



THE ACT OF JIHAD ON HIGHER EDUCATION INSTITUTION AGAINST CORRUPTION

Abdul Wahid

Universitas Islam Malang, Indonesia

visibos@gmail.com

Siti Marwiyah

Lecturers of Graduate Program at Universitas
Dr. Soetomo Surabaya, Indonesia,

sitimarwiyah165s@gmail.com

Sunardi

Universitas Islam Malang, Indonesia

sunardi@unisma.ac.id

Abstract

There is a paradoxical condition which afflicts higher education institution. On the one hand, higher education institution has proven itself as an educational institution which generates several knowledgeable and great people for the interest of Indonesian society and global community. However, another side of university is considered being affected by serious problems in relation with corruption in the state. Lots of notorious corruptors have already corrupted trillions of rupiahs from the state's assets whereas these corruptors are higher education institution graduates. Moreover, there are many higher education institution elites who deal with law enforcement officials because they are alleged of doing corruption. A number of educational subjects in higher education institution were arrested by the Corruption Eradication Commission (KPK) because of their findings which indicate the misuse of government funds. Not only has it been regarded to physical construction of the higher education institution, but also the procurement of goods and services. Due to this condition, time has come for universities to promote educational *jihad* for the sake of corruption eradication in higher education institution.

Keywords: universities, corruption, educational jihad, eradication

A. Introduction

In the end of 2015, Zainal Arifin Mochtar wrote futuristically that 2016 will be a year not only saving the path or corruption eradication but also becoming a farewell year to corruption eradication.

That statement indicates that problems of corruption in this country are considered acute and will be in continuance. The action of corruptors has defaced Indonesian image indeed. The grip of corruptors is so strong in almost all strategic sectors of society and state life which results in every party worthy of accountability.

The grasping power of corruptors is what makes some elements of power, which should have primary responsibility in the conduct of resistance, suffered "stuttering" or "half-hearted" in showing the attitude of militancy.

That grasping power of corruptors also indicates strong network or syndicate organization being constructed. The power of corruptors cannot be separated from the qualifications of corrupt figures who are generally and highly educated or from the community of "human with degrees". They hunt for wealth (money) as much as possible to enrich themselves or to improve their social and economic status. They are not concerned with the criticism of Aristotle, the famous philosopher stating, "the higher the human appreciation to wealth, the less the human appreciation to decency, truth, honesty, and justice" (Bambang Satriya, 2012).

Aristotle's criticisms actually invite us with the phrase, "do not ordain wealth (money) too high. If humans fall into the practice of ordination, those who will be the winner is lies, hypocrisy, and crime.

The fact which is not hard to read now is that "college people" or higher education worlds are involved and there are some of them trapped in ordaining money or "noble" social status (elitist). Therefore, they fall into disgraceful acts (violating the juridical norm). Aristotle's moral message in the above statement, which is usually the object of study, is slowly reduced or even degraded, so as to fill the literacy.

In some cases of higher education world, instead of being stigmatized as an institution producing human whose likeness somehow produces various aberrations namely corruption, there happens to be some of them whose institutional elements purposefully plunge into corruption. There are already several "college people" taking part in corruption both being involved in off-college budgets and state finances whose management is mandated to the college itself.

Higher education world is dragged in the influence of competition or hunting in fighting over and strengthening the status of "enriching yourself" as high as possible. They are dragged into the wrong use of rights, aimed at achieving the greatest satisfaction or the greatest happiness in perceiving and accumulating money. It is this attitude which is criticized by Jeremy Bentham who embraces the utilitarianism of individuality, which essentially states that man will act to gain the greatest happiness and reduce his suffering. Happiness is defined as freedom to actualize themselves in the defense of their own fundamental rights.

Freedom and individualism are what makes college attacked by a variety of religiously denounced behaviors, ethics, and laws. Freedom allowed to walk liberally and interests of individualism placed in its "highest sovereignty," has proven to be a mental illness of some higher education institution people, which has led to corruption. Higher education institution students have become part of the causes and spreading of the nation's virus, which resulted in the blurred and "horrible" face of this nation.

B. Discussion

Higher Education and Corruption Anatomy

Higher education institution's glory in this world has a noble mission in relation to the idealism of education in an extraordinary level. When someone (a high education institution student) enters college, he/she should have become well-educated, behave better, more skilled, smarter, and more qualified than when he/she was in junior or senior high school.

Article 5 from Constitution of Republic of Indonesia Number 12 Year 2012 on Higher Education Institution mentions its purpose namely the growing potential of students to become human beings who believe and fear Allah Almighty and have noble character, healthy, knowledgeable, capable, creative, independent, skilled, competent, and cultured for the benefit of the nation.

Of the many goals of higher education institution or college (PT), at least the aspect of idealism develops "the potential of students to be a human being who believes and is cautious to God Almighty and behave nobly". If successfully realized, the country could certainly have special resources which can be used to establish a nation and not the kind of human resources which destruct or even destroy it.

When idealism (*das sollen*) is related to the present reality (*das sein*) which is paradoxical and logical if the public is questioning, is it true that this juridical, moral, religious, cultural and educational PT carries on constructing godly and ethical human (students)? Is it really implemented and developed?

Several crimes have now changed. Today's crime is no longer simple and does not stand all by itself. Crime now tends to be in the form of multiple crimes committed at once in the same time and place (Baharuddin Lopa, 2002). The changes and dynamics of these crimes include those occurring in internal PT as well as those developed by intelligent human beings and human beings with titles outside the PT, which is the PT's "next of kin."

The ability of higher education institution to produce intelligent people is undoubted. There are too many smart people who are products of PT. Through a well-built and updated system, PT continues to play a role to shape Indonesia's human resources. However, due to the spectacular development of crime in which among those are highly educated people, it becomes logical if the campus (PT) is held accountable.

The new form of crime was called white-collar crime. Hazel Croall, in his book entitled *White Collar Crime*, formulated that *white-collar crime is deficient as the abuse of a legitimate occupational role which is regulated by law*. Furthermore, it is said that *the term white collar crime with fraud, embezzlement and other offences associates with high status employees*.

The perpetrators of this "white-collar crime" have accelerated tremendously. The intelligence or intellectuality of the perpetrators can be read from the point of modus operandi, impact, and anyone who is dragged into the network of its criminal organization. Had it not been for the support of intelligence or intellectuality, it would not have been possible for corruption to be a culturing and structural crime. Such support among others occurred or sourced from PT. ICW Coordinator, Adnan Topan Husodo said, corruption which occurred in the campus environment is one form of white-collar crime. Even more surprising, corruptors in this country mostly originated from PT.

The term corruption in Black's Law Discipline is defined as: "... *an act done with an intent to give some advantages inconsistent with official duty and the rights of other. The act of an official or fiduciary person who unlawfully and wrongfully uses his station or character to procure some benefit for himself or for another person, contrary to duty and the rights of others.*" In juridical norms, the essence or scope of criminal acts of corruption includes the act of: (1) harming the State's finances by unlawful means or abuse of authority (Articles 2 and 3); (2) bribery (Articles 5, 6, 11, 12 a, b, c, d and 13); (3) embezzlement in office

(Article 8 and Article 10); (4) extortion (Article 12 letter e, f, g); (5) acts of manipulation (Article 7 and Article 12 letter h); (6) conflicts of interest in procurement (Article 12 letter i); and (7) gratification (Articles 12B and 12C).

Sociologist Syed Hussein Alatas confirms that corruption (conspiracy) and nepotism (kinship) in the process of determining public policy and decision are corruption. In this understanding, corruption is clearly a type of crime committed in an organized or congregation because in the pattern there is a *conspiracy* between one person or another or among several people with one or several others.

One's intellectual asset is used as an instrument to create moves to "loot" state's money. His intelligence is applied to create disobjectivity, to obscure information, to shut down transparency, to divert data which is the source of truth, and to calculate the maximum economic benefits which can be obtained.

Intelligent people who are products of PT have made Indonesia as a country which is familiar with corruption. There is no day without corruption. There are always elements of state strategic institutions which cooperate or collaborate criminally with parties who are committed to corruption.

The development of corruption in Indonesia is spectacular. At least starting from the magazine of *Der Spiegel* July 1995 edition and Fortune Magazine August 1995 edition which mentioned that the level of corruption crime in Indonesia got the worst rating in the world almost similar with corruption in the Republic of China (RRC). Next, it is followed by research conducted by Transparency International (TI) in 1998-2003 which put Indonesia in the top 10 (ten) most corrupt countries in the world. Similarly, research by the Political and Economic Risk Consultancy (PERC) in 1997 suggested that Indonesia occupied the position of the most corrupt country in Asia and in 2001, Indonesia fell to the second most corrupt country in Asia after Vietnam. Even according to Corruption Perception Index (CPI) in 2006 released by Transparency International Indonesia (TII) in November 2006, Indonesia is ranked seventh as the most corrupt country from 163 countries.

Indonesia was even more surprised when Param Cumaraswamy Data, the United Nations special rapporteur concluded that corruption in the Indonesian judiciary was one of the worst in the world that could only be equaled by the Mexican state. Even in the eyes of business people especially Asian investors, corruption in Indonesia, in this case is corruption in court, Indonesia got a score of 8.03 from a scale of 1 to 10, with a record that a score of 1 is the best and those which scores 10 is the worst. This score was right above the Philippines which earned 9.40 and this score was similar to Thailand which also got a

score of 8.03. This is confirmed by the opinion of Amir Syamsuddin that corruption has occurred in all areas of governance, whether in the executive, legislative, or judiciary, which is known as widely corrupted bureaucratic (Amir Syamsuddin, 2008). This is corruption committed by people who hold the institutional power of the state whether it is executive, legislative, or judiciary.

The general condition of the nation's elements which "diligently" corrupts is not only the elitist of kleptocracy community in Indonesia but also a number of other countries. These countries are also labeled corrupt country with severe or terrible stadium. This means that when examined more deeply and thoroughly, corruption was not actually a unique property of Indonesia alone. China, as one of the world's new economic powers along with Brazil and India and commonly referred to as BRICs, have made tremendous economic expansions throughout the world. China does not hesitate to bribe foreign officials, even China does not prevent its companies from bribing overseas (Michael Backman, 2008). This case opens our eyes that corruption has become a serious "disease" committed by nations on earth. In one sector, its performance may appear to be cleaner compared to corruption in other countries, but in other sectors, it could be worse or rotten.

Singapore is often stigmatized as a clean country. This is confirmed by the Corruption Perception Index (CPI) survey made by Transparency International (TI) which always places Singapore as a "clean" country. Now facts already illustrate another condition that Singapore is one of the countries in which the banks still apply total secrecy which fully protects the interests of their customers. They also have a tendency to be a country which "protects" money laundering. In other words, Singapore is becoming a center of the world for personal banking and hiding funds of people from other countries.

In Singapore, there are about 55.000 rich people because they have a minimum wealth of US\$ 1 million. Of that number, there are about 18.000 Indonesians becoming permanent residents who control approximately US\$ 87 billion. If only some of the funds were results of Indonesian corrupt officials, those permanent residents are protected by the Singapore government. Is our neighbor still worth mentioning as a clean state, while it participates in hiding (securing) funds originating from and resulting of crime?

Cases in some countries are comparable to our reality regarding high education which is often referred to as a clean educational institution associated with its status which can produce "great people." However, the fact is infected with the disease of corruption. The disease which affects high education is also very serious, not only in terms

of pattern but also its consequences. There is no doubt that the university world produces "great people" who can turn the wheels of history in a regime like the New Order to the Reform Era, but the campus could also become corrupted and produce "great people" in corruption.

The world community of PT can apologize by searching for comparison that other religious and social institutions in society are also corrupt. However, high education remains the most guilty or responsible because it becomes the main "producer" which generates highly educated human resources. This PT has output which is the most hegemonic in all strategic sectors of nation, society, and state. When a campus is infected with corruption, it is natural to invite national and international furor.

As a reflection, for example, based on the findings of Indonesian Corruption Watch (ICW), in the education sector, corruption cases in PT occupy the second position. With the number of 10 cases, losses of the state reached 2 trillion rupiahs during 2003 to 2013. In the discussion of "Apa Kabar UI" on Tuesday (16/9), ICW's representative Siti Juliantari Rahman said that it was only a case that was successfully revealed. The actual number may be more than that because ICW does not count the cases of unexpected corruption. The findings are quite surprising given that educational institutions aim at creating an honest generation and a generation with integrity. Meanwhile, based on the object of corruption, the procurement of facilities and infrastructure of high education ranks the third after the corruption case of School Operational Cost (BOS) which took place at primary and secondary education levels. When viewed from the position of corruption suspects cases, there are 34 officials or employees of high education. Various modes of corruption are often applied in high education and among them are embezzlement of funds, mark ups, budget cuts, as well as fictitious reports. The case of corruption on IT equipment procurement (information technology) in Universitas Indonesia is included in the procurement of equipment which is in accordance with the specifications. ICW also assesses the granting of authority to *PTN* to manage its finances will open opportunities for corruption. Therefore, role of students is required to be the supervisors in the process of financial management at the university.

As an additional reflection material on the exposure is a case that affects Airlangga University. Former Rector of Airlangga University, Prof. Fasich has been named as a suspect by the Corruption Eradication Commission (KPK) because of an alleged corruption in the construction of Unair Surabaya Hospital with DIPA funding during 2007-2010 and improvement of facilities and infrastructure of Unair Education Hospital with DIPA

funding in 2009. Fasich, as the Rector of Unair and Budget User (KPA) of Unair, allegedly committed an unlawful act and misused the authority to enrich himself or others or a corporation with allegations of violating Article 2 paragraph (1) and/or Article 3 of Constitution Number 31 of 1999 as amended by Constitution Number 20 Year 2001 on Corruption Eradication jo Article 55 paragraph (1) 1 jo, Article 65 paragraph (1) of the Criminal Code.

In macro terms, the impact of corruption, including those caused by corruption in high education, has also been reminded by Peter Eigen, Chairman of International Transparency who has pointed out that there are about US \$ 400 billion lost annually due to corruption, because *corruption in large-scale public projects is a daunting obstacle to sustainable development, and results in a major loss of public funds needed for education, healthcare and poverty alleviation, both in developed and developing countries*. Peter Eigen's illustration shows the magnitude of corruption impact. The sustainability of development can be ruined by corruption. Sustainability which fails means risking the life of nation. People may still feel the state, but with the condition of this failed state, people are like living stateless.

The impact can be also read from several International Transparency surveys which states, corruption not only causes poverty but furthermore, the process of impoverishment. The impact of corruption not only causes financial and/or state economic losses but is also thought to have increased an increasingly massive and absolute poverty. (Larry Diamond, 2005) mentions that corruption is one of the factors causing the unavailability of basic human needs. Like a disease, corruption will always exist among people, but this sad disease does not make people stop trying to reduce the disease. Nor should it necessarily paralyze the attempts to exterminate. Artijo Alkostar also discussed it from the historical side that since the time of Dutch East Indies, the ethos of law enforcement against corruption in Indonesia has never had fundamental change until now. Even though corruption laws have improved, the ethos of law enforcement has not changed. The culture of law enforcement in Indonesian state is still feudalistic, discriminatory, and framed by the principle of opportunity.

Artijo Alkostar's statement strictly confirmed the actual corruption conditions which gripped this nation. Corruption still has not changed much towards the downward trend. As previously proven, KPK continuously "harvest" suspects of corruption, including highly educated suspects or some high education leaders. The success of KPK, even more corroborate that corruption has become more accelerative, especially in infecting PT.

Although it cannot be used to generalize that PT has been in corrupted hegemony, a number of "college people" doing corruption especially related to physical development projects on high education or procurement of goods and services, clearly indicate that they fall into corruption as one options to enrich themselves or to fulfill various needs.

Educational *Jihad*

Minister of Research and Technology on Higher Education (Menristekdikti) Mohamad Nasir a few months ago said that high education should be far from the word corruption. "Do not let corruption happen in universities, because (this institution) teaches good and appropriate moral to students," said Nasir during a working visit to State University of Gorontalo, on March 31, 2016. Menristekdikti also gave precaution that academic people in higher education institution must be transparent and have good management in all activities.

The statement submitted by the Minister of Research and Technology on Higher Education is an invitation to conduct educational *jihad* against corruption at PT. The word "do not" used by the Minister of Research and Technology is a word meaning "strict prohibition" of corruption. Menristekdikti asks very (strictly) so that all elements of the PT do not plunge themselves in corruption.

First, educational *jihad* to fight and defeat corruption begins with the continuous movement of actualization within high education on the essence of education, especially on anti-corruption education. At least, it must be started from board of foundation, rector and assistants, deans and representatives or assistants, lecturers, students to employees of high education. All of them are required to understand and to position that they are the bearer of education mandate.

As the bearer of education mandate, what must be implemented and developed is a variety of words, attitudes, and behaviors which are praiseworthy, not only in the form of speech, attitude, and behavior which "trigger" the occurrence of corruption. Educational values which contain the doctrine of spirituality and moral greatness must continue to be implemented and enforced. M. Fadlur Rahman strongly reminds that an educated man, in his hands is the world, while one who gives in to ignorance is surrendered in hegemony and emptiness. Empathy is only deserved to be carried by a society or nation which is "hostile" to the right of education (Abdul Manaf, 2008). The hassle is that a person or a group of educated people "grasps" the world to gratify their greed. Wealth (strategic resources of the nation) which is not their rights, in which their knowledge or self-knowledge already understands that it is not theirs, is still "looted" to kleptocracy.

In Article 1 Number 1 of Constitution Number 20 Year 2003 on National Education System, educational agents are reminded of the essence on education. It is that education is a conscious and planned effort to create learning atmosphere and learning process so that learners are actively developing their potential to have spiritual and religious power, self-control, personality, intelligence, noble character, and skills needed by the society, nation, and country.

The educational message in the Constitution on National Education System actually invites to implement or to educate educational *jihad*. This means that every educational agent is required to be serious or professional in forming or developing the subject of education in order to become a noble ethical figure who has spiritual strength and skill.

The emphasis in the constitution lies in the integration among ethics, religion, and science. Constructing the subject of education to be intelligent or knowledgeable is still far from adequate because there are ethics and religion which must be mastered as the knowledge and sources of behaviors.

Brubacher indirectly reminds about educational *jihad's* commitment. He said that education is an organized development. It includes the completeness of all human, moral, intellectual and physical potentials, by and for people's personality and usefulness of their society which is directed to collect all these activities for their final purpose (Muhammad Tholhah Hasan, 1987). Brubacher's opinion, some of the opinion is similar to one idealized by Indonesian Education System, states that education must develop moral, intellectual, and physical potential. The intellectual potentials developed will not bring satisfactory results because this intellectual potential can push its owner to be dragged into manipulation by turning the truth into disobjection.

If subject of education is formed or integrated with moral, spiritual, intellectual, and physical strength, the tendency of corruption can be evaluated. Both high education leaders and students, who both equally develop noble potentials namely moral and spiritual, the tendency to do acts contrary to the norm will be "prevented" by themselves.

Secondly, higher education institution must intensively promote democratic dialectics for all academicians. This atmosphere must be established and developed. This must be started from high education leaders both its foundation and rectorate, followed by the deans and students.

Every element of higher education institution must be brave enough to speak out loud when there are some phenomena which lead to corruption. The tendency of

corruption may be increasingly strong or absolute in higher education institution due to omission or lack of critical attitude from the academic community. Abandonment of anomalous condition is a free path in strengthening and accelerating corruption in higher education institution.

Baharuddin Lopa once reminded that influences to encourage a person to enter a religiously and ethically challenged environment are getting stronger and more comprehensive. It is said to be stronger because the influence to carry out more powerful and immoral attraction grows stronger too. It is also comprehensive since that influence is already operating in all environments at any level of life and it is no longer confined to a particular environment.

Third is the transparency of financial management. This transparency management includes educational *jihad* as it involves in budgeting to the use of funds from countries or students. Informing or reporting on the progress of this money use can be tough for those who want to make a profit, for example from a development project or procurement of goods and services. When it is informed, it means that there is a public or another party that knows and can continue to evaluate it.

In addition, the urgency of transparency on the financial management of higher education institution can make any parties involved to not dare enough playing with the finance. This is because he felt to be in a supervision and evaluation of other parties. The parties which feel supervised and evaluated will be acting cautiously in the financial management of higher education institution.

The transparency of PT financial management can also be a source of learning for all elements of the high education, especially for students. It means that anyone who receives a mandate in the field of budget management has an obligation to not hide any information and to not put the finances entrusted as "controlled" property used according to his interests irresponsibly.

Transparency is really to be implemented objectively, not transparency which has been "designed" in advance so that public reads it differently. J. E. Sahetapy said that transparency would not be meaningful if it was still corrupt, colluding, nepotism, primordialism, and sectarianism. That particular transparency is only false transparency acting like a clear glass coated with "rayban". The false transparency will be a terrible boomerang. Thus, Mahatma Gandhi warns "*there is enough for everybody's need, but not enough for everybody's greed*". Greed which speeds up the destruction and leads to crisis of trust (J.E. Sahetapy, 2012). Transparency objectivity can indeed be defeated by a greedy

mentality. But if the demand for objective and honest transparency and truth is increasingly harsh and is often carried out in relation with the financial management of higher education institution then it is not impossible that the door of corruption can be shut down.

Fourth is publishing any elements of higher education institution which are involved in corruption cases. This publication should be run in an egalitarian and open manner. This must be carried out to embarrass him/her. This step can be implemented since the person is a suspect until a verdict with permanent legal power is available.

If the element of higher education institution who commits corruption is publicized, anyone who is involved in it will feel embarrassed with the public. It can also stop or discourage any elements of higher education institution who intend to corrupt.

Discouraging subjects of higher education institution who intend to commit corruption is considered jihad. A person or group of people can be made aware early on whether what he will choose is misleading and destructive to themselves, society, nation, and especially *marwah* of higher education institution. Higher education institution will be prevented from the possibility of "high school of corruption" stigma when each subject is educated early on fortifying himself from the possibility of falling into corruption.

Fifth is promoting activities with corruption eradication theme as well as the establishment and strengthening of moral, religious, and legal culture. Such categorical activities are *amar makruf nahi munkar*, so that the more it is held, socialized, "campaigned", and practiced, the more educational *jihad* is carried out. It is because all subjects of high education are involved in the process of self-establishment as anti-corruptible *khalifah fil ardl*.

The subjects of higher education institution must remind each other of their obligations in eradicating individual, cultural, and structural "violation" through various activities which could potentially resuscitate its existence as a community of intelligent people who understand moral and religious knowledge. This knowledge must continually be applied and implemented in the construction of moral and religious action (activity).

If they continue to integrate educational *jihad* in *das sollen* and *das sein*, it is unlikely that they will be dragged into corruption, because there will be more religious light guiding and illuminating (educating) it.

The five educational *jihad* actions in high education will be able to provide extraordinary results when in *das sein*, all subjects of higher education institution perform

cooperative and militant attitudes and behaviors. These attitudes and behaviors become the key determinant of corruption eradication politics in higher education institution.

C. Conclusion

Perpetrators of corruption, by some experts, are identified and even positioned more violent than terrorists. Terrorists have specific targets and ideologies in carrying out their actions while corruptors' "ideologies" are primarily money. Thus, the target can be any region or sector as long as the region or sector is showing abundant money. The more money is available in a particular sector or area, the greater the chances of someone or a group of people being dragged into corruption.

One of sectors with abundant money is higher education institution. The abundance of money in higher education institution is logical because it became the center of student attendance which generally comes from the economic elitist. In addition to higher education institution both public and private college, they are often given trust to manage money from the state budget (*APBN*). Unfortunately, this trust is not always carried out as well as possible by some college. There are some pillars of college falling on the misguided path or the practices of state money misuse.

Corruption attacking higher education institution must be cured through educative moral *jihad*. If these institutions do not want to lose their credibility then all elements of higher education institutions are obliged to prevent themselves from corrupt behaviors and to make corruptors as their common enemy.

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