

STRENGTHENING THE ACCOUNTABILITY OF ATTORNEY OFFICE PERFORMANCE IN THE PREVENTION OF CORRUPTION IN INDONESIA

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ABSTRACT

Reformation of bureaucracy sets the focus on the changing of paradigm from allotted budget that tends to be conventionally made to the performance-based allocation. The under-achievement of the performance accountability of the Attorney Office in setting the service standards indicates an error in setting up the standard so that the attempt to achieve the good governance is yet to be accomplished. The consequence is the more corruption are committed by the statemen. This research concluded that the strengthening of performance accountability conducted by the attorney office by referring to Performance Report of the Attorney Office of Republic of Indonesia 2020 showed some targets was yet to be achieved. The strengthening concept of the performance accountability of the Attorney Office to prevent corruption in Indonesia can be done through: a) optimalization of internal monitoring to ensure the quality insurance of the performance conducted by the Supervisory Department focusing on the transparent and accountable management of state finance as the manifestation of the principle of performance ; b) Building the professionalism of the Attorney Office through internal and mental reformation to eradicate corruption including prevent the corruption around the Attorney Office; c) the establishment of external supervisory to monitor the Attorney Office as practiced in United States of America

Keywords: Accountability, Attorney Office, Corruption

INTRODUCTION

A. Background

Reformation of Indonesia that started since 1998 has not yet completed because the state has not yet transformed into a healthy country. Some problems or obstacles resulted in the improper governance that needs to be redone or reformed. It is shown in the result survey done by Political and Economical Risk Consultancy (PERC) ranking Indonesia in position number 2 for the worst in Asia following India in the scale 1 (one) to 10 (ten) in which 10 (ten) is the worst. India was scored 9.41 (nine-point fourty one) followed by Indonesia with the score of 8.59 (eight point fifty-nine), the Philippines with 8.37 (eight point thirty-seven), Vietnam 8.13 (eight point thirteen), and China with 7.93 (seven point ninety-three). The negative impression and trust issue occurs against the government is due to the bureaucracy does not respond to what people want. In fact, the regulations have been strictly promulgated that building people trust on public service by the service operator is an activity to be done along with the expectation and demand of all citizens and people about the improvement of public service.¹ Lingkaran Survei Indonesia (LSI) showing that the percentage of public dissatisfaction toward the law enforcement today is 56% (fifty six) and only 29.8% (twenty-nine point eight percent)

voted for satisfaction compared to the survey on previous administration and only 22.6% (twenty-two point six) declared that the law enforcement today is better than one done by previous administration.²

Reformation of bureaucracy demand it to be politically neutral, transparent, responsible, accountable, clean and dignified,³ however it seemed contradictive with the more corruption committed by the state men as shown in following figure.

Figure 1: Report on Gratification to the State men Period of 2015 - 2018.

No.	Officials	2015	2016	2017	2018
1	Legislative	25	20	15	35
2	Executive	658	1136	789	1476
3	Judicial	16	7	259	11
4	Independent organ	69	54	9	108
5	State-owned enterprise	805	731	772	717
6	Private Sector	-	-	1	2

(Source: Annual Report of Corruption Eradication Commission (KPK) 2015, 2016, 2017, and 2018)

Figure 1.1 shows that in 2016, there were several gratification cases in law enforcement institution or committed by officials in judicial rank which rapidly increased in 2017. Even though in 2018 the number of cases was decreased but it was not better than in 2016.

One of corruption case occurred in the Attorney Office was the case of Urip Tri Gunawan, who was an attorney at the Attorney General's Office involving in the bribery in the bail out case of Bank Dagang Nasional Indonesia (BDNI) by Bank Indonesia in 2008. Urip Tri Gunawan was deemed liable for receiving money from Artalyta Suryani for about USD 660,000 (Six hundreds sixty thousand dollars) for his protection over Sjamsul Nursalim as the owner of BDNI from the investigation by the Office.⁴

There are many books and writings either from Indonesia or other countries analyzing causes and modus operandii of corruption and also the social and political power supportive in the eradication. Even in every single administration succession, programs to improve the public service through a good governance and reformation programs of bureaucracy are always launched. However, it seems it cannot cure the "bureaucracy disease" ending up in corruption. The cause and the impact of corruption seems like knotless thread; from the low wage up until the low moral or integrity of the state men. In addition, the private actor who also play along becomes the alleged reason.⁵

Efforts that have been done to eradicate the corruption can be seen with the promulgation of laws concerning the eradication of corruption pre- or post-reformation of bureaucracy i.e., Law No. 3, 1971 concerning the Eradication of Corruption; Clean, Good, Corruption-Collution-Nepotism-Free Governance; Law No. 31, 1999 on the Eradication of Corruption amended with the Law No. 20, 2001 concerning the Amendment of Law No.31, 1999 on The Eradication of Corruption.

The replacement and amendment of those laws of corruption eradication showing the change or development in many aspects such as the concept, scope, approach and the objectives of the eradication reflecting the development of the course of legal politics in the eradication of the corruption.⁶

The change of the paradigm reflects that the eradication of corruption is no longer understood as a mere and limited to the legal aspect, but rather as more comprehensive including social and economic aspects. Based on this paradigm, the Consideration Letter a of Law No. 20/2001 stated that “corruption is the violation against the economic and social rights of the people”. The Consideration is in line with the Article 2 and Article 3 of Law No. 31/1999 stipulating the constitutive element determining whether the corruption is proven or not.⁷ In addition, the addresat of the corruption eradication in an extensive meaning includes the strategy of prevention besides the enforcement. This prevention strategy has been stipulated in the Law No. 28/1999 with the goal is to establish a clean, good, corruption-collution-nepotism free governance. The spearhead of the eradication of the corruption is on the Commission for Inspecting State Organizer’s Assets (KPKPN) which later was liquidated with the Law No. 30, 2002 concerning the Commission of Corruption Eradication which then established the Corruption Eradication Commission. The Corruption Eradication Commission continues the strategy of prevention set by the KPKPN and completes the strategy of enforcement.⁸

One of the goals of bureaucracy reformation is to provide a premium service to public including the law enforcement in a proper and sustainable method through the gradual reformation program which is expected to be able to restore the negative perception towards the law enforcement.

Law enforcement has gained no public trust since the management is not yet maximum therefore it requires the change on system to create a healthy institution that can serve people properly, in this case is the Attorney Office.

The Attorney Office always provides legal service through several ways in order to implement the bureaucracy reformation as the form of responsibility in the law enforcement. Stand on the spirit of reformation that has been launched since 22 July 2005, the Attorney Office has been improving their service quality as the manifestation of the reformation. On 12 July 2007, there were 6 (six) Regulations of Attorney General signed as the result of the Office’s reformation programs of recruitment, education, training, minimum professional standard of the attorney, career development, attorney’s code of conduct and the reformation of supervisory. Attorney office has been conducted reformation in bureaucracy, however, the demand to realize the good governance is still the obligation considering in recent years, the Office has been a public scrutiny for its low performance. The improvements done was by promulgating the Regulation of Attorney General No. PER-011/A/JA/06/2013 concerning Standard of Public Service of Attorney Office of Indonesia as one of the efforts to regain public trust.

The regulations are yet to make the accountability into realization in the Office, in fact the Ministerial Regulation of State Apparatus No. 25, 2020 concerning Road Map of Reformation of Bureaucracy 2020-2024 stating that accountability is one of the areas to be improved in

every state organ. Following data shows the scoring components of the accountability strengthening program which is the important point in the quality improvement of bureaucracy reformation in the Attorney Office.

Figure 2: Component Scoring of The Accountability Strengthening in the Quality Improvement of Bureaucracy Reformation of Attorney Office 2015 - 2018.

Component	Max Score	2015	2016	2017	2018
Strengthening of Accountability	6.00	1.85	3.12	3.13	4.42

(Source: Performance Report of the Attorney Office of Republic of Indonesia 2015, 2016, 2017 and 2018)

The under-achievement of performance accountability of the Attorney Office indicates error in setting the standard of service applied, therefore the effort to accomplish a good governance is not yet achieved leading to the big number of corruptions committed by the state man. On this ground, the author is to conduct a research with the title of: Strengthening The Accountability Of Attorney Office Performance In The Prevention Of Corruption In Indonesia.

B. Problems Identification

1. How is the implementation of the strengthening of performance accountability conducted by the Attorney Office?
2. How is the concept of the strengthening of performance accountability as the prevention of corruption in Indonesia?

C. Method of Research

This research is legal research with the juridical normative or doctrinal type of research to have arguments, theory, or new concept as the practitioner in answering the problems identified.

Method of approach used to answer the issues in this research is juridical normative using the statute and conceptual approach⁹ which is library materials related to the strengthening concept of performance accountability of the Attorney office. In addition, the research also used comparative approach to compare one legal system to another related with the strengthening concept of performance accountability of attorney office in other countries.

Research data are obtained with through document study and interview. Data obtained were analyzed juridical-qualitatively by qualifying and classifying problems systematically without using mathematic formulation and statistical numbers.

DISCUSSION

A. Implementation of the Strengthening of Performance Accountability by the Attorney Office

State governance as people's mandate should be run in a good governance. The good governance is based on the principle of legal supremacy, professionalism, accountability, transparency, and participation either in policy or public service.¹⁰

Organisation for Economic Co-operation and Development (OECD) and World Bank defined good governance as the application of a solid and responsible management of development that is in line with democracy and efficient market; prevention of mis-allocation of investment and corruption politically and administratively; application of budget orderliness and the making of legal and political framework

framework for the growth of entrepreneurial activities.¹¹ United Nations Development Programme (UNDP) defined good governance as synergic and constructive relation between private sector and society.

The implementation is adopted by International Monetary Fund that identifies that the emphasis on the good governance in all aspects including law enforcement, the increase in the efficiency and accountability of public sector, and corruption eradication, is essential element in economic development.¹² In the context of state governance, all measures to be taken should be accountable and in accordance with the religious norm and state ideology that is Pancasila.

According to United Nations Development Program (UNDP), there are some principles of good governance such as:¹³

1. Visionary;
2. Openess and transparency;
3. Participation;
4. Accountability;
5. Rule of law;
6. Democracy;
7. Profesionalism and competency;
8. Responsiveness;
9. Efficiency and effectiveness;
10. One of the Decentralization;
11. Private sector and civil society partnership;
12. Commitment to environmental protection;
13. Ccommitment to reduce inequality; and
14. Commitment to fair market.

major principles in realizing good governance is accountability.¹⁴ The word accountability is a terminology applied to measure whether or not public fund has been used properly and for what purpose the fund is used. Chander and Pianto (1982) set accountability as refer to the institution of checks and balances in an administrative system. Therefore, accountability is necessary or is expected to provide explanation of the action taken by bureaucracy.¹⁵

In bureaucracy, accountability means the obligation of the governmental apparatus to continuously act accountable for every action and policy taken. Tjokroaminoto shared the same view arguing that accountability is an obligation of every individual or official of the government in power to manage public resources related to be able to answer all fields of their responsibility. Public accountability in an extensive meaning involves public institutions and bureaucra.¹⁶

Sirajudin H. Salleh and Aslam Iqbal argued that accountability is attitude and character of life including internal and external side of man. Internal side is that accountability is the responsibility of an individual to his/her God. It is called spiritual accountability which even though it is difficult to measure, this accountability is so much effective to awaken individual's morality to do their duties with faith and god-fearing. External side is the accountability toward their work-environment, formally (superior-inferior) or the society. External accountability is easier to measure than the internal accountability considering the norm and standard develop is concrete and clear.¹⁷ The clear measure includes the measures of financial integrity, benefit or effectiveness of success of the activities both of output and outcome, responsibility of the procedure on the setting and implementation of a policy by considering the problems of morality, ethic, and legal assurance and compelling to political decision to support the end goals set.¹⁸ Then, John Hatton, as cited by Ruth Richmond, noted the urgency of accountability in eradicating the corruption:¹⁹

“He educated himself through contacts at top levels of the bureaucracy, the judiciary and in the government, and would later examine other disciplines and practices to become an expert advisor on specific issues such as mechanisms of government accountability and methods of fighting corruption.”

Based on definitions the concept of accountability means a good relevancy to improve public bureaucracy to realize public expectation. In order to realize it, it does not only depend on the ability of public bureaucracy in defining and managing the expectation. It is, therefore, in good governance, control over public bureaucracy is necessary to be accountable. In addition, accountability can be the facility to account the management and control of resources in a public policy entrusted in order to accomplish collective purposes through periodic accountable media.

Accountability can live and develop in a democratic and transparent atmosphere and environment with freedom to express. The significant accountability as the main element of a good governance is reflected in various categories of accountability. Schedler and Plano distinguished 5 types of accountabilities:²⁰

- a. Physical-accountability of public fund.
- b. Legal-accountability of law abiding.
- c. Program accountability of program execution.
- d. Process-accountability of procedure
- e. Outcome-accountability of result.

As the study material of the implementation of performance accountability of the Attorney Office, the author used data based on the Performance Report of the Attorney Office of Republic of Indonesia 2020. The report contains Strategic Plan of the Attorney Office of Republic of Indonesia 2020-2024 stating that the Performance Achievement of the Attorney Office was measured based on 6 (six) strategic targets:

1. Improving the professionalism of the Attorney Office's Staff;
2. Improving the accountability and integrity of the staff of the Office;
3. Prevention of corruption;
4. Increasing the success story of the corruption eradication;
5. Increasing asset and state loss recovery; and
6. Optimalization of the performance of the Attorney Office's apparatus.

The six strategies above is measured by 10 (ten) performance indicators:

NO	Strategic Target/Indicator	TARGET
1	Improving the professionalism of the Attorney Office's Staff	
	Percentage of the Attorney Office's apparatus whose certificates of competence and/or expertise	30
2	Improving the accountability and integrity of the staff of the Office	
	Percentage of Maturity Score of SPIP of the Attorney Office	80
	Percentage of SAKIP Score of Attorney Office	80
	Percentage of Decrease Number of People Complaints against attorneys of the Attorney Office	40
3	Prevention of Corruption	
	Percentage of Actions Supporting the Prevention of Corruption	70
4	Increasing the success story of the corruption eradication	
	Percentage of Case Handling of Final-and-Binding General Offense and is executed	90
	Percentage on Special Crime Case-Handling that is final-and-binding and executed	70
5	Increasing assets and state loss recovery	
	Percentage of the State loss saving and recovery through Criminal law measures	75
	Percentage of the Saving and State loss recovery through Civil law measures	75
6	Optimalization of the performance of the Attorney Office's apparatus	
	Percentage of Work Unit of the Attorney Office succeeded in applying information-technology -based facilities and infrastructure	60

In the executive summary of the Report, it is explained that the performance achievement of the Attorney Office in order to meet the target are:

1. Improving the professionalism of the Attorney Office's Staff;
2. Improving the accountability and integrity of the staff of the Office;
3. Prevention of corruption;
4. Increasing the success story of the corruption eradication;
5. Increasing asset and state loss recovery; and
6. Optimalization of the performance of the Attorney Office's apparatus.

Based on abovementioned, it can be concluded that **“the implementation of the performance accountability of the Attorney Office is not yet achieved as the expected target”**. Therefore, some efforts to strengthen the performance accountability taken by the Attorney Office as the strategic issues related to the implementation of the duties and functions of the Office:

1. Professionalism of the Attorney of Republic of Indonesia
2. Improving accountability and integrity of the Attorney Office’s apparatus
3. The role of attorney in the prevention of corruption
4. Completion of Criminal Case Handling
5. Asset Saving and Recovery Measures
6. Information Technology-Based Performance of the Attorney Office.

B. The Strengthening Concept of Performance Accountability as The Prevention Measures of Corruption in Indonesia

The strengthening concept of performance accountability of the Attorney Office as the prevention measures of corruption in Indonesia can be taken as:

1. Optimalization of Internal Affairs

The Attorney Office as law enforcement agent should be able to be the transparent, credible, and accountable organ. It makes the Office as the role model for other ministry/organs in realizing the good government and good governance principles. To make it happens, the Attorney Office should be committed to realize the accountability of the institution and the integrity of the apparatus of the Office by improving the internal surveillance through the Deputy Attorney General of Surveillance as the governmental internal affairs (APIP) at the Office.

The functional monitoring is to ensure the quality assurance conducted by Internal Affairs with focuses on:

- a. A transparent and accountable management of state finance as the manifestation of financial accountability principle;
- b. The implementation of duties and functions of governmental institution effectively, efficient, orderly and law-abiding as the manifestation of performance accountability principle;

With the application of the quality assurance, it is expected that there will be no breach in expending the state finance and the performance targeted in the planning document of the Strategic Plan so that Performance Agreement can be optimally achieved. In addition, it is expected that the Attorney Office can be more ready for the external surveillance by the Finance Supervisory Agency upon the financial report, compliance and internal control system, and performance report.

In internal monitoring, Surveillance Dept functions to provide quality assurance. It includes the program implementation of Bureaucracy Reform of the Indonesia Attorney Office as well as the implementation of micro program of the strengthening of surveillance system based on the Road Map of Bureaucracy Reformation of Indonesia Attorney Office 2020-2024 and the increase in compliance of the submission of Wealth Declaration of State Man (LHKPN). In addition, in providing quality assurance, the Office is demanded to adjust with the development especially in advanced digital era. Digitalization of the Attorney Office means that the whole area of office management starting from correspondence and case administration to the public service should be based on the information technology or electronic (digital).

The application of information technology and digital-based communication to improve transparency and the quality of public service effectively and efficient. The Surveillance Dept today runs Program of Excellence 2021, i.e., “Application Integration of E-tapping of Surveillance Dept” and the database of the Education Dept by integrating the E-tapping app system of Surveillance Dept and the database of the Personnel Dept related to the Statement Letter of Personnel (CK).

Bureaucracy Reform promoted can be the first step to support the governmental program to restructure the implementing a good, effective, and efficient system of the organization of Indonesia Attorney Office. The aim is to serve people properly, fast, and professional in establishing the good governance and clean government towards the clean and corruption-collusion-nepotism-free apparatus of the Office; and to improve the premium service and capacity, and performance accountability.

Through the Ministerial Regulation of the State Apparatus and Bureaucracy Reformation No. 10, 2019 concerning the Amendment of the Ministerial Regulation of the State Apparatus and Bureaucracy Reformation No.52, 2014 concerning the Development Guideliness of Integrity Zone towards the Free Corruption Area in Governmental Institution that covers 6 (six) areas of change:

1. Management of Change;
2. Governance;
3. Human Resources Management;
4. Strengthening the Performance Accountability;
5. Strengthening the surveillanc; and
6. Quality improvement of public service.

In line with the guidelines, the Bureaucracy Reform Program of the Office has been running for more than a decade. One of the objectives is to strengthen the surveillance system around the Attorney Office. In the Road Map of Bureaucracy Reform of the Indonesia Attorney Office 2020-2024, one of the 6 (six) areas of change to be established by the Office is “the Strengthening of Surveillance System”. The implementation is done through some actions such as: 1) gratification control; 2) the handling of conflict of interest; 3) whistleblowing system

(WBS); and 4) improvement of internal control system of government (SPIP). The strengthening of the surveillance system is also conducted by the working unit building the integrity zone toward a corruption free area, and Clean and Serving Bureaucracy Zone (WBK/WBBM) as the miniature of bureaucracy reform in working unit level.

The Surveillance Department as the Internal Evaluator Team evaluates the recommendation by the working unit with status of WBK and WBBM to the Ministry of State Apparatus and Bureaucracy Reformation to encourage units to establish and maintain the predicate. Some advantages are beneficial for the community with WBK and WBBM programs for there are many working units provides their best service to the society.

The duty of the Surveillance officers used to be a watchdog focusing to look for faults. However, today this paradigm shifts to a role as consultant and catalyst. As watchdog, the officer plays the role of monitoring all policies to be applied by the organization. The key as the watchdog is to correct, inspect, count, check, observe and give advice and recommendation on any violation, faults, and short delay. While as a consultant, the officer of surveillance serves client well and support the client's interest and maintains the loyalty at the same time. As the catalyst, the officer of surveillance acts as facilitator actively involves in risk appraisal in the business process of organization.

Responding to the dynamics of the development of era, Indonesia Attorney Office organizational has taken actions of reformation through Work Meeting of The Attorney 2018 recommending the change of paradigm of the monitoring from watchdog to the consultant and catalyst. The promulgation of Circular of Deputy Surveillance No. B-69/H/Hjw/06/2019 regarding the Change of Paradigm of Surveillance Department, from watchdog to consultant and catalyst which principally stipulates general direction related to:

- a. Examine the Compliance of Working Unit to Applied Regulations;
- b. Supervision of Financial Accountability;
- c. Advocacy in Planning of Program and Budget;
- d. Advocacy in Reporting Performance Report and Financial Report;
- e. Providing consultancy of the implementation of duties of other Departments;
- f. Establishing a clean and free environment.

The change of paradigm in Surveillance Dept should be done optimally in supporting duties and functions that does not only become the jargon without real action. The focus on faults does not relevant any more as the development of the need of the organization.

Discussing about the risk management, we need to compare with and learn from the State of Queensland, Australia in setting the framework related to the risk management. There are some important elements used in the Queensland, Australia in managing the risks, such as:

- a. First element, the power becomes the foundation in determining the application of risk management for the whole organization, both coordinationg unit, the obligation to apply at

- levels of organization, standard, and the harmony of the whole administration of the organizations.
- b. Second element, risk governance and accountability set the guidelines of the mechanism and the structure of risk management. The clear structure and responsibility of each official at every level and its authority in risk management should be explained detail. This part should stipulate accountability, responsibility, and authority of each official in detail to avoid overlapping.
 - c. Third element, risk hierarchy is determined by the planning system of integrated organization in which the plan will be conveyed hierarchically to all working units under. For instance, the Long-Term Plan of The Ministry and Institution will be elaborated into work plan of each Directorate General which then will be derived into work plan of each Directorate. Therefore, risk hierarchy is in line with targeted rank of the plans.
 - d. Fourth element, is the system of risk management i.e., the components of risk management according to the standard of AS/NZS ISO 31000 that is risk management process, technique, and the method used, and the risk reporting. Related to it, the Ministry of State Apparatus and Bureaucracy Reformation has enacted the Ministerial Regulation of State Apparatus and Bureaucracy Reformation No. 20, 2018 concerning the Evaluation Guidelines of Governmental Institution which one of the points is stressing that the process of organization can be viewed from harmony, governance, compliance, reformation, and process improvement, risk management, and information technology perspectives.

Risk management itself plays significant role in accomplishing the objectives of organization. Risk Management is a step to identify potential occurrence that can influence the organizational performance, and to manage the risk to control in order to achieve the objectives of the organization. Based on the risk management abovementioned, the Attorney Office through its Surveillance Department has identified some breakthroughs such as:

- a. Control of gratification, Regulation of the Attorney Office of Indonesia No. 03, 2019 concerning the Control of Gratification in the Attorney Office of Indonesia is promulgated;
- b. The application of Whistle Blowing System (WBS)²¹;
- c. The establishment of Task Force 53²².

Risk management in internal body of Attorney Office functions as the strengthening of the monitoring and imposition of internal discipline of the Attorney Office of Indonesia to be the role model of a clean, professional, accountable, and dignified law enforcement. In addition, the objective is to optimize the internal surveillance, prevention, and early detection of the attorney and/or staff potential to commit violation, abuse of power, or other misconduct that may ruin the image and dignity of Indonesia Attorney Office.

Deputy Attorney General addressed and reminded that some policies as in the Instruction of Attorney General of Indonesian No. 15, 2020 concerning the Implementation of Minute of Meeting of Indonesia Attorney General 2020, dated 16 December 2020, as the form and course

of the Office binding policies and to be implemented by all departments. Therefore, the Surveillance Department holds 6 points of focus of reformation as:²³

- a. Optimization of Close Supervision;
- b. Optimization of Information Technology-Based Public Service;
- c. Harmonization of the Imposition of Capital Sanction with the State Apparatus Act;
- d. Implementation of Specific Inspection and Financial Review;
- e. Audit/Review of Financial Management, Harmonization of the Follow Ups of Complaints with Commission of Attorney; and
- f. The promulgation of the Guidelines of Close Surveillance.

With the 6 (six) recommendations, it is expected that Surveillance Department can give significant impact to the Office to be accountable and credible to gain public trust. Surveillance Dept should be able to play as strategic partner that can help the officials and the whole organization to handle problems in state governance mainly in early warning system. Even, as best practice, surveillance officer becomes trusted advisor for the organization in dealing with various problems and in anticipating potential risks. Surveillance Dept is like an immune system to protect human body when they get ill. When the body is sick, automatically the immune system actively cures the body. As for the Surveillance Dept, when the organization makes mistake when carrying out their duties, the Surveillance Dept can immediately take measures to repair.

In order to establish the strong Surveillance Department mainly to implement “friendly surveillance”, the followings are necessary:²⁴

1. Improving the human resources quality in applying the change of the paradigm from watchdog to consultant and catalyst considering that human resources is the key factor in setting the success in achieving the purpose of the organization;
2. Optimizing the utilization of the technology to improve the public service and public trust according to the commitment of the Office to establish the Integrity Zone Towards WBK and WBBM;
3. Promoting various innovation which is important and crucial in implementing a dynamic, effective, and efficient work system; and
4. The surveillance is not only a routine and a mere ceremonial focusing on faults but rather facilitating the Focus Group Discussion to find solutions to the problems.

2. Building Professionalism of the Attorney Office

As part of the government structure, Indonesia Attorney Office is encouraged to implement and impose good governance. However, amid the rapid demand to eradicate corruption, the Attorney Office that shares power with KPK in handling corruption case, should self-reflect to prevent the pitfall of state economy, the mental attitude that promote hedonism among the

concern of people towards the suspect of corruption who denies conducting wrong doings. Sidharta argued that Indonesia Attorney Office needs to go back to Tri Atmaka or three attitudes and foundations: sole, independent, and expert; and Tri Karma Adyaksa consists of characters of Satya, Adhy, and Wicaksana. However, these characters today are often violated.²⁵ The professionalism of the attorney in handling and determining the indictment against the corruptors should always be improved. Corruptors always look for gaps in the regulation to violate in order to get advantage from parties with intention of and opportunity to commit corruption. When the crime of corruption is brought to trial, M. Syamsuding noted that judges cannot be doing it alone. The judge is bound with the arraignment made by the Prosecutor who always arraigns the defendant with Article 2 and 3 of Anti-corruption Act and its variation. Article 2 and 3 of the Anti-corruption Act sometimes placed at different position in the arraignment by the Prosecutor. One of the articles in some point is used as the basis of the subsidiary arraignment over the other, and in some other point, one article is put as the alternative basis of the arraignment to the other.²⁶

The way of thinking and behaving of the attorney in the eradication of corruption should provide protection for people of Indonesia victim of corruption. Satya Deni Bagus Yukerawan argued that the relation between the gradation of perpetrator's interest and the interest of the victim and public social interest and the legality principle. In the case of criminal extra ordinaria, the legality principle functions as protection of the perpetrator's interest but does not function whatsoever as the protection of the victim either individual or society. The legality principle is not oriented towards the victim's interest. The interest of the victim and or social interest is sacrificed for the sake of perpetrator's interest.²⁷

As the effort to prevent corruption in Indonesia Attorney Office, the Office should construct professional, disciplinary, obedient, human resources that is consistent with public and state interest. Satjipto Rahardjo argued that "Good Indonesian men seldom get opportunity to be leaders and rulers of people. To restore this nation from destruction, we should be united to promote and bring the good people out."²⁸ We should admit that Indonesia Attorney Office has done their job in the eradication of corruption in Indonesia. However, limitation, readiness and seriousness in minimalizing corruption still have to be pushed supported with the direct monitoring by all people of Indonesia. With the bureaucracy reform that has been long done, the Attorney Office should have been able to be useful in the eradication of corruption in Indonesia. From the aspect of human resources, the Office is very ready and professional. As special note, mentality of the Attorney Office of Indonesia should be sustainly promoted since it plays the highest role in eradicating corruption amid people's concern about and scrutiny of people. All Indonesian people is highly expected that the Attorney Office is reliable in combating corruption. The impact of corruption has hurt the whole nation. Actions of the Office in the eradication of corruption should optimize the protection of victim, in this case is the people of Indonesia and the future generation. Amid the poverty that is the general phenomenon, it is the appropriate time for the Office to conduct internal and mental reformation to combat corruption including to prevent corruption in the Attorney Office of Indonesia.

3. Adding The Element of Internal and External Surveillance of The Attorney Office

In adding the internal surveillance of the Office, the author made a comparison with the surveillance element in the Attorney Office of USA. Note that in USA, every attorney, in carrying their duties and responsibilities is assisted by a Legal Assistance whose responsibilities are to do administrations of case, correspondence, case archive, and other administrative works. The attorney is also assisted by paralegal who helps the attorney with the technical and functional duties such as research (books, doctrines, case law) and take cares of evidenee. In addition, an attorney is assisted by clerk who delivers documents.

Surveillance of the Attorney is conducted by several different units such as:

1. Office of Inspector, whose duty is to monitor attorney's and administrator's behavior including the breach in utilizing money and office facilities, the procurement of goods and service, etc.
2. Office of Prosecutor Responsibility (OPR) is to conduct investigation of professional misconduct done by the attorney in carrying out arraignment and investigation such as:
 - a. Using unlawful legal evidence at the court;
 - b. Throwing improper question;
 - c. Misuse of legal arguments; and
 - d. Violate plea argument.

In addition to the two institutions mentioned-above, an attorney is also supervised by the Office of Public Integrity whose duty to conduct investigation and arraignment against any attorney committing criminal offense, including receiving gratification, obstructing justice, so on.

As the monitoring conducted by the Inspectorate General and OPR are:

- a. Indicating an attorney/staff committing or not committing any violation;
- b. Providing recommendation on sanction to be imposed; and
- c. District Attorney is in charged to impose the sanction

In monitoring, the Bar Association plays important role as:

- a. any sanction imposed upon an attorney will be reported to the Bar Association considering that attorney is part of the association
- b. the bar association can impose sanction to its member (any attorney fired from the Office may also be dismissed as lawyer)

CLOSING

A. Conclusion

1. The strengthening of performance accountability committed by the Attorney Office referring to the Performance Report of the Attorney Office of Republic of Indonesia 2020 showed

that it has not yet achieved the target expected. Some performance indicators to be used in determining the accountability and integrity of the officials of the Attorney Office of Republic of Indonesia are among others: a) Percentage of Maturity Score of Attorney Office SPIP; b) Percentage of SAKIP Score of Attorney Office; and c) Percentage of Decrease Number of People Complaints against attorneys of the Attorney Office. On that ground, some strengthening actions of the performance accountability of attorney office as the strategic issues related to the implementation of the duty and function of the attorney office such as: a) optimalizing the monitoring, evaluation and reporting should be information technology-based; and b) integrity building through Internal Control System.

2. The strengthening concept of performance accountability to prevent corruption in Indonesia can be done through: a) optimalization of internal monitoring to ensure the quality insurance of the performance conducted by the Supervisory Department focusing on the transparent and accountable management of state finance as the manifestation of the principle of performance ; b) Building the professionalism of the Attorney Office through internal and mental reformation to eradicate corruption including prevent the corruption around the Attorney Office; c) the establishment of external or internal supervisory to monitor the Attorney Office as practiced in United States of America in which the attorneys is assisted by legal assistants in carrying out the duty and responsibility. This legal assistant is responsible to manage the case administration, correspondence, case archiving and other administrative works. In addition, the supervisory of the attorney is conducted by several different units such as: 1) Office of Inspector General whose duty is to monitor the attorney's and the administrator's behavior including the violation occurred in the use of fund and office facilities, procurement of goods and services, and so on; and 2) Office of Prosecutor Responsibility (OPR) whose duties is to conduct investigation against professional misconduct committed by the attorney in the course of their duty of indictment and investigation. Other than these two units, attorney is also supervised by the Office of Public Integrity whose power to conduct investigation and indictment against attorney committing crime such as bribery, obstruction of justice, etc., moreover, with the role of Bar Association since in USA, any sanction imposed upon an attorney will be reported to the Bar Association considering that attorney is part of the association.

B. Suggestion

1. The Attorney Office of Republic of Indonesia is to evaluate the program to strengthen the performance accountability by optimalizing the monitoring, evaluation and reporting should be information technology-based; and integrity building through Internal Control System to make the institution more accountable in gaining back the public trust considering that the Profile of the Attorney Office is the Profile of Law Enforcement in Indonesia.
2. The Attorney of Republic of Indonesia is to immediately conduct restructurization in the supervisory department (Deputy Attorney of Supervisory) by considering the strengthening concept of performance accountability of the Attorney Office as the prevention of corruption Indonesia as mentioned above. The concept will not be implemented without the restructurization of the Attorney Office. Therefore, the Attorney General's Office is to

immediately revise the Regulation of the Attorney General No. PER-006/A/JA/07/2017 concerning the Organization and Management of the Republic of Indonesia's Attorney Office

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