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## Efforts To Prevent Corruption Criminal Acts Carried Out By The Prabumulih City Government

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**Abstract.** Corruption is one of the serious challenges facing Indonesia, with widespread impacts on various aspects, including the economy, social life, and the level of public trust in the government. To overcome this problem, various regulations have been issued and eradication efforts continue to be carried out, involving the active role of the government and law enforcement officers. This study uses two approaches, namely the normative legal approach and the empirical legal approach. The data collected include primary data, obtained through interviews with respondents related to the subject matter of this thesis, as well as secondary data taken from literature studies. Data analysis was carried out qualitatively. The results and discussion of the study show that the Prabumulih City Government through the Regional Inspectorate has shown commitment in efforts to prevent corruption by implementing the principles of good governance, transparency, and accountability.

**Keywords:** *Corruption, Prevention Efforts, City Government.*

### INTRODUCTION

The 1945 Constitution affirms that the Indonesian state is based on law (*Rechtsaat*) and not on mere power (*Machstaat*). This is because the Unitary State of the Republic of Indonesia is a state of law based on Pancasila and the 1945 Constitution, upholds human rights, all citizens have equal standing before the law and government and are required to obey the laws and regulations set by the Government without exception. This means there is a guarantee. In various parts of the world, corruption always attracts more attention than other crimes. Corruption is difficult to detect because the perpetrators use sophisticated equipment and usually involve many people to carry out their crimes and are usually carried out by more than one person in a covert and organized manner.

Corruption has become a serious challenge in many countries, including Indonesia. Corruption is a complex problem that does not move in a vacuum, which is related to large systems, such as social, cultural, legal, and political systems. Rampant corruption has fatal consequences by giving detrimental impacts covering economic and social aspects, ranging from the obstruction of quality infrastructure development, uneven development, to declining public trust in the government.

Law enforcement in the context of eradicating corruption and recovering state losses is considered not optimal with existing legal instruments. There are a number of weaknesses and shortcomings that hinder the effectiveness of these efforts. Therefore, there needs to be a reform of the legal system to create a stronger deterrent effect and a more efficient mechanism for recovering state losses. Corruption is still a serious problem in various regions to this day, although various prevention efforts have been made. Obstacles in eradicating corruption can come from various factors, including cultural, structural, instrumental, managerial obstacles, as

well as other internal and external factors. Obstacles in handling corruption include four main aspects. First, structural obstacles that come from ineffective state and government practices. Second, cultural barriers caused by negative habits in society. Third, instrumental barriers due to the lack of supporting instruments in the form of adequate laws and regulations. Fourth, management barriers that occur because good management principles, such as high commitment, fairness, transparency, and accountability are not applied consistently.

Corruption prevention efforts are carried out in various ways, with reference to applicable regulations. In addition, there is justification for small-scale corruption under the pretext of regional harmony and integrationist ideas that deny violations by linking them to cultural values and other paternalistic ideas. There are also efforts to eliminate corrupt practices and deny social values. Abuse by those in power. Efforts to raise awareness of corruption problems require public participation. In accordance with the order of Law Number 31 of 1999 in conjunction with Law Number 20 of 2001 concerning the Eradication of Criminal Acts of Corruption. Article 41 stipulates that the public can play a role in supporting efforts to prevent and eradicate criminal acts of corruption.

Given the rampant corruption, it is important to conduct research that focuses on corruption in the Prabumulih city government, to overcome this, firm and fast action is needed to eradicate all forms of corruption that must be carried out optimally, effectively and sustainably. This analysis is able to provide or compile information related to the mechanisms, perpetrators, and motivations of corruption. The information obtained from this study can be applied in designing effective anti-corruption measures, both at the national and local levels. The case carried out by the defendant is an activity that is detrimental to the state by involving the use of SPPD funds for unclear activities and not in accordance with the purpose of official travel. The findings of state losses carried out by the defendant, and the calculation of the Prabumulih Inspectorate amounted to IDR 413 million rupiah<sup>4</sup>. This case shows that corruption is still a serious problem in Prabumulih City.

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## **LITERATURE REVIEW**

The law governing the eradication of corruption in Indonesia has been in place since 1957 and has been updated 5 (five) times. However, until now there are still a number of weaknesses in the regulation. One of the main problems is the lack of regulation regarding international cooperation in efforts to return state assets obtained from the proceeds of corruption.

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eradicating corruption cannot be done alone, but requires an active role from various parties, one of which is from elements of society.

## **METHOD**

The Problem Approach in this study obtains accurate and accountable data. The method in this study uses 2 types of approaches, namely the Normative Juridical Approach and the Empirical Juridical Approach. The normative juridical approach examines rules, norms, and regulations with library methods related to the problems in the study, then the empirical juridical approach is carried out directly on the research object by collecting data through interviews. Normative-empirical legal research is a method that combines normative legal aspects with additional empirical data or elements.

## **RESULTS**

### **Efforts Made By The Government In Preventing Criminal Acts Of Corruption**

Crime prevention is a strategic effort known as penal policy, criminal policy, or strafrechtspolitiek. This effort aims to overcome crime through the rational application of criminal law, prioritizing the fulfillment of a sense of justice and high effectiveness. In its implementation, crime prevention is not only limited to the use of penal means, such as punishment or detention, but also involves a non-penal approach that is preventive and rehabilitative. Muladi and Barda Nawawi argue that there are two possible approaches in law enforcement and efforts to combat crime. namely the approach associated with criminal sanctions through criminal law, namely in the form of imprisonment and/or fines.

The application of Criminal Guidelines in criminal law concerns what behavior constitutes a crime and what sanctions should be imposed on violators. This must be policy-oriented (policy-oriented approach). The combination of penal and non-penal approaches provides an opportunity to create a more comprehensive response to perpetrators of crime, while providing a more humane and development-oriented solution. Non-penal approaches can include community education, economic empowerment programs, counseling, and social reconstruction aimed at preventing the root causes of crime. With good integration, these two approaches can contribute to building a more effective, fair, and sustainable crime prevention system. The government has made various efforts to eradicate corruption, one of which is through improving laws and regulations on the eradication of corruption and the establishment of new institutions to support law enforcement. One of these steps was the issuance of Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption as a replacement for Law Number 3 of 1971. Two years later, to improve Law Number 31 of 1999, the government passed Law Number 20 of 2001 which was an amendment to the Law.

The government has also implemented an integrity zone program aimed at creating corruption-free areas within state offices, promoting ethical behavior and accountability among public servants, and successful implementation requires community involvement and consistent commitment to integration. Legislative efforts and ongoing education programs are essential to raise awareness and understanding of the impact of corruption in various studies. The Indonesian government has implemented various strategies to combat corruption, declaring it a significant threat to democracy and public trust. Although preventive efforts have been made, corruption still persists, indicating that further improvements are needed. The Prabumulih District Attorney's Office (Kejari) has shown a significant commitment to eradicating corruption during the period 2022 to 2024. These efforts can be seen from the data and developments in corruption cases that have been successfully uncovered by the Prabumulih District Attorney's Office during that period.

**Table 1**

No	Case types	Description	Year	Strategy Eradicator	Loss (Rp)
1.	Bribery and Abuse of Authority Cases	Bribery related mail settings deep voice election 2019 legislative (KPU commissioner)	2022	Law enforcement and legal socialization	350,000,000
2.	Procurement Project Corruption	The procurement of sportswear for the elderly cost the state almost Rp. ½ billion.	2022	Law enforcement and project audits	478,000,000
3.	Allegations of Corruption of Grant Funds	Corruption of grant funds from the Prabumulih Election Supervisory Agency (Bawaslu) 2017/2018.	2022	Law enforcement and financial audits	1,800,000,000
4.	Corruption of Development Projects	Findings of state losses in the People's Market project based on an Inspectorate audit.	2023	Audit and law enforcement	588,281,000
5.	Fictitious Business Travel Case	Misuse of fictitious SPPD at the Transportation Agency.	2023	Law enforcement and outreach to employees	314,000,000
6.	Electronic Warung Management (e-Warung)	Allegations of corruption in the management of e-Warung by the Social Service which is detrimental to the state.	2024	Mentoring and outreach to managers	Still under investigation
7.	Allegations of BRI Capital Credit Corruption	Regarding the provision of credit at BRI Bank which involves several parties.	2024	Law enforcement and financial audits	Still under investigation
8.	Allegations of Village Fund Corruption	Corruption of village funds by the Head of Tanjung Medang Village which was transferred to the Muara Enim District Attorney's Office.	2024	Law enforcement and collaboration with the Inspectorate	487,500,000

Prevention of corruption in public services, the government must adopt the theory of crime prevention, strengthen bureaucratic ethics, sanction corrupt officials, reward honesty, and improve the licensing process, and internal affairs organizations need to implement various anti-corruption measures, focusing on prevention through updated units, legal frameworks, and organizational strategies to combat corruption.

## DISCUSSION

### Inhibiting Factors Of The City Government In Implementing Corruption Prevention Efforts In Prabumulih City

Corruption is a major obstacle to national development, causing huge losses to state finances, especially in the midst of the economic and monetary crisis. Its impact affects various

aspects of social, national and state life. The strategy to eradicate corruption requires a collective will to not tolerate corruption, which must be viewed as a serious crime. Eradicating corruption must start with leaders who take firm action, not just verbal commitments without real implementation in the field. In its literal sense, criminal liability involves the principle of fault (principle of negligence). This is based on the monistic consideration that the principle of value-based fault in justice must be combined and harmonized with the principle of legitimacy based on values. Of course. Criminal liability is a mechanism for determining whether a defendant or suspect is responsible for a crime he has committed. In order for a perpetrator to be punished, the crime he committed must meet the elements of a crime as defined by law. In order for an act to be punished, there must be something wrong in it. This error is of two types: intentional (*opzet*) and negligent (*culpa*). According to the theory of Indonesian criminal law, there are three types of intent:

1. Premeditated intent means that the perpetrator can be held accountable and is easily understood by the public. If a perpetrator of a crime deserves criminal punishment, it means that the perpetrator actually wanted the consequences, and this is the main reason for the threat of punishment.
2. Consideration with conscious belief, namely the perpetrator acts with the aim of achieving the result underlying his actions, knowing for certain that the consequences of his actions will certainly follow.
3. Awareness is a possibility, and this intention clearly does not include the certainty that the intended result will occur, meaning it is merely imagining the possibility of that result.

According to Soerjono Soekanto, there are several factors inhibiting law enforcement efforts, namely:

1. The Legal Factors Themselves: The quality and clarity of laws and regulations greatly influence the effectiveness of law enforcement. The better the regulation, the easier it is to enforce. Conversely, bad regulations will make law enforcement difficult.
2. Law Enforcement Factors: This includes individuals and institutions responsible for enforcing the law, such as police, prosecutors, judges, and lawyers. The quality of professionalism and integrity of law enforcers greatly determines the success of law enforcement. Law enforcers must also be able to adapt to the dynamics of society and carry out their duties ethically.
3. Facilities and Infrastructure Factors: The availability of adequate facilities and resources to support law enforcement tasks is also important. This includes physical infrastructure as well as financial support for the operations of law enforcement agencies.
4. Community Factors
5. Public awareness and understanding of the law play a major role in law enforcement. A society that is aware of its legal rights and obligations tends to be more compliant with regulations. Public participation in supervising the implementation of the law is also very necessary.
6. Cultural Factors: Culture includes norms and values that develop in society, which can influence attitudes towards the law. A culture that supports compliance with the law will strengthen law enforcement itself. Cultural education among the younger generation is also important to build good legal awareness.
7. Soekanto emphasized that these five factors are interrelated and cannot be separated from each other. Failure in one aspect can have an impact on other aspects, so it is important to consider all of these factors in an effort to improve the effectiveness of law enforcement in society.

Evaluation of regional budget usage is an important step to ensure that limited resources can be utilized optimally to achieve regional development goals. Through comprehensive

evaluation, regional governments can make a real contribution to improving community welfare and realizing better development ideals, although budget usage evaluation is important, the implementation of evaluation often faces various challenges, such as limited resources, lack of apparatus capacity, and political pressure. To overcome these challenges, a strong commitment is needed from all parties involved in the evaluation process. Facing the ever-evolving dynamics, a deep understanding of every problem that arises is required. This challenge involves various complex and dynamic aspects, requiring a quick and effective response to ensure that every obstacle can be overcome with targeted and sustainable solutions. To address the challenges of corruption, the government needs to strengthen coordination between law enforcement and supervisory agencies, increase transparency and accountability, and involve the community in preventing and eradicating corruption. Efforts also include developing the capacity of human resources handling corruption cases.

## **CONCLUSION**

The Prabumulih City Government, especially through the Regional Inspectorate, has shown a strong commitment in efforts to prevent criminal acts of corruption. Various programs and activities have been implemented, through preventive efforts ranging from internal supervision, risk assessment, socialization of laws and regulations related to corruption, strict implementation of regulations, use of digital media, increasing the capacity of ASN, and giving awards for good performance, as well as repressive efforts in the form of Law Enforcement by the District Attorney's Office, Corruption Prevention Guidance Meetings, and Collaboration with law enforcement officers and the Saber Pungli task force also showed good synergy in eradicating corrupt practices. The Prabumulih City Government has taken various steps to prevent criminal acts of corruption by implementing the principles of good, transparent, and accountable governance. Although various efforts have been made, there are still several internal obstacles faced, especially related to limited resources that result in less effective supervision activities, but the Prabumulih City government continues to strive to overcome this by increasing the capabilities and availability of human resources, budget, and infrastructure optimally. The success of corruption prevention efforts in the city of Prabumulih is measured through various indicators, such as the achievement value of the KPK Monitoring Center for Prevention (MCP), the results of the integrity assessment survey, and the evaluation of the performance of local government administration.

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