v=ebNa6TdMMmo>
- ² <https://www.cnnindonesia.com/nasional/20210530150604-20-648459/watchdoc-klaim-terima-raturan-permintaan-nobar-endgame-kpk>
- ³ <https://www.iseas.edu.sg/media/commentaries/students-protest-against-the-weakening-of-corruption-eradication-commission-kpk-by-max-lane/>
- ⁴ See A'an Suryana, <https://fulcrum.sg/when-busting-the-graft-busters-is-not-on/> and also Sofie Arjon Schütte, *An administrative war at the KPK: employees versus leadership*, for a detailed summary of this process, at <https://indonesiaatmelbourne.unimelb.edu.au/an-administrative-war-at-the-kpk-employees-versus-leadership/>
- ⁵ <https://www.cnnindonesia.com/nasional/20210511150959-12-641481/janggal-tes-kebangsaan-dan-dalih-usang-antitaliban-di-kpk>
- ⁶ <https://www.cnnindonesia.com/nasional/20210623095028-20-658157/komnas-ham-surati-bin-bais-bnpt-soal-tes-wawasan-kebangsaan>
- ⁷ <https://www.thejakartapost.com/news/2021/05/18/civic-test-should-not-be-used-to-dismiss-kpk-employees-jokowi.html>
- ⁸ <https://en.tempo.co/read/1463179/president-jokowi-weighs-in-on-controversial-kpk-civics-test-results>
- ⁹ <https://nasional.kompas.com/read/2021/05/27/09403621/mengingat-kembali-pernyataan-jokowi-soal-twk-tak-bisa-jadi-dasar?>
- ¹⁰ <https://nasional.kompas.com/read/2021/05/27/09403621/mengingat-kembali-pernyataan-jokowi-soal-twk-tak-bisa-jadi-dasar?>
- ¹¹ <https://jakartaglobe.id/news/house-approves-new-kpk-leadership/>
- ¹² <https://majalah.tempo.co/edisi/2552/2021-06-19>
- ¹³ On the social opposition in Indonesia, see Max Lane, *Protests Against the Omnibus Law and the Evolution of Indonesia's Social Opposition* at <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2020-128-protests-against-the-omnibus-law-and-the-evolution-of-indonesias-social-opposition-by-max-lane/> and Max Lane, *COVID-19's Impact on Indonesia's Social Opposition: The Examples of Labour Rights and the Papuan Question* at <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2020-85-covid-19s-impact-on-indonesias-social-opposition-the-examples-of-labour-rights-and-the-papuan-question-by-max-lane/>
- ¹⁴ <https://nasional.kompas.com/read/2021/06/09/12443501/saat-firli-bahuri-terpilih-jadi-ketua-kpk-suara-bulat-komisi-iii-dan-dugaan?>
- ¹⁵ In particular Fadli Zon from Prabowo's Gerindra Party. See <https://www.tribunnews.com/nasional/2021/06/03/fadli-zon-soroti-pegawai-kpk-dilantik-ber tepatan-di-hari-lahir-pancasila-singgung-polemik-twk>
- ¹⁶ <https://nasional.kompas.com/read/2021/04/18/16135731/icw-tren-penindakan-kasus-korupsi-periode-2015-2020-cenderung-turun>
- ¹⁷ <https://www.merdeka.com/peristiwa/sepanjang-2020-polri-garap-1412-kasus-korupsi-total-kerugian-negara-rp3-t.html#>
- ¹⁸ <https://nasional.kompas.com/read/2021/05/26/15572521/mahfud-md-setelah-reformasi-korupsi-makin-meluas-dari-segala-lini?>
- ¹⁹ <https://nasional.kompas.com/read/2021/05/26/15572521/mahfud-md-setelah-reformasi-korupsi-makin-meluas-dari-segala-lini?>
- ²⁰ <https://www.youtube.com/watch?v=SxfYvk2JV7Y>
- ²¹ See also here <https://www.liputan6.com/news/read/4575990/4-pernyataan-mahfud-md-terkait-praktik-korupsi-di-indonesia-saat-ini>
- ²² <https://nasional.tempo.co/read/1458327/mahfud-md-indonesia-ada-kemajuan-meski-banyak-korupsi>
- ²³ <https://www.merdeka.com/peristiwa/mahfud-md-klarifikasi-soal-korupsi-bisa-dimaklumi-demi-kemajuan-tak-ada-itu.html>

- ²⁴ <https://nasional.tempo.co/read/1474877/politikus-pdip-ihsan-yunus-dipanggil-bersaksi-di-sidang-korupsi-bansos-covid-19>
- ²⁵ <https://nasional.tempo.co/read/1480379/penyidik-kpk-duit-suap-juliari-batubara-baru-uang-rokok-korupsi-bansos-covid-19>
- ²⁶ <https://mediaindonesia.com/ekonomi/416601/kecam-harga-obat-covid-19-mahal-erick-menyakiti-rakyat>
- ²⁷ <https://finance.detik.com/berita-ekonomi-bisnis/d-5630115/perang-harga-tes-swab-covid-19-mulai-dari-rp-74-ribu>
- ²⁸ <https://nasional.kontan.co.id/news/sudah-ditetapkan-menkes-ini-daftar-harga-eceran-tertinggi-11-obat-covid-19>

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