

THE OMBUDSMAN'S ROLE IN PUBLIC SERVICE DISPUTE RESOLUTION TO CREATE SUBSTANTIVE JUSTICE

Henny Juliani¹, Kadek Cahya Susila Wibawa¹, Aga Natalis²

¹Faculty of Law, Universitas Diponegoro, Jalan Prof. Soedarto, S.H., Tembalang, Semarang City, Central Java 50275, Indonesia.

²Doctoral Student, Universitas Diponegoro, Jalan Imam Bardjo, S. H., No. 1, Semarang City, Central Java 50241, Indonesia.

Email: hennyjuliani.fhundip@gmail.com

Abstract: -

The implementation of the Republic of Indonesia is faced with the problem of incompatibility between the conditions needs and the many changes in various aspects of public life that indicate unpreparedness regarding the transformation of values from the era before the reformation. Such conditions also affect the failure of public services. Based on the above issues, the purpose of this study is to analyse the role of the Ombudsman in resolving public service disputes to create substantive justice. The research method used is a qualitative research method with a normative juridical approach. The results showed that the Ombudsman of the Republic of Indonesia is a state institution that has the authority to supervise the implementation of public services organised by state and government organisers, including those organised by State-Owned Enterprises, State-Owned Enterprises, and State-Owned Legal Entities, as well as private or individual entities tasked with organising certain public services that are partly or all of the funds sourced from the state revenue and expenditure budgets and regional revenue and expenditure budgets. Public Service is an activity or series of activities to fulfil the needs of services by the laws and regulations for every citizen and resident of goods, services, and administrative services provided by public service providers.

Key-Words: -Dispute, Public Service, Ombudsman, Substantive Justice

Introduction

The reform movement started the beginning of the change of state life and a better society by forming a national and state life based on a democratic government and has a solid legal basis to improve welfare to create justice for all citizens by the objectives of the Indonesian state. In realising the purpose of the state, there is the implementation of duties and obligations of the state carried out to the government organisers, one of which is to provide services to citizens, where the task is not only the duty of the government apparatus but also the duty of other state institutions in the implementation of the task has to do with service to the community. By the fourth paragraph opening of the Constitution of the Republic of Indonesia in 1945 that the purpose of the State of Indonesia is to advance the general welfare and educate the life of the nation, in this case, means that the state is obliged to meet every citizen's needs by supporting a sound system of government in order to create optimal public services (Natalis, 2020).

Before the reformation, people's lives and national economic life in Indonesia were filled with the practices of Corruption, Collusion, and Nepotism (Harahap & Efendi, 2020). So that there needs to be a start for a good and clean government that can be implemented with reasonable law enforcement efforts and the application of the principles of good governance, in enforcing good governance and efforts to improve services to the community, a supervisory agency can effectively control the duties of the state organising apparatus. Lately, the implementation of the Republic of Indonesia is faced with the problem of incompatibility between the conditions and the needs and the many changes in various aspects of public life that indicate unpreparedness regarding the transformation of values from the era before the reformation. Such conditions also affect the failure of public services.

The main failures in implementing this public service orientation are the strong commitment of a narrow political culture; the lack of trained and skilled workers in local units; the lack of funding sources to carry out duties and responsibilities; the reluctance to delegate authority; and the lack of technological infrastructure and physical infrastructure to support the implementation of public service tasks. Public service failure is due to the apparatus (bureaucracy) not being aware of changes and shifts in the culture of its society from hierarchical culture, individual culture, fatalist culture, and egalitarian culture (Neo & Chen, 2007).

Public service is a process of relationship between who performs the service and who is served. This process is a "human to human" relationship, which in practice may be a difference of opinion or interpretation, which allows a dispute between the parties involved in the process of public service (Subroto, 2020).

Ombudsman of the Republic of Indonesia, from now on referred to as Ombudsman, is a state institution that has the authority to supervise the implementation of public services both organised by state and government organisers, including those organised by State-Owned Enterprises, State-Owned Enterprises, and State-Owned Legal Entities as well as private or individual entities that are given the task of organising certain public services that some or all of the funds are sourced from the state revenue and expenditure budget and the budget of revenues and regional expenditures (Sibyan et al., 2021).

Ombudsman is an independent state institution with no organic relationship with state agencies and other government agencies, and in carrying out its duties and authorities free from the interference of other powers. Ombudsman supervises the implementation of public services organised by state and government operators in the centre and the region, including those organised by State-Owned Enterprises, Regional Owned Enterprises, and State-Owned Legal Entities well as private or individual entities assigned the task of organising certain public services (Iskatrinah&Supriyo, 2019).

The Ombudsman of the Republic of Indonesia has a very strategic position to realise the ideals of the Law of the Indonesian nation. The Ombudsman is a public oversight agency and a pillar of the enforcement of democratic state principles of Law. The Ombudsman of the Republic of Indonesia is also a means for the people of Indonesia to obtain justice and create a good, clean, and efficient government to improve welfare and create legal certainty for all citizens as referred to in the Constitution of the Republic of Indonesia 1945 (Pesurnay, 2018).

As an institution, public services ensure the continuity of state administration involving the development of service policies and the management of resources originating from and in the public interest. As a profession, public services are based on professionalism and ethics such as accountability, effectiveness, efficiency, integrity, neutrality, and fairness for all service recipients.

The substance of public service is always associated with an activity carried out by a person or group of specific people or agencies to aid and convenience to the community to achieve specific goals. This public service is becoming increasingly important because it is always in contact with the public with various interests and objectives. Therefore, public service institutions can be done by both government and non-government. Based on the above issues, the purpose of this study is to analyse the role of the Ombudsman in resolving public service disputes to create substantive justice.

Research Methods

The research method used in this research is the qualitative research method with a normative juridical approach. Normative Juridical Research is a method of legal research conducted by researching library materials or mere secondary materials (Christiani, 2016). The method of data analysis is done by collecting data through the study of literature materials or secondary data that includes primary legal materials, secondary legal materials in the form of documents and applicable laws and regulations related to the topic of this research (Kridasaksana et al., 2020)(Wibawa&Natalis, 2021).

Results and Discussion

The term bad governance means unreasonable behaviour, disrespect and indifference to problems that befall a person or society caused by abuse of power, including the arbitrary use of power, power used for unreasonable, unfair, discriminatory, and inappropriate based in whole or in part on the provisions of laws and regulations (Pietersz, 2018). Governments do this, officials deviating from the rules or norms of the Law. For more details can be seen the understanding of maladministration, namely: An act or behaviour of administration by the organiser of the state administration in the process of general administration that deviates and is contrary to the rules or norms of applicable Law, or abuse of authority that for such actions cause harm and injustice to the community, in other words, make mistakes in the administration (Koprić et al., 2018). One of the legal products in settlement of maladministration by the Ombudsman is recommendations. Recommendations are defined as suggestions. However, sometimes it can also mean advice—the relationship of recommendations to duties and authorities. The Ombudsman is advice or advice to government officials or state operators on what to do to improve the services complained by the community, whether it is case by case or systemic, because the Ombudsman's recommendations relate to his duties as a public service supervisory agency formed under the Law to improve the implementation of good governance and create a conducive environment for services in the form of fair laws, including eradicating and preventing the behaviour of Corruption, Collusion, and Nepotism (Koprić et al., 2018).

The Ombudsman provides recommendations to the reported agencies after conducting intensive examinations and obtaining evidence related to maladministration. Article 37 paragraph (2) of Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia jo. Article 49 of Ombudsman Regulation No. 2 of 2009 concerning Procedures for Examination and Completion of Reports provides provisions that recommendations made by the Ombudsman at least contain: A brief description of the report; Description of the results of torture; The laws and general principles of good

governance are violated; Proven elements of maladministration; and Conclusions and opinions of the Ombudsman regarding matters that need to be implemented Reported and reported superiors (Bimasakti, 2019).

Ombudsman recommendations are not a court ruling and do not result from a pro Justitia examination process, but the Ombudsman's recommendations also have legal force, this is affirmed in Article 38 of Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia which regulates the following provisions: Reported and reported superiors are obliged to implement ombudsman recommendations; The reported supervisor must submit a report to the Ombudsman about the implementation of recommendations that have been made along with the results of the examination within no later than sixty days from the date of receipt of the recommendation; The Ombudsman may request the reported information and/or its superiors and conduct field checks to ensure the implementation of recommendations; and In the event that the reported and reported superiors do not implement the recommendations or only carry out some recommendations for reasons 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 (Dewi, 2018)(Wardana&Rajiani, 2019).

Indonesia is a democratic country that upholds the sovereignty of the people. Therefore, through the Law, the government guarantees the rights of every citizen. The state is obliged to protect every citizen by providing maximum protection and service to every citizen, and citizen is entitled to a fair service (Faiz, 2016).

However, the implementation of public services in Indonesia is still faced with conditions and facts that are not by the needs and changes in various public life, nation, and state areas. If closely observed, this could be caused by the unpreparedness of government officials in responding to the transformation of broad-dimensional values and low legal awareness of public officials, also caused by the impact of various complex development problems. Therefore, a state agency was formed to supervise the implementation of public services, namely the Ombudsman.

Ombudsman, In Article 1 number 1 of Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia, it is asserted that the Ombudsman of the Republic of Indonesia is a state institution that has the authority to supervise the implementation of public services organised by state and government operators including those organised by State-Owned Enterprises, State-Owned Enterprises, and State-Owned Legal Entities, as well as private or individual entities that are given the task of organising certain public services that are partly or all of the funds sourced from the state revenue and expenditure budgets and regional revenue and expenditure budgets (Rosita et al., 2019)(Riswandi, 2019).

According to S.F. Marbun, supervision can be reviewed in various aspects, including economic or management and legal aspects. In terms of management, supervision is needed to ensure that an organisation's activities are run by the planning so that the organisation's goals are achieved. In addition, supervision is also to maintain the function of government to run well and guaranteed the implementation of good governance (Fanani&Zamroni, 2018).

Concerning the function of the Ombudsman of the Republic of Indonesia, the purpose of establishing the Ombudsman is as a supervisory agency. When carefully reviewed the rules governing existing supervisory institutions, it seems that the position and function of the Ombudsman are not the same as those of the supervisory agencies. The Ombudsman of the Republic of Indonesia has the authority to supervise the provision of public services for the implementation of government in Indonesia. Regarding the non-litigation settlement process through the Ombudsman of the Republic of Indonesia, the Public Service Law regulates two types of settlement methods, namely (Lazaro, 2003):

- a. Mediation theory is the effort to hand over dispute resolution to neutral third parties; mediators help the parties resolve the issue by agreement.
- b. Adjudication theory, in Law Number 37 of 2008, Ombudsman Adjudication involves "applicants and respondents, no longer whistleblowers and reported. The applicant is an Indonesian citizen or resident and entity applying for adjudication to the Ombudsman. At the same time, the respondent is a public service provider who is suspected of violating service standards that result in losses. The definition of adjudication is one way of resolving conflicts or disputes through these third parties appointed by the parties to the dispute to determine a binding decision.

For mediation or conciliation, the Ombudsman, in this case, conducts mediation and conciliation between public service providers and citizens who feel harmed. As for adjudication, in this case, the Ombudsman will decide on the dispute requested to the Ombudsman like a judicial body; therefore, the Ombudsman, in this case, serves as a non-litigation adjudication institution. Article 25 paragraph (1) of Ombudsman Regulation No. 31 of 2018 concerning Special Adjudication confirms that the Ombudsman's decision is binding and final. It can also be seen by systematic interpretation¹⁰ by referring to Article 10 of Law No. 37 of 2008 that the Ombudsman cannot be sued in carrying out its duties and authorities, then the Ombudsman's Decision in Special Adjudication is final and binding because it cannot be submitted any legal efforts to any judicial institution.

For indemnity disputes in the Ombudsman, based on Ombudsman Regulation No. 31 of 2018 concerning Special Adjudication, it is resolved through the application process of Adjudication if it cannot be resolved through mediation and conciliation efforts. The Ombudsman's adjudication authority is a new matter in the Public Service Act that is not regulated in Law No. 37 of 2008 concerning Ombudsman. Even the Ombudsman has just implemented regulations in 2018 through Ombudsman Regulation No. 31 of 2018 on Special Adjudication (Bimasakti, 2019).

The Ombudsman itself has been regulated in Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia, wherein the general explanation of this Law stated the existence of ombudsman institutions as external supervisory agencies for the implementation of the state, the Ombudsman has the authority to examine matters of the nature of the administrative mall and the position of the Ombudsman is as an independent state institution. This is intended to carry out its duties; the Ombudsman can be objective, transparent, and accountable to the public. Although not responsible to the House of Representatives Ombudsman is obliged to submit annual reports and periodic reports to the House of Representatives as a form of accountability to the public to implement their duties (Hakim, 2015).

The implementation of supervision of public services conducted by the Ombudsman of the Republic of Indonesia is expected to support good governance. The concept of good governance has become a political will in various laws and regulations of the State of Indonesia. Therefore, ArdiPartadinata, as quoted by H.A. MuinFahmal, stated that good governance as the norm of government is a target that will be targeted and realised in the implementation of good government.

Public service disputes exist due to complaints and reports from the service recipient community who are dissatisfied or feel harmed by the actions or decisions of the public service providers, addressed to the service providers and service providers, the Ombudsman, and the House of Representatives, the Provincial People's Representative Council, the District/Municipal People's Representative Council.

There are complaints from the public in the public service, meaning that the state organisers do not appropriately do so. That means the complainant exists because of maladministration in the public service. From the complaint, it will appear that the performance of public service providers is not by the legislation so that there is an abuse of power. Whereas "the ideal public service performance should be able to provide fast, cheap, easy, fair and legal services, open, accountable, by developing the dynamics of society". The quality is still low, both in terms of service procedures, the quality of products produced, the time of completion of services, and the determination and imposition of service costs. The impression that the poor quality of public services depends heavily on the individual quality of the officials who have responsibility for a particular type of service.

The process of resolving Public Service disputes under the Public Service Act is conducted in several ways (Graaf, 2007):

1. The process of resolving public service disputes is conducted in and by the public service providers themselves and implemented by the prevailing laws and regulations by taking the form of Administratief Beroep (administrative efforts) in the form of administrative objections and administrative appeals.
2. Public service dispute resolution process conducted by the Ombudsman:
 - a. mediation
 - b. Adjudication
3. The State Administrative Court conducts the process of resolving public service disputes if the services provided cause losses in state administration.

Article 2 of the Ombudsman Act confirms that the position of the Ombudsman is an independent state institution and has no organic relationship with state agencies and other government agencies, and in carrying out its duties and authorities free from the interference of other powers. Other provisions also do not constitute a government agency (Asmara, 2017). The Ombudsman also does not have an organic structural relationship either as a superior or subordinate of another institution. In carrying out their duties and authority is also free from the interference of other powers. So, it is a structurally independent institution, functional as well as financial. Moreover, in the Ombudsman Act, the reported parties and the reported superiors must implement the Ombudsman's recommendations. The Ombudsman may publish the reported or reported superiors who do not implement the recommendations and submit reports to the President and the House of Representatives by Article 38 and Article 39 of the Ombudsman Law.

Based on these exposures, adjudication by the Ombudsman in public service dispute resolution is just one of several possible public service dispute resolution possibilities. Considering the function of the Ombudsman as stipulated in Article 6 of Law No. 37 of 2008, "The Ombudsman serves to supervise the implementation of public services organised by state and government operators both in the centre and in the region including those organised by State-Owned Enterprises, State-Owned Enterprises, and State-Owned Legal Entities, as well as private or individual entities, assigned the task of organising public services." The Ombudsman is a Supervisory body for implementing public services, and the function of dispute resolution through adjudication is part of the supervisory function itself. So, the Ombudsman is not a court forum. In the Ombudsman's public service dispute resolution process, the Ombudsman shall prevail as a judge and as a resolution to the existing dispute shall be issued a ruling which in this case shall be deemed to be the decision of the judge applicable to both parties to the dispute.

This Special Adjudication Mechanism begins with the application submitted by the citizen as a Whistleblower by the terms of the author's application at the beginning. After the application is eligible and declared processable, the Administrative Unit processes special adjudication proceedings administratively from receiving and registering applications in the Special Adjudication register book. The Resolution and Monitoring Patent conducts a review of the application. The Administrative Unit informs the review results in writing to the Reporter no later than fourteen days after the application is received. Suppose the results of the application examination are declared incomplete. In that case, the Whistleblower must complete his application within 30 days from receiving a letter of notification from the Ombudsman, and if within that time the Reporter does not complete the application, then the Reporter is deemed to revoke his application. Adjudicators in carrying out their duties are authorised to arrange the course of the trial, request information and copies of documents to the Whistleblower and The Reported and Witnesses and Experts, the rule to witnesses and experts and translators to swear before giving testimony, maintain the rules of the trial, issue parties that violate the rules of the courtroom, determine the application for Special Adjudication, decide the application and sign the decision of the Special Adjudication.

Special Adjudication Examination is conducted by clouding and confirming the Reporter and The Reported information, hearing the witness statement and expert information; request, obtain and examine letters, documents, or other evidence; conduct local checks on public service violations if necessary. In determining the amount of compensation, the Adjudicator determines based on valid and convincing evidence. The resolution of public service disputes through Adjudication by the Ombudsman is only one way of several possible public dispute resolutions. There are several options in resolving public disputes other than through Special Adjudication can be taken in the form of administrative efforts (Administratief Beroep) in the form of administrative objections and administrative appeals, pursued through the Ombudsman with the form of mediation and adjudication, if the services provided cause losses in the Field of State Administration, then the settlement can be reached through State Administration Court. The Authority of Special Adjudication of the Ombudsman is the expansion of the authority granted by Law to the Ombudsman to realise the ideals of exemplary service implementation.

The adjudication process produces a verdict; this is a contradiction because the Ombudsman is not a judicial institution, nor is it a pseudo-administrative judicial process because the results of the Ombudsman examination are in the form of recommendations, and these recommendations are not the judge's decision. Against the decision of the Ombudsman adjudication in settlement of maladministration of public services because the form is a recommendation, then by the applicable provisions can be made further legal efforts, the mechanism of which is like administrative efforts that lead to the imposition of administrative sanctions and publication of this. It indeed arises a problem in the adjudication decision by the Ombudsman because the result of the adjudication decision itself is not final and does not get a final verdict and does not bind the parties because the decision is not a judge, and the adjudication decision is not a judicial ruling.

There are two paths in resolving Loss Disputes in the Public Service: non-litigation through the Ombudsman and litigation through the State Administrative Court. The Ombudsman is authorised to resolve disputes through mediation or conciliation and particular adjudication, while the State Administrative Court resolves through the judicial process. As mentioned in the beginning, the Ombudsman's special adjudication authority under the Public Service Act raises the authority's contact with the State Administration Court in resolving public service disputes, mainly concerning indemnity disputes.

In terms of practical and pragmatic reasons, the process of resolving disputes through the Ombudsman's (particular) adjudication (unique) path is much faster than through time-consuming litigation and lengthy processes. As explained in the beginning, the Decision Ombudsman as a non-litigation adjudication institution cannot be filed any legal efforts and seems to be final and binding. However, according to Enrico Simanjuntak, this can be criticised from the point of view of the State of Law. Namely, there should be no extrajudicial powers that limit the submission of citizen's legal efforts to the court institutions.

What distinguishes the Ombudsman from law enforcement agencies or courts in resolving disputes. In examining the report received, the Ombudsman may call the Reported and witnesses for information. If the Report and witnesses have been called three times in a row do not meet the call with valid reasons, the Ombudsman may ask for the help of the State Police of the Republic of Indonesia to present the concerned by force (subpoena power).

Then, the definition of Public Service in Article 1 number 1 of Law No. 25 of 2009 concerning Public Service is an activity or series of activities to fulfil the needs of services by the laws and regulations for every citizen and resident of goods, services, and administrative services provided by public service providers. Supervision is one way to build and maintain the legitimacy of citizens to the performance of government by creating an effective surveillance system, internal supervision and external supervision, and encouraging public supervision (Zuraidah&Jorddy, 2019)(Saputri&Husein, 2018).

However, in its implementation, the implementation of public services may result in friction or conflict between the legal obligations of public service providers and the rights of citizens, between two conflicting legal obligations, or between two conflicting public rights. These three things fall into the category of disputes according to legal terminology. In public service, the law means poor public services that cause harm to citizens (there are rights violated). In public services, the dispute is limited in terms of public services performed by public service providers on goods/services and administrative services (Hamid, 2021).

In this case, Irfan Islamy mentioned some basic principles that the public bureaucracy apparatus must understand in the internal aspects of the organisation to be able to assess the quality of public service, namely (Irawan&Rumintjap, 2020):

1. The Principle of Accessibility, where each type of service must be easily accessible by each service user (e.g. place problems, distance and service procedures);
2. The principle of Continuity, namely that each type of service must be continuously available to the community with certainty and clarity of the provisions applicable to the service process;
3. Technicality Principle, namely that every type of service process must be handled by officials who understand technology. The service is based on clarity, accuracy and stability of the system, procedures and instruments of service;
4. The principle of profitability, namely that the service process must ultimately be implemented effectively and efficiently and provide economic and social benefits both for the government and for the wider community;
5. The principle of accountability, namely that the process, products, and quality of services that have been provided must be accountable to the community because the government officials, in essence, have the task of providing the best service to the community.

Regarding the role and function of the Ombudsman of the Republic of Indonesia on the implementation of Law of the Republic of Indonesia Number 37 of 2008 concerning Ombudsman of the Republic of Indonesia and 25 of 2009, In this Law is determined on the guidelines of the Ombudsman in carrying out duties and authorities by basing several principles namely propriety, fairness, non-discrimination, openness, and confidentiality. The Law regulates the duties of the Ombudsman, including examining reports of alleged malnutrition in the service of public services. Based on Article 1 Point 3 of Law No. 37 of 2008, "Maladministrasi" is a behaviour or action against the Law, exceeding the authority, using authority for other purposes than the purpose of such authority, including negligence or neglect of legal obligations in the

implementation of public services performed by state operators and governments that cause material and immaterial losses to the community and individuals (Anshori&Enceng, 2017).

In the implementation of examining the report, the Ombudsman must be guided by independent, non-discriminatory, and equitable principles, and not charge fees and must listen and consider the opinions of the parties and make it easier to report. Thus, the Ombudsman, in examining the report, prioritises a persuasive approach to the parties so that state and government organisers have their awareness can complete the report on alleged maladministrators in the implementation of public services by using this approach means that not all reports must be completed through a recommendation mechanism (Solechan, 2018).

The reports will be received by the Ombudsman Republic of Indonesia (central and representative office) and then examined for formal and materiel requirements by the Assistant Ombudsman of the Republic of Indonesia. The examination results were submitted to members of the Ombudsman Republic of Indonesia/ Head of Representative Office. Members of the Ombudsman of the Republic of Indonesia (commissioner) in charge can immediately decide to accept/reject the report for follow-up. In approving, Member Ombudsman of the Republic of Indonesia may propose to hold a meeting of members to the Chairman of Ombudsman of the Republic of Indonesia to discuss whether a report is received/rejected. If the report is rejected, then the Ombudsman of the Republic of Indonesia must notify the reporter no later than seven days after the examination results are signed by the Chairman of Ombudsman of the Republic of Indonesia, head of the Representative Office.

When the report is received, the process is continued with the examination stage of both documents and the field. The reports received are divided into two categories, a custom report, and a regular report. Reports that are specifically categorised when they are urgent, complex problems, and of public concern. It is this categorisation that determines the period of examination. For special reports, the check-up time limit is 60 days, while for regular reports, the time limit is 30 days.

For examination of reports, the Ombudsman Republic of Indonesia can make a call-in writing to the reported witnesses, experts and or translators. If the written summons to the reported and sanctions are not met, then the Ombudsman of the Republic of Indonesia can present or make a subpoena with the help of the police. In the examination stage, the Ombudsman Republic of Indonesia must clarify the reports, both written and oral. After the examination is completed, the Ombudsman Republic of Indonesia issued the examination results in rejecting reports or following up on reports or issuing recommendations(Sari et al., 2019).

In-Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia stipulates the duties and authorities of the Ombudsman of the Republic of Indonesia, namely receiving and completing reports on alleged maladministration in the implementation of public services. In article 1 number 3, maladministration not only takes the form of behaviour or actions but also includes decisions and events that are against the Law, exceeding the authority, using the authority for other purposes than the purpose of such authority, including negligence or neglect of legal obligations in the implementation of public services performed by state and government organisers, including individuals who help the government provide public services that cause material and immaterial harm to the community and individuals.

One of the legal products in settlement of maladministration by the Ombudsman is recommendations. Recommendations are interpreted as suggestions. However, sometimes it can also mean advice. The relationship of recommendations with the duties and authorities of the Ombudsman is as advice or advice to government officials or state organisers on what to do to improve the services complained by the community, whether it is case by case or systemic because the Ombudsman's recommendations relate to his duties as a public service supervisory agency formed under the Law to improve the implementation of good governance and create a conducive environment for services in the form of fair Law, including eradicating and preventing the behaviour of Corruption, Collusion, and Nepotism.

The Ombudsman provides recommendations to the reported agencies after conducting intensive examinations and obtaining evidence related to maladministration. Ombudsman recommendations are not a court ruling and do not result from a pro-Justicia examination process, but the Ombudsman's recommendations also have legal force; this is affirmed in Article 38 of Law No. 37 of 2008 concerning Ombudsman of the Republic of Indonesia.

Conclusion

Ombudsman of the Republic of Indonesia is a state institution that has the authority to supervise the implementation of public services organised by state and government organisers, including those organised by State-Owned Enterprises, State-Owned Enterprises, and State-Owned Legal Entities, as well as private or individual entities that are given the task of organising certain public services that are partly or all of the funds sourced from the state revenue and expenditure budget

and regional revenue and expenditure budgets. Public Service is an activity or series of activities to fulfil the needs of services by the laws and regulations for every citizen and resident of goods, services, and administrative services provided by public service providers. The Ombudsman stages resolve public service disputes, namely the receipt of reports, preliminary examinations, preliminary examinations and field examinations, examination results, recommendations, and mentoring.

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CONFLICTS OF INTEREST

The authors have no conflicts of interest to declare.

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