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## Political Capture in Local Government Goods and Services Procurement: A Phenomenological Review

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### Abstract

*This research delves into the impact of political capture as a principal factor driving fraudulent practices within local government procurement processes. Adopting case studies, the study investigates the subjective experiences of procurement stakeholders, such as local officials, DPRD members, and contractors to gain insight into how political pressures shape decision-making within procurement. The results reveal that political influence manifests through various mechanisms, including pressure during planning phases, control over information, policy flexibility, and allegiance to leadership figures. Under such circumstances, principles of transparency and accountability are often reduced to procedural formalities, diminishing their intended impact. Officials justify their actions as expressions of loyalty, navigating rule-based loopholes to give an outward impression of compliance while simultaneously satisfying political expectations. This prevailing political influence not only redirects procurement priorities away from public interest but also embeds deviant practices into organizational culture. This study establishes that political capture erodes public sector accountability by institutionalizing fraudulent practices.*

**Keywords:** Fraud, Political Capture, Local Government Procurement, Transparency, Accountability.

### Introduction

Fraudulent practices, which involve intentional deceit or the manipulation of procedures for personal gain, have far-reaching consequences. These dishonest actions not only result in substantial financial losses within public budgets but also diminish the overall effectiveness and quality of public services. As a result, citizens lose trust in governmental institutions, which can lead to a decline in public engagement and cooperation. Over time, such practices erode the integrity of administrative systems, making it more difficult for governments to effectively serve their populations and uphold accountability. This cycle of fraud and mistrust weakens the foundation of good governance and hinders societal progress.

Along with the development of fraud theory, various models have been proposed to explain the motivations and conditions that allow fraud to occur, ranging from Fraud Triangle Theory (Cressey, 1950), Fraud Diamond Theory (Wolfe & Hermanson, 2004), Fraud Pentagon Theory (Horwarth, 2011) and the most recent model, Fraud Hexagon Theory by Vousinas (2019). While

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these theories offer valuable frameworks for understanding fraud, they do not explicitly address the role of political influence as a catalyst for fraudulent practices in public procurement.

In Indonesia's local governance, intricate political dynamics have reshaped procurement processes, shifting their primary function from meeting public needs to serving political agendas. Regional leaders, empowered by executive authority, frequently influence budget allocations to benefit political allies, thereby creating an environment conducive to fraud (Prabowo & Cooper, 2016).

This research aims to fill a gap in the literature by exploring the role of politics as an external factor that triggers fraud in local government procurement planning in Indonesia, with a case study of the North Toraja District Government. This study employs a phenomenological approach to capture the lived experiences of key procurement stakeholders including local officials, procurement officers, DPRD members, and contractors providing a nuanced understanding of how political influence shapes decision-making in procurement planning and implementation. This study employs a phenomenological approach to capture the lived experiences of key procurement stakeholders including local officials, procurement officers, DPRD members, and contractors providing a nuanced understanding of how political influence shapes decision-making in procurement planning and implementation.

### **Theoretical Overview**

The study of fraud in the procurement of goods and services has grown rapidly, with various theories that attempt to explain the driving factors and conditions that allow fraud to occur. The Fraud Triangle Theory (FTT) developed by Donald Cressey in the 1950s forms the basis of modern fraud studies. FTT identifies three main elements that encourage individuals to commit fraud: pressure, opportunity, and rationalization. Cressey stated that a person will be encouraged to commit fraudulent acts when he experiences certain pressures (usually in the form of financial needs), sees opportunities from weak control systems, and has the ability to justify his actions morally (Cressey, 1950).

Over time, Wolfe and Hermanson (2004) expanded the Fraud Triangle by introducing the Fraud Diamond Theory which added the capability element. Wolfe and Hermanson (2004) state that fraud requires certain skills or influence to access and exploit system weaknesses, so individuals with technical knowledge or high positions have a greater chance of committing fraud. Furthermore, in 2011, Crowe Horwath developed the Fraud Pentagon Theory by adding an element of arrogance to describe the sense of superiority of perpetrators who feel they can "outsmart" the rules (system). Finally, Vousinas (2019) introduced the Fraud Hexagon Theory, which adds the collusion factor as a reinforcing factor for fraud behavior.

The fraud theories mentioned above, although they offer a strong conceptual basis in understanding the motivation of individuals to commit fraud. However, some literature shows that fraud theories do not consider political factors, especially in the context of local government procurement of goods and services in Indonesia (Saputri, 2023; Irianto, & Novianti, 2019 and Sukiyat, 2020). The phenomenon of political involvement in the procurement of goods and services leads to the practice of **political patronage**, where public officials use their influence to provide economic or contractual benefits to certain individuals or groups in exchange for political support (Scott, 1972).

In the context of public procurement, patronage results in procurement decisions being based not on public needs or budget efficiency, but on political relationships between public officials

and providers of goods or services. This practice leads to procurement contracts being awarded to certain parties who have close relationships with authorized officials.

**Political** patronage can be explained through **political capture** or political domination, which occurs when political interests control administrative decision-making to favor certain political actors (Prabowo & Cooper, 2016). Political capture refers to a condition where political power controls administrative decision-making with the aim of strengthening the position of certain political actors, often against the needs or interests of the public. In Indonesia, this phenomenon is evident in the procurement of goods and services in local governments, where the prioritization of public needs can be displaced by political interests. For example, in certain cases, local officials are authorized to select procurement projects that support their personal political interests or support groups.

In practice, regional heads who want to strengthen their political clout may use procurement budgets for projects that are less urgent, but have a big political impact. Imagine a situation where budget allocations are not directed towards essential infrastructure development, such as repairing village roads, but rather towards large projects that support the popularity of the regional head. As a result, procurement decisions become a tool for local officials to maintain power, rather than to serve the real needs of the people.

In addition, political patronage practices exacerbate the risk of fraud as described in the **Fraud Pentagon** and **Fraud Hexagon** theories. For example, the capability element in Wolfe and Hermanson's (2004) Fraud Diamond Theory becomes increasingly relevant, as individuals in high positions in government organizations have the access and capability to manipulate the procurement process. The arrogance element in Fraud Pentagon Theory and ego in Fraud Hexagon Theory also support that perpetrators often feel that they will not be affected by applicable rules or laws, especially when they have strong political support.

Political patronage in procurement creates an enabling environment for **collusion**, as described in the Fraud Hexagon Theory by Vousinas (2019). Collusion is co-operation between two or more individuals to avoid fraud detection. In the context of political patronage, collusion occurs between public officials and service or goods providers who have political affiliations. Patronage also gives rise to **rent-seeking behavior**, where certain individuals or groups seek to gain benefits without adding value to society, usually through manipulation in procurement policies or administrative processes (Ahmed, S., & Ahmed, S. (2016).

## **Research Methods**

This study applies a qualitative method with a phenomenological approach to explore how political interests can be a major trigger for fraud in local government procurement. The phenomenological approach was chosen because it offers a deeper understanding of the subjective lived experiences of key actors, such as procurement officials, legislators, contractors and internal auditors, who are directly involved in the procurement process on a daily basis. The phenomenological approach allows for a deeper exploration of how actors interpret and respond to the dynamics of political power, particularly in relation to fraud (Dowling, 2007; Groenewald, 2004).

This research was designed as a single case study with a focus on North Toraja District. This district was chosen due to strong indications of political intervention in the procurement process. This was evident from several fraud cases that were revealed to the public. The researcher only chose one region as a case study so that the researcher can enter into the real context and

complexity that surrounds the phenomenon of fraud in the planning aspect of goods and services procurement. Thus, researchers can deeply understand how political influence infiltrates, drives, and shapes the dynamics of fraud in the procurement environment.

Data were collected using purposive sampling technique, which resulted in 15 informants. The informants consisted of procurement officials, DPRD members, contractors, and internal auditors (Inspectorate). The selection of these informants was based on their roles and insights into the research topic, thus qualifying them as key informants (Creswell, 2016). These informants enabled the researcher to uncover critical perspectives on political influence in public procurement.

The primary data was collected through in-depth interviews conducted in a semi-structured format, allowing participants to share their experiences in their own narrative while still allowing the researcher to steer the conversation towards the main themes of the research. Each interview lasted between 45 and 90 minutes, with questions deliberately designed to explore participants' personal experiences of facing and responding to political pressures as they planned, oversaw or implemented procurement projects. For example, questions such as "How have political interests influenced your decisions in the procurement process?" invited participants to elaborate on their deep reflections. All interviews were recorded (with participants' consent) and transcribed in detail to maintain accuracy and authenticity in the analysis.

In addition to interviews, the research also collected additional data through document analysis, including budget and oversight reports. These documents were analyzed to confirm and enrich the results from the interviews, as well as to provide a broader context for specific patterns of decisions and policies that indicated political influence. This document analysis allowed the researcher to discover patterns and processes in procurement that are subtly geared towards supporting political agendas.

The data analysis process was conducted using a descriptive phenomenological approach, focusing on describing the experiences and perspectives of participants directly. The analysis began with bracketing or epoch, a stage where the researcher attempts to suspend assumptions and personal views to lower the potential for bias, so that the resulting interpretations are closer to the authentic perspectives of participants (Husserl, 1931). Afterwards, the transcripts were analyzed through initial coding to identify important themes, such as "political pressure," "politicization of policies," and "information control." This coding stage was followed by the identification of key themes, where themes such as "Political Pressure in Procurement Planning" and "Rationalization of Loyalty" were mapped to provide a framework for analysis and illustrate how politics influences fraud actions.

Each theme was further analyzed to explore participants' subjective meanings of the phenomenon, providing insights into how they understand and respond to the political demands of procurement. To ensure the reliability of the results, the researcher conducted member checking by involving participants in re-evaluating the researcher's interpretations, ensuring the results presented were true to their experiences. In addition, the researcher applied data triangulation by comparing interview results and findings from document analysis to detect consistency or inconsistency in the data obtained.

## **Results and Discussion**

### ***Political Capture in the Procurement Planning Process***

This research reveals that *political capture*, or intense political dominance in the procurement process, has a major influence in creating opportunities and conditions for fraud. *Political capture* is strongest at the planning stage, where budget decisions and project prioritisation are driven more by the political interests of local leaders than public needs. One informant stated,

*"Fraud occurs starting from the planning side which arises from the 'needs of the regional head'. The needs in question are the interests of the regional head ... budget planning is not based on the needs of the region but the needs of the 'regional head' with the main objective of course being re-elected or his family." (Interview, Informant A, 2024).*

These findings suggest that **political capture** in public procurement is not only directed at supporting political interests, but also creates opportunities for fraud through control over budget allocations. In the context of the **Fraud Triangle (Cressey, 1953)**, this action demonstrates the **opportunity element**, where local leaders utilize their authority and access to the budget to ensure that procurement projects favor political gain over public needs. **Vousinas (2019)** in **Fraud Hexagon Theory** also highlights that fraud in procurement involves an element of collusion, where collaboration between procurement officials and political actors creates an environment conducive to fraud. With full control of the regional head, the opportunity for collusion is wide open as procurement is only focused on politically strategic areas and not on evaluating the needs of the community.

In addition to opening up opportunities for fraud, this political capture also creates *role strain* on procurement officials. As Goode (1960) explains, *role strain* is a situation where actors experience role strain due to conflicting demands in carrying out their duties. On the one hand, they are responsible for ensuring that procurement projects are implemented in accordance with regulations and public needs. On the other hand, political pressure from local leaders leads them to prioritize projects that support a particular political agenda, even if these projects are not in line with real needs. This tension not only impacts the decision-making process, but also the professional integrity of the officials, as they have to navigate the two conflicting demands.

Although in local government governance, development planning must be agreed upon by the two main powers (executive and legislative). However, in reality, the Regional Head can use executive power to pressure the DPRD to approve procurement plans that are favored by the Regional Head, particularly procurement using the Special Allocation Fund (DAK). As asserted by a member of the DPRD:

*"In this budget (DAK), it can be seen why the regent (regional head) insists that there must be this project, that project. Well that's for his interests. But it's ok, it's not a problem, we're also happy that funds from the center are coming in" (Interview, Informant B, 2024).*

This statement not only shows that DPRD members are aware of political pressure in the procurement process, but also illustrates a passive attitude towards the situation. Informants (DPRDs) recognize that projects proposed by regional heads are not entirely based on the real needs of the community, but rather on personal political interests. This awareness reflects that DPRD members understand the distortions in procurement priorities, but choose not to oppose them openly.

In addition, this awareness shows that although DPRD members have a supervisory function,

they prefer to accept these conditions rather than challenge executive power. The phrase "*ok lah, it doesn't matter*" reflects acceptance of a situation that should have been challenged. This indicates cognitive dissonance, where the informant realizes that these decisions are not entirely objective, but still chooses to ratify them because of the political and financial benefits that can be enjoyed through DAK funds.

Moreover, this statement also reveals how informants were not only passive, but also took advantage of the situation. With the flow of funds from the center, even though the projects were based more on the political interests of the regional head, the DPRD was still satisfied with the benefits received by the region. This reflects the existence of pragmatic legitimacy, where informants put aside the real needs of the community in favor of the perceived favorable flow of central funds.

The influence of executive dominance in the procurement process is also evident in this quote. The regional head has the power to impose projects that suit his or her agenda, and although the DPRD has the right to approve or reject them, in reality the political influence of the regional head is more dominant. The power relationship between the executive and the legislature is unequal, with the DPRD more often acting as a rubber stamp for decisions that have been "*promised*" by the regional head rather than functioning as a critical watchdog over procurement priorities.

In the context of legislative integrity, this statement also indicates a compromise on the principles of supervision that should be exercised by DPRD. Instead of strictly exercising their oversight function, DPRD choose to follow the political currents controlled by regional heads. This situation reflects that when DPRD choose to compromise with the political interests of the regional head, the legislative function that should be the bastion of transparency and accountability in the procurement process is weakened.

The permissive attitude of the informants (DPRD) not only reduces the quality of supervision, but also causes decisions to be taken that are no longer based on the needs of the community. Instead, they are directed by political calculations that are driven by the power agenda of the regional head. As such, legislative integrity is eroded, and the procurement process becomes a means to strengthen the political position of the executive. Ultimately, this creates a widening imbalance between the real needs of the public and budget allocations intended for political purposes.

According to Graycar (2019), political dominance in the procurement decision-making process creates a significant imbalance between actual public needs and the allocation of available resources. When decision-making is controlled by political interests, transparency and accountability can be sacrificed. The local head, who has executive power can direct resources (budget) to projects that strategically favor his/her political position, either to maintain power or to strengthen political support (electability).

Prabowo and Cooper (2016) found that politicization in public procurement in Indonesia is commonly used as a tool to achieve short-term goals, such as winning elections or gaining support from political parties. The study revealed that procurement projects are designed not to fulfil people's immediate needs, but rather to showcase outcomes that can be seen as political achievements. This means that budgets that should be allocated to projects that are truly important to the community, are used for projects that better demonstrate the "success" of the local head in the eyes of the public, even though the added value of the project to the community

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is very limited.

The above phenomenon is exacerbated by the lack of oversight mechanisms over the decisions made. When procurement decisions are mostly influenced by negotiations outside the official process, oversight by institutions such as the DPRD and Inspectorate is very limited. As stated by the informant:

*"So at the planning stage there is already fraud because the deal between the DPRD and the regional head has already taken place before the RAPBD is hammered out. How much is given to the DPRD (in the form of programmes) and the rest is used by the regional head ... This is very difficult to find by supervisory departments such as the inspectorate because outside the system no losses have been incurred." (Interview, Informant A, 2024).*

Based on the above statement, it can be seen that abuse of authority that occurs at the planning stage is difficult to detect and overcome. Rustiarini et al. (2019) state that uncontrolled political intervention in public procurement leads to distortions in budget allocation, where projects that should not be prioritized get a large portion of the budget, while projects that are really needed are sidelined.

In this context, the concept of "*political capture*" becomes relevant, where political officials use power to control the procurement process for personal gain. Research by Argandona (2007) shows that unchecked political power in the public procurement process can create a situation where budget allocations are based more on short-term political interests than on the actual needs of society. This not only leads to inefficiencies in the use of public funds but also lowers the quality of public services provided to the public. When procurement projects are not based on objective needs, the result is sub-optimal infrastructure and services, which ultimately harms the public at large.

### **Subjective Perspectives and Rationalization of Procurement Practices**

In the practice of goods and services procurement in local governments, procurement officials face unavoidable political dynamics. Based on interviews with several officials in the Goods and Services Procurement Work Unit (UKPBJ) of the North Toraja District Government and related agencies, it is clear that the political interests of the regional head play a very significant role. The actors involved understand that procurement is not just about following formal rules, but also about how they can survive and adapt in a stressful system.

As part of daily life, directives from regional heads to regulate procurement are considered "normal." Navigating these demands became part of the "rules of the game" that had to be followed. One informant described this situation by saying that the design of the policy has been determined from the beginning by the leadership, and their job is to ensure that the project continues without causing regulatory problems:

*"Yes, it is a natural thing because the design has been determined from the beginning. It is up to us below to find ways to pass what is intended by the leadership. We cannot go against the regulations so that there are no findings." (Informant Interview, 2024).*

This statement reflects how officials not only carry out technical tasks, but also act as "problem solvers" responsible for adjusting policies to political realities. The pressure to fulfil the wishes of the leadership is not just a matter of instruction, but part of the expectations inherent in their role as policy implementers. Actors feel that their job is to navigate the various loopholes in the rules, while still maintaining the appearance of compliance. Loopholes in regulations are not

seen as something negative, but rather as a space to adapt in carrying out tasks under changing power dynamics.

Loyalty is a key concept that colors officials' perspectives. Adherence to leadership orders is seen as a form of loyalty that must be maintained. This loyalty is considered an important value, where carrying out the leader's mandate is seen as more than just fulfilling duties, but also as a form of dedication to maintaining harmony within the organization. One official explained that loyalty is part of a work ethic that cannot be ignored, even if it means compromising professional ideals:

*"Our loyalty to the leadership is part of the mandate... carrying out the leadership's direction has become our work ethic."* (Informant Interview, 2024).

In the context of the **Fraud Hexagon Theory (Vousinas, 2019)**, this excessive loyalty to the head of the region can open up opportunities for **collusion**, where procurement officials are involved in project arrangements with the head to ensure political benefits for the head. This collusion allows only loyal contractors to gain access to large projects, closing off opportunities for contractors without political ties. When loyalty to the leader blurs the lines of professional ethics, fraud becomes part of the adaptation to political demands. Thus, collusion between local leaders and procurement officials has the potential to reduce transparency and increase the risk of fraud, as procurement decisions are based on political relationships rather than objective, needs-based assessments. This inner conflict often arises when they have to adjust decisions or policies to meet the interests of the leadership, especially when there are sudden changes that do not match the original planning:

*"There was once an activity that actually contradicted what my friends experienced. For example, a policy must be like this, suddenly the regent came to change it and he said, 'no way no way, you have to follow orders.' That's where we get stuck."* (Informant Interview, 2024).

This highlights how political pressure can force actors to find creative solutions to follow orders without incurring legal risks. In this process, actors engage in discussions with other bureaus to find loopholes in the rules that can be used as a basis to pass policies. This illustrates that flexibility in rule application has become a widely accepted and practiced strategy:

*"Actually, there are loopholes, from any side there are loopholes. [...] In decision-making, there must be a way to disobey the leader's orders."* (Informant Interview, 2024).

Officials not only see finding loopholes as an attempt to manipulate regulations, but also as a form of adaptation to deal with the complexity of the existing system. They understand that every rule has grey spaces, and using these loopholes is considered part of the professionalism required in non-ideal situations. Moreover, this approach also reflects their courage in navigating a fluid policy that is determined more by power dynamics than technical principles.

Transparency and accountability are seen as important, but understood more in the context of avoiding sanctions than as an intrinsic commitment to these principles. Fear of legal action makes officials cautious in drafting procurement documents, as actors realize that they are at the forefront of facing questions from law enforcement officials:

*"For me, it is in accordance with the existing regulations because our fear is that if we don't follow the regulations, then law enforcement will come. [...] The first question is usually whether there is an order from the superior to favor A for example."* (Informant Interview, 2024).

This realization suggests that transparency is not always seen as a moral value to be upheld, but rather as a means to maintain security and protect oneself from legal risks. For officials, transparency is more often practiced as an administrative formality than as a principle that is embodied in every action and decision. They understand that when there are potential irregularities or favoritisms in the procurement process, the appearance of compliance with regulations is the first line of defense to avoid scrutiny or sanctions from law enforcement officials. In other words, neat documentation and procedural compliance are not necessarily a reflection of an intention to deeply practice the principle of transparency, but rather an attempt to ensure that formally, all steps appear "correct" and do not raise questions.

## **Conclusion**

The phenomenological approach employed in this study uncovers that officials perceive political capture as an intrinsic "rule of the game" within public procurement, a framework they must both accept and strategically navigate. Utilizing the concept of epoch, officials appear to set aside their initial ideals, adjusting their conduct to remain in accord with the political aims of their superiors. Rather than interpreting political interference as misconduct, they regard politically motivated procurement as an inescapable aspect of their professional reality.

This phenomenon generates considerable role strain, compelling officials to navigate the dual and often conflicting demands of adhering to procurement regulations while simultaneously supporting the political objectives of their leadership. From the perspective of instrumental rationality (Habermas, 1984), compliance with regulations shifts away from an ethical obligation and is instead perceived as a mere administrative formality, essential primarily for preserving job security. In such a context, transparency assumes a largely superficial role, while pragmatic adaptation to political pressures emerges as the prevailing priority.

The normalization of political capture has fostered a work culture susceptible to fraud, wherein procurement irregularities are increasingly regarded as an adaptive response to prevailing political pressures. With political capture firmly entrenched as the "rule of the game," the integrity of public procurement is significantly compromised, and fraudulent practices are often perceived not as violations but rather as an expected reaction within a politically dominated system. It is therefore recommended that more rigorous and independent antifraud policies be introduced to mitigate political interference within procurement processes. By reinforcing transparency and accountability, these measures aim to restore the integrity of public procurement, ensuring it serves the public interest rather than functioning as an instrument for consolidating political power.

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