

Guarantying Ministerial Integrity of The New Indonesian Government

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Abstract

The new Indonesian government provides new hope for a better Indonesia and even achieving a Golden Indonesia in 2045. To realize this hope it is necessary to ensure that the main players in the cabinet, the ministers are truly in line with the value of integrity because integrity is one of the main foundations in the new government. In line with this argument, Dwight D. Eisenhower also positioned integrity as the supreme quality of leadership.

However, until recently, and who knows how long, Indonesia will still be plagued by integrity violations, especially ministerial corruption. For example, recently the Minister of Agriculture, SYL, has become part of the latest corruption phenomenon. Not only recently, even ministerial corruption has occurred in almost every government regime. This tendency might prove that ministerial corruption might also threaten the new government.

This real threat certainly needs to be resolved. To do so, creating an integrity system for ministerial positions is urgent. Therefore, integrity-based recruitment of Ministers and a ministerial code of ethics may be important ways to guarantee the integrity of ministerial positions in the new government.

Keywords:

ministerial corruption; integrity system; new government

Introduction

Gold Indonesia 2045 is one of the big dreams of Indonesia's progress in the future. Indonesia is predicted to become a high-income country in 2036 and a country with the fifth largest GDP in the world and with a middle class that will reach 70 percent of Indonesia's population.¹

On the way to achieving these great hopes, there is currently a transition of government resulting from the 2024 presidential election from previous President Joko Widodo to President Prabowo Subiyanto. Of course, there were many great achievements during the previous president's term. In the last 10 years, significant progress has been seen, especially in community welfare and the quality of infrastructure. In terms of welfare, the poverty rate fell significantly from 11.25% in 2014 to 9.36% in 2023. Likewise, extreme poverty fell significantly to below the pre-pandemic level, from 6.18 in 2014 to 1, 12% in 2023. The unemployment rate also fell significantly from 5.7% (February 2014) to 4.82% (February 2024). In terms of infrastructure,

¹ Ringkasan Eksekutif Indonesia Emas 2045. https://perpustakaan.bappenas.go.id/e-library/file_upload/koleksi/migrasi-data-publikasi/file/Policy_Paper/Ringkasan%20Eksekutif%20Visi%20Indonesia%202045_Final.pdf

there has also been an increase, including toll roads increasing by 1.938 Km and the length of national non-toll roads increasing by 4.547 Km.

But there are also quite a few big challenges facing the new President, Prabowo Subiyanto. Among these big challenges is how to maintain and improve government integrity. Various data shows that government integrity is still vulnerable. Among these vulnerabilities is also the position of Minister. The position of Minister is a strategic position that determines the progress or failure of government. In this position he has great determination towards sectoral policies and services. In this position he also has access to great determination in utilizing the Ministry's considerable resources. However, the fact is that from regime to regime there are always Ministers who violate their integrity, especially corruption. Not a few public resources are corrupted, of course there are also quite a few public losses. The new government will certainly not be tainted by integrity violations, but it also needs to remain alert to the threat of such integrity violations. Therefore, this paper will answer the important question, "How to guarantee the integrity of ministers in the New Government?"

To answer this question, in this paper, the author will first map the level of vulnerability to corruption in Indonesia. Then we will examine the factors that cause corruption in ministerial positions. After that, based on the root causes of corruption we will discuss possible strategies for guaranteeing the integrity of the Ministers of the new government.

Level of Vulnerability to Corruption

Integrity is in essence the foundation of government. Without integrity, government will be difficult to uphold and even disgraceful. As Dales emphasizes the importance of public integrity:

"..A government cannot both be a state under the rule of law and not have integrity. The government either has integrity or it does not. A government without integrity cannot enforce the rule of law. A little bit of integrity is not possible. And the administration stands or falls with the integrity of the government: harm to the integrity of the government means no less than that the government loses the confidence of the public. And democracy cannot do without that public confidence. Then there is no longer any democracy. That is deplorable picture."²

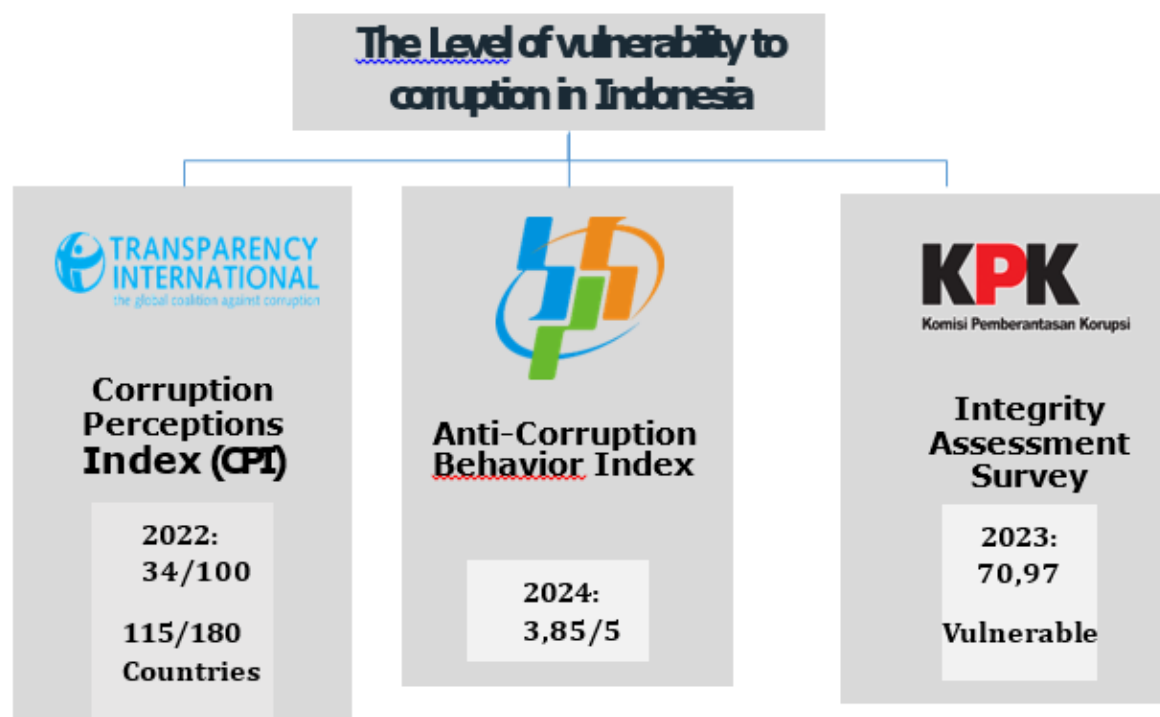
Several other sources also reinforce the importance of public integrity. OECD Public Integrity Handbook (2020) says that "Integrity is one of the pillars of political, economic and

² On the integriteit van het openbaar bestuur (About the integrity of Public Administration. Address by the Minister of Interior, C.I.Dales, at the congress of the Association of Netherlands Municipalities, in Apeldoorn in June 1992

social structures, and is a cornerstone of good governance." Another moral message was conveyed by one of the leading integrity leaders in Europe and the world, Leo Huberts (2014) in his book entitled *The Integrity of Governance: What It Is, What We Know, What Is Done, and Where to Go*, who said that " "Integrity is the thing to have, for politicians and public servants, for managers and employees in the business sector, for all of us in our personal lives."³

However, in the Indonesian context, it seems that there is still a high level of vulnerability to integrity violations, especially corruption. This vulnerability can be seen from at least three indicators, namely the Corruption Perceptions Index, Anti-Corruption Behavior Index, and Integrity Assessment Survey.

Based on the Corruption Perceptions Index, Indonesia's score in 2023 tends to be stagnant, the same as in 2022 at a score of 34. This stagnation could indicate that there has been no progress in handling the problem of corruption. This condition can also be an alarm for the new government to be more alert to the problem of corruption. In fact, looking at the Anti-Corruption Behavior Index, there has been a decline from 3.92 in 2023 to 3.85 on a scale of 0-5 in 2024. Also, the Integrity Assessment Survey further emphasizes Indonesia's level of vulnerability to corruption.



³Huberts, Leo. (2014). *The Integrity of Governance: What It Is, What We Know, What Is Done, and Where to Go*, New York: Palgrave Macmillan. Page 1.

The trend in vulnerability to corruption shows that corruption in Indonesia can occur in any institution, even in law enforcement agencies. Likewise, ministerial positions can be vulnerable to corruption, which can be detrimental to society because of their strategic position as sectoral authority holders.

At the elite ministerial level, recently former Minister of Agriculture Syahrul Yasin Limpo has become part of the latest corruption phenomenon. Cases of integrity violations in the form of corruption in ministerial positions actually occur in almost every government regime. From the KPK report, from regime to regime, at least from 2004 to 2023 there were 39 cases of corruption of heads of institutions/ministries. This trend shows evidence that every government will always be under the shadow of the threat of corruption in ministerial positions.

Some ministerial integrity Violation Causes

The real threat of vulnerability to corruption, especially in Ministerial positions, certainly needs to be anticipated by the new government. However, to see the possibility of an anticipatory strategy, it is necessary to first detect the factors causing why several Ministers, whose achievements were previously highly appreciated, were involved in corruption?

There are at least 3 things that could be the causes. First, in the figure of the Minister, from the start before he was appointed Minister, there was already the potential for corruption. This potential for corruption can be caused, among other things, by a life orientation that tends to be more self-interested. This is in accordance with the definition of corruption itself, which means that for parties whose level of self-interest is high, it can be a public action, even if it is included in their position, they will always look at what personal benefits they will get from the position they hold. Several definitions are relevant to this trend. The World Bank defines corruption as the abuse of public power for private benefit. In the same vein, Colin Nye defines corruption as "behavior which deviates from the formal duties of a public role because of private regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence"⁴. Another scholar, Mushtaq Khan defines it as "behavior that deviates from the formal rules of conduct governing the actions of someone in a position of public authority because of private-regarding motives such as wealth, power, or status"⁵

⁴ Nye, Joseph S., 1967, "Corruption and Political Development: A Cost-Benefit Analysis," in *American Political Science Review* 61: 417-427

⁵ Khan, Mushtaq H.: "A Typology of Corrupt Transactions in Developing Countries" in *IDS Bulletin*, vol.27, no.2, April 1996.

Apart from that, it is not surprising that self-serving orientation is also reflected in hedonic behavior, excessiveness and indifference to other parties, which can even carry out actions that are detrimental to others for one's own benefit. For example, we cannot imagine how despicable the actions of one of the ministers convicted of corruption who corrupted aid funds for handling Covid in the past were. In this way, the public's conscience can be guaranteed to be in deficit.

Second, when he became the Minister he was co-opted with a lust for power which made it possible for any interest to be obtained with his authority. Here the power tends to corrupt applies. In this position, the person concerned orders anything to his subordinates with the alibi of loyalty.

Third, there is no system to guarantee the integrity of the Minister's position. So far, what is often used as a benchmark is professional ability and the closeness of political coalitions. This tendency may be based on the assumption that when someone is professional and active in politics there may be no problems with integrity. But the fact is that it often becomes a problem.

The Strategy for guarantying Integrity

To overcome the root of the problem, a more systemic preventive approach is needed. First, integrity-based ministerial recruitment. This approach can be carried out, among other things, by collaborating with the Corruption Eradication Commission (KPK) and the Financial Transaction Reports and Analysis Center (PPATK). These two institutions can assist the President in checking the track record and fairness of the transactions and assets of Ministerial candidates so that their integrity can truly be guaranteed. This approach was carried out by President Joko Widodo in 2014 during the Working Cabinet era and received appreciation from various parties. However, in his second term of office he did not apply this approach. Therefore, to revive the spirit of integrity, this approach needs to be carried out again by President-elect Prabowo.

However, integrity-based recruitment alone is not enough. The power that a Minister receives can make the person concerned tempted to commit corruption. During the Working Cabinet period, it was proven that there were two Ministers who committed criminal acts of corruption, namely the Minister of Social Affairs, Idrus Marham and the Minister of Youth and Sports, Imam Nahrawi. Therefore, a second approach is needed, namely the implementation of a code of ethics.

Why is this code of ethics important to guarantee the integrity of ministers? Some of the reasons include that ethical behavior standards are a basic element in government, are one of the prerequisites for creating good public policy, and are even more important than other aspects of policy because all policies are based on these ethical standards:

“Ethics may be only instrumental, it may only be a means to an end, but it is a necessary means to an end. Government ethics provides the preconditions for the making of good public policy. In this sense, it is more important than any single policy, because all policies depend on it.”⁶

“When ethics are in disorder, when citizens reasonably believe they are, one should not be surprised that disputes about ethics drive out discussions about policies. Ethics makes democracy safe for debate on the substance of public policy. That is why it is so important. That is the sense in which it is more important than any other single issue.”⁷

Next, how can the government implement an ethical approach to integrity? In its implementation, the government can manifest integrity in the form of a code of ethics instrument as a guideline for behavior in the organization.⁸ The code of ethics must be a reference for the work behavior of ministers in government as a form of embodiment of integrity or in Huberts' definition in accordance with relevant values⁹. In other words, a code of ethics or other variations, namely a code of conduct, can be said to be a standard of integrity in government where the work behavior of ministers must comply with this standard.

Kode etik, dalam konteks integritas pemerintahan, secara internasional sering dijadikan sebagai salah satu instrumen penting pencegahan korupsi. Hal ini sebagaimana terefleksikan dalam U.N. Convention Against Corruption tahun 2003 sebagai berikut:

Corruption can be prosecuted after the fact, but, first and foremost, it requires prevention. An entire chapter of the Convention is dedicated to prevention, with measures directed at both the public and private sectors. These include model preventive policies, such as the establishment of anti-corruption bodies, and enhanced transparency in the financing of election campaigns and political parties. States must endeavour to ensure that their public services are subject to safeguards that promote efficiency, transparency, and recruitment based on merit.

Once recruited, **public servants should be subject to codes of conduct** [emphasis added], requirements for financial and other disclosures, and appropriate disciplinary measures. Transparency and accountability in matters of public finance must also be promoted, and specific requirements are established for the prevention

⁶ Thompson, Dennis F., "Paradoxes of Government Ethics." *Public Administration Review*, Vol. 52. No. 3. May/June 1992, p. 255.

⁷ Thompson, Dennis F., "Paradoxes of Government Ethics." *Public Administration Review*, Vol. 52. No. 3. May/June 1992, p. 256.

⁸ Gilman, Stuart C. "Ethics Codes and Codes of Conduct as Tools for Promoting an Ethical and Professional Public Service: Comparative Successes and Lessons." Paper prepared for the PREM, The World Bank, Washington, DC, Winter 2005. Page 6.

⁹ Huberts, Leo. (2014). *The Integrity of Governance: What It Is, What We Know, What Is Done, and Where to Go*, New York: Palgrave Macmillan. .

of corruption, in the particularly critical areas of the public sector, such as the judiciary and public procurement. Those, who use public services, must expect a high standard of conduct from their public servants.¹⁰

As a reference for work behavior, the code of ethics is a framework that contains the articulation of permitted behavioral boundaries and expectations for certain work behavior.¹¹ Through this code of ethics, it will be clearer what work behavior is prohibited in the organization (for example Corruption, Collusion and Nepotism/KKN) and what behavior should be carried out (for example being impartial towards all citizens).

It could be that in the context of individual integrity there may be an opinion that states that integrity is largely determined by each individual in government. If the individuals in the organization truly have high integrity, then there is no need for integrity guidance through a code of ethics. This opinion can be correct if the government contains human resources who have complete individual integrity. But the question is, are there many people in government who have this perfection? To answer this question, James Madison's statement may be relevant: "If men were angels, no government would be necessary. If angels were to govern men neither external nor internal controls on government would be necessary."¹² Therefore, realistically, because government is filled with human resources who are not free from various tests, temptations and dilemmas in their public duties, a code of ethics is needed as a standard of behavior to ensure that integrity can be more guaranteed.

The code of ethics as a standard of integrity is formulated in the form of not only a narrative text, but also contains the principles and values of government in fulfilling the public interest. As public ethics expert from the Office of Government Ethics-USA, Gilman emphasizes, "Effective ethics codes are not merely a text. Rather, they exemplify the fundamental principles and values of a public service."¹³ So the code of ethics must essentially contain the principles and values of government.

To be able to see the concrete construction of the application of a code of ethics in government, we can look at one of the best practices, namely the application of ethical standards in England which are widely known as the Seven Principles of Public Life¹⁴ and are often also

¹⁰ <http://www.un.org/News/Press/docs/2003/soccp270.doc.htm>.

¹¹ Gilman, Stuart C. "Ethics Codes and Codes of Conduct as Tools for Promotong an Ethical and Professional Public Service: Comparative Suceesses and Lessons." Paper prepared for the PREM, The World Bank, Wasington, DC, Winter 2005. Page 5-6.

¹² James Madison, Federalist #51 in Hamilton, Madison and Jay, The Federalist Papers, various editions.

¹³ Gilman, Stuart C. "Ethics Codes and Codes of Conduct as Tools for Promotong an Ethical and Professional Public Service: Comparative Suceesses and Lessons." Paper prepared for the PREM, The World Bank, Wasington, DC, Winter 2005. Page 10.

¹⁴ www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2

called The Nolan Principles. The seven principles consist of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. These principles were developed by the Committee on Standards in Public Life (CSPL) in England which was formed in 1994 during the leadership of British Prime Minister John Major. The main tasks of the committee are:

“To examine current concerns about standards of conduct of all office holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life.”¹⁵

The code of ethics as stated in The Principles is used as a standard instrument of integrity for public officials (public office holders), including civil servants in the UK, whose implementation is overseen by the Committee (CSPL). As a result, despite its shortcomings, the Nolan Principles have become one of the instruments of public integrity in the UK which has contributed directly or indirectly to the relatively strong public integrity in that country.¹⁶ Therefore, it is not surprising that The Nolan Principles are often used as a source of learning for other countries.

In other words, this code of ethics is needed to monitor the behavior of Ministers so that they always maintain integrity. This approach has been applied, among others, in one of the developed countries that adheres to the common law system, namely England. The Minister's code of ethics, which in England is termed the Ministerial Code, is a standard of behavior and duties for Ministers.

This code of ethics reflects not only high commitment but real actions to ensure the Minister's integrity. As in the Ministerial Code (2022), Prime Minister Rishi Sunak underlined that along with carrying out cabinet duties day and night they also uphold the Principles of Public Life to ensure integrity, professionalism and accountability. The implementation of this code of ethics continues to be evaluated and updated from time to time so that from one government regime to another, its integrity continues to be monitored. The good practice of the Minister's code of ethics further strengthens the urgency of implementing it in Indonesia, especially to ensure the integrity of the new government ministers.

Closing

¹⁵ <https://commonslibrary.parliament.uk/research-briefings/sn04888>

¹⁶ Dalam ranking tingkat dunia *Index of Public Integrity* yang dipublikasikan oleh *European Research Centre for Anti-Corruption and State-Building* pada tahun 2019 Inggris termasuk negara dengan ranking 10 besar integritas publik. <https://integrity-index.org/>

To sum up, of course the new government gives birth to new hopes. To maintain this hope, it is necessary to ensure that the main players in the cabinet are truly in line with the value of integrity because integrity is one of the main foundations of the new government. In line with that, Dwight D. Eisenhower positioned integrity as the supremacy of quality in leadership. Therefore, integrity-based ministerial recruitment and implementation of a ministerial code of ethics can be an important way to guarantee the integrity of ministerial positions in the new Indonesian government.

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