

CHAPTER I

INTRODUCTION

A. Background

In Indonesia, the issue of corruption becomes a common identity. Corruption is a problem of structural, cultural, and personal ones.¹ The crime of corruption has happened previously until nowadays.² In fact, corruption in this country is so serious in condition; moreover Bung Hatta states that corruption has been a culture.³ Practice of corruption happened in the field of social life and government, was ingrained in the culture's life, behavior, and the way of thinking. Networking of corruption entwined obviously

¹Becoming a structural problem, because attached to the system of government. While becoming cultural issue, because there is a collective norm that has been accepted into the habit people in various social environments. And to be a personal issue, because the mentality of corruption embodied in the personality of Indonesian. See Hasyim Muzadi, *Amar Ma'ruf Nahi Munkar: Melangkah Menuju Hidup Halal*, in Moh. Masyhuri Na'im, et. al, *NU Melawan Korupsi, Kajian Tafsir dan Fiqih*, GNPK PBNU, Jakarta, 2006, p. xiii

²Corruption is the age-old crime. Syed Hussein Alatas in his research confirms, corruption has been detected conducted in Chinese civilization, Greek, Roman, and ancient Egypt. See Syed Husein Alatas, *Korupsi, Sifat, Sebab dan Fungsi*, translated by Nirwono, LP3ES, Jakarta, 1987, p. 1

³Statement of corruption has become a culture of Bung Hatta, emphasized in a public hearing with Komisi IV DPR led Wilopo 1970. The statement was instantly opposed by many circles. But as the reform era, the study of corruption initially resisted, has now become a real issue and most crucial problems. Mochtar Lubis said: "*Maybe people will tend to justify the opinion that corruption has become a culture of our nation.*" See Mansyur Semma, *Negara dan Korupsi; Pemikiran Mochtar Lubis Atas Negara, Manusia Indonesia, dan Perilaku Politik*, Yayasan Obor Indonesia, Jakarta, 2008, p. 16

in all sectors of life, since castles period until headman village up to neighborhood level.

The crime of corruption in this country has reached in the pathologic level—in a matter of frequency, scale, and magnitude—which are no longer could be tolerated. Obviously, this nation-state is undergoing a process of self-destruction in his own body, through a infatuated behavior of the corruptor systemic which goes on and from the cardiac's powers.⁴ Corruption is categorized as an extraordinary crime.⁵ Corruption infact bureaucracy from the top until bottom, representative institutions, military institutions, businesses, banking, election commission, community organizations, education, religious institutions, even an organization that they engages to eradicates of corruption; police, department of justice, and prosecution.⁶ The condition of Indonesian corruption is on the particular spot. In fact, there is no day in Indonesia without corruption news.⁷

⁴Saldi Isra, *Kekuasaan dan Perilaku Korupsi*, Penerbit Buku Kompas, Jakarta, 2009, p. xl

⁵Until now, corruption has become an extraordinary crime that affects the entire world, has strong historical roots, massively, and globally. Crime of corruption is bad for people, in fact able to destroy the nation-state, especially development state, in this case is Indonesia. See Muhammad Yusuf, *Merampas Aset Koruptor: Solusi Pemberantasan Korupsi di Indonesia*, Penerbit Buku Kompas, Jakarta, 2013, p. 4

⁶M. Nurul Irfan, *Korupsi dalam Hukum Pidana Islam*, Amzah, Jakarta, 2011, p. ix

⁷Because of the acute, many of pessimistic people, assess corruption in Indonesia has been categorized as a hopeless situation. See Amzulian Rifa'i, *Praktik Korupsi Sitemis: dalam Korupsi, Hukum, dan Moralitas Agama:*

Because the quantities of corruption cases are uncover, even overstepped on commonly, it was known as *hyper corruptus*.⁸

Thus, Indonesia as the largest Muslim country in the world has an acute corruption culture.⁹ That is an irony, because Islam always taught an attitude of trust. Corruption is the act of sin which is contrary to the principles of justice, accountability, and responsibility.¹⁰ Furthermore, the content of the Qur'an presents a variety of moral pressure that must be implemented by humans. Sometimes it is pressure on the rules of God, who that violate will receive a just punishment. The pressure is necessary in order the life going well. One of the moral pressure in the Qur'an is the prohibition of corruption.¹¹ Corruption is the practice of consuming someone else's treasure in a false way, and cooperation in the abuse of power or authority for personal

Mewacanakan Fiqih Antikorupsi, Suyitno (ed.), Gama Media, Yogyakarta, 2006, p. 12

⁸*Hyper corruptus* is the situation where the crime of corruption overstep on the limit of humanity. See Majelis Tarjih dan Tajdid PP Muhammadiyah, *Fikih Antikorupsi Perspektif Ulama Muhammadiyah*, TK GNPk Muhammadiyah, Jakarta, 2006, p. 1

⁹Transparency International, 2013, *Corruption Perceptions Index 2013*, Retrieved on 20 Desember 2013 from certainly website: <http://www.ti.or.id/index.php/publication/2013/12/03/corruption-perception-index-2013>

¹⁰Husain Husain Syahatah, *Suap & Korupsi Dalam Perspektif Syariah*, translated by Kamran As'ad Irsyady, Amzah, Jakarta, 2005, p. xi

¹¹Majelis Tarjih dan Tajdid PP Muhammadiyah, *Fikih Antikorupsi Perspektif Ulama Muhammadiyah...*, p. 5

benefits, families, and groups.¹² According to Hakim Muda Harahap in his book “*Ayat-Ayat Korupsi*” There are many verses that explain and indicate the elements of corruption. They are:

وَمَا كَانَ لِنَبِيِّ أَنْ يُغْلََٓٔ وَمَنْ يَغْلُلْ يَأْتِ بِمَا غَلَّ يَوْمَ الْقِيَمَةِ ۚ ثُمَّ
تُؤْفَىٰ كُلُّ نَفْسٍ مَّا كَسَبَتْ وَهُمْ لَا يُظْلَمُونَ ﴿١١١﴾

It was not for any Prophet that he should embezzle, and he who embezzles will be brought with what he has embezzled on the day of Resurrection, then every person will be given what it has earned without being wronged.¹³

وَلَا تَأْكُلُوا أَمْوَالِكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتُدْلُوا بِهَا إِلَى الْحُكَّامِ
لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ ﴿١١٢﴾

Do not consume your money between you unjustly by bribing the decision-makers so that you may consume a part of the other people’s money sinfully while you know!¹⁴

¹²Tim Penyusun Lajnah Pentashihan Mushaf Al-Qur’an, *Pembangunan Ekonomi Umat: Tafsir Al-Qur’an Tematik*, Lajnah Pentashihan Mushaf Al-Qur’an DEPAG RI, Jakarta, 2009, p. 153

¹³Q.S. ‘Ali ‘Imran [3]: 161.

¹⁴Q.S. al-Baqarah [2]: 188.

سَمْعُونَ لِلْكَذِبِ أَكَلُونَ لِلسُّحْتِ ۚ فَإِنْ جَاءُوكَ فَاحْكُم بَيْنَهُمْ أَوْ أَعْرِضْ عَنْهُمْ ۗ وَإِنْ تُعْرِضْ عَنْهُمْ فَلَنْ يَضُرُّوكَ شَيْئًا ۗ وَإِنْ حَكَمْتَ فَاحْكُم بَيْنَهُم بِالْقِسْطِ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٤٢﴾

They listen to lies, and consume money illicitly. If they come to you, then you may judge between them or turn away from them. If you turn away from them, they cannot harm you in the least; and if you judge then you should judge between them with justice. God loves those who are just.¹⁵

إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِنْ خَلْفٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ۚ ذَٰلِكَ لَهُمْ خِزْيٌ فِي الدُّنْيَا وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ ﴿٣٣﴾

The recompense of those who fight God and His messenger and seek to corrupt the land, is that they will be killed or crucified or that their hands and feet be cut off on alternate sides or that they be banished from the land. That is a disgrace for them in this world. In the Hereafter, they will have a great retribution.¹⁶

¹⁵Q.S. al-Māidah [5]: 42.

¹⁶Q.S. al-Māidah [5]: 33.

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ
 اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٥٨﴾

The male thief, and the female thief, you shall mark, cut, or cut-off their hand/means as a punishment for their crime, and to serve as a deterrent from God. God is Noble, Wise.¹⁷

أَمَّا السَّفِينَةُ فَكَانَتْ لِمَسْكِينٍ يَعْمَلُونَ فِي الْبَحْرِ فَأَرَدْتُ أَنْ أَعِيبَهَا
 وَكَانَ وَرَاءَهُمْ مَلِكٌ يَأْخُذُ كُلَّ سَفِينَةٍ غَصْبًا ﴿٦٨﴾

As for the boat, it belonged to some poor people who were working the sea, so I wanted to damage it as there was a kingcoming who takes every boat by force.¹⁸

Based on those verses, the elements of corruption consist of some crime elements, they are: *Gulūl*, *ad-Dalaw*, *Gaşab*, *Bāṭil*, *as-Suht*, *Hirabah*, *Fasad*, and *Sariqah*.¹⁹

Furthermore, it is undeniable that the dynamics of the regime give birth a variety interpretation style, including the interpretation of corruption. Because corruption is identical with the incumbent regime. Therefore, interpreting corruption absolutely means criticizing the policies and models of

¹⁷Q.S. al-Mā'idah [5]: 38.

¹⁸Q.S. al-Kahfi [18]: 79.

¹⁹Hakim Muda Harahap, *Ayat-Ayat Korupsi*, Gama Media, Yogyakarta, 2009, p. 50-86

government. The differences in interpreting the verses that indicated corruption crime become genuineness. It can be seen as an variety answer from Indonesian exegetes tended to represent the dominant intellectual and sosio-cultural trends of their time.

A work of interpretation, when viewed from the episteme and trends, can not be separated from the social space where and by whom it was written. This social space, with the diversity of problems and dynamics, also represent the interests and ideologies. Eventually, there are variations in the pattern of thinking of the Indonesian exegetes within the context of the times, problems and interests behind the work of interpretation itself.²⁰

This study will research about the interpretation on corruption according to Indonesian exegetes. The exegetes of this study are: the first, Syaikh Muhammad Nawawi al-Jawi al-Bantani with his monumental work *Tafsir al-Munīr* represents Indonesian classical exegetes. The second, Teungku Muhammad Hasbi Ash Shiddieqy with *Tafsir an-Nūr* represents the modern era and moderate pattern. And the third, Abdul Malik Abdul Karim Amrullah (Buya Hamka) as author of *Tafsir al-Azhar* represents the modern era and progressive pattern.

²⁰Islah Gusmian, *Khazanah Tafsir Indonesia, Dari Hermenutika hingga Ideologi*, LKiS, Yogyakarta, 2013, p. 319

B. Research Question

The formulation of problems is an effort to declare explicitly what questions of researcher wants to answer.²¹ Based on the background that researcher described above, the formulation of the problem in this study are:

1. How are the forms of corruption concept according to Indonesian exegetes?
2. How are the punishment of the corruptor according to Indonesian exegetes?
3. What are the factors which differentiate the interpretation on corruption according to Indonesian exegetes?

C. Aim and Significant of Research

This study aims explaining the problem previously that mentioned above, here are the several objectives and functions of this study:

1. Aim of Research
 - a. To know the forms of corruption concept according to Indonesian exegetes.

²¹Jujun S. Suriasumantri, *Filsafat Ilmu Sebuah Pengantar Populer*, Pustaka Sinar Harapan, Jakarta, 1993, p. 112

- b. To know the punishment of the corruptor according to Indonesian exegetes.
 - c. To know the factors which differentiate the interpretation on corruption according to Indonesian exegetes.
2. Significant of Research
- a. Result of this research is expected to contribute in enriching the literature about corruption and the eradication, as an anti-corruption ideology.
 - b. As a contribution to Islamic thought about study of tafsir hadith, especially in interpretation about corruption.

D. Prior of Research

The prior of research is another term from the literature review. This activity is a form of knowledge's exposure, the arguments, concepts, or the provisions which have been expressed by previous researchers who is related with this subject matter that researcher discussed. Here, it was countless how many of the writings who reviewed about corruption either in the form, a books, journals, until articles. Almost every corner of the corruption has been discussed.

1. *Penafsiran Ayat-Ayat Korupsi Dalam Kajian Tafsir di Indonesia (Studi Analisis atas Kajian Tafsir di Indonesia Bertema Korupsi dan Anti Korupsi Tahun 2006-2012)*. This research analyzes and describes the methodology and interpretation of corruption and anti-corruption in the five books of tafsir. The books that published in 2006-2012, include: (1) *NU Melawan Korupsi*, (2) *Fikih Antikorupsi Perspektif Ulama Muhammadiyah*, (3) *Ayat-Ayat Korupsi*, (4) *Tafsir Tematik Departemen Agama: Pembangunan Ekonomi Umat*, (5) *Pribumisasi Al-Qur'an*.²² This study is different from the subject matter of this thesis. Where the object of study in this thesis are three commentary; *Tafsir Marah Labid*, *Tafsir an-Nūr*, and *Tafsir al-Azhār*.
2. *Korupsi dan Pemberantasannya pada Masa Nabi SAW. (Studi Ma'anil Hadist Tentang Hadist-hadist Ghulul)*. In this thesis found the answer when corruption existing at the time of the Prophet, which is divided into two types; spoils corruption (*ganimah*) and non-*ganimah* corruption.²³ This study is different in terms of objects. Object of study is not

²²A research by Bagus Irawan, a student of Tafsir Hadist Ushuluddin Faculty IAIN Walisongo. This study by title "*Penafsiran Ayat-Ayat Korupsi Dalam Kajian Tafsir di Indonesia (Studi Analisis atas Kajian Tafsir di Indonesia Bertema Korupsi dan Anti Korupsi Tahun 2006-2012)*" was financed by the budget DIPA IAIN Walisongo 2014.

²³A thesis by Syaikhudin, a student of Tafsir Hadist Ushuluddin Faculty UIN Sunan Kalijaga, by title *Korupsi dan Pemberantasannya pada Masa Nabi SAW (Studi Ma'anil Hadist Tentang Hadist-hadist Ghulul)*, Yogyakarta, 2010.

only from hadith, but also including verses Qur'an and tafsir, as main object.

3. *Nilai-Nilai Pendidikan Antikorupsi Dalam Surat An-Nisa' Ayat 58 (Studi Analisis dengan Pendekatan Tafsir Tahlily)*. This thesis aimed to determine understanding of the values of anti-corruption according to the Q.S. an-Nisa' [4]: 58. After doing research, then known that carrying out the mandate and do justice plays an important role particularly in tackling corruption. Honesty is a factor that determine in minimizing corruption.²⁴ This study is too simple to formulate anti-corruption educational values. This study is different not only in terms of objects, but also methods of data analysis.
4. *Pandangan Al-Qur'an Terhadap Praktik Kolusi dan Nepotisme*. This thesis based on thematic method. The research question is how which the view of Qur'an about nepotism and collusion. With the main object of term *sariqah* (robbing) *risywah* (bribe), *khiyanat* (betrayal), dan *al-qasysy* (fraud).²⁵ This study elaborates the concept of collusion and nepotism but less successful. The position of

²⁴A thesis by Ahmad Salafuddin, a student of PAI Tarbiyah Faculty IAIN Walisongo, by title *Nilai-Nilai Pendidikan Antikorupsi Dalam Surat An-Nisa' Ayat 58 (Studi Analisis dengan Pendekatan Tafsir Tahlily)*, Semarang, 2010.

²⁵A thesis by Ana Qanita, a student of Tafsir Hadith Ushuluddin Faculty IAIN Walisongo, by title *Pandangan Al-Qur'an Terhadap Praktik Kolusi dan Nepotisme*. Semarang, 2010.

researcher this will completing with focus theme about corruption, and also collect more terms of verses comprehensively, according to Indonesian Exegetes.

5. *Korupsi dalam Dinasti Ilkhan dan Perlawanannya Pada Masa Gazan Khan (1235-1304 M)* by Didin Sahidin, student of UIN Sunan Kalijaga Yogyakarta. This thesis further discusses the phenomenon of corruption on Ilkhan dynasty, as well as elaborate eradication process. The study of history is ultimately concluded several steps to eradicate corruption by Ilkhan dynasty. This thesis is entirely different from the discussion of researchers, who tried to explain the issue of corruption in the perspective of the Qur'an, also elaborates on the interpretation of the Indonesian commentators.²⁶
6. *Tindak Pidana Korupsi di Indonesia dalam Perspektif Fiqih Jinayah*. This dissertation review and examine criminal acts of corruption in Indonesia by using the *fiqh jinayah* or Islamic law as an analysis's knife. The main points of this research was described that the criminal acts of corruption in Indonesia is categorized of *jarimah takzir*. Despite that the *takzîr* could be a form of dismissal's punishment, imprisonment, life imprisonment, could even be a death

²⁶A thesis by Didin Sahidin, a student of FAIB UIN Sunan Kalijaga, by title *Korupsi dalam Dinasti Ilkhan dan Perlawanannya Pada Masa Gazan Khan (1235-1304 M)*, Yogyakarta, 2012.

sentence.²⁷ Actually, this dissertation different with researcher view, because this research will describe more about the evolution of corruption interpretation side.

E. Methodology of Research

1. Types of Research

This study is a qualitative research. Because the data collection of written sources, either directly or indirectly related to the material studied, this research is also known as library research.

2. Sources of Data

The sources of data that have relationship with al-Qur'an, there are two kind of data:

- a. The primary data, as the main sources of data in the research. As for as the primary data source in this study are, *Tafsir Marah Labīd (al-Munīr)*, *Tafsir an-Nūr* and *Tafsir al-Azhar*.
- b. The secondary data, is the data sources and supports the research related to the description of the primary data. And other books which support this research is *Al-*

²⁷A disertation by M. Nurul Irfan, a student of SPs UIN Syarif Hidayatullah, by title *Tindak Pidana Korupsi di Indonesia dalam Perspektif Fiqih Jinayah*, Jakarta, 2008.

Mu'jam al-Mufahras li al-faz al-Qur'an al-Karim by Fuad Abd Al-Baqi' and Ayat-Ayat Korupsi by Hakim Muda Harahap to find the verses of Al-Qur'an and term of element of corruption. To make easier in writing the verses of Al-Qur'an and its English translation is utilizing *Qur'an a Reformist Translation* by Edip Yuksel. Besides that, the secondary data of this research is taken from many literatures of books, journals, papers, and websites which distinctly discuss about the corruption.

3. Collecting Data Method

This research is bibliographical research, the collecting data is supported by primary data and secondary data. The researcher explores several previous findings and research done by the experts who have discussed the same topic. Those previous research have functions as raw data. Based on the data, it is necessary to look for outlines, fundamental structures, and basic principles in detail and to ignore the irrelevant data. The data which collected by the researcher is utilized and synchronized with the topic based on inductive method.²⁸ To collect the primary data from Qur'an verses, the researcher also uses

²⁸Inductive method is based on particular fact and concrete evidence then from the fact and the evidence are concluded as a generalization. See Sutrisno Hadi, *Metodologi Research*, Andi Offset, Yogyakarta, 1995, p. 42

thematic method (*tafsir maudu'i*)²⁹. This thematic method was getting down the cases from Qur'an verses that have correlation with the topic.

4. Analyzing Data Method

To analyze the data the researcher uses the methodology of content analysis.³⁰ Even though approach of content analysis is

²⁹The steps to do *tafsir mawdu'i* can be reached by following these rules: (1) Choosing and determining the problem in the Al-Qur'an that will be researched thematically. (2) Tracing and collecting the verses related to the determined problem; *makiyya* and *madaniyya* verses. (3) Arranging those verses systematically in accordance with chronology by knowing and understanding toward background and *asbābun nuzul*. (4) Knowing correlation (*munāsabah*) of verses in each surah. (5) Outlining the theme in correct, systematic and whole frame. (6) Accomplishing the research by some hadits, if it is necessary. By this, the research will be more intact and clear. (7) Learning those verses thematically and completely by collecting the verses which have similar meaning and compromising between '*am* and *khosh*, *muṭlaq* and *muqayyad*. Synchronizing the verses that seem contradictory, explaining *nasikh* and *mansukh* verses, so that all of verses can stand in one estuary, without any differences and contradiction, afterwards there will be no forcing to some verses in false meaning. See Abdul Hayy al Farmawi, *Metode Tafsir Mawdu'i, Suatu Pengantar*, PT Raja Grafindo Persada, Jakarta, 1996, p. 46

³⁰Content analysis or textual analysis is a methodology in the social sciences for studying the content of communication. Earl Babbie defines it as "the study of recorded human communications, such as books, websites, paintings and laws." According to Dr. Farooq Joubish, content analysis is considered a scholarly methodology in the humanities by which texts are studied as to authorship, authenticity, or meaning. Kimberly A. Neuendorf (2002, p. 10) offers a six-part definition of content analysis: "Content analysis is a summarising, quantitative analysis of messages that relies on the scientific method (including attention to objectivity, intersubjectivity, a priori design, reliability, validity, generalisability, replicability, and hypothesis testing) and is not limited as to the types of variables that may be measured or the context in which the messages are created or presented." See Wikipedia.org, English version, search word "content analysis", Retrieved on 20 Desember 2013 from http://en.wikipedia.org/wiki/Content_analysis

a main method, yet another approach has also role in analyzing the problem of this research. This research also use comparison analysis to compare the interpretation of Indonesian exegetes. Remembering that this research tries to study an alive of figure has certain idea at certain situation and time; it doesn't close possibility applied by biography approach. Furthermore, researcher also use critical discourse analysis method; to put the discourse, as a form of social practice, so that there a dialectical relationship between a particular discursive event with the situation, institutions, and social structures which shaped.³¹

F. System of Writing

Chapter I contains of background, research question, aim and significant of research, prior of research, methodology of research, and system of writing.

Chapter II discusses about the definition of corruption, power and corruption, corruption and social ethics, impact of corruption, and prevention from corruption.

Chapter III elaborates the condition of corruption in Indonesia, the element of corruption in the Qur'an, and also

³¹Eriyanto, *Analisis Wacana: Pengantar Analisis Teks Media*, LKiS, Yogyakarta, 2011, p. 7

discusses about the interpretation of corruption by Indonesian exegetes, they are; Tafsir Al-Munīr by Syaikh Nawawi Al-Bantani, Tafsir An-Nūr by T.M. Hasbi As-Shideqy, and Tafsir al-Azhar by Hamka.

Chapter IV is an analysis to figure out the answer of research question; to answer the forms of corruption concept and punishment of the corruptor according to Indonesian exegetes and the factors which differentiate the interpretation on corruption according to Indonesian exegetes.

Chapter V is an epilogue, which describes the conclusion of the final closing of the entire chain or research above. This conclusion contains the answer to the formulation of the problem and the implications of this research. In addition, also contains suggestion from the researcher.