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Using rational choice theory to understand corruption in Indonesia

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Abstract: Rational choice theory is used and developed to explain crime, criminals, crime prevention, and punishment (deterrent effect). According to this theory, criminals rationally consider the pleasure and suffering they will gain from committing a crime. Various theoretical and empirical studies have then developed factors that influence the rationality of criminals. This article details a collection of studies on rational choice theory and relates them to crimes of corruption. Literature on corruption crimes and efforts to prevent and eradicate them is often related to rational choice theory. Additionally, this article attempts to use rational choice theory to understand the perpetrators of corruption crimes in Sukamiskin Prison. This research is exploratory and uses dozens of unannounced inspection videos, interviews with offenders, publicly available news reports, and interviews with several parties who have visited Sukamiskin Prison. Sukamiskin Prison was chosen as a location of interest because the inmates who had been convicted of corruption crimes (corruptors) continued to engage in corrupt practices in the prison. Understanding the reasons and patterns of corruption can enrich our understanding of crimes of corruption in Indonesia using rational choice theory.

Keywords: Rational Choice Theory; Corruption; Sukamiskin Prison

Introduction

Corruption is a deviant act of a public official who does not conduct themselves according to his or her role in order to gain extra (private) benefit (Nye, 1967). Instead of serving the public and implementing policy to achieve social welfare, those public officials maximize wealth by using his or her authority in public office (Klaveren, 2009). In other words, corruption is a "misuse of public office for private gain" (Farrales, 2005). One of the elements of a corruption crime is the "social or institutional power" that is abused or misused by the offender for personal benefit.

The explanation of corruption mentioned above, in which the perpetrator intends to obtain financial gain unlawfully, can be linked to rational choice theory. This theory assumes that criminal offenders are rational individuals who calculate or consider the benefits of committing a criminal offense and expect that these will exceed the chances of being caught and the severity of punishment (Becker, 1968). Rational choice theory underpins much of the research and development of criminal policy, including preventing and eradicating corruption.

Nevertheless, the use of this theory in understanding the perpetrators of corruption in Indonesia is still relatively minimal. An adequate and complete understanding of corrupt behavior in Indonesia can provide knowledge for targeted and practical efforts to prevent and eradicate corruption. Therefore, this paper explores the use of rational choice theory to understand the perpetrators of corruption crimes (corruptors) in Indonesia. Can rational choice theory be used to understand corruptors in Indonesia?

This article begins by discussing various literature on rational choice theory. This theory has been widely applied to understand, prevent, and combat crime, including corruption. Various theoretical and empirical studies then further develop and explain in more detail the factors that influence the rationality of criminal actors. This paper then details a collection of studies on rational choice theory and relates them to white-collar crime and corruption. Literature on corruption and efforts to prevent and eradicate it often rely on rational choice theory.

After that, this paper attempts to use rational choice theory to understand and explore the reasons, patterns, and networks of corruption in the *Sukamiskin* Prison. *Sukamiskin* Prison is an interesting location because the convicts serving sentences for corruption continue to engage in corruption by bribing and giving gratuities to prison officers. This phenomenon is a real example of the complexity of applying rational choice theory and the deterrent effect to corruption within Indonesia's legal substance, structure, and culture today.

This article serves as a theoretical and empirical foundation for further research for understanding corruption in Indonesia in a broader context. Further empirical research provides more comprehensive information to policymakers in Indonesia on the complexity of the issues that lead to corruption. Thus, they can consider various policy proposals based on evidence.

Methods

This paper is an exploratory study using rational choice theory empirically tested in several countries other than Indonesia to develop a more sophisticated research design (Swedberg, 2020). This exploration is carried out by collecting empirical data through the results of corruption interviews in media coverage and interviews with 3 related parties. The purpose of this data is to test the use of rational choice theory in analyzing corrupt behavior in Indonesia. Because this research is exploratory, the results cannot be used to prove whether corruptors in Indonesia are rational individuals or not according to rational choice theory. Rational choice theory will be used as the primary foundation for understanding the reasons and patterns of corruption crimes. This research uses *Sukamiskin* Prison as a case study to apply rational choice theory to corruption.

This research uses videos of unannounced inspections at *Sukamiskin* Prison, news reports in print and online media, and interviews with parties who have visited *Sukamiskin* Prison. The author interviewed 3 respondents consist one lawyer, guest, and convict who observed and had experience with *Sukamiskin* Prison in 2020. The author includes videos of the inspection and interviews conducted by journalist Najwa Shihab. Najwa had several opportunities to film in *Sukamiskin* Prison when she and her team participated in unannounced inspections at *Sukamiskin* Prison in 2013 and 2018. In 2013, Najwa featured the *Sukamiskin* prison inspection coverage in her *"Special Prison"* show. Meanwhile, her 2018 inspection video was called "Pretending to be a Prison." Najwa also conducted several interviews with convicts after a surprise inspection for the video "*Buka Mata - Ini Curhatan Napi Sukamiskin, Pascasidak Kemenkumham"* (Open Your Eyes - These are the Confessions of *Sukamiskin* Convicts, Post-Inspection by the Ministry of Law and Human Rights). In addition, the author also used videos produced by other news companies related to *Sukamiskin* Prison. These videos are secondary data that can be used for social science research (Bryman, 2012; Bates, 2014). The social science research studies and understand human action focusing on elements of thought and behavior that are in some degree social (Gerring, 2012).

Through several videos by Najwa Shihab and others, this research uses ethnographic sensitivity or sensibility to explain corrupt convicts' repeated corruption within *Sukamiskin* Prison as a means through which to obtain living conditions in the prison that are "decent and humane." Ethnographic sensibility is being sensitive to how informants make sense of their worlds and incorporating meaning into our analyses (Simmons & Smith, 2017). In this research, the author use news videos related to corruption in *Sukamiskin* Prison as a medium to understand the alignment and readjustment of the parties and their values in the location where they are involved, as a space where political rationality abstractions towards what is thought and felt are visible (Stoler, 2009). This understanding is then supplemented through interviews with 3 parties who have had experiences in *Sukamiskin* Prison. The exploration of these matters is expected to contribute to the understanding of rational choice theory in anticorruption policies in Indonesia in a broader and clearer manner.

Results and Discussion

Rational Choice Theory

Rational choice theory is widely used by scientists, policymakers, and law enforcement in criminal policy. The historical roots of this theory can be traced back to the philosophy of

utilitarianism advocated for by scientists such as Beccaria (1764), Bentham (1781), and Mill (1863). Bentham and Mill generally argued that individuals' actions strive to maximize happiness and prevent suffering. Bentham then stated that when the "value" of suffering exceeds happiness, a person will avoid prohibited actions (Bentham, 1830). Punishment as a tool to deter someone from committing a crime, rather than retributing his or her wrongdoing, should be severe and yet proportional to the crime (Beccaria, 1764). Moreover, Beccaria also asserted that the promptness and certainty of punishment are essential for its effectiveness so that it has a deterrent effect. Economist Gary Becker explained that criminals are rational actors who consider the benefits, or gains, from committing a crime to be higher than the chances of being caught and the severity of punishment (Becker, 1968). This theory is considered relevant for analyzing corporate crime (Paternoster, 1993) and corruption (Carson, 2014), especially bribery and extortion (Rose-Ackerman, 2010).

Rational choice theory has been empirically tested and developed by various scientists, especially from law, economics, and criminology fields. These efforts aim to prove the use of this theory in crime prevention strategies and improving the deterrent effect. Paternoster (2010) explained that the revival and development of empirical research to test the theory of rational choice and deterrence theory started after 1968. That year, economist Gary Becker developed rational choice theory and referred to Jeremy Bentham, while sociologist Jack P. Gibbs based his explanation on Cesare Beccaria. Becker's (1968) explanation above focuses on how an individual considers the benefits/advantages and disadvantages of committing a criminal offense. On the other hand, Gibbs is more interested in the form and implementation of punishment that can deter a person from committing a criminal offense.

Matsueda et al. found that "criminal acts of violence and theft conform to a rational choice model" (Matsueda et al., 2006). Matsueda (2013) also summarizes several empirical pieces of research testing rational choice theory, showing it is consistent with deterring offenders, especially in regards to certainty of punishment rather than the severity of punishment. Loughran et al. (2016) also empirically tested the theory to determine whether rational choice theory can be considered as a general theory of crime. They conclude that rational choice theory can be considered a general crime theory. Using 1,345 individuals as their sample, they found that rational choice theory is able to explain the reason people committing crimes. In testing their theory, they considered Matsueda's (2013) criticism of rational choice theory to be too economistic. They then used comprehensive indicators to determine the perceived risks and benefits of offending. These indicators include personal factors, such as the thrill of committing a crime, and social factors, such as loss of trust from family or friends. They also studied legitimate and illegitimate income.

In empirical research, Nagin (2013) found that the severity of punishment in the form of long imprisonment has a modest impact on deterring criminal offenders. This finding is in line with Webster and Dobb (2012), who reviewed dozens of articles about high incarceration and deterrent effects. Most literature concludes that there is no convincing evidence that high or lengthy prison sentences have a significant deterrent effect (Webster & Dobb, 2012). According to Bentham (1830), one crucial element of punishment is that the value of punishment must not be less than the profit obtained from a criminal act. However, the punishment must be proportionate to the criminal offense and not be carried out cruelly (Becarria, 1764). From a legal and economic perspective, monetary penalties such as fines are more socially efficient to implement, and imprisonment can only be justified if monetary penalties have been enforced to an optimal point (Polinsky & Shavell, 1984).

Thus, the regulation of imprisonment for corruption crimes in Indonesia needs to be reviewed to increase the deterrent effect by considering the development of rational choice theory. Reforming monetary sanctions for corruptors is crucial because the offenders of corruption crimes currently cannot be punished with fines of more than IDR 2 billion (or USD $140,000) and restitution equal to the money exploited through their corruption. These monetary sanctions do not consider society's social costs, such as law enforcement costs, corruption prevention costs, and other losses due to corruption. In Indonesia, Pradiptyo estimated an IDR 67.77 trillion (USD $7.28 billion) gap between the total cost of corruption and the total monetary sanctions decided by the

judges (Pradiptyo, 2012). In practice, judges use broad discretion to punish large and grand-scale corruptors more leniently than small-scale corruptors (Pradiptyo, 2012).

Nagin (2013) also proposed further research to measure offenders' perceptions regarding punishment regimes to understand "behavior that responds to perceptions of punishment." Based on the descriptions of the two paragraphs above, we can empirically examine the hypotheses that (1) prison sentences are not a very strong deterrent for corruption offenders in Indonesia, and (2) monetary penalties have not been optimally applied to deter corruption offenders in Indonesia. To test these hypotheses, researchers must conduct empirical testing with a comprehensive research design. In addition, they must also consider informal (non-legal) punishments such as from communities or institutions. Paternoster (2016) claimed that perpetrators of white-collar crime are "influenced by the opportunity for financial and non-financial benefits from their actions, the possibility of social censorship from others, and the extent to which their actions are considered bad by themselves or in the company culture".

Some empirical research stated that the most important factor that affects the deterrent effect is the certainty of punishment (Matsueda 2013). This finding is similar to Nagin's (2013) analysis, which argued that certainty or a high probability of being caught is more influential in deterring offenders than a lengthy prison sentence. Paternoster (2010) summarized several studies that found that an increase in the number of police officers and a change in policing strategies increased the certainty of prosecution of criminal offenders, and reduced crime rates in the United States.

These results align with Beccaria's theoretical foundation from hundreds of years ago. Beccaria (1764) stated that definite and immediate penalties for criminal offenders can match or exceed the potential benefits of committing criminal acts. A possible means to increase law enforcement certainty is to improve the quality and quantity of law enforcement. Therefore, the appropriate policy implication is to divert resources to optimal prevention strategies and law enforcement rather than imprisonment (Durlauf & Nagin 2011).

In addition, the rationalization process of criminal offenders can also be influenced by external factors. Matsueda (2017) realized that micro-processes, how individuals make rational decisions to commit criminal acts, are not only based on deliberative thought processes towards perceptions of risk and profit, but can also be affected by macro-processes such as laws or norms that apply in society. Matsueda proposed to improve the research design of rational choice theory in criminology by integrating individual (micro) and social (macro) analysis (Matsueda, 2013, 2017). Rational choice theory is useful as a micro foundation for criminal research at the individual level (Matsueda, 2013, 2017)

Institutions, for example, affect a person's expectations of obtaining benefits and losses (Collier, 2002). Collier then argued that the corrupt behavior of individuals within the institution can affect the institution's structure and the rules internalized in each individual within it. This integration of micro and macro levels is helpful to better understand corrupt behavior that occurs in institutions in Indonesia. In the analysis section, the author will describe how this integration occurs in *Sukamiskin* Prison. The chances of a criminal being caught, or the certainty of punishment, are smaller in an institution where individuals protect each other and do not report when a crime has occurred. Due to the pervasiveness of corrupt practices in small to large institutions in the Indonesian bureaucracy, organizers tend to tolerate corrupt practices.

Patrimonialism and "informal networks of corruption in an organization grow and develop within formal organizations" in Indonesia (Rochman & Achwan, 2016). In 2018, for example, 41 out of 45 members of the Malang City DPRD were arrested for accepting bribes from the Head of the Malang City Housing Office to increase the housing budget. Within the bureaucracy, corruption also occurs from lower-level state officials who wish to be promoted to strategic structural positions by higher-ups (Kristiansen & Ramli 2006; Weaver 2018). This desire is inseparable from Indonesia's remuneration system, which provides additional financial benefits for certain structural positions (Tjiptoherianto, 2018). As a result, lower-level state officials face enormous pressure to pay off their investments (bribes to leaders) by asking businessmen and citizens for illegal fees (Berenschot, 2017).

White-Collar Crime

The discussion regarding white-collar crime can provide a useful reference to understand the complexity of corruption and simultaneously capture important elements related to rational choice theory and corruption, namely the abuse of power or authority (Zimring & Johnson, 2005). Research and policies are being implemented in some developing countries to address white-collar crime and corruption concurrently, as both hinder economic development (Lotspeich, 1995; Yu, 2008). In Indonesia, for example, white-collar crime and corruption are intertwined with palm oil multinationals and local governments (Hainess & Macdonald, 2019). Therefore, a global policy system has been developed to prevent white-collar crime and corruption in today's globalized world (Grabosky, 2009).

White-collar crime is "a crime committed by a person who has an occupation of high social status" (Sutherland, 1949). State officials can be categorized as "political white-collar crime" offenders because they have the ability and structural opportunities to abuse their authority or accept bribes due to their position as public officials (Geis & Meier, 1977).

A public official may not have the intention to commit corruption at the beginning of his/her career, but hold a noble goal such as "serving the country and society." However, a young and idealistic organizer may be influenced and change his/her behavior due to observing corruption committed by his/her colleagues. Ethnographic research in Kupang conducted by Tidey (2016) discussed two young state civil servants (ASN). They were educated and had graduated from the *Institut Pemerintahan Dalam Negeri* (IPDN), which has instilled anti-corruption materials and values into its students since the fall of Soeharto's authoritarian regime. As the Mayor's aides, they observed and understood that it was normal to receive IDR 200,000 per day from guests who met the mayor. They also realized that such actions could help them become loyalists of the mayor, which could increase their chances of promotion to higher positions.

The story above has something in common with the differential association theory, namely that criminal behavior is learned from others who consider a corrupt act either a good or bad thing (Sutherland, 1949). A person who commits a criminal offense is exposed to "an exaggerated understanding of actions that violate the law compared to actions that do not violate the law" (Sutherland & Cressey, 1978). Rule-breaking habits can be learned by an organization, and criminal behavior can develop (Apel & Paternoster, 2009).

In white-collar crimes, offenders often do not consider themselves criminals (Newman, 1958). In financial crimes, for example, Cressey (1953) found that a person who is trusted to manage assets (trusts) justifies his corruption offenses as an effort to solve personal problems that cannot be resolved by other parties, such as personal financial problems (Cressey, 1953). In Indonesia, limited budget and salary can motivate state officials to commit corruption (Mcleod 2008, Global Integrity Report, 2011). White-collar crime relates to another criminological theory, the general strain theory, which states that unfavorable or uncomfortable conditions make a person more likely commit a criminal offense (Agnew 1992, 2006). In white-collar crime, there are at least four types of provocations, namely (1) difficulty achieving financial goals; (2) diversity of financial problems; (3) inability to achieve specific status goals; and (4) stressful experiences at work (Agnew, Piquero, & Cullen, 2009).

Sometimes perpetrators use their reasons to justify their actions and the crime (Cressey, 1953). In Indonesia, some people with respected jobs and high status consider themselves as those who have done their best and moral duties (moral credentialing) even while committing despicable acts (Brown et al., 2012). In Indonesia, Puteri (2018) found moral credentialing carried out by police, teachers, and doctors when receiving illegal gratuities (Puteri, 2018). This moral credentialing influenced those professions and the public to impose lighter sentences on police, doctors, and teachers who received illegal gratuities. The public considers the victims of this type of corruption to be not as clear-cut and "real" as victims of theft or abuse.

The link between white-collar crime and corruption in business and the public sector can be analyzed using rational choice theory (Yu, 2008). State officials are given the authority from the state (or law) to regulate business activities that impact the costs and profits of a company. Corruption occurs because state officials (agents) are utility maximizers, so their actions may

deviate from the goals of the people who give them the mandate (principal) (Groenendijk, 1997). State officials are very likely to seek additional financial benefits from companies (clients) in ways that violate the law because their actions can benefit the company (Klitgaard, 1991). As the aggrieved party in white-collar crime, the public does not yet have a "militant and broad public opinion" to punish illegal acts (Fuller, 1942; Sutherland, 1940). This is because victims of white-collar crimes are not as visible and easy to quantify as for other crimes such as molestation or theft.

Case Study: Corruption in *Sukamiskin* Prison

Sukamiskin Prison

Sukamiskin Prison has been used to imprison corruption convicts since 2012. Denny Indrayana, when he was Deputy Minister of Law and Human Rights, initiated the idea of relocating most of the corruption convicts to one prison. Denny believed it would be easier to supervise corruption convicts because there is only enough cell space for one person (Gustaman, 2012). The Dutch built *Sukamiskin* Prison in 1817 to imprison convicts of general crimes and members of rebel groups who violated Dutch law. The prison was built with two types of cells: (1) a 1.6 x 2.5-meter cell for general criminal convicts and (2) a 3.2 x 2.5-meter cell for political convicts, including former president Soekarno. Although corruption convicts now are given a bigger cell, the conditions and facilities inside and outside the cells are far below international regulations and standards.

In 2018, the Corruption Eradication Commission (KPK) arrested the head of *Sukamiskin* prison for corruption. The KPK also demolished and leveled a beautiful garden with a rocky waterfall and various green plants. Not only that, the KPK also dismantled several gazebos and confiscated dozens of colorful plastic chairs. The construction of the garden, located in the inner courtyard of *Sukamiskin* Prison, was collectively funded by prisoners as a decent and humane place to receive visits from family and friends. A respondent who visited the prison recounted his experience sitting in the gazebo for 4 hours, talking to prisoners past the visiting time limit. He also observed dozens of other prisoners in several gazebos playing cards, chatting, or providing legal opinions to lawyers working in the law office of a convicted person.

The fight for better living conditions at *Sukamiskin* Prison has been going on for almost a decade. Mohamad Sanusi, a convicted corruptor, was disappointed by the destruction of the gazebo and garden. "This demolition makes our lives even more miserable... You should come on a busy Saturday. You will see how we meet our families on the street." Some prisoners in *Sukamiskin* Prison are people with considerable education and work experience, such as the former Speaker of the House of Representatives, the Speaker of the Regional Representative Council, the Chief Justice of the Constitutional Court, several ministers, and leaders of political parties. They have loud and influential voices regarding decent and humane prison conditions.

Figure 1. Gazebo and garden at the *Sukamiskin* prion where inmates meet their families and friends.

Luthfi Hasan Ishaq, for example, former chairman of the Prosperous Justice Party (PKS), believes ceramic toilets are not luxurious and should be standard facilities for him and other

convicts. Luthfi stated, "I have health problems, so my frequency of urinating is very high. I then got a letter of recommendation from the doctor to install a sitting toilet (in the cell), and this is [should be] normal." Luthfi said that "the sitting toilet belonged to Emir Moeis (a former convict), he could not defecate in the squat toilet. Can you imagine someone who weighs 132 kg, he cannot stand up when using a squat toilet?"

Figure 2. Static bike and sitting toilet inside Luthfi's cell

The inmates not only struggle to obtain clean and proper sanitation, but healthy and nutritious food as well. The budget given by the Directorate General of Corrections to buy food is only Rp. 15,000 per person each day. If there are three scheduled meals, the food budget per person for each meal is only IDR 5,000. In addition, an inmate respondent estimated that the food allocation provided was only enough to feed 20-30% of the total inmates at *Sukamiskin* Prison. As a result, the convicts gave money to Correctional Officers to buy and provide healthier and proper food.

Analysis

The narrative of "decent and humane" prison conditions has a solid legal basis. According to the Corrections Law of 2022, "depriving convicts' freedom must be based on the principles of legal protection and respect for human rights based on Pancasila and the 1945 Constitution of the Republic of Indonesia." At the international level, the United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners in 1957 ". . . were drafted to outline the minimum conditions for maintaining human dignity" (Clifford et al., 1972).

However, public support for decent and humane prison conditions is divided because some parties condemn corruption as an awful crime. Hence, the offenders deserve severe punishment and should not be entitled to good cell conditions. Regarding the toilet seat in Luthfi's example above, the Minister of Law and Human Rights (Yasona Laoly) realized that the government's limited budget led to their inability to provide clean and hygienic toilet seats to all convicts. Yasona then acknowledged that convicts who could afford it were able to upgrade their cell facilities. Improving conditions and facilities in cells and prisons has been a critical demand voiced by the KPK and Indonesia Corruption Watch (ICW). These groups know that the arrest and punishment of corruptors will not solve corrupt practices in prisons as long as the root of the problem is not resolved, namely, inadequate and inhumane conditions in cells and prisons.

A similar narrative to moral credentialing, as described in the previous section (Puteri, 2018), is also repeatedly disseminated by corruption crime convicts to plea for decent and humane prison conditions. Akil Mochtar, former Constitutional Court Chief Justice, argued that "we (corruption convicts in *Sukamiskin* Prison) have contributed a lot to the country." This view is similar to Sanusi's, who considers that many convicted corruption offenders worked as public officials who provided community services. A convicted respondent also argued that many convicts in

Sukamiskin Prison have contributed to the state, so they should be treated more appropriately when serving their sentences.

At the individual level, bribery to obtain decent and humane prison facilities and conditions is an understandable human decision. Kahneman and Tversky (1979) found that individuals tend to take risks (risk-seeking) when faced with a possible loss. Losing facilities to fulfill basic daily needs, such as a healthy meal or a decent bathroom, makes prisoners suffer, outweighing any benefits of not committing corruption. This reasoning may explain why an individual convicted of corruption has not been deterred from committing corruption. A lawyer (respondent) told me his client experienced emotional shock when moving from a large, luxurious house to a cramped cell. His client then gave money (bribed) to prison officials for air conditioners and mattresses.

In addition, Akil Mochtar said that he and other convicts had been punished when the KPK intervened in their lives in *Sukamiskin* prison. Akil stated that it was the responsibility and duty of the Ministry of Law and Human Rights to bring order to the prison. In front of journalist Najwa Shihab, other convicts have also said that prisons are safe places to commit crimes because there are no police. Prison officers are so limited that to maintain order, they often tolerate some violations, similar to how parents do not punish their children for misbehaving. Therefore, they consider there to be a small chance of being caught again, or a low certainty of punishment, for committing corruption in prison.

The proliferation of corrupt practices in *Sukamiskin* Prison may occur because individuals in *Sukamiskin* Prison rationally believe that the benefits of obtaining improved facilities are much higher than the small chance of being caught and the severity of punishment (Becker, 1968). In addition, they also experience strains in their daily lives in the prison (Agnew, Piquero, & Cullen, 2009). From the prisoners' perspective, the living conditions in the prison are far from the prisoners' living standards and the law's standards. From the prison officials' perspective, there are limited budgets and human resources to carry out correctional duties and uphold the standard of the law.

Transferring corruption convicts into one prison also causes problems related to changing norms. Matsueda stated that "some people can mobilize others to resist or even commit criminal acts collectively" (Matsueda, 2006). Some factors that influence this process are social proximity/ networking, the strength of social ties, the framework for collective action, and the threshold for individual action. These can influence individuals, both prisoners and prison officers, within the social organization of prisons to tolerate unlawful acts, such as bribing officers to obtain decent and humane prison facilities.

This practice was also shared by the lawyers and prisoners interviewed. They said that if prisoners do not give "tips" to prison officers, they will "feel guilty" because other prisoners do. Sometimes, the "tip" is forced by officers to obtain fundamental rights guaranteed by law, such as the right to see family or to clean sanitation. When it becomes commonplace to give "tips" as bribes, the parties will adjust their rational considerations and norms (Collier, 2002; Sutherland, 1949).

The situation and conditions in *Sukamiskin* Prison force individuals to reevaluate what is ethically and morally "right". Muir and Gupta (2018) explain that this situation ". . . often occurs when people find their journey to a common goal requires a violation of the common values they hold." The previous example illustrates how convicts, correctional officers, ministers, law enforcement (KPK), and activist groups have adjusted their goals and values to prioritize decent and humanist prisons as a top priority in anti-corruption policies in Indonesia.

The strategy of imprisoning all corruptors in one prison without understanding the impact on prison officials can lead to the collapse of prison credibility. Relationships between convicts and correctional officers can lead to corrupt behavior; this is also the case in developed countries such as the United States. The leading causes of corruption in prisons are mainly friendship between prisoners and officers, reciprocity, and utilizing prisoners to help officers with their duties (Skyes, 2007). Related to reciprocity, very unequal conditions occur between corruptors who have money and do not want to live a difficult life in prison and low-paid officers with very high workloads. Money is the main factor in this imbalance between them. Money can then lead to a criminal offense because it (1) reduces moral boundaries pragmatically, (2) gives a sense of self-sufficiency that distances social responsibility, and (3) makes illegal transactions easier (Engdahl, 2008).

Punishment should make the officer-offender relationship more balanced, even if it is impossible to equalize completely. Therefore, legal substance in the form of monetary penalties that are detrimental to perpetrators of corruption need to be reviewed and modified.

The proposal to increase prison officers' salaries to reduce the desire for corruption should be considered more carefully. Increasing salary is insufficient to address corruption among state officials (Gans-Morse et al., 2018). In Ghana, doubling salaries was only able to reduce extortion committed by state officials, however it also increased the amount of bribes paid to state officials (Foltz and Opoku-Agyemang (2015). These findings reflect the impact of the high salaries of Indonesian state officials, such as the Speaker of the House of Representatives and the Chief Justice of the Constitutional Court, who are still not immune to corrupt practices.

Filmer and Lindauer (2001) argued that corruption should be viewed as a response to opportunity, especially when the benefits of corruption are high and the likelihood of being caught is small. These benefits are not always financial, but also include other gains. For the leadership of a bureaucracy, these benefits can take the form of loyalty and solidarity, or overcoming institutional budget shortfalls (McLeod, 2008). In the case study of *Sukamiskin* Prison, limited resources, and the inability to provide decent and humane facilities, have always been the causes of corrupt practices.

Conclusion

Rational choice theory assumes that criminal offenders are rational individuals. They will commit a crime if the benefits or advantages outweigh the probability of being caught and the severity of punishment. However, some empirical research helps us to better understand what factors do or do not influence the deterrent effect. Some of the findings reviewed in this paper are: (1) long prison sentences have little effect on the deterrent effect; and, (2) the certainty or high chance of being caught has a significant effect on the deterrent effect. In addition, an individual is undoubtedly influenced by their environment or organization. The latest rational choice theory research has considered the influence of external (macro) aspects on a person's decision-making (micro).

Through a case study of *Sukamiskin* Prison, rational choice theory can be used to understand corrupt behavior inside the prison. This paper explores how external conditions such as inadequate facilities, the lack of protected rights of prisoners in opposition to legal standards, and limited prison resources cause corrupt convicts to continue committing corruption (i.e., bribing prison officers) in *Sukamiskin* Prison. Both from the convicts' and prison officials' point of view, giving gratuities or bribes is considered a means to overcome the inadequate and inhumane conditions of *Sukamiskin* Prison due to limited prison resources.

This finding indicates that both convicts and *Sukamiskin* prison officials calculate the possible benefits to be obtained to be higher than the severity of the sentence and the certainty of being arrested and prosecuted. Convicts would rather bribe officials than live in a prison that does not follow standards regulated by the law (food and sanitation), as well as which is dirty and uncomfortable. Meanwhile, prison officials realize that *Sukamiskin* Prison has yet to be able to meet prisoners' needs as dictated by standards guaranteed in the regulations. Hence, self-supporting payments from convicts are a solution. In addition, both parties also consider that the chances of involvement of law enforcement (being arrested and prosecuted) are very small because the convicts realize that they had been convicted of corruption before, and prison officials tolerated several violations for the sake of stability and the fulfillment of prison needs.

Various stakeholders, such as anti-corruption activists, lawyers, the Minister of Law and Human Rights, convicts, and visiting guests, understand that such actions are against regulations. However, they also realize that the status quo conditions differ from the regulations that guarantee healthy food and sanitation. They all voiced "humanizing human beings" as a narrative to realize decent and humane prison conditions.

Corruption convicts should be serving their sentences as a process of self-improvement, however they still commit bribery. This situation indicates that deterrence for corruption convicts in the form of prison sentences has yet to work optimally. The theoretical framework of rational

choice and the deterrent effect is relevant to analyze corruption in further research with a larger sample and wider area. Therefore, anti-corruption policy discussions need to develop and focus on reforming corruption prevention and law enforcement strategies rather than increasing imprisonment for corruption offenders.

Indonesian policymakers must reform several aspects to improve their crime prevention and enforcement strategy. First, they must conduct further empirical research to test the impacts of variations in punishment, imprisonment or monetary, on the rationality of criminal offenders and the deterrent effect. The results of this study can provide evidence to revamp the punishment regime for corruptors in Indonesia by focusing on imprisonment or monetary punishments such as fines and asset forfeiture. Second, they also should conduct various studies and evaluations to analyze empirical evidence, conditions, and availability of resources to fund more innovative crime prevention and prosecution (Ramadhan, 2021). Reflecting on the limited resources given to the corruption court (Ramadhan, 2022) and *Sukamiskin* Prison in this paper, various efforts to prevent and eradicate corruption can be "tainted" and miss its goals if not optimally designed and supported.

Acknowledgments

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