

## **Reformation of Bureaucracy to the Good and Clean Indonesian Governance**

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**ABSTRACT:** Indonesian government has changed much both politically and economically. Since the era of President Soekarno, the government has conducted many changes toward bureaucracy system in order to achieve better and well-regulated system, both in political and economic system. Demand to create clean and accountable governance is mandate from reformation and demand from all Indonesian people. Politics of law made as great weapon in order to realize clean and accountable governance; however, the problem is will the politics of law able to be made as facility in realizing the Indonesian people's demand? Due to complexity of faced problems, it demands hard work for, firstly, realizing clean governance. In order to get improvement, more aggressive changes should always be conducted by the government to achieve Indonesian governance as developed and great country. Reformation of bureaucracy is significant changes to the bureaucracy elements such as institution, human resource, implementation, accountability, apparatus, monitoring, and public service.

**Keywords:** Bureaucracy, Governance, Reformation

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### **I. INTRODUCTION**

Political reformation "98" is a gate for Indonesia to go through new history of national political dynamics. Political reformation that expected to be accompanied by reformation of bureaucracy, in social fact, it shows that reformation of bureaucracy has significant obstacles till today. As the result, people do not get much factual benefits from political reformation "98". As factual proof over the situation above is bad public service, for instance; cost that must be spent by people illegally to take care many documents such as identity card (KTP), driving license (SIM), vehicle registration certificate (STNK), building permit (IMB), land certificate, business permit, procurement of goods and service (PBJ) that contributes to state loss, and so forth.

Then, corruption cases are not getting lower; even it is occurred in every aspect, not only in Executive circle but also to the Legislative area, in which Legislative as institution of people representative should be control machine over good governance. In addition, judicial institutions are also unable to be escaped from "corruption cancer" plague, intrigue and conspiracy to win or protect certain persons, thus it results in many accusations of judicial mafia addressed to the judicial apparatus.

In political and judicial aspect, reformation of bureaucracy becomes great issue to be self studied that realized consistently. Moreover, it is due to bureaucracy of Indonesian government has given large contribution to the great damage of Indonesian Nation in long crisis period. Bureaucracy that been developed by government in pre-reformation era only resulted in bureaucracy that full of Corruption, Collusion, and Nepotism (KKN).

However, the government in post-reformation era also cannot guarantee for good reformation of bureaucracy. Lack of government commitment in post-reformation era to this reformation of bureaucracy tends to be in line with lack of government commitment to remove Corruption, Collusion, and Nepotism (KKN) that became acute disease in the bureaucracy of Indonesian government during this time.

If we see the history in the past, bad mentality for our bureaucracy today cannot be separated from mentality inheritance, Colonial bureaucracy, serves to monitor and control as well as take control over people, not implementing good governance in giving service and protecting people from arbitrariness. This is social fact that bureaucracy is more like civil-service than civil-guardian, wants to be serviced more than giving good service.

The great authority, in the end, emerges the role of bureaucracy as policy maker than policy implementer, more like wants to take control than giving service to the people. Finally, it is normal that bureaucracy considered as root of problem or people burden than source of solution over problems faced by the people.

Those phenomena occurred due to bureaucracy tradition created more as power instrument in order to take control over people with all of the resources. In other words, bureaucracy acted more as civil-service than civil-guardian. Even, it is, then created by bureaucracy politicization.

In the past regime, bureaucracy became an instrument to maintain power of authority. Even, in the post-reformation era, political officers that today have authority in government bureaucracy want to preserve that bad culture by blurring term between career and non-career officers. This mental attitude may bring bureaucracy of Indonesian government back to the condition of past government bureaucracy.

In the civil society, society is judicial subject in public area, thus when there is public contract between people and State, then both of them are in equal position. In this condition, the role of people is quite important in encouraging to reduce and prevent corruption, collusion, and nepotism in bureaucracy area as well as to encourage better public service.

German sociologist, Max Weber is one of important sociologists that conducted many researches about bureaucracy. According to him, bureaucratic organization marked with many regular activities needed to achieve organization goal distributed by a standard way as official duties, then, office organizations follow hierarchy principle, which is each office with higher level, next, bureaucratic operations implemented through consistent abstract rule system consists of rule implementation to the specific cases, and then, ideal officers run the office based on impersonality, formalistic without any hatred and fervor, and therefore without enthusiasm or affection.

Government bureaucracy mostly means as official kingdom, which is a kingdom where the kings are the officers. In that kingdom, there is jurisdiction where every officer has official duties. They are in a hierarchy with their own competence. Pattern of communication in this area is based on written document.

The existence of political parties in the government system will be affected to the government bureaucratic system. Government bureaucratic order is not only consisted of career bureaucrat, but also political officers.

According to liberal theory, it is stated that government bureaucracy runs government policies that has direct access to the people through mandate gained from general election. Therefore, the government bureaucracy is not only consisted of bureaucrats, besides, there are certain positions placed by political officers. As the opposite, government bureaucracy is not only owned by political leaders from political parties, but also bureaucratic leaders of professional career.

When there is a desire to recruit political officers in government bureaucracy, then there will be a question about the relationship between them. This question must be cleared with the right answer. The relationship of political officers (political leadership) and bureaucracy is a constant relationship between function of control and domination. In such relationship, then there will always be a problem, which will take control over whom and who will take control, take a lead, and dominate whom.

This problem, actually, is classical problem as realization of political and administration dichotomy. The next problem is there are two of same main alternative solutions, whether bureaucracy as subordinate from politics (bureaucratic ascendancy) or bureaucracy is equal with politics (bureaucratic sublation or attempt at co equality with the executive).

Executive ascendancy solution derived from an argument that the political leadership bases its aim to supremacy on the mandate of God or of the people, or on some notion of the public interest. This mandate supremacy legitimated through election, or violence, or de facto acceptance by people. In the model of liberal system, control flows from the highest authority of people through representative (political officers/leadership) to the bureaucracy. Power or ascendancy to take control like this, which claimed gained from people, most of times called as overhead democracy.

Domination of political officer leadership or bureaucracy creates new problem, which is resulting in overloaded bureaucracy machine in order to run the functions. Bureaucracy, then, faces obstacle of inefficiency, professionalism, and not infrequently, becomes "wage-earner" for politicians for the sake of their own interest by sacrificing greater interest.

Demand to the amendment of The 1945 Constitution of Republic of Indonesia caused by there is no governance system described as perfect as it is created. The 1945 Constitution of Republic of Indonesia is product for its era, the result from ideas of statesmen formulated by the founding fathers for more than half of century ago. In fact, in its development, it demands for amendment as with the era needs people dynamics.

The same thing occurred and need to be studied is about people development and the dynamics that demand for reformation in all aspects, especially in public service sector by bureaucrats, which is main case in order to advance Indonesia country and nation development. The government as Law implementer should be able to run constitution mandate in order to create positive changes in the development.

Many attempts of reformation of bureaucracy that been conducted through rational and realistic activities perceived as less appropriate and still need many improvements. It is related to the many unsolved problems. From internal side, many factors, such as democracy, decentralization, and bureaucratic internal itself,

still affected to the problem complexity level and in order to look for solution in the next five years. While, from external side, factor of globalization and revolution in information and technology may also give strong effect to search for alternatives of policy in state apparatus aspect.

From internal side, democratization and decentralization factor have brought effect to the decision making process of public policy. That effect related to the raise of demand over people participation in public policy; the raise of demand over the implementation of good governance principles are transparency, accountability, and quality of public performance as well as comply to the prevailed law; the raise of demand over accountability, authority, and decision taking. Moreover, specifically from bureaucratic internal side itself, there are still many problems faced.

Those problems such as: discipline violation, power abuse, and high deviation; low performance of apparatus source; less inappropriate organization system and governance (management) implementation; low performance efficiency and effectiveness; low quality of public service; low civil servant welfare; and many law rules that already irrelevant to the development demand.

While, from the external side, factor of globalization and revolution in information and technology is self challenge in order to create clean and authoritative governance. It is related to the raise of uncertainty due to the changes in political, economic, and social factors that occurred rapidly; more rapid information stream from other countries that may appear cultural infiltration and information gap in society (digital divide). These changes need state apparatus with reliable ability, knowledge, and skills to conduct anticipation, explore potentials and new strategies in facing demand of change. Besides that, state apparatus should be able to improve competitiveness by conducting strategic alliance in order to keep nation unity.

The implementation in reformation of bureaucracy, today, still perceived as less implemented as with the demand of reformation. It is related to the high problem complexity in order to look for improvement solution. Higher level of power abuse, many Corruption, Collusion, and Nepotism (KKN) practices, and weak control over state apparatus performance are representation from condition of bureaucratic performance in which it is still far away from the expectation.

Therefore, it needs more comprehensive and integrated effort in order to encourage the improvement of bureaucratic performance of state apparatus. The demand to create clean and accountable governance is mandate of reformation and demand from all Indonesian people. Politics of law made as great weapon in order to realize clean and accountable governance; however, the problem is whether politics of law able to be made as facility in realizing demand from Indonesian people. It is because faced problem complexity demands hrd work for, firstly, realizing clean governance.

The government as people representation becomes spearhead to develop the country. Mandate given by people mentioned in the Laws that requires the government to realize development as it is expected should be implemented in the best way. Therefore, good and clean governance is key of success in the development.

Policy is necessary to rule clean governance, and as the opposite, clean governance is government that upholds legal suspension as guidance in implementing people mandate and expectation constitutionally. Thus, reformation that goes today only will be success and has effectiveness for people welfare if the next government implements clean governance.

Many policies related to reformation of bureaucracy always keep be completing and improving in order to create clean and authoritative governance. Basic thing that is necessary to be completed, due to it will greatly affected to the success of reformation of bureaucracy implementation in the future, is the necessity of solution acceleration and establishment for many drafts of law to be laws that become legal standing over the implementation of reformation of bureaucracy such as draft of law for Public Service, draft of law for State Ministry, draft of law for Government Administration, draft of law for Ethical Code of State Implementation, draft of law for Authority Relationship Order between Central Government and Regional Government Regency/City, and draft of law for Law Revision No.7 Year of 1971 about provisions of Filing Principles.

In order to support the realization of clean and authoritative governance through the implementation of good governance principles, many attempts have been conducted by law enforcement from law or rule implementation that is product from politics of law itself. In this case, there must be sustainable monitoring system to be acted towards bureaucrats that uncleanly implement the government.

The government played role in creating conducive condition to implement good governance. In implementing good governance, actually, there are many problems related to the law enforcement. Therefore, the role of politics should be balanced with law enforcement. With good law enforcement, there will be stability in other aspect, which is government implementation. Politics in its implementation cannot stand alone, but it must be run together with protections, which are the efforts of law enforcement.

Legal problems occurred due to many things, either from judicature system, law instrument, inconsistency of law enforcer, power intervention, or law protection. Among those problems, one thing mostly seen and perceived by common people is inconsistency of law enforcement by apparatus. From this case, then

there is problem related to the implemented politics of law. Problems of law enforcement, once again, cannot be separated from success or not the role of politics of law in realizing clean governance.

One of law functions is to solve lawsuit or conflict, despite other functions as social control instrument and social engineering instrument. The discussion about law just started when a conflict between two parties which then solved with the assistance of third party. In this case, the appearance of law related to the neutral and fair conflict solution. In the government implementation, there may be conflict that will bother the government, thus it results in disturbed development. If this conflict just left behind for longer time then there may be instability.

## **II. THEORETICAL REVIEW**

Good Governance means good, clean, and authoritative governance. It is related to the clean government and free from Corruption, Collusion, and Nepotism (KKN). Reformation of bureaucracy is significant changes to the bureaucratic elements such as institution, apparatus source, implementation, apparatus accountability, monitoring, and public service. Many example to the reformation of bureaucracy such as institution and personnel reformation, treasury, draft and budget, immigration, customs, taxation, defense, and capital investment reformation. The important thing in reformation of bureaucracy is the change of mind set and culture-set as well as work culture development. Reformation of bureaucracy directed to the attempts in order to prevent and accelerate corruption eradication, while sustainable, in creating good, clean, and authoritative governance, clean government, and free from Corruption, Collusion, and Nepotism (KKN).

## **III. DISCUSSION**

Global effect about civilization idea, life style, governance/government implementation, democracy, law enforcement, and so forth become foundation of good governance where there is outstanding interaction in many fields or aspect among states in which the boundaries are getting blurred.

Governance is a process where in a social, economic, or organizational system it is controlled and ruled. Governance serves as power and authority implementation practice by government to the governmental business management in general, and specifically to the economic aspect. Thus, good in good governance itself has two meaning, the first is: values uphold people's will and values improve people ability in order to achieve goal of independency and social justice. Second: functional aspect from effective and efficient government in the task implementation to reach the goal.

In line to the global changes, then changes in bureaucracy as a strategic institution, considered will be able to accelerate the realization of good governance practice, thus reformation of bureaucracy is necessary to be prioritized.

Movement of change to the good governance needs something like re-inventing government, where the government more serves as directing, no more as implementer, change the perspective as well as give respect to the human rights protection; health market economy; democracy (liberal); law enforcement; awareness about government realization based on good synergy/coordination among accountable public sectors, people, and private sectors.

The best and fastest way in the realization of good governance, which is an issue that takes priority in public administration management recently as follows:

1. It needs commitment from all parties including government, private parties, and public.
2. Good and integrated coordination, professionalism as well as high work ethic and moral to meet people demand to the government in order to conduct good governance and the effect of globalization.
3. The government should be able to manage the available resources effectively, efficiently, transparently, accountably, and so forth; regional should adjust and anticipate the next changes.
4. The fulfillment of elements that becomes basic of good governance principle including transparency, participation, prediction, responsibility, effectiveness and efficiency, equity, strategic vision, professionalism, and law enforcement.
5. Good governance principles, actually, should be prevailed and implemented for international, national, provincial, local, and personal living. If we apply and implement those principles personally in mindset of living and in our daily works at office or workplace even in our environment, then, actually, we already played role and contributed for the implementation good governance largely.

Goal that will be achieved in good governance is fulfilling good governance organizational principles as follow:

### **1. Participation**

Participation principle is not only important for the cooperation between government, private parties, and public; however, all parties should be involved in many related activities and need to play their role including male and female role. The involvement mechanism can be conducted in many types, directly or through many types of media that able to deliver all aspirations.

Large participation and involving many parties will gain most of people needs. By transparency principle in order to implement the participation, the government and public service implementer demanded to always conduct their tasks and conduct their programs transparently and fairly. By the implementation of participation principle, indirectly, it will direct to the accountability that can be accepted by all parties due to they already involved since the beginning about people needs. Participation does not mean being obtrude to each party's will, but it is collective achievement, such collective consensus to the policy and phase as well as other decision that will be taken.

Giving trust to other party in order to participate in public service management will result in opportunity for participated parties in order to improve and develop their ability in the field that being cooperation object, in this case is public service field.

Therefore, it is expected that the service will be more efficient and qualified. The decrease of government expenditure can be implemented, even, in opposite, may be the government will gain royalty from those cooperation or partnership. In other side, the expectation is corruption can be reduced, in which it may be can be started by participation process and qualification although the space to do corruption is always available, for example in the selection of business partner, tender process, assessment, and so on. In addition, although the resistance of corruption is already cultured, while the expectation is by implementing good governance principles, then good government will be able to be realized.

Whole participation created based on freedom of assembly and stating opinion as well as capacity to be participated constructively. Good governance will connect different interests for the sake of whole consensus towards what the best thing for the group of people or in procedure determination that must be established.

## **2. Law Enforcement**

Fair and equitable legal frame that can be implemented is basic for the realization of good governance. The three principles of good governance – accountability, transparency, and participation – will encourage related institutions, especially in economic development field and legislative institution to establish fair and authoritative rules and laws. As with the needs, the government should be able to guarantee that law enforcement can be implemented appropriately, without any discriminations as well as implement presumption of innocent for all suspected citizens.

Law instruments need to be conducted fairly and can be implemented in the best way especially law about human rights. Accountability, transparency, and participation will assist political aspect and economic institution in order to establish fair rules. Aspect towards the role of law intended to make law products can be prevailed and implemented appropriately, without any rewards to all people.

If the access of accurate information can be obtained easily from those three sectors, then transparency principle through sharing information between those three sectors will be maintained and the harmonic relationship will be created properly. The more transparent information gained, the larger participation given by each sector. More information means the taken decision also can be better and more accurate and more effective in its implementation. More shared information means easier way for legality process among those three sectors. Institutions in those three sectors, by using those principles, will be more responsive as well as position among those three will be easier to be enforced. By using the same strategy, other principles of good governance will result in intended implementation, as with its own portion.

In the activities/programs to improve quality of public service, public and private sectors should be involved, either in formulation of public policy, in the implementation, or in control or monitoring process. People, recently, are going to the informed people. Rapid advance in information technology with very large potentials of application results in opportunity for accessing, managing, and empowering large volume of information fast and accurately. Inability in self-adjustment will result in condition of least developed country.

## **3. Transparency**

Activity process in order to provide public service needs transparent mechanism to prevent unfair and dishonest practices, also, it needs mechanism to the people's claim who feels unsatisfied. Work mechanism should be organized based on non-aligned rules, both public sector implementer and them who gained service (public) should be satisfied, thus it will create policy and procedure mechanism about good service due to the related parties implement transparency principle in the work procedures.

Transparency is necessary in realizing the implementation of good governance towards many aspects including public service. Transparency principle is necessary not only in public service process, but also in investment process, decision taking process for various contracts and agreements. Information should be available and can be gained adequately. People, largely, should be informed and played role in political process and economic development. Information needs to be developed transparently in order to be used by anyone who need it, it is because in good governance process, transparency created based on free flow of information. All of governmental process, for any institutions, then the information should be able to be accessed by the interested

parties. The available information should be appropriate in order to be understood and controlled. Transparency and accountability also have been mentioned in Law No.32 Year of 2004 about Financial Balance between Central Government and Regional Government.

#### **4. Equity**

Task and responsibility of public officers, either elected politically or civil servants, should provide good service to the public largely. This task includes fund allocation, security and serenity management and provision for residents, and justice and fairness in economic management for people welfare. In other side, equity will guarantee that male and female have same opportunity in struggling for their existence in order to improve or maintain their welfare.

#### **5. Responsibility**

Public service implementers should be responsive or responsible to people needs that able to be presented in policy, program arrangement and its implementation by using procedures based on good governance principles. Responsiveness level to this public service will be parameter whether or not the performance is good as well as accountability of related institutions and implementers.

Decision taking, both in central, provincial and regional level as well as for private sectors and non-government organizations should be responsible to the public or interested institutions. The type of responsibility, indeed, is different depends on type of related organization and whether the decision for the organization is in internal or external type.

#### **6. Future Insight**

A new approach in establishing development policy to the right direction is necessary to be developed in order to be able in allocating developmental programs that right to the target and as with people aspiration. The right targeted programs will result in and encourage sustainable process to realize the established vision and mission from related regional government.

Many attempts, recently, are being implemented in order to improve regional government ability in managing their government with good governance nuance, in which the attempts accompanied by attempts in empowering the institutions. Leaders and people should have large and futuristic perspective over good governance or human resource development; as well as sensitiveness towards anything needed to realize the development. Leaders and people should have understanding over past complexity, socio-cultural that become basis for the intended perspective.

#### **7. Accountability**

Good governance principles demand responsibility and accountability from the government implementers, either in public service field or other fields such as political field. Parameter of success in this case should be determined to be comparison material whether performance from the related parties is appropriate to be stated as good category or meets good accountability requirements, either from economic or financial aspect. Accountability principle, if it is implemented appropriately, then it will be able to prevent corruption and guarantee that the organization performance has been suitable to the established mission.

#### **8. Monitoring**

The implementers of public service activities, day by day, have involved more investors. In other side, demand of people needs is getting higher. Therefore, it needs control or monitoring to the implementation of those activities in order to run as what been established to reach goal from an institution and fulfill people needs.

#### **9. Efficiency and Effectiveness**

Efficiency and effectiveness stated as achieved if process or procedure as well as the result can meet the targeted needs through the use of optimum sources. In the implementation, efficiency and effectiveness principle can be applied to many implementation elements. For example, a large and ineffective organization may be changed into slim and efficient organization; however it still able to produce the expected service. Moreover, for inadequate availability of regional fund source, then organization change to be slimmer organization to achieve more effective and efficient condition should be considered. In that condition, administration and management from a small organization and short bureaucracy may accelerate and ease service provision to the people with lower cost.

#### **10. Professionalism**

Service and strategy to overcome the obstacles need more professional managerial works that places people or client satisfaction as main reference in public sector. Therefore, the government implementers in many

levels – from the top to the bottom (district or village level) – should improve the performance to be more professional in order to make the service can be more accepted by public, results in more benefits for all parties, more accountable, and finally can be sustainable.

While, according to UNDP (United Nations Development Programs) that the achievement of good governance serves as synergic and constructive relationship between state, private sectors, and people. UNDP has formulated characteristics of good governance that must be achieved as follow:

1. *Participation* (people involvement)

Every citizen has vote or right in decision making, either directly or indirectly through legitimation institution intermediation that represents their interest. This type of participation built based on freedom of socialization and freedom of speech as well as constructive participation.

1. *Rule of law* (fair law enforcement)

Legal frame should be fair and implemented without any discriminations, mainly to the law of human rights.

2. *Transparency* (freedom to gain information)

Transparency built based on free flow of information. Process, institutions, and information directly can be received by them who need it. Information should be able to be understood and controlled or monitored.

3. *Responsiveness*

The institutions and process should try to provide service for each stakeholder.

4. *Consensus orientation* (oriented to the people interest)

Good governance becomes medium between different interest in order to achieve the best choice for large interest in the case of policies or procedures.

5. *Equity* (same opportunity)

All citizens or residents, both male and female, have the same opportunity to improve or maintain their welfare.

6. *Effectiveness and efficiency*

Process and institutions produce the result as what been targeted and by using the available sources in the best way.

7. *Accountability* (public accountability)

Decision makers in the government, private sectors, and civil society accounted to the public and stakeholder institutions. This accountability depends on organization and taken decision, whether the decision is for internal interest or external of organization.

8. *Strategic vision*

Leaders and public should have large and futuristic perspective of good governance and human development that in line with what needed for this kind of development.

Strong, firm, and brave leadership become an absolute needs in this era. The leaders should truly have no fear. They are not allowed to pretend towards fear due to the fear is infecting (Ohmae, 2004:312).

The case of governance, recently, needs many combinations in order to achieve the goal. It is not only effective communication, but also including anyone who becomes leader as main communication actor. In a situation of uncertainty like today, leader should be able to change the uncertainty to be certainty that can be calculated. One of strategies is by gaining more information. A good leader should gain best and accurate information as possible about environmental around.

A good leader is a leader has love or interest and desire to the innovation, because those love and desire will support the improvement of creativity. Not only to many innovations over new policies, but also about how creative and smart the leader to communicate the creation to public. Thus, message that intended to be delivered will be clearly understood and will result in positive response.

Braveness from a leader does not mean “careless”, because the world is such stated by Giddens in his Third Wave, a full of risk condition. Where the risks can be calculated and that becomes the difference for catastrophe. This braveness should be used as firm attitude in order to chase away many worries over losing absolute governmental power in the past, as consequence from the implementation of good and clean governance that consistent to its various principles. This perspective should be reversed to be incentive for leader effectiveness in implementing the functions, because good and clean governance able to give basis of legitimation, either political or legal, for the implementation of government.

Consistent implementation of good governance also gives incentive for leader to be not alone. It is because partnership network between leader, government, public and business world is a certainty. Not only from the aspect of unity of those three sources through cooperation and partnership, but it is also strengthening integrity, legitimation, and accountability for a policy.

#### IV. CONCLUSION

Based on discussion that been explained above, it can be concluded that in the government implementation in order to realize clean governance, in fact, is not easy. There are many obstacles, mainly internal problems – such as democracy, decentralization, and internal bureaucracy itself – that still affected to the problem complexity level. This is that causes clean governance is difficult to be achieved.

The role of politics in realizing clean governance, in fact, should be accompanied with consistent law enforcement. The law enforcement means how politics of law or law products can be implemented appropriately in order to realize clean governance as well as the government implementation keeps on the track of that politics of law.

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