



Effectiveness of Public Service Ethics Regulation in Achieving Good Governance

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Abstract

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This study aims to analyze the effectiveness of public service ethics regulations and to examine the urgency of such regulations in supporting the realization of good governance. The study employs a normative legal method with a legislative and conceptual approach, focusing on an analysis of Law No. 25 of 2009 on Public Service, Law No. 30 of 2014 on Government Administration, and Law No. 5 of 2014 on the Civil Service. The research findings indicate that, normatively, the regulations have incorporated ethical principles such as transparency, accountability, and professionalism. However, the effectiveness of their implementation still faces various obstacles, particularly regarding civil service capacity, organizational culture, and oversight systems. On the other hand, the urgency of regulatory discussions is increasing due to public demands for quality services as well as the development of digital technology, which poses new challenges in ethical aspects. Therefore, it is necessary to strengthen the implementation of adaptive and integrative regulations to address the dynamics of modern public service. This study emphasizes that the success of achieving good governance depends not only on the existence of regulations but also on the effectiveness of applying ethical values in public service practices.



1. Introduction

Public services are one of the main instruments in the implementation of government that is oriented towards fulfilling the basic needs of the community and protecting civil rights. In the context of modern administration, the quality of public services is not only measured in terms of efficiency and effectiveness, but also by the extent to which ethical values are applied in every service process. Ethics is an important foundation because it is directly related to the behavior of the apparatus, institutional integrity, and public trust in the government. Without a strong ethical foundation, public services have the potential to experience various irregularities such as discrimination, non-transparency, and abuse of authority (Lubis, 2019; Santoso & Dewi, 2019).

In the normative framework, the existence of regulations is an important instrument to ensure that public services run in accordance with the principles that have been set. Law Number 25 of 2009 concerning Public Services emphasizes that the implementation of services must meet standards that include transparency, accountability, participation, and fair treatment for the entire community. In addition, Law Number 30 of 2014 concerning Government Administration introduces general principles of good governance (AUPB) as a guideline in decision-making and administrative actions, including the prohibition of abuse of authority. Meanwhile, Law Number 5 of 2014 concerning the State Civil Apparatus emphasizes the importance of the code of ethics and professionalism of the apparatus in carrying out the functions of public services. The three regulations show that ethical aspects have been formally institutionalized in the government system.

However, various studies show that the existence of regulations is not always directly proportional to the quality of implementation in the field. Problems such as low responsiveness, lack of empathy for the community, and unethical practices are still recurring challenges in the implementation of public services (Azan et al., 2021). This shows that there is a gap between ideal legal norms and the implementive reality that occurs in administrative practice. In other words, existing regulations are not yet fully able to ensure the creation of public services that are ethical and oriented to the interests of the community.

From a good governance perspective, public service ethics have a very strategic position because they are directly related to the principles of transparency, accountability, and participation. Good governance does not only emphasize good institutional structures, but also on the behavior of the actors involved in it. Osborne (2020) emphasized that public services should be citizen-centered, not just administrative procedures. In line with that, the OECD (2020) also emphasized that integrity and ethics are key elements in building public trust in government institutions. Thus, the application of ethics in public service cannot be separated from efforts to realize good governance.

The development of technology and digital transformation in the public sector also brings new challenges in the application of service ethics. Digitization of public services does offer convenience, speed, and efficiency, but on the other hand, it also poses new risks related to transparency, data protection, and system accountability (Mergel et al., 2019). Therefore, existing regulations need to be able to adapt to these dynamics so that they remain relevant and effective in regulating

the behavior of the apparatus and ensuring service quality. Idzi and Gomes (2022) emphasized that the integration between regulations, technology, and ethics is the key to facing the challenges of public services in the modern era.

Based on this description, it can be understood that although the regulatory framework has been comprehensively available, the main challenge lies in the effectiveness of implementation and the relevance of regulations in responding to the dynamics of public service development. This raises the need to review the extent to which existing regulations are able to function as an instrument to control ethical behavior in public services, and why the discussion of these regulations is becoming increasingly important in the current context.

Thus, this research is directed to answer two main questions. First, to what extent is the effectiveness of regulations that regulate public service ethics in supporting the realization of good governance principles? Second, why is the discussion of public service ethics regulations becoming increasingly urgent in facing the challenges of implementing modern government?

2. Methods

This research uses a normative juridical method, which is a legal research approach that focuses on the analysis of applicable legal norms, both contained in laws and regulations and in relevant legal doctrines and literature. This approach was chosen because the research aims to examine the effectiveness and urgency of regulations that regulate public service ethics within the framework of good

governance, so that it requires an in-depth study of the normative aspects that are the basis for its regulation.

The normative juridical approach is carried out by placing law as a system of norms that govern behavior, especially in the context of the implementation of public services by state apparatus. In this case, the main focus of the research lies in the study of Law Number 25 of 2009 concerning Public Services, Law Number 30 of 2014 concerning Government Administration, and Law Number 5 of 2014 concerning the State Civil Apparatus as the main legal framework that regulates ethics, obligations, and standards of behavior in public services. The three regulations are analyzed to understand the extent to which the norms contained in them are able to reflect the principles of good governance and direct the behavior of the apparatus ethically.

This research uses several approaches, namely the statute approach and the conceptual approach. The legislative approach is carried out by examining the content and substance of relevant regulations, including principles, principles, and provisions related to public service ethics. Meanwhile, a conceptual approach is used to understand theoretical concepts such as public administration ethics, public services, and good governance that develop in the academic literature, so that it can provide a more comprehensive analysis of the legal norms being studied.

The source of legal materials in this study consists of primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations that are the main object of study. Secondary legal materials include scientific literature in the form of books, journals, and research results relevant to the research topic. Tertiary

legal materials are used as support, such as legal dictionaries and encyclopedias, to clarify the terminology used in the analysis.

The technique of collecting legal materials is carried out through literature studies by identifying, inventorying, and reviewing various relevant legal sources. Furthermore, the collected legal materials are analyzed qualitatively using a descriptive-analytical method, namely by describing the content and substance of legal norms and relating them to relevant concepts and theories. This analysis aims to assess the consistency, suitability, and effectiveness of regulations in regulating public service ethics, as well as identifying the urgency of updating or strengthening regulations in the face of the dynamics of modern government implementation.

3. Results and Discussion

3.1. Effectiveness of Regulations in Regulating Public Service Ethics

The effectiveness of regulations in regulating public service ethics can basically be seen from the extent to which the legal norms that have been established are able to be implemented consistently in the practice of service delivery. In a normative framework, the existence of Law Number 25 of 2009 concerning Public Services, Law Number 30 of 2014 concerning Government Administration, and Law Number 5 of 2014 concerning State Civil Apparatus has provided a fairly comprehensive legal basis in regulating the standards of behavior of the apparatus and service principles oriented to the interests of the community. The regulation has substantially contained ethical values such as transparency, accountability,

professionalism, and the prohibition of abuse of authority which are the main foundation in realizing quality public services.

Conceptually, the effectiveness of a regulation is not only determined by the completeness of the norm, but also by the ability of the norm to shape the behavior of the actors it regulates. In this case, the Public Service Law has established service standards that include procedural clarity, time certainty, and fair treatment for the entire community. However, various studies show that the implementation of these standards still faces obstacles in practice, especially related to the consistency of the apparatus in implementing the principles of service ethics (Azan et al., 2021). This shows that although regulations have provided clear guidelines, their effectiveness is still influenced by other factors such as organizational culture and human resource capacity.

Furthermore, the Government Administration Law introduces the general principles of good governance as a foundation in every administrative action. These principles, such as legal certainty, openness, and non-abuse of authority, are essentially manifestations of ethical values in public administration. However, the application of these principles often faces challenges in the form of conflicts of interest and weak internal oversight. Satibi and Ediyanto (2020) emphasized that bureaucratic behavior that does not fully reflect ethical values is still an obstacle in realizing good governance.

From the actors' side, the State Civil Apparatus Law emphasizes the importance of a code of ethics and professionalism in carrying out public service duties. This regulation stipulates that every apparatus must uphold integrity,

neutrality, and orientation to community service. However, the effectiveness of these arrangements is highly dependent on the code of conduct enforcement mechanism itself. Santoso & Dewi (2019) stated that the existence of a code of ethics without a strict supervision and sanction system tends to be insufficient to encourage significant changes in the behavior of the apparatus. Thus, the effectiveness of regulations depends not only on written norms, but also on the law enforcement systems that support them.

In a broader perspective, the effectiveness of public service ethics regulations is also related to the level of public trust in government institutions. The OECD (2020) emphasizes that integrity and ethics are key factors in building public trust, which in turn affects the legitimacy of governance. When regulations are able to encourage transparent and accountable behavior of the apparatus, public trust will increase. On the other hand, if regulations are not implemented effectively, there will be a negative perception of the quality of public services.

In addition, the development of the concept of citizen-centered public services also requires regulations to be more adaptive to the needs of the community. Osborne (2020) emphasizes that public services should not only focus on compliance with procedures, but also on fulfilling the interests of citizens substantively. In this context, the effectiveness of regulations can be measured from their ability to encourage the apparatus to not only follow the rules, but also to internalize ethical values in every service action.

However, new challenges have arisen along with the development of technology and the digitalization of public services. Digital transformation requires

adjustments in regulations to remain relevant to existing dynamics. Mergel et al. (2019) show that digitalization can improve service efficiency, but it also has the potential to pose new risks related to transparency and accountability if not properly regulated. Therefore, the effectiveness of regulations is also determined by their ability to respond to changes in the strategic environment.

On the other hand, Idzi and Gomes (2022) emphasized that the integration between regulations, technology, and ethics is the key to improving the quality of public services in the modern era. This shows that effective regulation is not only static, but must also be able to adapt to the times. Thus, the effectiveness of public service ethics regulations cannot be separated from the social, institutional, and technological contexts that continue to develop.

Based on this description, it can be concluded that regulations that regulate public service ethics basically have an adequate normative framework, but their effectiveness still depends on various supporting factors, such as the capacity of the apparatus, organizational culture, supervisory system, and the ability of regulations to adapt to changes. Therefore, even though regulations have provided a strong foundation, efforts to strengthen implementation are still needed so that the goal of realizing ethical and good governance-oriented public services can be optimally achieved.

3.2. The Urgency of Public Service Ethics Regulation in the Context of Modern Government

The urgency of discussing public service ethics regulations is getting stronger along with the increasing public demands for transparent, accountable, and public

interest-oriented service quality. In the context of modern administration, the community no longer only demands fast and efficient service, but also expects integrity and justice in every service process. This condition places regulation as an important instrument that not only serves as a normative guideline, but also as a control mechanism for the behavior of the apparatus. Lubis (2019) emphasized that the application of the code of ethics in public services is an important factor in improving the quality of services and preventing irregularities that are detrimental to the community.

Normatively, the existence of Law Number 25 of 2009 concerning Public Services has provided a strong basis in guaranteeing the rights of the community to obtain decent services. However, the social dynamics that continue to develop demand strengthening in the implementation of these regulations. Santoso & Dewi (2019) stated that the ethics of the apparatus does not only depend on written rules, but also on the moral awareness of individuals and the organizational environment that supports the application of these values. Therefore, the discussion of regulations is urgent to ensure that existing norms remain relevant and able to answer the challenges that arise.

In addition, the complexity in the implementation of modern government is also a factor that encourages the importance of strengthening ethical regulations. In practice, the apparatus is often faced with situations involving conflicts of interest, political pressure, and high performance demands. In conditions like this, the existence of clear and firm regulations is very important as a guideline in decision-making. Satibi and Ediyanto (2020) stated that weak internalization of ethics in the

bureaucracy can cause behavioral deviations that have an impact on declining the quality of public services. This shows that regulations are not only needed as a formal rule, but also as an instrument for shaping an ethical organizational culture.

From the perspective of good governance, the urgency of public service ethics regulations is also closely related to efforts to build public trust in the government. Public trust is a fundamental element in the sustainability of effective government. The OECD (2020) emphasizes that integrity in the public sector is a major prerequisite in creating public trust, which will ultimately strengthen the legitimacy of government institutions. Without regulations that are able to guarantee the ethical behavior of the apparatus, this trust will be difficult to build and maintain.

Furthermore, the development of a community-oriented public service paradigm requires a change in the perspective of regulations. Osborne (2020) emphasizes that public services must focus on the interests of citizens, not just compliance with administrative procedures. In this context, ethical regulations are important to ensure that the apparatus not only works according to the rules, but is also able to understand and respond to the needs of the community substantively. Thus, the discussion of regulations becomes relevant to ensure that these values are accommodated within the existing legal framework.

Digital transformation in public services also adds a new dimension to the urgency of regulation. Digitalization brings various benefits such as increased efficiency and accessibility of services, but on the other hand it also poses new challenges related to transparency, data security, and system accountability. Mergel et al. (2019) show that without adequate regulation, digital transformation has the

potential to create gaps in supervision and control of public services. Therefore, ethical regulations need to continue to be studied and adjusted in order to be able to anticipate these risks.

In line with that, Idzi and Gomes (2022) emphasized that the integration between technology, regulations, and ethics is an unavoidable need in the implementation of modern public services. This shows that the urgency of regulation lies not only in its existence, but also in its ability to adapt to changes in the strategic environment. Regulations that are not responsive to technological developments have the potential to become obsolete and ineffective in regulating the behavior of the apparatus.

On the other hand, bureaucratic reform that continues to be pushed in various government systems also demands the strengthening of ethical regulations as an integral part of the change process. Wibowo and Kertati (2022) stated that bureaucratic reform will not run optimally without the support of strong integrity and ethics of the apparatus. Thus, the discussion of regulations is important to ensure that the reforms carried out are not only structural, but also touch on aspects of behavior and underlying values.

Based on this description, it can be concluded that the urgency of discussing public service ethics regulations is not only driven by the need to improve service quality, but also by the demand to adapt regulations to social, technological, and institutional dynamics that continue to develop. Adaptive, implementive, and ethical values-oriented regulations are key in ensuring that public services can run optimally and are able to support the realization of good governance in a sustainable manner.

4. Conclusion

Based on the results of the analysis conducted, it can be concluded that the regulations governing public service ethics essentially have a fairly comprehensive and systematic normative framework. The existence of Law No. 25 of 2009 on Public Service, Law No. 30 of 2014 on Government Administration, and Law No. 5 of 2014 on the Civil Service demonstrates a commitment to integrating ethical values into the system of government administration. These regulations have substantively incorporated key principles such as transparency, accountability, professionalism, and the prohibition of abuse of authority, which form the foundation for delivering quality public services.

However, the effectiveness of these regulations in practice still faces various challenges. The implementation of legal norms does not always proceed optimally, influenced by factors such as human resource capacity, organizational culture, and weak oversight and enforcement systems. This indicates that the existence of regulations alone is insufficient to guarantee the creation of ethical public service; rather, more comprehensive efforts are needed to ensure the internalization of ethical values by civil servants.

On the other hand, the urgency of discussing public service ethics regulations is increasing in tandem with the dynamics of modern governance. Public demands for fair, transparent, and responsive services, coupled with the development of digital technology that brings new challenges, require regulations that are adaptive and responsive to change. Regulations must not only be able to govern the behavior

of public officials under conventional conditions but must also remain relevant in addressing the complexities of public service in the digital age.

Thus, strengthening public service ethics regulations is a strategic step in supporting the realization of good governance. These efforts must be accompanied by improvements in the quality of public officials, the strengthening of oversight systems, and the adaptation of regulations to changes in the strategic environment. Through an integrated approach combining legal norms and effective implementation, ethical public service oriented toward the public interest can be sustainably realized.

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