

Etika Administrasi Publik dalam Penyelenggaraan Tata Kelola di Indonesia

Public Administration Ethics in The Administration Of Governance in Indonesia

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Abstrak

Etika merupakan elemen penting yang menentukan keberhasilan pelaksanaan kegiatan organisasi dan penyelenggara administrasi publik. Pentingnya penerapan etika administrasi publik dalam birokrasi pemerintahan Indonesia dilandasi oleh permasalahan etika yang terjadi, seperti korupsi, kolusi dan nepotisme. Penelitian ini menggunakan metode kualitatif, dimana data primer diperoleh dari observasi, dan data sekunder diperoleh dari media dan studi pustaka. Dari penelitian yang telah dilakukan, diketahui bahwa hanya sedikit pejabat pemerintah di Indonesia yang kurang memiliki akuntabilitas dalam menjalankan tugas, wewenang dan tanggung jawabnya sehingga birokrasi publik di era reformasi banyak disoroti oleh masyarakat dan mendapat kritik. Untuk mengatasi masalah tersebut, selain dengan penegakan hukum, pemerintah juga harus membina dan melaksanakan etika administrasi publik bagi aparatur birokrasinya.

Kata kunci: Etika, Administrasi Publik, Pemerintahan, Indonesia, Birokrasi

Abstract

Ethics is an important element determining the successful implementation of organizational activities and public administration actors. The importance to implement public administration ethics in the Indonesia government bureaucracy was based on ethical problems occurring, such as corruption, collusion and nepotism. This research used qualitative method, in which primary data was obtained from observations, and secondary data from media and literature study. From the research conducted, it can be seen that few government officials in Indonesia are less accountable for performing their duties, authorities and responsibilities and as a result the public bureaucracy in the reform era was much highlighted by the public and got criticism. To solve this problem, besides enforcing the laws, the government also must cultivate and implement the public administration ethics to their bureaucratic apparatus.

Key words: Ethics, Public Administration, Government, Indonesia, Bureaucratic

Introduction

In recent months some media coverage has again revealed various cases of corruption and power abuse occurring in governmental bureaucracy, legislative and judicial institutions. The latest case of power abuse is related to the alleged corruption befalling the former Chief Justice of the Constitutional Court¹ and the Governor of Banten.² Not only the issue of corruption, the violations of ethics in the form of power abuse are also carried out by the Head of Region in other cases, such

as the case of airport closure by civil service police officers allegedly carried out on the orders of unilateral Regent Ngada, East Nusa Tenggara.

Various cases are revealed and allegedly a form of power abuse, indicating the neglect of ethical norms in the government bureaucracy. Ethical problems in public administration show inadequate attention or disregard to the ethics in the practice of ministering public administrations. Meanwhile, ethics is an important element determining the successful implementation of organizational activities and public administration. The reason is that moral values are contained in the whole process of public administration activities.

Today, ethics often becomes a concept that often "becomes number two" in governance. Ethics seems to be an unimportant and not interesting discourse in the realm of government bureaucracy. As a result, the phenomenon of authority abuse is not only rife in the central government but also spreads to the regional governments. Concepts of moral and ethical value in public administration are formulated to apply in the life of the state and the real scope of administration. The benefits of such an ethical conception will only be felt if it can truly be part of the modern administrative dynamic. In many ways, the philosophical concepts and theories about morality in the field of public administration are also derived from the practice of daily administration. Therefore, the discussion on public administration ethics is not in a vacuum, it must always involves its application, how bureaucrats and administrators act or must act according to the existing ethical rules.

In relation to various problems of governmental power abuse, public administration ethics is a form of control over the government apparatus in implementing what its main duty, function and authority are. When the public administration wants its attitude, actions and behavior to be called good, in carrying out its main tasks, its functions and authorities it must rely on the ethics of public administration. Public administration ethics, in addition to being used as a guide, reference, reference to public administration, can also be used as a standard for determining attitudes, behaviors, and policies to be good or bad. So many theories and concepts discuss the normative norms existing among the rulers of the state. Similarly, concepts such as justice, popular sovereignty, public interest, norms, and so on. But sometimes the description contained in it is so abstract that it is difficult to understand.

Methods

This research used qualitative methods. Sources of data in the study came from primary and secondary data. Primary data was obtained from observations on the implementation of public administration ethics in governance in Indonesia. Secondary data was obtained from media and literature study. The data obtained for previous research was validated through crosschecking the data with data source triangulation technique.

Results and Discussions

The bureaucratic apparatus has more ethical obligations than the private does in relation to its behavior. Similarly, high level bureaucratic apparatuses in governmental bodies have more ethical obligations than those in other bodies. Further implication of the opinion is that every bureaucratic apparatus is obliged to have a mental attitude and behavior reflecting the superiority of character, virtue, and various ethical principles deriving from moral virtue, especially justice. Without these ethical principles, a bureaucratic apparatus is unlikely able to nurture a nation's life and create a peaceful and prosperous society. Even reversely, people's lives may be plunged into anxiety and misery.

Therefore, every bureaucratic apparatus is obliged to understand the ethical principles deriving from various moral virtues, then nurture themselves so as to truly live up to the ethical principles, and lastly apply them as much as possible to their actions.

Various ethical principles in government administration are:

1. Responsibility

This ethical principle involves the desire of a bureaucratic apparatus to assume the obligation with full responsibility, and strong ties to perform all tasks and work satisfactorily. The bureaucratic apparatus must have a great desire to carry out its functions effectively, fully, and most satisfactorily. Accountability is directed to the people, institutions and their direct supervisors. The tendency to relinquish responsibility or willingness to throw responsibilities to others, or the habit of proposing "just following orders" should be eliminated from every good bureaucratic apparatus. Every bureaucratic apparatus must be prepared for assuming the accountability for what it does. They should not be stuck to the excuse that he/she is merely following the instructions or implementing the governmental policies.

2. Dedication

Devotion is a harsh desire to carry out the working tasks with all the energy (mind and muscle or mental and physical), all passionate zeal, and full of selfless concerns of a personal nature such as wanting to be promoted or merged. Every bureaucratic apparatus in the execution of its duties must always and continuously show the involvement of self (involvement of self) and full of enthusiasm.

3. Loyalty

This ethical principle is an officer's awareness of being sincerely obedient to the goals of the nation, the constitution of the state, the legislation, the agency, the duties of office and the superior for the achievement of mutual ideals. The execution of duplicate job duties, profit or loss considerations or even with the habit of sabotage should not be known in any good bureaucratic apparatus. If a bureaucratic apparatus is unable to carry out their duties in full capacity, not

willing to be bound by his agency or not being compatible with the wisdom of his boss, the ethical action is to resign from office.

4. Sensitivity

This ethical principle reflects the willingness and ability of a bureaucratic apparatus to pay attention to and to be alert to new developments, changing circumstances, and needs arising in the life of community from time to time with the best efforts to respond. Uncaring attitudes, as long as the routine task has been completed, or unwillingness to be renewed laboriously, must also be removed from the self.

5. Equality

One of the principal virtues of government bodies aimed at serving all peoples and serving the common good is fair treatment. The fair treatment can usually be realized by treating everyone equally without discrimination or favoritism. So the equality of treatment, service, and devotion must be provided by every bureaucratic apparatus to the public, regardless relatives, political ties, genetic origin or social standing. The arbitrary or personal discrimination of treatment shall not be exercised by any fair bureaucratic apparatus.

6. Equity

The equality of treatment to everyone as an ethical principle does not always achieve justice and fairness. There are so diverse issues and needs in the community that require different treatment as long as it is based on fair judgment or right reason. Thus, with respect to a particular group and for a given situation it is necessary to treat the same. But against another group and under different special conditions it may be necessary to have unequal treatment, for the reason considered propriety. The principle of propriety refers to a matter which is appropriate according to the moral or ethical considerations that apply to people's lives (Gie, 1988: 71-74)

Based on the monitoring results of Indonesia Corruption Watch (ICW) against the verdict of corruption, it can be seen that corruption crime is committed mostly by Civil Servant (PNS) actors. Throughout the first six months of 2016, 134 civil servants have been convicted by court for the corruption cases. The number increases from year to year. In the year 2014 and then, the number of civil servants who are trapped in it reached 101 people. Meanwhile in 2015, the number reached 104 people. Since 2012 until 2016, there are a total of 448 civil servants who are caught in corruption cases.

The conditions mentioned above become a problem needing to be solved by the government, because if it is left, the government will lose the **people's** trust. The efforts to prevent bureaucratic apparatus from doing corruption should be done by not only enforcing the law, but also by instilling the importance of applying public ethics by the apparatus. With the cultivation of public ethics, the government apparatus awakens its awareness to provide the best public service for the community, including avoidance of deviant behavior, such as corruption, collusion and nepotism.

An ethical government apparatus then will do his job responsibly, and the values of accountability and professionalism will always be maintained by them. Meanwhile, public confidence in the government apparatus is declining due to the actions of government officials not reflecting a sense of concern and sensitivity to the aspirations of the people; a good governmental apparatus will always try to improve his performance. In some cases, the study finds that there is a good commitment from some governmental apparatuses, both at the central and regional levels, to eliminate the culture of corruption, and to inculcate professionalism, transparency and accountability

Corruption as a Form of Public Administration Ethics Violation

Corruption can be interpreted as an act of using public goods, can be in the form of money and services, for the benefit of enriching themselves, and not for the public interest. Judging from the process of occurrence, this corruption behavior can be divided into three forms: Graft, Bribery, and Nepotism. Graft is an internal corruption. This means that corruption is done without seeing a third party, such as using or taking goods and money belonging to the organization, and taking advantage of position for self-interest. This corruption occurs because they have a position in the office. With his authority, the subordinates can not refuse the request of his boss.

Rejecting or preventing his/her boss's request is considered an unlawful act against your boss. Even, before the boss asks, subordinates often have prepared everything needed by superiors. Meanwhile, bribery is an act of corruption involving others outside himself (his institution). Hence corruption is often referred to as external corruption. This means that corruption will not happen if no one else is doing bribery against him. The act of giving something (bribery, lubricant) is intended to influence the objectivity of making decisions, or the decisions made will benefit the giver of bribe. Giving something (bribery) can be money, material, but it can also be a service. Such corruption often occurs in offices/agencies that have service duties or issue permits or recommendations, and so forth. The services provided by the government are often inhibited, not smooth, but this problem is not due to the bad system and procedures but because it is deliberately exacerbated by unscrupulous bureaucrats So that people who have the need prefer to take care of licensing through brokers, or by giving bribes in the form of money to the governmental apparatus for the affairs to be smooth.

Meanwhile, nepotism is an act of corruption in the form of decision-making tendencies that are not based on objective, rational considerations, but based on considerations of "nepitis", "kinship", such as friends, family, class, officials, and so forth. Decision-making considerations are often intended to the benefit of the person making the decision. They will be more secure if the people around them (subordinates) are people who are still "nepotis" or still have a relationship as a close relative. If they make a deviation, they will be safe and protected.

To Indonesian people, actually corruption is considered as a deviant act perpetrated by one or several persons within a governmental organization. Due to corrupt behavior associated with ethical deviations of officials or public employees, generally the perpetrators of corruption will be punished, can be shunned, censured, cornered, and even terminated from his career. This corrupt behavior is perceived by society as a distorted, bad, and reprehensible act.

Corruption is an act deviating from ethical values. Psycho-sociologically, an action deviating from the value due to the convergence of factors "intention or willingness" and "opportunity". If there is intention to commit corruption act but there is no opportunity to do so, the action will not happen. Conversely, there is an opportunity to corrupt, but there is no intention or willingness to do maladministration in itself, the action will not happen as well. With reference to the view above, it can be found two factors causing corruption and maladministration in Indonesia. Firstly, internal factor is personal factor inside people who commit corruption and maladministration acts. Secondly, external factors are the ones coming from outside a person, such as weak legislation, weak implementation of supervision, and a work environment that allows open opportunities for corruption and maladministration.

Bureaucratic Ethics: as an Effort to Prevent Corruption

Corruption may occur anytime and anywhere during a meeting of intentions and occasions, as has been pointed out earlier. Corruption, collusion and nepotism in Indonesia occur at high, middle and low levels of bureaucracy. Therefore, to prevent or to deal with corruption, the government should strive not to bring together intentions and opportunities for corruption. One of the efforts to prevent the unfairness of the two is to uphold bureaucratic ethics in the bureaucracy. As described above, if bureaucratic ethical values really have become a "norm" to be followed and obeyed for the public bureaucracy in carrying out its duties and authorities, they will be able to prevent corruption in the body of public bureaucracy despite no supervisory agency as mentioned above. However, the bureaucratic ethics are not enough to ensure that corrupt behavior is not done in the bureaucracy. The most important thing is to return to the personality of individual actors (human beings). In other words, internal control is in the form of faith and religion inherent to the human person.

Conclusion

Government is essentially a service to the community. It is not held to serve oneself, but to serve the community and to create conditions that enable every member of community to develop the ability and creativity to achieve common goals. The paradigm of governance has shifted from the paradigm of "rule government" to "good governance". The government that always holds on the paradigm of "rule government" always relies more on the prevailing laws and regulations. In contrast to "good governance", the administration of government, development and public services is not solely based

on government or state, but must involve all elements, both within the internal bureaucracy and external to the public bureaucracy.

State administration (public bureaucracy) as a state institution that achieves the mission of fulfilling public interest, is held accountable to the public that it serves. There are three important things concerning the responsibility of state administration to the public: accountability, responsibility, and responsiveness (Darwin, 1997:72). In reality, however, few of government officials perform their duties, authorities and responsibilities less accountably. As a result, the public bureaucracy in the reform era was much highlighted by the public and got criticism. It focuses more on malicious practices (maladministration) of public administration ethics in carrying out its duties and responsibilities. The forms of maladministration may be corruption, collusion, nepotism, inefficiency, and unprofessionalism. The form of maladministration in general is more related to the behavior of individuals who occupy a position. To solve this problem, besides enforcing the laws, the government also must cultivate and implement the public administration ethics to the bureaucratic apparatus.

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