

Public Ethics: Building Fair Institutions to Fight Corruption

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Public Ethics: Building Fair Institutions to Fight Corruption

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ABSTRACT: Corruption in Indonesia has become a structural crime: a form of violence as a result of repeated and patterned social interaction, which prevents many people from fulfilling basic needs. Corruption is so rooted so that it forms the structure of crime, which is "a negative factor engraved in the institutions of society that works against shared prosperity". Even because it is systematic, corruption is like a mafia. The emergence of a mafia model organization shows the symptoms of a state institutional crisis where injustice is more dominant than justice; corruption is rampant to blur the boundary between what is permissible and prohibited, legal and illegal, violations and norms. So corruption has become a practical action that does not foster guilt. So everyone who includes the power structure tends to corrupt.

KEYWORDS: public ethics, corruption, government, institutional, organization

I. INTRODUCTION

Corruption is contagious so that it influences and shapes the environment. Corruption network is formed following the pattern of isolation system in accordance with the division of labor model. Then the coordination is effective and confidentiality is maintained. The strategy is to break the link so that every investigation will be deadlocked [1]. Then the network is not exposed. Corruption touches the joints of power and the justice system, law enforcement officers, and the DPR. A state with a lot of corruptions will cause the emergence of other forms of criminality. Street justice appeared. It grows paramilitary groups that rely on violence on the basis of religion or ethnicity. This group that often imposes wills with physical violence seems to be left on purpose because it gives several advantages: (i) to carry out dirty tasks so that law enforcement officials can wash their hands; (ii) distracting the case ("insulation effect"); (iii) creating a situation where security forces are urgently needed; (iv) contrast the legitimate use of violence. Allowing the practice of violence is a form of corruption law enforcement officers.

Corruption crime is usually instilled through the process of imitation. Knowing that by slowing down a procedure, it will be beneficial, then complicating it in order to be gratified as a service to smooth the process they manipulate. If there is an effort to fight or being honest, the environment will give sanctions [2]. Finally, obedience without pressure will be adapted because this adaptation means promising material benefits. Corruption communicates the practice of exercising power: how to make reports, how to interact with superiors or with other agencies, how to contract, how to make a budget, how to get a position, how to place subordinates, how to recruit employees, terms of affairs can be sorted out [3].

This modality is difficult to disclose because it is quite hidden and deliberately made to leave no trace (no receipts, avoid transactions through banks), but it can be felt that something is wrong. Behind the practice of corruption, it hides secret code. This confidentiality will only be revealed if there is a crisis of relations between those involved. Then new accusations or reports will emerge. The stake of bad habitus of corruption is the

formation of the mental state of the nation (mental breakdown, selfishness, no matter the common welfare, insensitive to injustice, dimming solidarity). Indeed, bad habits relate to the perspective of the organizing system, the interaction of power and the prevailing norms. As a result, corrupter does not feel guilty because the victim is usually anonymous (state, community), except in cases of disaster or embezzlement of a group. However, there is still penance [4].

The penance mechanism is often used to reduce guilt or erase traces of crime. Some money is donated for the construction of houses of worship, religious institutions or other forms of piety. This effort is to avoid moral guilt after being legally free from sanctions. Impunity is one of the causes of the outbreak of corruption and the absence of guilt. Then ethical sensitivity or moral awareness needs to be sharpened or developed. Training and reflection on how to integrate ethics in public services are then urgently needed [5].

The poor ethical sensitivity pushes values and ethics as the basic of education or training of personnel and reflexes of government organizations in developed countries. Public ethics should not only stop being discussed in terms of deontology (organizational discipline), but it must reach aspects of juridical, disciplinary, and public accountability. These three aspects are the pillars of accountability that enable the growth of public integrity and keep away from integrity degradation. There are several categories of violations of the integrity of public office: corruption, conflicts of interest, waste and misuse of resources, misuse and manipulation of information, use of violence and improper investigation methods, discrimination, and bad behavior outside of work [6].

The category which is considered the most detrimental of public services is corruption. Corruption is considered as a form of the trust abuse and power abuse for personal interests, family, friends, groups or political parties. Abuse is not only defined from the perspective of the law, but it also includes the social meaning and cultural standards which means that corruption undermines the values of leadership, citizenship, representation, deliberation, and accountability. Corporate corruption is also a trust abuse which only done in the private sector. Misuse of trust in the private sector signifies the deterioration of social norms of society and influences the relationship between participation and economic and political institutions.

II. SYNDROMES REFLECT WEAK PARTICIPATION, ECONOMIC AND POLITICAL INSTITUTION

Corruption can be a public resources abuse as the reward of followers or buying votes. Rotten incentives are used by the elite to make free and competitive elections, even though it is an opportunity to win votes with money-politics. Bribery is the most common form of corruption. In addition, extortion, nepotism, abuse of protection, taxes, political, and business collusion or theft by officials are emerged. So, the improvement of the public sector should not only emphasize good governance, but also rebuilding political and economic institutions by creating an ethical culture in organizations. If this groundbreaking is not done, corruption as its syndrome will continue to haunt. Four syndromes reflect weak participation, economic and political institutions.

(i) Market Influence Corruption involves the private interests to lease access and influence the well-institutionalized policy process, often through political figures acting as intermediaries. This corruption is typical in an advanced market democracy system.

(ii) Elite Cartel Corruption usually occurs which is supported by political, economic, military, bureaucratic or communal, and ethnic elite networks, depending on the type of society. Corruption helps them maintaining hegemony in political competition atmosphere because institution is still weak.

(iii) Oligarchy and Klan corruption occurs at a very risky opportunity because of rapid economic and political development while institutions are still weak. Corruption is dominated by government figures, businessmen in which it is a personal power and attracts wide participation.

(iv) Public Officials and their subordinates corruption, who plunder the economy without being subject to legal sanctions. Poor institutions and political competition are very weak in all categories and economic opportunities rarely resist.

Funding political parties is cause of corruption which is difficult to eradicate. Because of the need for large funds, political parties tend to encourage or protect acts of corruption so that they become structural crimes: shortcut corruption (embezzlement of state money, economic and political intermediaries, economic sectors pay for political gain); tribute corruption due to strategic positions (payment obligations for candidates or those who are promoted to certain positions); contract corruption including way to obtain projects, markets or government facilities, and protect corporate corruption (mark-ups, tax evasion, fictitious guarantees, underhanded privatization, inside trading) [7].

Conflicts of interest will undermine the integrity of public officials because they undermine commitments to public services. As a result, the orientation of values and norms is more directed to self-interest or group loyalty. Conflicts of interest can be severe if it involves work outside of an organization or government position especially when a government official has a company, shareholder or a member of the board of commissioners. If there is no clear separation between public affairs and business affairs, it is very risky to harm the country [8].

Deep-rooted corruption makes the task of public ethics to build the integrity of public official even easier. Building integrity is not enough just to rely on one's moral quality. but it must start by building a culture of organizational ethics. Then ethical reflection training and institutional ethics strengthening must be integrated in organizational management. Integration requires understanding ethical theories because it provides a rational basis for making decisions according to ethics. Ethical theory sharpens moral knowledge. In essence, everyone already has an intuitive moral knowledge which means that the basic decisions on everyone have led to good or fair. Only if it not trained and accustomed, they can not resound it in their conscience, especially in the face of conflicts of interest [9].

To get effective ethical consideration, in addition to ethical theories, public officials need to understand the context and institutional knowledge. Public officials who handle health must understand bioethics, the medical context, the uniqueness of health institutions (institutional structure, policies, forms of service, resources needed), beliefs and service practices. So public ethics seeks to elaborate so that ethical norm increasingly reflects the public service regulation. In order not only guide people to obey the rules, in recruitment, the public service personnel candidate must meet the requirements of having ethics education and training, even those requirements are imposed for every promotion. Training materials for the basic level are more directed to build an ethical culture in public service organizations. So it is very important to understand the types of public ethical reasoning that cannot be separated from the stages of the development of moral awareness. The development of one's moral awareness is determined by the reorganization of mindset and understanding the moral dilemmas, so value management becomes very important. This value management will determine how to apply ethical criteria in public policy considerations [10].

III. PUBLIC ETHICS DEMAND THREE COMPETENCIES OF PUBLIC OFFICIAL

Government efforts to increase public trust depend on the ability to provide excellent services, which means meeting professional standards. For this purpose, public official is required to have technical, leadership, and especially ethical competencies. Facing rapid change which is caused by information technology, public officials need to support technical competence and ethical competence, especially in moral reasoning, value management, and decision making processes. The pressure is indeed on ethical competence because the concern for ethical demands encourages more responsiveness to public needs [11].

Ethical competencies include value management, moral development, and moral reasoning, public and personal morality, and organizational ethics. The ethical skills needed in public service emphasize four things: (i) the level of awareness of moral reasoning as the basis of ethical decision making; (ii) the ability to understand ethics as a means in dealing with conflict; (iii) ability to reject behavior that is contrary to ethics; (iv) able to apply ethical theories. The first demand is that the level of moral awareness develops due to the influence of family, school, and environmental education, while the last three demands can be studied, trained, and familiarized. Everyone will react differently to the moral dilemma. The reasoning shows the level of one's moral awareness. The basis of decision making can be assessed on the basis of its references: self-interest, family, close friends; group interests; public interest; or willing to sacrifice for the collective interest. The higher level of moral awareness leads the more concern of mutual welfare as measured by the ability to deal with moral dilemmas [12].

As an official of the education department, I got information about the availability of scholarships for three people to take doctoral degrees at universities in America. I only told my university friends. Did I harm other by skipping the information announcement for wider publics and act unfairly? Refusing unethical actions usually carries a dilemma: it is considered to have no esprit de corps, not solidier, or not self-awareness because the position was obtained from the support of fellow alumni. In public policy, ethical considerations often have to deal with social or political pressure. So as part of transparency, before accepting a position, public official must be asked to make a written statement about risky relationships that could lead to a conflict of interest [13].

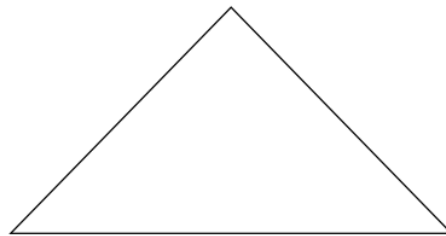
Public integrity revealed in the consistency of ethical attitudes is not only a matter of knowledge and the ability of moral reasoning, but also the habit of doing good. When having sufficient technical competence and leadership, it is possible to minimize the risk of facing unnecessary ethical dilemmas. Ethical competence and leadership provide adequate information for public officials to be able to make decisions and act in accordance

with public ethics. So it is important, to meet the demands of the competency triangle in the professionalism of public services.

**TRIANGLE COMPETENCE
PUBLIC SERVICE PROFESSIONALISM**

- Specialized knowledge,
- Legal knowledge,
- Program management
- Strategic Management
- Resource Management

TECHNICAL COMPETENCE



ETHICAL COMPETENCY

- Value management,
- Moral reasoning ability
- Personal morality, Public morality
- Organizational ethics
- Evaluation

LEADERSHIP COMPETENCY

- assessment and goal setting
- Hard / soft management skills
- Management style
- Political and negotiation skills

Technical competence is the core of professionalism of public services. Technical competence includes scientific knowledge needed to carry out tasks (for example how to guarantee the supply of safe gas cylinders), a good understanding of the law related to their area of expertise (how to make contracts for procurement of goods / services in accordance with the law), and organizational management. Organizational management relies on the ability to plan programs, build support from stakeholders and anticipate resistance. Technical competence is functional, which means it must have specialized knowledge that allows to master special work in a field (for example financial supervision in education). The competence includes knowing the rules and limits that direct how the work can be carried out [14].

Nowadays, technical competence is not possible without mastery of information technology communication if public service is aimed to be faster and more effective. Road construction, public health, education, and information technology require professionalism and mastery of scientific and technological knowledge. And it is a comparison tool or measurement standard of public services. By measurement, it is possible to try alternatives, improve the ongoing methods or practices. Benchmarking can trigger changes in the strategic planning process in public services as long as it is accompanied by feedback from the people served [15].

The competency of program and project management is needed in public services. Program management is more difficult because informal teamwork and cooperation obscures the separation of departments, organizations, sectors and jurisdictions. Public official must be familiar with the planning process and the means in collaborating with various inter-organizational or inter-agency projects, time and costs, surveys and assessments. Finally, the most important requirement of technical competence is to increase productivity: how to define productivity, how to develop the measurement and strategies to develop it. Public official must have the technical skills to possess competent human resources, apply appropriate technology, know how subordinates work and create good financial programs. Efficiency, effectiveness, and fairness are values that are associated with productivity in public service administration.

IV. CONCLUSION

Leadership competency, focuses on four skills, namely organizational management skills and system management as hard skills, and soft skills are symbolic communication, negotiation, and leadership skills. Organizational management and systems require hard skills in budgeting, information systems, HRD administration, and planning processes. Indeed, leaders do not have to master all these fields, but they must understand how decisions are made and services are provided. Public services that involve networks challenge public officials to identify responsibilities in decision making and managerial acuity in order to be able to diagnose problems and realize them in a work environment that involves many dimensions. The leadership requirements include the ability to facilitate cooperation, mediate conflicts of interest, and resolve conflicts. Then power is expected to be persuasive which is able to approach people and derive their trust. So negotiation skills, relationships with stakeholders, and the ability to resolve conflicts greatly determine the success of the leadership. The overlooked part of leadership competency is institutional knowledge, namely, knowledge of organizational culture, procedures that must be carried out, awareness of institutional routines, and the inculcation of collective identity.

The relationship between technical competence and ethical competence often formulated a dilemma between results and process. The main purpose of technical management emphasizes that a system is more flexible and able to answer the needs by the discretion for management judgment existence. This management evaluation allows rapid adjustments to be efficient. Whereas public ethics tends to install bureaucratic control tools so that pressure on the process often harms or blocks the results to be achieved. Ethical competence is challenged not to sacrifice efficiency.

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