

Eradication of Corruption through a Spiritual Perspective

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ABSTRACT

The corruption that continues to be rampant in Malaysia has become severe problem. Corruption remains widespread due to ineffective regulation enforcement, money politics between political actors and business leaders, political interference and, the mixed impact of corruption prevention measures. Hence, the political and business culture and the nature of political leadership erode the political will to combat grand corruption in Malaysia. Currently, Malaysia has developed several institutions and enacted policies to overcome this problem. The development of institutions and the formulation of various policies through acts and programs show Malaysia's efforts to eradicate corruption. However, this problem continues to spread without end. This situation will disturb the well-being of society. Legal action is still insufficient to change the behavior regarding corruption in Malaysia. Hence, alternatives other than the law need to be imposed. Therefore, this concept paper discusses a spiritual approach to dealing with this problem. The proposal of this concept paper is based on the literature review analysis. Thus, some spiritual approaches are suggested to overcome this problem. These suggestions can be used as long-term planning to improve this problem more positively.

Key words: *bribery, corruption, spiritual, bribery, well-being*

Introduction

Corruption is one of the criminal offenses that still exists and has no end until now. This corruption is difficult to eradicate. In Malaysia, the issue of corruption is also one of the offenses that have plagued the government and enforcement agencies for a long time. It happens at all levels, be it government or private agencies. Cases are involved from the highest level in the government down to the lower level. It is also prevalent among the enforcement agencies that should be responsible for

dealing with the issue. Corruption is also widespread in the community, both as givers and recipients of bribes. Ironically, corruption is a recurring issue in every society. Corruption has existed for a long time because it is a universal practice and misconduct.

Corruption refers to several definitions formed by perception, culture, experience, beliefs, and the current situation. Therefore, there is no single definition of corruption. However, our society perceives that corruption is a particular reward received to get the expected result.

Hence, the definition of corruption is dynamic based on the current situation. Since early 2000, the definition of corruption was often associated with gifts. Initial studies have shown that corruption is seen as synonymous with gifts. The definition states the difference between gifts and bribes depending on the purpose of giving the gift. A gift is given to someone for honesty to appreciate someone. On the other hand, bribery uses gifts intending to get something through the reward expected by the bribe giver. In addition, the initial view of corruption in Malaysia also refers to the public's perception that corruption is bribe money or "coffee money". There is also corruption in the form of material and other things.

Coinciding with the meaning of corruption and the forms of bribery that have been explained by the Malaysian Anti-Corruption Commission (MACC), many corruption offenses have been outlined based on the Malaysian Anti-Corruption Commission Act 2009 (MACC Act 2009) (Act 694) namely:

1. Soliciting/Receiving Gratification (Bribe) [section 16 & 17(a) MACC Act 2009].
2. Offering/Giving Gratification (Bribe) [section 17 (b) MACC Act 2009]
3. Intending to Deceive (False Claim) [Section 18 MACC Act 2009]
4. Using Office or Position for Gratification (Bribe) (Abuse of Power/Position) [Section 23 MACC Act 2009] (Website MACC 2023)

Despite many definitions and contextual uses of corruption, in order to educate the public, especially among public sector workers, the MACC under the Inspection and Consultation Division (2017), has defined bribery as the acceptance of a gift that can bring negative perceptions to other parties towards the recipient. Therefore, corruption is associated with giving gifts by certain parties, such as public sector clients who need services or needs from public officials, in violation of the rules or Standard Operating Procedures (SOP) set.

Corruption can be defined in different views. However, the meaning remains similar: giving or receiving something that aims to do or leave something that is not encouraged by the law or certain daily rules (SOP) related to the task.

Issues of Corruption

Corruption cases in Malaysia involve diverse parties. According to Noraida Harun (2015), the Royal Malaysian Customs Department is aware of cases of corruption in their department. Noraida's study revealed that the level of responsibility, internal control, and discretionary power influence corruption in the department. Some cases occur in local governments. Enida and Azman's study (2019) in the Local Authority (PBT) of the State of Johor has proven that intention can cause corruption. Next, according to Helmi (2018), the MACC has opened 92 papers investigating corruption cases involving politicians from 2013 to 2017.

From some previous studies, there are many factors of corruption in the economy, politics, business, government, and society. Among the causes of corruption are due to the natural state of a country, the effectiveness and the efficiency of political leaders in identifying methods to combat corruption (Quah 1995), due to the influence of wages, opportunities, and policies (Palmier 1985; Quah 1995), the failure of government enforcement agencies to carry out their duties to overcome the problem (Satar 2018), internal individual factors such as intention (Nur Syakiran Akmal & Md Zawawi, 2006; Enida & Azman, 2019; Enida, Low Hock, Ahmad Muhyuddin, 2019), external factors caused by the influence of family and colleagues, opportunities, unclear work procedures, social influence and modernization factors (Nur Syakiran Akmal & Md Zawawi, 2006; Enida, Low Hock, Ahmad Muhyuddin, 2019). In addition, Bauhr & Charron (2020) stated that there are two types of bribe-receiving factors: need and greed.

In general, various things contribute to the symptoms when encountering corruption issues. Contribution factors are not only influenced by materialistic factors but also by individuals, cultures, organizations, and even national administration. Although the cases are increasing, Malaysia must act more effectively to overcome this matter. Malaysia has implemented various measures and actions in dealing with this issue.

Through public policy, various measures and actions have been implemented by Malaysia. Through institutions, there are government agencies responsible for corruption cases in Malaysia, since the establishment of a small unit under the Prime Minister's Department Malaysia (JPM). This unit is responsible for anti-corruption activities. As for the investigation of corruption cases at that time, it was carried out by the Criminal Investigation Department (Special Crimes) under the Royal Malaysian Police. The prosecution of corruption cases is handled by the Prosecution Division,

Attorney General's Department. The Anti-Corruption Agency was then created on October 1, 1967, to combine the anti-corruption efforts of the three agencies. The National Bureau of Investigation (BSN) has appointed ACA to expand its powers to deal with the issue. BSN, which has legal authority, has been mandated to investigate cases related to national interests, in addition to corruption cases. However, in 1982, BSN changed back to ACA through a change in the law. This change dignifies the role of ACA as an entity specifically responsible for preventing the crime of corruption. In 2008, Parliament agreed that the Malaysian Anti-Corruption Commission (MACC) be created to replace the Anti-Corruption Agency (BCA), in line with the community's desire for a more independent, transparent, and professional anti-corruption entity. The transformation of ACA to MACC aims to increase the efficiency, effectiveness, independence, and transparency of corruption prevention measures in Malaysia (MACC Website, 2023).

Next, the 'check and balance' mechanism was created through the formation of the Anti-Corruption Advisory Board (LPPR), the Special Corruption Committee (JKMR), the Complaints Committee (JKA), the Operational Evaluation Panel (PPO) and the Consultation and Anti-Corruption Panel (PPPR) together with the establishment of the MACC with the function of monitoring, advising and ensuring that the Commission's functions and responsibilities are carried out efficiently, effectively, independently and transparently (MACC Website, 2023).

On March 4, 2004, Malaysia established the Integrity Institute of Malaysia (IIM). The main objective of IIM is to coordinate, monitor and evaluate the implementation of the National Integrity Plan (PIN). In January 2019, the PIN was replaced by the National Anti-Corruption Plan (NACP) to continue improving issues related to integrity cases in Malaysia. The Malaysian government has also enacted a direct public policy to overcome integrity and corruption-related cases. The earliest act related to corruption is the Prevention of Corruption Act 1961. The act was revised in 1971 (Nur Syakiran Akmal & Md Zawawi Abu Bakar; 2006). Then, around 1973, the National Bureau of Investigation Act was enacted to handle national interests and corruption cases. Improvements in policy occurred when the Prevention of Corruption Act 1982 was passed on May 13, 1982. This Act aimed to prevent the crime of corruption directly. Next, in 1997, Parliament passed the Anti-Corruption Act 1997 to strengthen the role of the Anti-Corruption Agency as a national anti-corruption enforcement agency (MACC Website; 2023). After the Anti-Corruption Act 1997 was enacted, the Anti-Corruption Act 1961 was officially repealed under Act 575.

In conclusion, corruption can be defined based on various views. Many factors have contributed to the problem. The problem of corruption has made the government's agenda and produced various actions by the government through the formulation of related institutions and policies to solve the problem. However, the problem is becoming increasingly acute and the focus of

public attention. Therefore, this concept paper suggests some suggestions that use a spiritual approach in streamlining existing actions and policies.

Prevention Through Religion and Spiritual

In Islam, corruption is forbidden and will be punished in second life. While according to the laws of a country, offenders will subject to severe punishment. In Malaysia, the offense of bribery, whether the bribe giver or bribe recipient, will be severely punished. The Malaysian Anti-Corruption Commission Act 2009 was enacted for the purpose of preventing the crime of corruption. Even, the Malaysian Anti-Corruption Commission (MACC) was established to deal with the issue of corruption more thoughtfully and effectively.

Hence, it is clear in religion or law that corruption is an offense. Therefore, the government as and individuals must overcome this crime with determination. It is because corruption is a recurrent issue in this millennium. It is one of the most extended crimes in the history of human life (Syed Hussein Al Atas, 1995). A country or human civilization can collapse if corruption is rampant either at the government level of a country or among its people. Therefore, Islam emphasizes the importance of eradicating corruption. In this regard, the need for a balance between outward and inward towards success or Al Falah. According to Abdul Ghahhar (2018), to achieve true success is happiness in life, in this world and the hereafter. Therefore, in developing the country, the government must eradicate the elements that can go against the government's efforts. For example, the issue of corruption, drugs, and some other issues can slow down the development of a country. It differs from the Western perspective, which is more concerned with the material than the spiritual. Development without spirituality will face various issues that do not keep pace with the country's progress.

Islam has a mechanism to balance between success in the world and not neglecting al-Falah in the afterlife. Thus, in discussing the issue of corruption, which is the focus of this paper, the practice of hisbah can be applied in dealing with corruption.

Therefore, this paper will suggest using the hisbah method in Islam to deal with corruption issues. Hisbah can be implemented in the current even though time is changing with new approaches. It brings goodness and rejects the wicked in society (Sophian, 2018). This action relies on religious teachings and, is the best course of action.

Acts of corruption in the country need to be overcome because apart from a prohibition in religion, it is also a clear offense in the law of the country. The enactment of the act and the

establishment of the Malaysian Anti-Corruption Commission in 2009 as proof that the government is serious about fighting corruption. However, the current scenario, shows rampant corruption involving high-profile cases (New Straits Time, 2021; Sinar Harian, 2021; Harian Metro, 2018). Thus, this paper will explain the spiritual approach proposed to be used by the government to prevent corruption. According to Islam, the hisbah method is used in forming a civilized society that is modern but based on Islamic Sharia.

Hisbah can be defined as counting, calculating, counting and evaluating. It comes from the word hasab and then becomes hisbah which is the basis of telling to do good and to leave wicked. The definition of the concept hisbah refers to actions towards "amar makruf and nahi munkar". In addition, hisbah can define as an action taken to gain the pleasure of Allah SWT based on Islamic law (Abdul Ghahhar et al., 2018; Mardzelah et al., 2013). At the same time, Sophian (2018) defines hisbah as a practice related to the responsibility of overseeing, administering, and coordinating a job based on Islamic Sharia, which is to do good and leave wicked. In addition, hisbah means to raise the civilization and vision of Islam by giving birth to servants who obey Allah SWT and abandon His prohibitions. Hisbah strives to produce good servants and leaders in this world (Azrin Ibrahim, 2019). This definition of hisbah is also strengthened by Ahmad Jamil (2021), who states that hisbah can prevent people from acts prohibited by Islamic law. According to Syed Salim (2018) in Ahmad Jamil (2021), hisbah can be divided into two namely:

1. General hisbah, means that every human being has the responsibility to do what is good and prevent committing sins because it is the responsibility of every Muslim.
2. Special accountability is the responsibility of someone assigned to carry it out.

The implementation of hisbah in preventing corruption can be done internally or externally (Ibrahim et al., 2018). Both of these methods play an essential role in eradicating corruption. Internal hisbah is also known as muhasabah al nafs (self) and, on the other hand, external hisbah consists of external factors such as family, friends, parents, environment, and others (Marzelah et al. 2012).

Hisbah internally, or called muhasabah al nafs is a method by which Islam builds a person's identity (resilience) based on Sharia. This method can build resilience in a human being from the temptation to commit vice or sin. Islamic rules in organizing internal personality formation have been recognized by the modern world today. The proof is that many theories in psychology emphasize personal development as a solution to social issues in society. Among them Behaviorism Theory by Ivan Pavlov, J.B Watson, E.L Thorndike, and B.F Skinner, Social Learning Theory by Albert Bandura, Cognitive Development Theory by Jean Piaget and so on. These theories were developed

to study human psychology. Therefore, in the case of the conduct of corrupt behavior, it also shows how the psychology of the perpetrator of corruption is when committing an act of corruption. Therefore, returning to Islam, the hisbah in legal is a mechanism that can form a Muslim personality that has self-resilience and becomes a fortress against committing corruption either as a giver or receiver of bribes. Hisbah internally is the focus of this paper in helping the authorities curb corruption.

While the second is the external hisbah has been extensively studied by Marzelah Makhsin et al. (2012). It involves preventive aspects other than personality or internal factors. The factors include parents, family members, peers, school, society, and teachers. In addition, external accountability also includes enforcement by enforcement agencies, corruption laws, and heavy punishments for corruption perpetrators. The implementation and enforcement of hisbah both internally and externally are important to prevent corruption. (Abdul Ghahhar et al, 2018).

Accordingly, this paper focuses on emphasizing internal hisbah. Internal hisbah can build character and personality from social symptoms and misbehavior. The concept of hisbah or muhasabat al nafs in Islam that can be applied are: musyarattah, muraqabah, muhasabah, muaqabah, mujahadah and muatabah (Said Hawa 1998, Syamsul Bahri Andi Galigo, 2000 in Nur Syakiran Akmal Ismail & Md Zawawi Abu Bakar, 2006; Mardzelah et al, 2012; Ahmad Martadha Mohamad, Nur Syakiran Akmal Ismail & Md Zawawi Abu Bakar, 2014). If coordinated with “amar makruf nahi munkar”, this practice, can be self-resilient from committing the crime of corruption either as a giver or receiver of bribe.

The Concepts of Hisbah or Muhasabat al Nafs

1. Mu'ahadah

This concept shows that a human will remember the agreement with Allah SWT to worship Him. It coincides with the human event to perform religious duties. When a person performs worship, whether obligatory worship or circumcision, it will indirectly strengthen faith in self. For example, prayer can prevent the wicked (Al Ankabut, 45). Next, increase the faith of a person who can finally be freed from worshipping other than Allah SWT, and be a slave to material things (Al Fatihah, 5). Through the concept of mu'hadah, people can be reminded to ask Allah SWT for help if they face financial problems and then refrain from the solution in the wrong action, such as committing to corruption.

2. Muraqabah

This concept fosters the feeling that every activity is supervised and accompanied by Allah SWT. He always sees and knows what his servant does. For example, an officer who practices the concept of muraqabah will not commit bribery either as a giver or receiver of a bribe. It is because he feels that Allah SWT knows it. A person who fasts will not lie (eat silently) because he knows that Allah sees what he does. Similarly, the practice of corruption will not happen if they realize that their actions are a sin and are being seen by Allah SWT.

3. Muhasabah (Reflection)

This concept recommends that human realize their abilities through self-reflection. Human being has their level and ability regarding knowledge, intelligence, wealth, physicality, etc. However, people are urged to strive to be better. Thus, through reflection, one needs to realize one's true nature and try to change one's life in a way that complies with Sharia. Usually, corruption happens when people do not know themselves but want to be someone else. For example, wanting a luxurious life like others while not having the ability to do so. As a result, they fulfill desires in the mistaken action, which is corruption.

4. Mu'aqabah.

This concept fosters the courage to admit one's faults and then repent. An excellent and praiseworthy person dares to admit his mistakes. In the context of corruption, the concept of mu'aqabah can redeem and become a defense against committing corruption. Typically, the corruption offender will be motivated to do it repeatedly because the rewards received are worth it to fulfill the desires of lust. When muaqaba is understood, then the offender of corruption will feel repented. This concept can curb and form a strong personality to avoid corruption in society.

5. Mujahadah.

Efforts to prevent corruption must be done diligently, either individually or by the government. Every individual who is diligent in doing the work that is done will result in success. Islam advises its people to work hard for success or pursue luxury at the right time. The human need to be optimistic in a career or endeavor that will lead to success. Optimistic behavior can prevent individuals from expecting a reward such as a bribe. If the concept of mujahada is embedded in every person, then corruption will not happen. It is because every job has a fixed reward or salary. Hence, any reward that signals to bribe should not be accepted, because clear corruption is illegal in Islam. It is also wrong in terms of the law (Nur Syakiran Akmal & Md Zawawi, 2006).

6. Repentance.

This concept can build self-resilience from committing or continuing to be involved in corruption. Through it, someone who has committed corruption will feel regret over the corruption offense that has been committed (Afifi Farhana, 2020). Thus, it will encourage them to repent and not repeat it. It can build self-resilience so as not to be involved as a giver or receiver of bribes.

7. Musyarattah.

This This concept is implemented by instilling a high determination in a person not to be involved in corruption. For example, an employee with high determination will not contaminate the source of sustenance for his family with illegal sustenance such as bribery. Therefore, when there is an incentive to commit acts of corruption, then the concept of musyarattah that exists in itself will be a fortress to reject corruption. According to Afifi Farhana (2020), the concept of musyarattah in hisbah can create high determination in a person. In this context, there is a high sense of urgency to reject and say no to corruption.

Conclusion

The issue of corruption is one of the brutal crimes that have existed parallel to human life. Therefore, this problem needs to be overcome regardless of the difficulties and obstacles. Collaboration between the government and citizens needs to overcome the issue of corruption in the country. Apart from corruption in law, enforcement, and heavy punishment for offenses, through education, mass media, religious and ritual elements can be used. It is because religion and spirituality are the basis and nature of every human being. Therefore, this paper would like to suggest the use of religious and spiritual methods through the concept of hisbah to be implemented in building the character and resilience of community members. Religion and spirituality have been used in correctional and rehabilitation modules in prisons or drug rehabilitation centers. Therefore, for the issue of corruption, the concept of hisbah can also be used as a new mechanism to deal with corruption in addition to the existing methods through law, enforcement, and punishment. In addition, it can also build internal awareness for a person about corruption. This Hisbah is very much in line with the principle of maqasid sharia which calls to do good and prevent people from wicked.

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