

**THE OMBUDSMAN LEGAL SYSTEM OF THE REPUBLIC OF INDONESIA
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Abstract

Public service providers at this time became the central point for measuring administrative law order in order to realize the state's goals to promote people's welfare. The Ombudsman which is an institution that has the authority to supervise the implementation of public services is expected to be able to realize a clean and good government. However, the existence of the Ombudsman has not been fully able to overcome the practice of criminal acts of corruption that originated from maladministration behavior by government officials. Based on that, in the future it is necessary to renew the law in an integrated and comprehensive manner which includes the legal substance, namely the renewal of Law no. 37 of 2008 and at the same time building the legal institutional structure of the Ombudsman and the legal culture of the community in obtaining public service services.

Keywords: *Legal System; Ombudsman recommendation; Public service***INTRODUCTION**

Post-reform, changes have been made by the government in order to create a more responsive system in the economic, social, political, and legal sectors. All efforts made by the government with the aim of providing welfare to the people as stated in the preamble to the 4th (fourth) paragraph of the Constitution of the Re-

public of Indonesia which reads "Then from that to form an Indonesian State Government that protects the entire Indonesian nation and the entire homeland of Indonesia and to promote the general welfare..."

Furthermore, with the passage of the reform era, supported by the existence of broad autonomy, the existence of the Re-

gional Government to serve the needs of the community (public service) is increasingly important, in order to realize the contents of its autonomy in accordance with the needs of the community, especially those in the regions. To carry out good governance and efforts to improve public services and law enforcement, it is necessary to have an external supervisory agency that is able to effectively supervise the task of providing public services. Therefore, it is the momentum to form an independent institution whose main task is to oversee the performance of public services both at the center and in the regions. In this case the Indonesian Ombudsman Commission was formed with the legal basis being Presidential Decree No. 44 of 2000.

Based on Article 1 Paragraph (1) of Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, the Ombudsman is a state institution that has the authority to oversee the implementation of public services both organized by state and government administrators, including those held by State-Owned Enterprises, State Owned Regions, and State-Owned Legal Entities as well as private or individual entities that are assigned the task of administering certain public services whose funds are partly or wholly

sourced from the state revenue and expenditure budget and/or regional revenue and expenditure budget.

One of the powers of the Ombudsman of the Republic of Indonesia is to have the authority to provide recommendations. The definition of recommendation (begrip) is as a suggestion, but sometimes it can also mean advice. In relation to the duties and authorities of the Ombudsman, the Ombudsman's Recommendation is more than just ordinary advice or advice to Government Officials or State Organizers about what must be done to improve the services that the public complains about, both case-by-case and systemic.

Furthermore, based on Article 1 Paragraph (7) of Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, the definition of Recommendation is as follows:

“Recommendations are conclusions, opinions, and suggestions drawn up based on the results of the Ombudsman's investigation, to the Reported Party's superiors to be implemented and/or followed up in order to improve the quality of good government administration”.

Through the Recommendation instrument owned by the Ombudsman of the Republic of Indonesia, we hope that the Ombudsman of the Republic of Indonesia with a persuasive approach will be able to solve the problem of public service maladministration carried out by Public Service Providers, especially those in the re-

gions with the aim of realizing the effectiveness of public service delivery. However, in reality the recommendations given by the Ombudsman of the Republic of Indonesia are often not complied with and are not implemented by the Regional Head. In fact, if referring to Article 38 Paragraph (1) of Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, that the Reported Party and the Reported Party's Superior are obliged to implement the Ombudsman Recommendation, Article 36 Paragraph (2) of Law Number 25 of 2009 concerning Public Services,

"The organizer is obliged to manage complaints originating from service recipients, recommendations from the ombudsman, the People's Representative Council, the Provincial DPRD, and the Regency/City Regional People's Representative Council within a certain time limit".

In various cases of non-compliance by the Regional Head with the Recommendation issued by the Ombudsman of the Republic of Indonesia, the Regional Head can be positioned as the Reported Party or the Reported Superior. As examples of cases related to the Ombudsman Recommendation which was not implemented partially and not fully implemented by the Regional Head as follows:

First, when the Ombudsman of the Republic of Indonesia issues a Recommendation to the Maluku Provincial Government through the Ministry of Home Affairs, the Ombudsman of the Republic of Indonesia provides a Recommendation to the Ministry of Home Affairs. The Minis-

ter of Home Affairs followed up by ordering the Directorate General to the Regional Head (to implement the Ombudsman Recommendation of the Republic of Indonesia), but it was the Regional Head who did not follow up on the order from his Directorate General.

Second, regarding the Recommendation that was not implemented in 2011, the problem began when, the Ombudsman of the Republic of Indonesia through its Recommendation, stated that the Mayor of Bogor Diani Budiarto had violated administrative practices, or maladministration, related to the issuance of a Decree which contained the cancellation of the IMB from GKI Yasmin .

Based on several examples of the recommendations of the Ombudsman of the Republic of Indonesia that have been stated above, it is clear that there is a legal gap, a conflict between *das sein* (reality) and *das sollen* (supposedly) if linked with positive law. One of the important functions of rules is to guide behavior.

Legal acts take many forms. Any decision made by the legal authority, any new regulation that confirms the old rule is a legal action. A legal action must have an impact, when it is causally related to a person's behavior. Legal action is said to be "effective" when the behavior moves in

the desired direction, when the subject obeys and complies. Many legal actions are ineffective in this sense. People ignore or violate provisions, intentional non-compliance may be part of a system of behavior that is, however, related to the legal system. It is interesting to investigate more deeply the root of the problem and then formulate the right solution so as to assist the Ombudsman of the Republic of Indonesia in carrying out the Recommendation function to be more effective. In this regard, the title of the research is **"The Ombudsman Legal System of the Republic of Indonesia in the Implementation of Public Services"**

METHOD

This type of research is an empirical research that is a study that views law as a reality, including social reality, cultural reality, and others. The research location is at Ombudsman RI at the Center. The types and sources of data used in this study, namely, primary data and secondary data. Data were analyzed qualitatively.

RESULTS AND DISCUSSION

Legal Substance in Implementing the Recommendation of the Indonesian Ombudsman

In article 1 of Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, it is stated that the Ombudsman is a State institution that has the authority to oversee the implementation of public services, both those organized by state and government officials, including those held by State-Owned Enterprises, Regional-Owned Enterprises, and State-Owned Legal Entities as well as private entities. as well as individuals who are assigned the task of administering certain public services whose funds are partially or wholly sourced from the state revenue and expenditure budget and/or regional revenue and expenditure budget. From this article, it can be seen that the Ombudsman of the Republic of Indonesia has broad authority in supervising the implementation of public services

In the last seven years (2014-2020) the Indonesian Ombudsman has handled 40,027 reports and 36,947 reports/complaints have been completed. Regarding unresolved reports, 34 recommendations of the Indonesian Ombudsman have been issued to ministries/agencies, and regional heads within the last 7 years, with the response: 12 Recommendations of the Indonesian Ombudsman were partially/not fully implemented and 10 recommendations of the

Indonesian Ombudsman were not implemented. This portrait shows the need to increase the speed of the government in responding and resolving complaints as an inseparable part of public services.

Problems surrounding public services seem endless. Naturally, considering that in public services there is no word to stop providing the best service which could open a gap for dissatisfaction in the services provided. In addition, the level of public expectations that continues to increase will affect the existence of problems in the service itself.

The task of the Indonesian Ombudsman as a Public Service Supervisory Agency is mandated by Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia and Law no. 25 of 2009 concerning Public Services. The achievement of excellent public services by local governments is also mandated in Law no. 23 of 2014 concerning Regional Government. Article 351 of Law no. 23 of 2014 states that regional heads who do not implement the Ombudsman's recommendations are "guided" by the Ministry of Home Affairs. Then there has also been Government Regulation no. 12 of 2017 concerning the Guidance and Supervision of the Implementation of Regional Government, which in article 37 mentions the

imposition of sanctions on local governments who do not implement the recommendations of the Ombudsman of the Republic of Indonesia, but until now there have been no regional officials who have been sanctioned by the government, when they do not implement the recommendations of the Ombudsman. Even though the Indonesian Ombudsman has submitted a list of the Ombudsman's recommendations that have not been implemented.

Regarding the legal substance itself, this is related to the arrangements in the RI Ombudsman Law. The author focuses on article 38 No. 3 of 2008 concerning the Ombudsman of the Republic of Indonesia, the Ombudsman provides recommendations to the reported agency after conducting an intensive examination and finding evidence regarding the occurrence of maladministration. Article 37 paragraph (2) of Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia.

The Ombudsman's recommendation is not a court decision and does not result from a pro justicia examination process, but the Ombudsman's recommendation also has legal force, this is confirmed in Article 38 of Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia which regulates the following provisions:

- 1) The Reported Party and the reported superior are obliged to implement the Ombudsman's Recommendation
 - 2) The reported superior is obliged to submit a report to the Ombudsman regarding the implementation of the recommendations that have been carried out along with the results of the examination within no later than 60 (sixty) days from the date of receipt of the recommendations
 - 3) The Ombudsman may request information from the reported party and/or his superiors and conduct field inspections to ensure the implementation of the recommendations
 - 4) In the event that the reported party and the reported supervisor do not implement the recommendations or only implement the recommendations for reasons that are unacceptable to the ombudsman, the ombudsman may publish the reported superiors who do not implement the recommendations and submit reports to the House of Representatives and the President.
- Even in the Regional Government Law no. 24 of 2014 also regulates the ombudsman in article 351 which states:
- 1) The public has the right to complain about the implementation of public services to the local government, the Ombudsman, and/or DPRD
 - 2) Complaints as referred to in paragraph (1) are made against:
 - a) Providers who do not carry out their obligations and/or violate the prohibitions as referred to in the provisions of laws and regulations regarding public services; and
 - b) Implementers who provide services that are not in accordance with service standards as referred to in the provisions of laws and regulations regarding public services.
 - 3) The mechanism and procedures for submitting complaints as referred to in paragraph (1) are in accordance with the provisions of the legislation.
 - 4) 4) The regional head is obliged to implement the Ombudsman recommendation as a follow-up to public complaints as referred to in paragraph (1)
 - 5) Regional heads who do not implement the Ombudsman Recommendation as a follow-up to public

complaints as referred to in paragraph (4) are given sanctions in the form of special guidance for deepening the field of government carried out by the ministry and their duties and authorities are carried out by deputy regional heads or appointed officials.

Based on the results of the author's interview with Mr. Dominikus Dalu as the Main Assistant of the Indonesian Ombudsman, he said that the Ombudsman's recommendation did not have the power of execution. So, there must be an effort to change the rules and policies regarding the Ombudsman's recommendations. "The law must be changed so that the recommendations have execution power. He also hopes that in the future ORI should be able to serve the community with recommendations that can be followed up, not just recommendations. He added that this was also due to weaknesses in Law 37 of 2008 concerning the Ombudsman of the Republic of Indonesia.

For that, according to him, the first task that must be done is to propose a revision of the ORI Law. "So now ORI can revise the existing law, so that it has more teeth," he explained.

The presence of the Law on Regional Government actually strengthens the

existence of the Ombudsman of the Republic of Indonesia. However, in practice there are still reported agencies that do not implement the recommendations of the Ombudsman of the Republic of Indonesia, indicating there are weaknesses in terms of legal substance. Where in the Ombudsman Law of the Republic of Indonesia there is no compulsion to implement recommendations. This is important because when the ombudsman has carried out his duties and the results are simply countered by the reported agency it will be in vain, the ombudsman does not seem to have the power to enforce the implementation of the recommendations. Whereas here it involves the community who reports whose interests have been harmed. Furthermore, there is no improvement in the implementation of public services. And the goal of realizing Good Governance will not be achieved.

According to Pospisil, norms are considered legal if they contain the threat of sanctions. This is also an element in Hoebel's definition; Max Weber in a famous passage defines law as "an order... which is externally secured through the possible use of coercion (physical or psychological) to bring about compliance or to prosecute violations to be carried out by

staff specifically tasked with that purpose.”

Based on the data obtained, it can be seen that the recommendations that were not implemented by the Agency were 7 reports and partially implemented as many as 6 reports.

In practice, if there is an action, decision, or event of maladministration, the public service provider is obliged to immediately repair it or provide compensation (if there are special adjudication provisions), either through the Ombudsman's advice or recommendation or on the initiative (*ex officio*) of the public service implementer itself. as stated in article 38 paragraph (1) of Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia which states that the Reported Party and the Reported Party's superiors are obliged to implement the Ombudsman's recommendations. Likewise, regional heads are required to implement the RI Ombudsman Recommendations as referred to in Article 351 paragraph (4) Regional Heads are required to implement Ombudsman Recommendations as a follow-up to public complaints as referred to in paragraph (1).

However, the norms stated are contrary to the reality in which Public Service Providers including Regions who inci-

dentally are Public Service Trustees there are still those who ignore the recommendations given by the Indonesian Ombudsman for various reasons, such as the annual report released by the Indonesian Ombudsman.

This shows that the productivity of the Ombudsman in issuing Recommendations has not been effective. It can be seen that there are still many reported agencies that have not implemented the results of the Ombudsman's recommendations. So what the Ombudsman has done in an effort to complete community reports has been in vain.

Mr. Dominikus also said, “The Ombudsman's decision is still only a recommendation, not yet adjudicative and there are still significant decisions that have not been implemented. Calls for high-ranking officials are also often ignored.”

Compared to other independent supervisory institutions, according to Mr. Dominikus, the Ombudsman's authority is still relatively weak. For example, when compared with the authority of the Witness and Victim Protection Agency (LPSK), which is more effective, especially after changes to the law and the making of related derivative rules. “When compared to LPSK, its mandate is wider and also more effective after the amendment

to the law. There is also a PP regarding the provision of compensation and restitution to victims who are part of the authority of the LPSK," said Mr. Dominikus.

He also said the opportunity to strengthen the Ombudsman could be done as an adjudicator. The Ombudsman's authority is considered to need to be improved, especially regarding adjudicative dispute decisions.

"The Ombudsman has internal regulations regarding special adjudication but that is not enough. What we need is to press the Presidential Decree so that the Ombudsman can become an adjudicator, ensuring that there are sanctions and compensation for both public services and human rights violations that are not true," said Mr. Dominikus.

So far, the Indonesian Ombudsman is only a "Postbox" who has not been able to read and follow up on the contents of the "Postbox".

For example, there are still many evaluation results that are not followed up to the relevant agencies, such as complaints about development problems in the regions. ORI should be able to stimulate the relevant agencies to take action. The Public Service Advocacy Program is one of the programs that must exist.

So it is necessary to strengthen the function and authority of the Indonesian Ombudsman as a public service supervisory agency because it is very much needed. In the midst of conditions that have not yet achieved good public services, the role of the Ombudsman as a supervisor is very important. As one of the independent institutions, one of the biggest weaknesses is that the decision is a recommendation. Moreover, compliance with the recommendations is considered minimal.

Law No. 37 of 2008 concerning the Ombudsman still has many weaknesses, namely the ORI decision is a recommendation and is not binding. So when the head of the agency or institution does not carry out the recommendations, the ORI is only announced to the public. The ORI decision should be final and binding. If the ORI decision is only a recommendation, then its power is only like that of a mediator. So the law needs to be improved so that ORI has the power and is not like a toothless tiger.

The Ombudsman as an institution that has the authority to supervise the implementation of public services is expected to be able to realize a clean and good government. However, the existence of the Ombudsman is not fully capable of overcoming the practice of criminal acts

of corruption that originate from maladministration behavior by government officials. It can be seen that the position and existence of the Ombudsman institution only as a "supervisor" for public service providers can be ascertained the results, namely the goal of creating good and clean government is only a mere rhetoric, and tends to deviate from the general considerations behind the birth of Law no. 37 of 2008. Therefore, it is time for the position and role of the Ombudsman to be expanded to the level of law enforcement or law enforcement against deviations from good public services to protect, make and prosper the people. UU no. 37 of 2008.

Legal Culture in the Implementation of the Recommendations of the Indonesian Ombudsman

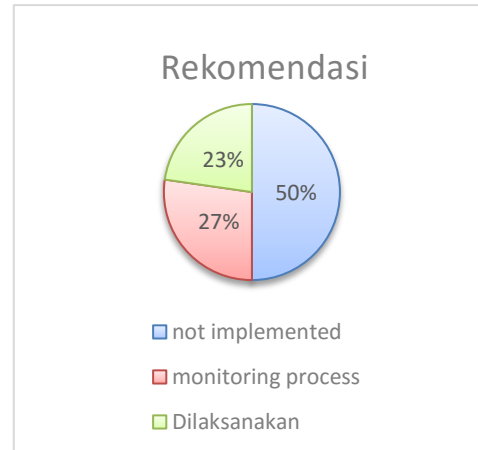
From a legal perspective, it is clearly stated in the preamble to the 1945 Constitution of the Republic of Indonesia which contains the formulation of the goals of the Indonesian state and also Pancasila states that the Indonesian state was formed "...to protect the entire Indonesian nation and all of Indonesia's bloodshed and to realize general welfare, educate the nation's life, and participate in implementing world order..." In article 34 paragraph (2) of the 1945 Constitution of the Republic of Indonesia after the

amendment, it is stated that "The state develops a social security system for all people and empowers the weak and incapable in accordance with human dignity".

This is the interpretation and the constitutional basis that the Indonesian state adheres to the concept of a welfare state. The concept of a welfare state is a manifestation of a legal state which has the following characteristics: the principle of legality, the principle of equality in law, and an independent judiciary. so that the state has the right to interfere in people's lives as a step to realize the general welfare, through formed bodies or institutions which will then carry out the duties and functions of the government. One of the roles of the government is to provide public services, if the public service is good, the government is good, and vice versa if the public service is bad, the performance of public officials in the country is also bad. Public service basically involves a very broad aspect of life.

However, public services in their implementation are still faced with conditions and facts that are not in accordance with the needs and changes in various fields of social life. It is realized that the condition of the state apparatus is still faced with an inefficient and weak government system resulting in low quality public services and various practices of corruption, collusion and nepotism resulting in an inefficient government administration system.

compliance is as follows:



Based on the data obtained, it can be seen that there are still some recommendations issued by the Ombudsman of the Republic of Indonesia that are not implemented by the reported agencies. when the Ombudsman of the Republic of Indonesia issues a Recommendation to the Maluku Provincial Government through the Ministry of Home Affairs, the Ombudsman of the Republic of Indonesia provides a Recommendation to the Ministry of Home Affairs. The Minister of Home Affairs followed up by ordering the Directorate General to the Regional Head (to implement the Ombudsman Recommendation of the Republic of Indonesia), but it was the Regional Head who did not follow up on the order from his Directorate General. After the Ombudsman of the Republic of Indonesia provides the recommendation, it does not mean that the task of the Ombudsman has been completed, but that the Ombudsman will supervise the implemen-

Table IV.2
Recommendation Recapitulation

No.	Year	Total
1	2015	9
2	2016	6
3	2017	2
4	2018	1
5	2019	1
6	2020	1
	Total	22

Based on the data recapitulation in the Resolution and Monitoring Main Assistant, since 2015-2020, the Indonesian Ombudsman has issued 22 (twenty-two) recommendations.

Of the total 22 (twenty two) recommendations of the Indonesian Ombudsman for the last 6 years, the percentage of

tation of the recommendation. The reported party must do what is stated in the recommendation within 60 (sixty) days from the time the recommendation is received.

It can be seen that the Ombudsman's product in resolving reported problems, including public service disputes, is not in the form of a decision, but a recommendation. Indeed, the recommendation of the Ombudsman is mandatory as stipulated in article 38 paragraph (1):

"The Reported Party and the Reported Party's superiors are obliged to implement the Ombudsman Recommendation"

However, based on data from the Resolution and Monitoring Team of the Indonesian Ombudsman, during 2015-2020 the Ombudsman produced as many as 22 recommendations. Of the 22 recommendations issued by the Ombudsman of the Republic of Indonesia, 11 recommendations were not implemented by the reported agency.

So that the implementation of the results of the Ombudsman's recommendations depends on the will, willingness and good compliance of the reported party who receives the recommendation. Furthermore, it can be concluded that even though the Ombudsman's recommendations are mandatory, they are not necessarily final and binding.

One of the factors for ignoring recommendations from the reported party was because the Ombudsman of the Republic of Indonesia did not have the authority to sue or impose sanctions on the reported agency, but provided recommendations to the agency for self-correction. The nature of the Ombudsman's recommendation is non-binding and cannot be forced to be executed.

Sanctions for non-compliance with recommendations have also been clearly regulated in Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia. If the Reported Party and the Reported Party's superiors are proven not to implement or only partially implement the recommendations given until the maximum time runs out for unacceptable reasons, the Ombudsman will take steps to publish with the object of the Reported Party's superiors and continue with the submission of the report to the DPR RI and the President.

Several corrective actions regarding the results of the examination by the Ombudsman of the Republic of Indonesia have also not been completed. On the basis of this, whether the waiver is based on the severity of the sanctions imposed by the Ombudsman of the Republic of Indonesia continues to be studied. Some of the

cases include the cost of compensation for land acquisition for the Trans-Java road project for the Batang-Kendal toll road, the problem of issuing land rights certificates in Pari Island, the Seribu Islands, the problem of 147 family heads in the Simalungun Regency, North Sumatra Province to discriminatory actions in the registration process for land rights land in the Special Region of Yogyakarta because it is associated with certain ethnic sentiments.

The recommendations of the Ombudsman of the Republic of Indonesia have also been given to several regional heads, but whether the sanctions can lead to the removal of regional heads can also be explored. Article 351 of Law Number 23 of 2014 concerning Regional Government states that the regional head if he does not implement the Ombudsman's recommendation letter, he guidance" by the Ministry of Home Affairs.

The Regional Government is authorized to carry out the recommendations of the Ombudsman of the Republic of Indonesia in accordance with Article 351 of Law Number 23 of 2014 concerning Regional Government. It is also contained in Article 351 paragraph 5 of Law Number 23 of 2014 concerning Regional Government which states that Regional Heads

either at level I or II who ignore the recommendations given by the Ombudsman as a follow-up to direct public complaints as contained in paragraph (4) will receive sanctions, namely special guidance on fields within government by the Ministry and temporarily for the duties of the position and authority given to the deputy regional head or appointed official. The Ombudsman of the Republic of Indonesia in this case is of the opinion that the Regional Head should be disabled by the Ministry of Home Affairs because he has committed an administrative error and has not made improvements to it, so that this action is an extraordinary act of neglect.

Regarding Regional Governments that do not implement the recommendations of the Ombudsman of the Republic of Indonesia, it is also regulated in Government Regulation Number 12 of 2017 concerning Guidance and Supervision of Regional Government Administration. Article 36 paragraph 2 explains the sanctions that will be given to local governments that do not implement or implement some of the Ombudsman's recommendations.

Until now, there has never been an official, in this case the Regional Head, who has been dismissed because of a recommendation from the Ombudsman. The

Ombudsman is also tasked with conducting special adjudication regarding compensation for public administration services contained in Article 50 of Law Number 25 of 2009 concerning Public Services. Indeed, there are also several reasons why the Ombudsman's recommendations cannot be fully or partially implemented. Some of the factors are regarding changes in regulations and policies in the field, there are also linkages between one agency and another so that it must be communicated first because the authority between agencies is different from one another, and problems are also often encountered due to budget factors which in this case are recommendations. decides to make compensation while the Reported Party has not budgeted the funds for the compensation.

Another thing is to return to sanctions which are only publications and do not have criminal sanctions. Thus, the results of the recommendations of the Ombudsman of the Republic of Indonesia which are not implemented will be in vain. There are still recommendations that are not implemented, indicating the lack of strong legal substance of these recommendations.

The recommendation of the Ombudsman of the Republic of Indonesia in

the future must indeed have coercive power so that the results of the investigation are not reflected in vain. People who have reported and sacrificed their time and materials will be even more disadvantaged if these recommendations are not implemented. There is a need for joint discussion between the Government and the Ombudsman of the Republic of Indonesia and the Indonesian House of Representatives regarding the total evaluation of the recommendation sanctions that have been running so far, in order to carry out the common goal of realizing Good Governance which later aspects of the improvement will be directly felt by the community.

An important compliance survey is carried out as a benchmark for preventing maladministration practices in public service providers in order to achieve excellent public service quality standards according to Law Number 25 of 2009 concerning Public Services. Aside from being a benchmark for preventive action, it is also a test of the effectiveness and quality of public service providers. The results of the compliance survey can also conclude whether public service providers from year to year have complied enough to carry out the recommendations of the Om-

budsman of the Republic of Indonesia or not.

The law will be meaningful if human behavior is influenced by the law and if people use the law to comply with their behavior, while on the other hand the effectiveness of the law is closely related to the problem of legal compliance as a norm. So legal remedies are also here very influential on the effectiveness of the legal system.

CONCLUSION

The Ombudsman's productivity in issuing Recommendations has not been effective. It can be seen that there are still many reported agencies that have not implemented the results of the Ombudsman's recommendations. So what the Ombudsman has done in an effort to complete community reports has been in vain. In the midst of conditions that have not yet achieved good public services, the role of the Ombudsman as a supervisor is very important. As one of the Independent Institutions. One of the biggest weaknesses is that the decisions are recommended. Moreover, compliance with the recommendations is considered minimal. Law No. 37 of 2008 concerning the Ombudsman still has many weaknesses with the ORI decision only being a recommenda-

tion and not binding. The low awareness of law enforcement, namely the reported party and the reported superior about their obligations. The law will be meaningful if human behavior is influenced by the law and if people use the law to comply with their behavior, while on the other hand the effectiveness of the law is closely related to the problem of legal compliance as a norm. So legal efforts here are also very influential on the effectiveness of the legal system. The quality of law enforcement is still not good. The legal function, mentality or personality of law enforcement plays an important role, in the effectiveness of the law but if the quality of officers is not good, there is a problem. Therefore, one of the keys to success in law enforcement is the mentality or personality of law enforcement. To build a legal culture of public service that characterizes the practice of good governance, there are many aspects that must be addressed in the public bureaucracy, so that excellent public services can be realized, especially changes in mindset, which have been the cause of poor public services.

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