

# Public Service Ethics By State Apparatus In Indonesia: A Critical Reflection

Ngorang Philipus\*

\*School of Communication, Business and Informatics Institution of Kwik Kian Gie, Jl.Yos Sudarso Kav.87  
Jakarta 14350 Indonesia

## Abstract

Public service should be understood as a set of efforts by state apparatus for fulfilling public needs to realize general welfare. General welfare is not realized due to the bad public service by state apparatus as corruption, indolent administrative service, discriminative and not smooth goods service, threatened people security and solidarity. Poor public service is opposed to morality. Public service ethics discourse is directed to improve poor public service by state apparatus as normative rules and code of conduct. Public service ethics fail to improve the poor public service. This research, with title Public Service ethics by State Apparatus in Indonesia: A Critical Reflection is reinterpreted to find out the new meaning of public service ethics.

This research is focused on research matter dealing with public service, state apparatus, general welfare, and ethics. This research is carried out with library study which focus on the books and journals. Research analysis is focused on verstehen analysis to understand the public service ethics by state apparatus as found in books and journals. Facts and thoughts of the authors are interpreted through hermeneutic method and trying to find the new meaning of public service ethics.

This research finds out that public service ethics deals not only with normative rule or code of ethics, but also with goal dimension, act dimension, and institutional dimension. In this perspective, ethics means as the goal of good life with and for others in just institution. Public service ethics is directed to construct the good life with and for others in just institution. Domination structure in institution dimension is the fundamental reasons of poor public service. Public service ethics constructs the good life with and for others in just institution by dismantling domination structure in public service as new habit in micro individual domain, remuneration improvement, retrospective justice, democratic relation among state apparatus, restructured public service organization as bureaucratic reformation, local autonomy in meso domain of organization, power rationalization, and discursive democracy with law protection of whistleblower, citizen charter, public choice model, civil society empowerment, and subsidiary principle in macro domain political system.

**Key words:** public service, state apparatus, domination structure and ethics

## 1. Background

Public service is understood as the efforts made by a person or entity to meet the needs of the community for goods, services and administration (Moenir, 2001:17). Except for administrative works, provision of goods and services can be implemented by the private sector in order to make commercial profit. Public services by state apparatus were organized in order to meet the needs of the community for goods, services, administration and security. Public services by the state apparatus should not be intended to make commercial benefit. However, the fact remains that public services by state apparatus often get caught up in the search of commercial gain. This, in turn, gives the public services by state apparatus a bad name.

Public services by state apparatus sharply criticized for being corrupt, unevenly distributed, and favor only certain groups and certain areas. Therefore, public services by state apparatus in the perspective of public service ethics can be viewed as a panacea for the existing bad practices. Discourse of public service ethics has been the focus of attention of the experts in state administration. Public service ethics is usually considered as guideline for state apparatus in meeting citizens' needs. It has become the codes of conduct, said by Yeremias Keban in his article title *Public Service Ethics*, that govern the good things to do or, conversely, the bad things to avoid in its practices. Each phase of the public service, from planning to implementation, must be based on moral values such as truth, goodness, freedom, equality and justice (Keban,2001:1).

David L.Perry, in his article title *Ethics in Public Service*(2001:4) also viewed the ethics of public service as a code of conducts that describes some duties to be carried out by state apparatus: i.e. using an impartial judgment in serving the community, avoiding conflicts of interest, showing no favoritism in appointing officials, rejecting bribes from people who want to interfere with government decisions. Government Regulation no.30 of 1980 which

regulates the duties and prohibits civil servants regulates duties as (1)giving more priority to the public interest than individual and groups interest, avoiding activities which obscures these ends;(2)bringing official duties out correctly and consciously, (3) giving service to the people correctly suitable to their function and good model for their fellow. These regulation prohibits state apparatus for abusing their authority especially misusing public goods, receiving gift related to their position in government, doing action which suffers served sides. These regulation can be categorized as a public service ethics. Minister of State Apparatus Decree Number 63 of 2004 regulates the public service principles, they are transparent, accountable, conditional, participative and right equality. Transparency means openly and accesible to all sides who need the service. Accountability means public service should be responsible to the existing regulation. Conditional means public service proportionate to the capacity of service user and service bestowers. Participative means people participate in implementing public service. And right equality means non discriminative, and proportional in right and duty. This regulation which regulates the principles of public service can also be categorized as public service ethics.

The problem is that the ethics of public service as code of conduct for state apparatus have not been able to change their behavior in serving the needs of community. Corruption, unevenly distributed and discriminatory public services still go on. This necessitates understanding of the meaning of public service ethics. It seems that ethics of public service need to be seen as critical reflection.

Frans Magnis Suseno in his book title *Basic Ethics* (1994:14) defined ethics as a philosophy and critical thinking on moral teachings. Moral teachings serves just like a guide of proper motorcycle maintenance, whilst ethics provides understanding of structure and the technology of motorcycle. Moral teachings are identical with code of conduct, whilst ethics represents as critical reflection; a reflection on social structures and social order that either support or hinder the practice of public service of the state apparatus.

Public service ethics as a critical reflection raises questions of what social structure and social order that encourages and supports poor public services practices by state apparatus. To answer this question, public services by state apparatus is indeed an interaction of power as said by Anthony Giddens in his book title *The Constitution of Society, Outline of the Theory of Structuration* (1984).Such interaction, according to Anthony Giddens, produces structures of domination. The latter arise from authoritative and allocative resources. Authoritative resource is related to efforts to coordinate the activity and action of agents, and allocative resource is related to control over material products or aspects of the material world(Giddens, 1984:xxxix-xxxii). Public service refers to power relationship between serving state apparatus and served community, where state apparatus who has authority coordinates served community activities and action including allocates existing material resources. For instance, intentionally slowing down service process of license can urge served community to give bribery for accelerating service process. It means that poor public services practices arise because of both the resources.

The structure of domination was also born out by a way of thinking that place emphasis on instrumental ratio called Jurgen Habermas in his book title *Toward A Rational Society, Student Protest, Science and Politics* (1971) as a purposive rational action (Habermas, 1971: 91). Purposive rational action is governed by technical rules in order to achieve the stated goals and objectives defined by the goals and means. Structures of domination resulted from the use of means as tools or instrument to achieve a purpose. The means is sacrificed in order to achieve the goal. This means there is a subject that regulates and controls the social and other subjects as a tool or object of social processes. Instrumental rational action that generates the structure of domination was criticized by Habermas as work, instead of interaction ( Habermas, 1971: 111).

This rational instrumental framework can be applied in relationship between the state apparatus and the communities they served. Public services as state apparatus' effort in meeting the needs of the people has been producing technical controls, strategies and monologic measures, thus the objective of public service to realize general prosperity leads to personal and group interest. Technical, strategic and monological controls resulted in poor public service in domination relationship between the state apparatus and the public. The understanding of the ethics of public service as critical reflection as describe above invites the following questions.

## 2. Problem formulation

Based on the above description, the problems formulated in this study are: (1) How do we understand the meaning of public service ethics ? (2) How do the principles of public service ethics understand the poor public service by state apparatus in Indonesia ? (3)What is the domination structure that caused poor public service practices by state apparatus in Indonesia ? (4) How do we deconstruct the domination structure in the practice of public service in Indonesia ?

### 3. Literature Review

Public service is a process of meeting public needs, either by providing goods, service or administration through the activities of other people or agency as said by HAS Moenir in his book title *The Management of Public Service in Indonesia* (Moenir, 2001:17). Public service is actually comprised of four components: provision of goods, services, administration and security. Provisions of goods and service can be performed by state apparatus and private enterprises. Administration and security services are relatively dominated by state apparatus. Public service by private enterprises is performed for commercial benefit. Public service by state apparatus is not intended to make commercial benefit, although in practice it tends to be performed to make for commercial benefit. This is the reason of poor public service practices.

Public service by state apparatus is a constitutional obligation. Preamble of the 1945 Constitution assert in the fourth paragraph that the state aims to protect all people of Indonesia and the entire country of Indonesia, promote the general welfare, the intellectual life of the nation and participate in the establishment of world order based on social justice and lasting peace. Public service of state apparatus is considered as obligation, because the task to serve the needs of the community was rewarded with their right to earn a salary from the public through the state. The relationship between the state apparatus and the public it serves is reciprocal in nature that is supposed to be mutually beneficial.

This reciprocal relationship is actually dynamic and tricky. It is dynamic because it can be mutually beneficial and mutually harming at the same time. It is tricky because the advantaged group tried to defend it, and those who feel disadvantaged tried to protest, rally demonstration and involved in armed violence. Historical experience shows that the state apparatus benefited more than the general public and thus forming the structure of domination.

The structure of domination surfaced in the discourses employed by the experts on Indonesia, such as patrimonialism, paternalism, authoritarianism and state corporatism, state qua state, and bureaucratic polity. Historical investigation clarifies that public service practices in kingdom, colonial and independence era construct the same pattern, that is political domination structure. Agus Dwiyanto in his book title *The Reformation of Public Bureaucracy* asserted that bureaucratic organizations of public service were constructed in line with the economical needs and political interests of the king in Mataram kingdom era. Kanyakan Keparak Kiwo and Kanyakan Keparak Tengen were the ministries of kingdom's foundations and public works. Kanyakan Gedhong Kiwo and Kanyakan Gedhong Tengen were the ministries which manage the kingdom's earnings and finance. Kanyakan Siti Sewu and Kanyakan Bumijo were the ministries which manage land affairs and governance. Kanyakan Penumping and Kanyakan Numbakanyar were the ministries which manage the kingdom's defence and security affairs. These eight ministries are ministries council chaired by Papatih Dalem. For external affairs, the king appoints regents who have loyalty to the king, and they dominate coastal area and submit to the authority of king (Dwiyanto, 2002:14).

Being public service bureaucracy for king's needs and interest, public services had some features as follow: (1) administrator used public administration as personal affairs; (2) public administration was extension of palace household;(3) service duties for the interest of king; (4) salary for the official of kingdom was gift of king that could be pulled out for time to time dependent upon king's intention;and (5) the official of kingdom couldn't do something opposed to the wish of king, on the contrary for the official of kingdom (Dwiyanto, 2002:10-11).

Political domination structure in public service organization refers to colonial government's effort in constructing its government bureaucracy structure in line with and in accord to the kingdom bureaucracy structure for facilitating her colonialism activities. Colonial government cooperates with local king whose authorities is determined by colonial government. King is not the partner but the colonial "comprador" in colonializing local community indirectly. This government system brings about the dualism in government bureaucracy administration system. Since colonial apparatus was paid in cash, something contradictory to the Sultanate custom, corruption practices occurred in the form of bribery (Dwiyanto, 2002:28).

Benedict Anderson, as quoted by Andrew McIntyre in his book title *Business and Politics in Indonesia*, describes Indonesia as state qua state, terms that explain the fundamental linkage between government's and people's interest. State is figured as a self-serving entity,...a greedily consuming the resources and wealth of nation,...as being almost entirely detached from and unresponsive to societal interest (McIntyre, 1990:6-7). In other words, Benedict Anderson noted that the state favors its own interest rather than that of general public. State is described as self-serving entity and self-aggrandizing entity that is not sensitive to the interest of the community at large (McIntyre,1990:5).

Harold Crouch told McIntyre (1990:9) argued that Indonesia's political economy is influenced by patrimonialism. A political culture characterized by the desire the rulers to remain in power by distributing material reward to their subordinates, whilst the subordinates were organized in a pyramidal shape patron-client relationship from the central to regional. The government's political economic policies determined more by interest of urban economic and political elites than by interest of the community at large. For example, government policy imports cheap rice from abroad especially for the urban community interest who generally works in industrial sector than for the peasant community interest who lives from the agriculture production.

Bureaucratic polity discourse was developed by Karl D.Jackson in his article title *Bureaucratic Polity: A Theoretical Framework for the Analysis of Power and Communication in Indonesia (1978)* described authoritarian power structure in Indonesia after independence era. Authoritarian government structure was materialized in decision making process influenced by higher political elite especially military and bureaucracy, meanwhile out of these ignored social and political power. Karl D.Jackson said that essentially bureaucratic polity is a form of government in which there is no regular participation or mobilization of the people( Jackson, 1978:4).

According to Harold Crouch as quoted by Manuel Kaisiepo, bureaucratic polity discourse has some features as follow: (1) the dominant political institution is bureaucracy;(2) another political institution as parliament, political party, interest group are weak in balancing and in controlling the power of bureaucracy;(3) political mass out of bureaucracy are passive, partly because of political parties' weakness. This power structure urges political competition limited to the bureaucracy elite maneuver whose its success and failure should not depend on efforts in mobilizing mass political support. (Kaisiepo, 1987:26-27). Military and bureaucracy groups have important role in national decision making and ignoring political power out of the both. Karl D. Jackson figurates this governmental system like island cut off from the social sea surrounding them, bureaucratic polities are largely impervious to currents in their own societies and may be more responsive to external pressures emanating from the international arena (Jackson, 1978:4).

According to Dwight King in his article title *Indonesia's New Order as a Bureaucratic Polity*, bureaucratic polity is power phenomenon that comes from the clear, modern and relatively stabilized political condition. King recognized this model can defend itself and has ability to control various political pressures which potentially destabilize political situation during modernization process. Dwight King said this model can be differentiated from another model with four things: (1) state highest authority layes on bureaucratic oligarchy or on military as an institution. Military often take decision in with technocratic and bureaucratic approach; (2) Technocratic mentality influences the bureaucratic decisions. New Order repressive action as stifling radical and critical groups was concessual programatic than modernization ideology; (3) In New Order era political elite depolitized political mass through constructing floating mass concept; (4) develop limited pluralism leadership concept, that is a leadership which uses repressive style and exploit cooperation organization network in controlling opposition groups.

Elite political domination structure can also be found in state corporatism discourse. Philippe Schmitter as quoted by Manuel Kaisiepo realized state corporatism as monopolisation interest representation of functional groups, officially supported by government, and controlled by state bureaucratic agencies. These functional groups should follow the state interest ( Kaisiepo, 1987:31).

Hamish McDonnal in his book title *Suharto's Indonesia (1980:35)* described the government of Sukarno and Suharto as befitted a feudal past. Palaces were used as the center of government administration and were frequently equated with the functions of the royal palace in the past. Joon Hwan Shin in his dissertation title *The Mystifying Capitalist State ,Political Patronage, Bureacratic Interest, and Capitalist Formation in Soeharto's Indonesia (1989: 15)* described the central role state and political power in the formation of capitalist class, a role that also gave birth to client entrepreneurs in Indonesia. Collusive relationship between the rulers and businessmen led to the fact that the public interest in public service are being ignored.

Poor public service is due to the low salary structure. This urges abuse of authority of state apparatus for meeting their needs even enriching themselves. Corruption action and abuse of authority come from this needs structure that dominates and influences their action and behavior. Public service ethics also aims to this domination structure at micro level. Relationship between upper and lower position in bureaucratic organization of state apparatus shape domination structure at messo level. Public service ethics is also focused on this problem especially about bureaucratic reforms. Bureaucratic reforms is one of the solutions for avoiding poor public service practice.

Public service ethics aims to improve the public service by state apparatus, not only as a code of conduct, but also as a critical reflection. Carol W.Lewis in his article title *Ethical Norms in Public service :A framework for Analysis* described public service ethics not only related to internal moral demands of the actor, but also his external moral demands (2005:5). Carol W.Lewis argued that public service ethics concerns not only accountability, impartiality, justice and fairness, but also hierarchical relationship characterized by asymmetrical power relations and the imbalance of power between the state apparatus and the communities it serves (Lewis, 2005:8). It means that social context where public service takes place determined by agent's decision and action structure.

Dennis F.Thompson in his book title *Political Ethis and Public Office* (2002: xxii) said that public service get caught between personal interests and the interests of constituents to which a state official belongs. Thompson would clarify that state apparatus' action not only determined by his autonomy and subjective free choice, but also by social, economic, culture and political institution. Vincentio M. Burns in his dissertation title *The New Codes of Publics Service Ethics and Catholic Morality* (1959:9) indicated the existence of a conflict between the private interests and the public interests in the public service. The conflict of interests may be resolved only if the state apparatus realized that public service is not for the benefit of those who govern, but those who are governed. Based on this fact, Vincentio M.Burns asserted that public service morality can not be reduced to a relatively simple understanding of the sincerity and honesty of the individual. Sincerity and honesty are not enough to guarantee the individual's sincerity and honesty in the public service. Situation and the conflict of interest faced by state apparatus have resulted in poor public service.

This explains that the public service by state apparatus in the perspective of public service ethics must be interpreted and understood as a critical reflection on the public service of the state apparatus. This will be dealt with in more details in the following theoretical basis.

#### **4. Theoretical Basis**

Bertens in his book title *Ethics* (2005:6) considered ethics: first, as the values and moral norms of a person or group of people, similar to the value system. Second, as a set of moral principle or values referred to as code of conduct. Third, as study of good and bad, that is as a philosophy. Public service ethics in Bertens' view is similar to the code of conduct and moral philosophy.

Frankena in his book title *Ethics*(1963: 3) also understood ethics a moral philosophy or philosophical thinking about morality. Frankena said that as moral philosophy of life, ethics are social institutions of life, which allows one to develop self guidance or rational self-determination for its member. Ethics questions the meaning of freedom and how freedom and responsibility were organized. Ethics, in these sense, is a critical, analytical, and epistemological thinking, about anything good and morally correct.

Paul Ricoeur, as cited in Roberto Toscano's article title *Paul Ricoeur's Ethical Syntax* (2005) noted that ethics is the goal of good life with and for others within just institution. This means that to realize a good life with and for others, a just institution must exist. Just institutions are closely related to the constitution, rule of law, social organization and politic.

As for political ethics, Bernhard Sutor as told by Haryatmoko in his book title *Political Ethics and Power* (2003:26) noted that the political ethics has three dimensions: objective, action and means. Objective is related to peace, freedom and justice; action is related to the moral virtue of the state apparatus; and means is related to social, legal and political order. Public service ethics as a critical reflection also has these three dimensions. Objective dimension is related to the purpose of public service by the state apparatus that is the public welfare of supported by justice, freedom, and solidarity. Means dimension is related to social, legal, economic and political order. The structure of domination in means dimension has caused poor practice of public service.

Deconstruction of the structures of domination on dimension of the means is a strategy to build ethical practice of public service. The dimension of action is related to moral virtue and other normative demands of the state apparatus in realizing the ethical public service. A description of the public service ethics as a critical reflection should be based on the three dimensions.

#### **5. Research method**

The primary materials this research were those on public service, the state apparatus, the general welfare, and ethics. The materials were drawn from the research literature on books, journals and other relevant writings. The data was re-interpreted using hermeneutic analysis method and critical epistemology approach.

## 6. Results and Discussion

This study found that the public service of state apparatus in the perspective of public service ethics was not only seen as a public service code of conduct, but also as critical reflection. As a code of conduct, public service ethics leads the state apparatus to perform their duties properly and responsibly. This is performed by the state apparatus as professional ethics. As a critical reflection, public service ethics concerned with three ethical dimensions: objective, act and means.

The objective dimension of public service ethics is related to general welfare supported by justice, freedom and solidarity. Frans Magnis Suseno in his book title *Political Ethics* (1991:314) comprehended general welfare as the whole social preconditions that enable or facilitate the human ability to develop all the values properly in the context of individual, families and groups lives. When did a person feels safe ? The answer is when individuals or groups are free from hunger, from anxiety of tomorrow, from oppression and unfair treatment. Or, they feel safe when a person or people are free to realize individual and social life in accordance with their aspiration and opportunities ( Magnis Suseno, 1991:315).

Conceiving general welfare is a state duty as obligation. According to Frans Magnis Suseno this duty should be realized in the form as follow: (1) avoiding all of the people from natural and illness disaster; (2) supporting and preparing various services to the people directly as health care, education, post and telecommunication, radio, TV, air port, and so on; (3) state being impartial referee among conflict parties and facilitating law system which guaranties justice for all the people (Magnis Suseno, 1991:316-317).

Law system which guarenteis justice for all the people should be formulated together by all parties, and hoped it would be able to construct the solidarity among people automatically. But, this can't be realized because Tracymachos, a Greece philosopher, said that: each regime lays down the laws with a view to its own preservation and well-being, in a word, to its own advantage and to nothing else. From this it follows that obedience to the laws or justice is not of necessarily advantageous to the ruled and even bad for them. And as for the rulers, justice simply does not exist: they lay down the laws with exclusive concern for their own advantage (Strauss, 1963: 11-12). Literature review underlines this statement that state apparatus always think about their needs and interest from kingdom era untill independence age even hic et nunc.

Public service ethics discourse is formulated for reducing bad public service practice. Deontology ethics emphasized that doing good thing is a obligation, because this action is good in itself. Obligation to fullfil the people's needs and interest is categorical imperative, without prerequisites. Government Regulation number 30 of 1980 regulates duties and prohibits state apparatus and Minister of State Apparatus Decree number 63 of 2004 about public service principles are a part of deontology ethics. These must be implemented in their duties in serving the needs and interest of public community. Implementing these duties is a part of actualization of their professional deontologist.

State apparatus' action is considered ethics if the action brings about welfare for many people, greatest happiness of the greatest number as told by John Stuart Mill. Actions produce greatest happiness of the greatest number called utilitarian ethics. But, this idea does'nt guarentee justice and rights of the people. Repressive actions of New Order government to the critical mass is influenced by utilitarian ethics prinsiples.

State apparatus uses moral virtues in actualizing public service. Bertens mentions some moral virtues that could be implemented in public service practices: (1) wisdom is a moral virtue that enable state apparatus making rightly decision in right situation; (2) justice is a moral virtue that makes possible state apparatus giving what people want and rights, tribuere cuique sum; (3) modesty is a moral virtue that makes possible state apparatus not show themself although they can; (4) work diligently makes possible state apparatus to work hard for preventing them be idle (Cfr.Bertens, 2000:74). Has Moenir calls some moral virtues of state apparatus, they are serving quickly with out obstacles, getting the same service with out discriminative, receiving fairly and honestly service with out complaint ( Moenir, 2001: 41-42).

Thus, action dimension of public service ethics is related to the normative demand, either in term of deontology, utilitarian, and moral virtues of the state apparatus. Fair, honest and responsible acts put the public interest above self-interest and group interest, government regulations governing obligations and prohibitions, submissive and compliance to the principles of public service and oath of office is a moral imperative for the state apparatus.

Dimension of means is related to the social, legal, economic, and political order of the public service. General welfare may be realized only if it is supported by social structure of economy, law and politic to ensure justice, freedom, and solidarity in society. Poor public services are actually caused social, economics, law and political structures that did not guarantee justice, freedom and solidarity in society. The main reason is the structure of

domination either in economy, politic, law or culture in the public service. The above description explained domination structure at micro-level born out from the way of thinking of state apparatus. The way of thinking which puts self interest above public interest or another interest produces poor public service at micro-level. Salary system and relationship between upper and lower position in burueacratic organization of state apparatus shape domination structure at messo-organization level. Patrimonialism, state corporatism, bureaucratic polity and authoritarianism discourses described political domination structure at macro-level of political system. These construct poor public seervice practices. Deconstruction of domination structure is a must. In other word, deconstruction of the structure of domination in public services will ensure the ethical public service.

There are several strategies to deconstruct the structures of domination: first, at the micro-individual level, it begins by changing the habits through critical thinking. With critical thinking state apparatus can evaluate and judge his or her actions whether it is good action or bad one. Critical thinking makes state apparatus changes policies and approaches in the public service. Second, at the level of messo-organization, it starts by the following steps: improved remuneration, retrospective justice, democratic relations between superiors and subordinates, restructuring of public service organization by bureaucratic reform, regional divisions and local autonomy. Third, at the macro-level of political system, the deconstruction of the structure of domination change the old social structure in to new one, from old to the new democracy. Some of them are creating and protecting openly public sphere and building a diverse self-interest group agency (Giddens, 2000:54). Deconstruction of the structure of domination is performed by rationalization of power through dialogical communicative relationship between state apparatus and the community they served. Dialogic communicative relationship generates discursive and deliberative democracy (Habermas, 1971, 1987). In the practice of public service, rationalization of power can be done through the legal protection of the whistleblowers, the approach of citizen charters, public choice model, strengthening the civil society and principle of subsidiarity.

Whistleblowing action is a part rationalization of power since this action could reduce the leader's power and preventing them from power abuse. Citizen charter focuses on the interest of public service users. As a part of rationalization of power citizen charter is understood as a contract or stipulation between state apparatus and public service users especially in sort, procedure, time, cost and mode of public service. Public choice model is a part of rationalization of power since it encourage the served people to participate in policy making process and evaluating the whole of public policy, actions and rules done by state apparatus. It evaluates the synchronization of public policy, actions and rules with the interest of served people. Civil society empowerment is a part of power rationalization since it encourage the people to build organization and to voice their aspiration through free and accountable pers and has rights to choice and to be choiced for political position available for public. Civil society strengthening is a part of strategy to liberate people from the authoritarian government. It means that the civil society does'nt want to be cooptated in political interest of the man or groups and autonomy in economic called cooperation without government intervention in its management process. If these strategies can be realized it means that public service ethics applicates mainly public service ethics called subsidiarity. Subsidiarty principle said that what small group or small organization can do is not necessary to be intervened by big group or big organization including government.

## **7. Conclusion**

Public administration experts are concerned the public service ethics discourse because this discourse could solve poor public service practices by state apparatus. Public services by state apparatus that are unfair, unequal, discriminative, corrupt are considered as unethical or morally degrading. This is due not only to the bad will of state apparatus, but also by the social and political structure that sorrounds the practice of public service.

The above description has clarified that public service practices in Indonesia are influenced by social and political environment. Public service practices in kingdom era were more favorable to the king's needs and interest than the public needs or interest. King constructs the ministry for serving his needs and interest, not for public needs. Perhaps this phenomenon resulted by way of thinking that the power of king is the outcome of power struggle, so the winner takes all. In colonial era, public service practice were only concerned with three activities, that were education, irrigation and transmigration. The three activities served the colonial government, not for the colinialized people. Public service practices in independence era should be directed to fullfil the public needs and interest. But, in fact public service practices in this period are more favorable to the interest of state apparatus. State qua state, bureaucratic polity, state corporatism discourse clarified that public service practices in independence era served state apparatus needs and interest.

Public service ethics discourse want to reduce poor public service practices by state apparatus. In this term, there are some normative demands that should be realized by state apparatus in their public service practices as honesty, fairness, responsibility, transparency, accountability and avoiding corruptive action, and so on. These

normative demands become normative guidelines of state apparatus in public service activities. But, these normative guidelines were not fulfilled and realized by state apparatus.

Based on this reality, the author wants to evaluate and criticize the meaning of public service ethics discourse. Public service ethics discourse is not only about the code of conduct or code of ethical conduct as told by Keban and David L. Perry, but also about critical reflection as told by Magnis Suseno, Frankena, Bernhard Sutor and Carol W. Lewis. It means that poor public service practices by state apparatus is not only caused by their individual intention, but also by social and political domination structures covering them. For constructing a good public service, social and political domination structures of public service must be deconstructed. Several strategies have been told above as modality for constructing and establishing a good public service structures in the future.

Thus, public service ethics is concerned not only with the code of conduct, but also a critical reflection of the practice of public service by the state apparatus. As a critical reflection, public service ethics highlight three dimensions of public service ethics: objective, action, and means, poor practice of public service lies in the dimension of means, which is the structure of domination in public service. Deconstruction of the structure in the practice of public service is a must for the public service by state apparatus to become more ethical and qualified.

## 8. Suggestion

Based on above description author presented following suggestion: (1) the state apparatus must be open to criticism and considered them as valuable inputs to transform the poor public services into better and ethical ones for the purpose of realizing general welfare. (2) The salary structure of the state apparatus should be improved and adapted to their real needs; (3) State apparatus must be able to provide a good example for their fellow apparatus in the public service in order to be respected and remembered for their service; (4) Bureaucratic reforms should not be delayed. It must be done in immediate future, especially by reducing the number of less necessary ministries, and keeping those that accordance with the needs of the community, not because of temporal political interests; (5) Recruitment of the state apparatus must be based on meritocracy and not on individuals' or groups' political interest.

## Acknowledgement

This article is based on my dissertation research of doctoral program in School of philosophy at Gadjah Mada University, Yogyakarta, Indonesia. I thank Prof. Dr. Soejadi and Dr. Haryatmoko who become a promotor and co-promotor of this dissertation, and I am grateful for their supervision and guidance.

## Biography

The author was born in Manggarai, Flores, NTT, Indonesia 2 September 1957. Educational background: graduate from International Relations department 1986 and master in political science at social and political faculty 1993, and doctoral program of school of philosophy in department of philosophy 2013 at Gadjah Mada University, Yogyakarta, Indonesia. The author is a lecture since 1987 until this time. Now the author works as lecture in school of communication, major in social and political science, at Business and Informatic Institution of Kwik Kian Gie, Jakarta, Indonesia

## References

- Burns, Vincentio, M., 1962, *The New Code of Public Service Ethics and Catholic Morality*, Pontificia Universitas Gregoriana, Roma
- Bertens, K., 2005, *Etika*, Gramedia Pustaka Utama, Jakarta
- Dubnick, Melvin J., 1996, *Public Service Ethics and Cultural of Blame*, The fifth International Conference of Ethics in Public Service, August 5-9 1996, Queensland, Australia
- Giddens, Anthony, 1984, *The Constitution of Society, Outline of Theory Structuration*, Polity Press, Cambridge, UK
- Giddens, Anthony, 2000, *The Third Way*, Jalan Ketiga Pembaruan Demokrasi Sosial, (terj. Ketut Arya Mahardika), Gramedia Pustaka Utama, Jakarta
- Habermas, Jurgen, 1971, *Toward Rational Society, Student Protest, Science and Politics* (translated by Jeremy J. Shapiro), Heineman, London
- Habermas, Jurgen, 1996, *Moral Consciousness and Communicative Action* (translated by Christian Lenhard and Shiery Weber Nicholson), The MIT Press, Cambridge, Massachusetts
- Habermas, Jurgen, 1987, *The Theory of Communication Action, Lifeworld and System: A Critique of Functionalist Reason* (translated by Thomas McCarty) Vol 2, Beacon Press, Boston



- Haryatmoko, 2003, *Etika Politik dan Kekuasaan*, Buku Kompas, Jakarta
- Haryatmoko, 2007, *Etika Komunikasi*, Kanisius, Yogyakarta
- Haryatmoko, 2007, *Simpul Perubahan Habitus*, Harian Kompas, 23 Maret 2007
- Jackson, Karl D., 1978, *Bureaucratic Polity, A Theoretical Framework for the Analysis of Power and Communication in Indonesia*, in Karl D.Jackson and Lucian W.Pye, *Political Power and Communication in Indonesia*, University of California Press, Breckley, Los Angeles
- Kaisieopo, Manuel, 1987, *Dari Kepolitikan Birokratik ke Korporatisme Negara: Birokrasi dan Politik di Indonesia Era Orde Baru*, Dalam Jurnal Ilmu Politik 2, Gramedia Jakarta
- Kant, Immanuel, 1959, *Foundations of the Metaphysics of Morals and What is Enlightenment*, Mcmillan Publishing Company, New York
- Lewis, Carol W., 2005, *Ethical Norms in Public Service: A Framework for Analysis, prepared for delivery at Conference Ethics and Integrity of Governance: a Translantic Dialogue*, Katholieke Universiteit Leuven, Belgia
- McDonal, Hamish, 1980, *Suharto's Indonesia*, Fontana/Collins, Dominion Press, Blackburn, Victoria
- McIntyre, Andrew, 1990, *Business and Politics in Indonesia*, Allen & Unwin, ANU, Adelaide, Australia
- Moerir, HAS, 2001, *Manajemen Pelayanan Umum di Indonesia*, Bumi Aksara, Jakarta
- Perry, David, L., 2000, *Ethics in Public Service*, Workshop conducted for Leadership Santa Clara, USA
- Pratiwi dan Bambang Wicaksono, 2004, *Citizens' Charter: Terobosan Baru Penyelenggaraan Pelayanan Publik*, Makalah dalam seminar bulanan Pusat Studi Kependudukan dan Kebijakan (PSKK) UGM, Yogyakarta
- Rachels, James, 2004, *Filsafat Moral* (terj. A. Sudiardja) Cetakan ke-5, Kanisius, Yogyakarta
- Robinson, Richard, 1990, *Power and Economy in Soeharto's Indonesia*, Contemporary Asia Publisher, Manila, Philipines
- Shin, Yoon Hwan, 1989, *Demystifying Capitalist State, Political Patronage, Bureaucratic Interest and Capitalist Formation in Soeharto's Indonesia*, Dissertaion, Yale University, Ithaca, New York
- Suseno, Frans Magnis, 1991, *Etika Politik, Prinsip-Prinsip Moral Dasar Kenegaraan Modern*, Gramedia, Jakarta
- Suseno, Frans Magnis, 1989, *Etika Dasar, Masalah-Masalah Pokok Filsafat Moral*, Kanisius, Yogyakarta
- Strauss, Levis and Joseph Cropsey, 1963, *History of Political Philosophy*, Rand McNally & Company, Chicago
- Thompson, Dennis F., 2002, *Etika Politik Pejabat Negara* (terj. Benyamin Mola), Yayasan Obor Indonesia, Jakarta
- Thompson, Dennis, 2005, *Restoring Responsibility in Government, Business, and Health Care*, Cambridge University Press, New York, <http://ndpr.nd.edu/Review.cfm?id=3121>
- Toscano, Roberto, 2005, Paul Ricoeur's Ethical Synthaxis, <http://www.google.com/search?q=Paul+Ricoeur+sintaxis@9gbu=2hoq>
- Tullock, Gordon and James Buchanan, 1976, *Calculus of Content: the Logical Foundation for Constitutional Democracy*, <http://www.econlib.org/library/Buchanan/buchCv3contentshtml>