

ETHICAL NORMS: THE BEST CONCEPT IN CORRUPTION PREVENTION TOWARDS A WELFARE STATE

**Ryan Muthiara Wasti¹, Fitra Arsil², Fatmawati³, Aidul
Fitriciada Azhari⁴ and Satrio Alif Febriyanto⁵**

^{1, 2, 3, 5}Constitutional Law Department,
Faculty of Law Universitas Indonesia,
Depok, Indonesia

⁴ Law Department,
Faculty of Law Universitas Muhammadiyah
Surakarta, Indonesia

(E-mail: muthiara.wasti@ui.ac.id)

Corruption is a global problem that affects both rich and poor countries. Its consequences range from hindering economic growth to undermining public trust in governments. In the case of Indonesia, corruption has led to significant losses for the state, resulting in reduced funding for public services and a decline in public confidence. A recent study examined the relationship between corruption, ethical standards, and public welfare in Indonesia using data from 2004 to 2021. The findings revealed that adherence to ethical norms among state officials is crucial in combating corruption. The study also stressed the importance of political ethics, emphasizing the need for power to be exercised in accordance with the law, democracy, and moral principles. Additionally, the data demonstrated a correlation between corruption levels and poverty rates, with a decrease in corruption perception followed by an increase in poverty, particularly in the year 2020, which was further exacerbated by the COVID-19 pandemic.

Key words: Ethics, Corruption, Government, Welfare

INTRODUCTION

Corruption is an interesting phenomenon and even a major issue that occurs in all countries in the world, not only in poor countries but also in rich countries (1). Graycar and Monaghan found that in poor countries, corruption has the effect of decreasing the welfare of its people and making people spend more to cover up corruption that occurs (2). While in rich countries, corruption has an impact on competition among politicians which leads to unfair political games. Economic growth is hampered by corruption, which correlates with a decline in people's welfare (3). Even the impact is also seen in the political interests of the government at the time of corruption (4). In fact, one of the goals of a country is to realize the welfare of the people, which is the responsibility of the state (5).

The relationship between corruption and people's welfare can be linked to forms of corruption such as corruption in the sense of harming state finances, bribery, gratuities and

others. All behaviors that cause state losses are reprehensible because they are contrary to the goals of the analysis of the welfare state (6). Damage to public trust in government is the initial impact of corruption, which leads to a reduction in public revenue and community services. This is because corruption causes a reduction in the state budget to build infrastructure facilities for public services. State losses caused by corruption in Indonesia have a significant impact on people's welfare and must be prevented. In addition to the impact on material losses, corruption also creates inefficiencies, increases crime, slows economic growth, worsens Indonesia's image or reputation in the national/international investment climate (7).

Therefore, ethical norms are one of the important keys in preventing corruption from occurring because corruption is related to the responsibility and integrity of an official. In fact, Kolstad asserts in his article that the root of the problem does not focus on the lack of punishment for corruption, but on the absence of the application of ethical values (6). Internalization of this norm in officials as well as proper enforcement is expected to have an impact on reducing corruption in Indonesia.

MAIN RESULTS

This paper discusses how the relationship between corruption, ethics and its impact on people's welfare is analyzed with data on the corruption perception index and data on the level of people's welfare as seen from the human development index in Indonesia from 2004 to 2021(8). The analysis is carried out using the theory of ethics and its enforcement and the theory of the welfare state. Data on state losses are also evidence of the influence of corruption on the seriousness of the state in managing public facilities and fulfilling the welfare of its people.

Jimly Asshiddiqie argues that religious norms, ethical norms, and legal norms become a system of rules that guide and control human behavior in a common life (9). Ethical and religious norms support the rule of law so that the law can be enforced after the enforcement of ethical and religious norms. Therefore, many countries make codes of ethics an important part of law enforcement. The Bushido Code in Japan, for example, is a self-concept owned by a Samurai that is applied to the individual of each government official (10). Among them are the values of honor and character and self-control that provide a foothold for the Japanese population to always be careful and responsible in the positions they hold. Indonesia can also apply the ethical values in Pancasila as the nation's ideology (7). The value of Belief in One God, for example, means not only that every citizen can embrace a religion, but the broader meaning is that every citizen should make religious values a guide to life in the life of the nation and state. Thus, the desire to commit prohibited acts, including corruption, can be avoided because from within themselves they have tried to prevent it by always remembering their God. Likewise, corruption can be prevented by upholding ethical norms in an institution.

Corruption within the realm of government will not be separated because of the political influence that requires policy makers to find ways to survive. Therefore, Suseno suggests the meaning of ethics in a political perspective that is different from individual ethics. Political ethics demands that power is exercised in accordance with applicable laws (legality), democratically legitimized (democratic legitimacy) and does not contradict basic moral principles (moral legitimacy). With these three legalities, constitutionally-acquired power is expected to be used in accordance with the applicable laws (11). Suseno based these three

legalities on the practice and understanding of politics, which is often considered contrary to human dignity. So, according to him, political ethics is important to maintain the moral values of officials so as to avoid political pragmatism alone (11).

In reality, the practice of ethics and political ethics is not going well. Officials in Indonesia find it difficult to implement ethical values, leaving them open to breaking the law, including corruption. Indonesia is one of the countries that signed the United Nations Convention Against Corruption (UNCAC) in 2006 (12). The practice of corruption can be seen from the number of cases that have been handled by the KPK since its establishment, which amounted to 1,351 cases (13). As a result, the state suffered financial losses as released by the Indonesian Corruption Watch (ICW) of 42,777 (14).

These state losses are related to other state duties, namely realizing people's welfare. Indonesia's Corruption Perception Index shows fluctuating numbers from year to year, but it still correlates with the rise and fall of the poverty rate. Here is a comparison chart of the two data.

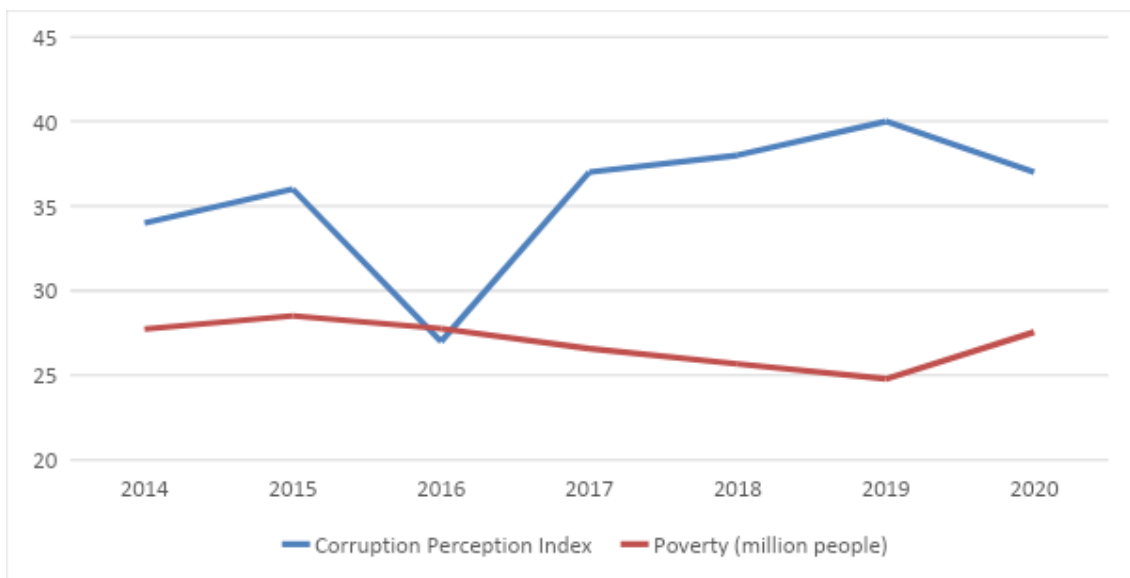


Figure 1. Corruption Perception Index and Poverty (15)

The data shows the relationship between the increase in corruption and the amount of poverty. A significant relationship occurred in 2019 where the CPI reached 40, which means that the amount of corruption is low and the poverty rate has decreased drastically to 25. Conversely, with a decrease in the CPI in 2020, which is 37, which means that the amount of corruption has increased, the poverty rate has also increased drastically to 28. Although in 2020 there are other factors such as a pandemic, corruption during a pandemic is more unethical because it is carried out when people are experiencing difficult times.

CONCLUSION

Corruption has become an important issue even after decades of Indonesia's independence. The state's goal of realizing the welfare of the people as stated in the preamble of the 1945 Constitution must be pursued in order to be achieved. Enforcement of corruption so far, which focuses on punishment, has not been able to reduce or even eliminate corruption in Indonesia. The establishment of the KPK in 2003 as a form of the state's seriousness in eradicating corruption may not be appropriate. KPK has only become a fire extinguisher

without being able to provide a deterrent effect, which can be seen from the increasing number of corruption. It is precisely ethics that must be re-established by state officials with the view that ethics must become a daily life that if violated gives a deterrent effect on each individual without having to be judged by others. Thus, corruption will become a scary issue for officials so that the state finances that are harmed can be channeled to achieve the welfare of the people in Indonesia.

REFERENCES

1. Rose J. The Meaning of Corruption: Testing the Coherence and Adequacy of Corruption Definitions. *Public Integr* [Internet]. 2018;20(3):220–33. Available from: <https://doi.org/10.1080/10999922.2017.1397999>
2. Graycar A, Monaghan O. Rich Country Corruption. *Int J Public Adm* [Internet]. 2015;38(8):586–95. Available from: <http://dx.doi.org/10.1080/01900692.2014.949757>
3. Knott JH, Miller GJ. Social welfare, corruption and credibility: Public management's role in economic development. *Public Manag Rev*. 2006;8(2):227–52.
4. Ferrer S. Responsibility attribution for corruption scandals. *Local Gov Stud* [Internet]. 2020;46(1):22–43. Available from: <https://doi.org/10.1080/03003930.2019.1583560>
5. Harisalo R, McInerney J. Welfare state: From dream to reality. *Int J Public Adm*. 2008;31(10–11):1303–26.
6. Kolstad I. Corruption as violation of distributed ethical obligations. *J Glob Ethics*. 2012;8(2–3):239–50.
7. Fernando ZJ, Pujiyono P, Susetyo H, Candra S, Putra PS. Preventing bribery in the private sector through legal reform based on Pancasila. *Cogent Soc Sci* [Internet]. 2022;8(1). Available from: <https://doi.org/10.1080/23311886.2022.2138906>
8. INDONESIA T. Corruption Perceptions Index 2022 [Internet]. Transparency International. 2023. Available from: <https://ti.or.id/corruption-perceptions-index-2022/>
9. Asshiddiqie J. Peradilan Etik dan Etika Konstitusi : Perspektif Baru tentang Rule of Law and Rule of Ethics & Constitutional Law and Constitutional Ethics [Internet]. Ed. Revisi. 2017. 15 p. Available from: <https://simpus.mkri.id/opac/detail-opac?id=9341>
10. Mayeda G. Time for Ethics: Temporality and the Ethical Ideal in Emmanuel Levinas and Kuki Shūzō. *Comp Cont Philos*. 2012 Jul 31;4(1):105–24.
11. Magnis-Suseno F. ETIKA POLITIK. Prinsip Moral Dasar Kenegaraan Modern [Internet]. PT Gramedia Pustaka Utama, Jakarta; 1987. 39–41 p. Available from: <http://repo.driyarkara.ac.id/id/eprint/26>
12. Corruption and Economic Crime Branch [Internet]. United Nations. Available from: <https://www.unodc.org/unodc/en/corruption/ratification-status.html>
13. Putri AMH. Ada 1.300 Lebih Kasus Korupsi, Daerah Mana Paling Korup? [Internet]. CNBC Indonesia. 2023. Available from: <https://www.cnbcindonesia.com/research/20230406084830-128-427768/ada-1300-lebih-kasus-korupsi-daerah-mana-paling-korup>
14. Data ICW 2022: Kerugian Negara Akibat Korupsi Capai Rp42,727 T [Internet]. Metro TV. 2023. Available from: <https://www.metrotvnews.com/play/NP6CZ1EX-data-icw-2022-kerugian-negara-akibat-korupsi-capai-rp42-727-t>
15. Indeks Persepsi Korupsi Indonesia [Internet]. Available from: <https://lokadata.beritagar.id/chart/preview/indeks-persepsi-korupsi-indonesia-2004-2020-1611921280>.