

Corruption and Government Morality During Covid-19 Pandemic in Indonesia

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ABSTRACT : *The Covid-19 pandemic has hit Indonesia since the end of February 2020, bringing Indonesia to a difficult situation from several sectors such as economy, education, health and employment. However, in the midst of these difficulties, there are still corruption cases that have been caught red-handed by the Komisi Pemberantasan Korupsi (KPK). This study aims to analyze the causes of corruption during the Covid-19 pandemic and the opportunities for resolution using a qualitative descriptive method with a case study and literature study approach. The results of this study are that there is a possibility of solving corruption in difficult times such as the Covid-19 pandemic by looking back at the law regarding the eradication of corruption with the death penalty for corruptors who commit corruption in the midst of the country's difficult times.*

KEYWORDS - Covid-19, Corruption, Pandemic,

I. INTRODUCTION

On December 5, 2020, the Corruption Eradication Commission, (Komisi Pemberantasan Korupsi, KPK) conducted a Hand-Catching Operation against Social Minister Juliani Batubara regarding the corruption of social assistance for people affected by Covid-19. The day after that Juliani surrendered to the KPK. Juliani surrendered after corrupting the social assistance fund of 17 billion rupiah by withdrawing 10 thousand rupiah per aid package worth 300 thousand rupiah. Soon after, he was removed from his position and replaced temporarily by Muhajir Effendi, who was currently serving as the Coordinating Minister for Human Development and Culture.

Social assistance budget in the National Economic Recovery program. It includes Program Keluarga Harapan (PKH) of Rp. 36.71 trillion, Bansos Sembako Jabodetabek for Rp. 7.10 trillion, Bansos Tunai Non-Jabodetabek of Rp. 32.14 trillion, Bansos Beras Penerima PKH Rp. 5.26 trillion, and Bansos Tunai Penerima Kartu Sembako Non PKH of Rp. 4.5 trillion. In the case of the Ministry of Social Affairs' corruption case, the possibility of corruption occurred with the Bansos Sembako Jabodetabek.

Corruption during the Covid-19 pandemic by Juliani was not the first time this had happened. Previously, the Minister of Marine Affairs and Fisheries, Edhy Prabowo, was involved in corruption related to the export of lobster seeds and licensing for fishponds, business and or fisheries management or similar marine commodities.

The corruption case that broke out in the midst of the difficult situation of the Indonesian nation due to the Covid-19 pandemic triggered high tension and questions about the government's performance and its seriousness in dealing with Covid-19 and eradicating corruption which seems to be ingrained in Indonesian politics and society.

Therefore the authors raise an analysis entitled "Corruption and Government Morality during Covid-19 Pandemic in Indonesia".

II. METHOD

The method used in this research is literature study, where the authors look for sources from various literatures and interpret them with scientific approaches and descriptive qualitative or naturalistic methods because they are carried out in natural conditions.

III. RESULT AND DISCUSSION

Starting from the end of February until the close of 2020, Indonesian people experience prolonged suffering due to the emergence of a new type of infectious disease called the 2019 Corona Virus. The World Health Organization (WHO) explained that Coronaviruses (Cov) is a virus that infects the respiratory system. This viral infection is called Covid-19. Corona virus causes common cold to more severe illnesses such as Middle East Respiratory Syndrome (MERS-CoV) and Severe Acute Respiratory Syndrome (SARS-CoV). Corona virus is zoonotic which means it is transmitted between animals and humans. According to the Indonesian Ministry of Health, the development of the COVID-19 case in Wuhan began on December 30, 2019, when the Wuhan Municipal Health Committee issued a statement "urgent notice on the treatment of pneumonia of unknown cause". The spread of the Corona virus is very fast even across countries. Until now, there are 188 countries that have confirmed that they are affected by the Corona virus. The spread of the Corona virus that has spread to various parts of the world has an impact on the Indonesian economy, both in terms of trade, investment and tourism.

The Covid-19 pandemic has also had social, economic and political impacts. Schools and universities being closed, shopping places quiet, public transportation restricted and so on. This condition shows how the current situation is very worrying and a joint strategy is needed for handling it [1].

In the last few months the government has tried its best to tackle all the problem in Indonesia, through social assistance provided in stages over the last few months. The government has disbursed a lot of funds to tackle this outbreak, at least the government has disbursed additional funds for the 2020 State Budget for handling Covid-19, which totaled IDR 405.1 trillion. The details are: IDR 75 trillion spending on health; IDR 110 trillion in social protection; IDR 70.1 trillion tax incentives and stimulus for People's Business Credit; and IDR 150 trillion in financing for the national economic recovery program. Including credit restructuring as well as guarantees and financing of the business world through reallocation and refocusing of the 2020 APBN and APBD in each regional government through Perppu No. 1 of 2020 concerning State Financial Policies and Financial System Stability for Handling the Covid19 Pandemic and / or in the Context of Facing Threats that Endanger the National Economy and / or Financial System Stability which was signed by President Jokowi on March 31, 2020 [2].

Economy, finance, and assets are very important to support and facilitate life. As a result of the Physical Distancing policy carried out by the government, economic activity weakened and it was difficult to get the desired income.

However, in the midst of these difficulties, for some politicians, it seems that they have never felt hampered from committing criminal acts of corruption from various loopholes. The latest case regarding the criminal act of lobster seed corruption committed by Edhy Prabowo (Minister of Marine Affairs and Fisheries) and corruption of social assistance funds committed by Juliani Batubara (Minister of Social Affairs) has emerged among the news of the Covid-19 pandemic in Indonesia that has not to show its end.

Whereas long before, President Joko Widodo reminded his cabinet not to play games with the use of the disaster budget, especially during the Covid-19 pandemic. When introducing the cabinet, Jokowi reminded the cabinet ministers of Indonesia Maju not to be corrupt.

Corruption is defined as an evil act (crime), which is an act of badness, can be bribed, immoral, corrupt and dishonest, of course what is meant here is the morals of individuals who commit acts of corruption because people with good morals will certainly not commit corruption. Andi Hamzah, in his dictionary of law defines corruption as a bad, lecherous act, likes to be bribed, acts that insult or slander, deviates from purity, is immoral [3].

So far, the term corruption refers to various hidden and illegal activities or actions to gain profit for personal or group interests [4].

Several definitions of corruption, stated that:

1. Corrupt means bad, likes to accept bribes, uses power for one's own interests and so on.
2. Corruption means bad acts such as embezzling money, receiving bribes and so on.
3. Corruptors are people who commit corruption

Thus, the meaning of corruption is something that is bad, evil and destructive, based on this fact, the act of corruption involves something that is immoral, has a bad nature and condition, involves the position of an agency or government apparatus, abuse of power in office due to giving, concerning economic and political factors and placement of a family or group into service under the power of office. Meanwhile, the definition of a criminal act is an act of doing or not doing something which is stated by statutory regulations as an act which is prohibited and which is punishable by punishment [5].

According to Oktarina et al, [6], The factors causing the occurrence of criminal acts of corruption, especially in social assistance funds are as follows:

1. Legal/law Factors.

The law that regulates criminal acts of corruption and social assistance funds is clearly written, but its moral application to politicians has not been maximized, so there is no awareness of not committing these crimes for some elements.

2. Law enforcement factors

Many law enforcers are actually involved in criminal acts of corruption, either directly involved or facilitating the corruptors. With such a state of law enforcers, the corruptors will find it easy to carry out these crimes.

3. Supporting facilities factors

In the proper administration of the law, it must be equipped with adequate facilities such as prisons or detention centers. What happens in the field is that there is an inequality for criminals based on the crimes they commit. The fact that has been widely revealed is that there is a prison cell with luxurious facilities inhabited by criminals.

4. Community factors

The effectiveness of law enforcement by itself is not only determined by the activities of law enforcement officials, which are generally very limited in number and quality, when compared to the areas where law enforcement officers must cover. If the community's legal awareness is good enough, then it can not only affect the small number of cases of law violation, but also increase community participation in monitoring the implementation of the law in their respective environments, including the participation of citizens in assisting law enforcement efforts carried out by law enforcement officials.

5. Cultural factors

A culture of corruption is endemic even from the lowest levels of government. There are a number of things that constitute a form of corruption that has become part of people's daily lives, for example, giving some gratifications to law enforcers and the habit of giving money in handling administrative documents.

Apart from the aforementioned factors, there are other factors that influence the occurrence of corruption, namely a lack of exemplary and leadership by the nation's elite, weak commitment and consistency in law enforcement and laws and regulations, low integrity and professionalism, unsettled supervisory mechanisms, working environment conditions, job duties and the environment. a society accustomed to corruption, as well as weak faith, honesty, shame, morals and ethics [6].

In the Corruption Eradication Law, Article 2 paragraph (2) states that the death penalty can be imposed on the perpetrator of a criminal act of corruption if it is carried out in certain circumstances, so capital punishment is a criminal burden if it meets the requirements for weighting that is certain conditions. In the elucidation of article 2 paragraph (2), namely what is meant by "certain conditions" in this provision is meant as a deterrent to the perpetrator of the criminal act of corruption if the crime is committed when the state is in danger in accordance with the applicable law, at the time of disaster. national nature, as a repetition of the criminal act of corruption, or when the country is in a state of economic and monetary crisis [7].

From the explanation above in paragraph (2), in certain circumstances, a person who commits a criminal act of corruption can be sentenced to death in accordance with the provisions. Therefore, the misuse of the Covid-19 fund allocation can be categorized under certain circumstances and the perpetrator is punishable by death.

However, the issuance of Perppu No.1 / 2020 actually weakens the enforcement of the Corruption Act and its amendments. In which the Perppu contains Financial Policies and Financial System Stability for Handling the Covid 19 Pandemic in article 27 paragraph 1 of Perppu 1/2020 which must be considered in this article, it reads: "Costs incurred by the Government and / or KSSK member institutions in the context of the implementation of state revenue policies, including policies in the field of taxation, state expenditure policies including policies in the regional finance sector, financing policies, financial system stability policies, and national economic recovery programs, are part of the economic costs for saving the economy from the crisis and are not state losses."

And Article 27 Paragraph (2) reads: "Members of the KSSK, Secretary of the KSSK, members of the KSSK secretariat, and officials or employees of the Ministry of Finance, Bank Indonesia, the Financial Services Authority, and the Deposit Insurance Corporation, and other officials related to the implementation of the Substitute Government Regulation. This Law, cannot be prosecuted either civil or criminal if in carrying out tasks based on good faith and in accordance with the provisions of laws and regulations ".

Many of the regulations made by the government during a pandemic like this make many people confused, there are those who agree and some are against the regulations made by the government. One of them is the regulation on the death penalty for corruption offenders during a pandemic like this. For the provision of the death penalty not only to perpetrators of Covid-19 fund corruption, but it should also be applied to all perpetrators of corruption in Indonesia.

Corruption in Indonesia is extraordinary and there are many cases of corruption that are endless, so the death penalty must be carried out immediately, and the public has asked the DPR-RI to immediately draft a death penalty law for corruptors. Because many state administrators have been carrying out the corruption, collusion and nepotism, they ask the government to be consistent with the laws that are made. The law explains that the death penalty for corruptors must be carried out because this corruption has made it difficult for many people to deter the perpetrators of corruption. This illustrates how disgusted the Indonesian people are to the many corruption cases in Indonesia.

The obstacle is whether prosecutors and judges have the courage to make decisions related to this criminal act of corruption, without the death penalty if prosecutors and judges dare to make decisions that are higher than what has been done so far, which so far we know that the punishment for corruptors is still being considered. who are low and do not have the courage to take tough decisions, it can be concluded that the quality of prosecution is one of the keys to punishing the perpetrators of criminal acts.

With these problems, it is better if as a country that is just and sovereign and upholds law and human rights, it is only natural that in a country that is in difficult condition due to the Covid-19 pandemic, prioritizes humanity and health as well as improving the country's economy so that it can survive. With the existence of a law on corruption that has provided information regarding actions for corruptors during difficult times, it is of course obligatory for law enforcers to apply the death penalty for corruptors. That way, the state can focus on restoring the country's condition from the economic sector and public health.

IV. CONCLUSION

In the difficult situation in Indonesia during the Covid-19 pandemic, many politicians took advantage of the situation by committing criminal acts of corruption. This is something that needs to be considered and resolved immediately, considering that in the conditions of the Covid-19 pandemic, humanitarian and health problems and education sustainability must be prioritized by obtaining vaccines as soon as possible, optimizing education via online, and a new economic system that supports the survival of the nation.

With the existence of the law to eradicate corruption, which includes penalties for corruptors in difficult times (and the Covid-19 pandemic is of course a very difficult period), it is appropriate that the death

penalty be considered carefully as a punishment for corruptors without looking at what was corrupted and at what amount. This can raise an alert for politicians and restore the dignity of Indonesia to become a country that is free from corruption.

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