Corruption in Higher Education;
A Comparative Studies on Whistleblowing System between University of Stanford and
Universitas Indonesia*

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Abstract

This study seeks to demonstrate the utilisation of the whistleblower system in higher education to mitigate academic dishonesty and fraud, emphasising a comparison between Stanford University in the United States and the University of Indonesia. The study's findings indicate that both universities acknowledge the significance of witness protection within the whistleblowing framework, particularly to safeguard the safety and security of whistleblowers. Stanford University and the University of Indonesia provide conventional reporting mechanisms; nevertheless, Stanford University possesses superior reporting governance and regulations. Both schools offer application-based reporting mechanisms; however, Stanford University maintains an exceptional framework for reporting management rules and whistleblower protection. This study's conclusions aim to assist Indonesian universities in establishing efficient reporting methods and procedures to eliminate corruption and enhance academic integrity. This study employs a qualitative research methodology encompassing two primary approaches: a literary approach and a law approach. The literature review method examines academic literature, publications, and regulations about whistleblowing in higher education institutions in the United States and Indonesia. This literature analysis examines the optimal practices of whistleblower systems in several international universities and their implications for higher education in Indonesia. A legal framework is utilised to explore the existing regulations and statutes, specifically concerning witness protection, whistleblower security, and the enforcement of academic integrity. This entails an examination of the legislation and internal university policies concerning whistleblowing in each nation. The study offers a comprehensive comparative analysis of the effective implementation of whistleblower systems in Indonesian universities, along with recommendations for enhancing reporting governance policies to foster a more transparent and accountable academic environment.

Keywords: Whistleblowing System; Higher Education; Fraud

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A. INTRODUCTION

Higher education, as a centre of excellence in society, has a responsibility, both academic and practice, to demonstrate to the public how good organisational governance is far from the practice of academic dishonesty, fraud, and corruption. Theoretically, universities are expected to be able to produce academic studies and research on the latent dangers of corruption, teach them to the scholarly community through course units and curriculum inserts, and socialise them with the masses as a form of the *tri dharma pendidikan tinggi*.

In reality, colleges are supposed to be able to run their businesses professionally, openly, and ethically while abstaining from corrupt and illegal acts like bribery and corruption, as well as bad administrative and oligarchic practices. Professionally speaking, the university can govern the organisation by the meritocracy principle. Meanwhile, transparency means that the university handles its finances transparently, auditably, and adaptably.

This idealism shows the opposite symptom. Universities, both state and private, as public entities cannot be avoided from corrupt practices and bribery. Recent research shows a trend of increasing corrupt practices in higher education. The 2013 International Transparency Report stated that as many as 41% of world citizens think their universities behave corruptly. This report also noted that Indonesians stated that their campuses were slightly higher than average, with 43% corrupt. (Chapman & Linder, 2014)

The rise in corruption cases in universities has certainly made various groups feel concerned, angry, and regretting this phenomenon. Siti Juliantari admitted that she was worried about corrupt behaviour in universities. Universities are trapped in a vortex of corruption. According to Siti, as an ICW researcher, this is caused by several things, two of which are the absence of a supervisory institution and the absence of accountability or openness on the part of the campus in financial management. (Egi, 2016)

The absence of a supervisory institution that specifically monitors corrupt behaviour in universities allows universities to carry out various fraudulent activities. The government has made monitoring efforts to prevent corrupt behaviour in public institutions, including universities. Every public institution has at least an Internal Monitoring Unit and oversight of the relevant ministry's inspectorate. Apart from that, this country also has law enforcement officials, in this case, the police and prosecutor's office and the Corruption

Eradication Commission. However, this multilayer supervision has not reduced corruption cases; on the contrary, it has increased.

These various problems raise questions such as: Do universities need a stricter layer of internal supervision? Do universities need a whistleblowing agency to monitor campuses? Whistleblowing is a mechanism where someone can report actions that violate the rules, commit criminal acts of corruption or abuse of authority in a confidential manner, and are protected by law.

From this background, the research team formulated two problem formulations/research questions: First, what is the form of witness protection for whistleblowers in corruption cases in universities in the United States and Indonesia? The form in question could be a whistleblowing policy, implementation of whistleblowing practices, and institutional efforts to protect whistleblowers if the perpetrator's identity is leaked.

The second problem formulation is how universities encourage academics to be involved in whistleblowing efforts, reporting all forms of fraud, including corruption in universities. Is there any form of campaign from institutional leaders that encourages academics to have the courage to report fraud? Are the policies presented well disseminated through seminars or posters? This research examines the implementation of the whistleblowing system in universities and how campuses implement regulations related to legal certainty for whistleblowing witnesses at two universities: Stanford University and Universitas Indonesia.

Literature Review

Rumyantseva, in Taxonomy of Corruption in Higher Education, explains that corruption in higher education is a global phenomenon in developing and developed countries. The difference lies in the type of fraud that occurs. Universities in developed countries tend to use power to admit new students, while in developing countries, they are still struggling with abuse of authority for infrastructure development. Corruption patterns range from buying and selling values, allocating donor funds for personal interests, plagiarism, and power abuse to sexual misconduct. The perpetrators range from university leaders and lecturers to campus administrators. (Rumyantseva, 2005)

Chaudhary, Gupta, and Phoolka enrich the results of Rumyantseva's research, which shows that corruption in developing countries tends to be more complex. That phenomenon happens because campuses in developed countries

tend to use a corporate style to make money. In contrast, campuses in developed countries, apart from this, there is also competition between students, lecturers, and even campus administrators. The demand to obtain good accreditation, obtain grant funds, and even pursue academic status for lecturers also fosters corrupt practices in developing countries. (Chaudhary et al., 2019)

As a developing country, Indonesia is also not immune to corruption cases that occur in public and private universities. Chapman and Linder's research confirms that 43% of Indonesian citizens consider universities corrupt. The latest international transparency research states that 92% of Indonesian people think corruption is a big problem in government, and 30% say people use bribes and insiders to access public services, including educational institutions. (Chapman & Linder, 2014)

Indonesia Corruption Watch, a non-profit organisation that regularly reports data and information regarding corruption in Indonesia, said that corruption cases surround educational institutions in Indonesia. Even though higher education institutions have fewer cases than other academic institutions, the accumulated value of corruption is the largest. (Sjafrina & Anggraini, 2021)

ICW research over ten years from 2006 to 2016 found 37 corruption cases related to universities in Indonesia. The perpetrators range from academics and government officials to the private sector. Corruption patterns in universities generally include procurement of goods and services, grant funds, research funds, government budgets in DIPA, and community donations. ICW found that most of the patterns of corruption in higher education were bribery in the procurement of goods and services. (Egi, 2016)

Several cases of procurement of goods and services in higher education are detrimental to the loss of state funds and, more importantly, to the decline in the quality of education. The first is the case of the construction of the UNAIR Teaching Hospital, which cost the state up to 58 billion rupiah. The second case is the construction of the Gowa Institute of Internal Government Building, the third is the construction of the UIN Sultan Thaha Saifuddin Jambi Auditorium, and the fourth is the construction of the Kuala Kurun College of Health Sciences Building. These three cases use fictitious project patterns. Lastly, there is the bribery case at Jakarta State University. (Puspitasari, 2020)

Organisational systems resulting from unethical behaviour, fraud, and academic dishonesty are ineffective, inefficient, and harm the organisation's reputation. Although various fraud mitigation strategies have been put forth, it

is challenging for companies to implement these strategies, particularly in the public sector. This happens due to multiple overlapping fraud concepts or simplified assumptions. Additionally, the influence of organisational dynamics that support fraud is not sufficiently understood. When recommending fraud prevention, a company must address behavioural and political challenges. This study underlines that it would be naïve to suggest internal controls as a universally effective method of preventing fraud.

The authors of this report recommend that organisations to take a more methodical approach that includes a variety of civil society actors and government anti-corruption institutions. This can be facilitated through communication, including a reliable system for reporting violations. Then, businesses should think about internal controls beyond administrative or technical ones. (Maulidi & Ansel, 2021) Implementing a whistleblower system, where academics have a trusted channel to report various sorts of fraud, notably corruption, to management, is one strategy to prevent and eradicate corruption in higher education.

Whistleblowing must be supported by an integrated approach within any organisation to encourage exposure of unethical behaviours to address unethical behaviour. Policies and procedures that foster an organisational culture that encourages whistleblowing must be included in legislation that protects those who come forward with information. In addition to being a cornerstone of good governance, it also ensures whistleblowers' safety from retaliation.

Dorasamy writes that the university needs to strengthen its whistleblowing culture through training and development programs to promote greater awareness among employees regarding whistleblowing practices and policies. Apart from that, there needs to be a more effective way of monitoring the effectiveness of the whistleblowing mechanisms implemented in institutions if the trust of potential whistleblowers is to be increased. Communication about whistleblowing should be an area of focus for management. If cultural organisations do not pay lip service to ethical practices, then whistleblowers could be encouraged to disclose. A whistle-blowing culture can emerge if there is organisational support for the public interest in revealing unethical practices. (Dorasamy, 2012) Meanwhile, Peterson and Farrell define whistleblowing as a form of disapproval in which members or former members of an organisation reveal organisational errors, illegalities, or actions that threaten society outside the organisation's channels. (Petersen & Farrell, 1986)

The term 'whistleblowing' has become commonplace. It has a sensational quality favoured by journalists, often prominent in headlines and used by them in various contexts where alleged wrongdoing comes to light. Its origins may go back 50 years or more and, although unclear, is often traced to a schoolyard or playing field where some authority figure, monitor, or referee acts to stop the process with a view to its orderly continuation. Although a relatively new term, the practice of publicising errors that are harmful to, and therefore, a matter of public interest has a long history, including isolated cases and the activities of pamphlet writers.

The author defines the Whistleblowing System or Alleged Violation System as an anonymous reporting mechanism for public administration authorities' violations or abuse of authority. This research focuses on government institutions and their derivatives, including state universities financed or financially supported by the state. However, whistleblowing systems are not always related to state institutions; private and non-governmental organisations can also implement whistleblowing systems.

The issue is that not all colleges and universities design and operate a whistleblower mechanism. Only conventional techniques, which put the reporter in danger, are available for accessing information channels and reporting infractions. Whistleblowing has not occurred in most publicly owned higher education institutions in Italy. In contrast, less than 25% of the sample reported doing at least one whistleblowing procedure. Academic employees' willingness to disclose organisational wrongdoing appears to be diminished by the uniformity of organisational identities. ICT-based, anonymous whistleblowing methods supported the tendency of academics to report misconduct. (Palumbo & Manna, 2019)

B. METHODS

This research uses a qualitative descriptive research method. The research team collected data through interviews and a literature review. Creswell defines qualitative research as exploring and understanding a condition or event. To understand this incident, researchers carried out a series of observations, interviews, and data collection. The information collected in the form of words and text was then analysed.

According to Saryono (2010), qualitative research is used to investigate, discover, describe, and explain the qualities or features of social influence that cannot be explained, measured, or illustrated through a quantitative approach.

According to Sugiyono (2011), qualitative research methods are research methods based on the philosophy of postpositivism, used to research the conditions of natural objects (as opposed to experiments) where the researcher is the key instrument, sampling of data sources is carried out purposively and snowballing, techniques collection by triangulation (combination), data analysis is inductive or qualitative, and qualitative research results emphasise meaning rather than generalisation. Kriyantono stated, "Qualitative research aims to explain phenomena in as much depth as possible through collecting data in as much depth as possible." Qualitative research emphasises the depth of data obtained by researchers. The deeper and more detailed the data obtained, the better the quality of this qualitative research.

Ali and Yusof (2011) define qualitative research as any investigation that does not use statistical procedures, which is nowadays called "qualitative" as if this were a quality label. This research uses a case study approach, namely a qualitative approach where the researcher explores programs, events, processes, and activities with one or more people. A case is bound by time and activities, and researchers collect detailed data using various procedures over a continuous period.

The data and information in this research are obtained through literature review methods, observation, and in-depth interviews. The literature review was carried out by tracing previous research to find data and patterns of whistleblowing in public institutions, especially in universities. Observations were conducted by observing the campus whistleblowing application and fraud prevention culture. Finally, in-depth interviews were conducted to obtain in-depth data and information from policymakers, administrators, and whistleblowing perpetrators.

C. RESULTS AND DISCUSSION

1. Whistleblowing System at Stanford

Stanford University, also known as Leland Stanford Junior University, was founded in 1890 and officially operated on October 1, 1891, by Leland Stanford and his wife Jane Lathrop Stanford. This married couple founded the university as a memorial to commemorate their son, Leland Stanford Junior, who died of typhoid in 1884. Rumours have it that this married couple wanted to build a monument on the Harvard campus, where Stanford Jr. studied. Harvard's president at that time rejected the husband and wife's proposal. Therefore, Stanford's husband and wife founded their campus.

Stanford University itself was founded in the area we now know as Silicon Valley, the former power of the Muwekma Ohlone tribe, purchased by Leland Stanford, the former governor of California at that time. The initial mission of Stanford University was to become a non-sectarian higher education institution because, at that time, many higher education institutions only specialised in certain religious denominations, co-educational where men and women had the same rights in obtaining education, and practically, creating culture and graduates who are helpful for society.

To date, Stanford has become one of the best universities in the United States, ranking third after Princeton and MIT. It shares the ranking with Harvard and Yale. Data shows that Stanford has more than 17,000 students with a total enrollment of up to 7,000 annually. This campus, synonymous with liberal arts, has excellent computer science, engineering, and interdisciplinary studies teaching. (Stanford, A History of Stanford, 2022)

The Stanford University Code of Conduct, officially called the University Code of Conduct, is a collection of Stanford University regulations that comprehensively regulate the behaviour of the Stanford University community. The University Code of Conduct, previously known as "Policy Number 1", explicitly states that the code of conduct is binding on the entire "Stanford University Community" including lecturers, employees, students, members of the steering committee, health workers, consultants, contractors and stakeholders who work together, with Stanford University and volunteers working for Stanford University. (Stanford, 1.1.1 University Code of Conduct, 2023)

Stanford University created the University Code of Conduct to uphold and integrate the values of integrity, diversity, respect, freedom of opinion and inquiry, trust, and honesty in every aspect of its activities. In addition, the Stanford University code of conduct was created in accordance with positive law applicable in the federal and state governments, ministry of education regulations, and agreed-upon legal contracts.

Stanford University understands the importance of oversight in academic and administrative practices. The Stanford University Code of Conduct was created to guide the university's academic community in conducting all campus-related activities. This code of guidance provides no exception for all community members to actively participate in monitoring the running of activities at Stanford.

One of the essential points that is a core part of the Stanford University Code of Guidelines is that Stanford emphasises the importance of mutual commitment in the event of violations of the Code of Guidelines and all violations of the law. The commitment required is to report all violations to the authorities, in this case, the university. Stanford Campus guarantees that reporting by an individual will not threaten their studies, career, or other aspects of life.

Stanford has six channels for reporters or whistleblowers to report misconduct on campus. The first channel is for reporters to report violations through their supervisor or direct superior. This channel is the first effort following office protocol because supervisors can confirm, affirm, or take direct action per the provisions.

However, if the reporter or leaker feels doubtful and their position is threatened, perhaps because their supervisor or superior is the perpetrator of a legal violation, Stanford University has five other channels that the reporter can take. Whistleblowers can report first through the human resources department or the office that handles personnel, second through the risk manager's office, the Office for Chief Risk Officer, third through the Office for General Council, fourth through the Office for Institutional Equity and Access, and finally through the Ethics and Compliance Helpline. (Stanford, 1.1.1 University Code of Conduct, 2023)

Anonymous reporting mechanisms are essential to the whistleblowing system implemented at Stanford University. Through the helpline.stanford.edu website, which has an anonymous reporting format, whistleblowers can reveal fraud, violations of the code of ethics, law violations, and immoral acts. Stanford University continues to provide appreciation and guarantees of security if the whistleblower dares to participate in the investigation stage.

The Stanford University Code of Conduct explains that every report proven to be valid and convincing in the eyes of the law will be processed per applicable legal provisions. Stanford University also advises each party involved to cooperate in the investigation stage and apply the principle of non-retaliation or retaliation if individuals are proven to have violated the law.

2. Whistleblowing System at Universitas Indonesia

The Universitas Indonesia was founded during the Dutch colonial era in Indonesia. In 1947, this campus was named Nood-Universiteit, which later

changed to Universiteit van Indonesia, located in Jakarta. This campus has several faculties spread across Indonesia, including the Faculty of Medicine, Law, Literature, and Philosophy in Jakarta, the Faculty of Engineering located in Bandung, the Faculty of Agriculture in Bogor, the Faculty of Dentistry in Surabaya, and the Faculty of Economics in Makasar. (UI, 2022)

As time passed, all the faculties outside Jakarta turned into their universities between 1954 and 1963. The Universitas Indonesia in Jakarta has a Salemba campus with several faculties, including Medicine, Dentistry, Mathematics and Natural Sciences, Literature, Law, Economics, and Engineering. Then, in subsequent developments, other faculties were established, such as Psychology, the Faculty of Social and Political Sciences, Public Health, Computer Science, and then the Faculty of Nursing. Indonesian universities in the modern era have also experienced changes. Before the Universitas Indonesia campus in Depok was built in 1987, the Universitas Indonesia had three campus locations: Salemba, East Pegangsaan, and Rawamangun. After the new campus was established on 320 hectares of land in Depok, the Rawamangun campus, which included several faculties, was moved. In contrast, the Salemba campus was still maintained for the Faculty of Medicine, Dentistry, and Postgraduate Programs.

The Universitas Indonesia then became one of several universities with the status of a State-Owned Legal Entity in Indonesia in 2000. This change in status brought significant changes to the Universitas Indonesia, bringing greater autonomy in academic development and financial management. From this historical perspective, Universitas Indonesia has grown progressively into an institution that aims to become a leader in humanity and civilisation by balancing academic values, morality, and art. Through these advantages, Universitas Indonesia intends to transform the Indonesian nation into a more prosperous and democratic society, with a focus on peace, justice, and solid environmental values. (UI, 2022)

Regarding the system for reporting alleged violations within the University, UI already has a regulation regulating this matter. This rule is clearly stated in the regulation of the Chancellor of the Universitas Indonesia number 028 of 2018. This regulation was made based on several considerations, one of which is to realise and implement good general and University principles, enforce rules, and increase compliance with regulations; so, the Universitas Indonesia needs to establish a system for reporting suspected violations. This rule also aligns with several Indonesian laws and regulations, or regulations made internally at the University. One is government regulation

number 4 of 2014, concerning implementing higher education and management of universities (State Gazette of the Republic of Indonesia of 2014 number 16 and additional State Gazette of the Republic of Indonesia number 5500).

In the UI Chancellor's regulations, what is meant by the alleged violation reporting system, from now on referred to as SIPDUGA, is a mechanism for reporting actions or actions that are suspected of violating the Universitas Indonesia's code of ethics and code of conduct and internal regulations and statutory regulations committed by residents of the Universitas Indonesia. The UI residents referred to here are the academic community, educational staff, and members of the board of trustees. The person responsible for SIPDUGA is a board of trustees who supervise and evaluate its management. The team receiving the report is the audit committee of the board of trustees, which acts for and on behalf of the board of trustees with the main task of carrying out initial verification of reports of alleged violations, submitting reports of suspected violations that have passed the initial stage of verification to the implementing party for resolving suspected violation reports, monitoring the implementation of SIPDUGA, provide information to the reporter regarding the progress of their report and submit periodic reports on SIPDUGA management to the person in charge of SIPDUGA. Furthermore, the implementing party for resolving reports of alleged violations is an organ appointed directly by UI. (UI Chancellor's Regulation No. 028 of 2018 concerning the System for Reporting Alleged Violations, 2018)

The purpose of implementing this SIPDUGA regulation is to serve as a reference in handling reporting of alleged violations, to ensure that a systematic and effective mechanism for resolving reports of alleged violations is implemented, to be a reference in developing the SIPDUGA supporting information system, to uphold the Universitas Indonesia's code of ethics and code of conduct and applicable laws and regulations. , maintain UI's reputation as an educational institution that prioritises the principles of truth, honesty, and fairness and becomes material for evaluation and improvement for the governance of the Universitas Indonesia. UI also implements SIPDUGA with confidentiality, protection, independence, accountability, substantive truth, and legality principles.

The resolution of reports of alleged violations is carried out using a pretty efficient mechanism. The reporter's reports must be submitted in writing by filling out the form provided by UI. The reporter can include his or her name or not. Every report received will then be given a complaint number by the administration team receiving the report. Alleged violations that can be

reported are alleged violations committed no more than five years before the reporting date by the reporter. The management of SIPDUGA is carried out systematically. The team receiving the report manages the administration and documentation systematically, effectively, and reliably. The Council of Professors (DGB) monitors the follow-up to reporting suspected violations, which are under the responsibility of the DGB ethics committee. The Chancellor assigns SPI to monitor follow-up reporting of alleged violations, which are within the Chancellor's responsibility. The Board of Trustees assigns the audit committee to monitor the follow-up to report suspected violations as a whole, and the implementing party reports the progress of the follow-up report periodically or at any time if requested by the audit committee.

D. CONCLUSIONS

The research team in this study concluded that Stanford University and Universitas Indonesia have legal regulations regarding the whistleblowing system; the Stanford University Code of Conduct can prove this. The Stanford University Code of Guidelines was created to guide the university's academic community in conducting all campus-related activities. This code of guidance provides no exception for all community members to actively participate in monitoring the running of activities at Stanford. Meanwhile, Universitas Indonesia has UI Chancellor's Regulation Number 028 of 2018 concerning the System for Reporting Alleged Violations, abbreviated as SIPDUGA. SIPDUGA is a mechanism for reporting actions or actions suspected of violating the Universitas Indonesia's code of ethics and code of conduct and internal regulations or statutory regulations committed by members of the Universitas Indonesia.

The second conclusion obtained by the research team in this study is that Stanford University has a reporting system with six channels. Stanford has six channels for reporters or whistleblowers to report misconduct on campus. The first channel is for reporters to report violations through their supervisor or direct superior. This channel is the first effort by office protocol because supervisors can confirm, affirm, or take direct action per the provisions.

Second, whistleblowers can also report through the human resources department or the office that handles personnel, through the risk manager's office, the Office of the Chief Risk Officer, the Office of the General Council, the Office for Institutional Equity and Access, and sixth through Ethics and Compliance Helpline. Meanwhile, in SIPDUGA, UI only has one reporting channel. The SIPDUGA UI report is completed using a pretty efficient

mechanism. The reporter's information must be submitted in writing by filling in the form provided by UI.

The results of this research produce suggestions in the form of, firstly, that each university implement a whistleblowing system that helps the academic community report alleged violations on campus. There are no official statistics regarding whether the existence of a whistleblowing system can reduce the number of corruption, maladministration, and power abuse. The second suggestion is that this research expands its scope regarding the effectiveness of implementing the whistleblowing system in higher education.

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