Abstract
To prevent the occurrence of criminal acts of corruption, the Attorney General's Office issued a Decree of the Attorney General of the Republic of Indonesia Number: KEP-152/A/JA/10/2015 dated October 1, 2015, followed by Instruction of the Attorney General of the Republic of Indonesia Number: INS-001/A/JA/10/2015 concerning the Establishment of the Government and Development Guard and Security Team (TP4) of the Republic of Indonesia Prosecutor’s Office, to be followed up by all levels of the Attorney General's Office throughout Indonesia. At the regional level, the TP4D institution is expected to be able to prevent the emergence of potential corruption in projects in the regions by assisting from the inception of contracts. With assistance, the parties implementing contracts also feel the safety of being assisted by experts in the field of law, especially those related to corruption. This paper discussed the performance of the TP4D (Guard and Security Team for Government and Regional Development). This institution was dissolved after four years running and revoked based on Attorney General's Instruction Number 7 of 2019 concerning Implementation of Attorney General Decree Number 345 of 2019 concerning the Revocation of the TP4. The existence of the TP4D was actually perceived to provide many benefits by development implementers in the regions, especially its prevention of the emergence of maladministration and the potential for corruption. This article was part of the research of Professor Grant scheme of 2020.

Keywords: prevention, corruption, escort, regional development

Introduction
Eradicating corruption, collusion, and nepotism becomes the main challenge of President Joko Widodo’s Nawacita in the field of law enforcement. This commitment is ref-
lected in Point 4, which states to reject the state to become weak by carrying out system reforms and law enforcement that is free of corruption, dignity, and trustworthiness. In eradicating corruption, the Government of Indonesia has also compiled a National Strategy for the Prevention and Eradication of Corruption (Strategi Nasional Pencegahan dan Pemberantasan Korupsi/Stranas PPK) as a direction and reference for various PPK efforts that are more comprehensive for all stakeholders who have long- and, medium-term visions.

The implementation of the PPK's vision and mission for the long and medium terms is outlined in Presidential Instruction Number 7 of 2015, concerning Action to Prevent and Eradicate Corruption, which instructs all Government Agencies to systematically take steps to prevent and eradicate corruption according to their respective fields, duties, and authorities, respectively. The President instructs the Attorney General’s Office to intensify cooperation with the KPK and Indonesian Republic Police (Kepolisian Republik Indonesia/Polri) in preventing and eradicating corruption by involving the Financial Transaction Reporting and Analysis Center (Pusat Pelaporan dan Analisa Transaksi Keuangan/PPATK), the Tax Office, the Financial and Development Supervisory Agency (Badan Pengawas Keuangan dan Pembangunan/BPKP), and the Inspectorate. With this collaboration, it is hoped that the Attorney General’s Office in the future can become a trusted institution and capable of supporting government programs in the field of law enforcement and guarding the success of national development priority programs.

As an embodiment of the Nawacita program and the Presidential Instruction, the Attorney General’s Office responded to what the President said by forming TP4. The basis for the formation of TP4 in the Attorney General’s Office is to issue a Decree of the Attorney General Number: KEP-152/A/JA/10/2015 dated October 1, 2015, concerning the Establishment of the Guard and Security Team for the Government and the Central and Regional Development of the Republic of Indonesia. Based on this, the Attorney General’s Instruction Number: INS-001/A/JA/10/2015 dated October 5, 2015, concerning the Formation and Implementation of the TP4P/D (Central and Regional) Tasks of the Indonesian Attorney General’s Office was set to Junior Attorney General for Intelligence, Junior Attorney General for Special Crimes, Junior Attorney General for Civil State Administration, Head of the Education and Training Agency, High Prosecutor’s Office, and District Prosecutor throughout Indonesia to support the successful implementation, governance, and development at the Central and Regional Governments.

Prevention is much better than cure. This adage applies to almost all aspects of human life, including corrupt behavior. Preventing corrupt behavior, both individually and in groups, is equally important. The regeneration of corrupt behavior indicates a failure in the anti-corruption education process in society (Nugroho, 2015). The various policies that have been implemented by the Indonesian government today to eradicating corruption to save the country's wealth tend to be repressive. The paradigm that develops in society sees this approach as an effort to create a deterrent effect effectively (Wahyudi,
et.al., 2016). The various repressive efforts carried out, however, so far have not fully achieved the results as expected by the community.

The idea to balance between repressive and preventive measures becomes stronger in recent times. Strengthening prevention efforts in balance with law enforcement efforts are expected to be able to minimize the occurrence of criminal acts of corruption. The Attorney General’s Office of the Republic of Indonesia is a government institution that exercises state power in the field of prosecution. It also has a strategic role in the rule of law, namely having an obligation to participate in providing legal understanding to the public so that government programs can run as targeted.

The AGO acts as a law enforcement agency to play a role in supporting the successful implementation of government and national development at the central and regional levels through guard and security both in planning and implementing development and utilizing its results, including efforts to prevent irregularities and state losses. Based on these important points, H.M. Prasetyo, as the Attorney General of the Republic of Indonesia at that time, took the initiative to form TP4 (the Guard and Security Team for Government and Development), which consisted of 3 (three) components, namely:
2. TP4D of the High Prosecutor’s Office located at the Provincial level, and
3. TP4D of the District Prosecutor’s Office located at each city area.

The formation of TP4D itself was based on the Decree of the Attorney General of the Republic of Indonesia Number: KEP-152/A/JA/10/2015 dated October 1, 2015, followed by the issuance of the Indonesian Attorney General’s Instruction Number: INS-001/A/JA/10/2015 concerning the formation of the Guard and Security Team for Government and Development (TP4) at the Attorney General’s Office of the Republic of Indonesia, to be followed up by all levels of the Attorney General’s Offices throughout Indonesia. It is hoped that TP4D will be able to prevent the emergence of potential corruption in projects in local agencies by providing assistance since the inception of the contract. With the assistance, the parties who carry out the contract also feel the safety and convenience of being accompanied by legal experts, especially in criminal acts of corruption.

Law Number 16 Year 2004 regarding the Attorney General’s Office of the Republic of Indonesia regulates the power to carry out prosecutions and other powers. Article 30 paragraph (3) states that the Attorney General’s Office will organize activities to increase public legal awareness. As the central TP4, TP4D also has the following duties and functions:
1. Guarding, securing, and supporting the success of the running of government and development through preventive and persuasive efforts at both the central and regional levels in accordance with the jurisdiction of the respective assignments.
2. Providing legal information within government agencies, BUMN, BUMD, and other parties related to materials on planning, auction, implementation of work, licensing,
procurement of goods and services, orderly administration, and orderly management of State finances.

3. Providing legal assistance in every stage of the development program, from start to finish.

4. Coordinating with the government internal supervisory apparatus to prevent irregularities that have the potential to hinder, thwart, and cause losses to State finances.

5. Jointly monitoring and evaluating works and development programs.

6. Performing repressive law enforcement when sufficient preliminary evidence is found after coordination with government internal control officials regarding illegal acts, abuse of authority, and/or other actions that result in losses to State finances.

TP4D is expected to be able to provide optimal assistance for decision makers at the regional level who have often experienced doubts when they will carry out development in the regions. Fear and doubt arise because there are so many existing and often overlapping regulations. Mistakes in understanding the overlapping legal umbrella often lead to allegations of state losses.

Research Problems

1. How is the performance of the TP4D (Guard and Security Team for Government and Regional Development)?

2. What are the obstacles faced by the TP4D in carrying out its functions in the field?

Research Method

The object of this research is related to law, thus classified as juridical research. Because the focus of the study is on the reevaluation of the implementation of the guard and security team for government and regional development (TP4D) in the prevention of corruption, which is a juridical method in a broad sense, so the approach used is an empirical method (Sudarto, 1981). The juridical method itself can be seen in a narrow sense and a broad sense. The use of a method that only looks at logical, systematic relationships within the entire set of norms is said to be a juridical method in a narrow sense. However, if what is seen is not only the relationship in the mere set of norms, but even the social effects and the importance of the social background, then this method is said to be juridical in a broad sense.

Discussion

Some characteristics distinguish one crime from another. Syed Hussein Alatas (Hartanti, 2007) gave the characteristics of the criminal act of corruption, namely that it:

1. always involves more than one person, distinguishing between corruption and theft or embezzlement;
2. generally is confidential and closed, especially regarding the motive behind the corruption act;
3. involves elements of obligation and mutual benefit, which are not always in the form of money;
4. tries to take cover behind legal justifications;
5. is carried out by those who have the power or authority and influence those decisions;
6. contains fraud in all actions, usually in public bodies or in the general public;
7. involves the contradictory dual functions of those who act, and;
8. is based on a deliberate intention to place public interests under private interests.

Common forms of corruption in central and regional government agencies, BUMN, and BUMD, as well as those in collaboration with third parties include the following (Cahaya, 2011):
1. Illegal foreign transactions, and smuggling.
2. Embezzlement and manipulation of property belonging to institutions and BUMN/BUMD; privatization of the government budget.
3. Employee recruitment based on buying and selling of goods.
4. Sale and purchase of positions, nepotistic promotion, and promotional bribes.
5. Using inappropriate money, falsifying documents, embezzling money, channeling institutional money to personal accounts, embezzling taxes, buying and selling tax amounts that must be recognized, and misusing finances.
6. Deceiving, giving the wrong impression, cheating and deceiving, and blackmailing.
7. Ignoring justice, giving false testimony, detaining illegally, and trapping.
8. Associated with criminal organizations, black market operations.
9. Trying to find fault with innocent people.
10. Buying and selling punishments, verdicts and decrees.

In the provisions of Law Number 5 of 1991 concerning the Attorney General’s Office of the Republic of Indonesia, for the first time, the Attorney General’s Office has the authority in the field of Civil and State Administration (DATUN) which is strictly regulated. This provision remains in the next law, namely Law Number 16 of 2004 concerning the Attorney General’s Office of the Republic of Indonesia. The authority of the Attorney General’s Office in the field of Civil and State Administration remains firmly and clearly regulated. This authority becomes clearer in the General Elucidation of Law Number 16 of 2004 concerning the Attorney General’s Office, which reads, “In the civil and state administration sector, the Attorney General’s Office has the authority for and on behalf of the state or government as a plaintiff or defendant, which in its implementation not only provides consideration or defends the interests of the state or government, but also defends and protects the interests of the people.”

As an implementation of the provisions of Article 6 paragraph (1) of the Law, the President issued Presidential Regulation Number 38 Year 2010 dated June 15, 2010 concerning the Organization and Work Procedure of the Attorney General’s Office of the Republic of Indonesia which stipulates the Junior Attorney General for Civil and State
Administration (JAM DATUN) as an institution within the organization of the Attorney General’s Office and also as an assistant to the Attorney General. In terms of duties and authorities of the Attorney General’s Office for the Civil and State Administration (DATUN), prosecutors can act both inside and outside the court for and on behalf of the state or government, in this case central/regional government agencies, State-Owned Enterprises (BUMN), and Regional-Owned Enterprises (BUMD) and to be able to represent the public interest based on the mandate of the laws and regulations. A prosecutor who represents the state or government and the public interest in a DATUN case is usually called a State Attorney (Jaksa Pengacara Negara/JPN).

In order to participate concretely in guarding development that is zero corruption, the Attorney General issued a Decree of the Attorney General Number: KEP-152/A/JA/10/2015 dated October 1, 2015, concerning the Establishment of a Guard and Security Team for Government and Development of the Republic of Indonesia of Attorney General’s Office. On the basis of this, the Attorney General’s Instruction Number: INS-001/A/JA/10/2015 dated October 5, 2015, concerning the Formation and Implementation of TP4P/D (Central and Regional) Tasks of the Indonesian Attorney General’s Office, was set to Junior Attorney General for Intelligence, Junior Attorney General for Special Crimes, Junior Attorney General for Civil State Administration, Head of the Education and Training Agency, High Prosecutor’s Office, and District Prosecutor throughout Indonesia to support the successful implementation, governance, and development at the Central and Regional Governments (Suhandi, et.al. 2017).

The State has the authority to carry out government functions, which will give rise to Government rights, including financial management, such as the right to collect taxes and to manage State assets and other levies. Apart from that, the State also has obligations that can be valued in money, namely expenditures in the context of providing public services for the state government and paying bills to third parties. In principle, state revenue means money received by the state through its treasury in connection with the implementation of its rights and obligations, as well as for other reasons. State revenue can be divided into two types, namely, revenue from the tax sector and revenue from the non-tax sector. Non-Tax State Revenues (PNBP) are all Central Government revenues related to the Government’s obligation to provide certain services to the public and revenues that are not associated with the implementation of government functions (ministries/ agencies’ main tasks and functions) (Suhendi, 2017).

The Government acts as a service provider for the community, both basic services (public goods) and semi-basic services (semi-public goods). The former is financed through the taxation system, while the latter is funded from fees, which are essentially public participation in financing certain services (cost-sharing principle). A further mechanism for the services mentioned above is determined through the allocation of expenditures each year, which previously must obtain prior approval from the legislature (DPR). After being approved, they become legislative products, which are commonly
called the law on the State Revenue and Expenditure Budget (APBN). Meanwhile, in the regions, they are confirmed in a Regional Regulation on the Regional Budget (APBD).

Infrastructure functions as the driving force of economic growth (Gie, 2002). From the allocation of public and private financing, infrastructure is considered as the locomotive of national and regional development. In macroeconomic terms, the availability of infrastructure services affects the marginal productivity of private capital, while, in the context of microeconomics, the availability of infrastructure services affects the reduction of production costs.

Infrastructure development will have a very broad impact on improving the quality of life and human welfare in the form of increased consumption value, increased labor productivity, and access to employment, as well as increased real prosperity and the realization of macroeconomic stabilization, namely fiscal sustainability, the development of the credit market, and its effects on the labor market.

According to a study conducted in the United States, the rate of return on investment in infrastructure to economic growth reached 60% (Dikun, 2003). Even a study from the World Bank states that the elasticity of GDP (Gross Domestic Product) on infrastructure in a country ranged from 0.07 to 0.44. This means that an increase of just 1 (one) percent in the availability of infrastructure will cause GDP to grow about 7% to 44%, showing a significant variation in numbers. Empirically, it can be clearly concluded that infrastructure development has a major effect on economic growth (macro and micro) and the development of a country or region. However, this premise is not easy to apply in Indonesia, especially since our country was hit by an economic crisis in mid-1997 which eventually widened into a multidimensional crisis whose impact can still be perceived today (Haris, 2009).

Development in the infrastructure sector has a strategic role, as described above. Therefore, it should be implemented in good and correct governance. Corruption is one of the “diseases” that can cause failure in all fields of development. Leaks may occur in many countries around the world. One of the many challenges that organizations and countries face corruption in infrastructure projects is how to find where the leak points are.

Funding can come from the government, from budget allocations or through special grants to support development in urban or rural areas. It can also come from public-private partnerships and through similar mechanisms that involve organizations of public and private sectors in collecting expenditures. Unless the form of funding and the number of parties to which the funds are disbursed are identified at a very early stage, it is often too late to clog the points of leakage, resulting in corrupt practices.

Elizabeth Goodbody, in preventing leaks, recommends the following (Goodbody, 2013):
1. Identifying the origin of infrastructure funding, such as budgets that come from government allocations through the budgeting process, or from aid funds or the cooperation between the government and the private sector. By identifying the source
of funding, it is hoped that the supervisor will get a significant picture of the extent to which the objectives and targets that must be achieved for this funding are following the objectives and results agreed upon by the parties.

2. Formulating appropriate and measurable goals to achieve the stated goals. It is necessary to establish incentives if work is completed early, as well as penalties upon poor quality work and loss of equipment/materials. Unless the perpetrator who can take advantage of the corrupt behavior has a "skin in the game" (has a significant share in the investment), everyone will benefit if the goal is achieved. In practice, this means that government agencies or private sector organizations that fail in taking effective steps to prevent corruption will lose opportunities to obtain future grant funds. They are also prohibited from obtaining future projects or have to pay large penalties for losses suffered.

3. Understanding thoroughly the points where funding will be disbursed. These points can be dates, stages of work completion, or other milestones, to identify and obtain genuine evidence that the points have been reached. So far, this process has often been neglected. In general, the requirement is put forward only to show completed work like roads and sewage systems, even though such information, which actually is very meaningless, can be taken from anywhere. The submitted report is supposedly in the form of a real visit in the field so that it can show how seriously a job has been carried out following predetermined stages.

4. Carrying out appropriate monitoring and assessment of projects. This means that the relevant points for monitoring and the parties involved in carrying out the assessment should be known.

5. Knowing the relevant points to monitor and involve the appropriate parties in conducting the assessment. Recognizing the cost of effective monitoring and assessment needs to be done before allocating funds so that the assessment can be carried out effectively and efficiently, at the points where leakage can occur.

In line with the rapid development of infrastructure in Indonesia, according to Indonesia Corruption Watch (ICW), the number of corruption cases in infrastructure projects increased from 2015 to 2018. In 2015, there were 106 cases of corruption in this sector. The number increased to 133 in the following year and to 158 in 2017. Then, in 2018 it became 167 cases with an estimated loss of Rp1.1 trillion (https://databoks.katadata.co.id/data publish/2019/10/21/korupsi-infrastruktur-2015-2018-semakin-meningkat). One of the leaks that occur in the implementation of infrastructure development is in the funding sourced from foreign debt and the process of goods and services procurement (PBJ) for infrastructure projects.

The corruption gap that is also widely exploited by various parties is the infrastructure budget sourced from the Transfer Fund to the Regions, particularly the DAK Fisik (Physical Special Allocation Fund). In 2019, the DAK Fisik was budgeted for Rp.69.3 trillion in the State Budget. The gap that was utilized was through a liquefaction process.
Submissions for the DAK disbursement by regions were made through submission of proposals addressed to Bappenas and the Ministry of Finance.

One of the objectives of the establishment of the TP4 is to make non-penal measures, namely the prevention of corruption and to avoid fraud from certain individuals in a national project so that the project implementation can run as expected. The TP4 makes preventive and persuasive efforts in the framework of guarding, securing and supporting the success of the running of government and development by means of:

1. providing the Central Government/Ministries/Institutions/Regional Governments/BUMN/BUMD with legal information related to materials concerning planning, auction, implementation of work, supervision of work implementation, licensing, procurement of goods and services, orderly administration, and orderly management of state finances;
2. holding discussions with the Central Government/Ministries/Institutions/Regional Governments/BUMN/BUMD to identify problems faced in budget absorption and development implementation;
3. providing legal information and legal counseling on the TP4’s initiative as well as at the request of parties in need, of which the place and time of implementation are determined based on agreement and as needed, and;
4. involving agencies or other parties who have the capacity and competence and are relevant to the material of Legal Information and Legal Counseling which will be submitted to the Central Government/Ministries/Institutions/Local Government/BUMN/BUMD.

Persuasive efforts were done in the form of persuasive communication, aimed at changing or influencing personal beliefs, attitudes, and behavior in order to act in accordance with what the communicator expects. Persuasive communication between the TP4 and Ministries/Institutions/Regional Governments/BUMN/BUMD can influence attitudes to be more professional in carrying out project activities with great care. Everything that starts with good communication can pave the way for doing things more positively.

From the research results, it can be seen that the activities of the TP4D Purwokerto District Prosecutor’s Office are as follows:

**Table 1. The Activities of the TP4D Purwokerto District Prosecutor’s Office**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>9</td>
</tr>
<tr>
<td>2017</td>
<td>6</td>
</tr>
<tr>
<td>2018</td>
<td>39</td>
</tr>
<tr>
<td>2019</td>
<td>45</td>
</tr>
</tbody>
</table>

The benefits of the realization of guarding and security by the TP4D are in the form of:

1. Acceleration of work such as procurement and installation of Thermoplast markers at the transportation agency
2. Acceleration of the Procurement of Medical Devices at Margono Sukardjo Hospital, Purwokerto
3. Efficiency of the Procurement of the Formula 2 Concentrated Food Material
4. Efficiency of the Procurement of Productive PE Goats in Central Java
5. Solving the faced legal problems, in the form of resolving land acquisition, permits, obstacles related to differences in statutory provisions in the work of raising the West Wangon ring road (DAK 2018) and Jln Jatilawang Kesugihan (DAK 2018)
6. Prevention of state losses in the construction of building expansion of the Purwokerto Customs Office C building (KPPPBC Type Madya Pabean)
7. Prevention of state losses in the expansion of the FEB building of Unsoed

In principle, the projects that are supervised by the TP4D are those coming from the APBN and APBD projects, without ignoring the possibility of projects from other than them. Strategic projects that receive attention to getting guard and security are those that have the potential for criminal acts of corruption. Projects that need to be monitored include those related to the public interest, strategic infrastructure projects, forestry sector projects, procurement projects, educational projects, and projects that have a broad impact on society.

The objective of the development of these strategic projects is to increase economic growth through infrastructure development in Indonesia. The government has been trying to make efforts to accelerate projects that are considered strategic and have a high urgency to be realized in a short period of time. In supervising and preventing possible leaks, the Prosecutor's Office and the TP4D have been involved in overseeing and securing these projects, from the planning stage to the utilization stage.

The effectiveness of the existence of TP4D can show the extent to which a predetermined goal has been achieved, in terms of quality, quantity, and predetermined time, where the greater the percentage of targets achieved, the higher the level of effectiveness. In carrying out its duties, the TP4D of the Purwokerto District Prosecutor's Office from 2016 to 2019 was able to provide significant benefits: absorption of the contract value and the completion of all works can be carried out optimally.

In general, sectors that often cause irregularities and harm state finances are found within State-Owned Legal Entities related to, among others, service provision, distribution of operational assistance funds, repair of facilities and infrastructure, over-high price/contract value (mark-up in procurement of goods and services), the determination of the winner of the auction which is not in accordance with the provisions indicated by bribery or stipulated by the management or supervisor in the procurement of goods and services for State-Owned Legal Entities, fictitious payments, forgery of letters/documents as a means of deviating from the budget use of State-Owned Legal Entities, manipulation use of goods/funds, manipulation of land acquisition costs, realization of work not in accordance with the contract which is detrimental to State-Owned Legal Entities, embezzlement of money; manipulation of employee salaries, illegal levies, abuse of official travel expenses, and abuse of authority.
Respondents who had received assistance also gave a positive assessment and perceived that they were greatly helped by the guard and security of the TP4D. Any doubts about the interpretation of agreements or regulations that were found in the field could be eliminated in such a way that it would not cause anxiety about future problems.

High hopes for the existence of the TP4D do not mean eliminating obstacles in the field, namely:
1. there are still doubts in asking for assistance because the AGO is not included in the SKPD team that is included in the DIPA budget;
2. doubts regarding the task of escorting and assisting with the duties of prosecutors as investigators of criminal acts of corruption;
3. in its implementation, the team membership does not yet understand the duties and functions of TP4D;
4. lack of coordination of related agencies to report on regional project development activities; constraints during implementation;
5. limited personnel so that some projects are not continuously monitored;
6. cost limitations and the split in focus of personnel with other duties and responsibilities (multi-task).
7. concern if the results of the implementation of tasks are not in sync with the results of the BPK and APIP audits, and;
8. objections from other agencies because they perceived they were being monitored too closely.

**Conclusion**

1. The performance of the Purwokerto District Prosecutors’ TP4D has fulfilled the criteria set forth for its establishment; the supervision carried out can meet the specified targets.
2. Obstacles faced, among others, are doubts from some parties when asking for its assistance because it has not been included in the SKPD team. From the prosecutor’s side, the obstacle is the lack of human resources to assist them due to the large number of other jobs related to the main duties of the prosecutor’s office.

**References**


