



CREATIVE ECONOMY AND ITS ROLE IN PREVENTING CORRUPTION IN INDONESIA

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Article History	Abstract
<p>Keywords: creative economy, corruption, technology</p> <p>History of Article Received:, December 11, 2023; Reviewed: December 12, 2023; Accepted: December 16, 2022; Published: December 16, 2023;</p> <p>DOI: 10.56282/slr.v1i3.478</p>	<p>The creative economy sector, which in it attached the economy, technology, information, innovation, and intelligence, is a righteous infrastructure to tackle corruption. Technology that strongly supports the national economy, then economic growth is expected to increase the supremacy of law, and the rule of law can decrease corruption, while corruption has been widespread on economic rent-seeking behavior which is technically legal has reduced economic efficiency by justifying excessive expenditure, monopoly power, and weak enforcement. Thus, it is important and urgent to conduct a juridical study using new institutionalism theory to reconceptualize the creative economy with corruption prevention. The corruption in Indonesia cannot rely on the concept of creative economy limited to the thoughts, ideas, or creativity of HR as the main production factors in economic activity, but the concept must be shifted to the form of economic efficiency, propriety of business, collective restraints, and institutions that have accommodated public participation, transparency and accountability as the main weapons in preventing corruption. In supporting the development of creative economy law, the Ministry of Tourism and Creative Economy can generate a legal certainty guarantee for the running of an efficient, healthy and smooth creative economy by producing anti-corruption-based e-commerce law. Other supports are: continuously socializing the anti-corruption based economy creative, giving incentives or appreciation for whose creative economics ideas and creativities establish the economic rent prevention, providing the efficient and appropriate technology in the context of the creative economy, and creating whistleblowers application as early warning system in eradicating corruption.</p>

1. INTRODUCTION

The creative economy, or on its development many to mentioned as cultural industries, creative industries, cultural-products industries, or the cultural economy¹, has the potential to always grow. Based on Opus 2019, released by the Creative Economy Agency of Indonesia, the national economic contribution in Indonesia has always had a trend to

¹ J. Boggs, 'Cultural Industries and the Creative Economy - Vague but Useful Concepts', *Geogr. Compass*, vol. 3, no. 4, pp. 1483-1498, 2009.

increase the economy since 2015 to 2018, as the contribution of creative economy² to Indonesian Gross Domestic Product (GDP)³⁴⁵⁶ can be seen in the following Figure 1.

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Figure 1
Creative Economy Contributions to GDP in Indonesia period 2015-2018 (in triliun rupiah)

No.	YEAR	Amount (in triliun rupiah)
1.	2015	852
2.	2016	922,59
3.	2017	1.009
4.	2018	1.105

The other things that further strengthen the existence of the creative economy in Indonesia are the total of 8.2 million businesses engaged in the creative economy sector in 2016, the 143.26 million people as the number of Internet users in 2017, and other governmental endeavors, such as building palapa rings as the backbone of the digital economy ecosystem, building 4G networks across the archipelago, and publishing the e-commerce road map¹³.

The creative economy sector, which in it attached the economy, technology, information, innovation, and intelligence, can be used as a means to tackle corruption, as in recent years economists and various interdisciplinary or multidisciplinary research, have

² Bekraf, 'Opus 2019 Ekonomi Kreatif', 2019. [Online]. Available: <https://www.bekraf.go.id/pustaka/page/89-opus-creative-economy-outlook-2019-indonesia-version>.

³ BPS, 'Ekonomi Indonesia Triwulan IV 2015 tumbuh 5,04 persen tertinggi selama tahun 2015', *Badan Pusat Statistik*, 2015. [Online]. Available: <https://www.bps.go.id/pressrelease/2016/02/05/1267/ekonomi-indonesia-triwulan-iv-2015-tumbuh-5-04-persen-tertinggi-selama-tahun-2015.html>.

⁴ BPS, 'Ekonomi Indonesia Tahun 2016 Tumbuh 5,02 Persen Lebih Tinggi Dibanding Capaian Tahun 2015 Sebesar 4,88 Persen', *Badan Pusat Statistik*, 2016. [Online]. Available: <https://www.bps.go.id/pressrelease/2017/02/06/1363/ekonomi-indonesia-tahun-2016-tumbuh-5-02-persen-lebih-tinggi-dibanding-capaian-tahun--2015--sebesar-4-88-persen.html>.

⁵ BPS, 'Ekonomi Indonesia Triwulan IV-2017 Tumbuh 5,19 Persen', *Badan Pusat Statistik*, 2017. [Online]. Available: <https://www.bps.go.id/pressrelease/2018/02/05/1519/ekonomi-indonesia-triwulan-iv-2017--tumbuh-5-19-persen.html>.

⁶ BPS, 'Ekonomi Indonesia 2018 Tumbuh 5,17 Persen', *Badan Pusat Statistik*, 2018. [Online]. Available: <https://www.bps.go.id/pressrelease/2019/02/06/1619/ekonomi-indonesia-2018-tumbuh-5-17-persen.html>.

⁷ Ibid

⁸ Ibid No 2

⁹ Ibid No 3

¹⁰ Ibid No 4

¹¹ Ibid No 5

¹² BPS, 'Ekonomi Indonesia 2018 Tumbuh 5,17 Persen', *Badan Pusat Statistik*, 2018. [Online]. Available: <https://www.bps.go.id/pressrelease/2019/02/06/1619/ekonomi-indonesia-2018-tumbuh-5-17-persen.html>.

¹³ Ibid no 110

shown enormous interest in studying the phenomenon of corruption is an economic, social and political consequences¹⁴, there is difficulty in detecting corrupt behavior when without applying appropriate monitoring technology¹⁵, and experimental evidence suggesting that the current method of corruption prevention (which focuses on the steps that its existence and implementation can be proved without a doubt and can be verified by outside observers, such as organizations and corporations around the world who are trying to ensure that they are not guilty always demanding its employees To sign a statement of compliance, requiring costly ethical training, implementing time-consuming control systems, limiting the power of employee disagreements, and prohibiting employees who use subjective experience) to perform poorly performing¹⁶. In fact, the spirit of the prevention of corruption in the creative economic sector has been secured in Article 41 of Law No. 31 of 1999 regarding Eradication of Corruption in which the country has granted rights and responsibilities to all components of the community to prevent and eradicate corruption crimes.

There are several studies relating to economics and technology, as synergized in the creative economy, in tackling corruption. Buehn and Schneider (2009) found that a large shadow economy, which in turn will reduce the incentives to remain in the official economy, is linked to high levels of corruption due to weaker legal systems and unstable conditions for economic activity increase corruption¹⁷. Maslii *et al* (2018) revealed that based on research and processing of statistical data, application of anti-corruption platforms, registers and public databases in Ukraine, IT effectively detects and prevents corruption in all fields, as the program The computer does not accept bribes, cope with corruption in a way that will lead to faster economic growth and that will increase living standards¹⁸. A study conducted by Hongdao *et al* (2018) on the relationship between corruption, the supremacy of law and economic growth in China shows that the level of prevention and control of corruption has a positive effect on economic growth, then Economic growth can significantly increase the supremacy of law and the supremacy of the law can significantly improve the level of prevention and control of corruption. In addition, the results of the study also showed that the level of rule of law played a partial intermediary role in the process of economic development to improve the impact of prevention and control of corruption¹⁹. Sidorenko and Lykov (2019) who analyzed the benefits of digital economic development in terms of social problem solving and crime prevention suggest that using the latest digital technologies, such as blockchain, Internet of Things (IoT), The artificial intelligence and big data in the prevention of corruption. The introduction of digital technology in public administration and anti-corruption policies will enable significantly reduced corruption rates by enhancing process transparency and ensuring the provision of public services without contact. But it is worth noting that the advantages of digital technology can be minimal due to lack of universal electronic document management system, lack of technical and legal criteria to verify the facts revealed, and lack of system Information security²⁰. Then in conjunction with

¹⁴ N. Maslii, N. Zakharchenko, V. Butenko, O. Savastieieva, T. Butenko, and L. Shyriaieva, 'Modern Technologies of Detection and Prevention of Corruption in Emerging Information Society', *Probl. Perspect. Manag.*, vol. 16, no. 1, pp. 58–67, 2018.

¹⁵ M. Bac, 'Corruption, Supervision, and the Structure of Hierarchies', *J. Law Econ. Organ.*, vol. 12, no. 2, pp. 277–298, 1996.

¹⁶ J. G. Lambsdorff, 'Preventing corruption by promoting trust: Insights from behavioral science', Passau, V-69–15, 2015.

¹⁷ A. Buehn and F. G. Schneider, 'Corruption and the shadow economy: a structural equation model approach', Bonn, 4182, 2009.

¹⁸ *Ibid* No 14

¹⁹ Q. Hongdao, A. Mumtaz, H. Mukhtar, H. A. R. Saleem, and S. Azam, 'Corruption Prevention and Economic Growth: A Mediating Effect of Rule of Law', *Int. J. Soc. Sci. Stud.*, vol. 6, no. 2, pp. 128–143, 2018.

²⁰ E.L. Sidorenko and A. A. Lykov, 'Digital Economy and Anti-Corruption: New Digital Models', in *Eurasia: Sustainable Development, Security, Cooperation*, 2019, pp. 1–4.

per capita income, one of the results of the study of Petermann, Guzman, and Tilton (2007) showing the tendency of corruption increased in the early stages of development because the income per capita increased and then dropped Once per capita income penetrates a certain threshold²¹.

Indeed, some of these studies have proved that the use of technology is highly supportive of national engineering, and then economic growth will significantly increase the rule of law, and of course supremacy can significantly Prevention and control of corruption. However, studies that only assess economic growth as the primary remedy for corruption still reflect overly modest views, particularly in post-war situations, as Rose – Ackerman (2008) has reminded that corruption. It is a symptom that indicates that the relationship between the people is not functioning, undermining the legitimacy of the state, and leads to a wasteful public policy²². A good policy may not be chosen or implemented effectively without an honest institution. There have been no studies seeking to review the creative economic relationship in the prevention of corruption in Indonesia, whereas the use of technology in economic and economic oriented technologies (such as digital economics and e-commerce) is a Economic development in Indonesia that must certainly be able to be a prima in the field of law, especially to increase the impact of corruption prevention. That is, the reality of the creative economy that is the symptom of the community that currently demonstrates a certain society that is always striving to transform in order to achieve its economic goals and on the other side of the country seeks to realize The creation and order of economic associations in the Community should be addressed in the framework of the complementary national development between economic development and the legal field. Complementing the development of economic and legal fields has been affirmed by Atmasasmita by stating that the development of the field of law should be able to manage and accommodate the development of development in the economic field, directing it and Placing economic development for the most important interests and benefits for all Indonesian people, while the development of economic field should give more attention to the development of facilities and infrastructure strengthening formation law and implementation²³. So, this paper aims to answer the formulation of problems that question how to conceptualize the creative economy related to the prevention of corruption in Indonesia.

2. METHOD

The creative industries must be introduced through innovative studies designed interdisciplinary principles and interconnectivity with practice [16]. This interdisciplinary research uses a qualitative approach to describe that the reality of creative economy and corruption cannot be viewed partially and broken down into variables, so research on the creative economy and the prevention of corruption in Indonesia should be seen as something intact, dynamic, and the results of construction, thinking, and interpretation of the observed phenomenon as well as holistic, because every aspect of the object has a unity that does not Integral²⁴.

Given that this paper is expected to answer the problems that the results can contribute to the concept, then this research will use approaches that belong to normative juridical research methods, which among others use the philosophical approach, which is intended to gain the underlying understanding of a regulation²⁵, comparison approach, and

²¹ A. Petermann, J. I. Guzman, and J. E. Tilton, 'Mining and corruption', *Resour. Policy*, vol. 32, no. 3, pp. 91-103, 2007.

²² S. Rose-Ackerman, 'Corruption and Government', *Int. Peacekeeping*, vol. 15, no. 3, pp. 328-343, 2008.

²³ R. Atmasasmita, 'Globalisasi dan Kejahatan Bisnis', in *Peran Hukum Dalam Pembangunan di Indonesia*, Idris, Ed. Bandung: Remaja Rosdakarya, 2013, p. 322.

²⁴ Sugiyono, *Metode Penelitian Manajemen*. Bandung: Penerbit Alfabeta, 2014.

²⁵ P. M. Marzuki, *Penelitian Hukum*. Jakarta: Prenada Media Group, 2008.

conceptual approach, is used to deepen the concept of creative economics and corruption. This normative juridical method emphasizes theoretical speculative measures and normative-qualitative analysis.²⁶ based on secondary data (library research), whose legal material consists of primary, secondary, and tertiary legal materials. According to Amirudin and Asikin (2006), primary legal materials are legal materials that have a binding power, such as the 1945 Constitution of the Republic of Indonesia (UUD 1945) and prevailing laws and regulations, secondary legal materials that explain the primary legal material, such as books, scientific journals, working paper, experts' opinions, results of seminars, proceedings, or papers related to the topic of this paper, while the tertiary legal material is an auxiliary legal material that provides guidance to primary and secondary legal materials, such as a dictionary of law, encyclopedia, language dictionaries, web pages, and other tertiary legal materials. All the materials used in this paper must not contradict the legal ideals and the conception of *grundnorm* (the basic norm), as Kelsen has stated that a legal system is a legal hierarchy whose order cannot be separated of higher rule, and the highest provision is *grundnorm* which is naturally an undisputed hypothesis of its validity²⁷.

3. LITERATURE REVIEW

Hodess (2013) revealed three categories of creating anti-corruption, namely punishment, prevention, and value-based initiatives with elements of accountability, trust, and networking.²⁸ Public trust is needed for the Government and related institutions to carry out and develop their policies and programs. This is affirmed by Nunkoo et al (2018) by declaring that "*trust merupakan citizens' beliefs that the institutions governing development will produce outcomes for the public even in the absence of constant scrutiny*". The existence of public trust will foster relationships underlying economic development and promotes legitimacy of governing and planning institutions as well as produces outcomes that work in the best interests of society, so citizens are more likely to support the institutions' initiatives without needing to be coerced²⁹.

One of the programmes that can be implemented by the Government in preventing corruption in Indonesia and at the same time getting support from the community is to reconceptualise the creative economy through good and adequate network support, considering that in the creative economy or creative industry there are two main drivers, namely increased demand for creative products (within the main driver are the experience economy, slow fashion and technology) and the changing ways of producing and consuming creative products (within the main driver are digitalisation and prosumers)³⁰. Through increased demand and ways of producing and consuming creative products, not only can the government focus its dominant objectives on growth, equity, welfare, and participation, it will also build connections that can provoke, incorporate, and encourage the integration of social, cultural, and economic goals/values.³¹ in the three categories of creating anti-corruption. The integration of these values will show that the creative economy has value-

²⁶ R. H. Soemitro, *Metodologi Penelitian Hukum dan Jurimetri*. Jakarta: Ghalia Indonesia, 1990.

²⁷ H. D. P. Sinaga, 'Reorientation of Tax Legal Certainty in Indonesia: An Exploration of Transcendental Law', in *Advances in Social Science, Education and Humanities Research Vol. 192, 1st International Conference on Indonesian Legal Studies (ICILS 2018)*, 2018, pp. 282–287.

²⁸ R. Hodess, 'Civil Society and Nongovernmental Organizations as International Actors in Anti-Corruption Advocacy', in *Ant-Corruption Policy: Can International Actors Play a Constructive Role?*, S. Rose-Ackerman and P. Carrington, Eds. Durham: Carolina

²⁹ R. Nunkoo, M. A. Ribeiro, V. Sunnassee, and D. Gursoy, 'Public trust in mega event planning institutions: The role of knowledge, transparency and corruption', *Tour. Manag.*, vol. 66, pp. 155–166, 2018.

³⁰ P. Collins and J. A. Cunningham, *Creative Economies in Peripheral Regions*. Cham: Springer International Publishing AG, 2017.

³¹ A. C. F. Reis, 'Introduction', in *Creative Economy: As a development strategy: a view of developing countries*, A. C. F. Reis, Ed. São Paulo: Itaú Cultural, 2008, pp. 14–49.

based initiatives, as Errath et al (2005) have outlined a number of reasons why businesses should be involved in combating corruption in all its forms, drawing on both ethical and business reasons. Ethically, corruption is fundamentally wrong as it is an abuse of power and position and undermines the integrity of all involved and destroying the fabric of the organisations to which they belong. In business terms, any business interest of any company should not be involved in corrupt practices, given the following risks, such as, legal risks (which are not only in the place where the corruption took place, but also in the home country of the business engaging in corrupt practices in that other country) and legal risks (which are not only in the place where the corruption took place, but also in the home country of the business engaging in corrupt practices in that other country), as mentioned on the United Nations Convention against Corruption in 2003 and US Foreign and Corrupt Practices Act of 1977), reputational risk (businesses whose policies and practices fail to meet high ethical standards, or fail to comply with the law, are faced with serious reputational risks, such as being accused of malpractice), financial costs risk (corruption has increased the cost of doing business and increased the cost of public procurement, which clearly undermines business performance and diverts public resources from legitimate sustainable development), blackmail risk (engaging in corrupt practices only exposes businesses to blackmail that will jeopardise business sustainability and undermine sustainable social, economic and environmental development)³².

An attempt to reconceptualise the creative economy has been suggested by Wilson (2010) who states that so far there has been a limitation of the conceptualisation of the creative economy to a too narrow meaning, which emphasises referring to 'economic' rather than 'creative', or has taken too broad a view of being creative, so it is suggested to re-qualify the creative economy by taking better account of social aspects and individual creativity, and to challenge traditional disciplinary boundaries that may limit the creative economy itself³³. In fact, according to Negus and Pickering (2004), creativity can be understood comprehensively as something extraordinary or something ordinary, elevated and mundane, where one meaning can undermine the other³⁴, so it is appropriate that the creative economy is based on the creative potential of all individuals and the social conditions, especially the relationships that enable that potential to be realised.³⁵ The thoughts of Wilson (2010) and Negus and Pickering (2004) which state that reconceptualisation of the creative economy is absolutely necessary in a social condition that has the potential to realise certain goals, in this case aiming at preventing corruption, considering that reconceptualisation itself means conceptualisation through a different or new way, as the Big Indonesian Dictionary (KBBI) online defines conceptualisation as conceptualisation.³⁶ while online dictionary such Merriam-Webster give meaning where reconceptualize as "to conceptualize in a new or different way"³⁷

4. RESULTS and DISCUSSION

a. The close relationship between creative economy with the prevention of corruption

³² B. Errath, P. Brew, J. Moberg, J. Brooks, and S. Cote-Freeman, 'Business against corruption: A framework for action, Implementation of the 10th UN Global Compact Principle against corruption', 2005.

³³ N. Wilson, 'Social creativity: re-qualifying the creative economy', *Int. J. Cult. Policy*, vol. 16, no. 3, pp. 367-381, 2010.

³⁴ K. Negus and M. Pickering, *Creativity, communication and cultural value*. London: SAGE, 2004.

³⁵ Ibid No 33.

³⁶ Ibid No 34

³⁷ Merriam-Webster, 'Reconceptualize', *Merriam-Webster*, 2020. [Online]. Available: <https://www.merriam-webster.com/dictionary/reconceptualize>.

The creative economy thing was first put forward by Howkins (2007) through the incorporation of the word creativity and economics to create tremendous value and richness. Creativity is the ability of one or more people to produce something new that is personal, genuine and meaningful, while the economy is defined conventionally as a system for production, exchange and consumption of goods and services, which generally deal with the issue of how individuals and communities satisfy their unlimited desires with limited resources, so it can be said that creativity is not always an economic activity But can be an economic activity when generating ideas with economic implications or tradable products, transitioning from abstract to practical, from idea to product or service³⁸. Then, Opus (2019) emphasized the understanding of creative economics as a new economic paradigm that relies on the ideas, ideas, or creativity of human resources (HR) as a major production factor in its economic activities. Thus, creative economic resources include creativity (which is the capacity or ability to produce or create something unique, a solution to a problem, or something different from Pakem) and added value (which can be seen From the increasing quality of a product or service in terms of value and economics [2].

The Organisation for Economic Co-operation and Development (OECD) terms the creative economy as "cultural industry", "content industry" or "copyright industry", as well as " Creative industries ". The definition of creative industries according to the OECD (2014) referret to "knowledge-based creative activities that link producers, consumers and places by utilising technology, talent or skill to generate the meaningful intangible cultural products, creative content and Experiences ", where the creative industry covers a variety of sectors, such as advertising, animation, architecture, design, film, gaming, gastronomy, music, performing arts, software and interactive games, as well as television and radio [31]. While Veselá and Klimová (2014) defined creative industries as the essence of the creative economy, as a phenomenon of economic development in the post-industrial world, offering an alternate type of growth, even in the economic crisis, consisting of Industries that have origins in creativity, skill, and talent of individuals and who have the potential to create wealth and job opportunities [16]. The explanation shows that "culture and creative industries" are important elements of the modern economic infrastructure. [32], and those who retrench may see it as a source of revitalisation or those who expand may see it as a way to maintain the momentum they have achieved. [33], so that the provocation of value to creative economy actors who are involved in corruption efforts or cooperation with state officials will only ensnare them in legal risks as well as business risks.

The creative economy should essentially utilize the technology, talent, or skill to produce products and services, should be the government's capital in preventing corruption, whose definition has currently expanded on the behavior of searchers economically economic which is technically legal but has the potential to reduce economic efficiency by creating a justification of expenditure, power of monopoly, and weak enforcement of excessive regulations³⁹. It is clear that the government in need of the foundations of the foundation for anti-corruption-based economic development can make the creative economy a fundamental partner in the public sector economy, which is expected to restrict things that benefit the personal interests of persons who attempt to enrich themselves, certain groups and or others, by harming the country's finances and or detrimental to the country's economy. The strengthening of the creative economy in addition to narrowing the economic growth sustained by the traditional economy in connection with common corruption behaviors is always targeting the budgeting and implementation of public investment projects, as well as implementing sustainable business processes for its own creative economic practitioners with respect to the leverage of technology on the level of service,

³⁸ J. Howkins, *The Creative Economy: How People Make Money From ideas*. London: Penguin Books, 2007.

³⁹ M. Ivanyna, A. Mourmouras, and P. Rangazas, *The Macroeconomics of Corruption: Governance and Growth*. Cham-Switzerland: Springer International Publishing AG, 2018.

output quality, and productivity⁴⁰, and in connection with to commit or act and to be uncommitted or inaction to be obliged within the sphere of creative economy. The subject of the responsibility of this creative economy can be synchronized with the thought of Sinaga and Sinaga (2018) which outlines the criteria. The thing to do or to act must meet the four criteria, an act of goodwill in order to fulfill its legal obligation (unless it is evidenced by the state of force majeure or compulsion or otherwise that makes it act otherwise), the actions taken due to danger or damage or loss that may be imminent and or unavoidable, the action carried out is no better alternative (because if the action is not done then it will be harm or harm or loss is greater) and the action or deed is purely due to accidental. As for the unequal thing to do not commit or not to act related to the fulfillment of the following four criteria, i.e. deeds that Mala prohibitum (forbidden by Law-act not within the scope of its capacity or not in accordance with its professional judgement, still allows the alternative action/other better actions that do not violate the prevailing laws and regulations, and efforts to enrich oneself/group and/or other parties that cause harm Financial or state economy [36].

b. The framework of new institutionalism theory in an anti-corruption creative economic building

The development of creative economic definitions has brought hope to the contemporary concept of creative economy as the thought of Heinze and Hoose (2013) and Pratt and Hutton (2013) adequate to the background. Heinze and Hoose (2013) promote creative culture and economics are important elements of modern economic infrastructure in a uniform virtual and promotional sector, so that it has an important and increasing role in the future, especially for Cluster strategy in a particular field of expertise, as a role model for other sectors, and in raising new networks and alliances⁴¹. Whereas, Pratt and Hutton (2013) reminded that the latest economic recession evidence shows that the creative economy could have been "is not simply a 'good time 'candy-floss" so it is necessary to review the new role of the creative economy of a country, namely the Pay attention to not only regulatory and organizational factors, but also in line with the socio-economic proximity of the creative economy that need for a sort of institutional 'varieties of creative economy⁴².

The need to review the new role of the creative economy that is able to convey the creative culture and economy in harmony with factors such as regulation, organization, social, economic, and political shows that the old institutionalism response has been Which is deemed to have undersocialized character in relation to the position of political institutions (such as government agencies, legislative committees, judiciary) which is often no more than a simple set of individual preferences⁴³ which plays an autonomous role in shaping the political impact of its own goodness, tends to be an arena for combating social forces, as a group of standards operating Procedures (SOP), and structural in establishing and Retain their own interests⁴⁴. Thus, it takes an approach to the new institutionalism of its scope on some conceptions as to how the institutions exist and how they change, whose majority of focus lies in the influence of institutions on policy and other political choices⁴⁵, especially in terms of the economics of the new institutions that are particularly persistent in the face of

⁴⁰ K. Kumar, D. Zindani, and J. P. Davim, *Industry 4.0: Developments towards the Fourth Industrial Revolution*. Singapore: Springer Nature Singapore Pte Ltd, 2019.

⁴¹ R. G. Heinze and F. Hoose, 'The Creative Economy: Vision or Illusion in the Structural Change?', *Eur. Plan. Stud.*, vol. 21, no. 4, pp. 516–535, 2013.

⁴² A. C. Pratt and T. A. Hutton, 'Reconceptualising the relationship between the creative economy and the city: Learning from the financial crisis', *Cities*, vol. 33, pp. 86–95, 2013.

⁴³ V. Lowndes and M. Roberts, *Why Institutions Matter: The New Institutionalism in Political Science*. New York: Palgrave Macmillan, 2013.

⁴⁴ *ibid*

⁴⁵ B. G. Peters, *Institutional Theory in Political Science: The "New Institutionalism"*. London dan New York: Pinter, 1999.

cognitive limits, incomplete information, and difficulties in monitoring and enforcing an agreement.⁴⁶

The emergence of the theory of new institutionalism also shows that in an institution there are always actors (consisting of individuals, organizations, or countries) pursuing its interests through choices that It relates to institutional limitations and results in the form of its own institutional boundaries, where individuals produce norms, organizations generate rules, and countries produce laws and regulations. In this case, it can be said that the actors are living a double life in a new institutionalism, namely pursuing interests with its limitations, and also generating boundaries to other actors⁴⁷.

The next description of the new institutionalism theory is further developed by Goodin in six core formulation, namely: ⁴⁸

- a. The implementation of individual and group projects must always be in a collective-restricted context;
- b. The restrictions consist of institutions, a) patterns of norms and role patterns that have developed in social life, and B) the behavior of those who hold roles, where the role has been socially determined and undergo continual changes;
- c. The restrictions also benefit individuals or groups in the pursuit of their respective projects;
- d. Factors limiting the activity of individuals and groups should influence the establishment of preference and motivation of actors and groups;
- e. Restrictions must have historical roots, as a relic of past actions and choices; and
- f. Restrictions must realize, nurture, and provide different opportunities and strengths to individuals and groups respectively.

The emergence of new institutional theories as well as creative economic developments that can become strategies in a particular field of expertise, which can be a role model in other fields, and which can bring up new networks and alliances, is a fundamental framework that makes the creative economy a way of sustainable development without the culture of corruption. The anti-corruption culture will develop naturally based on the potential, talents and creativity of people inherent in the creative economy that in practice can be used as a source of the most important growth and development culture⁴⁹. The implementation of new institutionalism in building an anti-corruption-based creative economy in Indonesia still cannot be detached from the active role of the parties involved in the creative economy, such as e-commerce and the digital economy, i.e. individuals or groups (in this case the producers and or consumers of goods and or services) and the consumers of goods and services that could be the target of creative economic applications of e-commerce, government (especially government agencies that have the task Conducting government affairs in the field of creative economics, which in this case, in accordance with article 4 Presidential Regulation No. 69 of 2019 on the Ministry of Tourism and Creative economy was carried by the Ministry of Tourism and Creative economy), and the provider of digital economic services (platforms).

c. Reconceptualizing the creative economy in corruption prevention in Indonesia

Understanding that creativity can be openly on the universal competencies that each individual has and can be a fundamental human right, is part of the development of creative industry perception (which is the essence of the creative economy) that has promoted the

⁴⁶ Vivien Londes, 'Varieties of New Institutionalism: A Critical Appraisal', *Public Adm.*, vol. 74, no. 2, pp. 181–197, 1996.

⁴⁷ P. Ingram and B. S. Silverman, 'Introduction: The New Institutionalism in Strategic Management', in *The New Institutionalism in Strategic Management*, P. Ingram and B. S. Silverman, Eds. Oxford: Elsevier Science, Ltd, 2002, p. 7,8.

⁴⁸ M. Budiardjo, *Dasar-Dasar Ilmu Politik*. Jakarta: PT. Gramedia Pustaka Utama, 2008.

⁴⁹ K. Petrikova, A. Vanova, and K. Borsekova, 'The role of creative economy in Slovak Republic', *AI Soc.*, vol. 30, no. 2, pp. 271–281, 2015.

so-called "cultural industry". The cultural industry is characterized by its double nature, that is, if it becomes an economy will contribute to economic development through employment, economic growth and wealth creation, and when it becomes a culture will be an activity that integrates Individuals socially and culturally into society as well as by engaging in promoting⁵⁰ anti-corruption values. Cultural industries that adopt anti-corruption values can be considered in reconceptualising a creative economy that is committed to the relevance of anti-corruption policies while still referring to the considerations of creative economy actors and government policy arenas.⁵¹

There is a need for a creative economy based on corruption prevention in Indonesia must be through reconceptualisation, as is the conception (legal) according to Stammler that it is based on a legal mind to form elements of formal and Universal, which with the right legal mind: (1) is the highest universal point of human social life, (2) is the only one who understands the existence of society as a whole through legitimate methods, and (3) show the path of unity aiming at true consciousness⁵². In order to conceptualise the creative economy in a new way, which is based on corruption prevention that gains public trust, the characteristics of corruption prevention must be strengthened through prioritising the dimensions of public participation, accountability and transparency, as Klitgaard (1998) has formulated the definition of corruption as a combination of monopoly and discretion but lack of accountability.⁵³ Public participation is a reflection of the "will of the people" which is expected to produce laws with a public concept⁵⁴. Thus, if public participation is to be successful in corruption prevention, the government must offer a fair, competent, and effective collective decision-making process that overcomes the tendency of people who have goals that can harm the country's finances/economy, because it shows that all citizens should be responsible for contributing positively to the quality of democracy⁵⁵. Every government decision must be transparent if it is to produce anti-corruption creative economy regulations. More comprehensively, the transparency to be generated in the regulation of the creative economy is not just about clarifying procedures and removing the monopoly of policy control but must reach out to the prerequisites needed to make clarity on the desired outcome. [49].

Social accountability mechanisms are tools that reduce corruption in public administration, so in order to be effective in preventing corruption, social accountability must be inclusive, broad and with public effects that are all adequately applied to creative economy arrangements that generate effective sanctions and can create credibility threats⁵⁶.

The reconceptualisation efforts of the creative economy begin with the initial concept of a new economic paradigm that relies on the notions, ideas, or creativities of human resources as the main production factor in its economic activities into a transformation concept Activities that strive to facilitate producers, consumers and platforms in achieving their most important objectives in a jurisdiction by utilizing technology, talent, or skills based on economic efficiency and business compliance in Collective restriction of the state's

⁵⁰ Ibid No 17.

⁵¹ A. Markusen, G. H. Wassall, D. DeNatale, and R. Cohen, 'Defining the Creative Economy: Industry and Occupational Approaches', *Econ. Dev. Q.*, vol. 22, no. 1, pp. 24-45, 2008.

⁵² W. Friedmann, *Teori dan Filsafat Hukum: Idealisme Filosofis dan Problema Keadilan*. Jakarta: CV. Rajawali, 1990.

⁵³ R. Klitgaard, 'International Cooperation Against Corruption', *Finance Dev.*, vol. 35, no. 1, pp. 3-6, 1998.

⁵⁴ M. D. Mehta, 'Risk and decision-making: a theoretical approach to public participation in technological conflict situations', *Technol. Soc.*, vol. 20, no. 1, pp. 87-98, 1998.

⁵⁵ T. Webler, H. Kastenzholz, and O. Renn, 'Public Participation in Impact Assessment: A Social Learning Perspective', *Environ. Impact Assess. Rev.*, vol. 15, no. 5, pp. 443-463, 1995.

⁵⁶ F. Schatz, 'Fighting Corruption with Social Accountability: A Comparative Analysis of Social Accountability Mechanisms' Potential to Reduce Corruption in Public Administration', *Public Adm. Dev.*, vol. 33, no. 3, pp. 161-174, 2013.

official institution. The keywords of economic efficiency, business compliance, collective limitation, and institutions are embodiment the reconceptualisation of the creative economy based on corruption prevention, as the implementation details in Table 1 are directly and indirectly public participation, transparency and accountability as the main weapon of corruption prevention.

Tabel 1
Reconceptualizing the creative economy based on corruption prevention⁵⁷

Conception in the law	Implementation
(1)	(2)
Economic efficiency	<ul style="list-style-type: none"> a. Efforts of producers, consumers and platforms to always obtain and or provide affordable and quality goods and/or services will always reject the economic rente, which creates economic and moral inefficiencies. b. Support of government regulation, in this case the Ministry of Tourism and Creative economy to make the level of LAW regulations to ensure the implementation of legal certainty of economic efficiency in the creative economy in Indonesia
Business compliance	<ul style="list-style-type: none"> a. The toughness of manufacturers, consumers and platforms to be transparent in determining reasonable prices will save the continuity of their business in order to avoid transactions with economic rente which will adversely affect the continuity of its businesses and always Leaving Digital traces b. To properly administer any transaction in order to make any transactions that are detrimental to the financial and state economy, which may be unknowingly occurred with the other party, can help the investigation carried out by Institutions.
Collective restrictions	<ul style="list-style-type: none"> a. Voluntary compliance of producers, consumers and platforms within the scope of the creative economy to report any transactions deemed unreasonable b. Collective awareness of producers, consumers, and platforms in the sphere of creative economy to fight every type and form of rente economy will benefit the continuity of its business due to its reputation and integrity of its business that always avoid the transactions Financial harm and the country's economy in any name and form.
Institutions	<ul style="list-style-type: none"> a. Cooperation of the Ministry of Tourism and the creative economy and the relevant State institutions to make LAWS that ensure the health of the creative economy is efficient, healthy and appropriate. b. The ongoing socialization of anti-corruption from the Ministry of Tourism and the creative economy to producers, consumers and platforms within the creative economic sphere c. Insentip or Award to producers, consumers, and platforms within the sphere of creative economy that have the idea and creativity to protect its business from transactions involving economic harm's financial and state economy. d. Create anti-corruption based e-commerce LAWS. e. Provide efficient technological support for man's fund in the

⁵⁷ Anis Wahyu Hermawan, & Henry Dianto Pardamean Sinaga. (2020). Creative Economic Reposition For Technopreneurs Innovation In Indonesia: An Initiation Of Tax Incentives In Corruption Prevention. A Y E R Journal, 27(1), 94 - 115.

	<p>creative economic sphere.</p> <p>f. Make the technology/application whistle blower system that directly connected to the Ministry of Tourism and Creative economy system as an early warning system strengthening in the eradication of corruption.</p>
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5. CONCLUSION

This Paper concludes that in conceptualizing a related creative economy with the prevention of corruption in Indonesia is not only reliable through the concept of creative economy only as a paradigm that relies on the ideas, or the creativity of human resources as a major production factor in its economic activities, but should shift to the concept of transforming the creative economy on activities that strive to facilitate producers, consumers, and platforms in achieving their most important objectives by utilizing technologies, talents, or skills based on economic efficiency and business compliance. It must be referred to collectively the context of the restrictions of the State's authorized institutions. The reconceptualisation of a corruption-based creative economy should contain economic efficiency, business patency, collective limitation, and directly and indirectly institutions have hosted public participation, transparency and accountability that has been a major weapon in the prevention of corruption. It is hoped that in the framework of the development of creative economic law in the future, competent government institutions (especially the Ministry of Tourism and Creative Economy) can produce assurance of legal certainty in the development of creative economy that is efficient, healthy, and appropriate, such as anti-corruption based ecommerce LAW. Other support from the Ministry of Tourism and the Creative Economy are socialization of the creative economic business that is based on anti-corruption, Insentip or award to the creative economic actors who have the idea and creativity in preventing economic harm financial and national economy, providing efficient and adequate technology support in the scope of creative economy, and technology/application of whistle blower system as an early warning It is needed as a reconceptualisation of a creative economy based on corruption prevention in Indonesia.

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