

Indonesia: Of Corruption and the Feasibility of Death Penalty as a Deterrent

Death penalty does not guarantee that graft cases will vanish

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*The Corruption Eradication Commission (KPK) recently arrested two of **President Joko Widodo** (Jokowi)'s Cabinet ministers.*

*Maritime and Fisheries Minister **Edhy Prabowo** and Social Affairs Minister **Juliari Batubara** were charged with bribery.*

The former was accused of being involved in graft tied to the lobster larvae export, while the latter had allegedly received bribes related to social aid distribution.

Both are still holding their ministerial roles.

Previously, two of Jokowi's former ministers — then-Social Affairs Minister **Idrus Marham** and Youth and Sports Minister **Imam Nahrowi** — were also implicated in alleged graft cases.

The arrest of Edhy and Juliari made headlines amid criticism and high expectations for the KPK, as many Indonesians have cast doubts that the new KPK law will curtail the anti-graft agency's power.

Why did the arrest of both ministers gain nationwide attention?

Tama Satya Langkun, an anti-corruption activist at the Indonesian Corruption Watch (ICW), told TOC that the aforementioned raids made headlines due to several factors: The decline in the numbers of cases the KPK is handling, the scale of the bribery cases, and the actors and the subsequent impact of the graft cases themselves.

"The numbers of cases the KPK is handling have dropped since three years ago. So far, only seven raids (OTT) have been conducted this year," Tama stated.

Several days ago, KPK spokesperson Ali Fikri told TOC that people cannot judge the KPK performance based only on raids, as the institution continues to carry out prevention and monitoring tasks.

Tama highlighted that the change in the status of KPK employees can affect how they

handle corruption cases involving government ministries due to seniority culture.

However, many Indonesians appear to appreciate what the KPK has done, despite doubts that the new law can weaken the anti-graft body.

Big fish cases

Tama described that the cases implicating Edhy and Juliari are 'big fish' ones, as they involve high-ranked officials, the massive possible loss incurred by the state government, and the impact on people's lives, in addition to COVID-19-related problems that have severely hit many business sectors.

"Take the lobster seed export, for example. The policy affects fishermen who farm lobsters. They cannot get good quality larvae if they are exported," Tama explained.

Netizens expressed their anger on social media platforms over the alleged social aid graft cases during the pandemic, particularly given that the pandemic has forced companies and business sectors to furlough or dismiss their workers.

Juliari allegedly took Rp 8.2 billion in bribes for the first wave of social aid distribution. For the second wave, the politician reportedly received around Rp 8.8 billion, [Kompas reported](#).

Death sentence not the solution; consistency is key

People have subsequently called for harsher punishments for corruptors, including the implementation of the death sentence as stipulated in Chapter 2 Article 2 in Law No.20/2001.

Those found guilty of corruption may be subject to harsher punishments if their actions are found to affect the availability of funds for disaster and economic crisis mitigation.

However, Tama disagrees with advocating the death penalty against those found guilty of corruption, as there is "no evidence" that implementing such a sentence could deter people from being involved in corruption.

"China imposes the death sentence on corrupt officials, but its corruption index dropped to 87 in 2019.

"Developed nations such as Denmark and other Scandinavian countries do not mete out the death penalty, but they are not corrupt," Tama said, adding that the most important move in combating corruption is consistency in upholding the law.

Tama cited the implementation of money laundering laws, which cannot be separated from corruption cases. The recovery of state assets amassed in corruption crime is as important as the arrest of those charged with that crime.

"Money laundering is about how to follow the money (trail). We cannot simply feel happy after the KPK or police arrests (certain) people. What about the assets?" Tama stated, wrapping up the interview by saying that stronger law-

enforcing institutions, consistency in upholding regulations, and public participation can help to minimise corruption.

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