

Gender and Corruption: Finding Common Ground between the Anti-Corruption Movement and Women's Movement

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Abstract

In Indonesia women remain at the bottom of the social stratification. Corruption in the country only worsens their position. In order to abolish corruption, investigating and covering it should be a continuous social movement. In this process women are important actors because they are the major victims of political oligarchy and also because women generally have higher ethical standard than men. Corruption is not a victimless crime, because many suffer the consequences of it. Among those victims are women who are socially marginalized. As a result the anti-corruption agenda is in line with the women's empowerment agenda and thus women should be considered important in fighting corruption. The anti-corruption movement should become part of the democratic movement, as well as helping in the fight for women's rights. Therefore, the improvement of the measurement instruments and anti-corruption strategies should include gender indicators. At the same time, the women's movement must also support the anti-corruption movement, especially to resist the oligarchy that not only raises public resources through corruption, but also marginalizes women in various fields.

Keywords: Gender, Corruption, Social Stratification, Politics.

Why Women?

Fight against corruption is a lengthy battle and can only be won by the government. Fighting corruption requires a long period of time because the real corruption does not only occur in the government. The boundary between the country, private sector and civil society is not always clear. A corrupt country is created through the contribution of a corrupt private sector, because if the private sector was not there to offer bribes, there would not be a corrupt government. Similarly politicians do not necessarily become corrupt when they come to power. A politician's integrity is usually formed before coming into office, and does not change as the politician rises to power. The practice of money politics that becomes a common strategy to win local elections by community organization chairmen then becomes a strategy that is also common in the Political Party Congress or the General Election. Relating to the view that corruption is done not only in the state, but also in civil society and the private sector, the eradication of corruption needs support from all circles. The fight against corruption cannot be handed over to law enforcement and neither can the President and other heads of government agencies eradicate corruption. Maybe because they are not able to move the bureaucracy or maybe they have been trapped by the corruption itself. Fighting corruption requires the participation of all people. One important thing, albeit often overlooked, is the position of women in fighting corruption. Is corruption associated with the movement of empowerment and advocacy for women's rights? Does corruption have a role for the promotion of women's rights that are socially subordinate under men? If fighting corruption requires the support of all circles, women are source of strategic strength and should be encouraged to take charge and become leading actors in the fight against corruption.

The importance of women in fighting corruption has garnered a lot of attention through a number of studies. These studies first tried to find the relationship between women and the eradication of corruption, departing from the question of whether women and men are equally corrupt. In further developments, a number of studies attempted to find a relationship between the anti-corruption agenda and the women's empowerment agenda, particularly with a consideration of women as victims. Corruption is not a victimless crime, because many suffer the

consequences of it. Among those victims are women who are socially marginalized. As a result the anti-corruption agenda is in line with the women's empowerment agenda and thus women should be considered important in fighting corruption. The next question that needs to be answered is that if women are important actors in the fight against corruption, what are their roles and to what extent their involvements are? This paper tries to step forward to determine whether corruption can or cannot be eradicated only by reforming the bureaucracy or by law enforcement alone. The real fight against corruption can only be undertaken through a social movement that constantly and consistently takes the fight against corruption. In this context, women are no longer accessories or complementary figures because the women's movement is an important factor in the fight against corruption.

Are Men More Corrupt?

The issue between gender and corruption is a topic of interest. The question often asked is "Who are more corrupt, men or women?" Is it true that men who are more dominant in the public sphere tend to be more corrupt than women who are more in the domestic sphere? At first glance, the argument seems to be true that men tend to be more corrupt than women. In Indonesia's experience the numbers of criminals who are successfully imprisoned by the Corruption Eradication Commission (KPK) are mostly men who occupy public office. However, before agreeing with that opinion, it is necessary to consider in more depth investigation the other factors that make the number of corrupt men more than that of corrupt women. A number of other studies are also conducted to answer the previous question. According to Dollar et al (Branisa & Ziegler, 2011), there are a number of surveys and experimental studies to suggest that women tend to be less selfish and have higher moral and ethical standards than men. Based on this understanding, putting women into public institutions will reduce corruption because their ethical and moral standards are high. This argument is also proven because those countries with a high level of representation of women in politics have lower levels of corruption. On the other hand, those countries with lower representation by women have a high level of corruption. Other studies (Hossain & Musembi, 2010:19) shows that firms owned or managed by men are more likely

to commit bribery than companies owned or managed by women. Similarly countries that have a lot of female politicians and managers tend to have less corruption.

Another thought which considers men to be more corrupt departs from the idea of ecological feminism (ecofeminism) which states that women naturally are more caring and nurturing (Tong, 2009). Women who have a reproductive function tend to have these traits because women naturally have to take care, raise and educate children. These traits are not compatible with corruption. On the contrary men are considered to possess traits to control, to dominate and to be aggressive, and these traits tend to be compatible with corruption. From this view, it can be concluded, because women naturally have a reproductive function and also have a tendency to share and care for one another, then the implication is that women are not as corrupt as men. However, the view which considers that men tend to be corrupt also receives a lot of criticism. First, it is true that there are more corrupt men than women, but this could also be true because more men hold power, especially in the public sector. A simple definition of corruption according to law is that corruption is the abuse of state power and a resulting loss due to public resources being diverted for personal or group interests. Thus, the ones who can commit corrupt acts are those who have power, especially power within the public sector, where there is the authority for the allocation and distribution of public resources. Most of the power in the public sector is dominated by men therefore men have more chances to be corrupt. If more public positions were to be held by women, the number of corrupt women may be larger than the number of corrupt men.

Second, as stated by Hung-En Sung (Branisa & Ziegler, 2011), what leads to lower corruption in countries with a high level of representation of women is the political system. Liberal political systems with competitive elections will greatly promote the accountability of public officials. This system is also characterized by strong control by the civil society and the mass media as well as the independence of the judiciary, all of which can ultimately reduce corruption. The political system at the same time also provides the widest opportunities for women to participate in decision-making. So low corruption levels are not only due to representation by women but also due to the political system

itself that makes corruption very risky as it can be dismantled by the press and brought to justice. Therefore, it is the liberal political system that ultimately reduces corruption, not just the high representation by women. Third, corruption is carried out by a network in which there is trust among the perpetrators. There is social capital in a corruption network in the form of high trust and norms among members of the network. Social capital makes the bonds within the corruption network so strong that corruption continues, and it provides benefits for the perpetrators in the corruption network. Although women can hold strategic public offices, this does not necessarily mean that women can engage in corruption, because they are excluded from the network. The

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political system opens up opportunities for women to enter and occupy public positions, but women have to face exclusion in decision-making, including in corrupt practices. Although women hold high public offices, they cannot automatically become corrupt when they are not in the corruption networks.

Even if officials do not want to cooperate, they are then simply pushed aside and are delegated to roles of symbolic and ceremonial affairs while more substantial affairs are handled by corrupt members of the network.

Tripp's research in Africa (Branisa & Ziegler, 2011) found that although political reform has been carried out in the presence of free and competitive elections and has increased the participation of women in politics, the reform is not enough to put women in strategic positions and to dismantle the clientelism practice dominated by men. Women can enter into the system, but they are excluded from the networks dominated by men and do not benefit from clientelism. Similar findings are revealed by Goetz (Branisa & Ziegler, 2011) who sees gender discrimination regarding access to political positions. Women who are excluded from the patronage networks of men do not have the opportunities for corruption. Because women in political institutions are still few and considered as newcomers that do not belong to the network of patronage, they are unfamiliar with the corrupt patronage networks. Women also do not understand the rules that apply in order

to engage in corruption. Therefore women tend to show an attitude of integrity compared to men. From the debates in the various studies above, it can be concluded that corruption can be reduced, not because the representation of women is higher, but because the specific political system is capable of fighting corruption. If the political system is not able to suppress corruption, the increased participation of women in public decision-making would probably increase the number of corrupt women. The implications of this are that a good political system is necessary not only to increase the representation of women in politics but also to maintain an integral government system.

Gender and the Impacts of Corruption

In addition to discussing the issue of corruption and representation of women in politics, the other aspect in gender and corruption that needs attention is its impacts. Corruption is more than just a distortion and additional tax that interferes with the economy. Corruption is also considered to be a problem hampering development and the achievement of the targets of the Millennium Development Goals (MDGs). Does corruption generate worse impacts on women than men? Corruption is perceived to have an impact on different communities, and women suffer more than men do from corruption. Various forms of discrimination against women make women economically and socially left behind compared to men. This situation, in turn, makes women unable to push the government to be accountable and to provide services and their rights. Corruption adversely affects women due to low levels of economic and political power; this makes them unable to change the status quo or to force the state to accept accountability for providing basic services as a woman's right (Hossain & Musembi, 2010:5). The low representation of women in politics and the lack of attention to gender issues and behavior, as well as policies that discriminate against women make women unable to push the government to pay attention and to promote affirmative action policies for women. In practice state neglect and corrupt practices within the delivery of public services is a direct burden for women and as an issue it does not received adequate attention. As the case in Indonesia, where corruption has been practiced extensively in various sectors, especially in the public service, corruption is an unwritten rule. Without corruption there is no

service. Bribes and kickbacks have become a requirement for people to obtain services, including women. However, due to the weak and marginalized position of women, women must not only pay a higher fee they are also often met with resistance when they try to object.

Research conducted in Africa found that because women statistically have a lower literacy rate, they have a lack of knowledge about their rights. Often times, women do not know that they have rights to get services and help from the government programs. This situation makes women more vulnerable to extortion or other unlawful acts (Hossain & Musembi, 2010:8). Marginalization of women reduces their ability to access education. This situation leads to a lack of understanding of women about their rights to receive services and to be the beneficiaries of government programs. However, the impact of corruption on women is not so visible because the measurements and indicators that are used do not separate out the data for men and women. Measuring corruption is still gender blind because it views citizens as a single entity, whereas in the community, women's positions are subordinate to men's. The absence of gender in the various measures of corruption appears in the surveys of corruption. One example is the corruption perception survey. The famous example of corruption measurement based on the perception is the Corruption Perception Index (CPI) produced by Transparency International (TI). In Indonesia alone, the TI Indonesia Chapter has also adopted perception surveys in a local context to measure the perceived level of corruption. However, the survey does not sort the data between women and men, so gender aspects are not visible.

A second instrument which is widely used is a public sector diagnostic that detects the level of corruption in public institutions. One example that has been applied in Indonesia is a Public Sector Integrity survey conducted regularly since 2007 by KPK. This survey tried to diagnose corruption in the public sector, especially in service units at the central level agencies and services at the local level. It assessed the integrity of the public sector with the unit of observation in the institution of public service providers, either in the Ministry at the national level and at the local level. As in the corruption perception survey, gender aspects did not appear in the survey. A third instrument is a survey of the private sector. This survey looks at corruption from a business perspective, for example by looking at how long the process of getting a business license takes, how long the procedure to be followed takes and at what cost. An example of this survey is Doing Business by the World Bank which is issued on a regular basis. Another survey is the World Competitiveness Index, which is made for the World Economic Forum.

Business interests dominate the surveys, so gender appears not to be a problem. Its major purpose is to look at the quality of the bureaucracy's service to the business sector and gender is not a priority matter for the survey. A fourth instrument is the comparison between countries. This survey appears on the CPI TI which compares between countries, as well as the corruption perception survey that is regularly made by the Political Economy Risk Consultancy (PERC), a business consultancy based in Hong Kong. This survey is macro level, making comparisons between countries and departing from business interests. To assess the condition of corruption in Indonesia, the PERC survey uses expatriate respondents. Unfortunately, when they surveyed for corruption in Malaysia, Singapore or Hong Kong, the PERC survey did not contact or interview migrant workers as respondents. As a result, gender is also absent in this survey.

Because the goal is to see the impact of corruption on women, the measurement instruments and a survey conducted to measure corruption must sort the data based on gender. Surveys of corruption

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should no longer regard women and men as equal and equivalent entities. In some surveys, such as the Citizen Report Card, gender issues are more easily generated by sorting the data between men and women. However, in order to allow test types of surveys and measurements show the gender aspects of corruption, the perspectives of academics, researchers and anti-corruption activists would need to be changed by showing that gender issues can be measured and they can be included in the design of survey instruments related to corruption and gender. In addition, the survey and the definition of corruption need to incorporate another form of corruption, namely sexual harassment or corruption in the form of abuse of power to obtain sexual services. The survey, conducted in Botswana, found that 67% of female students had experienced sexual harassment by their male professors and 10% of the students want to have sexual relationships for fear of rejection that could impact their marks (Hossain & Musembi, 2010:12). Corruption in this form is true sexual exploitation by men who have a dominant position or abuse of power against the female victims. Today corruption is defined very narrowly and only in public areas. Corruption is the abuse of power resulting in loss to the state to enrich themselves or their corporation. The narrowness of this definition makes corruption committed in other areas, such as in the field of education or in the area of civil society, not to be considered as corruption. Similarly, the losses caused by corruption is interpreted and limited to state wealth, whereas there is in fact a great deal of abuse of power, not only in terms of money. Sexual extortion as mentioned above should be included in the category of corruption.

Corruption in Critical Perspective

Corruption in the mainstream view is considered to be an abuse of authority for personal gain. Corruption is the diversion of public resources for personal gain. It occurs in the public sector, and it is carried out by rogue officials who violate the law. In Robert Klitgaard's famous formula, corruption is defined as $C = M + D - A$ (Corruption = Monopoly + Discretion - Accountability) or corruption equals authority plus monopoly minus accountability. But corruption is not that simple. Corruption cannot be eradicated simply by cutting a monopoly of power and authority and improving accountability. Fighting corruption is not

a technical problem that can be simplified with an addition or reduction. Diversion of public resources for private gain is an apolitical practice with the motive to enrich those stealing. It is also part of the contestation of power to control public resources. Domination is not just to become rich, but also to maintain economic, social and political domination. In Indonesia, corruption can be considered as an oligarchic strategy for accessing public resources and maintaining its dominance in society. Oligarchy itself is a fluid alliance of bureaucratic power, businesses, and politicians who had developed and became a pillar of the New Order. The collapse of the New Order that was followed by a series of reforms in various sectors was unable to destroy the oligarchy. It was still able to consolidate and adapt to the new rules. Oligarchy is able to adapt to good governance, democracy and decentralization. Good governance as a policy formula that intends to eradicate corruption that is stuck in a governance technical setting in various fields and ignores the contestation of power behind the corrupt practices. Good governance and fighting against corruption are focused on institutional reforms to root out rent-seeking practices that cause corruption.

At the local level, Hadiz (2010: 92-94) saw oligarchy as an alliance of local elites. First is the former elite who developed and prospered during the New Order by dominating local politics in the ways of money politics and political mobilization and intimidation to win a direct election. Indeed, there are new players coming in, but the new

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players had to adopt the practice of money politics and also replicate the practices of rent-seeking to retain power. Second is the traditional bureaucrat who, with the direct election, performed the transformation from control over the bureaucracy to control over politics. Corruption of local funds (APBD) in various forms such as social assistance or projects for cronies becomes part of the transformation strategy. Third is the local businessmen who have been living from the government projects and facilities or by obtaining protection from the government. If the local businessman originally were just cashiers for the local elite, they would become the elite themselves through direct elections, again in ways of money politics to win elections. Fourth, the local thugs who particularly played a strategic role in supporting the strategy of political mobilization and the use of instruments of violence. And finally, the political operators who originally were student activists or members of activist organizations. The political operators quickly learned to practice money politics and live from the rents of development projects. At the national level, the figure such as Nazarudin is a representative of this category. He quickly learned how to seek rent from government projects and use it to finance long-term political aims which would guarantee the control and domination over politics resting on the logic of money and economic rents.

At the beginning, institutional reform was successfully implemented not because Indonesia intended to eradicate corruption and create a new rule free from corruption. The institutional reforms applied by international institutions were run as the oligarchy had been weakened after the financial crisis hit. Crony businessmen raised by the New Order had to restructure debt in order to save the company, while the politicians had to consolidate their efforts to map the competitive chances in the election. During its development, the oligarchy was then able to get around the new rules and at the same time the reformists have not been able to build enough power that can significantly resist the oligarchy. Under Suharto, the domination by the oligarchy was solidified by the violent state apparatus. Now, domination is undertaken within the legal framework and institutional arrangements as the product of reform. In the New Order, government should use force to maintain domination, now it is done by peaceful, honorable means and even unconsciously. Relating to critical understanding of

corruption above, the real corruption eradication can only be done by resisting the oligarchy. The fight against corruption can only be done through social movements continuously against the oligarchy and built on awareness to maintain human rights. Corruption is related to the oligarchy and as long as the oligarchy is indestructible, then corruption will continue. Although many institutions and regulations are formed to fight corruption, as long as the oligarchy continues to hold on, then the rules will be circumvented or attenuated. The most obvious example is the threat to the dissolution or attenuation of KPK. The success of the KPK in jailing politicians and other state officials is actually a threat to the continuity of the oligarchy. So KPK now faces a variety of threats, ranging from leadership criminalization to the efforts of attenuation through the plans to amend the KPK Law and the Law on Anti Corruption.

Conclusion

To fight corruption, there needs to be a coalition of social movements. Corruption eradication cannot be separated from the democratization movement against the corrupt elite who control political institutions. The domination of political institutions leads to discrimination, not only against ordinary people, but also against women. As long as the oligarchy holds the power, the opportunity for women to participate in decision-making will be limited. Even the matter of the representation of women is easily manipulated by the promotion of female candidates associated with the local oligarchy or a local political dynasty. Corruption eradication was initially successfully imposed by international financial institutions as the oligarchy was in a weakened state after the 1997 economic crisis. After the Indonesian economy improved and financially separated from the dependence on international donor agencies, the eradication of corruption actually lost one of its main support bases. International donors today do not wield as much power of intervention as they did when Indonesia was still in economic trouble during the financial crisis. Similarly, bureaucratic reform initiatives at the local level do not receive a lot of good reviews. Of the total number of regencies, cities and provinces, reformist local governments are still few in number.

Even some of the local governments that had gained an appreciation

for the reforms are now involved in corruption cases, such as the Sragen Regent Untung Wiyono or the Jembrana Regent who was eventually acquitted. Reform of the bureaucracy does not have a sufficient social base to attract Heads of Regencies or Ministers to embrace it. Reform of the bureaucracy is undertaken only because there are financial aid incentives from international donors, mainly from Europe and America. When the donors no longer have resources, especially following the financial crisis in the Euro Zone and in America, then there are no incentives for Heads of Regencies or Ministers to reform the bureaucracy. In this situation, the eradication of corruption must build a broader social base. Networks and alliances with social movements and other political movements become a prerequisite for the sustainability of the anti-corruption movement. It is actually the common ground between the anti-corruption movement and the women's movement. The anti-corruption movement should become part of the democratic movement, as well as helping in the fight for women's rights. Therefore, the improvement of the measurement instruments and anti-corruption strategies should include gender indicators. At the same time, the women's movement must also support the anti-corruption movement, especially to resist the oligarchy that not only raises public resources through corruption, but also marginalizes women in various fields.

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