

# Collaborative Governance in Corruption Prevention in Central Java: A Conceptual Framework

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## Abstract:

Increasing the Anti-Corruption Behavior Index (IPAK) is one of the priority targets of the National Medium-Term Development Plan (RPJMN) to increase the nation's competitiveness. Corruption Eradication is based on optimizing the National Integrity System (SIN) with a main focus on integrated prevention. The field of prevention did not get the attention of the public and the media widely when compared with the prosecution. The data shows the results of the implementation of corruption prevention actions in the first semester of 2019 there were 8 provinces received low results in preventing corruption. One of the eight provinces is Central Java Province (49%). What is the corruption prevention strategy in Central Java Province? This paper aims to formulate a conceptual framework in the form of Collaborative Governance. The synthesis of literature and the analysis of the tasks and functions of the actors involved is the starting point for discussion in this paper so that it can ultimately produce a conceptual framework for the Central Java Provincial Government

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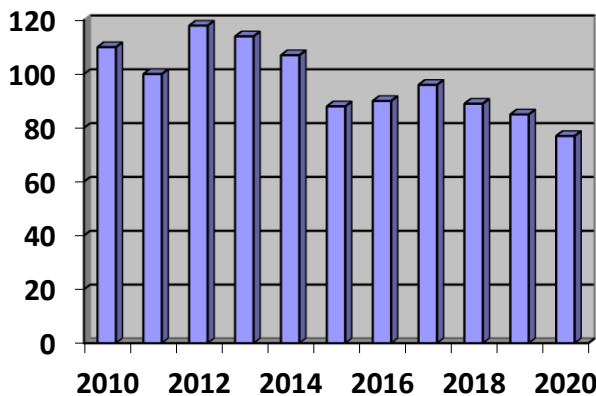
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## I. INTRODUCTION

The competitiveness of each country can be measured through the Global Competitiveness Index (GCI) released by the World Economic Forum (WEF). The 2019 Global Competitiveness Report shows Indonesia's competitiveness index ranked 50 out of 141 countries in 2019, down 5 ranks from 2018. The data shows that Indonesia ranks 4th out of ASEAN countries where Thailand ranks 40, Malaysia ranked 27th, even Singapore ranked 1st. The decline was influenced by the decline in Indonesia's GCI score by 0.3 from 64.9 to 64.6 points. Several components that cause Indonesian GCI to decline, one of them being the first pillar in measuring GCI is the pillar of the

institution measured through various aspects. One of the influences is the incidence of corruption (Incidence of Corruption/IoC). Indonesia's IoC in 2019 rose to 77th place out of 141 countries with a value of 38.0 points.



**Figure 1 Indonesia Corruption Rank 2010-2020**

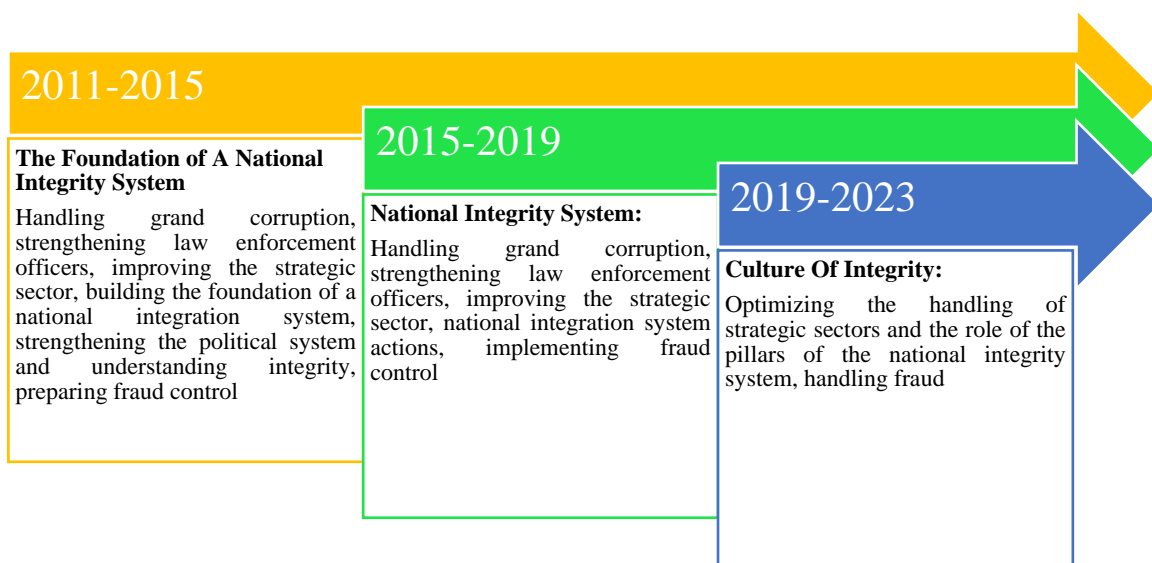
Source: Corruption Perceptions Index reported by Transparency International, 2020

This data supported by the Indonesian Anti-Corruption Behavior Index (IPAK) in 2019, which has not yet reached the 2019 National Medium-Term Development Plan (RPJMN) target of 4.00 points while Indonesia's IPAK in 2019 is only 3.70 points. Although Indonesia's IPAK increased compared to the previous year by 0.4 points to 3.66 points which showed increasingly anti-corruption behavior or the community is not permissive to corruption, the Perception Index, which is one indicator, decreased by 0.6 points from the previous year to 3.80 points. The dimensions of public perceptions of anti-corruption in the family,

community and public environment in this IPAK show a decline, in other words, the community is increasingly permissive of corruption in 2019[1]. The decrease in this dimension of perception can be caused by the corruption eradication policy carried out by the Indonesian government that has not had a maximum impact on increasing the perception of the community in internalizing anti-corruption culture in the family, community or public environment.

The Corruption Eradication Commission (KPK) is one of the subsystems in eradicating corruption in Indonesia which has quite good achievements. The existence of the KPK aims to increase the effectiveness and effectiveness in efforts to eradicate corruption in Indonesia. As a state institution within the executive power group expected to act extraordinarily in eradicating corruption, the task of KPK stated in article 6 of Law Number 30 of 2002, revised in 2019 to Law Number 19 of 2019.

It is clear that one of the first roles of the KPK is to take preventative measures so that corruption will not occur, this is in line with the KPK Roadmap in 2011-2023, which in 2020 is the Third Phase (2019- 2023), as follow:



**Figure 2. Road Map KPK, Milestones, dan Focus Area**

Source: KPK Road Map Documents in Eradicating Corruption in Indonesia 2011-2023, 2010

The figure above shows Phase III of the KPK Roadmap in Corruption Eradication, one of which focuses on optimizing the National Integrity System (SIN) with an integrated Grand Prevention Strategy. This integrated prevention begins with a comprehensive review of the system or regulations or procedures then issued recommendations or suggestions for improvement. The implementation is monitored by the KPK to its completion. In parallel, education and campaign about SIN to ministry or institutions and civil society organization (CSO) are also carried out to change their mindset and behavior, and internalization and implementation of national integrity foundations and pillars are gradually focused on areas to strengthen SIN [1].

The task of preventing corruption has been carried out since 2004, although it did not receive widespread public or media attention when compared to prosecution. Whereas the prevention aspect is also considered important in supporting efforts to eradicate corruption to the maximum [2]. The problem of corruption prevention in the context of eradicating corruption is not only the task of the KPK. Corruption Eradication is the responsibility of all parties such as individuals, organizations, collectively in government, parliament, law enforcement, the business world, and society. Therefore, each party must commit to preventing corruption that is consistent, synergistic and sustainable [3].

The corruption prevention synergy is stated in the National Strategy for Corruption Prevention (Stranas PK) compiled as a national policy direction used by ministries/institutions, local governments, and stakeholders as a reference in implementing corruption prevention actions in Indonesia. The legal basis of the Stranas PK was endorsed by the President through Presidential Regulation 54/2018 on the National Strategy of Corruption Prevention. The President ordered 51 ministries/institution and 542 local governments to carry out 11 actions and 27 corruption prevention sub-actions 2019-2020. Still, the national strategy

has not yet shown significant results. The data shows in the first semester of 2019 that 8 Provincial Governments received low scores (under 50%) in the implementation of corruption prevention. One of the eight Provincial Governments that still does not comply with corruption prevention efforts is the Government of Central Java Province (49%)[4]. If we relate the data to the CGI, we can conclude that the good performance of a country is started from its part (province, city, or others).

Ansell and Gash define collaborative governance as a governance arrangement whereby one or more government institutions directly involve non-governmental stakeholders in a formal, agreement-oriented, consultative consensual decision-making process aimed to create or implement public policies or run public programs or assets) [5]. Moreover, collaborative governance as the processes and structures of public policy decision making and management which engrossed people constructively across the boundaries of public institutions, levels of government, and or the public, private and civic spheres, to achieve a public purpose that could not otherwise be overcome)[6].

There are many researches concerning on this theme from academic discussion, state implementation of comparative concept such as Collaborative Governance In The Administrative State by Joy Freeman [7], The fuzzy concept of collaborative governance: A systematic review of the state of the art by Agnes Batory and Sara Svensson [8] Collaborative Governance in Eradicating Corruption in Indonesia: Challenges and Opportunities by Abubakar, Prasojo, & Jannah [9], Collaboration In Anti-Corruption Work: Who To Work With And How? by Lee Kuan Yew School of Public Policy [10] and article with the title Coproducing “clean” collaborative governance: examples from the United States and China by Rossenbloom dan Gong [11]. Those previous researches show that collaborative governance can be used as an alternative solution in overcoming complex corruption problems.

Although there is various research on collaborative governance, it is still limited to the scope of eradicating corruption in general, besides that the locus is still national. Nevertheless, their work has been used as references to support our thought to build the conceptual framework start with the local government. This paper tries to complement previous work by developing Collaborative Governance focuses on preventing corruption in its narrower locus, Central Java Province. It is hoped that this research can be an alternative Collaborative Governance model for local governments at the provincial level.

## II. METHOD

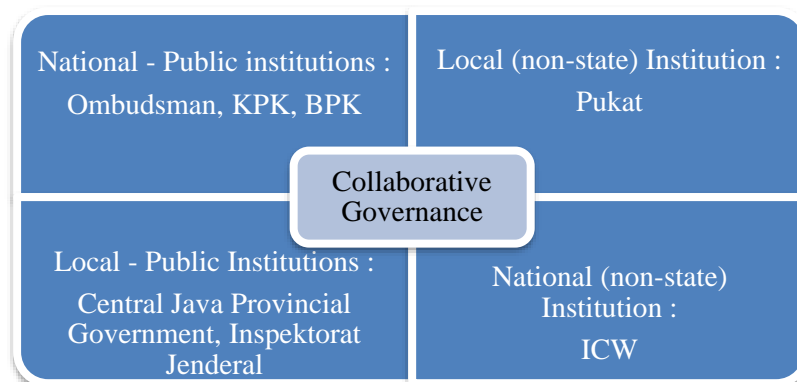
This research uses a literature review as the main research method and normative legal research methods as the complementary method. The data used in this study were obtained by analyzing journals that focus on Collaborative Governance, Corruption Prevention and legislation with a comparative approach. Since regulation also part of the analysis then the statute approach also used.

## III. RESULT AND DISCUSSION

### Collaborative Governance Actors

We use Ansel and Gash's concept about collaborative governance that requires the involvement of government (state/public institution) and non-government (non-state institution) party in making process and the implementation of public policies. The initiative of government to include society as the stakeholder to ensure the accomplishment of the public policies itself.

In terms of public institutions, the actors are Ombudsman, Inspektorat Jenderal (Itjen), KPK and Central Java Provincial Government. All the mentioned actors divided into two different working scope such as local and national. For the non-state institution, the actors are Pusat Kajian Anti Korupsi (Pukat) and Indonesia Corruption Watch (ICW). Similar to public institutions, the non-state institutions also divided into local and national scale. The relation between all actors can be described in the figure below:



**Figure 3 Actors of Collaborative Governance**

As a system, public governance involves many areas. It is the integration of laws, administrative rules, judicial rulings, and practice of the actor[12]. Therefore, it will be helpful if we describe the duties and fiction of the actors involved as already stated in the regulation. The description will be started with the national public institutions. Followed by the explanation of national non-state

actors, local public institutions, and local non-state actors. Duties and function explained to demonstrate the opportunity for collaboration and give us a description that interaction between the state and non-state actors will foster good governance's achievement [13].

#### 1. Ombudsman

Formed and regulated based on Law No 37/2008 of The Republic of Indonesia on The Republic of Indonesia Ombudsman. Its primary function is the concern on the enforcement of public service it is enforced by the government or enterprise both state-owned or private. (Article 6) It is the supervisory function.

The primary function will be implemented through eight duties elaborated in Article 7. The task of Central Java Provincial Government included the scope of Ombudsman's work as long as related to supervision on the public service enforcement. In the implementation of its work Ombudsman should build a network between public institutions (Article 7). In carrying out its duties the Ombudsman has representation in the provinces that have a hierarchical relationship with the Ombudsman.

## 2. Corruption Eradication Commission (KPK)

Formed and regulated based on Law No 30/2002 of The Republic of Indonesia on The Corruption Eradication Commission. This commission has a very vital role and gains public trust due to the common understanding that this commission reflects the spirit of the reformation era. The new beginning for better eradication of corruption. Such responsibilities require specific authority, therefore the Commission equipped with the tapping permit as mentioned in Article 12, the authority that other law enforcers do not have. Its main duties illustrated in Article 6 such as:

- a. coordinating with authorized institutions to eradicate corruption;
- b. supervising authorized institutions in their activities of eradicating corruption;
- c. conducting investigations, indictments, and prosecutions against criminal acts of corruption;
- d. preventing criminal acts of corruption; and
- e. monitoring the governing of the state.

The Law No 30/2002 got revised in the end of 2019 because the government and DPR considered the restructured and rearrange of the Commission is

urgent. Law No 19/2009 on The Corruption Eradication Commission stated in Article 6 the task of KPK:

- a. preventive measures
- b. coordination with authorized agencies that carry out the task of eradication of corruption and providing public service
- c. monitoring the governing of the state
- d. supervising the authorized agency carry out the eradication of corruption task
- e. examination, investigation and, prosecution of corruption and
- f. actions to implement the determination of judges and court decisions that have acquired permanent legal force

The Commission comprised of four offices. Based on the Appendix of the Corruption Eradication Commission (KPK) Commissioner Regulation No. PER 03/2018 dated 20 February 2018 on KPK Organization and Work Procedure, they are Office of Deputy for Prevention, Office of Deputy for Enforcement, Office for Information and Data, Office for Deputy for Internal Monitoring and Public Complaints. Their overall tasks are equally important although unfortunately, only enforcement gain widespread attention. In KPK Corruption Eradication Road Map the prevention measure should be integrated between all public actors through coordination and supervision [1].

The scope of their work also related to the enforcement of public service, therefore the performance of Central Java's government included as long as related to their duties and functions.

## 3. Badan Pemeriksa Keuangan (BPK)

Regulated in the constitution as one of the main state's organ. BPK main's function is to audit the management of and accountability for the state's finance as stated in Article 23 E of The Indonesia Constitution. Those main functions elaborated in four regulation BPK use as audit framework. They are:



- a. Law of The Republic of Indonesia Number 17 of 2003 on State Finances
- b. Law of The Republic of Indonesia Number 1 of 2004 Concerning State Treasury
- c. Law of The Republic of Indonesia Number 15 of 2004 Concerning The State Financial Management And Accountability Audit
- d. Law of The Republic of Indonesia Number 15 of 2006 Concerning BPK

Since all state's finance become the object of its work, the state's finance management done by Central Java will be included. Based on BPK's report, The Government of Central Java acquire unqualified opinion for the eight times since 2012. The result of the examination of financial statements could be one of the opinions below: [14]

- a. unqualified opinion
- b. qualified opinion
- c. adverse opinion
- d. disclaimer of opinion

BPK has a representative in each province. Article 9 of Law 15/2006 stated that BPK could give consideration to the design of internal control systems created by the central or local government before promulgated by the government. The internal control system relates closely to the performance of the government whether it is related to finance or performance in general. Therefore, consideration from BPK very useful for the government in terms of supervisory.

The BPK submitted recommendations that must be followed up by officials from the audited institution. These recommendations are outlined in the Inspection Results Report. BPK Regulation Number 2/ 2010 has regulated regarding follow up to the results of the inspection. The recommendations given are suggestions for improvement for related institutions. Thus, these recommendations can be used as a basis for the accountability of state finances management and public services, minimize their misuse and incompatibility with statutory regulations. A phase that in line with the spirit of prevention.

#### 4. ICW and Pukat

ICW is a non-governmental organization whose vision is to strengthen the bargaining power of the people in controlling the state and participating in decision making to achieve democratic governance, free from corruption, with justice encompassing economy, society and gender[15]. Their work can be said, influenced by reformation 1998, when Indonesia experience a transforming period.

Their work and network is intended for helping the government achieve a good governance system with zero corruption and at the same time educate society about corruption eradication and raise awareness of it. Their movement based on civil society value. ICW involves and contributes to unveiling many cases that draw public attention. They are also known as one of prominence proponent in refusing amendment of Law No 30/2002.

ICW comprises of seven divisions. They are: 1) Public Campaign Division 2) Public Investigation Division 3) Research Division 4) Law and Court Monitoring Division 5) Political Corruption Division 6) Public Fundraising 7) Networking Division. Each division supported by competence human resources.

Meanwhile, Pukat is a study center led by lecturers under the auspices of the University of Gadjah Mada. The researchers in it are often involved in discussions of corruption cases and the development of the rearrangement of law enforcers in their task of eradicating corruption. Similar to ICW, Pukat often contribute and gives their thought on important cases. By the nature of their work, collaboration with Pukat strongly recommends in the study of law and regulation on corruption eradication.

These two non-state institutions with their every role will result in acceleration factors for all efforts to conclude collaboration. Non-governmental organizations (NGO) based on civil society movement and the role of university should be given a place in the policymaking process[16], [17].

The key to their involvement is continuous and sustainable. If the public policy will be promulgated in regulation, the non-state institution should contribute and given a place in all the processes.

#### 5. Central Java Provincial Government and Inspektorat Jenderal

In an organization, there must be elements of leaders, executors, supervisors, and supporters. Likewise with the scope of provincial government. The Governor as the leader element and Itjen performs the function of the supervisor. The organization and working procedures of the Province of Central Java are regulated in the Regional Regulation of the Province of Central Java Number 9 of 2016 concerning the Formation and Arrangement of the Regional Apparatus of the Central Java Province.

The supervisory function carried by the Itjen is applied primarily to the organization. The results are called recommendations. Itjen will convey all recommendations to the Governor as the leader organ. In carrying out their duties, Itjen coordinates with other supervisors such as the BPK and the KPK. Infact, Itjen's recommendation is taken into consideration by BPK and KPK when they carry out their duties.

From the entire description of the tasks and functions, we identify three main activities namely inspection, supervision and research. These three activities are the element of corruption prevention. Therefore, they can be used to strengthen efforts to eradicate corruption through prevention. Each of the above actors has advantages that can be maximized in supporting the implementation of collaborative governance. Strengths of public institutions, both central and local, are the support of regulation on the legality of their duties and functions and also the technical procedures, while non-state institutions have excellency in specific human resource competencies to contribute theoretical and conceptual research. The emphasized role of ICW and Pukat is to give great conceptual and technical consideration before the

government stipulates regulation as the basis of their work. These advantages are the starting point for designing a collaborative governance framework for the Government of Central Java. KPK is the most highly trusted among public institutions. Meanwhile, we have to admit academic institution and independent NGO always gain a place in the public's trust. From that perspective, the role of a trustworthy institution should be highlighted in the collaborative model.

#### Prevention of Corruption

Although the roots of corruption vary, it will often appear when the following factors exist: (1) public officials are given too much discretion due to an absence of clear rules circumscribing their duties; (2) coinciding with discretionary abuse, is the lack of accountability to the public; (3) the monopoly power of the public sector can lead to corruption. For example, the government is often a market participant, and that role in the economy can produce substantial profits that fall within a public official's discretion. (4) Civil society participation, i.e., watchdog institutions that are weak, politicized, or non-existent. All of the foregoing factors do not have to be present in order for corruption to exist, but the presence of all, or most, of the factors can increase the risk of corrupt practices [18].

The efforts to eradicate corruption continue to be carried out by the government, both the central and regional governments, one of the efforts that becomes the priority now is prevention. There are several efforts that can be done in preventing corruption according Dainhansa including through Laws, Administrative Reform and Awareness Raising [19]. Efforts to prevent corruption through the law According to Kaufmann, Kraay, & Zoido-Lobaton (2002) in Seregig at all (2018) findings, an appropriate anticorruption strategy is to focus on developing law, strengthening law enforcement agencies, and establishing government institutions. The approach used is a sectoral or decentralized approach, because a sectoral approach offers one of

the best ways to understand corruption behavior and develop strategic anti-corruption [20].

The Government efforts to prevent corruption through administrative reform. Administrative reform with the support of various international and national organizations, has undertaken many reform initiatives aimed at restructuring the state apparatus; improving government mechanisms, working conditions and administrative procedures; and minimizing the steps involved in granting licenses. The introduction of new reform initiatives are helping to minimize administrative paper work. Another major area of reform is the introduction of new mechanisms, such as auditing and inspection, which demand more open and accountable work practices. The aim of the aforementioned measures is to efficiently combat and eliminate corruption across the bureaucracy. During the process of reform, the government intends to build a bureaucracy of good and honest civil servants. New civil service recruits will be elected fairly through

open examinations. Civil service managers will be elected and appointed through more open, equitable and democratic processes.

Important measures for prevention corruption are raising the anti-corruption awareness of the government officials and the public as a whole; without the participation of the public, fighting corruption would not be successful. Anti-corruption awareness includes anticorruption awareness at school, colleges and universities. The anti-corruption campaign for the public can be conducted through news agencies, and print and broadcast media. In addition, anti-corruption awareness includes seminars for government officials.

### **Collaborative Governance in Prevention of Corruption Model in Central Java**

For the purpose of this research's focus we identified the types of corruption and the nature of collaboration as illustrated bellow:

**Table 1 Collaborative Governance in Prevention of Corruption Model in Central Java**

<b>Types of Corruption (TC)</b>	<b>Anti-corruption Work (AW)</b>	<b>Purpose of Collaboration (PC)</b>	<b>Nature of Collaboration (NC)</b>
Policy-making or Implementation or Evaluation	Prevention of corruption	Sharing resources	Network governance

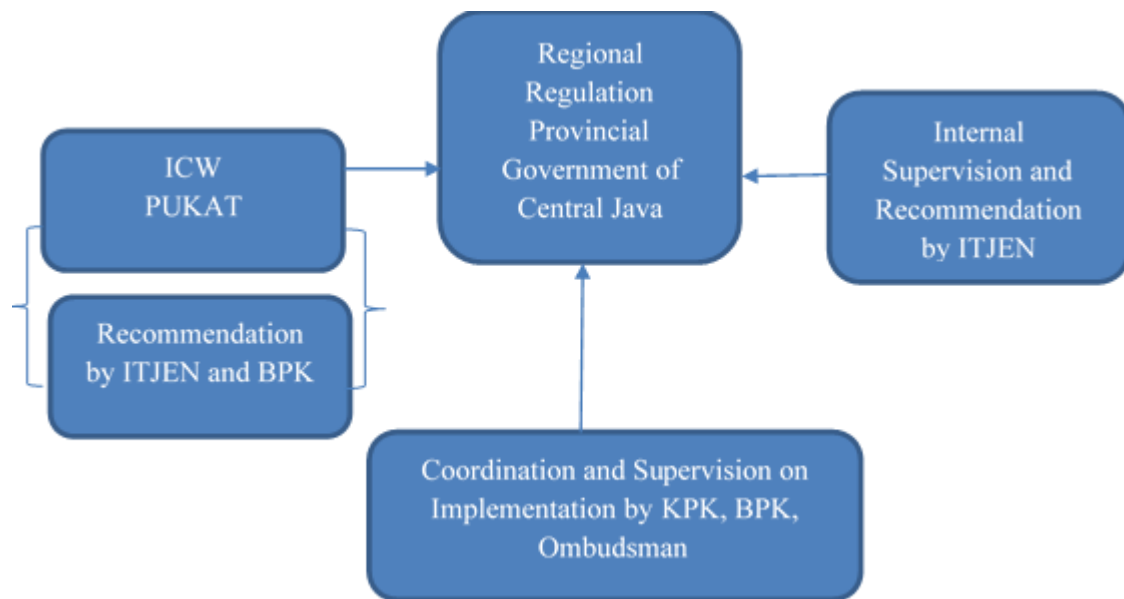
Source: Author, 2020

The reason of that option is we believed that most of corruption occurred in Central Java has been started from the policy making process. Sharing resources become the best option since the regulation support it and the quickest possibilities to be implemented. By all sequence and process, we call this as network governance.

The Government of Central Java can maximize both resources from the local and national scale to

strengthen the collaborative governance in prevention corruption based on existing regulation concerns on the actors. Sharing resources become the best option since the regulation support it and the quickest possibilities to be implemented. By all sequences and processes, we call this a network governance.





**Figure 4 Collaborative Governance Frame Work in Central Java**

The Central Java Government became the actor who takes the initiative to drive this collaboration. All programs and activities that will be carried out by the regional government are always based on laws and regulations. The type of corruption that often occurs in government is the policymaking and implementation type [10]. Therefore, collaboration must begin at that stage.

In-depth studies related to corruption prevention policies are provided by ICW and Pukat through divisions that focus on research and networks. The study became the basis for the government when carrying out the task of drafting regional regulations together with the Central Java Regional House of Representatives (DPRD). The study is complemented by supervisory recommendations from the Itjen and BPK.

Implementation will be monitored periodically by the Itjen as an internal supervisor and BPK as an external examiner. The role of the Ombudsman to monitor the implementation of public services also took place. The annual supervision program owned by the Itjen, BPK, and the Ombudsman can be requested for a second opinion from ICW and Pukat to ensure the conceptual framework. Meanwhile, the KPK carries out its supervision and monitoring functions by continuing to coordinate with the Itjen and the Ombudsman. The Ombudsman's function

to build network will fit the duty of KPK in terms of supervising and monitoring. The mandatory coordination of Inspektorat Jenderal and Provincial Government will be supported by the input and advice from BPK in the submission of opinion.

In parallel, anti-corruption education and awareness-raising on corruption prevention for the people of Central Java continue to be carried out by collaborating on programs already initiated by ICW and the KPK. Financing and budgeting of the coordination program can rely on the financial management of ministries and local government regulation. Technical regulation for financing and budgeting is ministerial regulation.

#### **IV. CONCLUSION**

The implementation of collaborative governance in prevention corruption in Central Java is reflected in the coordination of supervisory between public and non-state institutions by maximizing the strengths of the institutions. Forming a new unit or body is not necessary since all the actors already established. The emphasized part is the maximization of strengths.

Strengths of public institutions are the support of regulation on the legality of duties and functions

and technical procedures, while the non-state institution has excellency in specific human resource competencies to contribute theoretical and research consideration. The implication of this research will be in technical procedures, especially in budgeting scheme. The technical regulation that can be operated in line with the existing laws. The recommended form of legislation is ministerial regulation. Detail consideration and content of every article in ministerial regulation could be decided as the next research focus.

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